

# National Department of Health: Food Control & Food Legislation

Regulations Governing General Hygiene Requirements for Food Premises and the Transport of Food (R 962 of 2012): COA Requirements



health

Department:  
Health  
REPUBLIC OF SOUTH AFRICA

# National Department of Health: Food Control & Food Legislation

## R962 OF 2012 COA REQUIREMENTS - GENERAL

- The Regulations is applicable to all food premises (big and small) where food is or will be 'handled' (*prepared, packed, processed, produced, manufactured, stored, exhibited or served*).
- The **Regulations** is NOT applicable to **abattoirs, milking sheds and private households** that handles food for own consumption or without compensation by any other person.
- All applicable food premises are subject to **prior health approval and certification** by a registered professional Environmental Health Practitioner. (**Certificate of Acceptability – CoA**)

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## COA REQUIREMENTS

1. The **person in charge/owner** of a food premises applies to the Local Authority (LA) in writing **before operations start**
  - ✓ The person in charge / owner must take accountability
  - ✓ **Annexure A** prescribe minimum requirements to be captured on the application form.
2. The LA must refer the application to an inspector without a delay

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## COA REQUIREMENTS

3. The inspector will **asses the premises** in terms of Regulations **5 and 6**
- The LA will issue a CoA **[Annexure B]** only after an inspection has been done and a recommendation made by the EHP.
  - The CoA is issued in terms of the **Nature of Handling** as set out in the application.
  - If the premises is not compliant to Regulation 5 and 6 – period of **6 months to rectify** and the **CoA requirement is not applicable during that time.**

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## COA REQUIREMENTS

4. CoA **not transferrable** from one person to another or from one premises to another
  - If the PIC is replaced by another person, that person must inform the LA within 30 days, LA inspect and issue a new CoA
  - If this person does not inform the LA within time frame –

### **COA EXPIRE PERMANENTLY**

5. The CoA must be **displayed** - if impractical must be made available on request

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## COA REQUIREMENTS

6. No one may make changes / additions / forge a CoA

- **May be endorsed** by LA with restrictions/ removal of restrictions
  - Caterer (50 people – restriction into method of handling)
  - Caterer expand kitchen/operations (Re-evaluate/re-assessed and remove restriction)

7. R 962 of 2012 - Any **CoA issued in terms of R 918 of 1999** is still valid

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## COA REQUIREMENTS

8. Anyone can **apply for exemption** of any provision of the Regulations **EXCEPT from having a CoA (eg. Caterers, street food vendors)**
- In such cases the **exemptions will be listed on the CoA**
  - **Can be withdrawn** at any time (health hazards)

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## COA REQUIREMENTS

9. During an inspection (after CoA was issued) a condition exist that can cause a health hazard:
- EHP issue a **prohibition notice ito Reg 4(2)** for the business to rectify within a certain period
  - During this period **the CoA EXPIRES TEMPORARILY**
  - If the prohibition is not removed within 6 months the CoA will **EXPIRE PERMANENTLY**



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**COA REQUIREMENTS - Do NOT apply to the following**

- 1. Private residences** where food is handled for the purpose of making it available **without compensation** to a **church, educational or sports organizations**.
- The PIC shall **keep a record** of the type of food and address where the food was handled for a **period of 30 days**

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## COA REQUIREMENTS - Do NOT apply to the following

2. Vehicles used by a PIC of a food premises that already have a CoA to transport, display or serve **PREPACKED FOOD** deriving from such premises, [but shall apply in respect of vehicles used to transport perishable food on behalf of someone else.]
  - **EXEMPTED FROM HAVING A COA BUT MUST STILL COMPLY WITH THE REST OF THE HYGIENE PROVISIONS!!**

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**COA REQUIREMENTS and REGULATION 5 - Do not apply to the following**

1. Killing, bleeding or evisceration of an animal **after hunting** thereof
2. Fish, molluscs or crustaceans **after the catching or harvesting**
- 3. Packing, storage, display, sale or transport of unprocessed agricultural crop**

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## COA REQUIREMENTS – SUMMARY

- The CoA is issued in terms of:
  - (a) the structure,
  - (b) the owner and / or person in charge
  - (c) The nature of handling
- If any of these change then the CoA must be reevaluated and reissued as deemed by the EHP.
- Compliance to the rest of the regulation does require a inspection frequency.