Re: Communique to the Stakeholders of meat analogue products dated 22 June 2022 (the “Communique”)

Dear Director Makhafola

Thank you again for making yourself available to discuss the Communique regarding meat analogue products. In the Communique, the Department stated in paragraph 4 concerning Regulation 1283 dated 04 October 2019:

“Meat analogues must not use the product names prescribed and reserved for processed meat products since the scope of the above-mentioned regulation does not include meat analogues.”

We agree with your conclusion that Regulation 1283 does not cover meat analogues. Indeed, Section 2(2)(c) specifically states that “[t]hese regulations shall not apply to . . . (c) Meat analogue products or non-meat based products that in general appearance, presentation and intended use correspond to processed meat products (e.g. vegan or vegetarian type processed products).”

However, the regulation does not state or even suggest that the product names mentioned in the regulation have been “prescribed and reserved” for processed meats exclusively. There is nothing currently in the regulations that could be interpreted that this is the intent of the regulations. Without such a statement, the regulation fails to give proper notice to stakeholders of meat analogue products that the regulation was intended to govern those products.

We note that on 24 June 2022, the Department has allowed thirty business days for all labels to be changed and directed the Food Safety Agency to begin issuing directives for the removal of products after thirty business days. Given the challenges to the interpretation of the regulation and widespread disagreement regarding the Department’s legal analysis, as well as the pending discussions regarding the forthcoming regulations of meat analogues, our view is that no arbitrary deadline should be set for compliance with the Communique.

We respectfully request that the Department withdraw the Communique and commence with discussions regarding the proposed new regulations for meat analogues with the relevant stakeholders and other interested parties.

Respectfully submitted,

Signatories on next page
Co-signers to the letter:

- **Unilever PLC**  
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- **Burger King South Africa (RF) (Pty) Ltd**  
  Contact person: Effie Oppon

- **ProVeg International**  
  Contact person: Lara Pappers

- **ProVeg South Africa**  
  Contact person: Donovan Will

- **Animal Law Reform South Africa**  
  Contact person: Amy Wilson

- **Herbivore Earthfoods (Pty) Ltd**  
  Contact person: Chanel Grantham

- **LT Food Labelling Consultancy (Pty) Ltd**  
  Contact person: Landré Thomas

- **Humane Society International/Africa**  
  Contact person: Leozette Roode

- **Humane Society International/Europe**  
  Contact person: Jo Swabe

- **Wellness Warehouse (Pty) Ltd**  
  Contact person: Jackie Foot

- **Ambassador Foods (Pty) Ltd, A Division of Libstar**  
  Contact person: Henk van der Merwe

- **Denny Mushrooms (Pty) Ltd**  
  Contact person: Henk van der Merwe

- **Infinite Foods (Pty) Ltd**  
  Contact person: Neil Taylor

- **Beyond Meat Inc**  
  Contact person: Bram Meijer

- **Eat Just, Inc. (Just Egg)**  
  Contact person: Andrew Noyes

- **Lexi's Healthy Eatery (Pty) Ltd**  
  Contact person: Lexi Monzeglio

- **Imbambosi Products**  
  Contact person: Nadia Scheffer

- **Vegelicious (Pty) Ltd**  
  Contact person: Sue Govender

- **UniBrands (Pty) Ltd**  
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- **Danone S.A.**  
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- **The Kind Kitchen (Pty) Ltd**  
  Contact person: Jay Mac

- **Mary-Ann's Wholefoods Wholesale (Pty) Ltd**  
  Contact person: Mark Shearer

- **AvoWorx (Pty) Ltd trading as HERBI VÖHR**  
  Contact person: Anneke Malan

- **Veggiewors**  
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- **VFoods (Pty) Ltd**  
  Contact person: Dave Asher

- **Dear Vegan (Pty) Ltd**  
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- **Naked Leaf**  
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- **Alpro (ENSA)**  
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- **Liquats S.A. (ENSA)**  
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