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## Tunisia

**Post:** Tunis

### Cheese-like Product Specifications and Labeling Requirements

**Report Categories:**

Dairy and Products

FAIRS Subject Report

Sanitary/Phytosanitary/Food Safety

WTO Notifications

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**Report Highlights:**

On January 9, 2019, Tunisia notified the WTO via [G/SPS/N/TUN/3](#) and [G/TBT/N/TUN/27](#) of a draft Joint Order establishing the specifications for food products similar to cheese and the labeling, display and marketing requirements for such products. The final date for comments is March 8, 2019. This report contains an unofficial translation of the draft measure.

<p><b>Draft Joint Order of Ministers of Trade, Industry and Small and Medium Enterprises, Health, Agriculture and Water Resources and Fisheries of ..... the specifications of cheese-like food preparations and the conditions for their labeling, presentation and marketing.</b></p>
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**MINISTERS OF COMMERCE, INDUSTRY AND SMALL AND MEDIUM ENTERPRISES, HEALTH, AGRICULTURE AND WATER RESOURCES AND FISHERIES,**

Given the constitution,

Having regard to Law No. 1992-117 of December 7, 1992, relating to the protection of the consumer in particular its article 5,

Having regard to Law No. 1998-40 of June 2, 1998, relating to the techniques of sale and the commercial advertising,

Having regard to Law No. 99-24 of March 9, 1999, relative to the sanitary veterinary control on the import and the export,

Having regard to Law No. 1999-40 of May 10, 1999 relating to the legal metrology as modified and supplemented by Law No. 2008-12 of February 11, 2008,

Having regard to Law No. 2005-95 of October 18th, 2005 relative to the breeding and the animal products as modified by Law No. 2007-54 of August 8, 2007, relating to the fight against the doping in the sport,

Having regard to Law No. 2009-38 of the June 30, 2009, relative to the national system of standardization as modified and completed by Law No. 2016-16 of March 3, 2016,

Having regard to Law No. 2009-69 of August 12, 2009, relative to the distribution trade,

Having regard to Law No. 2015-36 of September 15, 2015, relative to the reorganization of the competition and the prices,

Having regard to Decree No. 2003-1718 of August 11, 2003, on the establishment of general criteria for the manufacture, use and marketing of materials and articles intended to come into contact with foodstuffs,

Having regard to Presidential Decree No. 2016-107 of August 27, 2016 appointing the Head of Government and its members,

Having regard to Presidential Decree No. 2017-124 of March 17, 2017, appointing members of the Government,

Having regard to Presidential Decree No. 2017-43 of September 12, 2017, appointing members of the Government,

Having regard to Presidential Decree No. 2017-247 of November 25, 2017, appointing two members of the Government,

Having regard to Presidential Decree No. 2018-125 of November 14, 2018, appointing members of the Government,

Having regard to the Decree of the Minister of the National Economy of September 18, 1993, laying down the methods for taking samples provided for by Law No. 92-117 of December 7, 1992, on the

protection of the consumer, as amended by the Decree of Minister of Tourism and Handicrafts July 21, 2003,

Having regard to the Order of the Ministers for Trade and Handicraft, Agriculture and Water Resources, Public Health and Industry, Energy and Small and Medium-sized Enterprises of September 15, 2005, on plastic materials and articles intended to enter into contact with foodstuffs, as amended by the order of the Minister of Health, Industry, Trade and Handicrafts and the Minister of Agriculture of September 11, 2012,

Having regard to the Decree of the Minister of Agriculture and Water Resources of May 26, 2006 laying down the procedures for veterinary health control, the conditions and procedures for granting the sanitary approval of establishments producing, processing and packaging animal products,

Having regard to the Order of the Ministers of Trade and Handicrafts, Public Health, Industry, Energy and Small and Medium Enterprises of September 3, 2008, on the labeling and presentation of prepackaged foodstuffs,

Having regard to the Order of the Minister of Health, the Minister of Industry, the Minister of Commerce and Handicrafts and the Minister of Agriculture of December 4, 2012, fixing the specifications of materials and objects made of paper and cardboard intended to come into contact with foodstuffs,

Having regard to the Order of the Minister of Health, the Minister of Industry, the Minister of Trade and Handicrafts, the Minister of Agriculture and the Minister of Equipment and the Environment of May 13, 2013, setting out the list of maximum limits for certain contaminants in foodstuffs and methods of sampling and analysis for official control,

### **ORDER:**

**First article:** The provisions of this decree apply to food preparations similar to cheeses intended for human consumption, these products consist mainly of vegetable fat, thickeners, and preservatives, and which may be added in their composition of milk, derivatives of milk, milk fat, and whey.

**Article 2:** Food preparations are classified in two categories: cheese preparation and food preparation.

The distinction between cheese preparation and food preparation is based on the percentage of milk protein as shown in the following table:

Cheese-like food preparations	Percentage of milk proteins
Cheese preparation	>5%
Food preparation	≤5%

**Article 3:** Without prejudice to the regulatory and legal provisions in force, it is mandatory to respect good manufacturing practices and good sanitary practices in the manufacture of food preparations similar to cheese to ensure the safety and quality of the product. For example, establishments that manufacture and process and package cheese-like food preparations must have veterinary sanitary approval in accordance with the regulations in force.

**Article 4:** The products covered by this Order must comply with the legislative and regulatory provisions in force concerning, in particular, the general conditions of hygiene and food safety, microbiological characteristics, food additives, pesticide and veterinary drug residues, contaminants, packaging and packaging and labeling of prepackaged foods and metrological control over prepackaged products.

**Article 5:** It is allowed to mention the nature of the cheese used in the labeling, if its percentage in the composition of the product is not lower than that indicated in the Order of the Ministers of the Trade and Crafts, Public Health, Industry, Energy and Small and Medium-Sized Enterprises of September 3, 2008, on the labeling and presentation of prepacked foods.

The labeling of cheese preparations may contain images of cheeses or other images related to dairy products.

**Article 6:** It is forbidden to use cheese images or other images related to dairy products in the labeling of food preparations.

**Article 7:** The labeling must mention the name "food preparation" or "cheese preparation" on the front of the packaging, alone and in large letters and clearly visible to the consumer and on a space at least 10% of the total space of the main face of the packaging. And it is forbidden to hide them totally or partially by images or information.

**Article 8:** Labeling must mention the type and percentage of vegetable fat used in the list of ingredients of cheese preparations and food preparations.

**Article 9:** It is forbidden to present for sale food preparations similar to unpackaged cheeses.

**Article 10:** Food preparation and processing establishments using food preparations must inform the consumer of the true nature of these cheese-like products used in a prominent manner with stickers or posters.

**Article 11:** Infringements of the provisions of this Order are recorded, prosecuted and repressed in accordance with the provisions of Law No. 92-117 of December 7, 1992, relating to the protection of the consumer.

**Article 12:** This Order comes into force after six months of its publication in the Official Gazette of the Republic of Tunisia.