



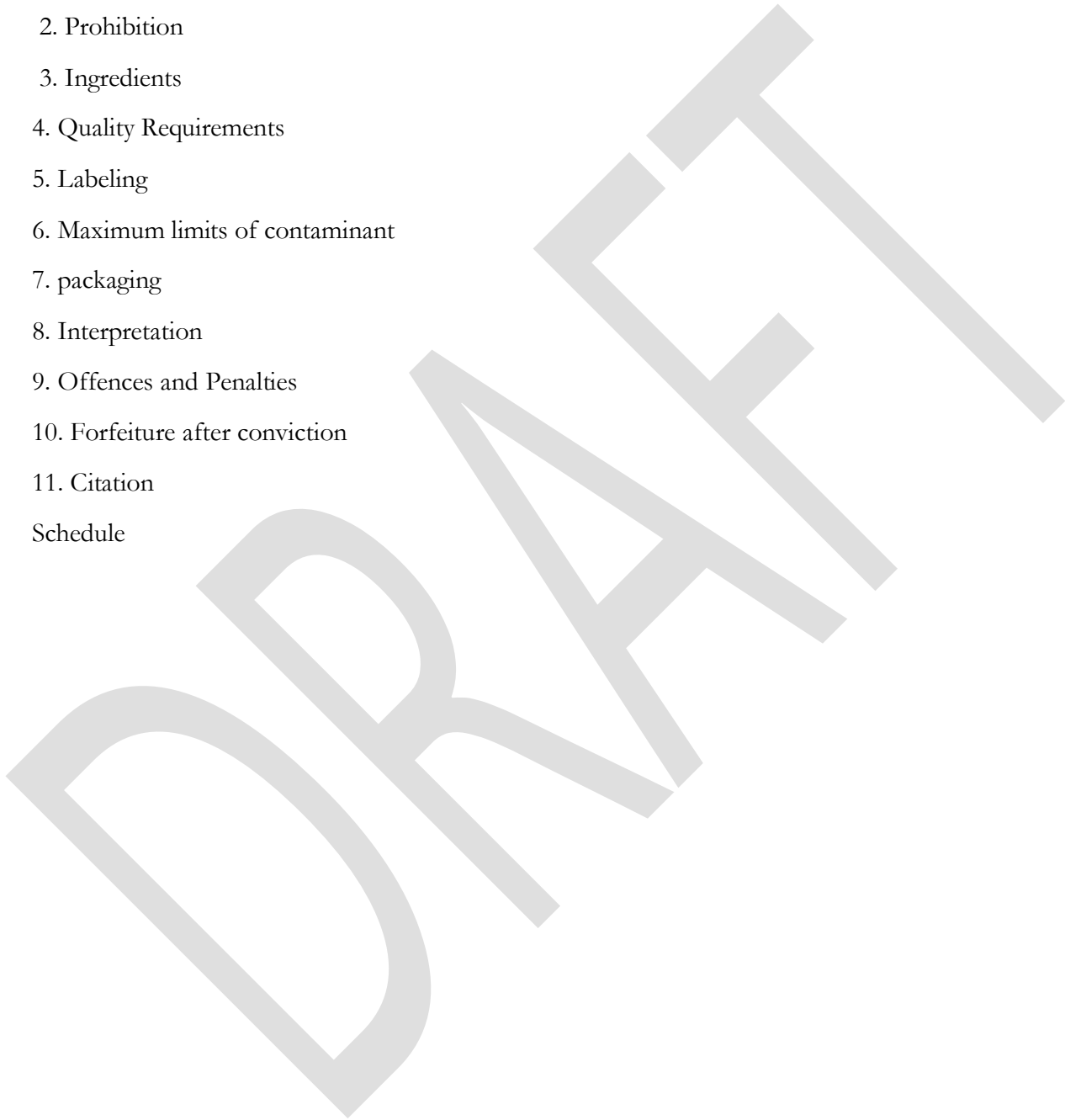
NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND CONTROL  
(NAFDAC)

**DRAFT TOMATO CONCENTRATE REGULATIONS 2024**

# DRAFT TOMATO CONCENTRATE REGULATIONS 2024

## ARRANGEMENT OF REGULATIONS

1. Application
  2. Prohibition
  3. Ingredients
  4. Quality Requirements
  5. Labeling
  6. Maximum limits of contaminant
  7. packaging
  8. Interpretation
  9. Offences and Penalties
  10. Forfeiture after conviction
  11. Citation
- Schedule



# DRAFT TOMATO CONCENTRATE REGULATIONS, 2024

[ ] Commencement

In exercise of the powers conferred on the Governing Council of the National Agency for Food and Drug Administration and Control (NAFDAC) by Sections 5 and 30 of the NAFDAC Act Cap N1 LFN 2004 and Section 12 of the Food, Drugs and Related Products (Registration, Etc.) Act Cap F33 LFN 2004 and of all the powers enabling it in that behalf, THE GOVERNING COUNCIL OF THE NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND CONTROL with the approval of the Minister of Health hereby makes the following Regulations: -

## 1. Application

These Regulations shall apply to the requirements for tomato concentrate offered for consumption, which are manufactured, imported, exported, advertised, sold, distributed or used in Nigeria.

The Regulations shall not apply to tomato sauce, tomato mix, tomato ketchup, dried tomato or similar products which are seasoned products of varying concentrations containing characterizing ingredients such as pepper, onions, vinegar, etc., in quantity that materially alter the flavour, aroma and taste of the tomato component.

## 2. Prohibition

No person shall manufacture, import, export, advertise, display for sale, or distribute Tomato Concentrate in Nigeria unless it is in accordance with the provisions of these Regulations.

## 3. Ingredients

- a. The essential ingredient for tomato Concentrate shall be obtained from sound mature red tomatoes (*Lycopersicon/Lycopersicum esculentum* P. Mill).
- b. Other permitted optional Ingredients shall include iodized salt (sodium chloride), spices and aromatic herbs and their natural extracts, lemon juice (single strength or concentrated) used as an acidulant, and water.
- c. Additives permitted for use in tomato paste shall be as provided in schedule (1) to these Regulations.

## 4. Quality Requirements

- a. Tomato concentrate shall be of good flavour, good red colour, and possess a homogeneous texture, characteristic of the product.
- b. Tomato concentrate shall be free from artificial colouring matter, bulking agent and flavouring agents.

- c. Tomato concentrate shall be free of extraneous plant materials including other objectionable material, dark specks, and mineral impurities.
- d. The pH for tomato concentrate shall be less than 4.6.

## 5. Labelling

In addition to the provisions of the *Prepackaged Food (labelling) Regulations*, the following specific provisions shall apply:

- a. The name of the product shall be:
  - i. “Tomato Puree” if the Tomato concentrate contains not less than 8% but less than 24% natural total tomato soluble solids. (8% < 24%);
  - ii. “Tomato Paste” if the Tomato concentrate contains at least 24% natural tomato total soluble solids;
- b. If an added ingredient as specified in section 3(b) alters the flavour characteristic of the product, the name of the food shall be accompanied by the term “flavoured with X” or “X flavoured” as appropriate.
- c. The minimum percentage of natural total soluble solids shall be declared on the label in either of the following;
  - i. The minimum percentage of natural total soluble solids.
  - ii. A range within 2% of the natural total soluble solids.

## 6. Maximum limits of Contaminants

Metallic contaminants in Tomato concentrate shall not exceed the amounts as specified in the schedule (2) to these Regulations

## 7. Packaging

Tomato concentrate shall be packaged in food grade material that ensures the integrity and safety of the product.

## 8. Interpretation

In these Regulations, unless the context otherwise requires:

1. **Agency** means National Agency for Food and Drug Administration and Control
2. **Tomato concentrate** means the product prepared by concentrating the juice or pulp obtained from substantially sound, mature red tomatoes (*Lycopersicon/Lycopersicum esculentum P. Mill*) strained or otherwise prepared to exclude the majority of skins, seeds and other coarse or hard substances in the finished product and preserved by physical means.

The tomato concentration shall be 8% or more of natural total tomato soluble solids but not dehydrated to a dry powder or flake form.

**9. Offences and Penalties**

- a) Any person who contravenes any of the provisions of these Regulations commits an offence and shall be liable on conviction, in case of -
  - i. an individual, to imprisonment for a term not exceeding one year or to a fine not exceeding N800,000.00 or to both; and
  - ii. a body corporate, to a fine not exceeding N5,000, 000.00.
  
- b) Where an offence under these Regulations is committed by a body corporate, firm or other association of individuals, every –
  - i. director, manager, secretary or other similar officer of the body corporate;
  - ii. partner or officer of the firm;
  - iii. trustee of the body concerned;
  - iv. person concerned in the management of the affairs of the association; or
  - v. person who purports to act in a capacity referred to in paragraphs (i) to (iv) of this sub-Regulation,is severally liable to be proceeded against and punished for that offence in the same manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

**10 Forfeiture after Conviction**

- a) A person convicted of an offence under these Regulations shall forfeit to the Federal Government of Nigeria: –
  - i. asset or property constituting proceeds derived from or obtained, directly or indirectly, as a result of the offence;
  - ii. any of the person's property or instrument used in any manner to commit or to facilitate the commission of the offence.
  
- b) In these Regulations, "proceeds" means any property derived or obtained, directly or indirectly, through the commission of the offence.

**11. CITATION**

These Regulations shall be cited as Tomato Concentrate Regulations, 2024

MADE at Abuja this.....Day of .....2024.

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**Chairman Governing Council**

**National Agency for Food and Drug Administration and Control (NAFDAC)**

## SCHEDULE 1

### Acidity Regulators

INS No.	Name of the Food Additive	Limits
330	Citric Acid.	Limited by GMP
308	Tri-potassium Citrate.	Limited by GMP
331i	Sodium hydrogen citrates.	Limited by GMP
331ii	Tri-sodium citrates.	Limited by GMP
332i	Potassium hydrogen citrate.	Limited by GMP
333	Calcium Citrate.	Limited by GMP
380	Tri-ammonium citrates.	Limited by GMP

## SCHEDULE 2

### Maximum Limits of Metallic Contaminants

Metallic Contaminants	Limit (mg/kg) (max)
(a) Arsenic (As)	0.01
(b) Lead (Pb)	0.1
(c) Copper (Cu)	5.0
(d) Zinc (Zn)	0.1
(e) Cadmium (Cd)	0.05