

NAFDAC Food Hygiene Regulations, 2025

Draft

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NAFDAC Food Hygiene Regulations, 2025
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NAFDAC Food Hygiene Regulations 2025

[] Commencement

In exercise of the powers conferred on the Governing Council of the National Agency for Food and Drug Administration and Control ('the Governing Council') by Section 30 of the National Agency for Food and Drug Administration and Control 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 with the approval of the Minister makes the following Regulations: -

Part 1 Objective and Application

1. Objective

The objective of these Regulations is to provide regulatory framework for food hygiene to all establishments dealing with the preparation, processing, packaging, transportation, distribution, manufacturing, handling, storage or sale of food or any other matters related to food establishments in Nigeria.

2. Application

These Regulations shall apply to all establishments dealing with the preparation, processing, packaging, transportation, distribution, manufacturing, handling, storage or sale of food or any other matters related to food establishments in Nigeria.

Part II

Establishment, Food Safety Management Systems, Personnel, Layout, Design and Construction of Food Premises

3. Establishments

- (1) Food business shall not be carried out at any unsanitary premises. The condition, situations or construction of the premise shall not expose the food to the risk of contamination.
- (2) Food business shall not be located in close proximity to a potential source of contamination including;
 - (a) environmentally polluted areas and near industrial activities which may pose a serious threat of contaminating food.
 - (b) areas subject to flooding.
 - (c) areas prone to infestations of pests.
 - (d) areas where wastes cannot be effectively managed or removed.

4. Food safety management systems

- (1) The management of the food establishment shall establish a clear organizational structure.
- (2) The organizational structure shall define and documents job functions, responsibilities and reporting relationships of staff including staff whose activities impact product safety.

- (3) Documented procedures shall be established
 - i. for the hazard identification and implementation of corrective actions relating to food and activities that do not conform to safety requirements.
 - ii. and implemented for various processes and operations as relevant to all activities.

5. **Personnel**

- (1) Personnel responsible for ensuring good hygienic and sanitation practices shall have appropriate education, training, and experience, or any combination thereof to perform assigned functions.
- (2) Persons' handling food in a food establishment shall have a valid and satisfactory food handlers' test report which shall be conducted by a registered medical practitioner.
- (3) Food handlers shall
 - i. maintain personal cleanliness and wear suitable protective apparel.
 - ii. be free from disease which may be transmitted through food
 - iii. be free from open lesions, including boils, sores, or infected wounds.
 - iv. behave and operate in an appropriate manner.

6. **Layout, design and construction of food premises.**

The layout, design, construction and size of food premises shall;

- (a) have a uni-directional flow and separating areas to allow easy movement of personnel and materials.
- (b) permit adequate cleaning of all areas or disinfection where relevant.
- (c) be constructed in a manner consistent with good hygienic practice.
- (d) facilitate and permit the implementation of good food hygiene practice or standards for assuring food hygiene.
- (e) maintain access control and appropriate behaviour to protect against any form of cross contamination.
- (f) provide, where necessary, suitable temperature conditions for the hygienic processing, handling and storage of products.
- (g) provide adequate ventilation to minimize cross-contamination

7. **Internal structures and fittings**

- (1) Internal structures and fittings within food establishments shall be soundly built of durable materials shall be easy to maintain, clean and, where appropriate, able to be disinfected.
- (2) They should be constructed of non-toxic and inert materials according to intended use and normal operating conditions.

8. **Equipment**

- (1) Equipment shall be suitable for the intended use and easily cleanable.
- (2) Equipment, containers and packaging not intended for single use, in contact with food shall be designed and constructed to ensure ease of cleaning and disinfecting as appropriate.
- (3) Articles and fittings not intended for single use and in contact with food shall be:

- (a) kept clean.
 - (b) made of suitable materials and not affect the integrity of the food.
 - (c) kept in a state of order, repair and condition to prevent or minimize any risk of contamination of the food.
 - (d) installed in a manner to allow cleaning of the surrounding area.
- (4) Equipment used to cook, heat treat, cool, store or freeze food shall be designed to maintain food safety and suitability.
 - (5) Adequate facilities and materials shall be provided for the cleaning and disinfecting of work tools and equipment.
 - (6) The facilities in Regulations 8(4) shall be made of materials resistant to corrosion.

Part III

Water Supply, Sanitary Facilities, Drainage Facilities, Drainage Facilities, Changing Facilities

9. Water Supply

- (1) Food premises shall have adequate supply of potable water free from contamination.
- (2) There shall be appropriate and adequate facility for storage, distribution and temperature control of potable water.
- (3) Ice which comes in contact with food or that is intended for human consumption shall be:
 - i. produced from potable water.
 - ii. produced, handled and stored under conditions which protect it from all contamination.
- (4) Steam in contact with food shall not contain any substance which may contaminate the food or present any hazard.
- (5) Utility water shall be readily identifiable, separated from potable water and not have any possibility of reflux to the potable water.

10. Sanitary facilities

- (1) Hand washing facilities in food premises shall have
 - (a) washbasins designated for hand washing, be installed in the food premises and be supplied with running water at varying temperatures and soap.
 - (b) have suitable materials for hygienic drying of hands.
 - (c) have flush lavatories connected to an effective drainage system.
 - (d) sanitary conveniences not leading directly to room where food is stored, processed or handled.
- (2) Food washing facilities in food premises shall have
 - (a) suitable facilities for washing food and where necessary, be separate from the hand-washing facilities.
 - (b) adequate supply of potable water at suitable temperatures for its intended use and be kept clean.
 - (c) materials and tools for hygienic cleaning of food located in close proximity for the washing of food.

11. Drainage facilities

Drainage facilities shall be adequate for the intended purpose and be designed, constructed and well maintained to avoid the risk of contamination of food or water supply.

12. Changing facilities

Changing facilities for personnel shall be provided and adequate for the intended use.

13. Ventilation and lighting

- (1) Suitable and adequate ventilation and lightening shall be provided in all rooms of the food premises.
- (2) Mechanical air flow from a contaminated area to a clean area shall be avoided.
- (3) Ventilation systems shall be so constructed to enable filters and other parts requiring cleaning or replacement to be readily accessible and cleaned.

14. Food waste and disposal

- (1) Adequate waste disposal systems designed and constructed in such a manner to minimize risk of contamination to the food or the potable water supply shall be provided,.
- (2) There shall be designated area for storage of food waste.
- (3) Containers for storage and disposal of food waste shall be appropriately constructed and maintained to allow for cleaning and disinfecting.
- (4) Waste shall be collected, disposed of by trained personnel and, where appropriate, disposal records maintained.

Part IV

Raw Materials, Temperature Control, Application Of Hazard Analysis Critical Control Points (HACCP) Etc.

15. Raw materials

- (1) Raw materials shall
 - (a) be obtained from identifiable sources.
 - (b) not be contaminated or decomposed
 - (c) be handled, packed, stored and transported in appropriate conditions to prevent deterioration.
 - (d) be inspected and sorted where before processing.
 - (e) be subjected to appropriate checks and stock rotation maintained
- (2) raw materials and intermediate products likely to support the growth of pathogenic microorganisms or the formation of toxins shall be kept at temperatures to maintain the integrity.

16. Temperature Control

- (1) Food premises shall have
 - (a) adequate temperatures monitoring system for control of the food temperature to maintain its the safety and suitability.

- (b) temperature recording devices which checked at regular intervals and tested for accuracy, where appropriate.
 - (2) Temperatures monitoring system in regulations 16 (1) (a) shall specify tolerable limits for time and temperature variations appropriate for the type of food operations.
 - (3) Equipment used to cook, heat, cool, store or freeze food should be designed to achieve the required food temperatures as rapidly as necessary in the interests of food safety and suitability, and to maintain food temperatures effectively.
17. **Application of Hazard Analysis Critical Control Points (HACCP)**
- (1) The food business owner shall identify critical food safety stages in food processing activities.
 - (2) Appropriate safety procedures shall be identified, implemented, maintained and reviewed on the basis of a system of Hazard Analysis Critical Control Points (HACCP).
18. **Complaints and Recall**
- (1) There shall be
 - (a) effective system in place for the management of customer complaints.
 - (b) procedures for incident management and recall of products in the event of food safety hazard.
 - (2) Recall of products shall be in accordance with the Agency's Recall, Handling and Disposal of Unwholesome and Adulterated Food and Food Products Regulations.
19. **Product analysis**
- Testing to confirm product safety should be in the business own laboratory or accredited laboratory.
20. **Pest Control**
- Pest control procedures shall be in place.
21. **Packaging**
- (1) Packaging material and design shall provide adequate protection to prevent contamination and damage of the product
 - (2) Packaging materials shall be suitable, non-toxic and not pose a threat to the food under the specified conditions of storage and use.
 - (3) Reusable packaging material where applicable shall be suitably, durable, easy to clean and sanitized.
 - (4) Gases used for packaging of food products shall be suitable, non-toxic and maintain the integrity of the food under the specified conditions of storage and use.
22. **Transportation**
- (1) The means of transportation of food shall protect, preserve and assure the hygiene of the food.
 - (2) Food including bulk food shall be transported in conveyances, containers or tankers specifically designed and reserved for the transport of food.
 - (3) Conveyances and containers for food transportation shall be;

- (a) kept clean and maintained in good repair and condition and where necessary, shall be designed and constructed to permit adequate cleaning or disinfection.
- (b) effectively cleaned between loads to avoid risk of cross contamination.
- (c) capable of maintaining food at appropriate temperatures and shall be monitored.
- (d) allow for effective separation of the products.

23. Product Information

Food Products shall

- (a) bear or be accompanied by detailed and appropriate information accessible to persons in the food chain to be able to handle, display, store and use the product safely.
- (b) comply with the Pre-packaged Food (Labelling) Regulations 2022..

24. Training

- (1) Food handlers shall be trained, instructed and supervised in food hygiene matters appropriate for work activity and records maintained.
- (2) Training programs should be routinely reviewed and updated where necessary.

25. Prohibition

A person shall not prepare, process, manufacture, package, store, transport, distribute, handle, offer for sale or supply food except in accordance with the provisions of these Regulations.

Part IV Offences And Penalties

26. Offences and Penalties

- (1) Any person who contravenes any of the provisions of these Regulations commits an offence and shall be liable on conviction. In case of -
 - (a) an individual, to imprisonment for a term not exceeding one year or to a fine not exceeding N800,000.00 or to both; and
 - (b) a body corporate, to a fine not exceeding N5,000, 000.00.
- (2) Where an offence under these Regulations is committed by a body corporate, firm or other association of individuals every: -
 - (a) director, manager, secretary or other similar officer of the body corporate.
 - (b) partner or officer of the firm.
 - (c) trustee of the body concerned.
 - (d) person concerned in the management of the affairs of the association; or
 - (e) 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.

27. Forfeiture after conviction

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

Part V Miscellaneous

28. Interpretation

For the purpose of these regulations unless the context otherwise requires, the following words mean: -

Agency means National Agency for Food and Drug Administration and Control

Contamination means exposure of food to conditions that permit or may permit the introduction or the occurrence of any of the following:

- (a) A disease-causing microorganism or parasite,
- (b) Any biological or chemical agent,
- (c) Foreign matter, residues, drugs or any other substance that may compromise food safety;

Food means any substance, whether processed, semi-processed or raw, which is intended for human consumption, and includes drinks, chewing gum and any substance which has been used in the manufacture, preparation or treatment of "food" but does not include cosmetics or tobacco or substances used only as drugs.

Food handler means any person who directly handles packed or unpackaged food, food equipment and utensils, food contact surfaces and is therefore expected to comply with food hygiene requirements.

Food hygiene means all conditions and measures necessary to ensure the safety and suitability of food at all stages of the food chain.

Unwholesome in relation to food means its unfitness for human consumption so far as hygiene is concerned.

29. Citation

These Regulations may be cited as the NAFDAC Food Hygiene Regulations, 2025

MADE at Abuja this day of2025.

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Dr. Mansur Kabir

Chairman Governing Council

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

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