

**NAFDAC Recall, Handling And Disposal Of  
Unwholesome And Adulterated Food And Food Products  
Regulations, 2025**

**Closed for comments**

**NAFDAC Recall, Handling And Disposal of Unwholesome and Adulterated Food and Food Products Regulations, 2025**

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# NAFDAC Recall, Handling and Disposal of Unwholesome and Adulterated Food and Food Products 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 the recall, handling, storage and disposal of unwholesome and adulterated food and food products manufactured, imported, exported, advertised, sold, displayed for sale, distributed, or used in Nigeria.

### 2. Application

These Regulations shall apply in the recall, handling, storage and disposal of unwholesome and adulterated food and food products manufactured, exported, imported, advertised, sold, distributed or used in Nigeria.

## Part II Reasons for Recall, Initiation of Voluntary Recall, Initiation of Non-Voluntary Recall, Recall Strategy, Etc.

### 3. Reasons for recall

The reasons for the recall of unwholesome and adulterated food and food products shall include;

- (1) contamination
- (2) non-compliant labelling
- (3) undeclared allergen
- (4) defective and non-compliant packaging
- (5) unsafe levels of additives
- (6) unsafe residual levels of veterinary drugs and pesticides
- (7) adulteration
- (8) tampering threats
- (9) incorrect food formulation
- (10) food fraud
- (11) poor storage and handling
- (12) supplier or manufacturer's notification;
- (13) any other reasons as may be prescribed by the Agency.

#### 4. **Initiation of voluntary recall**

- (1) A Certificate of Registration Holder shall initiate the voluntary recall of unwholesome and adulterated food and food products.
- (2) The Certificate of Registration Holder shall notify the Agency in writing of the voluntary recall of the unwholesome and adulterated food and food products and shall include;
  - (a) product name
  - (b) batch number
  - (c) manufacture date
  - (d) expiry date/best before date
  - (e) nature of defect
  - (f) product label
  - (g) manufacturers details and date of import (where applicable)
  - (h) distribution details including quantity of affected food on the market
  - (i) geographical area of distribution
  - (j) details of complaints received and any reported illnesses (where applicable)
  - (k) plans for public communications
  - (l) timings for food recall/withdrawal and communication
  - (m) recall protocol
  - (n) any other information as may be prescribed by the Agency
- (3) The Certificate Of Registration Holder shall notify the distributors of the product recall, reason for recall and the recall structures.
- (4) The Agency shall participate in the recall exercise.
- (5) A certificate of registration holder shall bear the cost of the voluntary recall of unwholesome and adulterated food and food products

#### 5. **Initiation of non-voluntary recall**

- (1) The Agency shall initiate the non-voluntary recall of unwholesome and adulterated food and food products.
- (2) The Agency upon the establishment of the reason for recall of unwholesome and adulterated products shall notify the Certificate of Registration Holder or business owner.
- (3) The notification referred in regulation 5 (2) of this regulation shall include the following details of the product;
  - (a) name of the certificate of registration holder or business owner and contact details
  - (b) product name
  - (c) batch number
  - (d) manufacture date
  - (e) expiry date/best before date
  - (f) nature of defect
  - (g) product label
  - (h) manufacturers details and date of import (where applicable)
  - (i) distribution details including quantity of affected food on the market
  - (j) geographical area of distribution
  - (k) details of complaints received and any reported illnesses (where applicable)
  - (l) plans for public communications
  - (m) timings for food recall/withdrawal and communication

- (n) recall protocol
- (o) any other information as may be prescribed by the Agency to make informed decision
- (4) Where there is no identifiable person responsible for the presence of the unwholesome and adulterated food and food products in Nigeria, the Agency shall request any outlets and the public in possession of the unwholesome and adulterated food and food products to report such to the nearest office of the Agency.
- (5) A Certificate of Registration Holder or business owner shall bear the cost of the recall.

**6. Recall strategy**

- (1) The Certificate of Registration Holder shall prepare and obtain approval for the recall strategy.
- (2) The recall strategy shall include but not limited to;
  - (a) the duration for the recall.
  - (b) the key personnel appointed to coordinate the recall and provide feedback to the Agency at intervals until the completion of the exercise.
  - (c) any other strategy as the Agency may determine.

**7. Notification and public announcement**

Upon the Agency's approval for the recall of the unwholesome and adulterated food and food products, the Agency shall publicize it at the expense of the Certificate of Registration Holder or business owner.

**8. Submission of Recall report**

- (1) The Certificate of Registration Holder or business owner shall submit documented evidence of the recall at the end of the process.
- (2) The Agency shall assess the performance of the recall and take necessary action as may be determined by the Agency.

**Part III**

**Storage, Decision for Disposal of Unwholesome and Adulterated Food and Food Products  
Planning for Disposal of Unwholesome and Adulterated Food and Food Products**

**9. Storage**

- (1) The recalled food and food products shall be transferred to the Agency's storage facility and all inventories shall be reconciled.
- (2) The product shall be appropriately stacked and stored until disposal exercise is scheduled.

**10. Decision for disposal of unwholesome and adulterated food and food products**

The Agency shall determine the disposal of unwholesome and adulterated food and food products.

**11. Planning for disposal of unwholesome and adulterated food and food products**

- (1) For the purpose of effective disposal of the products, the following shall be identified;
  - (a) the quantities of the unwholesome and adulterated food and food products.
  - (b) the respective disposal methods for all the identified food and food products;
  - (c) the required human resources

- (d) the location, space, equipment, materials and logistics for the volume of unwholesome and adulterated food and food products to be disposed.
- (e) the estimated cost of the disposal exercise.

**12. Health and safety**

The Agency shall provide appropriate safety gears and sanitary provision on the site.

**13. Transfer of unwholesome and adulterated products to disposal site**

The recalled unwholesome and adulterated food and food products shall be transported to the disposal site in a secured manner and in the company of regulatory officer and security personnel.

**14. Sorting at the disposal site**

The recalled unwholesome and adulterated food and food products shall be sorted at the disposal site according to the identified method of disposal as stated in Regulations 11 (b) to these Regulations.

**15. Disposal**

- (1) The recalled and sorted food and food products shall be disposed in accordance with the identified disposal method.
- (2) The cost of the disposal of the unwholesome and adulterated food and food products shall be borne by the Certificate of Registration Holder, business owner or any person found in possession of the unwholesome and adulterated food and food products.

**16. Security**

The Agency shall provide security measures during the transportation, sorting and disposal of the recalled unwholesome and adulterated food and food products.

**17. Prohibition**

An unwholesome and adulterated food and food products shall not be recalled, stored or disposed except in accordance with the provisions of these Regulations.

**Part IV**  
**Offences and Penalties**

**18. 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.

#### 19. 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

#### 20. Interpretations

In these Regulations unless the context otherwise requires:

**Adulterated Food and Food Products** means food that has been prepared, packed, or held under condition that is unfit for human consumption whereby it may have become contaminated with filth, chemical or microbial substances and it may have been rendered injurious to health. It includes the addition or subtraction to or from food so that the natural composition and quality of the food is affected.

**Adulterated Food** means

- (1) any food the valuable constituents or characteristic nutritional principles of which have been abstracted, in whole or in part, and replaced by inert or extraneous ingredients, or foods to which an excessive amount of water or other filler has been added, or which have been artificially colored or artificially treated in order to conceal deteriorations, objectionable manufacturing processes, or inferior raw materials, or to which unauthorized substances have been added, or the composition, quality or other characteristics of which do not correspond to the denomination and description under which the product is sold.
- (2) food products which:
  - (a) bears or contains any poisonous or deleterious substance that may render it injurious to the health of the public;
  - (b) bears or contains any added poisonous or deleterious substance in amounts exceeding established maximum limits or standards for good manufacturing practice;
  - (c) contains in whole or in part filthy, putrid or decomposed substance that is unfit for human consumption;
  - (d) has been prepared, packed or held under unsanitary conditions;
  - (e) in whole or in part, is the product of a diseased animal or an animal which has died through ways other than slaughter;

- (f) is in a container having in whole or in part any poisonous or deleterious substance;
- (g) has been intentionally subjected to radiation unless the use of radiation is in conformity with an existing regulation or exemption;
- (h) becomes injurious to health because of the omission or abstraction of a valuable constituent; or if any substance has been substituted wholly or in part; or if damaged or made inferior which has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its strength or to make it appear better or greater than it is;
- (i) has not been prepared in accordance with current Good Manufacturing Practice (GMP) as promulgated by way of regulation; and
- (j) uses expired ingredients.

**Agency** means National Agency for Food and Drug Administration and Control

**Disposal** means the action or process of getting rid of any unwholesome and adulterated food and food products;

**Food recall plan** means the procedures and arrangements that a food business operator may have in place to retrieve food and food and food products from the food chain if a problem arises.

**Regulatory officer** means graduate trained by the Agency to perform regulatory functions.

**Recall** means the process for withdrawing or removing of food and food product from the distribution chain because it is either unwholesome or adulterated. The recall might be initiated by the manufacturer, importer, distributor or the Agency.

**Security personnel** means anyone employed by government to protect from any form of hazards.

**Unwholesome Food and Food Products** means any food product which

- (a) consists in whole or in part of any filthy, putrid or decomposed substances;
- (b) has been prepared, packaged or stored under unsanitary conditions where it may have been contaminated with filth or whereby it may have been rendered injurious to health;
- (c) is packed in a container composed in whole or in part of any injurious or deleterious substance which may render the content injurious to health;
- (d) bears or contains for the purpose of colouring only other than one which is prescribed; or
- (e) contains any harmful or toxic substance which may render it injurious to health or has been mixed with some other substance so as to reduce its quality or strength.

## 21. Citation

These Regulations shall be cited as the NAFDAC Recall, Disposal and Handling of Unwholesome and Adulterated Food and Food Products Regulations, 2025.

**MADE at Abuja this ..... day of .....2025**



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**Dr. Mansur Kabir**  
**Chairman Governing Council**  
**National Agency for Food and Drug Administration and Control (NAFDAC)**

Draft