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Emblem

***Ethiopian Food, Medicine and Health Care
Administration and Control Authority***

Food Advertisement Control Directives

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INTRODUCTION

If food advertisement business is not managed through order it can hurt the community, food advertisement, since need to be carried out in line with standard and reliable way, there needs to decide through guideline concerns food promotion broadcasted by promotion agencies, advertisement broadcasters and the advertised companies.

As per the power vested on line with the food, medicine and Health care Administration and control proclamation No. 661/2002 article 55 (3) and regulation. No. 299/2006 article 98 this food advertisement Guideline is enacted.




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PART ONE

GENERAL

1. Short Title

This Guideline can be referred as 'food advertisement control guideline No. 33/2008'

2. Definition

Notwithstanding the definitions stated under the proclamation and the regulation except otherwise the context of the word gives it other definition, under this guideline:

1. **"Food"** means notwithstanding the definition vested in line with the proclamation and the regulation as per the proclamation article 2 sub article 1 it is the product ready for sales for more than one region or foreign market having produced by food manufacturing company.
2. **"Infant food"** means milk or milk like product derived from animals or plants being processed in the factory as per the relevant infant food standard and is food prepared to fulfill nutritional requirement for infants from birth to the age of six months.
3. **"Minors food"** means being milk or milk like product derived from animals or plants being processed in the factory as per the relevant babies food standard and is food served for the market described as appropriate to feed baby from the age of six months to three years.
4. **"Supplementary food"** means type of food prepared as capsule, tablet, flour, liquid, drop or other similar condition intending to be taken in certain amount and contains vitamin or mineral or other substances severally or together having nutritional or physiological outcome prepared to fulfill any regular feeding nutrient demand.
5. **"Performance certificate"** means work permit given by the authority to the organization engaged to the food trading work when found fulfilling the necessary requirements.
6. **"Food trading company"** means a company engaged to food manufacturing, sending, import or wholesale trade business.



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7. **"Food advertisement"** means trade commercial broadcasters through advertisement broadcasting mechanism to expand the sales volume of the food of the trading company or for the promotion of name, logo, trade mark or objective.
8. **"Advertisement broadcasting mechanism"** means used for broadcasting food promotion; include mass media, external announcement, telecommunication, postal, internet website and fax service, cinema, film, video, poster, magazine and fliers or the like commercial broadcasting mechanisms.
9. **"Advertisement broadcaster"** means individual broadcasting commercial giving air time, print coverage or the like service through advertisement broadcasting mechanism.
10. **"Advertised one"** means an individual whom advertisement to be told for through mechanism of advertisement broadcasting scheme.
11. **"Mass media"** includes print media and broadcasting service.
12. **"Print media"** means is any type of press broadcasted with the intention to be read by the overall community or one certain part of the community and include news paper, magazine, advertisement book, or yellow page, telephone directory, or green page.
13. **"Broadcast service"** means radio or television broadcasting service.
14. **"External announcement"** means an advertisement broadcasted through hanged things, poster, sticker, brochure, leaflet or flier, audio cassette, microphone instrument and other broadcasting mechanism as well to be posted or written on billboard, electronic screen or moving picture, any building, structure or transport vehicle.
15. **"Sponsor"** means an individual paid or promised to pay directly or indirectly program or commercial broadcasting mechanism.
16. **"Inclusive advertisement"** means product, service or an ad included with one program written, audio or advertise such message indirectly of any individual for which the broadcaster has received money or benefits.




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17. **"Reflexive advertisement"** means an announcement broadcasted to safeguard the right of a party victim in a certain accident or to correct lopsided outlook created with the community.
18. **"Special shop"** means trading shop selling only specialized food items as per the permit issued by the relevant party.
19. **"Health institutions"** means any governments or private institution engaged to health upgrading, disease prevention, treatment and rehabilitation business or drug sells business or service.
20. **"Health expert"** means an individual registered as health expert by the relevant party as health expert to protect the health of people or give service.
21. **"Immature child"** means a child who is not reached to the age of 18
22. **"relevant party"** means Ethiopian broadcasting authority
23. **"Proclamation"** means food, Medicine and health care administration and control proclamation No. 661/2002
24. **"Regulation"** means food, medicine and health care administration and control regulation No. 229/2006
25. **"Authority"** means food, medicine and health care administration and control authority
26. **"Person"** means natural person or party given personal right
27. Any expression in masculine includes feminine too.

3. Objective

To safeguard the health of the community to confirm the reality of the food advertisement broadcasted in our country.

4. Scope

This directive shall be effective on the food commercials broadcasted in our country.




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PART TWO

ADVERTISING FOOD

5. About food commercial broadcasted

Any commercial broadcasting company when having new or renewed performance certificate to manufacture or send or import or distribute food from the authority to be advertised and in addition when advertise Minors and supplementary food; it must be confirmed that the food is registered and has permit.

6. About food advertisement information

Any food advertisement

1. Must refer the name of the manufacturer or the importer to advertise the food
2. Descriptive narration on the package of the food to be advertised through television must be subject to be seen clearly
3. If it describes the content and benefit of the food it must be confirmed by the authority or the concerned controller
4. Must specify foods individuals with allergy, blood pressure or diabetics or fat or other related problems cannot use or must specify the precaution they must take.

7. General restriction

1. The ad must not contradict healthy and balanced feeding system
2. It is forbidden to use word or picture having the content of such exaggerated comparison like `the only`, ``for the first time``, ``Never existed before``, ``Choice of all`` ``safe for all`` ``special``, ``Number one``, `` Accepted``
3. It is forbidden to use other recognized companies trade mark, brand, name, logo and other similar words registered or permitted with the authority.
4. It is forbidden to advertise in the way other than the foods content and different as well deceptive character declaring as organic far from reality, to



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be cholesterol free while it do have cholesterol, or to be natural flavor being artificial except having adequate evidence

5. Must not encourage the use beyond the prescribed amount presenting a food with high sugar or slat or fat content as having less amount, free or suitable for health.
6. Must not specify the food treats or cure sickness.
7. Except otherwise supported by an evidence with the authority or the concerned supervising party it is forbidden to advertise the food as high, rich filled and the like words with the content of building, sickness fighting and energy giving.

8. Using supportive evidences, awards and other documents

1. If the company notifies in the advertisement any award presented to it in relation with the quality and security of the food it must have updated evidence.
2. It is forbidden to advertise research and scientific proceedings without being confirmed by the authority or the concerned controlling party.
3. It is forbidden to use laboratory results, investigation or other similar information as an advertisement without being confirmed by the authority or the concerned controlling party.
4. It is forbidden to use such as award, gift or things motivate the sale of the food in other ways for foods include any high sugar *,fat*, or substances that can hurt the health of people. (*refer under appendix 1)

PART THREE

Concerns advertisement of foods for infants, Minors and immature child

9. About infant food

1. It is forbidden to advertise any infant food through communication broadcasting service.



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2. It is forbidden to give any kind of gift, good or other similar such a thing as infant food sample or describing about the food to pregnant women, infant mothers or family member for the sake of advertising infant food by anyone.
3. It is forbidden to post or broadcast messages or tagged as "Discount", "sale", to post exaggerated picture or other label able to describe or illustrate the necessity and benefit of the food in the place where infant foods are sold, health institution, supermarket or specialized shop to distribute infant foods for free
4. It is forbidden to advertise the product replaces mother's breast milk in the advertisement carried out by the health experts in the health institutions

10. Minors Food Advertisement

1. Any minors food advertisement must notify the food shall be given supplementary to breast milk of mother
2. It must not be notified as the food treats or heals sickness
3. There must not be mother's image or other labels on the advertisement of any teenager's food motivating which can illustrate or specify the necessity and benefit of the food.
4. The advertisement should not use children as actors and presented in a way which transfers another similar messages.

11. Advertisement Concerning Immature Child

Any advertisement broadcasted based upon children immature:

1. It must not describe the baby used the food exceeds or has physical, social or mental benefit than the one used not the food.
2. The advertisement of food which is not prepared for babies must not contain word, phrase, name or picture and any feature or content of babies.
3. Must not present the counseling and teaching role of parents, guardians or tutors on the babies' healthy and balanced feeding system.
4. Must not encourage babies to feed fast food in place of regular and healthy feeding system.



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5. It is forbidden to advertise any food contains high sugar, salt and fat content in the babies program.

PART FOUR

ABOUT SUPPLEMENTARY FOODS ANNOUNCEMENT

12. Supplemental Foods advertisement

1. It must not be specified that the food heals sickness
2. It must notify the food must not be taken beyond the recommended amount.
3. It must notify they must be taken as supplemental foods than the foods we eat usually.
4. Must not be notified as selected than foods we eat naturally or usually.
5. It is forbidden to give pregnant women, infant mothers or other supplemental foods to be given for the health expert prescription for free or as a gift for the sake of advertisement.
6. It is forbidden to post or broadcast message tagged as ``Discount``, ``Sale``, to post exaggerated picture or other label able to describe or illustrate the necessity and benefit of the food in the place where infant foods are sold, health institution, supermarket or specialized shop to distribute infant foods for free
7. It must notify these foods must be taken from pharmacies or different shops for the expert prescription.

PART FIVE

ABOUT ALCOHOL LIQUOR ADVERTISEMENT

13. About alcohol Liquor advertisement

1. Any alcohol liquor advertisement must not pass on exaggerated message like using the liquor is suitable for health, secures social and private success, beneficial for better psychological and physical fitness for the sexual intercourse, the curing, having special benefit for the sexual




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intercourse, the benefit of substances, motivates beyond recommended intake

2. On any alcohol liquor advertisement statements must be made concerns the alcohol must be taken with responsibility and it is forbidden and not sold for immature children.
3. It is forbidden to broadcast the advertisement through other advertisement broadcasting on which to be ads concerns any liquor whose alcohol content is more than 10% and daily and weekly news paper and magazine.
4. Must not focus on immature babies or must not cast immature baby as an actor of the ad or pass other such message.
5. It is forbidden to advertise alcohol advertisement on the children program broadcasted on mass media.
6. Any alcohol liquor must not be broadcasted thirty minutes before the beginning and after the ending of the babies programs.

PART SIX

MISCELLANEOUS PROVISIONS

14. Regarding the advertisement to be presented by sponsorship

Any contents food advertisement to be presented by sponsorship/sponsor should comply the provisions of this regulation.

15. Regarding the advertisement to be included

When any food advertisement announcer or advertiser desires to include the food advertisement indirectly in written form, audio or video with a given program the same should comply the provisions of this regulation.

16. Duties and Obligations of the advertiser

Any advertiser/announcer should be ensured that the information presented by the party or the agent who has given the advertisement are comply with the provisions of this regulation.




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17. Concerns Information

Any broadcaster of the advertisement must hold for six months the information of food advertisement information conveyed.

18. About Reflex Advertisement

Any broadcasted or imparter if violates the provisions of this guideline any individual sustains problem when told the advertisement or broadcasted can require relevant party to broadcast reflex advertisement.

19. Implementing Obligation

Any advertisement broadcaster or imparter or agent is obligated to implement this guideline provisions.

20. Penalty

Any person when found violating this directive can be liable at the court of law in line with proclamation No. 661/2002 enacted concerns food, medicine and health care administration and control and other relevant laws.

21. Ineffective Laws

Any guideline, circular letter or officer values contradicting this guideline provisions shall not be effective concerns cases specified under this guideline.

22. Cancelled Guideline

“food advertising control guideline No. 5/2004” is hereby cancelled by this regulation.

23. Effective period of the guideline

This guideline shall be effective since December 2015.




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Appendix 1

Substances amount (must not exceed)

1. Alcohol 0.08 gram in 1 deciliter blood
2. Salt 5 gram daily
3. Sugar 50n gram daily obtained general energy level
4. Fat 30 gram daily obtained general energy level




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