

Is the adoption of front-of-pack labelling for food products legally and politically feasible for Uganda?

Executive Summary

Unhealthy diets are a primary cause of overweight, obesity, and diet-related Non-Communicable Diseases (NCDs), a significant cause of death worldwide. In Uganda, there has been a steady increase in the prevalence of overweight and obesity of 3–4 percent between 2011 and 2016, as reported by the Demographic Health Surveys. The World Health Organization recommends Front-of-pack (FoP) labelling on foods and beverages to help consumers make healthier choices. Although Uganda has not yet adopted this intervention, findings reveal a high likelihood of the intervention buy-in from most Ministries and government institutions if the food element of the Food and Drug Act (1964) is implemented, the political will that translates into budgets and UNBS is strengthened to enforce FoP labelling.



Misleading nutrition labels contribute to unhealthy diets and poor health.

Unhealthy diets, which are high in trans and saturated fats, added sugars, salt, and other unhealthy ingredients and low in fruits, vegetables, whole grains, fibre, and micronutrients, are a primary cause of overweight, obesity, and diet-related Non-Communicable Diseases (NCDs), which are a significant cause of death worldwide. In Uganda, there has been a steady increase in the prevalence of overweight and obesity in the preceding decade (UBOS-ICF, 2018). For instance, the Demographic Health Surveys (DHS) reported

an obesity prevalence of 3–4 percent between 2011 and 2016 (UBOS 2016). In children under five years, the prevalence of overweight and obesity was 5.0 percent, with overweight at 3.9 percent and obesity at 1.1 percent in 2016. Further, studies in Uganda indicate a high prevalence of obesity (32.3 percent) and overweight (21.7 percent) among school children (3–16 years). This implies that children are at higher risk of NCDs in the short and long term (WHO, 2016).

The current food environments, characterised by increased availability, accessibility, cost, and promotion of highly processed foods heavy in saturated fats, trans fats, sugars, or salt, are partially to blame for childhood obesity concerns. Establishing a food environment that supports a healthy diet is necessary to empower customers to make better dietary choices. In this regard, WHO recommends Front-of-pack (FoP) labelling on foods and beverages that present nutrition information clearly to help consumers make healthier choices and discourages labelling in a way that is untrue, misleading, or likely to create an incorrect impression about any characteristics of the product.

The National Bureau of Standards (UNBS) has established various labelling standards. However, the emphasis on labelling is mainly on the content declaration, which is primarily for commercial reasons, including the promotion of certain food products, with little to no attention paid to nutrition concerns relevant to the food environment. Additionally, most of the population needs help to understand the labelling that is now in use and thereby make healthy selections.

Furthermore, despite being a signatory to WHO, Uganda still needs to adopt the organisation's best practices for NCDs prevention, such as the recommended Front-of-Pack (FoP) labelling. Such legal, regulatory, and political interventions play a crucial role in NCD prevention efforts, and this is because they impose obligations that require compliance. While political feasibility evaluates political acceptability and cultural and community acceptance, legal feasibility evaluates potential problems with existing laws that may prevent the adoption of an intervention. To establish a healthy food environment and lessen the burden of NCDs, this policy brief evaluates the legal and political feasibility of adopting FoP labelling in Uganda.

This policy brief is an excerpt from the study *“Restriction on child-directed marketing and front-of-pack labelling in Uganda: A legal and political feasibility to creating a healthy food environment”* developed by Economic Policy Research Centre, Uganda, in collaboration with the African Population and Health Research Center (APHRC), Kenya and PRICELESS, South Africa.

What evidence reveals feasibility?

The government of Uganda has a well-streamlined legal structure required to pass laws in place. The legislature and judiciary are in place with the capacity to follow through. Indeed, Uganda already has the Food and Drugs Act (1964) as the primary law passed to govern the food policy environment. Although the food element has been silent, this law can be leveraged to set standards that enforce the FoP labelling necessary to ensure a healthy food environment for the population. Stakeholders' views indicate that the Act provides an overarching policy and legal framework on food where existing laws, rules, regulations, and strategies for a healthy food environment can be anchored. This also lays the ground for advocating for FoP labelling. Unfortunately, the food element of the Act has not been implemented as pointed out by stakeholders;

“The Food and Drugs Act (1964) is the main law governing the food policy environment. However, only the Drug Act is being implemented by the Uganda National Drug Authority. This leaves the food element an orphan exploited by the food industry....”

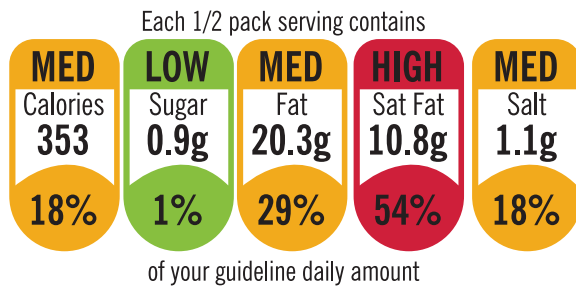
EPRC KII, 2022

Uganda National Bureau of Standards (UNBS) has established various labelling requirements. Some efforts on labelling are being undertaken in line with the East African standards of Nutrition labelling. The establishment/existence of the UNBS mandates it to develop and enforce food standards to ensure a healthy population. Therefore, some laws, regulations, and standards, including labelling, have been established under the UNBS Act. However, the form of labelling currently enforced is a declaration of content as a trade regulation that is done majorly for business purposes, including the promotion of specific food products, but with less or no focus on nutrition issues of concern to the food environment. Various stakeholders emphasise the need for health-oriented labelling as indicated below;

“This is feasible, and this, to some extent it is being done but can move faster “The stamp aspect is missing because the labelling is already happening. Also, the labels need to be big and interpretive, such as traffic light labels so that when you enter a supermarket, you can read and understand them without even touching the product.....” EPRC KII, 2022

“There is a need to move away from business-oriented labelling and focus on health-oriented

labelling to contribute to a healthy food environment. For example, traffic light labels in food or nutrition labelling are not being done – there is no established regulation or strategy for the use of traffic light labels, yet it is critical and easy to interpret by most of the populace, especially the less literate” EPRC KII, 2022



Source: food Standards Agency

The institutional and legal infrastructure to enforce FoP labelling exists. The Uganda National Bureau of Standards is critical in drafting food standards that control safety, nutrition, and food trade. The bureau is enforcing various standards for nutrition labelling, although these are essentially limited to trade regulations neglecting the health component. Notably, the presence of UNBS is a clear indication of the presence of infrastructure to implement, enforce and monitor compliance regarding FoP labelling as highlighted by stakeholders;

“UNBS is in place and does a good job enforcing current standards. They can also ensure stakeholders comply if given clear regulations and laws for this intervention....” EPRC KII, 2022

Politically, the will and motivation to improve the population’s health is noticeable. As evidenced by the stakeholder’s analysis, government institutions like the Ministry of Health (MoH), Ministry of Agriculture Animal Industry and Fisheries (MAAIF), Ministry of Trade Industries and Cooperatives (MTIC), Parliament, and other advocacy institution, there is political will and motivation to improve the health of the population by supporting any health intervention. Findings further indicate that the government and ministries are central actors in influencing policy because they are highly involved in policymaking and creating regulatory measures. Civil Society Organizations and academia are also critical in advocating and providing the evidence needed to adopt the FoP labelling. However, the political will has not yet translated into the required resources to adopt the necessary interventions, as pointed out by one of the key stakeholders;

“..... There is political will when it comes to matters that affect the health of the population. However, the only problem is that in most cases, this will is lip service that does not translate into budgets yet nothing can be done without adequate resources.....” EPRC KII, 2022

Conclusion and Policy Recommendations

The findings indicate that existing legal systems and institutions can be leveraged to support the design and implementation of FoP labelling. However, these require strengthening, support, and revamping. Results also reveal a high likelihood of the intervention buy-in from most Ministries and government institutions as per their mandate but also because health concerns affect everyone in the country. In this regard, we recommend the government explore the introduction and implementation of FoP labelling for creating a healthy food environment in Uganda by:

- Implementing the Food and Drug Act (1964) ’s food element (). This is the policy and legal framework where existing laws, rules, regulations, and interventions such as FoP labelling can be anchored to create a healthy food environment. This will also provide ground to advocate for funding, monitoring, accountability, and regulation.
- There is a need for political will that translates into budgets. If policies, laws, and regulations are to be developed and implemented effectively and efficiently to minimise the rise of NCDs and create a healthy food environment, responsible ministries, departments, and agencies should be deliberate in allocating resources and coordinating activities. Resources are crucial and need to be put in place for policy development, implementation, and enforcement.
- Strengthen UNBS to enforce FoP labelling. UNBS needs to be strengthened by increasing its capacity, human resources, and necessary technology to verify and validate the content of the labelled packaged products.

References

- Atwine, B. Kajumba, M. Odokonyero, T. and M. M. Guloba, (2023) Restriction on child-directed marketing and front-of-pack labelling in Uganda: A legal and political feasibility to creating a healthy food environment (Forthcoming) EPRC Research Series Paper

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