

POTATOES REGULATIONS

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POTATOES REGULATIONS

[LN..... of]
[Made under section 59]

PART I

Preliminary

1. Citation

These Regulations may be cited as Potatoes Regulations.

2. Interpretation

(1) In these Regulations, unless the context otherwise requires –

“**Act**” means the Food Safety and Quality Act;

“**Trade**” includes the sale, distribution, production, manufacture and import, export, use of, or other dealing in any article in the course of business;

“**Authority**” means the Food Safety and Quality Authority of The Gambia

“**Food Business Operator**” has the meaning given to it in the Act.

“**His**” shall mean her.

(2) A word or expression used in these Regulations, which is defined in the Act, has the meaning given to it in the Act.

PART II

3. Scope

These Regulations applies to all “stages of production, processing and distribution of potatoes“ means any stage, from the primary production of a food or feed, its storage, transport, sale or supply to the final consumer and, where relevant, the importation, exportation, production, manufacture, storage, transport, distribution, sale and supply of potatoes.

4. Compliance

Potatoes intended for human consumption shall be in accordance with guides and standards set out in the schedules.

5. Duties of the Authority to monitor importers, exporters, producers, manufacturers and distributors of potatoes

The Authority shall monitor compliance of importers, exporters, producers, manufacturers and distributors of potatoes in accordance with guides and standards set out in the schedules.

6. Duties of importers, exporters, producers, manufacturers and distributors of potatoes

A food business operator engaged in importing, exporting, producing, manufacturing and distribution of potatoes shall –

- a) not supply potatoes for trade purposes unless the practices used to handle, store and transport the products comply with good hygienic practices and good storage practices.
- b) importers of potatoes must provide an official certificate issued by the place of origin, or a certificate issued by an officially recognised independent testing institution recognised by the government of the place of origin, or any other supporting documents, certifying that the potatoes imported into The Gambia are fit for human consumption.

7. Information about potatoes to be imported

Details of consignments that shall be obtained include:

- a) date and point of entry;
- b) mode of transport;
- c) comprehensive description of the commodity (including for example product description, amount, means of preservation, country of origin and/or of dispatch, identifying marks such as lot identifier or seal identification numbers etc);
- d) exporter's and importer's name and address;
- e) manufacturer and/or producer, including establishment registration number;
- f) destination; and,
- g) other information.

7.1. Testing of imported potatoes

Testing of imported potatoes should be based on the risk to human health and safety presented by the product, its origin and the history of conformance to requirements and other relevant information. Control should be designed to account for factors such as:

- a) the risk to human health posed by the product or its packaging;
- b) the likelihood of non-compliance with the requirements set out in the standards;
- c) the target consumer group;
- d) the extent and nature of any further processing of the product;
- e) food inspection and certification system in the exporting country and existence of any equivalence, mutual recognition agreements or other trade agreements; and,
- f) history of conformity of producers, processors, manufacturers, importers and distributors.

7.2. Procedure for importation of potatoes

- a) Every importer of potatoes shall notify the Authority of his intention to import potatoes, and shall furnish full information regarding the import potatoes, origin, certification and other particulars relating to the potatoes he desires to import.
- b) If such information is satisfactory, a permit to import shall be issued by the Authority, to be attached to the bill of lading after the signature of the exporter is attached, but the possession of such permit shall not sanction the use of such potatoes unless all the requirements of these regulations are fulfilled.
- c) Goods without permit to import shall not be cleared by customs.

7.3. Minimum requirements of potatoes

Every importer shall satisfy the Authority that potatoes imported into The Gambia are of a minimum size grade of 50mm and in accordance with the minimum requirements for fresh potato tuber as provided for in the second schedule of these Regulations.

7.4. Area under plant quarantine

No potatoes shall be permitted to be imported into The Gambia from any area which is under plant quarantine, unless each consignment is accompanied by a certificate from a duly recognized government authority that such potatoes are free from serious plant disease or plant pest; and

each package shall have plainly marked thereon, or on a label affixed thereon, the number of the certificate under which it is so certified.

8. Requirements for export of potatoes

- a) Exporters must registration with the Authority.
- b) Exporters will be required to submit certain documents, including a full HACCP plan, and pre-requisite programmes (PRPs) to the Authority for their consideration
- c) The Authority shall undertake an inspection and provide an inspection report with recommendations to the exporter. If everything is in order, the exporter's establishment will be approved for export.
- d) Once ready to export, registered exporters must pick Export Inspection Request Form at the Authority.
- e) The Authority shall arrange for Inspection and sampling, where deemed necessary, of the products to be exported in collaboration with the Exporter as deemed necessary.
- f) Based on the result of the inspection and tests submitted, the Authority will issue Export Consignment Certificates (Export Certificate and Export Permit) to the exporter.
- g) Exporters should present all relevant documents; Export Consignment Certificates and Test Report (not mandatory) to the Customs Division of the Gambia Revenue Authority at the point of exit.
- h) Customs shall ensure that, the following requirements are met before an exporter is allowed to export any consignment –
 - i. Exporter has valid Export Consignment
 - ii. Certificates from the Authority
- i) Laboratory test report may be added to the export documents depending on the requirements of the importing country.

8.1. Inspection

Every consignment of potatoes shall, before shipment, be examined by an inspector of the Authority.

8.2. Consignment to be re-inspected if not shipped within a reasonable time if the Authority deems it fit

Any consignment approved for export shall be liable to a new inspection if the consignment is not shipped within a reasonable time of the previous inspection.

8.3. Application for inspection

Application for inspection shall be made to the Authority at least seventy-two hours before shipment:

Provided, however, that application may be made at shorter notice, at the risk of the exporter.

8.4. Application to specify name of exporter

Every application for inspection shall specify the name of the exporter, the number and nature of the packages, and the destination of the goods.

8.5. Issue of certificate if potatoes found to be fit for export

If the potatoes when inspected are found to conform in all respects with these regulations and to be fit for export, the Authority shall issue a certificate to that effect. Such certificate shall certify that the potatoes have been examined and, when such is the case, and found to comply in all respects with the regulations governing the export of potatoes.

8.6. Design and facilities of establishment

Depending on the nature of the operations, and the risks associated with them, premises, equipment and facilities should be located, designed and constructed to ensure that:

- a) contamination is minimized;
- b) design and layout permit appropriate maintenance, cleaning and disinfections and minimize cross contamination;
- c) surfaces and materials, in particular those in contact with potatoes, are non-toxic in intended use and, where necessary, suitably durable, and easy to maintain and clean;
- d) where appropriate, suitable facilities are available for temperature, humidity and other controls; and
- e) there is effective protection against pest access and harbourage.

8.7. Hygienic production of potatoes

Producers should as far as practicable implement measures to:

- a) Ensure seed potatoes intended for planting are a minimum of Class E;
- b) control contamination from soil, water, feedstuffs, fertilizers (including

- natural fertilizers), pesticides or any other agent used in primary production;
- c) control plant and animal health so that it does not pose a threat to human health through potatoes consumption, or adversely affect the suitability of the product; and
 - d) protect food sources from other contamination.

9. Handling, storage and transport

- a) Storage conditions of potatoes shall ensure their safe-keeping and safety during the shelf life.
- b) Shelf life and storage conditions of potatoes shall be set by the manufacturer so that potatoes remain in conformity with these Regulations during their storage for the duration of their shelf life.
- c) Potatoes should be stored in well ventilated facility to reduce the risk of spoilage.
- d) Potatoes shall not be stored together with other products if this might result in the contamination of potatoes.
- e) Potatoes should be protected from contamination by pests, or by chemical, physical or microbiological contaminants or other objectionable substances during handling storage and transport.
- f) Care should be taken to prevent, so far as reasonably practicable, deterioration and spoilage through appropriate measures which may include controlling temperature, humidity and/or other controls.
- g) Stored potatoes shall be supported by accompanying documents and documents confirming their safety.
- h) Storage facilities for potatoes shall be sanitized and disinfected on a regular basis.
- i) Transportation of potatoes shall ensure their safe-keeping and safety during the shelf life.
- j) Transportation of potatoes shall be carried out by means of transport suited for the purpose. Transportation terms and conditions shall be determined by the consignor. They shall conform to the terms and conditions prescribed by the manufacturer for transportation of potatoes
- k) Potatoes shall not be transported together with other products if this might result in the contamination of potatoes.
- l) Design of transport cargo compartments shall ensure protection of potatoes from contamination.
- m) Conveyances and containers for transporting potatoes should be kept in an appropriate state of cleanliness, repair and condition. Where the same conveyance or container is used for transporting different foods, or non-foods, effective cleaning and, where necessary, disinfection should take place between loads.

- n) Where appropriate, particularly in bulk transport, containers and conveyances should be designated and marked for food use only and be used only for that purpose.
- o) Conveyances and containers should be designed and constructed so that they:
 - i. do not contaminate potatoes or packaging;
 - ii. can be effectively cleaned and, where necessary, disinfected;
 - iii. permit effective separation of potatoes or different foods from non-food items where necessary during transport;
 - iv. provide effective protection from contamination, including dust and fumes;
 - v. can effectively maintain the temperature, humidity, atmosphere and other conditions necessary to protect potatoes from harmful or undesirable microbial growth and deterioration likely to render it unsuitable for consumption; and
 - vi. allow any necessary temperature, humidity and other conditions to be checked.

10. Packaging

Packaging design and materials should provide adequate protection for potatoes to minimize contamination, prevent damage, and accommodate proper labelling. Packaging materials where used must be non-toxic and not pose a threat to the safety and suitability of potatoes under the specified conditions of storage and use. Where appropriate, reusable packaging should be suitably durable, easy to clean and, where necessary, disinfect.

Containers shall be clean, dry and sufficiently strong as to warrant arrival at their destination in good condition. Potatoes should be stored in sacks that allow proper ventilation.

11. Documentation and records

Records of processing, production and distribution should be kept and retained for a period that exceeds the shelf-life of the potatoes.

Documentation can enhance the credibility and effectiveness of the food safety control system.

12. Recall

Detailed traceability records should be kept by those involved in the trade of potatoes for purposes of recalling.

Recalled products should be held under supervision until they are destroyed, used for purposes other than human consumption, determined to be safe for human consumption, or reprocessed in a manner to ensure their safety.

PART III

Miscellaneous

13. Offences

A person who contravenes a provision of these Regulations or an order made under these Regulations commits an offence and is liable on conviction to a fine of not less than ten thousand dalasis or not less than six months imprisonment or to both.

FIRST SCHEDULE

[Regulations]

Standards for compliance

1. Gambian Standard on General Principles of Food Hygiene (GAMS CODEX CAC/RCP 1-1969)
2. General Standards for contaminants and toxins in food and feed (Codex Stan 193-1995)
3. Gambia Standard on the labelling of pre-packaged Foods (Gams Codex Stan 1-1985)
4. Gambian Standard on code of practice for packaging and transport of fresh fruits and vegetables (Gams CAC/RCP 44-1995)
5. Code of hygienic practice for fresh fruits and vegetables (CAC/RCP 53-2003)
6. Gambian Standard on fresh potato tuber (Gams 4-2016)

SECOND SCHEDULE

[Regulations

Annexure

1. Minimum Requirements for Fresh Potato Tuber

Annex1. Minimum Requirements for Fresh Potato Tuber

All fresh potato tubers to be supplied to the market shall be meet the following minimum requirements:

- a) Of normal appearance for the variety, according to the producing area;
- b) Intact, i.e. they should not have had any part removed nor have suffered any damage making them incomplete;
- c) Sound;
- d) produce affected by rotting or deterioration such as to make it unfit for consumption is excluded;
- e) Practically clean;
- f) Firm;
- g) Free of abnormal external moisture, i.e. shall be adequately "dried" if they have been washed;
- h) Free of any foreign smell and/or taste;
- i) Free of loss of colour such as browning in the flesh;
- j) Shall be covered with well-formed skin;
- k) Shall be practically unsprouted, i.e. sprouts shall be no longer than 3 mm practically;
- l) Free from pests affecting the general appearance of the produce;
- m) Practically free from free from mechanical damage;
- n) Bruise and roughness (only for varieties of which the skin is not normally rough); and
- o) Fresh potato tuber shall be practically free of external or internal defects detrimental to the general appearance of the produce, the quality, the keeping quality and presentation in the package, such as:
 - i. brown stains due to heat;
 - ii. cracks (including growth cracks), cuts, bites, exceeding 5 mm in depth for ware potato tuber;
 - iii. green colouration; pale green flush not exceeding one eighth of the surface area and which can be removed by normal peeling does not constitute a defect;
 - iv. serious deformities(malformation, misshape,...);
 - v. grey, blue or black sub-epidermal stains; exceeding 5 mm in depth;
 - vi. rust stains, hollow or black hearts ;
 - vii. deep common potato tuber scab and powdery potato tuber scab of a depth of 2 mm or more;
 - viii. superficial common potato tuber scab; i.e. scab spots in all shall not extend over more than a 25 % of the surface of the tuber;
 - ix. frost damage;

In the case of early potatoes, a partial absence of the skin shall not be considered as a defect. Ware potatoes must be covered with well-formed skin, i.e. the skin has to be fully developed and mature and cover the whole surface of the tuber.

In early potatoes, no sprouting is allowed. Ware potatoes must be practically unsprouted, i.e. sprouts may be no longer than 3 mm.