

Editorial

by Martin Nicol



**Why is South Africa's
food safety governance
failing?**



In recent years South Africa has seen spectacular and distressing instances of food poisoning in which people have died after eating contaminated food from retail outlets.

In 2024, 23 children died in Gauteng after eating “snacks purchased from spaza shops” (Parliament, 2024). Others became ill and many were hospitalised. Between September and November 2024, a total of 890 incidents of food-borne illnesses were reported across all provinces in South Africa (Ramaphosa, 2024). “In most cases, the illness started after food bought from spaza shops were consumed, but to date, no one has been held responsible” (Korsten, 2025:13).

In 2023, at least five children died in Gauteng and Free State after eating food from local spaza shops, according to press reports (Korsten, 2025:49).

In 2017/2018, between January 2017 and July 2018, 219 people died in the largest listeriosis outbreak ever recorded. There were deaths in all nine provinces. The illness was caused by contaminated food – in this case processed red meat (polony).

South Africans are faced with basic food safety governance failures.

This is inexcusable.

South Africa has some of the best and most experienced food scientists in the world. They have their own professional body, the 65-year-old South African Association for Food Science and Technology (SAAFoST). They are internationally linked through conferences, world unions and exchanges. All practising food scientists and technologists have to register with the legislated regulatory body for natural science professionals, the South African Council for Natural Scientific Professions (SACNASP), and participate in continuing professional development (CPD) programmes. Then there are the many tertiary education institutions providing training at all levels and contributing to internationally-respected food research.

South Africa has a comprehensive legal framework for food safety, buttressed by acts of Parliament, regulations, government departments and a host of agencies - with well-paid senior staff - including the National Consumer Commission, the National Regulator for Compulsory Specifications and the South African Bureau of Standards.

The reasons for the failure in food governance are interrogated in the key article in this issue of *New Agenda*. Joint authors Ntombizethu Mkhwanazi, Camilla Adelle and Lise Korsten focus on the 2017/18 listeriosis outbreak and the long efforts to put in place proper standards for producing, storing and selling processed red meat.

The article explains the failures of South Africa’s systems for ensuring food safety. But it is useful to reflect on issues that have followed the specific tragic events that occurred (see NCC, 2018).



Tiger Brands, the main company implicated, has never admitted any fault or negligence in the management of the Polokwane factory they owned through Enterprise Foods (see Tiger Brands, 2018-present), and which the Department of Health eventually identified as the source of the contaminated food (Donnelly, 2018).

Seven years later legal claims have still to be resolved by the courts. These include claims by mothers who were pregnant when they were exposed to contaminated food and some of whose children suffer from severe developmental conditions as a result (Spoor, 2018). In December 2018, the Gauteng High Court, Local Division, certified a class action on behalf of defined people who suffered harm because they ate the contaminated products. According to Richard Spoor, the lawyer who is leading the Class Action against Tiger Brands, the compensation to be paid out to victims (if the courts find the company liable) could be between R1.5-billion and R2.5-billion.

In February 2025, Tiger Brands reached an agreement with the lawyers for advance payments to be made to some claimants seeking interim assistance to cover urgent medical needs, while the class action lawsuit on the 2017/18 listeriosis outbreak continues (Arnoldi, 2025).

The listeriosis outbreak was catalytic in overcoming industry resistance and advancing the implementation of essential food safety measures like Compulsory Specification for Processed Meat Products, known as VC 9100, which became effective in October 2019.

The article suggests that this single regulatory change, necessary as it was, left many wider issues unaddressed. Fundamental, systemic revisions are still needed to secure food safety for South Africans.

Spaza Shop Support Fund – a case of ‘ill-informed design’

In the wake of the spaza shop poisoned food incidents, the Department of Small Business Development launched a R500 million Spaza Shop Support Fund in April 2025 (DSBD, 2025). Owners of small shops and food handling businesses in townships and rural areas can apply for assistance to enhance food safety by addressing challenges like poor hygiene and premises that need upgrading, refrigerators and washing facilities.

The funding and business development support are however not available to spaza shops owned by non-citizens. Also, before an owner can apply for assistance, they have to be registered “with the local municipality in accordance with the relevant by-laws and business licensing requirements”; they must have a valid registration with the South African Revenue Service (SARS) for income tax and value-added tax (VAT); and they must already satisfy all other relevant legislative and registration requirements necessary for operation (e.g. food preparation and health and safety standards).



Spaza Shop, Khayelitsha, Cape Town

Source: Wikimedia Common.

In other words, the assistance largely avoids the informal and non-compliant businesses which were responsible for the food poisoning!

The emphasis on formal businesses as the only beneficiaries of the Fund contradicts South Africa's 2023 re framing of its National Small Business Support Strategy. This emphasises *better* regulation indeed, but it says: "The [new plan] does not support conceptually an approach to force transition to formality. The transition to formalising businesses is not a linear process. Attention needs to be given in understanding the needs of these enterprises to graduate into the formal economy hence a targeted approach in this regard is fundamental including the targeting of women, youth and people living with disability-led enterprises as well as rural and township based small enterprises" (DSBD, 2023:20)

The "ill-informed design" (DSBD, 2023:13) that has characterised small business support programmes since 1994 seems to continue. But there are sure to be takers for the R500 million in grants.



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