RESPONSES TO COMMENTS RECEIVED FROM THE PUBLIC CONSULTATION ON DRAFT FOOD (AMENDMENT NO. X) REGULATIONS 2022 (LABELLING REQUIREMENTS FOR PREPACKED FOODS)

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The Singapore Food Agency (SFA) initiated a public consultation on the Draft Food (Amendment No. X) Regulations 2022 on labelling requirements for prepacked foods from 28 September to 27 November 2022. Concurrently, trading partners and interested parties were notified via World Trade Organisation (WTO) SPS notification (G/SPS/N/SGP/78) and TBT notification (G/TBT/N/SGP/65).

2 At the close of the public consultation exercise and WTO notification period, SFA received comments from 35 respondents. Most of the comments were supportive of the proposed changes There were two issues which generated some concern from respondents, as detailed below.

Declaration of lot identification requirements for prepacked fresh whole fruits and vegetables

3 Lot identification facilitates the traceability of food and is important in the event of a recall. Food safety incidents such as physical contamination (e.g. foreign matter) or microbiological contamination, tend to affect specific lot(s) of products. Being able to identify and trace the affected lot of products would help food businesses minimise losses during a food recall.

4 SFA received comments that it was not feasible to implement lot identification for prepacked fresh whole fruits and vegetables, due to the following reasons:

a. The fruits and vegetables packed in a single packaging may come from multiple sources. It would not be feasible to declare multiple codes tracing back to the different sources.
b. The fruits and vegetables packed at the source country before being imported into Singapore do not include lot identification on the labels, and it is not feasible for the suppliers to tailor the packaging to comply with the lot identification requirements of Singapore, as we are a small market.
c. It is also not economically viable to paste lot identification stickers locally, as prepacked fresh whole fruits and vegetables are a fast-moving commodity with a short shelf-life.
d. Additionally, the cost of labelling the lot identification does not justify its use during a recall. Prepacked fruits and vegetables have a short shelf life. Should any fruit/vegetable (e.g. fresh strawberries from Country X) be recalled, it is more economical and expedient to dispose the produce (e.g. all strawberries from Country X) rather than trace the implicated lot/batch.

5 In light of the comments received, SFA has reassessed the matter and will exclude prepacked fresh whole fruits and vegetables from the lot identification requirements, noting that food businesses would prefer to dispose of all fresh whole fruits and vegetables of the same type from the country in the event of a recall.

Display of information for prepacked food sold online

6 The proposed regulation would mandate online platforms selling prepacked food to display the required labelling information at the point of sale. The original intent of the proposed regulation was to allow consumers who purchase prepacked food online to have

access to similar information that they would be able to obtain from the product label, when purchasing the prepacked food from brick-and-mortar shops in Singapore.

7 Respondents queried on the application of the requirement for products sold from overseas or through overseas based platforms. There was also request for clarity on the responsible party to ensure that the requirements are complied with. Respondents also voiced concerns over the lead time given to comply.

8 As the Food Regulations do not have extra-territorial powers, the requirements would only apply to persons and food businesses based or registered in Singapore, and would not apply to food that is directly purchased by consumers for personal consumption from persons and food businesses who are not based or registered in Singapore.

9 SFA noted the feedback and concerns from respondents and has carefully considered the matter. We assessed that at present, it would suffice to focus our efforts on promoting the use of the voluntary industry standard SS 687:2022 *Guidelines for Food E-commerce* to encourage joint responsibility from the industry. Guidance on the information to be displayed on the e-commerce platform is included in this voluntary standard. In alignment with this approach, SFA will not require online platforms to display the labelling information and the proposed regulation for online platforms selling food to display the required information has been removed from this set of amendments. Food businesses will still need to ensure that information to be declared on the label of prepacked food products, whether sold through physical retail stores or e-commerce platforms, are provided as required.

10 The detailed responses to the feedback received and adjustments made to the legal text of the amendments are reflected in the **Annex**.

11 SFA appreciates the time taken by stakeholders to submit feedback and comments which would contribute to the decision-making process. The amendments have been gazetted as the **Food (Amendment) Regulations 2025** and has been published on 31 Jan 2025 and to come into operation on **30 Jan 2026**.

12 We would like to encourage all stakeholders to actively participate in future consultations.

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ANNEX – Detailed response to comments provided by stakeholders

	Comments received	SFA's response
1.	**Scope of the amendments and assistance to industry to comply**	
1.1	One respondent asked if the amendments apply only to prepacked food intended for sale to consumers and would not apply to food that is designated for the food service industry.	The current set of amendments is only applicable to prepacked foods intended for sale to consumers. It does not apply to food that is intended to be supplied to the food service industry for further manufacturing or processing.
1.2	Three respondents requested that SFA update the *Guide to Food Labelling and Advertisements* following the gazettal of the labelling amendments to help the industry comply with the new labelling requirements.	SFA will update the *Guide to Food Labelling and Advertisements* after the labelling amendments are gazetted, to provide guidance to food business operators on the new labelling requirements.
2.	**Declaration of lot identification**	
2.1	Two respondents commented that it was not feasible to implement lot identification for prepacked fresh whole fruits and vegetables[1], due to the following reasons: e. The fruits and vegetables packed in a single packaging may come from multiple sources and it would not be feasible to declare multiple codes tracing back to the different sources. f. The fruits and vegetables packed at the source country before being imported into Singapore do not include lot identification on the labels, and it is not feasible for the suppliers to tailor the packaging to comply with the lot identification requirements of Singapore, as we are a small market. g. It is also not economically viable to paste lot identification stickers locally, as prepacked fresh whole fruits and vegetables are a fast-moving commodity with a short shelf-life. h. Additionally, the cost of labelling the lot identification does not justify its use during a recall. Prepacked fruits and vegetables have a short shelf	The requirement for lot identification for prepacked food is aligned with the Codex General Standard for the Labelling of Prepackaged Foods (CXS 1-1985). Lot identification facilitates the traceability of food and is important in the event of a recall. Food safety incidents such as physical contamination (e.g. foreign matter) or microbiological contamination, tend to affect specific lot(s) of products. Being able to identify and trace the affected lot of products would help food businesses minimise losses during a food recall. In light of the comments received, SFA has reassessed the matter and will <u>exclude prepacked fresh whole fruits and vegetables from the lot identification requirements</u>, noting that food businesses would prefer to dispose of all fresh whole fruits and vegetables of the same type from the country in the event of a recall.

[1] Examples of prepacked fresh whole fruits and vegetables are: punnets of strawberries, blueberries and kiwi fruits; and vegetables such as Xiao Bai Cai, Cai Xin and spinach in clear transparent plastic packaging.

	Comments received	SFA's response
	life, and should any fruit/vegetable (e.g. fresh strawberries from Country X) be recalled, it is more economical and expedient to dispose of all strawberries from Country X rather than trace the implicated lot/batch.	
2.2	Eight respondents enquired if SFA would mandate a specific format for lot identification.	SFA will not dictate the format for the declaration of lot identification as food businesses may have their own ways of identifying a production lot. Lot identification may take the form of codes or date-marks (for e.g., expiry or production dates). Whatever the format, the lot identification adopted by food businesses should enable them to identify and trace the implicated lot in the event of a food safety incident or recall.
2.3	Nine respondents recommended that SFA mandate the following requirements in relation to lot identification, as they were of the view that this was vital to ensure traceability and facilitate recall of prepacked foods in the event of a food safety incidence: a. to specify that lot identification must solely be based on the food manufacturers' original code. b. to prohibit the tampering of the original manufacturer's lot identification. c. to prohibit the sale and import of prepacked food without original manufacturers' lot identification, or with such lot identification that are tampered or defaced. d. to require lot identification to be permanently labelled on the prepacked food and prohibit the use of sticker labels to incorporate lot identification.	Under the Sale of Food Act (the parent Act of the Food Regulations), "label" includes any tag, brand, mark or statement in writing or any representation or design or other descriptive matter on or attached to or used or displayed in connection with or accompanying any food or package containing food. The use of sticker labels to incorporate lot identification or other mandatory labelling information for prepacked foods is acceptable. Food businesses (including manufacturers and importers/distributors etc.) may have their unique ways of identifying a production lot. Lot identification may take the form of codes or date-marks (for e.g., expiry or production dates). Whatever the format, the lot identification adopted by food businesses should enable them to identify and trace the implicated lot in the event of a food safety incidence or recall. Tampering of lot identification (and other information on the label of a prepacked food) in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding the value, merit or safety of the prepacked food is an offence under Section 17 of the Sale of Food Act.

	Comments received	SFA's response
		Sale of Food Act **17.** A person must not sell any food which is labelled or advertised in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its value, merit or safety.
3.	**Declaration of directions on use or handling[2] of food where incorrect manner of use or handling of the food would render the food unsafe or unsuitable**	
3.1	Five respondents sought clarification on the actual circumstances which necessitate the declaration of directions on use or handling of food on the product label.	Directions on the use or handling of the food are only mandatory if the incorrect use or handling of the food would render the food unsafe or unsuitable. The intent of this information is to help ensure correct utilisation or handling of the food by consumers to minimise food safety incidences due to mishandling of the food (for e.g. instructions on minimum temperature for heating a frozen food). The direction on use or handling is not the same as recipes/cooking instructions (for e.g., how to prepare a delicious dish using the prepacked food) which may be included on a voluntary basis on the label.
3.2	One respondent asked if the requirement for the direction on use or handling of food refers to warning statements such as that for food containing the additive aspartame, or food not suitable for consumption by specific group of consumers.	Directions for use or handling of food are not the same as warning statements. Directions for use or handling of food are to help ensure correct utilisation or handling of the food by consumers to minimise food safety incidences due to mishandling of the food (for e.g. instructions on minimum temperature for heating a frozen food). Warning (or advisory) statements are intended to highlight the potential health risks that may be posed by the food or an ingredient of the food when consumed by

[2] Under Section 2 of the Sale of Food Act, "handling" includes any one or more of the following:
(i) making or manufacturing the food;
(ii) processing or preserving the food;
(iii) cooking, defrosting, heating or preparing the food;
(iv) storing, packing or labelling the food;
(v) transporting or delivering the food;
(vi) displaying the food;
(vii) serving the food,
but does not include primary food production.

	Comments received	SFA's response
		specific group(s) of consumers who are not suitable to consume the food due to allergies or other personal health conditions. Examples of warning statements include statements that certain special purpose foods must only be used on the advice of a doctor, and warning statements on food containing aspartame[3].
4.	**Declaration of the name of the country of origin**	
4.1	One respondent sought clarification on the definition of "country of origin". Ten respondents asked if SFA would allow flexibility on the types of qualifiers that could be used to indicate the name of the country of origin for the prepacked food. One of the ten respondents commented that such flexibility should not mislead consumers and work should be done to ensure protection of the Geographical Indication for his product (an alcoholic beverage). One respondent also asked whether declaration of the country where the food was semi-processed or harvested was allowed, in addition to the country of origin.	The country of origin refers to the country where the handling of the food last took place (i.e. the last place where the food was packed into its primary packaging). A prepacked food may undergo different stages of processing in multiple countries; for instance, it could be processed in several countries before finally being packed in its primary packaging in Country X (the country of origin). SFA does not intend to prescribe the exact wording for qualifiers to indicate the name of the country of origin. Qualifiers such as "Country of origin" / "Product of" / "Produced in" / "Manufactured in", and other terms which would provide clarity on the context in which the name of the country of origin is declared would be acceptable. In addition to the country of origin, food businesses may, on a voluntary basis, declare the name of the country where the food was semi-processed, or harvested from, provided that such information is not presented in a manner that would mislead consumers to think that it is the country of origin of the food. Product names for wines and spirits products, among others, may qualify to be protected as geographical indications (GIs) under the Geographical Indications Act. Where protected, rights holders may undertake the relevant enforcement measures against unauthorised use. For more information about the nature and protection of GIs in Singapore, please refer to the Intellectual Property of Singapore

[3] Regulation 5(4)(f) stipulates that food containing aspartame must be labelled with the following words or any other words to the same effect: "PHENYLKETONURICS: CONTAINS PHENYLALANINE."

	Comments received	SFA's response
		website at : https://www.ipos.gov.sg/about-ip/geographical-indications
5.	**Statement of ingredients**	
5.1	One respondent sought clarification on how the revised regulation 5(4)(b) would impact the declaration of food additives in a prepacked food. Another respondent proposed to align the labelling requirements with the recommendation under Section 4.2.1.3 of the Codex *General Standard for the Labelling of Prepackaged Foods* (CXS 1-1985) such that the breakdown constituents of a compound ingredient constituting less than 5% of the food does not have to be declared ("5%-rule").	The following are the provisions in this set of amendments with respect to declaration of food additives in the statement of ingredients. All are aligned with the Codex General Standard for the Labelling of Prepackaged Foods (CXS 1-1985): (i) processing aids need not be declared (revised regulation 5(4)(b)); (ii) carried over food additives that are present in an amount that is not sufficient to perform a technological function in the food need not be declared (new regulation 5(4)(b)(vi)(B)) SFA will not be adopting the following provision in CXS 1-1985 in relation to ingredient listing: (i) Section 4.2.1.3 on the 5%-rule for compound ingredients, due to the following reasons: • SFA has reviewed and concluded that the adoption of the 5%-rule for compound ingredients would affect the ability of consumers to make informed choices, as not all ingredients would be declared. • This poses a potential food safety risk to local consumers, in particular those consumers with hypersensitivity to ingredients that fall outside the common classes of allergens (e.g. sesame, mustard, celery). Consuming foods with such ingredients may invoke an allergic reaction in these consumers. • To protect such consumers, SFA has decided to retain the current requirement on the declaration of breakdown constituents of compound ingredients under the statement of ingredients (i.e. for all breakdown constituents to be declared). SFA has published our position in the document "*Responses to comments received from the public consultation on proposed amendments to the Food Regulations regarding General Labelling Requirements for*

	Comments received	SFA's response
		Prepackaged Food Products", on SFA's website as of 28 February 2022. (ii) Section 4.2.3.3 on the declaration of functional classes of food additives. • SFA will not require the declaration of the functional classes of food additives. As per current requirement, food additives may be declared using permitted general terms under the First Schedule (if applicable), their exact chemical names or INS/E numbers.
5.2	Two respondents sought clarification on whether the following are required to be declared under the statement of ingredients: a. processing aids; b. food additives carried over into foods at a level less than that required to achieve a technological function; and c. processing aids containing allergens, such as sulphites.	"Processing aid", as defined in the revised regulation 5(4)(b)(ii), does not need to be declared in the statement of ingredients of a prepacked food. Under the new regulation 5(4)(b)(vi)(B), carried over food additives that are present in an amount that is not sufficient to perform a technological function in the food also need not be declared. However, if the processing aid or food additive is an ingredient that causes hypersensitivity (as listed in Regulation 5(4)(ea)), it must always be declared.
5.3	One respondent asked about the testing method to determine the water content of a food.	The Food Regulations do not stipulate methods of analysis. For testing methods, laboratories may use internationally recognised official analytical methods such as AOAC International method, FAO method or a method that has been verified in collaborative trials. Methods adopted from published papers or in-house laboratory methods that have been fully validated are also acceptable. Food businesses can approach the accredited laboratories listed in the Singapore Accreditation Council-Singapore Laboratory Accreditation Scheme (SAC-SINGLAS) for laboratory analysis. The list of laboratories is available at the Singapore Accreditation Council's website https://www.sac-accreditations.gov.sg/Pages/Homepage.aspx [*under "Browse Accredited Organisations", select "Laboratories" and " Chemical & Biological"*].

	Comments received	SFA's response
5.4	Two respondents sought clarification on whether: a. the addition of water can still be declared under the statement of ingredients on a voluntary basis even in situations when the law does not require this; b. water that is added to reconstitute/recombine powdered or dehydrated ingredients needs to be declared; and c. water that has been evaporated during cooking needs to be declared.	Under the new regulation 5(4)(b)(iv), it would not be necessary to declare the addition of water if – (i) water forms part of a brine, syrup or broth that is used in a food consisting of 2 or more ingredients and the brine, syrup or broth is declared in the statement of ingredients; (ii) water is evaporated in the course of manufacture; (iii) water makes up less than 5% of the finished product by volume (for liquid food) or by weight (for viscous food); or (iv) water is used to reconstitute a dehydrated ingredient, where the amount of water added in the process of reconstitution is equal to the amount of water removed in the making of the dehydrated ingredient. Although it is not a legal requirement to declare the addition of water in the above situations, food businesses may do so on a voluntary basis.
6.	**Declaration of the presence of allergens that are transferred into a food which is obtained through biotechnology**	
6.1	One respondent proposed to reword the requirement in the new regulation 5(4)(eb) as follows: *"mandate the declaration of presence of any allergen known to cause hypersensitivity to individuals, including those obtained through the use of biotechnology, in any foods or food ingredients, in accordance with appropriate allergen declaration standards outlined in Codex General Standard For the Labelling of Prepackaged Foods sections 4.2.1.4 and 4.2.2."*	The intent of the new regulation 5(4)(eb) is in line with section 4.2.2[4] of the Codex General Standard for the Labelling of Prepackaged Foods (CXS 1-1985), namely, to mandate the declaration of the presence of a food or ingredient known to cause hypersensitivity that is transferred into a food which is obtained through biotechnology. For example, biotechnology is used to produce rice grain, and during the process, a protein from soybean, which is listed as a food or ingredient known to cause hypersensitivity, was transferred into the rice grain. In this case, the presence of soybean must be declared on the label (e.g. "contains soya bean").

[4] Section 4.2.2 of the Codex General Standard for the Labelling of Prepackaged Foods states "*The presence in any food or food ingredients obtained through biotechnology of an allergen transferred from any of the products listed in Section 4.2.1.4 shall be declared.*" (Section 4.2.1.4 is the list of foods and ingredients known to cause hypersensitivity.)

	Comments received	SFA's response
		SFA has considered the comments received and has refined the text in regulation 5(4)(eb), such that it better reflects our policy intent. The text now reads: *"(eb) in any food or food ingredient obtained through biotechnology, the presence of any allergen transferred from a food or an ingredient mentioned in sub-paragraph (ea)"*
6.2	Two respondents sought clarification on the definition for the term, "biotechnology", and one proposed to specifically include genetically modified crops that are for direct consumption; used as food ingredients; or those that are further processed.	SFA noted the request to define the term "biotechnology" in relation to the new regulation 5(4)(eb) *(see section 6.1 for the legal text)*. The Food Regulations currently do not define "biotechnology". The industry may refer to the following Codex definition for "modern biotechnology" which is included in the Principles for the Risk Analysis of Foods Derived from Modern Biotechnology (CAC/GL 44-2003): *"Modern biotechnology" means the application of:* *(i) in vitro nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) and direct injection of nucleic acid into cells or organelles, or* *(ii) fusion of cells beyond the taxonomic family,* *that overcome natural physiological reproductive or recombinant barriers and that are not techniques used in traditional breeding and selection.*

	Comments received	SFA's response
6.3	Two respondents sought clarification on whether foods that are obtained through biotechnology but do not contain an allergenic ingredient, or foods that are present at a level where the allergenic components are not sufficient to pose a risk to sensitive consumers, would be exempted from declaration under the statement of ingredients. Another respondent proposed for SFA to establish criteria that is aligned with the ongoing discussion at the Codex Committee on Food Labelling (CCFL), to exempt the declaration of ingredients derived from food allergens that do not cause hypersensitivity to individuals.	Foods and ingredients known to cause hypersensitivity to individuals (as listed in regulation 5(4)(ea)) must always be declared on the label. SFA is closely following the discussions at the Codex Committee on Food Labelling (CCFL) on the revision of the Codex *General Standard for the Labelling of Prepackaged Foods* (CXS 1-1985) concerning provisions related to food and ingredients known to cause hypersensitivity to individuals (including allergens). We will review the list of food and ingredients known to cause hypersensitivity to individuals, and other provisions for allergen labelling, after the Codex Alimentarius Commission has adopted the revised CXS 1-1985 following CCFL's review.
6.4	One respondent asked if there is an existing list of food and ingredients known to cause hypersensitivity to individuals	There is an existing list of food and ingredients known to cause hypersensitivity to individuals specified in regulation 5(4)(ea) of the Food Regulations.
7.	**Permitted general terms in the First Schedule**	
7.1	One respondent sought clarity on the exact context in which the general term, "fish" (which appears in the revised First Schedule) may be used	The general term, "fish", may be declared in the statement of ingredients in place of the exact name of the species of fish when fish is used as an ingredient in a prepacked food, but the labelling and presentation of the food does not refer to a specific species of fish. For example, a prepacked food product named "Fish dumpling" where the name of the product does not refer to a specific species of fish, may use the general term, "fish", under the statement of ingredients. However, in the case of a prepacked food product named "Batang fish dumpling", the specific species of fish must be declared under the statement of ingredients.
7.2	One respondent highlighted that the phrase "when forming an ingredient of some other food" in the existing First Schedule for the general terms "colouring", "emulsifier" / "stabiliser", "flavouring" and "imitation cream" could cause confusion when read together with the new provisions that allow carried over food additives not to be	The First Schedule lists the permitted general terms (for declaration in the statement of ingredients) for substances that are used in the context of forming an ingredient in another food. However, there is some incongruence in the existing First Schedule as the phrase "when forming an ingredient of some other food" appears for some substances, but not others.

	Comments received	SFA's response
	declared if they do not perform a technological function in the food.	SFA has taken note of the comment and has removed the phrase "when forming an ingredient of some other food" in the finalised version of the revised First Schedule, in view that the phrase is redundant given the context of the use of the permitted general terms.
7.3	One respondent sought clarification on whether the term, "poultry meat", refers to a mixture of meat from poultry only, or a mixture of meat from poultry and other animals. If the latter, the origin of the meat should be specified so that consumers could make informed food choices based on their dietary preferences.	The general term "poultry meat" may only be used for meat from poultry (e.g., chicken, duck, turkey) when forming an ingredient of another food, where the labelling and presentation of the food does not refer to a specific type of poultry meat. This is in line with CXS 1-1985 and the labelling requirements in the major developed countries like Australia and New Zealand. If the food contains a mixture of meat from poultry and another animal (e.g., cattle, sheep, pig), then the term "poultry meat" may be declared in the statement of ingredients to represent the meat from poultry. However, the meat from the other animal must be declared accordingly (e.g., as beef, mutton or pork).
7.4	One respondent sought clarification if mono- and di-saccharides other than sucrose could be declared using the general term "sugar".	The general term "sugar" in the revised First Schedule is only allowed for sucrose and does not include other mono- and di-saccharides. This is in line with the definition for "sugar" in Regulation 143 of the Food Regulations.
7.5	One respondent sought clarification on whether: a. the use of words spelt in American English (e.g., "color") and plural forms of permitted general terms (e.g., "starches" instead of "starch") would be acceptable b. the general term "edible gum" can be declared as "gum" c. the use of the general terms "vegetable fat" or "vegetable oil" must always be qualified by the words "fully hydrogenated".	The use of American English or British English for the permitted general terms in the First Schedule, as well as plural forms of permitted general terms are acceptable. The permitted general term for the edible gums listed in the First Schedule is "edible gum" and not "gum". The general term "vegetable oil/fat" must be qualified by the words "fully hydrogenated" if the vegetable oil/fat is fully hydrogenated. This is an existing requirement. Partially hydrogenated oils are prohibited under Regulation 36A of the Food Regulations.

	Comments received	SFA's response
		Partially hydrogenated oils **36A.**—(1) A person must not — (a) import any edible fat or oil that contain any partially hydrogenated oil for use as an ingredient of any other edible fat or oil or any prepacked food; or (b) use any edible fat or oil that contain any partially hydrogenated oil as an ingredient in the manufacture of any other edible fat or oil or any prepacked food. (2) In these Regulations, "partially hydrogenated oil" means any edible fat or oil that has undergone the process of hydrogenation but is not fully saturated as a result of that process.
7.6	One respondent requested to mandate the declaration of the exact identity of vegetable oil in view of increasing health concerns on the use of certain types of oils (e.g. seeds). The declaration of the identity of vegetable oil would also benefit individuals who are allergic to specific ingredients.	The exact identity of the "vegetable oil" must be declared under the statement of ingredients if the vegetable oil is derived from foods and ingredients that are known to cause hypersensitivity[5]. This is already a mandatory requirement under the Food Regulations. For example, if the vegetable oil is derived from peanuts and soybeans, it must be declared as "Vegetable oil (from peanuts and soybeans)" or other words to the same effect.
7.7	Five respondents sought clarification if it was mandatory for the general terms, "Flavour" or "flavouring", to be qualified by the words "natural", "nature identical" or "artificial", or a combination of any of these words.	The qualifiers "natural" / "nature identical" / "artificial" are optional for the use of the general terms "flavour" / "flavouring". Food businesses may simply declare as "flavour" / "flavouring" or they may choose to declare as "nature identical flavours" or "artificial flavours", if applicable.
7.9	One respondent sought clarification on the definition for "herbs".	The term "herb" / "herbs" in the First Schedule refers to herbs for food use, e.g. culinary herbs which are typically used in

[5] The following food and ingredients that are known to cause hypersensitivity to individuals are listed under regulation 5(4)(ea).
a) cereals containing gluten, i.e. wheat, rye, barley, oats, spelt or their hybridised strains and their products;
b) crustacea and crustacean products;
c) eggs and egg products;
d) fish and fish products;
e) peanuts, soybeans and their products;
f) milk and milk products (including lactose);
g) tree nuts and nut products; and
h) sulphites in concentrations of 10 mg/kg or more.

	Comments received	SFA's response
		small amounts to provide flavour (aroma / taste) to the food.
8.	**Requirement for minimum font size**	
8.1	Two respondents proposed to retain the minimum font size requirement to ensure legibility of the information declared on the food label.	SFA proposed to remove regulation 5(6) of the Food Regulations which specifies a minimum font size for the information to be declared on the label. This is in line with the provisions in the Codex General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) and provides flexibility for food businesses. Nonetheless, food businesses should ensure that the information on the label is legible, so as to allow consumers to make informed choices when purchasing the food.
9.	**Exemption from labelling requirements for food packed in small units (i.e. largest surface area less than 10cm^2)**	
9.1	One respondent sought confirmation if this exemption only applies to food packed in small units, and that these foods are allowed to provide the information through means other than the product label.	The new regulation 6(4) only applies to food that is packed in small units (where the side of the packaging with the largest surface area is less than 10 square centimetres). For these foods, information under regulation 5(4)(b), (c), (da), (ea), (eb), (f) and (fa)[6] must be provided to a prospective purchaser through a physical document or a website or other electronic record (e.g. through leaflets or scanning of QR codes).
9.2	Five respondents proposed to include provisions to allow the use of technologies to provide information in lieu of labelling on the package of prepacked food.	The new regulation 6(4) allows food businesses selling food packed in small units to provide information under regulation 5(4)(b), (c), (da), (ea), (eb), (f) and (fa)[7], through means other than the product label (see Section 9.1 above). For all other prepacked foods, the mandatory labelling information must continue to be declared on the product label. SFA is aware that there is an ongoing workstream under the Codex Committee on Food Labelling to develop Guidelines on the

[6] Regulation 5(4)(b), (c), (da), (ea), (eb), (f) and (fa) refer to the statement of ingredients; declaration of tartrazine; lot identification number or mark; presence of foods and ingredients known to cause hypersensitivity; presence of allergens transferred into a food which is obtained through biotechnology; the words, "Phenylketonurics: contains phenylalanine" for food containing aspartame; and the directions on the use or handling of the food.

[7] Regulation 5(4)(b), (c), (da), (ea), (eb), (f) and (fa) refer to the statement of ingredients; declaration of tartrazine; lot identification number or mark; presence of foods and ingredients known to cause hypersensitivity; presence of allergens transferred into a food which is obtained through biotechnology; the words, "Phenylketonurics: contains phenylalanine" for food containing aspartame; and the directions on the use or handling of the food.

	Comments received	SFA's response
		Use of Technology to Provide Food Information. SFA supports the use of technologies (for e.g. electronic labels) to provide additional information on top of the mandatory information provided on the physical product labels. However, such technologies should not be used as an alternative to the physical product labels. Mandatory information concerning health and safety must be provided on the physical product label so that consumers who do not have ready access to technology can make informed decisions before purchase.
10.	**Prohibited claims**	
10.1	One respondent asked for examples of the types of claims that would be prohibited under the following new additions to regulation 9(2): "(*d*) that other food is unsafe for consumption; (*e*) that an ingredient permitted by these Regulations in food is unsafe for consumption; (*f*) the food does not contain a food additive that is not permitted by these Regulations; or (*g*) the food does not contain any substance the use of which in food is prohibited under these Regulations.". Another respondent asked if there was a list of prohibited substances in food.	Examples of claims that would be prohibited under the revised regulation 9(2) are: • "Choose Product X which is manufactured under stringent conditions with the safest raw materials, unlike Product Y" • "Our products do not contain food additive X, which has been shown in studies to be unsafe" (where food additive X is not a permitted food additive under the Food Regulations, and therefore not allowed to be used in food anyway) • "Product Y does not contain partially hydrogenated oils and is safe for consumption" (partially hydrogenated oils are already prohibited under the Food Regulations) Substances that are prohibited from use in food include – • coumarin, tonka bean, safrole, sassafras oil, dihydrosafrole, isosafrole, agaric acid, nitrobenzene, dulcamara, pennyroyal oil, oil of tansy, rue oil, birch tar oil, cade oil, volatile bitter almond oil containing hydrocyanic acid and male fern (these are prohibited for use as flavouring agents under regulation 22(7)) • partially hydrogenated oil (prohibited under regulation 36A)

	Comments received	SFA's response
10.2	One respondent sought clarification on the reason for prohibiting the use of claims to suggest that the food does not contain a food additive or substance that is not permitted or prohibited by the Food Regulations. He also asked for advice on how food businesses could respond to consumer queries on whether the food contains any prohibited food additives or ingredients.	The new regulations 9(2)(f) and (g) prohibit the use of claims that a food does not contain a food additive that is not permitted by the Food Regulations, and the use of claims that a food does not contain a substance prohibited by the Food Regulations. These prohibited claims are in line with the principles under the Codex General Guidelines on Claims (CXG 1-1979) which recommends that claims which could give rise to doubt about the safety of similar food or which could arouse or exploit fear in the consumer should be prohibited. If a food additive is not permitted by the Food Regulations, or a substance is prohibited from use in food by the Food Regulations, there is no reason to highlight the absence of the particular food additive or substance in the food as all other foods would not contain the food additive or substance in the first place, and doing so may give rise to doubts about the safety of other similar foods. Food businesses who wish to clarify consumer concerns regarding their food products may do so, but they should not lead consumers to think that these non-permitted food additives and prohibited substances are present in other similar foods.
10.3	One respondent suggested to replace the new set of prohibited claims under regulation 9(2) with the statement "Claims which could give rise to doubt about the safety of similar food or which arouse or exploit fear in the consumer", to align with the Codex General Guidelines on Claims (CXG 1-1979).	The Codex General Guidelines on Claims (CXG 1-1979) contains principles, which need to be translated into national legislation in a manner that is clear and unambiguous, such that there is clarity for both the regulator and the industry. In this case, the phrase "Claims which could give rise to doubt about the safety of similar food or which arouse or exploit fear in the consumer" is ambiguous and open to interpretation. Therefore, the legal text has been carefully crafted to state the specific types of claims that are prohibited, instead of principles which are open to interpretation.

	Comments received	SFA's response
10.4	One respondent proposed the following edits (in bold and highlighted in grey) to the legal text of the new regulation 9(2)(e) on prohibited claims: "(e) that an ingredient permitted by these Regulations **or a Codex commodity standard** in food is unsafe for consumption" The respondent was of the view that with the deletion of many standards of identity from the Food Regulations, the protection offered by the proposed prohibition on this type of claim was insufficient. Therefore, more standards such as the Codex commodity standards should be mentioned in the Food Regulations to provide greater protection to consumers.	The prohibition under regulation 9(2)(e) on the use of claims that an ingredient permitted by the Food Regulations is unsafe for consumption applies to food additives as well, as food additives are regarded as ingredients that are used in food. Codex commodity standards may contain provisions for food additives that are not permitted by, or are different from, those in the Food Regulations. Including the mention of the Codex commodity standards in the new regulation 9(2)(e) would send the wrong message that SFA allows such food additives to be used when they are not permitted by the Food Regulations. Therefore, SFA is unable to accept the respondent's proposal to include the mention of Codex commodity standards in the revised regulation 9(2)(e).
11.	**Display of information[8] on online platforms for prepacked food sold online**	
11.1	Ten respondents submitted comments on the proposed regulation for online platforms selling food to display the required information at the point of sale. Respondents queried on the application of the requirement for products sold from overseas or through overseas based platforms. There was also request for clarity on the responsible party to ensure that the requirements are complied with. Respondents also voiced concerns over the lead time given to comply. Other comments largely involved clarification on the requirements, for e.g. • whether a clear picture of the product label which bears all the required information would suffice • whether it was acceptable to declare multiple country of origin,	The original intent of the proposed regulation was to allow consumers who purchase prepacked food online to have access to similar information that they would be able to obtain from the product label, when purchasing the prepacked food from brick-and-mortar shops in Singapore. However, as the Food Regulations do not have extra-territorial powers, the requirements would only apply to persons and food businesses based or registered in Singapore, and would not apply to food that is directly purchased by consumers for personal consumption from persons and food businesses who are not based or registered in Singapore. SFA noted the feedback and concerns from the respondents and has carefully considered the matter and assessed that at present, it would suffice to focus efforts on promoting the use of the voluntary industry standard SS 687:2022 *Guidelines for Food E-commerce* to encourage joint responsibility

[8] Information previously proposed to be declared on the sales listing for prepacked food is as follows:
a) Name of food
b) List of ingredients (including the declaration of tartrazine and food known to cause hypersensitivity)
c) Net contents and drained weight
d) Name and address of the Singapore manufacturer, packer, distributor, importer, export or vendor of the food
e) Name of the country of origin
f) Directions of use or handling of food

	Comments received	SFA's response
	especially for fresh produce, which may vary throughout the year • whether current exemptions from labelling requirements in Regulation 6 would apply to prepacked foods sold online	from the industry. Guidance on the information to be displayed on the e-commerce platform is included in this voluntary standard. In alignment with this approach, SFA will not require online platforms to display the labelling information and the proposed regulation for online platforms selling food to display the required information has been removed from this set of amendments.
12.	**Gluten-free and reduced gluten food**	
12.1	One respondent asked if the new regulation on gluten-free and reduced gluten food require the declaration of the amount of gluten present in the food.	The proposed new regulation 250B for gluten-free and reduced gluten food does not require the declaration of gluten content of the food on the label.
12.2	One respondent sought clarification on whether oats that are not contaminated with wheat, rye, or barley and contain less than 20 ppm (20 mg/kg) gluten would be exempted from the proposed new regulation 250B. This is given that: a. oats do not inherently contain gluten and that any gluten found in oats would be a result of cross-contact with other grains containing gluten; b. the FAO/WHO joint expert group on Risk Assessment for Food Allergens concluded that "published clinical evidence clearly indicates that uncontaminated oats are safe for most people with coeliac disease."; and c. according to the Codex Standard for Foods for Special Dietary Use for Persons Intolerant to Gluten, the regulation of oats that are not contaminated with wheat, rye, or barley in such foods may be determined at the national level.	Oats is currently listed as one of the cereals containing gluten in both regulation 5(4)(ea) of the Food Regulations and section 4.2.1.4 of the Codex General Standard for the Labelling of Prepackaged Foods (CXS 1-1985). SFA is aware of Footnote 1[9] under the Codex Standard for Foods for Special Dietary Use for Persons Intolerant to Gluten (CXS 118-1979) and the discussion at the Codex Committee on Food Labelling (CCFL) on the revision of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) on provisions related to food and ingredients known to cause hypersensitivity to individuals. SFA is closely following the discussion at CCFL and will review the list of food and ingredients known to cause hypersensitivity to individuals, and other provisions for allergen labelling under the Food Regulations, after the Codex Alimentarius Commission has adopted the revised CXS 1-1985.
12.3	One respondent commented that there is an overlap in the definitions of "gluten free" and "naturally gluten free".	Under the new regulation 250B(1), both gluten-free food and naturally gluten-free food must contain 20 mg/kg or less of gluten

[9] Footnote 1: "Oats can be tolerated by most but not all people who are intolerant to gluten. Therefore, the allowance of oats that are not contaminated with wheat, rye or barley in foods covered by this standard may be determined at the national level."

	Comments received	SFA's response
		by weight of the food as sold to the purchaser. The difference is that gluten-free food includes both food that is a cereal or contains a cereal and food that is not, or does not contain a cereal; whereas naturally gluten-free food only refers to food that is not, or does not contain a cereal.
12.4	Two respondents sought clarification on the rationale for the new regulation 250B(3): "Gluten-free food or reduced gluten food that is intended to replace any food as a source of any key nutrient (like carbohydrates, protein, fats or essential vitamins and minerals) must contain approximately the same amounts of vitamins and minerals as the replaced food."	Regulation 250B(3) requires food businesses who intend to sell a gluten-free food or reduced gluten food as a substitute for any food that is a source of any key nutrient to ensure that the gluten-free food or reduced gluten food contain approximately the same amounts of vitamins and minerals as the replaced food. This ensures that consumers who rely on gluten-free food or reduced gluten food would continue to have adequate nutrient intake.
12.5	Three respondents asked if there are restrictions on the placement of the claims, "gluten free", "naturally gluten free" and "reduced gluten" on the label of the food.	SFA will not impose restrictions on the placement of the claims (gluten-free, naturally gluten free and reduced gluten) on the label. Food businesses who make such claims must ensure that their food products comply with the relevant criteria specified in the new regulation 250B.
13.	**Penalty for non-compliance with the labelling requirements**	
13.1	One respondent sought clarification on the penalties for non-compliance while four respondents requested for SFA to consider increasing the penalties for non-compliance.	The existing penalties under Regulation 261 of the Food Regulations and section 49 of the Sale of Food Act would apply for non-compliance with the labelling requirements. **Food Regulations** **261.** Any person who contravenes any of the provisions of these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $1,000 and in the case of a second or subsequent conviction to a fine not exceeding $2,000. **Sale of Food Act** **49.** Any person who is guilty of an offence under this Act for which no penalty is expressly provided shall be liable on conviction to a fine not exceeding $5,000 and, in the case of a second or

	Comments received	SFA's response
		subsequent conviction, to a fine not exceeding $10,000 or to imprisonment for a term not exceeding 3 months or to both. The current set of amendments does not include review of the penalties for non-compliance. However, when the Food Safety and Security Bill (FSSB)[10] comes into operation, there will be an enhanced maximum penalty (i.e. upper bound) framework for offences, which the courts will use to determine the eventual sentence. Penalties will be enhanced for offences relating to food safety and tiered based on severity and culpability. Offences involving unsafe food which causes illness, harm and physical injury will incur higher penalties. The labelling regulations in the Food Regulations will eventually be re-enacted as subsidiary legislation under the FSSB and the relevant maximum penalties under the FSSB will apply.
14.	**Implementation timeline**	
14.1	Some respondents requested for a longer implementation period, in view that: a. the set of amendments would require changes to the labels of prepacked food and food businesses would need time to redesign the label b. the food businesses would need time to arrange for training and resources to ensure compliance with the new requirements after the gazettal. Whilst these respondents appreciated the fact that SFA consulted the industry before the amendments took effect, they were of the view that they needed certainty, in terms of the actual gazettal and implementation dates, so that they could make the relevant business plans.	SFA has considered the comments and has gazetted this set of amendments on 31 Jan 2025, with the intention that the amendments will come into operation in 30 Jan 2026. The industry will have 1 year to make the necessary arrangements to adapt to the new requirements.

[10] The FSSB will consolidate food-related legislation from nine existing Acts and introduce powers to strengthen Singapore's food safety and security regime, to better protect consumers and safeguard Singapore's food supply resilience. Public consultation on the FSSB was conducted over four phases from 15 March – 6 September 2024. The first and second Parliamentary Readings of the FSSB was held on 12 November 2024 and 8 January 2025 respectively.