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**No. S 49**

**SALE OF FOOD ACT  
(CHAPTER 283)**

**FOOD (AMENDMENT) REGULATIONS 2016**

In exercise of the powers conferred by section 56(1) of the Sale of Food Act, the Minister for National Development makes the following Regulations:

**Citation and commencement**

1. These Regulations are the Food (Amendment) Regulations 2016 and come into operation on 2 February 2016.

**Deletion and substitution of regulation 9 and new regulations 9A and 9B**

2. Regulation 9 of the Food Regulations (Rg 1) is deleted and the following regulations substituted therefor:

**“Prohibition on false or misleading statements, etc., on labels**

9.—(1) No written, pictorial, or other descriptive matter appearing on or attached to, or supplied or displayed with food is to include any claim or suggestion whether in the form of a statement, word, brand, picture, or mark purporting to indicate the nature, stability, quantity, strength, purity, composition, weight, origin, age, effects, or proportion of food or its ingredients that is false, misleading or deceptive, or is likely to create an erroneous impression regarding the value, merit or safety of the food.

(2) Unless permitted by regulation 9A or 9B, a label must not include any claim or suggestion in relation to food that implies —

(a) the food has therapeutic or prophylactic action;

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- (b) the food will prevent, alleviate or cure any disease or condition affecting the human body; or
  - (c) that health or an improved physical condition may be achieved by consuming the food.

(3) A label must not include any claim or suggestion that may be interpreted as advice of a medical nature from any person whatsoever.

### **Exceptions from prohibitions on claims on labels**

**9A.**—(1) The claims set out in the first column of the Fourteenth Schedule may be made on prepacked foods that meet the corresponding criteria set out opposite in the second column.

(2) In the case of prepacked foods where the addition of phytosterols, phytosterol esters, phytostanols or phytostanol esters is approved under regulation 250A, the following claim may be made in a label:

“Plant sterols/stanols have been shown to lower/reduce blood cholesterol. High blood cholesterol is a risk factor in the development of coronary heart disease.”.

### **Limitations on making particular statements or claims on labels**

**9B.**—(1) A label must not include any claim or suggestion that a food is a source of energy unless —

- (a) the label states the quantity of that food to be consumed in one day;
- (b) the amount of the food stated on the label as the quantity to be consumed in one day yields at least 300 kcal; and
- (c) the label contains a nutrition information panel in the form specified in the Twelfth Schedule or in such other similar form as may be acceptable to the Director-General.

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(2) A label must not include any claim or suggestion that a food is a source of or an excellent source of protein unless —

- (a) the label states the quantity of that food to be consumed in one day;
- (b) the amount of food stated on the label as the quantity to be consumed in one day contains at least 10 g of protein;
- (c) the label contains a nutrition information panel in the form specified in the Twelfth Schedule or in such other similar form as may be acceptable to the Director-General; and
- (d) in the case of —
  - (i) food which is a source of protein, at least 12% by weight of the calorie yield of the food is derived from protein; or
  - (ii) food which is an excellent source of protein, at least 20% by weight of the calorie yield of the food is derived from protein.

(3) A recipe involving the use of any food or any suggestion or pictorial illustration on how to serve the food must not be included on any label unless the recipe, suggestion or pictorial illustration is immediately preceded or followed or otherwise closely accompanied by the expression “Recipe” or “Serving Suggestion”, as the case may be, in printed letters of a minimum of 1.5 mm in height.

(4) No written, pictorial, or other descriptive matter appearing on or attached to, or supplied or displayed with food is to include the word “pure”, or any word of the same significance, in relation to food unless the food is free from other added substances or is of the composition, strength and quality required under these Regulations.

(5) A label must not include the word “organic”, or any word of the same significance, in relation to food unless the food is certified as organic under an inspection and certification system —

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- (a) that complies with section 6.3 of the Codex Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods, GL 32-1999; or
  - (b) that substantially complies with the guidelines mentioned in sub-paragraph (a) and is acceptable to the Director-General as being a suitable system for the certification of organic food.”.

### **Deletion and substitution of regulation 12**

3. Regulation 12 of the Food Regulations is deleted and the following regulation substituted therefor:

#### **“Misleading statements in advertisements**

12. An advertisement for food, other than a label, must not contain any statement, word, brand, picture, or mark that is prohibited by regulation 9, other than to the extent permitted under regulation 9A or 9B.”.

### **Amendment of regulation 18**

4. Regulation 18 of the Food Regulations is amended —

- (a) by deleting the words “Subject to paragraph (3), no person shall” in paragraph (2) and substituting the words “Subject to paragraphs (3) and (3A), a person must not”;
- (b) by deleting the word “in” where it appears the second time in paragraph (3) and substituting the words “up to”; and
- (c) by inserting, immediately after paragraph (3), the following paragraph:

“(3A) Advantame may be added to any food in accordance with good manufacturing practice for food additives as described in section 3.3 of the preamble of the Codex General Standard for Food Additives (CODEX STAN 192-1995).”.

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**Amendment of regulation 29**

5. Regulation 29 of the Food Regulations is amended —

- (a) by deleting the words “antibiotic, oestrogen” in paragraph (1) and substituting the words “veterinary drug”;
- (b) by deleting the words “No person shall” in paragraph (2) and substituting the words “A person must not”; and
- (c) by inserting, immediately after paragraph (2), the following paragraph:

“(3) In this regulation, “veterinary drug” means a substance applied or administered to a food-producing animal including a meat-producing or milk-producing animal, poultry, fish and bee, whether or not the substance is used for therapeutic, prophylactic or diagnostic purpose or for modification of physiological functions or behaviour, and includes antibiotic and oestrogen.”.

**Amendment of regulation 30**

6. Regulation 30 of the Food Regulations is amended by deleting paragraph (3) and substituting the following paragraph:

“(3) Unless otherwise prescribed in these Regulations, the pesticide residue contained in any food must not exceed the maximum limit stated for the residue adopted by the Codex Alimentarius Commission.”.

**Amendment of regulation 38**

7. Regulation 38(1) of the Food Regulations is amended —

- (a) by deleting sub-paragraph (i) of sub-paragraph (a) and substituting the following sub-paragraph:

“(i) the Codex Code of Practice for Radiation Processing of Food (CAC/RCP 19-1979); and”;

- (b) by inserting, immediately after the word “Foods” in sub-paragraphs (a)(ii) and (b), the words “(CODEX STAN 106-1983)”.

### **Amendment of regulation 93**

8. The Food Regulations are amended by renumbering regulation 93 as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraphs:

“(2) A person must not import, sell or advertise raw milk intended for direct human consumption.

(3) In this regulation, “raw milk” means milk that has not been —

- (a) heat-treated in accordance with regulation 94(1), 95(1) or 96(1); or
- (b) otherwise treated in a way acceptable to the Director-General that has an equivalent effect on the milk as if it were heat-treated in accordance with regulation 94(1), 95(1) or 96(1).”.

### **Amendment of regulation 252**

9. Regulation 252(6) of the Food Regulations is amended —

- (a) by deleting the word “and” at the end of sub-paragraph (c); and
- (b) by deleting the full-stop at the end of sub-paragraph (d) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraph:

“(e) Bovine lactoferrin, in an amount not exceeding 100mg per 100ml.”.

### **Amendment of First Schedule**

10. The First Schedule to the Food Regulations is amended by inserting, immediately after the item “Any deodorised edible vegetable oil, whether hydrogenated or not, when forming an ingredient of any food other than edible fats and oils”, the following item:

<i>Substance</i>	<i>Generic Terms</i>
<p>“The following modified starches:</p> <p>Dextrin roasted starch, acid-treated starch, alkaline-treated starch, bleached starch, oxidised starch, enzyme-treated starch, monostarch phosphate, distarch phosphate, phosphated distarch phosphate, acetylated distarch phosphate, starch acetate, acetylated distarch adipate, hydroxypropyl starch, hydroxypropyl distarch phosphate, starch sodium octenyl succinate, acetylated oxidised starch</p>	<p>Modified starch.</p> <p>”.</p>

### **Amendment of Twelfth Schedule**

**11.** The Twelfth Schedule to the Food Regulations is amended by deleting the words “9(7)(b) and (8)(b)” in the Schedule reference and substituting the words “9B(1)(c) and (2)(c)”.

### **Amendment of Fourteenth Schedule**

**12.** The Fourteenth Schedule to the Food Regulations is amended by deleting the words “Regulation 9(6A)” in the Schedule reference and substituting the words “Regulation 9A(1)”.

*[G.N. Nos. S 515/2006; S 195/2011; S 175/2012; S 444/2012; S 493/2013; S 816/2014]*

Made on 27 January 2016.

BENNY LIM  
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Singapore.*

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(To be presented to Parliament under section 56(4) of the Sale of Food Act).