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## **No. S 92**

### **SALE OF FOOD ACT 1973**

#### **FOOD (AMENDMENT) REGULATIONS 2025**

In exercise of the powers conferred by section 56(1) of the Sale of Food Act 1973, the Minister for Sustainability and the Environment makes the following Regulations:

#### **Citation and commencement**

1.—(1) These Regulations are the Food (Amendment) Regulations 2025 and, except for regulation 6, come into operation on 30 January 2026.

(2) Regulation 6 is deemed to have come into operation on 31 December 2021.

#### **Amendment of regulation 2**

2. In the Food Regulations (Rg 1), in regulation 2(1), after the definition of “freshly prepared”, insert —

““gluten” has the meaning given by regulation 250B(1);”.

#### **Amendment of regulation 5**

3. In the Food Regulations, in regulation 5 —

(a) in paragraph (4), replace sub-paragraph (b) with —

“(b) a list of ingredients containing the appropriate designation of each ingredient (other than any processing aid) in the case of food consisting of 2 or more ingredients and, unless the quantity or proportion of each ingredient is specified, the ingredients are to be specified in descending order of the proportions by ingoing weight at the time of manufacture.

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For the purpose of this sub-paragraph —

- (i) “appropriate designation” means a name or description (being a specific and not a generic name or description) that indicates the true nature of the ingredient or constituent to which it is applied except as provided in the First Schedule;
- (ii) “processing aid” means any substance or material used to perform a technological function in the treatment or processing of any food that may result in the non-intentional but unavoidable presence of residue or derivative of the substance or material in the final product, other than —
  - (A) an apparatus or utensil;
  - (B) an ingredient consumed on its own; and
  - (C) a food or an ingredient mentioned in sub-paragraph (ea);
- (iii) the list of ingredients must be preceded by a heading or title that indicates that the list is of the ingredients;
- (iv) it is not necessary to state that the food contains water where —
  - (A) in any food consisting of 2 or more ingredients, one of which is brine, syrup or broth —
    - (AA) the water forms part of brine, syrup, broth or similar ingredient; and

- (AB) the brine, syrup, broth or similar ingredient is declared in the list of ingredients, together with the ingredients of the brine, syrup or broth (other than water);
  - (B) the water is evaporated in the course of manufacture;
  - (C) the water makes up less than 5% of the finished product by volume (for liquid food) or by weight (for viscous food); or
  - (D) the 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;
- (v) where any food contains an ingredient that is made from 2 or more constituents —
  - (A) the appropriate designations of those constituents must be specified by their appropriate designations; and
  - (B) it is not necessary to specify the appropriate designation of the ingredient;
- (vi) where any food additive is carried over from an ingredient into a finished food product —
  - (A) where the food additive is in an amount sufficient to perform a

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technological function in that product, the food additive must be specified by its appropriate designation; and

(B) to avoid doubt, where the food additive is in an amount that is not sufficient to perform any technological function in that product, the food additive need not be specified; and

(vii) where any food or ingredient mentioned in sub-paragraph (ea) is carried over from an ingredient into a finished food product, the food or ingredient mentioned in that sub-paragraph (as the case may be) must be specified by its appropriate designation, but not by the generic term for it in the second column of the First Schedule;”;

(b) in paragraph (4), after sub-paragraph (d), insert —

“(da) an identification number or mark (like a lot number, batch number or serial number) that identifies the producing factory and production lot of the food;”;

(c) in paragraph (4)(e), after “packer or local vendor”, insert “and the name of the country of origin of the food”;

(d) in paragraph (4)(e)(ii), insert “and” at the end;

(e) in paragraph (4)(e), after sub-paragraph (ii), insert —

“(iii) the name of the country of origin of the food must be accompanied by a statement that the country named is the country of origin of the food or a statement to the like effect;”;

(f) in paragraph (4), after sub-paragraph (ea), insert —

“(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);”;

(g) in paragraph (4)(f), delete “and” at the end;

(h) in paragraph (4), after sub-paragraph (f), insert —

“(fa) directions on the use or handling of the food, if incorrect use or handling of the food would render the food unsafe or unsuitable; and”; and

(i) delete paragraph (6).

#### **Amendment of regulation 6**

**4.** In the Food Regulations, in regulation 6, replace paragraph (4) with —

“(4) Regulation 5(4)(b), (c), (da), (ea), (eb), (f) and (fa) does not apply in respect of prepacked food —

(a) contained in packaging where the side of the packaging with the largest surface area is less than 10 square centimetres; and

(b) where the particulars required under those provisions are made accessible to a prospective purchaser through —

(i) a physical document; or

(ii) a website or other electronic record.

(5) Regulation 5(4)(da) does not apply to prepacked fruits or vegetables that are fresh, whole and unpeeled.”.

#### **Amendment of regulation 9**

**5.** In the Food Regulations, in regulation 9(2) —

(a) in sub-paragraph (b), delete “or” at the end;

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- (b) in sub-paragraph (c), replace the full-stop at the end with a semi-colon; and
- (c) after sub-paragraph (c), insert —
- “(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.”.

### **Amendment of regulation 14**

6. In the Food Regulations, in regulation 14 —
- (a) in paragraph (2), delete “Cap. 272A,”; and
  - (b) in paragraph (3), replace “Animals and Birds Act (Cap. 7), the Control of Plants Act (Cap. 57A) or the Wholesome Meat and Fish Act (Cap. 349A)” with “Animals and Birds Act 1965, the Control of Plants Act 1993 or the Wholesome Meat and Fish Act 1999”.

### **New regulation 250B**

7. In the Food Regulations, after regulation 250A, insert —

#### **“Gluten-free and reduced gluten food**

**250B.**—(1) In these Regulations —

“gluten” means a protein fraction from a cereal specified in paragraph (2), to which some persons are hypersensitive, and that is insoluble in water or 0.5M NaCl, that is, 0.5 molar sodium chloride solution;

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“gluten-free food” means food —

- (a) that is not or does not contain a cereal specified in paragraph (2) and contains 20 mg/kg or less of gluten by weight of the food as sold to the purchaser; or
- (b) that is or contains a cereal specified in paragraph (2) but has been processed so that it contains 20 mg/kg or less of gluten by weight of the food as sold to the purchaser;

“naturally gluten-free food” means food that is not or does not contain a cereal specified in paragraph (2) and contains 20 mg/kg or less of gluten by weight of the food as sold to the purchaser;

“reduced gluten food” means food that is or contains a cereal specified in paragraph (2) but has been processed so that it contains more than 20 mg/kg but less than or equal to 100 mg/kg of gluten by weight of the food as sold to the purchaser.

(2) For the purpose of paragraph (1), the cereals are —

- (a) barley;
- (b) oat;
- (c) rye;
- (d) wheat — that is, durum wheat, khorasan wheat, spelt or any other *Triticum* species;
- (e) a hybridised strain of a cereal mentioned in sub-paragraph (a), (b), (c) or (d); and
- (f) a product of a cereal mentioned in sub-paragraph (a), (b), (c) or (d).

(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 the key nutrient as the replaced food.

(4) Subject to paragraph (5), a package of food must not be labelled with the words “gluten-free”, “naturally gluten-free” or “reduced gluten” unless the package of food contains only gluten-free food, naturally gluten-free food or reduced gluten food, as the case may be.

(5) Where a package of food contains —

(a) any gluten-free food, naturally gluten-free food or reduced gluten food; and

(b) any other food,

the package of food must not be labelled with the words “gluten-free”, “naturally gluten-free” or “reduced gluten” unless those words appear immediately before or after the name of the food mentioned in sub-paragraph (a) on the label.

(6) A package of naturally gluten-free food must not be labelled with the words “special dietary”, “special dietetic” or any words of similar meaning.”.

### **Replacement of First Schedule**

8. In the Food Regulations, replace the First Schedule with —



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“FIRST SCHEDULE

Regulation 5(4)(b)

PERMITTED USE OF GENERIC TERMS IN THE  
DECLARATION OF INGREDIENTS

The following substances may be designated by generic terms in the list of ingredients:

<i>First column</i>	<i>Second column</i>
<i>Substance</i>	<i>Generic Terms</i>
1. Any type of caseinate	Caseinate
2. Any type of cheese or mixture of cheese, where the labelling and presentation of the food does not refer to a specific type of cheese	Cheese
3. Pressed, expeller or refined cocoa butter	Cocoa butter
4. Any colouring	Colouring or colouring matter
5. Any crystallised fruit or mixture of crystallised fruits not exceeding 10% of the weight of the food	Crystallised fruit
6. Anhydrous dextrose and dextrose monohydrate	Dextrose or glucose
7. Any of the following gums: Acacia, carob, gellan, ghatti, guar, karaya, tara, tragacanth and xanthan gums	Edible gum
8. Any emulsifier or stabiliser	Emulsifier/stabiliser or emulsifying/stabilising agent
9. Any refined fat, other than pork fat, lard and beef fat	Animal fat or vegetable fat, as applicable
10. Any species of fish, where the labelling and presentation of the food does not refer to a specific species of fish	Fish

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| 11. Any flavouring  | Flavour or flavouring, qualified by the words “natural”, “nature identical” or “artificial”, or a combination of any of these words, if applicable |
| 12. Any herb, part of a herb or mixture of herbs not exceeding 2% by weight either singly or in combination in the food   | Herbs or mixed herbs as applicable   |
| 13. Any type of imitation cream   | Imitation cream  |
| 14. Any milk product containing a minimum of 50% milk protein (mass/mass) in dry matter   | Milk protein   |
| 15. Any of the following modified starches:<br>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 and acetylated oxidised starch | Modified starch  |
| 16. Any type of poultry meat, where the labelling and presentation of the food does not refer to a specific type of poultry meat  | Poultry meat   |
| 17. Any spice or mixture of spices or spice extracts not exceeding 2% by weight, either singly or in combination in the food  | Spice, spices or mixed spices as applicable  |
| 18. Any type of starch, other than any chemically modified starch   | Starch   |

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| 19. Sucrose  | Sugar  |
| 20. Any deodorised edible vegetable oil that is fully hydrogenated or not hydrogenated, when forming an ingredient of any food other than edible fats and oils | Vegetable oil or vegetable fat, qualified by the words “fully hydrogenated”, if applicable |

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*[G.N. Nos. S 515/2006; S 195/2011; S 175/2012; S 444/2012; S 493/2013; S 816/2014; S 49/2016; S 152/2017; S 302/2017; S 146/2018; S 59/2019; S 580/2019; S 237/2020; S 424/2020; S 704/2020; S 813/2020; S 695/2021; S 993/2021; S 606/2022; S 760/2022; S 203/2023; S 451/2023; S 608/2023; S 425/2024]*

Made on 31 January 2025.

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(To be presented to Parliament under section 56(8) of the Sale of Food Act 1973).