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Food Safety Regulations in Singapore – Genetic Modification, Manufacturing Process, and Food Labelling

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1. Introduction

Food safety in Singapore is strictly regulated through legislation and is overseen by the Singapore Food Agency ("**SGFA**"), which administers the Sale of Food Act 1973 of Singapore ("**SFA**")[2] and the Food Regulations ("**FR**")[3], to ensure that food made available for sale in Singapore is safe for consumption, and to safeguard public health, including food labelling requirements that support the SGFA's food safety regime[4]. This article contains an overview of the laws and regulations, or regulatory framework, in Singapore relating to genetically modified ("**GM**") foods ("**GM foods**"), manufacturing or packing of food, food labelling in general, food advertisements, labelling of nutritional information, health claims, and labelling of novel foods and GM foods.

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1 Bayfront Law LLC alliance firm of Nishimura & Asahi

2 Please refer to https://sso.agc.gov.sg/Act/SFA1973?ValidDate=20211231&WholeDoc=1

3 Please refer to hhttps://sso.agc.gov.sg/SL/SFA1973-RG1/Uncommenced/20220821?DocDate=20211230&ValidDt=20221230 for the current version of the FR. Please note that amendments to the FR has taken effect on 30 December 2022, by way of the Food (Amendment No. 2) Regulations 2021. These amendments provide for the following, along with other matters: (a) new definitions of "automated beverage dispenser" and "total sugar" to be included in regulation 2(1) of the FR; (b) new regulation 184B for the grading of Nutri-Grade beverages, based on a grading system specified in a new Sixteenth Schedule, in which Nutri-Grade beverages will be graded "A", "B", "C", or "D" according to their nutritional content, such as sugar and saturated fat content; (c) new regulation 184C for the labelling of Nutri-Grade beverages with nutrition information, such as stating the energy content and total amounts of sugar, carbohydrate, saturated fat, fat and protein in Nutri-Grade beverages; (d) new regulations 184D and E for the labelling and displaying of a Nutri-Grade mark on the front of the package for Nutri-Grade beverages graded "C" or "D", and providing that if the Nutri-Grade beverage is sold online or through an automated beverage dispenser or vending machine, an image of the Nutri-Grade mark must be displayed to the purchaser; and (e) new regulation 184F setting out advertising restrictions regarding Nutri-Grade beverages graded "D".

4 Please see https://www.sfa.gov.sg/food-information/labelling-packaging-information/general-information.

2. Genome Editing and Genetic Modification

2.1 Regulatory framework that deals with genome editing and genetic modification of food[5]

2.1.1 Presently, although GM technology and GM foods are not directly regulated by the SFA or the FR, the import of GM crops for use as food or food ingredients is subject to safety evaluation assessments by the Genetic Modification Advisory Committee ("**GMAC**"), and approval by the SGFA.[6]

2.1.2 The GMAC, which is a non-regulatory advisory committee, has issued two (2) sets of guidelines that cover the different phases of GM product development for research and development ("**R&D**") of Genetically Modified Organisms ("**GMOs**") and the commercial release of GMOs and GMO-related products in Singapore. These guidelines are (a) the Singapore Biosafety Guidelines for Research on GMOs (revised in May 2021) ("**GMO Research Guidelines**"), and (b) the Singapore Guidelines on the Release of Agriculture-Related GMOs (released in August 1999) ("**GMO Release Guidelines**") – but these guidelines do not appear to have the force of law.

2.1.3 According to the GMAC:

(a) The GMO Research Guidelines apply to companies involved in the initial stages of R&D on the manipulation of GM cells to prepare cell-based food products. An application must be filed with the GMAC subcommittee for Research, containing a proposal for the relevant research, which will be reviewed by the GMAC subcommittee for Research to ensure compliance with the relevant safety guidelines.

(b) The GMO Release Guidelines were established to ensure the safe movement and use of agricultural GMOs[7] in Singapore, and to provide a common framework for: (a) an assessment of the risks agricultural GMOs present to human health and the environment, and (b) mechanisms for approval of the release of agricultural GMOs in Singapore, and also aim to address issues related to food safety based on the concept of substantial equivalence (explained below) ("**GMO Framework**"). These guidelines apply to companies that intend to release GM food products commercially.

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5 We assume that this inquiry is to be addressed in the context of food-related regulations; accordingly, our responses do not cover non-food related regulations, such as genome editing or genetic modification for (clinical and medical) research purposes, or in cell, tissue, or gene therapy products. Non-food related regulations include the Human Biomedical Research Act 2015, the Human Cloning and Other Prohibited Practices Act 2004, Biological Agents and Toxins Act 2005, the Health Products Act 2007, Health Products (Cell, Tissue and Gene Therapy Products) Regulations 2021, and other relevant legislation.

6 Accordingly, please note that the sale of non-approved GM foods may be subject to the general prohibition in the SFA, which relates to selling unsafe or unsuitable foods (see paragraph 2.3.2 below).

For a list of GM crops approved by the SGFA for: (i) use as food for direct consumption, (ii) use as food ingredients, and (iii) further processing to become ingredients for other food (updated on 5 January 2023), please see https://www.sfa.gov.sg/docs/default-source/default-document-library/list-of-approved-gm-crops-for-use-as-food-or-as-food-ingredients.pdf.

7 Please see https://www.gmac.sg/pdf/Agriculture_Guidelines.pdf.

2.2 Scope of the GMO Framework

2.2.1 The scope of the GMO Release Guidelines covers the release[8] of agricultural organisms containing genetic material that has been altered in a way that is unlikely to occur naturally via mating or natural recombination. According to the GMAC, "agricultural organisms" refers to animals (including fish and invertebrates), plants, microorganisms, and vaccines used in cultivation, farming, agronomy, husbandry (i.e., production or breeding of crops and animals), and horticulture, or as food. Accordingly, the commercial release of GMOs to be consumed as food falls within, and is covered by, the GMO Framework.

2.2.2 In particular, for issues related to food safety, GMAC adopts the concept of "substantial equivalence". This means that if a new food or food component is found to be substantially equivalent to an existing food or food component, it can be treated in the same manner with respect to safety (i.e. the food or food component can be concluded to be as safe as the conventional food or food component).

2.2.3 The GMAC has also explained that if the GMO does not get into or remain in the finished food product, but is only used during the manufacture of the food item as a processing aid, the food itself will not be subject to GMAC's review. However, the food product may need to be reviewed by the SGFA under the FR in accordance with the SGFA's requirements in relation to food additives and novel foods[9].

2.3 Key obligations and requirements imposed on relevant parties

2.3.1 Under the GMO Release Guidelines, before the release of any agricultural GMOs in Singapore, the proponent[10] is required to submit a proposal and relevant experimental data to GMAC for a scientific risk assessment. The proponent should consult GMAC to determine the appropriate approval process for the agricultural GMOs and the specific information necessary for the assessment.

2.3.2 Formal approvals for the release of GMOs in Singapore will be granted by the relevant regulatory agency—for GM food products, the SGFA. Upon conclusion of its assessment of each application, GMAC will forward its recommendations to the SGFA. GMAC's endorsement will be a key consideration used by the SGFA when deciding whether or not to grant formal approval of applications for commercial release of GM food products. SGFA's evaluation of food products also will be based on Codex's Guideline for the Conduct of Food Safety Assessment of Foods Derived from Recombinant-DNA Plants[11], which is part of the Codex Alimentarius ("**Codex**"), a collection of internationally adopted food standards, guidelines and codes of practice, and other recommendations published by the Food and Agriculture Organization of the United Nations (FAO) with regard to food, food production, food labelling, and food safety.

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8 "Release" is defined as the deliberate introduction of agricultural GMOs into the open environment for field trials or commercial use in Singapore.

9 Please refer to the sections on "Food Additives" (paragraph 3) and "Novel Foods" (paragraph 5) in https://www.nishimura.com/en/knowledge/newsletters/20221013-93226.

10 Under the GMO Release Guidelines, "proponent" refers to any person, firm, company, institution or organisation planning to release agricultural GMOs in Singapore.

11 Please see https://www.fao.org/fao-who-codexalimentarius/en/.

2.3.3 Information concerning GMOs to be consumed as food that must be provided as part of the GMAC's risk assessment includes[12]:

(a) Whether the parent or donor organism already is used in food production or eaten as food. If so, (i) at what level of daily/weekly intake, and (ii) is any processing needed or commonly used before consumption?

(b) Whether the GMO produces metabolites that may have adverse effects if consumed (by humans or animals)? If so, elaborate and provide available data on toxicology, allergenicity, and other possible adverse effects.

(c) Whether any products containing the GMO can concentrate in the food chain at levels that may become toxic? If so, elaborate.

(d) Whether the nutritional quality of the food will be changed by the genetic modification? If so, elaborate as to how this could or will occur?

(e) Whether the GMO will be processed during the production of the relevant food? If so, elaborate.

(f) Whether the GMO is the major component of the food as eaten, or whether it is present in small quantities in the final product.

2.4 Penalties / Sanctions for noncompliance

2.4.1 Notwithstanding that the GMAC is a non-regulatory advisory committee and that the GMO Release Guidelines are not legally binding in nature, the GMAC works very closely with the SGFA, the Ministry of Health ("**MOH**"), the Ministry of Manpower ("**MOM**"), Ministry of the Environment and Water Resources ("**MEWR**"), National Environment Agency ("**NEA**"), and the Agri-Food and Veterinary Authority of Singapore ("**AVA**") to implement the guidelines. Researchers, importers, and other relevant stakeholders dealing with GMOs are highly encouraged to comply with the GMO Release Guidelines.

2.4.2 Nevertheless, where GMOs to be consumed as food do not comply with the GMO Release Guidelines, that noncompliance arguably may fall within the SFA's general prohibition against selling food that a person knows or reasonably should know is unsafe or unsuitable[13]. Generally, any person who does not comply with any requirement in the SFA is guilty of an offence, and upon conviction will be liable for a fine not to exceed SGD 5,000 and, in the event of a second or subsequent conviction, for a fine not to exceed SGD 10,000 or imprisonment for a term not exceeding three (3) months, or both.

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12 Please see section K of the risk assessment questionnaire on page 24 of the GMO Release Guidelines.

13 Please see section 15 of the SFA. Please see section 2C of the SFA for what constitutes unsafe food and section 2D for what constitutes unsuitable food.

3. Manufacturing and/or Packing of Food

3.1 Key laws and regulations that deal with manufacturing and/or packing of food

The laws and regulations that deal with the manufacturing and/or packing of food are set out in sections 19 and 21 of the SFA, regulations 15 to 28 of the FR (which deal with food additives[14] used in the manufacturing of food in general) and regulation 37 of the FR.

3.2 Definition of "manufacturing" and "packing"

3.2.1 In the SFA, "manufacturing" means, in relation to food for sale, any one or more of the following: (a) making food by combining ingredients, (b) significantly changing the condition or nature of food by any process, such as milling flour or peeling, cutting, and freezing fruits, (c) bottling or canning food, including bottling water, or (d) making ice. However, "manufacturing" does not include cooking or otherwise preparing food at a particular location for retail sale at that location, including sale for immediate consumption, or making ice at a particular location for use at that location.

3.2.2 The SFA does not define the word "packing" directly, but packing does fall within the general definition of "handling", in relation to food for sale, which also includes storing or labelling food, making or manufacturing food, and other things.

3.3 Key obligations and requirements imposed on relevant parties

3.3.1 In addition to other rules, the SFA and FR establish the following requirements for and restrictions on the manufacturing and/or packing of food:

(a) Sale of food prepared under unsanitary conditions: A person must not sell any food that is manufactured, prepared, preserved, packaged, or stored in unsanitary conditions.[15]

(b) Licensing of non-retail food business[16]: A person must not carry on a non-retail food business except in accordance with a licence issued to that person by the Director-General, Food Administration under Part 4 of the SFA.[17]

(c) Usage of permitted food additives during manufacturing or packing: A person must not import, sell, advertise, manufacture, consign, or deliver (i) any article of food that contains any food additive which is not permitted by the FR, and/or (ii) food additives that may be contained in food, but cannot be

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14 Please refer to the sections on "Food Additives" (paragraph 3) in https://www.nishimura.com/en/knowledge/newsletters/20221013-93226.

15 Please see section 19 of the SFA.

16 Please see section 2F of the SFA for the definition of "non-retail food business", which includes the manufacturing or packing of various food products, generally for the purpose of sale or for export.

17 Please see section 21 of the SFA. Please also see the Sale of Food (Non-Retail Food Business) Regulations ("**SF(NRFB)R**") at https://sso.agc.gov.sg/SL/SFA1973-RG5?DocDate=20180131&ValidDate=20211231&WholeDoc=1 for the requirements to apply for a license and the obligations imposed on licensees such as requirements on the storage, packaging, transport of, and personal cleanliness of any person handling, food, to ensure the safety, suitability and non-contamination of the food.

imported, sold, advertised, manufactured, consigned or delivered, unless the relevant food additives are present in acceptable proportions and concentrations as set forth in the FR.[18]

(d) Containers for food containing certain chemicals or toxic substances: A person must not import, sell, consign or deliver, or use or permit use: (i) in the preparation, packing, storage or delivery of any food for sale, of any package or container that contains more than 1 ppm of vinyl chloride monomer, yields, or is likely to yield, to its contents more than 0.01 ppm of vinyl chloride monomer or any compounds known to be carcinogenic, mutagenic, or teratogenic, or any other poisonous or injurious substance, or (ii) of any appliance, container or vessel that is intended for use in the storage, preparation or cooking of food, and is either capable of imparting lead, antimony, arsenic, cadmium or any other toxic substance to any food stored, prepared or cooked in it, save for any ceramic food ware where the maximum amount of lead present is not more than permitted amounts.[19]

3.4 Penalties / Sanctions for noncompliance

3.4.1 In general, any person who does not comply with any requirement in the SFA (including the requirement set out in paragraph 3.3.1(a) above) is guilty of an offence and, upon conviction, liable for: payment of a fine not to exceed SGD 5,000 and, in the case of a second or subsequent conviction, payment of a fine not to exceed SGD 10,000 or imprisonment for a term not to exceed three (3) months, or both.

3.4.2 In addition, any person or licensee who contravenes the SF(NRFB)R (including the requirement set out in paragraph 3.3.1(b) above) generally shall be guilty of an offence and, upon conviction, be liable for payment of a fine not to exceed SGD 5,000 and, in the case of a continuing offence, for payment of a further fine not to exceed SGD 100 for every day or part thereof during which the offence continues after conviction, along with other potential sanctions or legal consequences.

3.4.3 Furthermore, any person who contravenes any of the provisions of the FR (including the requirements set out in paragraph 3.3.1(c) and (d) above) shall be guilty of an offence and, upon conviction, be liable for payment of a fine not to exceed SGD 1,000 and, in the case of a second or subsequent conviction, for payment of a fine not to exceed SGD 2,000.

4. Food Labelling in General

4.1 Key laws and regulations that deal with food labelling in general

The laws and regulations that deal with food labelling in general are set out in sections 16 and 17 of the SFA and regulations 5 and 6 of the FR.[20]

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18 Please see regulations 15 to 28 of the FR.

19 Please see regulations 37 of the FR.

20 For specific requirements relating to identification and labelling of that food, please see: regulations 7, 8A, 9, 9A, 9B and 10, and Part IV of the FR, among others.

4.2 Definition of "food"

4.2.1 There is no separate definition of "food" in the food labelling regulations set forth above, and the general definition of "food" in the SFA applies to the regulations that deal with food labelling. Under the SFA, "food" is defined broadly, and includes (among other items): any substance or thing of a kind used, capable of being used, or represented as being for use, for human consumption (whether it is live, raw, prepared or partly prepared), including any ingredient or additive used in such substance or thing, as well as drinking water, meat, fish, eggs, live animals, unprocessed and raw fruits and vegetables, seed and plants intended for human consumption (but expressly excluding, among others, (a) health products or medicinal products covered under the Health Products Act 2007 and Medicines Act 1975 respectively, and (b) controlled drugs, materials, or substances within the meaning of the Misuse of Drugs Act 1973).

4.2.2 The SFA defines "label" in a manner that includes any tag, brand, mark or statement in writing, any representation or design, and any other descriptive matter on or attached to or used or displayed in connection with or accompanying any food or package containing food.

4.3 Key obligations and requirements imposed on relevant parties

4.3.1 Section 16 of the SFA provides that a person must not sell any food that is packaged or labelled in a manner that does not comply with all applicable requirements of the SFA that relate to identification and labelling of that food, while section 17 of the SFA provides that a person must not sell any food that 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.

4.3.2 Regulation 5 of the FR sets out the general requirements for food labelling, which include the following (among other restrictions):

(a) No person shall import, advertise, manufacture, sell, consign, or deliver any prepacked food if the package of prepacked food does not bear a label containing all of the particulars required by the FR;

(b) Unless otherwise provided in the FR, every package of prepacked food shall bear a label, marked on or securely attached to the package in a prominent and conspicuous position, containing such particulars, statements, information, and words in English as are required under the SFA and FR;

(c) The particulars, statements, information, and words referred to in sub-paragraph (b) above shall appear conspicuously and in a prominent position on the label and shall be clearly legible; and

(d) The particulars referred to above shall include, among other items:

(i) the common name, or a description (where a suitable common name is not available) sufficient to indicate the true nature of the food;

(ii) an appropriate designation of each ingredient, in the case of food consisting of two (2) or more ingredients, and unless the quantity or proportion of each ingredient is specified, the ingredients shall be specified in descending order of the proportions in which they are present, by weight;

(iii) a specification of ingredients, if the food contains synthetic colouring;

(iv) the net quantity of the food in the wrapper or container, expressed in the prescribed manner (e.g., for liquid foods, by volume, and for solid foods, by weight, etc.);

(v) the name and address of the manufacturer, packer, or local vendor in the case of a food of local origin; and the name and address of the local importer, distributor or agent, and the name of the country of origin of the food, in the case of an imported food;

(vi) the prescribed foods and ingredients that are known to cause hypersensitivity (e.g., cereals containing gluten, crustacean products, egg products, nut products, etc.); and

(vii) the following words or any other words to the same effect in the case of any food containing aspartame: "PHENYLKETONURICS: CONTAINS PHENYLALANINE."

4.3.3 These food labelling requirements generally are imposed on food importers, distributors, manufacturers, producers, packers, and retailers.[21]

4.4 Penalties / Sanctions for noncompliance

4.4.1 Please refer to paragraph 3.4.1 above for the penalties for noncompliance with any provisions of the SFA (including the requirement set out in paragraph 4.3.1 above).

4.4.2 Please refer to paragraph 3.4.3 above for the penalties for noncompliance with any provisions of the FR (including the requirements set out in paragraph 4.3.2 above).

5. Food Advertisements in General

5.1 Key laws and regulations that deal with food advertisements in general

The laws and regulations that deal with advertising for food (which overlaps with labelling regulations) in general are set out in sections 16A and 17 of the SFA and regulation 12 of the FR.

5.2 Definition of "advertisement"

Under the SFA, "advertisement" means any of the following, where used or apparently used, directly or indirectly, to promote the sale of food: (a) any words, whether written or in an audible message, (b) any still or moving picture, sign, symbol, or other visual image or representation, (c) any combination of two (2) or more of the things in (a) or (b), but not including expressions of personal opinion made by an individual (for no commercial gain) to the public or to a section of the public with regard to any goods or services, brand of goods or services, or person who provides goods or services.

[21] According to the SGFA, relevant parties should self-check food labels and advertisements before sale or publication, based on the SGFA's Guide to Food Labelling and Advertisements, which includes a self-checklist: https://www.sfa.gov.sg/docs/default-source/tools-and-resources/resources-for-businesses/aguidetofoodlabellingandadvertisements.pdf.

5.3 Key obligations and requirements imposed on relevant parties

5.3.1 Section 16A of the SFA[22] generally prohibits a person, or the agent or employee thereof, who is selling, promoting the sale, or appearing to promote the sale of any food or prescribed food contact article, against publishing a noncompliant advertisement relating to the food or to the prescribed food contact article which includes, among other things:

(a) an advertisement that is false as to the age, composition, effects, nature, origin, purity, quality or strength of the food, or the safety or suitability of the food or prescribed food contact article;

(b) an advertisement that is likely to deceive a buyer as to the age, composition, effects, nature, origin, purity, quality or strength of the food, or the safety or suitability of the food or prescribed food contact article;

(c) an advertisement that an applicable requirement of the SFA prohibits being marked or attached to the kind of food or that prescribed food contact article, or packages containing that kind of food;

(d) an advertisement that makes a statement that an applicable requirement of the SFA prohibits being made in an advertisement relating to the relevant kind of food or prescribed food contact article;

(e) expressly or by implication qualifies, or is contrary to, details that must be marked on or attached to the relevant kind of food, packages containing that kind of food, or that prescribed food contact article, pursuant to an applicable requirement of the SFA;

(f) an advertisement that omits from the name or description of the relevant food, or the prescribed food contact article, any word or words that must be included in the name or description marked on or attached to the relevant kind of food or prescribed food contact article, or packages containing that kind of food, pursuant to an applicable requirement of the SFA; and

(g) an advertisement shown on a screen that fails to show a word or words, or a statement, that the relevant section requires be shown in clearly legible lettering for a sufficient length of time for an ordinary viewer to read them.

5.3.2 Regulation 12 of the FR states that an advertisement for food, other than a label, must not contain any statement, word, brand, picture, or mark that is prohibited by regulation 9 of the FR, which generally relates to statements, words, brands, pictures, or marks that purport to indicate the nature, stability, quantity, strength, purity, composition, weight, origin, age, effects, or proportion of food or ingredients thereof that are false, misleading or deceptive, or are likely to create an erroneous impression regarding the value, merit, or safety of the food.

5.4 Penalties / Sanctions for noncompliance

5.4.1 Please refer to paragraph 3.4.1 above for the penalties for noncompliance with any provisions of the SFA (including the requirement set out in paragraph 5.3.1 above).

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[22] Please also refer to paragraph 4.3.1 above, in which we have set out the key requirement in section 17 of the SFA (which relates to false and misleading labelling and advertisements).

5.4.2 Please refer to paragraph 3.4.3 above for the penalties for noncompliance with any provisions of the FR (including the requirements set out in paragraph 5.3.2 above).

6. Nutritional Information Labelling

6.1 Key regulations that deal with nutritional information labelling

The rules that deal with nutritional information labelling are set out in regulation 8A of the FR.

6.2 Definition of "nutrition claim"

For purposes of regulation 8A of the FR, "nutrition claim" means a representation that suggests or implies that a food has a nutritive property, whether general or specific and whether expressed affirmatively or negatively, and includes references to: (a) energy, (b) salt, sodium or potassium, (c) amino acids, carbohydrates, cholesterol, fats, fatty acids, fibre, protein, starch or sugars, (d) vitamins or minerals, or (e) any other nutrients.

6.3 Key obligations and requirements imposed on relevant parties

6.3.1 Regulation 8A of the FR sets out the following requirements for nutritional information labelling:

(a) No label shall contain any nutrition claim unless it also includes a nutrition information panel in the form specified in the Twelfth Schedule of the FR or in such other similar form as may be acceptable to the Director-General, specifying the energy value, the amounts of protein, carbohydrate, and fat, and the amounts of any other nutrients for which a nutrition claim is made with respect to the food (regulation 8A(1) of the FR);

(b) Notwithstanding regulation 8A(1) of the FR, where any label includes a nutrition claim with respect to salt, sodium, or potassium, or any two (2) or all of them, but does not include any other nutrition claim, reference to energy or nutrients other than sodium and potassium may be omitted from the panel; and

(c) Regulation 8A(1) of the FR shall not apply to any prepacked[23] food which has a total surface area of less than 100 square centimetres and for which the label includes: (i) a statement of the quantity of each nutrient with respect to which a nutrition claim is made; or (ii) where there is a claim that the food is free of sugar or where there is a claim as to the energy value of the food, a statement of the energy yield of the food.

6.4 Penalties / Sanctions for noncompliance

Please refer to paragraph 3.4.3 above for the penalties for noncompliance with any provisions of the FR (including the requirements set out in paragraph 6.3.1 above).

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[23] "Prepacked" is defined under regulation 2 of the FR to mean packed or made up in advance, ready for sale in a wrapper or container, and where any food packed or made up in a wrapper or container is found on any premises where such food is packed, kept, or stored for sale, the food shall be deemed to be prepacked unless the contrary is proved, and it shall not be sufficient proof of the contrary to show that the food was not labelled in accordance with the provisions of the FR.

7. Health or Nutrition Claims

7.1 Key laws and regulations that deal with health or nutrition claims

The regulations that deal with health or nutrition claims are set out in regulations 8A[24], 9, 9A, and 9B of the FR.

7.2 Definition of health or nutrition claims

Please see paragraph 6.2.1 above for the definition of “nutrition claim” in the FR. According to the SGFA, a nutrition claim is a voluntary statement that describes the amount of nutrients in a food or a group of foods, and/or suggests or implies that a food has a nutritive property; some examples include claims like "high in fibre", "low in fat", "cholesterol free", and "sugar free".[25]

7.3 Key obligations and requirements imposed on relevant parties

7.3.1 Regulation 9(2) of the FR provides that, unless permitted by regulation 9A or 9B of the FR, a label must not include any claim or suggestion relating to food that implies: (a) the food has therapeutic or prophylactic actions, (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.

7.3.2 Regulation 9A of the FR provides a number of exemptions, including but not limited to:

(a) The claims set out in the first column of the Fourteenth Schedule of the FR may be made on prepacked foods that meet the corresponding criteria set out opposite in the second column.

(b) In the case of prepacked foods where the addition of phytosterols, phytosterol esters, phytostanols, or phytostanol esters is approved under regulation 250A of the FR, the following claim may be made on the 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.”

(c) In the case of prepacked foods that have added barley beta-glucan or oat beta-glucan and meet the criteria in regulation 9A(4), the following claim may be made on the label: “Barley beta-glucans/Oat beta-glucans have been shown to lower/reduce blood cholesterol. High blood cholesterol is a risk factor in the development of coronary heart disease.”

7.4 Penalties / Sanctions for noncompliance

Please refer to paragraph 3.4.3 above for the penalties for noncompliance with any provisions of the FR (including the requirements set out in paragraph 7.3.1 above).

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24 Please refer to paragraph 6.3.1 above for the requirements in regulation 8A of the FR.

25 Please see https://www.sfa.gov.sg/food-information/labelling-packaging-information/understanding-food-nutrition-labels.

8. Labelling of Novel Foods

8.1 Currently, there are no express requirements in the SFA or FR relating to the specific labelling of novel foods.

8.2 Under the Novel Foods Framework[26]:

(a) Where allergens are known to be present, labelling of these allergens may be required; and

(b) Companies selling pre-packed alternative proteins (including cultured meat) are required to label the product packaging with suitable qualifying terms such as "cultured" or "cell-based" to indicate their true nature. Similarly, food establishments selling non-prepacked foods are required to communicate the true nature of the food sold clearly to customers. For example, misrepresenting cultured meat as conventionally-produced meat is not allowed.

9. Labelling of GM Foods

9.1 Currently, there are no express requirements in the SFA or FR relating to the specific labelling of GM foods.

9.2 The SGFA states[27] that, in line with the Codex's principles, the current FR do not require GM foods and foods that contain GM ingredients to be labelled in a specific manner. GM foods, like all other food products, must meet existing food labelling requirements (please refer to paragraph 4.1 to 4.4 for the regulations that deal with food labelling in general) with regard to product information as well as information to facilitate tracing and recall. According to the SGFA, food products for sale in Singapore can be labelled "GM" or "non-GM" on a voluntary basis, as long as the information presented is factual and not misleading.

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26 Please refer to the section on "Novel Foods" (paragraph 5) in https://www.nishimura.com/en/knowledge/newsletters/20221013-93226.

27 Please see https://www.sfa.gov.sg/food-information/labelling-packaging-information/labelling-on-genetically-modified-food.