

Trade

Consultation to Amend Food Regulations to Permit New Food Additives etc to Align with International Standards

Introduction

To align regulations with international standards and ensure coherence in legislation, the Singapore Food Agency ("**SFA**") is seeking comments from the food industry and interested parties on proposed amendments to the Food Regulations under the Sale of Food Act (Chapter 283) ("**Food Regulations**").

This Update provides an overview of the proposed key amendments in relation to:

1. Permitting the use of new food additives and ingredients;
2. Extending the use of existing food additives;
3. Revising the maximum limits for heavy metals in food; and
4. Ensuring coherence in legislation concerning specifications relating to purity of food additives.

The proposed amendments are set out in the draft Food (Amendment No. X) Regulations 2021 and is targeted to come into effect in the fourth quarter of 2021.

The consultation is open **from 3 May 2021 and ends on 2 July 2021**.

Proposed Amendments to the Food Regulations

Below we summarise the proposed key amendments to the Food Regulations:

Permitting the use of new food additives and ingredients

SFA proposes amending the Food Regulations to permit the use of new food additives and ingredients as follows:

- Three new types of enzyme modified steviol glycosides – namely, Rebaudioside D, Rebaudioside E and Rebaudioside AM – will be permitted for use as sweetening agents under Regulation 18. They will be accorded the same provisions currently permitted for steviol glycosides in the Thirteenth Schedule. This arises following the Joint FAO/WHO Expert Committee on Food Additives' ("**JECFA**") assessment on the safety of enzyme modified steviol glycosides. These steviol glycosides are also permitted for use as sweeteners in food in Australia and New Zealand.

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- Sodium polyacrylate will be permitted for use in instant noodles under Regulation 55, subject to prescribed concentration limits. This food additive is permitted in Japan, South Korea and China.
- 2'-fucosyllactose / difucosyllactose ("**2'-FUDFL**") mixture and Lacto-N-tetraose ("**LNT**") will be permitted for addition to infant formula under Regulation 252(6), subject to prescribed concentration limits. 2'-FL/DFL mixture and LNT are permitted for use in infant formula in major developed countries such as the European Union and the United States.
- Sucrose oligoesters, type I and type II ("**INS 473a**") will be included in Part 1 of the Eighth Schedule as a permitted general purpose food additive. It will be permitted for use in food under good manufacturing practice (GMP). JECFA has established the safety of INS 473a. INS 473a is permitted for use in food in major developed countries such as Japan and the United States.

Extending the use of existing food additives

SFA proposes amending the Food Regulations to extend the use of the following existing food additives:

- Benzoates and sorbates will be permitted in the category "Desserts, fruit based, milk and cream" in Part I of the Fourth Schedule when the food product contains either benzoates or sorbates as the sole preservative, subject to prescribed concentration limits. The Codex Alimentarius Commission ("**CAC**") has adopted standards for benzoates and sorbates in a similar food category. Benzoates and sorbates are also permitted in similar food categories in major developed countries such as Canada, Australia and New Zealand.
- Steviol glycosides will be permitted for use in nine food categories in the Thirteenth Schedule, subject to prescribed concentration limits. This proposal is in line with the amounts adopted by CAC or major developed countries such as the European Union, Australia and New Zealand for similar food categories. The nine food categories comprise fish products (semi or fully preserved), mustards, soups and broth including mixes, cocoa-based spreads including fillings, bread and bakery products, flour confectionary products and mixes, semi-preserved caviar and other fish roe products, as well as vegetable, nut and seed pulps and preparations.

Revising the maximum limits for heavy metals in food

Currently, the Food Regulations do not have specific maximum limits ("**MLs**") for four heavy metal / food commodity combinations, namely, arsenic (in fat spreads and blended spreads), lead (in fat spreads and blended spreads), cadmium (in salt) and mercury (in salt). SFA proposes to revise the MLs for these four heavy metal / food commodity combinations, to align with the MLs adopted by CAC, and ASEAN's harmonisation of MLs for these four heavy metal / food commodity combinations.

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Ensuring coherence in legislation concerning specifications relating to purity of food additives

Currently, Regulations 15(1) and 15(2) require that any article of food imported, manufactured or sold in Singapore may only contain permitted food additive(s). Regulation 15(4) makes it an offence to import, sell, advertise, manufacture, consign or deliver a permitted food additive if its purity does not conform with the Food Regulations, or if there are no such specifications, then with JECFA's recommended specifications. However, the Food Regulations do not expressly say that permitted food additives contained in any food must also conform to the purity requirements in Regulation 15(4).

To ensure coherence in legislation, SFA proposes to amend Regulation 15(2) to cover permitted food additives contained in food (whether that food is imported or locally manufactured). The purity of the food additive must conform to the Food Regulations. Where no specifications are provided, then the purity of the permitted food additive must conform with JECFA's specifications.

A detailed description of the proposed changes is set out in the Annex and the legal text of the amendments can be downloaded from SFA's website, available [here](#).

Possible Impact on Business

The above changes will impact food businesses dealing or intending to deal in the food products mentioned above. The changes will either broaden or limit the range of permitted food products in Singapore, depending on the specific food product in question. They could potentially also have an impact on the labelling undertaken.

Food businesses must monitor these developments and plan ahead to take advantage of potential new opportunities in respect of new permitted food products. On this note, food businesses must also review the composition of their food products carefully to ensure that they will not violate the new ML rules, amongst others, when they come into force.

If you have any queries on the above development or would like to submit any feedback to the consultation paper, please feel free to contact our team members below who will be happy to assist.

Click on the following links for more information:

- [Public Consultation titled "Consultation on Draft Food \(Amendment No. X\) Regulations 2021"](#) (available on REACH website at www.reach.gov.sg/)
- [Annex to Consultation Paper \(Proposed Amendments to the Food Regulations\)](#) (sets out detailed description of the proposed changes)
- The legal text of the amendments can be downloaded from SFA's website at: <https://www.sfa.gov.sg/legislation>

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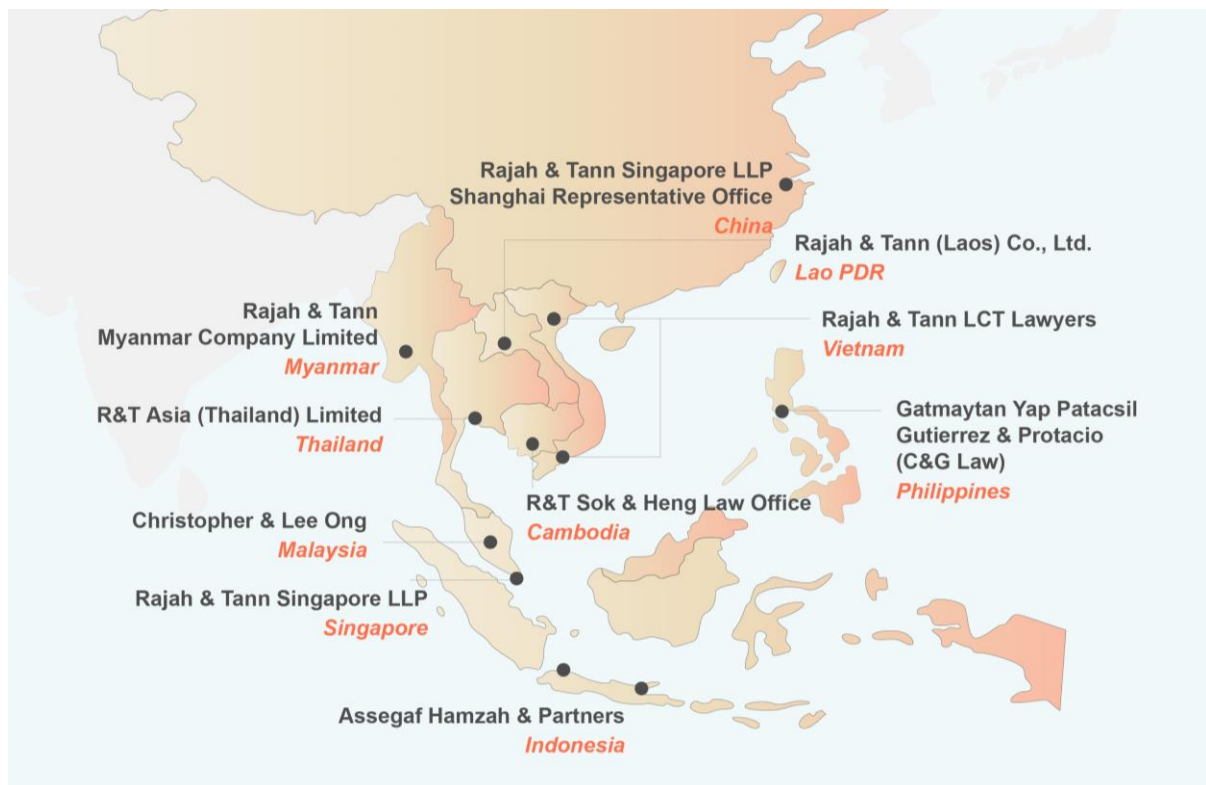
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