



3 November 2017

(17-5977)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| 1. Notifying Member: <u>SINGAPORE</u> If applicable, name of local government involved (Article 3.2 and 7.2): |
| 2. Agency responsible: Agri-Food and Veterinary Authority of Singapore (AVA) Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: |
| 3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other: |
| 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Infant formula under HS Codes 19011099, 19019019, 19011020, 19011030 |
| 5. Title, number of pages and language(s) of the notified document: Existing regulation: Food Regulations (226 page(s), in English), available online from www.ava.gov.sg/legislation (select "Sale of Food Act"). The proposed changes to the existing regulation is detailed in para 6 below. |
| 6. Description of content: The Agri-Food and Veterinary Authority has completed a review of the Food Regulations and proposes the following amendments to the regulations for infant formula. (A) Inclusion of mandatory statements The label for infant formula must include statements to ensure that the consumer understands that <ul style="list-style-type: none">• breast milk is best for infants; and• the infant formula should be used on the advice of a doctor or healthcare practitioner (B) Prohibition of use of health claims Labels and advertisements for infant formula must not contain claims which state, suggest or imply that the infant formula or a component, ingredient, constituent or other feature of the infant formula has, or may have, a health effect. (C) Prohibition on idealisation of infant formula <ul style="list-style-type: none">i. Labels and advertisements for infant formula must not contain claims which directly or indirectly compare the infant formula or a component, ingredient, constituent or other feature of the infant formula to breast milk.ii. Labels and advertisements for infant formula must not contain claims which idealise the use of infant formula. A claim is taken to idealise the use of infant formula if the label or advertisement contains: |

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| <ul style="list-style-type: none"> • a pictorial or graphic representation of pregnant women, nursing women, infants, young children or carers; • a descriptor like "humanised" or "maternalised", or words of similar import; or • a pictorial or graphic representation or text which implies that infant health, happiness, well-being or enhanced abilities; or the health, happiness and wellbeing of carers, is associated with infant formula. <p>(D) Prohibition and restriction on use of nutrition claims on labels and advertisements for infant formula</p> <ol style="list-style-type: none"> a. Claims in respect of energy and carbohydrate present in infant formula, as well as nutrients listed under Regulation 252(3) must not be made. b. Claims with respect to ingredients listed under Regulation 252(5) and 252(6) are permitted, provided the claims do not in any way imply that the infant formula is enriched, fortified, or is an excellent source of these ingredients. c. Claims on the presence or absence of the following nutrients are permitted: <ol style="list-style-type: none"> i. Claims on the addition of hydrolysed milk protein isolate; provided that prescribed statements are included on the label of the infant formula ii. Claims on the absence of lactose; provided that specified criteria are complied with. |
| <p>7. Objective and rationale, including the nature of urgent problems where applicable: Protection of human health or safety</p> |
| <p>8. Relevant documents:</p> <ul style="list-style-type: none"> • Codex Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants (CODEX STAN 72 – 1981), section 9.6; • Codex Guidelines for Use of Nutrition and Health Claims (CAC/GL 23-1997), section 1.4 |
| <p>9. Proposed date of adoption: 1 January 2018</p> <p>Proposed date of entry into force: 1 January 2018, following which a 12-month grace period will be given to industry to comply with the new regulation</p> |
| <p>10. Final date for comments: 60 days from notification</p> |
| <p>11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>The proposed regulations are being drafted, and will be posted at the following website as soon as they are available: http://www.ava.gov.sg/legislation (select "Sale of Food Act")</p> <p>Alternatively, please write in to: Regulatory Administration Group Agri-Food and Veterinary Authority 52 Jurong Gateway Road #14-01 Singapore 608550 Fax: +(65) 6334 1831 E-mail: WTO_Contact@ava.gov.sg</p> |