Guidelines on use of signs with implied claims on food labels and advertisements

1. Scope

The following guidance is intended to help industry on the interpretation of the Singapore’s Sale of Food Act that no person shall sell any food which 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.

1.1 These advisory guidelines relate to the use of signs on food labels and advertisements with implied claims. These claims include:
   (a) claims on the absence, presence or addition of specific food ingredients / constituents or a blend of food ingredients / constituents
   (b) nutrition claims
   (c) health claims
   (d) multiple claims

1.2 These guidelines are not applicable to signs used on non-food products and signs without implied claims as listed in 1.1.

1.3 If it is uncertain whether a sign implies a claim, companies are advised to follow these Guidelines. Companies may also refer to these guidelines when developing signs for use on food labels and advertisements, before registering the sign as a Trade Mark with the relevant authority.

2. Definition

2.1 “Sign” includes:
   (a) any letter, word, statement, name, numeral, brand, shape, colour, picture, mark, trade mark or any of the combinations of the elements;
   (b) words in any languages, singly or with affix. For instance, “proBone” may suggest promotion of bone health;
   (c) acronyms and/ or “sounds-like”. For example, “e-mune” sounds similar to “immune”, “ez” sounds similar to “easy”; “osteo” and "intelli" are possible acronyms for “osteoporosis” and “intelligence” respectively;
   (d) pictorial illustrations, which includes but not limited to human anatomy and medical equipment, implying the prevention, alleviation, or curing of any disease and conditions affecting the body, unless otherwise permitted by the Food Regulations; and
   (e) any combination of the above.
2.2 “Nutrition claims” means any representation which states, suggests or implies that a food has particular nutritional properties including but not limited to the energy value and to the content of protein, fat and carbohydrates, as well as the content of vitamins and minerals.

2.3 “Health claims” means any representation that states, suggests or implies that a relationship exists between a food ingredient or a constituent or a nutrient and health. Only approved health claims listed under the following references can be used on food sold in Singapore:
(a) Food Regulations¹
(b) A Guide to Food Labelling and Advertisements²

2.4 “Multiple claims” means any representation that states, suggests or implies a combination of claims (a), (b) and (c) under paragraph 1.1 above.

3. Requirements for use of signs with implied claims on food labels and advertisements

3.1 Use of signs on food labels and advertisements should meet all the criteria and the requirements as described in Table1.

3.2 The qualifying statement need not be repeated if the signs appear more than once on a same food label and print advertisement.

4. Signs that should not be used

The following are examples of signs that should not be used:

a) signs stating any food will provide an adequate source of all essential nutrients;

b) signs implying a balanced diet or ordinary foods cannot supply adequate amounts of all nutrients;

c) signs with nutrition and health claims that cannot be substantiated and are not listed as one of the permitted health claims in the Food Regulations or “A Guide to Food Labelling and Advertisements”;

d) signs claiming the suitability of a food for prevention, alleviation, treatment or cure of a disease, disorder, or particular physiological function, unless specifically permitted by the Food Regulations. Thus, signs of single word describing specific organs and disease conditions should be avoided eg. “Cardiacure”, “ControlDiabetes”;

¹ Food Regulations - http://www.sfa.gov.sg/legislation → Click right arrow button → Click “Sale of Food Act (Chapter 283) → Click PDF link for “Food Regulations”
e) signs with implied claims that are used as product brand names, which could be misinterpreted as a product specific claims; and

f) signs that would cast doubt on the safety of other foods or imply that a food is safer than other similar food, for example “Safest choice” / “Say no to harmful {here inserts substances allowed under for use in food in Singapore}”.
Table 1: Summary of the criteria and labelling requirements for use of signs with implied claims on food labels and advertisements.

<table>
<thead>
<tr>
<th>Labelling Requirements/Criteria</th>
<th>Types of Implied Claims</th>
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<tr>
<td></td>
<td>(a) Absence, presence or addition of specific food ingredients/constituents or a blend of food ingredients/constituents</td>
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<td>e.g. “Pre+Pro Bio”</td>
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<td>(1) Declare qualifying statement on both food label and print advertisement</td>
<td>Statement to indicate/specify the absence, presence or addition of the ingredients or the blend of ingredients</td>
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<td>eg. “Pre+Pro Bio is an unique blend of the prebiotic inulin, and the probiotic Lactobacillus acidophilus.”</td>
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<td>(2) Declare the ingredients/nutrients added under the statement of ingredients on food labels</td>
<td>Declare the specific ingredients or the blend of ingredients (if added)</td>
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<td>(3) Declare nutrient content under the Nutrition</td>
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<td>information panel on food label</td>
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| **(4) Meet the minimum nutrient/food constituent requirement** | - | Meet the criteria stipulated under:
   i) Food Regulations (for vitamins, minerals, energy and protein)
   ii) A Handbook on Nutrition Labelling (Singapore) \(^3\) – (for other nutrient content claims not specified under the Food Regulations)
   iii) A Guide to Food Labelling and Advertisement - for health claims on food ingredient/constituent
| Meet the criteria stipulated under:
   i) Food Regulations (for vitamins, minerals, energy and protein)
   ii) A Handbook on Nutrition Labelling (Singapore) – (for other nutrient content claims not specified under the Food Regulations)

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