

# **PUBLIC CONSULTATION ON PROPOSED AMENDMENTS TO THE FOOD REGULATIONS REGARDING LABELLING AND ADVERTISING FOR INFANT FORMULA**

## **Aim**

The Agri-Food and Veterinary Authority (AVA) is seeking feedback from stakeholders on the proposed amendments to the Food Regulations concerning the labelling and advertising requirements for infant formula for infants 0 – 12 months of age.

## **Background**

2 On 10 May 2017, the Competition Commission of Singapore (CCS) released its findings from a market inquiry into the supply of formula milk in Singapore. The inquiry was conducted to understand the reasons for the significant increase in the prices of formula milk in Singapore in recent years. According to the Singapore Department of Statistics, the average retail price of formula milk has more than doubled over the past nine years. Based on the findings, CCS made recommendations to improve consumer awareness to counter the heavy marketing and “premiumisation” messages.

3 To support CCS’ recommendation and as part of the “Whole of Government” effort to promote breastfeeding, AVA will be tightening the labelling and advertising requirements for infant formula.

## **Proposed amendments**

4 AVA has completed a review of the Food Regulations and proposes the following amendments (I) to (IV) to the regulations for infant formula.

### **(I) Inclusion of mandatory statements**

The label for infant formula must include statements to ensure that consumers understand that

- breast milk is best for infants; and
- the infant formula should be used on the advice of a doctor or healthcare practitioner.

An example of these statements is provided below:

Important notice: Breast milk is the best food for your baby. Before you decide to use this product, consult your doctor or healthcare professional for advice.

### **(II) 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.

(III) Prohibition on idealisation of infant formula

- (a) 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.
- (b) 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:
- 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.

(IV) Prohibition and restriction on use of nutrition claims

- (a) Claims with respect to energy, carbohydrate and nutrients listed under Regulation 252(3) must not be made.
- (b) Claims with respect to the presence of 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:
- (i) Claims on the addition of hydrolysed milk protein isolate; provided that the following prescribed statements are included on the label of the infant formula
- A statement indicating that the product is not suitable for general use and should be used under medical supervision; and
  - the following statements or other words of similar meaning are included on the label:

**Infant formulas containing partially hydrolysed protein **should not be fed to infants who are allergic to milk or to infants with existing milk allergy symptoms.** If you suspect your baby is already allergic to milk, or if your baby is on a special formula for the treatment of allergy, your baby’s care and feeding choices should be under a doctor’s supervision.**

- (ii) Claims on the absence of lactose; provided that the following criteria are complied with:
- The total lactose content is not greater than 10mg in per 100kcal;
  - The exact amount of lactose in the product is declared under the nutrition information panel on the label; and
  - A statement indicating the product is not suitable for general use and should be used under medical supervision. An example is provided below:

**Not suitable for general use and should be used under medical supervision**

You may refer to the list of frequently asked questions (FAQs) regarding the proposed amendments in paragraph 4 (I) to (IV) which are posted under <https://www.ava.gov.sg/legislation> [Select "Sale of Food Act"]. The legal text is currently being drafted and will be posted on the same website when it is available.

### **Request for comments**

5 AVA invites views and comments on the proposed amendments in paragraph (I) to (IV). All submissions should be clearly and concisely written, and should provide a reasoned explanation for any proposed revisions.

6 Submissions should reach AVA no later than 12:00 p.m., 15 December 2017, through mail, or email, to the following addresses:

**Mail:**

52 Jurong Gateway Road #13-01 Singapore 608550  
(Attention: Ms Tan Yi Ling)

**Email:**

ava\_labelsandclaims@ava.gov.sg

7 We regret that we will not be able to address or acknowledge every feedback or comment received. However, the feedback or comments will be consolidated and a summary of the key comments received will be published, together with AVA's responses, on the AVA website after the close of the consultation exercise. The summary will not disclose the identity of person(s) or organisation(s) providing the feedback or comments.