

CONSULTATION ON DRAFT PROVISIONS IN THE FOOD SAFETY AND SECURITY BILL – DEFINED FOOD AND PRE-MARKET APPROVAL

Posted on: 15 March 2024 | **Closing Date:** 14 May 2024

Aim

The Ministry of Sustainability and the Environment (MSE) and the Singapore Food Agency (SFA) will be introducing the Food Safety and Security Bill (FSSB). The FSSB will consolidate food-related legislation from eight existing Acts¹ and introduce new powers to strengthen our food safety and security regime, to better protect consumers and safeguard our food supply resilience. The FSSB seeks to:

- i. Enhance the food safety regime to better protect the public
- ii. Facilitate joint responsibility between industry, consumers and the Government
- iii. Strengthen resilience against food supply disruptions.

2 MSE and SFA are seeking feedback from the food industry, as well as interested parties, on draft provisions in the FSSB. A series of public consultations will be launched progressively, based on the following themes in the FSSB:

- Defined food and pre-market approval
- Provision of non-packaged drinking water
- Strengthening resilience of food supply
- Certain agri-food production inputs (animal feed and pesticides)
- Import, export and transshipment
- Food businesses

3 This consultation is the first of the series of public consultations, and concerns only “Defined food and pre-market approval”. We welcome feedback on how we can work together to collectively ensure a resilient supply of safe food for Singapore.

¹ These are: (i) Animals and Birds Act (ABA), (ii) Control of Plants Act (COPA), (iii) Environmental Public Health Act (EPA), (iv) Feeding Stuffs Act (FSA), (v) Fisheries Act (FA), (vi) Sale of Food Act (SOFA), (vii) Wholesome Meat and Fish Act (WMFA), and (viii) Price Control Act.

Background – Defined food and pre-market approval

4 The FSSB will define a category of foods (“defined” foods), for which SFA has enhanced regulatory interest in, and which need to meet additional regulatory requirements before being imported or sold in Singapore.

Defined Food

- 5 A “defined food” is food that:
- (a) is, consists of or has as an ingredient a novel food in respect of which no pre-market approval is granted;
 - (b) is, consists of or has as an ingredient a genetically modified food in respect of which no pre-market approval is granted; or
 - (c) is, consists of or has as an ingredient, in any form (whether whole or in parts and whether fresh, chilled, frozen, dried, smoked, salted or in brine, or as flour) an insect-like species which is not a catalogued insect-like species.

Novel food

6 In 2019, SFA introduced the novel food regulatory framework, which requires companies to seek pre-market approval for novel food. Companies producing novel food products are required to conduct and submit safety assessments for their novel food to SFA for review before the products are allowed for sale.

7 SFA has since introduced a document to provide clarity on food safety information that is required to be submitted as part of companies’ safety assessments. SFA has also created initiatives such as the self-assessment checklists which companies can utilise to verify the completeness of safety information and bi-monthly Novel Food Virtual Clinics where interested companies can sign up to better understand SFA’s requirements. More information on novel food requirements can be found at the following website: <https://www.sfa.gov.sg/food-information/novel-food> .

Genetically modified (GM) food

8 Singapore’s guidelines on the release of agriculture-related genetically modified organisms (GMOs) were published by the Genetic Modification Advisory Committee (GMAC) in 1999. The first GM crop was subsequently approved for use as food by the then-Agri-Food and Veterinary Authority (AVA) in 2006.

9 GMAC has published information on how companies can apply for the release of agriculture-related GMOs. This can be accessed on the GMAC website at: <https://www.gmac.sg/how-to-submit-applications/#release-applications> .

Catalogued Insect-like Species

10 SFA has developed the insect regulatory framework and completed a public consultation in 2022. The framework is set to take effect later in 2024. The framework permits approved species of insects and insect-like species (known as “catalogued insect-like species” in FSSB) with a history of human consumption to be used as food and sets out food safety requirements which food businesses must meet if they are intending to import, process or farm these insects for human consumption. See **Annex I** for details.

Proposed provisions

11 The proposed provisions for defined food in the FSSB are intended to formalise the responsibility of novel food and GM food companies to submit applications for pre-market approval prior to the sale of defined foods in Singapore. This will help to provide legal clarity to companies. SFA will also continue existing initiatives to engage with novel food and GM food companies to ensure that the companies’ safety assessments are robust and protect consumer health. See **Annex II** for details.

12 SFA will endeavour to protect the confidentiality of confidential information and trade secrets submitted by companies. SFA does not sign non-disclosure agreements (NDA) with applicants for the purposes of evaluating the safety information submitted. SFA employees will continue to be bound to the preservation of secrecy under Section 34 of the Singapore Food Agency Act 2019. SFA will also adhere to the data sharing provisions under the Public Sector (Governance) Act 2018.

Request for Comments

13 SFA invites feedback and comments on the proposed draft provisions in **Annex II**. All submissions should be clearly and concisely written and should provide a reasoned explanation for any proposed revisions. Please submit your feedback and comments using the template provided in **Annex III** to SFA-NovelFoods@sfa.gov.sg. Submissions should reach SFA no later than 6:00 p.m. (Singapore time; UTC+8), 14 May 2024.

14 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



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will be published, together with SFA's responses, on the SFA website after the close of the consultation exercise. The summary will not disclose the identity of person(s) or organisation(s) providing the feedback and comments.