

Newsletter

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New regulations introduced to curb the spread of COVID-19

The Ministry of Health ("**MOH**") has introduced two new regulations under the Infectious Diseases Act and the COVID-19 (Temporary Measures) Act 2020 respectively to curb the spread of COVID-19. The Infectious Diseases (COVID-19 — Stay Orders) Regulations 2020 (the "**Stay-home Regulations**") will provide enhanced enforcement to stay-home notices, while the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 (the "**Control Order Regulations**") will give legal force to the circuit breaker measures implemented.

Under the Stay-home Regulations, individuals who have been issued a Stay-home Notice ("**SHN**") must not, without reasonable excuse, leave their place of accommodation during the time period specified in the SHN. Additionally, individuals who have been certified by a doctor as having acute respiratory symptoms are prohibited from leaving their place of accommodation for five days without reasonable excuse. In particular, it would be a reasonable excuse if the individual leaves only to seek medical attention, or if the individual obtained prior express permission from the Director of Medical Services at MOH.

Individuals subject to such movement control measures must not come into contact with any visitors, or allow visitors into their place of accommodation. When leaving their place of accommodation (where permitted), such individuals must wear a mask over their nose and mouth. Further, such individuals must answer any calls or messages sent by health officers within a reasonable time.

Failure to comply with the Stay-home Regulations, including any SHN, may result in a fine of up to SGD 10,000 and/or imprisonment of up to six months. The Stay-home Regulations provide enhanced enforcement, given the penalties already in place under section 21A of the Infectious Diseases Act for a breach of a SHN that could expose others to risks of infection. Government agencies will also be stepping up their efforts in enforcing SHNs, through a combination of house visits and surveillance via text messages and mobile applications. More officers have also been deployed to conduct such checks.

Under the Control Order Regulations, the following key restrictions will be in place during the period of 7 April 2020 to 4 May 2020 (inclusive):

- (a) Only essential services will be permitted to operate, provided that permission is obtained from the Ministry of Trade and Industry and operations are carried out within their permitted premises and in accordance with the prescribed restrictions.
- (b) In carrying out such essential services, the owner or occupier of the permitted premises must take the following measures:
 - (i) ensure that seats are at least one metre away from each other, or that alternate seats are demarcated as seats that should not be occupied ("**Demarcated Seats**");
 - (ii) apply practices to ensure individuals waiting in a queue or an area are at least one metre away from each other;



- (iii) allow natural ventilation of the premises during working hours; and
 - (iv) take the temperature of all individuals entering the premises, obtain their contact particulars to facilitate contact tracing and refuse entry to individuals who exhibit certain symptoms or refuse to comply with such measures.
- (c) Apart from the exceptions set out for essential services above, all other non-residential premises must be closed. This includes attractions, places of worship, and sports and recreational facilities.

Failure to comply with the Control Order Regulations may result in a fine of up to SGD 10,000 and/or imprisonment of up to six months. In the case of a second or subsequent offence, an offender may face a fine of up to SGD 20,000 and/or imprisonment of up to 12 months.

These regulations represent the strict approach the government is taking as part of Singapore's fight against COVID-19. While the Control Order Regulations will be in force till 4 May 2020, it remains to be seen if extensions may be implemented in the future, depending on how the COVID-19 situation unfolds.

More information about the regulations can be found [here](#) and [here](#).

New "Nutri-Grade" labels and advertising restrictions for pre-packaged beverages

The Ministry of Health ("MOH") will be introducing two new regulatory measures for non-alcoholic pre-packaged beverages: a front-of-pack nutrient-summary label and an advertising ban for beverages with high sugar and saturated fat content. The new regulations will be published at the end of 2020, and will come into force at the end of 2021. The MOH has also announced plans to extend these measures to freshly prepared beverages at a later date.

The nutrient-summary label, termed as "Nutri-Grade", will indicate the colour-coded grade that the beverage has been assigned, depending on the sugar and saturated fat content of the beverage, as follows:

Grade	Colour Code	Sugar Content (g/100ml)	Saturated Fat Content (g/100ml)	Examples of Beverages
A	Dark green	≤ 1 and no sweetener	≤ 0.7	Water; Unsweetened teas; Skimmed milk
B	Light green	> 1 to 5	≤ 1.2	Low fat milk; Low-sugar Asian drinks; Diet drinks
C	Orange	> 5 to 10	≤ 2.8	Full fat milk; Asian drinks; Isotonic drinks



Grade	Colour Code	Sugar Content (g/100ml)	Saturated Fat Content (g/100ml)	Examples of Beverages
D	Red	> 10	> 2.8	Soft drinks; Pure fruit juices; Juice drinks; Energy drinks

The grade is first assigned to the beverage according to its sugar level. Thereafter, it may be "downgraded" to the lower grades if its saturated fat content is higher than the prescribed limit for the initial grade. For example, if a beverage has 4 g per 100 ml of sugar but has 2.8 g per 100 ml of saturated fat, it may be "downgraded" from Grade B to Grade C.

The label will also have to clearly indicate the amount of sugar in the drink as a percentage of the total volume to enable comparisons between drinks sold in different sizes. It should be displayed on the front of product packaging, as well as at point of sale where consumers do not have direct access to the beverages, such as online marketplaces, vending machines and drink fountains.

Display of the "Nutri-Grade" label will be mandatory for beverages with Grades C and D, but voluntary for Grades A and B. Nevertheless, the MOH encourages all manufacturers to include the label on their products.

The regulations will also prohibit advertisements for beverages with Grade D on all media platforms, be it traditional or new media, across all time belts. These include broadcast, print, on-ground and online media, such as paid promotional posts by influencers. Advertisements which feature a family or range of products that includes a beverage classified as Grade D will also be prohibited.

However, advertisements for Grade D beverages will be allowed at physical and online retail point of sale, such as stores, vending machines, online marketplaces and food and beverage ("**F&B**") outlets. These may take the form of shelf talkers, promotional signage, product displays, tastings, and advertisement pop-ups on online marketplaces. Such point of sale advertisements will need to feature the beverage's "D" Grade clearly.

The labelling and advertising measures will eventually be extended to freshly prepared beverages, such as bubble teas, herbal drinks, coffee and juices, which are prepared at cafes, restaurants, hawker centres or take-away kiosks. The measures will be implemented incrementally, where large chains with large customer bases and more consistent recipes will be the first group required to comply, followed by smaller businesses with one or two stalls. These small businesses will nevertheless be encouraged to voluntarily adopt such measures.

The measures represent the government's latest efforts to reduce the sugar intake from sugar-sweetened beverages as part of Singapore's "War on Diabetes". As consumers become more discerning in what they consume and the



trend of healthier eating continues to grow, F&B manufacturers may wish to evaluate and reformulate their products to stay relevant and competitive in the evolving market.

As the regulations will only come into force at the end of 2021, manufacturers will have close to two years to adapt their products and marketing strategies to ensure compliance with the new regulatory regime.

More information about the new regulatory measures can be found [here](#) and [here](#).

Singapore Food Agency implements new Food Hygiene Recognition Scheme

The Singapore Food Agency ("**SFA**") will be introducing a single integrated licensing and recognition framework for food establishments in early 2021.

The new Food Hygiene Recognition Scheme ("**FHRS**") will replace the existing Grading System for Eating Establishments for all licensed food establishments.

The SFA will be dividing food establishments into three risk-based categories, according to the level of food handling involved:

- Category A: Significant involvement in food handling (e.g. restaurants; food manufacturers)
- Category B: Moderate involvement in food handling (e.g. bakeries)
- Category C: Minimal involvement in food handling (e.g. supermarkets; canteens)

Establishments under categories A and B will be given a Bronze, Silver or Gold award based on the length of their food safety track record. The award attained by the establishment will also translate to the length of the licence that will be granted to the establishment. The awarding criteria is as follows:

Duration of strong track record without major lapses in hygiene	Award Tier	Length of licence granted
2 years or more	Bronze	3 year licence
5 years or more	Silver	5 year licence
10 years or more	Gold	10 year licence

Even if an award is attained, an establishment may be subsequently downgraded if it is implicated in a food poisoning incident or suspended under the SFA's Points Demerit System due to multiple hygiene infringements.



New licensees who have not established a two year track record will be given a one year licence and a label indicating that they are 'Working towards excellent hygiene track record', which will be valid for up to two years. Thereafter, the SFA will assess their eligibility for a Bronze award.

Once the FHRS is implemented, existing hygiene grading decals will no longer be valid, and operators who have attained the FHRS award will be given the new decal to display at their premises.

Establishments under category C will not be subject to the award system. Nevertheless, a similar licensing criteria applies - the longer these establishments maintain a good track record of food safety without major hygiene lapses, the longer the licences they will be eligible for:

Duration of strong track record without major lapses in hygiene	Length of licence granted
Less than 3 years	3 year licence
3 years or more	5 year licence
5 years or more	10 year licence

This new framework presents a timely and significant overhaul of the way food establishments are evaluated and recognised for their hygiene standards. Under the current Grading System for Eating Establishments, which was established more than 20 years ago, establishments are only graded based on an annual snapshot assessment of their hygiene condition. In contrast, the new scheme incentivises the maintenance of high food safety standards by recognising consistent efforts in upholding high hygiene standards over the years. It will also enable SFA to re-prioritise resources to focus on ensuring compliance through food safety checks.

More information about the FHRS can be found [here](#) and [here](#).

Mandatory installation of closed-circuit television cameras ("CCTVs") for food establishments providing catering services

From the first quarter of 2022 onwards, food establishments which are licensed with the Singapore Food Agency ("**SFA**") to provide catering services must have CCTVs installed. Such establishments include caterers and central kitchens, which pose higher food safety risks.

The CCTVs will enable the collection and provision of evidence, in the event that food safety allegations against the establishment arise. In particular, where a gastroenteritis outbreak occurs, the SFA will request that the implicated establishment provide the relevant CCTV footage to facilitate investigations.



To enforce the measure, the SFA will require both new and existing food establishments to submit their plans to install the CCTVs before their licence can be approved or renewed.

As an added measure to facilitate investigations, certain food establishments catering to vulnerable groups such as pre-schoolers and nursing home residents will be required to retain samples of food for testing by the SFA. The SFA will require about several hundred grams for each dish served to be stored in tamper-proof packaging under frozen conditions for a prescribed time period. The full details and implementation timeline for this particular measure have yet to be announced.

The introduction for more stringent measures in food safety is a welcome development for consumers. With the CCTVs in place, establishments will be able to better monitor their food safety performance, which will also encourage better practices amongst food handlers in complying with food safety and hygiene regulations.

More information about the new measure can be found [here](#) and [here](#).

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