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RESPONSES TO COMMENTS RECEIVED FROM THE PUBLIC CONSULTATION ON DRAFT FOOD (AMENDMENT NO. Y) REGULATIONS 2022 (VETERINARY DRUG RESIDUES)

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The Singapore Food Agency (SFA) initiated a public consultation on the Draft Food (Amendment No. Y) Regulations 2022 concerning maximum residue limits (MRLs) for residues of veterinary drugs in food, from 22 December 2022 to 20 February 2023. Concurrently, trading partners and interested parties were notified via World Trade Organisation (WTO) SPS notification G/SPS/N/SGP/80 during the same period.

At the close of the public consultation exercise and WTO notification period, SFA received comments from two respondents. SFA's responses are tabulated in **Table 1**.

SFA appreciates the time taken by stakeholders to submit feedback and comments which would contribute to the decision-making process. The amendments are targeted to come into effect by end April 2023. We would like to encourage all parties to actively participate in future consultations.

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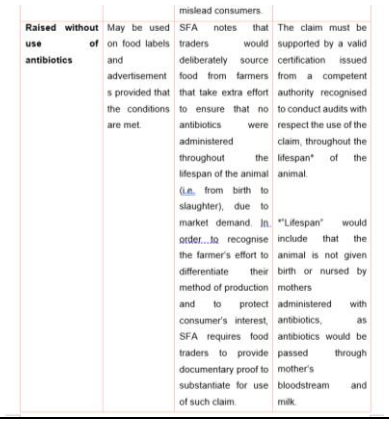
TABLE 1

(Comments received from two respondents in total)

A. Comments on the new Regulation 32 regarding "antimicrobial agents"	**SFA's response**
1. One respondent enquired if "antimicrobial agent" in the new Regulation 32 referred to "veterinary drugs" in the new Regulation 33, as the respondent noted that there was no list of antimicrobial agents provided.	"Antimicrobial agent", as defined under the new Regulation 32 means "any substance of natural, semi-synthetic or synthetic origin that when administered to a living organism, kills or inhibits the growth of bacteria, fungi, viruses and other microorganisms." Antimicrobial agents include veterinary drugs. Except for veterinary drugs residues regulated under Regulation 33 and for which maximum residue limits (MRLs) are specified in the Eighteenth Schedule, antimicrobial agents or their degradation products must not be detected in food.
2. The other respondent noted that "antibiotic" in the current Regulation 32 will be replaced by "antimicrobial agent" and wanted to know if SFA will be amending the permitted claim "*Raised without the use of antibiotics*" (in the Guide to Food Labels and Advertisements") to "*Raised without the use of antimicrobial agent*". 	SFA will not be amending the permitted claim "*Raised without the use of antibiotics*" in the Guide to Food Labels and Advertisements. Taking a balanced approach considering industry's needs and that there are means to substantiate the claim, we have assessed to allow this claim.

		mislead consumers.	
Raised without use of antibiotics	May be used on food labels and advertisements provided that the conditions are met.	SFA notes that traders would deliberately source food from farmers that take extra effort to ensure that no antibiotics were administered throughout the lifespan of the animal (i.e. from birth to slaughter), due to market demand. In order to recognise the farmer's effort to differentiate their method of production and to protect consumer's interest, SFA requires food traders to provide documentary proof to substantiate for use of such claim.	The claim must be supported by a valid certification issued from a competent authority recognised to conduct audits with respect the use of the claim, throughout the lifespan* of the animal. *"Lifespan" would include that the animal is not given birth or nursed by mothers administered with antibiotics, as antibiotics would be passed through mother's bloodstream and milk.

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B. Comment on oestrogen residues	SFA's response
3. One respondent noted that the current Regulation 33 on oestrogen residues would be replaced by the new Regulation 33 on veterinary drug residues and sought clarification if the levels of oestrogen residues would no longer be regulated.	The three substances, diethylstibestrol, hexestrol and dienestrol, currently listed in Regulation 33 "Oestrogen residues", are veterinary drugs and will be regulated under the new Regulation 33 on veterinary drug residues. The new Regulation 33 prohibits the import, sale, advertisement and manufacture of food that contains any veterinary drug residue unless there is an MRL specified in the Eighteenth Schedule for the veterinary drug in that food and the amount of veterinary drug residue in the food does not exceed the MRL. Residues of diethylstibestrol, hexestrol and dienestrol will continue to be prohibited as there are no MRLs specified for these substances in the Eighteenth Schedule.
C. Comments on the MRLs for veterinary drug residues in the new Eighteenth Schedule	**SFA's response**
4. One respondent commented that the company's suppliers currently comply with European and German legislation which were deemed to be more stringent than Codex and sought clarification if the company should henceforth align with Codex MRLs for veterinary drug residues. 5. The other respondent noted that SFA had issued trade circulars in May 2020 and Jan 2022 regarding the implementation of MRLs for veterinary drug residues in food and sought clarification if the MRLs in the Eighteenth Schedule included all the MRLs previously covered under both trade circulars.	The list of MRLs for veterinary drug residues was established following SFA's risk assessment, during which we referenced the MRLs established by Codex. Where there are no Codex MRLs for certain food commodities, SFA took reference from the MRLs adopted by the major developed countries, namely Australia, New Zealand, Canada, Japan, the European Union and the United States. Pending amendments to the Food Regulations to incorporate these MRLs, SFA tapped on powers under section 55 of the Sale of Food Act so that food containing veterinary drug residues not exceeding the MRLs could be imported, manufactured and sold in Singapore. Food businesses were notified via trade

6. The same respondent asked if there was a "default" MRL that SFA would apply, citing the example of halquinol, where there are no MRLs specified for this veterinary drug in poultry tissues under the Eighteenth Schedule. In such cases, would SFA apply a default MRL should halquinol be detected in poultry.	circulars issued on May 2020 and Jan 2022 regarding the implementation of the MRLs. The list of MRLs in the Eighteenth Schedule includes the MRLs for veterinary drug residues previously covered in the trade circulars issued in May 2020 and January 2022. If a food (i.e. an animal tissue) is detected with a veterinary drug and there are no MRLs specified for that veterinary drug under the new Eighteenth Schedule, or if the animal tissue is not listed in the Eighteenth Schedule, as per the new Regulation 33, the food is not allowed to be imported, manufactured and sold in Singapore.
D. Other comments	**SFA's response**
7. One respondent enquired on how zeranol would be regulated, noting that zeranol would be deleted from the Ninth Schedule.	Zeranol is currently regulated under the Ninth Schedule of the Food Regulations as a pesticide residue. As zeranol is a veterinary drug, it is more appropriate to regulate it under the new Regulation 33 and the new Eighteenth Schedule. MRLs are specified for zeranol in various food commodities in the Eighteenth Schedule. Consequently, the current MRLs for zeranol in the Ninth Schedule will be deleted.
8. One respondent commented that his company currently does not have the capability to test for certain veterinary drugs in food and would need time to build up capability to do so. He enquired if SFA would consider giving the food industry a buffer period before enforcing on the new regulations.	Under SFA's laboratory recognition program (LRP), there are commercial testing laboratories being recognised for their testing capabilities on drug residues. Food businesses can send samples to the relevant laboratories for drug residue testing, if they do not have in-house capability to do so.

	More detailed information on SFA's LRP program, the registered commercial laboratories and their recognition schedules can be found at the following link: www.sfa.gov.sg/food-information/recognition-programmes/laboratory-recognition-programme This set of amendments are targeted to be gazetted by April 2023. As for the request for a buffer period before enforcing on the new regulations, SFA would like to clarify that pending the amendments to the Food Regulations, we had tapped on powers under section 55 of the Sale of Food Act so that food containing veterinary drug residues not exceeding the MRLs could already be imported, manufactured and sold in Singapore. Food businesses were notified via trade circulars issued on May 2020 and Jan 2022 regarding the implementation of the MRLs. (see also our response in S/N 4 above).
9. Pertaining to the import of dairy products, one respondent sought clarification if the health certificate issued by the exporting country for every consignment of dairy products would henceforth need to include an attestation that the products meet Codex MRLs.	Health certificates attesting to the heat treatment (time-temperature requirements) are currently required for dairy products imported into Singapore. SFA does not require attestation in these health certificates with respect to compliance to Codex MRLs for veterinary drug residues.
10. One respondent sought clarification if the prohibited drugs, namely nitrofurans, chloramphenicol and beta-agonists excluding ractopamine were included in the Food Regulations or another piece of legislation.	The list of banned drugs is specified in the directives issued to local farms under the Animal and Birds Act. The banned drugs include nitrofurans, chloramphenicol and beta-agonists and are prohibited to be used in food producing animals in the local farms.

	In the new Eighteenth Schedule, there are also no MRLs established for nitrofurans, chloramphenicol and other beta-agonists except for ractopamine. (MRLs for ractopamine are aligned with Codex.) The import, manufacture and sale of a food detected with residues of a veterinary drug not listed in the new Eighteenth Schedule is prohibited.