

ANNEX 5B

SECTORAL ANNEX ON FOOD PRODUCTS

Introduction

Pursuant to Chapter 5, the Parties agree to this Sectoral Annex on Food Products for the purpose of facilitating trade between the Parties;

Recognising the importance of improving market access opportunities;

Recognising that the Parties operate different food inspection and certification systems;

Noting that the Parties conduct conformity assessment of certain imported food products before the products can be released for sale;

Noting that the conducting of conformity assessment by the importing Party may be reduced by the acceptance of a conformity assessment certificate issued by a competent conformity assessment body in the exporting Party to confirm that the importing Party's appropriate level of sanitary/phytosanitary protection, or regulatory objectives are met;

The Parties have agreed:

1. Scope of Arrangement

1.1 This Sectoral Annex applies to the agreed food products listed in the Schedule to this Sectoral Annex, where they are :

- (a) produced, processed or manufactured by an approved processor or manufacturer and exported from the territory of the exporting Party to the territory of the importing Party and
- (b) are subject to the importing Party's conformity assessment on arrival in the territory of that importing Party.

1.2 All rights and obligations in the WTO Agreement on the Application of Sanitary and Phytosanitary Measures and the Agreement on Technical Barriers to Trade shall apply to the extent that they are applicable to trade in the agreed food products listed in the Schedule.

2. Definitions

2.1 For the purpose of this Sectoral Annex:

- (a) **approved processor or manufacturer** means a processor or manufacturer of the agreed food products listed in the Schedule, approved by the competent conformity assessment body of the exporting country and where required also concurrently accredited, by the regulatory authority of the importing Party as listed in the Schedule
- (b) **competent conformity assessment body** means the agreed body listed in the Schedule that is appointed to approve and conduct inspection on facilities and/or conduct conformity assessment activities on food product in the territory of the exporting Party to confirm its compliance with the standards and/or mandatory requirements of the importing Party;
- (c) **conformity assessment** means any activity concerned with determining that relevant food standards and/or mandatory requirements of the importing Party are fulfilled;
- (d) **food product** means any product defined as food under the Sale of Food Act in Singapore/ the Prevention of Food Adulteration Act 1954 in India as applicable;
- (e) **manufacture** means an operation where raw materials are substantially transformed into a food product;
- (f) **process** means any operation performed on the product or raw material and includes a process of manufacture but does not include processes which do not affect the composition of the product such as packing, labelling, trimming, cutting, sorting, storage and quality control inspections;
- (g) **produce** means to wholly obtain or produce in a Party a vegetable harvested or an animal born or raised there or a good obtained from the animals born or raised there or a good obtained from hunting, trapping, fishing or aquaculture conducted there;
- (h) **regulatory authority** means an authority of a Party that exercises a legal right to determine and/or enforce the standards and mandatory requirements of food products within its territory. There may be different

regulatory authorities responsible for different products or different aspects of standards/mandatory requirements.

3. Operation of the Arrangement

3.1 Relevant regulatory authorities designated by the Parties shall enter into discussion to identify food products under their jurisdiction that may be covered by this Sectoral Annex and thereafter enter into conformity assessment arrangements, on a product by product basis, for the purpose of ensuring that food products exported by a Party meet the food standards/mandatory requirements of the other Party;

3.2 The identified and agreed food products and their respective regulatory authorities, conformity assessment arrangements and the conformity assessment bodies shall be included in the Schedule attached to this Sectoral Annex and may be amended from time to time as mutually agreed by both Parties;

3.3 Subject to compliance with relevant conformity assessment arrangements, the importing Party shall recognise the conformity assessment certificates, issued by the relevant competent conformity assessment body of the exporting Party, that demonstrate compliance with food standards/mandatory requirements of the importing Party;

3.4 Where the importing Party identifies or suspects that food products for which conformity assessment certificates have been issued under paragraph 3.3 do not comply with its relevant standards/mandatory requirements, the importing Party may implement measures to ensure its appropriate level of sanitary protection or regulatory objectives are achieved. If a Party takes such measures, it shall notify the other Party within 15 days of taking the measures, giving its reasons.

4. Transparency, Information Exchange and Co-operation

4.1 The Parties shall co-operate and communicate in matters relevant to the development of food standards and mandatory requirements for food products covered under this Sectoral Annex, including, but not limited to:

- (a) Notifying the other Party of any proposed changes to its food standards and/or mandatory requirements of food products covered by this Sectoral Annex at least 60 days before the changes come into effect, unless considerations of health^{5B-1} and food safety warrant emergency action. In such emergency situations, notification shall be provided to the exporting Party within one working day of the action taken.

^{5B-1} “health” includes animal, plant and human health.

- (b) Notifying the other Party in writing of any change in its regulatory authorities responsible for the implementation of any food products covered by this Sectoral Annex.

5. Review and Modification of the Sectoral Annex

5.1 The Parties undertake to review the contents and operation of this Sectoral Annex periodically as mutually agreed.

5.2 A Party may terminate this Sectoral Annex in its entirety by giving the other Party six months' advance notice in writing.

APPENDIX 1

EGG PRODUCTS TO SINGAPORE (PASTEURISED EGG POWDER OF WHOLE EGG, EGG YOLK AND EGG ALBUMEN)

Regulatory Authorities (RA)

For Singapore the RA shall be:

Agri-Food and Veterinary Authority of Singapore (AVA)

5 Maxwell Road #02-00
Tower Block, MND Complex
Singapore 069110
Republic of Singapore
Tel: (65) 62270670
Fax: (65) 62206068
Website: <http://www.ava.gov.sg>

For India the RA shall be:

Export Inspection Council

3rd Floor, NDYMCA Cultural Centre
Building, 1, Jai Singh Road, New Delhi-
110001.
Telephone: 91 11 23365540/
91 1123748025
Fax No. 91 11 23748186
Website: www.eicindia.org.
E-mail: eic@eicindia.org

Role: Responsible for

- (1) laying down mandatory standards for export of egg products with due recognition for compliance to standards of importing countries where they exist.
- (2) implementing certification systems for certifying compliance of egg products for export to specified standards and for the purpose of this Mutual Recognition Agreement to Singapore standards.
- (3) issuing health certificates for egg products exported to Singapore as per format finalised.

Directorate General of Health Services,

Ministry of Health and Family Welfare,

Room No.557, A Wing,

Nirman Bhawan,

New Delhi,

Phone No.: 91 11 23012290,

Fax No.:91 11 23012290

Website:www.mohfw.nic.in

Role: Responsible for

- (1) laying down mandatory standards for egg products applicable to domestic industry as well as imported egg products.
- (2) implementing a system for domestic/import control to check compliance of egg products placed in the Indian market to the prescribed standards as notified in the Prevention of Food Adulteration Act, 1954.

Department of Animal Husbandry & Dairying,

Ministry of Agriculture,

Room No.337, Krishi Bhawan,

New Delhi.

Telephone No.: 91 11 23389212

Fax No: 91 11 23389212

E-mail: dirpc@hub.nic.in

Website: www.dahd.nic.in

Role: Regulation of import through sanitary import permit under the provisions of Livestock Importation Act, 1898.

Competent Conformity Assessment Bodies

For Singapore, this shall be:

Agri-Food and Veterinary Authority of Singapore (AVA)

5 Maxwell Road #02-00
Tower Block, MND Complex
Singapore 069110
Republic of Singapore
Tel: (65) 62270670
Fax: (65) 62206068
Website: <http://www.ava.gov.sg>

For India this shall be:

Export Inspection Council

3rd Floor, NDYMCA Cultural Centre
Building, 1, Jai Singh Road, New Delhi-
110001.
Telephone: 91 11 23365540/
91 1123748025
Fax No. 91 11 23748186
Website: www.eicindia.org.
E-mail: eic@eicindia.org

Conformity Assessment Arrangement

For the purposes of this Appendix, accreditation means a documentary evaluation of a processor or manufacturer, on-site inspection by AVA of the processor or manufacturer's facilities, and listing of the processor or manufacturer in AVA's approved list of establishments for export of egg products to Singapore.^{5B.1}

Each consignment of egg products shall be accompanied by a health certificate issued by the competent conformity assessment body of the exporting Party as follows:

This Certificate attests that the **Egg Products**:

- (a) have been subjected to a temperature of ____ degree C for ____ minutes and are free of pathogenic micro-organisms especially Salmonella micro-organisms;

^{5B.1} Subject to sufficient confidence being developed in the accredited establishments, and the quality and food safety of the egg products from India, the AVA may consider modifying the accreditation arrangement, to allow the competent conformity assessment body in India to conduct the on-site inspection for the listing of the processor or manufacturer in AVA's approved list of establishments for export of egg products to Singapore. The AVA may conduct audit checks on all establishments and products which have been accredited.

- (b) have no added additive and/or colouring matters that are injurious to health;
- (c) have been handled and packed in a hygienic manner and are free from contamination; and
- (d) are fit for human consumption

The competent conformity assessment body shall ensure that the egg products manufactured by the approved manufacturer meet the following microbiological standards:

| | |
|--------------------------------------|-----------------------------------|
| | |
| Total Plate Count | 1.0 x 10 ⁵ cfu/g or ml |
| | |
| <i>E. coli</i> count | 1.0 x 10 ² cfu/g or ml |
| | |
| Coagulase +ve <i>S. aureus</i> Count | Absent in 1g or ml |
| | |
| <i>Salmonella</i> | Absent in 25g or ml |
| | |
| <i>E. coli</i> O157:H7 | Absent in 25g or ml |

APPENDIX 2

Dairy Products to Singapore (Milk Powder, Casein, Whey Protein Concentrate, Natural and Processed Cheese)

Regulatory Authorities (RA)

For Singapore the RA shall be :

**Agri-Food and Veterinary Authority of
Singapore (AVA)**

5 Maxwell Road #18-00
Tower Block, MND Complex
Singapore 069110
Republic of Singapore
Tel: (65) 63250788
Fax: (65) 63244563
Website: <http://www.ava.gov.sg>

For India the RA shall be :

Export Inspection Council,

3rd Floor, NDYMCA Cultural Centre
Building,
1, Jai Singh Road,
New Delhi-110001,
Telephone No.: 91 11 23365540
91 11 23748025
Fax No. 91 11 23748186

E-mail: eic@eicindia.org

Website: www.eicindia.org

Role: Responsible for

- (1) laying down mandatory standards for export of milk products with due recognition for compliance to standards of importing countries where they exist.
- (2) implementing certification system for certifying compliance of milk products for export to specified standards and for purpose of this MRA to Singapore standards.
- (3) issuing health certificates for milk products exported to Singapore as per format finalised.

Directorate General of Health Services,

Ministry of Health and Family Welfare,
Room No.557, A Wing,
Nirman Bhawan,
New Delhi.

Phone No: 91 11 23012290

Fax No: 91 11 23012290

Website: www.mohfw.nic.in

Role: Responsible for

- (1) laying down mandatory standards for dairy products applicable to domestic industry as well as imported dairy products.
- (2) implementing a system of domestic/import control to check compliance of dairy products placed in the Indian market to the prescribed standards notified in the Prevention of Food Adulteration Act, 1954.

Department of Animal Husbandry & Dairying,

Ministry of Agriculture,
Room No.337, Krishi Bhawan, New Delhi.

Telephone No.: 91 11 23389212

Fax No: 91 11 23389212

E-mail: skshri@yahoo.com

Website: www.dahd.nic.in

Role: Regulation of import through sanitary import permit under the provisions of Livestock Importation Act, 1898.

Competent Conformity Assessment Bodies

For Singapore, this shall be:

Agri-Food and Veterinary Authority of Singapore (AVA)

5 Maxwell Road #18-00

Tower Block, MND Complex

Singapore 069110

Republic of Singapore

Tel: (65) 63250788

Fax: (65) 63244563

Website: <http://www.ava.gov.sg>

For India this shall be:

Export Inspection Council,
3rd Floor, NDYMCA Cultural Centre
Building,
1, Jai Singh Road,
New Delhi-110001,
Telephone No.: 91 11 23365540
91 11 23748025
Fax No. 91 11 23748186

E-mail: eic@eicindia.org
Website: www.eicindia.org

Conformity Assessment Arrangement

For each consignment of dairy product (milk powder, casein, whey protein concentrate, natural and processed cheese) exported, the competent conformity assessment body in India shall issue a health certificate as follows:

Health Certificate for Dairy Products

- a. Type of Product :
- b. Brand name :
- c. Packing type/Packing size :
- d. Batch number :
- e. Quantity :
- f. Vessel/Vessel No.(if known) : Flight/vessel/vehicle No.* _____
- g. Lot No./Shipping mark (if known) :
- h. Estimated Date of arrival :
(Day/month/year)
- i. Manufacturer's name and address :
- j. Exporter's name and address :
- k. Importer's name and address :
- l. Contact person and telephone number :

(1)

This is to certify that the consignment of milk products (indicate product) mentioned above has been made from milk subjected to double pasteurisation, at a pasteurisation temperature of at least 72 degree Celsius for 15 seconds.

* Delete where appropriate

APPENDIX 3

PACKAGED DRINKING WATER TO SINGAPORE

Regulatory Authorities (RA)

For Singapore the RA shall be:

Agri-Food and Veterinary Authority of Singapore (AVA)

5 Maxwell Road #18-00
Tower Block, MND Complex
Singapore 069110
Republic of Singapore
Tel: (65) 63250788
Fax: (65) 63244563
Website: <http://www.ava.gov.sg>

For India the RA shall be:

Export Inspection Council

3rd Floor, NDYMCA Cultural Centre
Building, 1, Jai Singh Road,
New Delhi-110001.
Telephone: 91 11 23365540/ 23748025
Fax No. 91 11 23748186
Website: www.icindia.org.
E-mail: eic@icindia.org

Role: Responsible for

- (1) laying down standards for exports of packaged water giving due recognition to mandatory standards of importing countries where they exist.
- (2) implementing a certification system for certifying compliance of packaged drinking water for export to specified standards and for the purpose of this Mutual Recognition Agreement, to Singapore standards.
- (3) issuing health certificates for packaged drinking water for export to Singapore as per the format finalised.

Directorate General of Health Services,
Ministry of Health & Family Welfare,
Room No.557, A Wing,
Nirman Bhawan,
New Delhi,
Telephone No.91 11 23012290
Fax No.: 91 11 23012290
Website:www.mohfw.nic.in.

Role: Responsible for laying down standards for packaged drinking water applicable for domestic industry and imported products as well as the manner of inspection and/or certification for checking compliance to prescribed standards before being placed in the Indian markets.

(i) Competent Conformity Assessment Bodies

For Singapore, this shall be:

Agri-Food and Veterinary Authority of Singapore (AVA)
5 Maxwell Road #18-00
Tower Block, MND Complex
Singapore 069110
Republic of Singapore
Tel: (65) 63250788
Fax: (65) 63244563
Website: <http://www.ava.gov.sg>

For India this shall be:

Export Inspection Council
3rd Floor, NDYMCA Cultural Centre
Building, 1, Jai Singh Road,
New Delhi-110001.
Telephone:91 11 23365540/ 23748025
Fax No. 91 11 23748186
Website:www.eicindia.org.
E-mail:eic@eicindia.org

Conformity Assessment Arrangement

Natural Mineral Water And Spring Water

1. Before an import into Singapore is allowed, a competent conformity assessment body shall

- (a) Issue an **Authentication Certificate** as follows:

This is to certify that _____ (here insert the brand) packaged natural mineral water/spring water* is produced by _____ (here insert the name and address of the manufacturer in India) from genuine natural mineral/spring water* obtained from _____ (here insert the source of the natural mineral water/spring water*).

- (b) Provide a **copy of the map** showing the location of the source of the natural mineral water/spring water*.

2. For each consignment, India's RA or a competent conformity assessment body shall issue a **Health Certificate** giving details of the consignment and certifying that the consignment of the product is safe for human consumption as follows:

- (a) Details of the consignment

| | | |
|--------------------------------|---|--|
| Brand Name | : | |
| Type of Water | : | |
| Packing Type/Size | : | |
| Batch Number/ Expiry Date | : | |
| Name & Address of Manufacturer | : | |
| Consignee/Importer | : | |

- (b) Details of results of microbiological analysis

| | | |
|---|---|--|
| Total Colony Count per ml (37°C for 48 hrs) | : | |
| Coliform Count per 250 ml | : | |
| <i>E. coli</i> per 250 ml | : | |
| Fecal coliforms per 250 ml | : | |
| <i>Pseudomonas aeruginosa</i> per 250 ml | : | |
| <i>Fecal streptococci</i> per 250 ml | : | |
| Sporulate sulphite-reducing anaerobes per 50 ml | : | |

* Delete where appropriate

(c) Details of results of chemical analysis

Part 1 (for new products only)

| | |
|--------------|---|
| Bicarbonates | : |
| Calcium | : |
| Chloride | : |
| Magnesium | : |
| Potassium | : |
| Sodium | : |
| Sulphates | : |

Part 2 (for all imported consignments)⁺

| | |
|--|---|
| Arsenic | : |
| Barium | : |
| Borate | : |
| Cadmium | : |
| Chromium | : |
| Cyanide | : |
| Fluoride | : |
| Iodine | : |
| Lead | : |
| Manganese | : |
| Mercury | : |
| Nitrate | : |
| Nitrite | : |
| Organic matter (Calculated as O ₂) | : |
| Selenium | : |
| Sulphide | : |

⁺ Requirements for chemical testing may be reduced to once a year if the test results of three consecutive consignments and subsequent monitoring are satisfactory.

(d) The consignment of the product is safe for human consumption.

Other Packaged Drinking Water

1. Before an import into Singapore is allowed, a competent conformity assessment body shall issue a **statement** confirming that the product is produced by an approved manufacturer and stating the name and address of the manufacturer (or a copy of the licence showing all the above details).
2. For each consignment, a competent conformity assessment body shall issue a **Health Certificate** giving details of the consignment and certifying that the consignment of the product meets WHO Guidelines for Drinking Water Quality and is safe for human consumption as follows:

(a) Details of the consignment

| | |
|------------|---|
| Brand Name | : |
|------------|---|

Type of Water :
 Packing Type/Size :
 Batch Number/ Expiry Date :
 Name & Address of Manufacturer :
 Consignee/Importer :

(b) Details of results of microbiological analysis

Total Colony Count per ml (37°C for 48 hrs) :
 Coliform Count per 100 ml :
E. coli per 100 ml :
 Fecal coliforms per 100 ml :
Pseudomonas aeruginosa per 250 ml :
Fecal streptococci per 250 ml :
 Sporulate sulphite-reducing anaerobes per 50 ml :

(c) Details of results of chemical analysis⁺

Antimony :
 Arsenic :
 Barium :
 Boron :
 Cadmium :
 Chloride :
 Chromium :
 Copper :
 Cyanide :
 Fluoride :
 Lead :
 Mercury :
 Nickel :
 Nitrate :
 Nitrite :
 Selenium :
 Trihalomethanes :
 Bromodichloromethane :
 Bromoform :
 Chloroform :
 Dibromochloromethane :

⁺ Requirements for chemical testing may be reduced to once a year if the test results of three consecutive consignments and subsequent monitoring are satisfactory.

(d) The consignment of the product meets WHO Guidelines for Drinking Water Quality and is safe for human consumption.

3. The competent conformity assessment body shall ensure that the packaged drinking water manufactured by the approved manufacturer meet the following standards:

(ii)

Microbiological Standards:

| | (iii) Mineral/Spring water | | (iv) ther Packaged Drinking Water | |
|---------------------------------------|----------------------------|------------------------------|-----------------------------------|------------------------------|
| | <u>Analysis</u> | <u>Limits</u> | <u>Analysis</u> | <u>Limits</u> |
| Total Colony count at 37°C for 48 hr | Yes | Not more than 100,000 per ml | Yes | Not more than 100,000 per ml |
| Total coliforms | Yes | Not detectable per 250ml | Yes | Not detectable per 100ml |
| (a) Fecal coliforms | Yes | Not detectable per 250ml | Yes | Not detectable per 100ml |
| <i>E coli</i> | Yes | Not detectable per 250ml | Yes | Not detectable per 100ml |
| <i>Fecal streptococci</i> | Yes | Not detectable per 250ml | Yes | Not detectable per 250ml |
| <i>Pseudomonas aeruginosa</i> | Yes | Not detectable per 250ml | Yes | Not detectable per 250ml |
| Sporulate sulphite-reducing anaerobes | Yes | Not detectable per 50ml | Yes | Not detectable per 50ml |

(v) **Chemical Standards**

| | (v) Mineral/Spring water | | (vi) ther Packaged Drinking Water | |
|----------|--------------------------|-----------------------|-----------------------------------|------------------------|
| | <u>Analysis</u> | <u>Limits</u> | <u>Analysis</u> | <u>Limits</u> |
| Antimony | | | Yes | Not more than 0.005ppm |
| Arsenic | Yes | Not more than 0.05ppm | Yes | Not more than 0.01ppm |
| Barium | Yes | Not more than 1 ppm | Yes | Not more than 0.7ppm |

| | | | | |
|------------------------------------|-----|---|-----|--|
| Borate | Yes | Not more than 30ppm calculated as H_3BO_3 | | |
| Boron | | | Yes | Not more than 0.5ppm |
| Cadmium | Yes | Not more than 0.01ppm | Yes | Not more than 0.003ppm |
| Chromium | Yes | Not more than 0.05ppm | Yes | Not more than 0.05ppm |
| Copper | | | Yes | Not more than 2ppm |
| Cyanide | Yes | Not more than 0.01ppm calculated as CN^- | Yes | Not more than 0.07ppm |
| Fluoride | Yes | Not more than 2ppm calculated as F^- | Yes | Not more than 1.5ppm |
| Iodine | Yes | Not more than 1ppm | | |
| Lead | Yes | Not more than 0.05ppm | Yes | Not more than 0.01ppm |
| Manganese | Yes | Not more than 2ppm | | |
| Mercury | Yes | Not more than 0.001ppm | Yes | Not more than 0.001ppm |
| Nickel | | | Yes | Not more than 0.02ppm |
| Nitrate | Yes | Not more than 45ppm calculated as NO_3^- | Yes | Not more than 50ppm calculated as NO_3^- |
| Nitrite | Yes | Not more than 0.005ppm calculated as NO_2^- | Yes | Not more than 3ppm calculated as NO_2^- |
| Organic matter calculated as O_2 | Yes | Not more than 3ppm | | |
| Selenium | Yes | Not more than 0.01ppm | Yes | Not more than 0.01ppm |
| Sulphide | Yes | Not more than 0.05ppm calculated as H_2S | | |

Trihalomethanes :

Bromoform
 Dibromochloromethane
 Bromodichloromethane
 Chloroform

The sum of the ratio of the concentration of each to its respective limit value should not exceed 1

Yes

Not more than 100ppm
 Not more than 100ppm
 Not more than 60ppm
 Not more than 200ppm

Chloride

Yes

No specified standards. The label of the product shall indicate the levels of these inorganic constituents.

Yes

Not more than 250ppm

Sodium

Yes

Potassium

Yes

Calcium

Yes

Magnesium

Yes

Bicarbonates

Yes

Sulphates

Yes

Where the natural mineral water contains more than 600 ppm of sulphate other than calcium sulphate, the package containing the natural mineral water shall bear a statement indicating that the natural mineral water may be laxative.