



POLICY ISSUES MAP

DECEMBER 2023



This **Policy Issues Map** provides a visual summary of the policy updates/movements that have been captured within FIA's internal policy database in any given month. The purpose of this map is to provide members with a quick overview of the developments (and potential impacts to industry) occurring in Asia and beyond.

Note: *Some updates may not have a link to a publicly available media source, as they are based on FIA's insights and intelligence. These developments, which are of significant interest/impact to the food and beverage industry, are linked to an FIA intel slide which provides the reader with the issue's context, key updates, and the current status/impact of the issue/development.*

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 - General Policy
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 **FIA Intel**

- **INDONESIA** – [MOF Clarifies Health Law Implementing Regulation's Food Marketing Restrictions and Taxes](#)
- **INDONESIA** – [Updates on Sugar-Sweetened Beverage and Single-Use Plastics Taxes](#)
- **PHILIPPINES** – [Nutrient Profile Model Approval Pushed Back to 2024](#)
- **THAILAND** – [DOH Discusses F&B Sodium Usage with Mahidol University for Nutrient Profile Model](#)
- **THAILAND** – [PCD Plans to Consult Public on Revised Draft Sustainable Packaging Waste Management Act](#)
- **VIETNAM** – [Proposed Timeline and Tax Rates for Special Consumption Tax](#)
- **VIETNAM** – [Updates on MONRE's Revisions of EPR Regulations](#)

Click a heading to be directed to a specific section of the report.



POLICY ISSUES IN ASIA

Fiscal Measures

- [Thailand Considers Beverage Tax Restructure to Boost Tourism](#)
- [Vietnam Extends Value-Added Tax Cut to Mid-2024](#)
- [Vietnam Raising Effective Tax Rate On Multinationals](#)
- [Philippines Intends to Implement Single-Use Plastics, Sweetened Beverage and Junk Food Taxes in 2024](#)

Front-of-Pack Labelling

- [Scientists Identify Effective Nutrition Labels for India's Diverse Population](#)

General Policy

- [Philippines President Urges ASEAN to Craft 10-Year Food Security Roadmap](#)

E-commerce

- [India Bans Dark Patterns on E-Commerce Platforms](#)

Halal

- [Thailand Unveils Halal Industry Centre's Role in Standardising Halal Products](#)
- [Philippines Drafting Guidelines for Halal Industry](#)
- [Bangladesh Frames Policy on Halal Certification](#)
- [Vietnam Signs MoU with UAE](#)

Novel Food & Alternative Protein

- [UK Government Backs Cultivated Meat and Fermentation in Landmark £2 Billion Plan](#)
- [South Korea Prohibits Usage of Animal Food Names for Plant-Based Products](#)

**Environmental
Sustainability**

- [India Releases New Circular Economy Roadmap to Reduce Plastic Waste](#)
- [Singapore Will Consider Carbon Cost and Global Developments Before Changing Carbon Tax Rate](#)
- [Singapore Finalises Taxonomy on Sustainable and Transition Financing](#)
- [Vietnam Goes Green On Its Exports](#)
- [Philippines Studying Carbon Tax](#)
- [Thailand Cabinet Approves Draft Clean Air Act](#)

**Producer
Responsibility
Schemes**

- [Sri Lanka to Adopt QR Code Based Deposit Refund System](#)



POLICY ISSUES BEYOND ASIA

**Advertising
Restrictions**

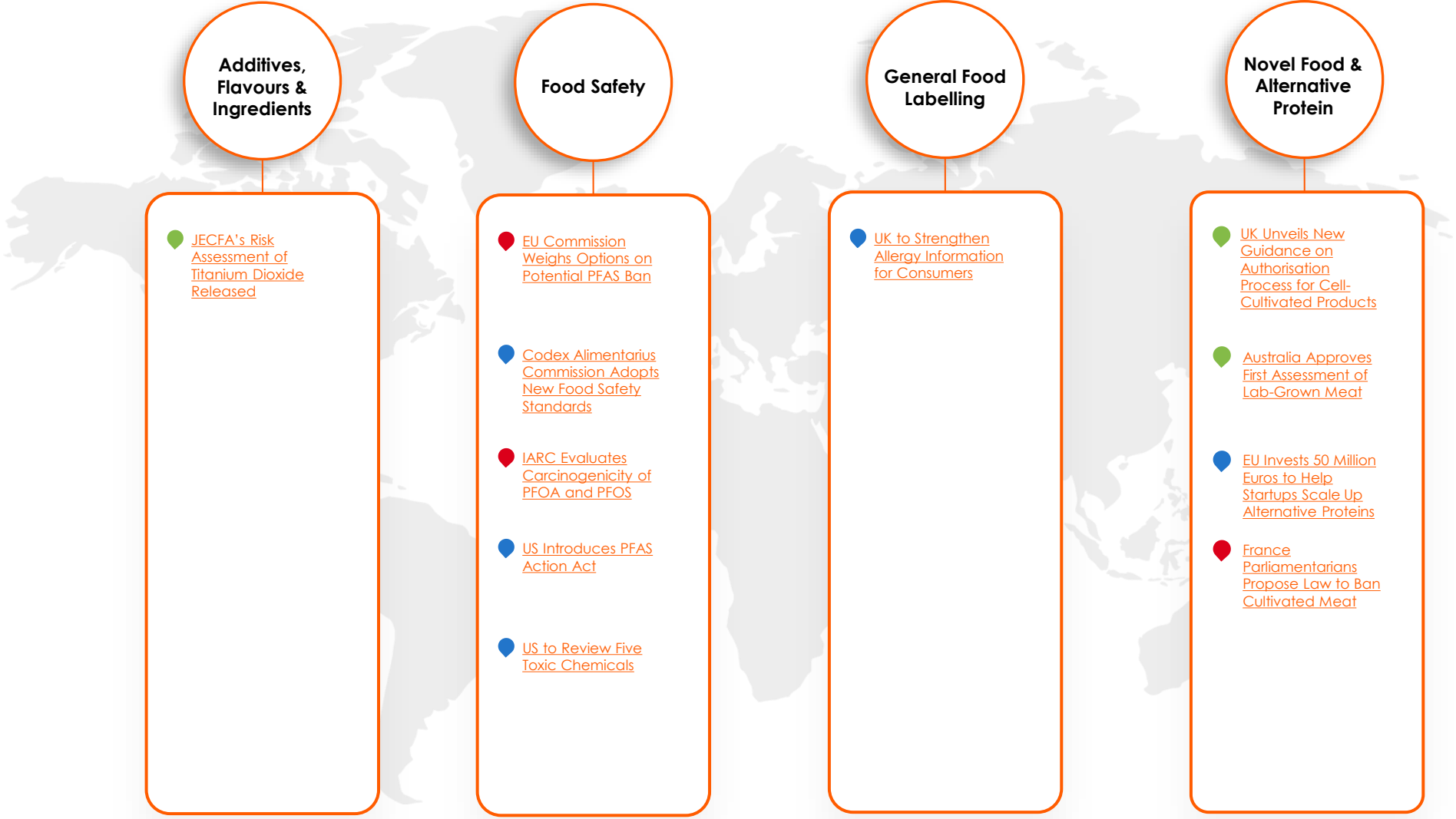
- [UK's SBS On Demand to Offer Fast Food Advertising Opt-Out from 2024](#)
- [UK Launches Consultation on Rules for Child-Targeted Food Ads](#)

**Front-of-Pack
Labelling**

- [US Introduces Congress Bill to Implement Mandatory Front-of-Package Nutrition Label](#)

General Policy

- [UN Sets Out Roadmap to Combat Global Hunger Amid Climate Crisis](#)



Additives, Flavors & Ingredients

- [JECFA's Risk Assessment of Titanium Dioxide Released](#)

Food Safety

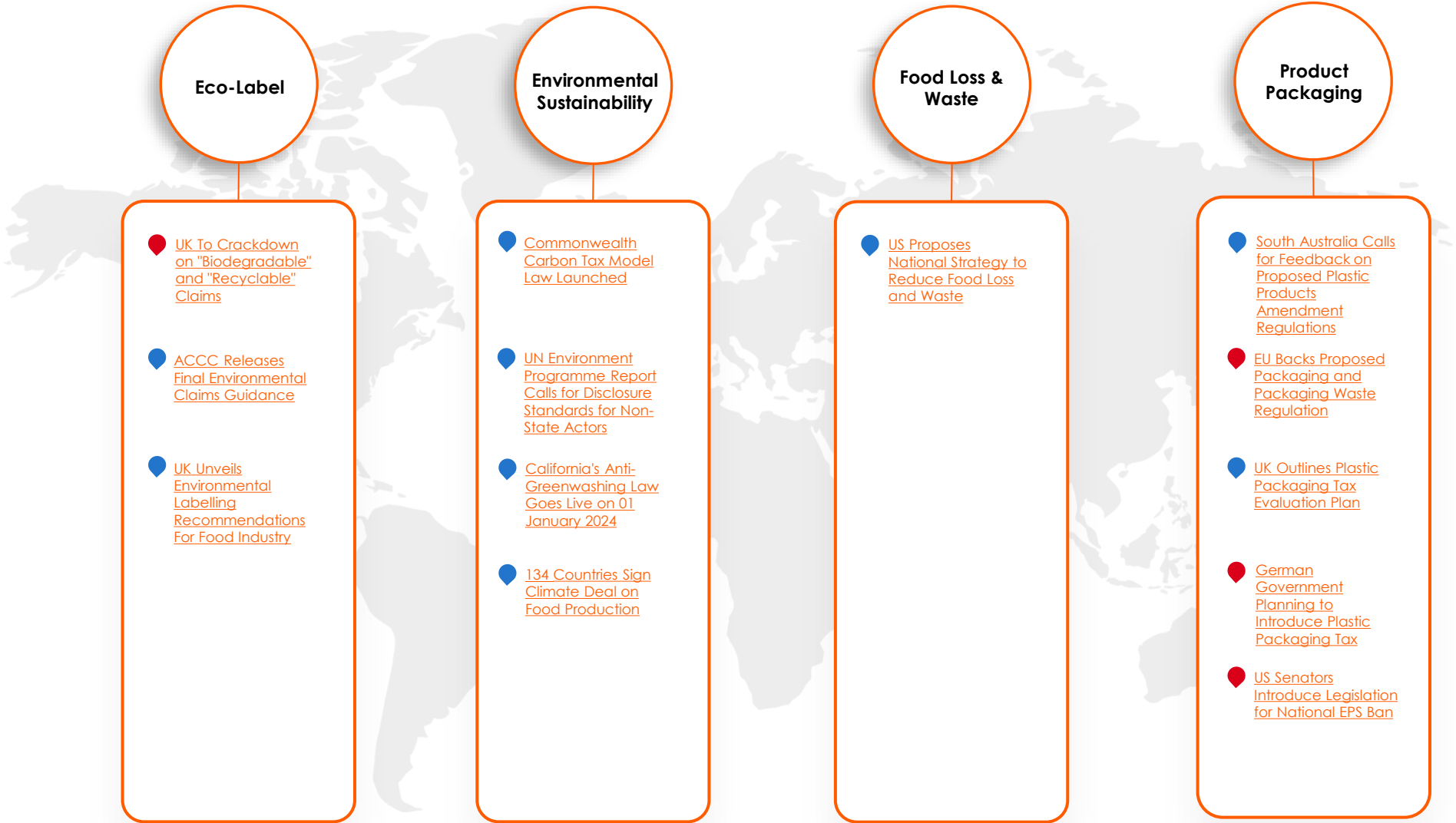
- [EU Commission Weighs Options on Potential PFAS Ban](#)
- [Codex Alimentarius Commission Adopts New Food Safety Standards](#)
- [IARC Evaluates Carcinogenicity of PFOA and PFOS](#)
- [US Introduces PFAS Action Act](#)
- [US to Review Five Toxic Chemicals](#)

General Food Labelling

- [UK to Strengthen Allergy Information for Consumers](#)

Novel Food & Alternative Protein

- [UK Unveils New Guidance on Authorisation Process for Cell-Cultivated Products](#)
- [Australia Approves First Assessment of Lab-Grown Meat](#)
- [EU Invests 50 Million Euros to Help Startups Scale Up Alternative Proteins](#)
- [France Parliamentarians Propose Law to Ban Cultivated Meat](#)





FIA INTEL

MOF CLARIFIES HEALTH LAW IMPLEMENTING REGULATION'S FOOD MARKETING RESTRICTIONS AND TAXES

CONTEXT

UPDATES

STATUS/IMPACT

- In September, a draft article from sources within the Ministry of Health (MOH) was circulated during one of the meetings of Indonesia's Chamber of Commerce. The draft article mentioned a **proposal by MOH to the government on salt-sugar-fat (SSF) reduction**, including **recommendations for mandatory reformulation, taxes, front-of-packaging labelling, marketing restrictions and low-SSF zones**.
- On 30 November, the MOH conducted a **workshop that sought to provide clarifications on the proposal**, which is part of the Draft Government Regulation (RPP) on Health.
 - The RPP on Health **will include both incentives for industries providing healthy food and beverages as well as restrictive measures**. MOH intends to **adopt best practices** from countries like Chile, the UK, Norway, and Mexico **to reduce HSSF consumption**. These includes measures such as excise tax implementation and advertising/promotion bans.
 - On HSSF excise/taxes, MOH clarified that the RPP on Health will **outline the possibility of such implementation but leave the implementation to the Ministry of Finance (MOF)**. MOH's scope in HSSF fiscal interventions such as the SSB tax is focused on recommending product scope and exemptions. **After the SSB tax, they plan to propose a high sodium tax**. The timeline for the formulation of this policy will start only after the SSB tax is implemented.
 - MOH **opted not to give a firm answer on whether they are open to proposing SSB tax/marketing ban exemptions for Low/Non-Caloric Sweeteners (LNCS)**, saying that they "need to study further the particular LNCS, as not all LNCS can be treated the same".
 - On HSSF marketing restrictions, MOH remarked that it will seek to incorporate the following considerations to the RPP on Health: coordination with the Ministry of Education (MOE) for **marketing restrictions in schooling environments**, and **delegation to regional governments of the marketing restrictions for fast food services/products**.
 - MOH assured that the **technical aspects of marketing restrictions and other interventions are still in early stages**, opening the possibility that the **RPP on Health can be issued but not enforced directly after its issuance**.
 - MOH clarified that the RPP on Health is intended as an extensive regulation that will outline the government policy in all health subsectors, and that the technical regulations for subsectors (e.g. governance of F&B marketing bans/restrictions) will be dealt with in subsequent technical regulations at the Ministry level.
- This month, the RPP on Health has been **facing a growing chorus of dissent from labour unions and other government ministries over concerns on its impact on workers and manufacturing**. The MOF has normatively commented that the MOH should conduct inter-ministerial consultation processes first before implementing the RPP. As a result, **it is likely that the implementation of the RPP will be delayed**.
- FIA will continue to monitor the development of the RPP on Health and any marketing restrictions and tax interventions that may be developed subsequently, and update members accordingly.

CONTEXT

UPDATES

STATUS/IMPACT

UPDATES ON SUGAR-SWEETENED BEVERAGE AND SINGLE-USE PLASTICS TAXES

- After Indonesia's Parliament passed its state budget for 2024 in end September 2023, the **Ministry of Finance (MOF) kicked off the drafting of the regulations for the proposed sugar-sweetened beverage (SSB) tax**. It **launched industry consultations on the tax in October 2023** and released details on the [proposed scope of the tax](#) in November. A proposed **Single-Use Plastics (SUP) tax** was also included in the budget.
- In mid-November, the Indonesian Soft Drinks Association (ASRIM) met with the MOF's Directorate-General of Customs and Excise and the Fiscal Policy Agency (BKF) regarding the **planned implementation of the SSB tax in 2024**.
 - MOF revealed that it is proposing a **flat IDR 1500 (USD 0.1) per litre tariff for all SSBs within the tax scope with a sugar content exceeding 6g/100ml**. The MOF contended that this tax rate should have minimum economic impact to retail prices.
 - ASRIM informed the MOF that a **flat tax would not give sufficient incentive to the industry to make gradual transitions or reformulations** to their products. **It is seeking to counter-propose a tiered tariff system** instead.
- ASRIM is in talks with the University of Indonesia Economics and Management Research Agency (LPEM UI) to **re-tweak their previous tariff system towards the tiers shown in the table below**. ASRIM expects that these modifications will be further studied by LPEM UI, with an **expected completion by end December**.

Tier (g/100ml)	Tariff (IDR/100ml)
<6	20 (USD 0.013/litre)
6-10	50 (USD 0.03/litre)
10-14	75 (USD 0.5/litre)
>14	150 (USD 0.1/litre)

ASRIM intends to include the <6g/100ml tier under 3 considerations:

1. MOF accepts that the tax base will be on added sugar content, not the current design of total sugar content;
2. MOF accepts collection in "per 100ml final product packaging" instead of "per litre"; and
3. A 4-tiered system will encourage gradual transition/reformulation within the industry.

- The Food and Drugs Agency (BPOM) has proposed to the MOF that **plain liquid milk, plain milk drinks, milk drinks containing plain milk, plain fermented milk drinks, plain yoghurt, yoghurt drinks and plain yoghurt drinks be exempted from the tax**, acknowledging the natural presence of sugars in these products as well as their superior nutritional profile relative to SSBs. MOF has **yet to approve this proposed exemption**.
- The Government has released its [2024 State Budget Details \(Perpres 76/2023\)](#). The revenue from the **SSB tax** was computed based on the assumption that the tariff rate is **IDR 1500 (USD 1) per litre** while the revenue from the **SUP tax** was computed based on the assumption that the tariff will be a **flat rate of IDR 30,000 (USD 1.95) per kilogram**.
- It seems that the **MOF is still firming up the SSB tax's scope and exemptions**; ASRIM intends to discuss this with MOF in subsequent meetings. FIA will keep members posted for any opportunities to provide feedback on these aspects of the tax. FIA will also continue to monitor the developments of the SUP tax and keep members posted for opportunities to submit feedback on the proposed tax.

CONTEXT

NUTRIENT PROFILE MODEL APPROVAL PUSHED BACK TO 2024

- On 15 November 2023, the Philippines released its [proposed Nutrient Profiling Model \(NPM\)](#). The NPM is **based on the Pan-American Health Organisation (PAHO) NPM** and is **currently undergoing revisions** following feedback from industry stakeholders that it is not suited for the Filipino population.

UPDATES

- **Internal government discussions are still ongoing** to enhance the Philippine Nutrient Profile Model (PNPM). The points raised in submitted position papers, including that of FIA, are being heavily considered.
- Once the enhancements have been completed internally, the National Nutrition Council (NNC) has shared that **it is critical to gather industry feedback**.
- The NNC added that the **Food and Nutrition Research Institute (FNRI) and UNICEF are still being actively consulted** on the PNPM. It also clarified that the **WHO did not provide any form of funding or sponsorship** to push for the adoption of the PAHO model.

STATUS/IMPACT

- The **approval of the PNPM will be pushed back to 2024**.
- Once the NNC formally sends a response, FIA will have the opportunity to elaborate on its position and potentially influence the discussion on the model towards a direction that will be conducive for the food industry.
- FIA will continue to monitor the development of the NPM and update members accordingly. Members will be kept posted on opportunities to provide industry feedback once the enhancements to the NPM have been completed internally.

DOH DISCUSSES F&B SODIUM USAGE WITH MAHIDOL UNIVERSITY FOR NUTRIENT PROFILE MODEL

CONTEXT

- On 23 May 2023, Thailand's Department of Health (DOH) published the [Draft Act to Regulate the Marketing of Food and Beverages Affecting Children's Health \(unofficial translation\)](#), as well as an [academic paper](#) (in Thai) detailing a **suggested Nutrient Profile Model (NPM)** that will serve as guidelines for the development of future regulations on an NPM, which will be implemented in phases.
- The **Act has been revised and was presented to its Steering Committee on 20 December** for consideration and approval. Once the Steering Committee approves the draft Act, it **will be submitted to the Director-General of the DOH, the Permanent Secretary of Public Health, the Minister of Public Health and the Cabinet for their review**. The **timeline for the presentation of the draft Act to Parliament remains unspecified**.

UPDATES

- In early December, the DOH **conducted a discussion with Mahidol University's Institute of Nutrition** on the **average amount of sodium used by manufacturers in food and beverage products**. The DOH plans to **use this information to determine the nutrient profile threshold** for the Draft Food Marketing Act's NPM.
- The DOH did not reveal the exact amount discussed, as the threshold is still being developed. It also did not indicate that the amount discussed will be used as a baseline for the threshold.

STATUS/IMPACT

- **No major updates to the Draft Food Marketing Act and its accompanying legislation on nutrient profile are expected before January 2024.**
- FIA will continue to monitor the development of the Act and its accompanying NPM and keep members updated.

PCD PLANS TO CONSULT PUBLIC ON REVISED DRAFT SUSTAINABLE PACKAGING WASTE MANAGEMENT ACT

CONTEXT

- On 25 October, Mae Fah Luang University shared some [developments](#) on the [Draft Sustainable Packaging Waste Management Act](#) released by the Pollution Control Department (PCD) for the public consultation on 07 July.

UPDATES

- The PCD is **still in the process of revising the Draft of the Sustainable Waste Management Act** submitted by the research team from Mae Fah Luang University in November 2023. It will **launch a public consultation on the Draft Act** on its website **potentially within 2023 or early 2024**, but cannot confirm a specific date for the consultation at this moment.
- The research team had proposed a set of draft subordinate laws that included the following topics:
 - Criteria for identifying the **types of packaging that must be managed sustainably and collected** for reuse and recycling;
 - Criteria for **designing and producing environmentally friendly packaging**, and the application of **environmental labels** on packaging;
 - Criteria for **collecting, mechanisms for returns, and procedures for redistributing used packaging**;
 - Criteria, methods, and conditions for **registering and reporting the quantity of packaging**; and
 - Criteria, methods, and conditions for applying for approval and monitoring **sustainable packaging management plans**.
- The PCD **does not expect to hold any consultation for these subordinate laws until the Draft Act enactment is finalised**.

STATUS/IMPACT

- FIA will continue to monitor any further developments on the draft Act and update members when the public consultation on the Draft Act has been launched.

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PROPOSED TIMELINE AND TAX RATES FOR SPECIAL CONSUMPTION TAX

- In February 2023, Vietnam's Ministry of Finance (MOF) released a draft outline of its **Amended Special Consumption Tax (SCT) Law** for public consultation. Since then, it has developed several iterations of the draft Law.
- The draft Law is pending review by the National Assembly Standing Committee (NASC).
- In early December, the Office of Government forwarded a directive from the Deputy Prime Minister to MOF, requesting that the **MOF make changes to the SCT dossier in line with Resolution No. 115**, which asked MOF to further study the hybrid tax on beer and alcohol.
- In response, on 08 December, MOF issued a report to the Prime Minister on the SCT dossier, **proposing a timeline for the tax and its tax rates.**
 - MOF proposed the Government to present the dossier to the NASC under 2 scenarios: (1) The Government follows the timeline in Resolution No. 115 and submits the dossier to the NASC for discussion on 18 December 2023. The dossier will then be read in the first NA hearing in May 2024 and be approved in the second hearing in October 2024. (2) The dossier is only submitted to the NASC in May 2024; it will then be read only in the NA hearing in October 2024 and discussed and approved in the hearing in May 2025.
 - MOF continues to **propose a tax rate (with a 10% rate in consideration) to be levied on water-based beverages according to the [Vietnam Technical Standard - TCVN 12828:2019](#) with a sugar content of over 5g/100ml.**
- The Government **did not manage to submit the dossier to the NASC on time for its 18 December meeting.** As such, the dossier was not included in the 2024 Legislative Agenda during the meeting. However, at the 18 December meeting, the **NA leaders still requested the Government to quickly finalise and submit the dossier so that it can be included in the 2024 Legislative Agenda.**
 - It is expected that there will not be any separate NASC meeting in January 2024 to discuss the possible inclusion of the SCT into the 2024 Legislative Agenda. Nevertheless, the **Government will still be able to submit it to the NASC for consideration from now until 01 March 2024.**
- FIA will continue to monitor the developments on the draft Law and work alongside local colleagues and trade associations to convey industry concerns and push back against the tax.

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UPDATES ON MONRE'S REVISIONS OF EPR REGULATIONS

- The Ministry of Natural Resources and Environment (MONRE) is in the midst of [revising and developing several Extended Producer Responsibility \(EPR\) regulations](#) for the country.
- The [draft recycling costs \(Fs rates\)](#) have been submitted to the Prime Minister for approval of issuance. **Data regarding the packaging of aluminium and plastic (including rigid PET, soft mono-material and soft multi-material) was adjusted** from the Ministry of Justice (MOJ)'s appraisal version on 14 August.
- **Packaging Recycling Organisation (PRO) Vietnam has been developing its own process and procedures to monitor and control recyclers' operations** to ensure compliance to the organisation. It has expressed **that it would like to set up its own collection system** instead of hiring recyclers to carry out the collection process and intends to **pilot this collection model** to evaluate its effectiveness before scaling it up.
 - However, some stakeholders have assessed that **this may not be the most feasible in current conditions** as hiring recyclers to carry out the collection process would be more cost-friendly than the PRO setting up its own collection system.
- As per Article 79.6 of the [Decree 08/2022](#), **MONRE has signed the list of organisations authorised to organise recycling (PROs)**. PROs are specifically authorised to "organize" recycling for others (not to conduct their own recycling).
 - 2 organisations under this list are: (i) PRO Vietnam (authorised to organize recycling for packaging) and (ii) the Vietnam Association of Motorcycle Manufacturers (authorised to organize recycling for batteries, lubricants, tires and vehicles). **The full list of PROs is expected to be uploaded on MONRE's website soon (no exact timeline provided).**
- **MONRE is also considering revising the Decree's provision on the list of recyclers**, using either of the following approaches: (i) publish the list of recyclers based on recyclers' requests without verifying the recyclers therein; or (ii) remove the list of recyclers from the Decree entirely. Producers/importers would then have to find recyclers by themselves without referring to MONRE's list.
- Following the MOJ's appraisal of the Draft amending Decree 08/2022, **MONRE is now consolidating stakeholders' comments on the amended Decree**. The timeline for the issuance of the amended Decree is not clear, but **MONRE is pushing for the Decree to be issued by 2023**. Following the issuance of the amended Decree, the amended Circular No.02/TT-BTNMT will be released.
- FIA will continue to monitor the developing situation and provide members with the necessary updates on revisions to and developments of EPR regulations in Vietnam.