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Hong Kong Retail Management Association
Submission (Revised) on the Public Consultation on the
Proposed Amendments to the Harmful Substances in Food Regulations
18 February 2021

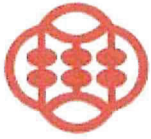
The Hong Kong Retail Management Association would like to thank the Centre for Food Safety for meeting with our member representatives on 8 February 2020 to discuss the Proposed Amendments to the Harmful Substances in Food Regulations and to hear members' concerns.

We found the discussions informative and constructive and gave us a more in-depth understanding of the Government's proposed amendment. We are committed to the health and well being of the public and are confident that all stakeholders involved can reach a consensus on how to implement the Government's proposed regulations in a practical manner that minimizes the impact on the trade, whilst upholding the shared objective of protecting public health.

Therefore, following our discussions, we would like to update our previous submission* and proposals as stated below:

1. Mycotoxin in Foods

We are encouraged by the existing overall 95% compliance level to the proposed standards stated in your consultation document which was further elaborated on during our discussions. We are therefore optimistic that these regulatory changes will cause minimal disruption to the trade.



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2. Banning of Partially Hydrogenated Oils (PHOs)

Following discussions and elaborations on our concerns with the Centre for Food Safety, we are pleased to support the banning of PHOs as proposed in the Public Consultation. We look forward to working closely with the Centre for Food Safety on the technical guidance notes to ensure a smooth implementation by our members.

3. Grace Period

The grace period is an important time that allows the trade to implement the proposed regulatory amendment before enforcement action and we propose this can be considered in two parts:

	Proposed Grace Period
Non-Labeling: Mycotoxins & PHOs	24 months
Labelling: Fully Hydrogenated Vegetable Oils	36 months

Justification for proposed grace period

Non-Labeling Changes

For Mycotoxins & PHOs, this will require members to contact all of their suppliers around the World and give them time to make any formulation adjustments or the selection of alternative products. Organoleptic testing, Nutrition content and Shelf life will have to reassess and validate. Products already produced may have a long shelf life and may take



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some considerable time to clear given some products may have a shelf life of 18 months (most frozen foods) or two to three years (canned foods). We need to avoid producing food waste and the environmental and cost consequences.

Labelling Changes

For any changes to foods labelling, the information must first be obtained from all suppliers around the World and for those products produced in packaging specifically for the Hong Kong market, the packaging needs to be changed if the product contains fully hydrogenated oils and this is a very time consuming process which involves:

- Designing new artwork
- Making packaging printing plates
- Ordering packing from packaging supplier. There is always a minimum order quantity meaning that excess packaging may have to be ordered far in excess of immediate needs with the balance held in stock for later use.
- Run down inventory of old packaging stock, sometimes more than 12 months stock for certain items
- Manufacture the food in the new packaging and send to Hong Kong
- Sell all food produced in old packaging taking into account expiry date

For these practical reasons listed above and to avoid food and food packaging waste, we request a 36 months grace period for the labelling of 'fully hydrogenated oils' on each pack.

* Please note this copy of revised submission superseded the one dated 17 February 2021.

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