

Food and Environmental Hygiene Department

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Minutes of a Technical Meeting with Trade on the Labelling Scheme on Nutrition Information (Food Retailers' Subgroup) held on 11 April 2004 at 2:30 p.m. in Room 2005, Murray Building

PRESENT:

Government Representatives

Dr HO Yuk-yin	Consultant (Community Medicine), FEHD	(Chairman)
Ms Vivian KO	Principle Assistant Secretary, HWFB	
Ms SHEA Wing-man	Assistant Secretary, HWFB	
Mr Stanley NG	Senior Administrative Officer (Food and Public Health), FEHD	
Dr Priscilla KWOK	Senior Medical Officer (Risk Assessment), FEHD	
Dr Stephen CHUNG	Senior Chemist (Food Research Laboratory), FEHD	
Mr YIP Ming-bor	Superintendent (Risk Assessment), FEHD	
Mr LI Ka-kei	Chief Health Inspector (Food Labelling), FEHD	
Ms Jacqueline FUNG	Scientific Officer (Risk Assessment), FEHD	(Note-taker)

Trade Representatives

Hon. Vincent FANG, J.P.	LegCo Member	
Ms CHEUNG Lai-kuen	LegCo Member Assistant	
Ms Anita BAGAMAN	Executive Director, HK Retail Management Association	
Ms Rita C.W. AU	Buyer, AEON Stores (HK) Co. Ltd. – JUSCO	
Ms Leslie LEUNG	Food Technologist, A.S. Watson Co. Ltd. - PARKnShop	
Mr Thomas CHAN	Deputy Officer, CR Care Co. Ltd. (China Resources Retail)	
Mr Anthony CHEUNG	Deputy Officer, CR Care Co. Ltd. (China Resources Retail)	
Ms Rebecca LEE	Deputy Officer, CR Care Co. Ltd. (China Resources Retail)	
Mr Douglas BROWN	Director – Group Procurement, Dairy Farm Company Ltd.	
Ms Angie CHAN	Quality Assurance Manager, Dairy Farm Company Ltd.	

Ms Brenda CHAN Buying Manager, Marks and Spencer (Asia Pacific) Ltd.
Ms Winnie AU Buyer, Marks and Spencer (Asia Pacific) Ltd.

Agenda Item 1

Confirmation of Minutes

1. Minutes of the meeting held on 15 September 2004 were confirmed without further amendments.

Agenda Item 2

Progress Update on the Labelling Scheme on Nutrition Information

2. Dr P KWOK briefed participants on the results of the public consultation exercise, results of the public opinion survey, results of the Regulatory Impact Assessment (RIA) and the revised proposal on the nutrition labelling scheme (Annex 1).

Public Opinion Survey and Regulatory Impact Assessment

3. After the presentation, the Chairman remarked that as most of the nutrition labels available at that moment already provided the information on energy, protein, total fat and carbohydrate, therefore the “extra” benefits brought by Options IV and VIII would be limited. As a result, both options could not produce a positive net benefit under the RIA study, thus they were not considered by the Administration when revising the proposed NL scheme.

4. Hon. Vincent FANG enquired about the background and more detailed results regarding the public opinion survey. The Chairman replied that over one thousand individuals were selected randomly and surveyed by telephone interview in early 2004. Results of the survey indicated that approximately 89% of the respondents supported the implementation of the labelling scheme on nutrition information despite that food prices might increase. Furthermore, 81% supported the scheme even if some foods might cease to be imported into Hong Kong and in turn less variety of foods might be available in the market.

5. Since not all individuals who read NL would apply the information, the HKRMA representative asked how the survey data was applied in the RIA study. The Chairman said that the percentage of people who would benefit from NL was discounted by the following

factors: % of pre-packaged food consumed; % of individuals who read and applied the nutrient information on food labels; plus % of the population who would be affected in terms of health by the particular nutrient.

Revised Proposal on the Nutrition Labelling Scheme

6. The HKRMA representative enquired about whether the Administration had estimated the number of prepackaged foods and number of SMEs that might be affected by the revised proposal. The Chairman replied, according to the RIA study, the consultants estimated that there were approximately 22,000 product lines (ranging from 14,000 to 30,000) available in Hong Kong. Under the most stringent option, it was estimated that between 5% to 10% of prepackaged food products and 191 SMEs (less than 1% of total) involved in food businesses would be affected. However, he explained that the affected items would likely to be niche products.

7. The HKRMA representative also remarked that the grace periods were considered too short as (a) a large variety of prepackaged foods would be impacted; (b) two-year time was not enough to clear the stocks in hand; and (c) importers required time to contact and inform overseas manufacturers to make changes. The Chairman said that the offer of two-year grace periods was proposed after considering the norm of grace periods for most of the food-related regulations in Hong Kong and the range of shelf-life of prepackaged foods (i.e., most of the prepackaged foods had a shelf-life of less than 2 years).

8. Most of the trade representatives were concerned about the timeframe, the Chairman indicated that the Administration planned to introduce the legislative amendments to the Legislative Council in 2006 and the soonest implementation time for Phases I and II would be 2008 and 2010, respectively. Ms V KO supplemented that the timeframe was a tentative one and would greatly depend on the legislation drafting process.

9. A trade representative asked whether the nutrient tests would need to be performed by local laboratories. The Chairman replied that the proposed regulations would not specify the requirements on source of nutrition information. Though he pointed out that the tests should be validated methods and/or ones that were internationally recognized. He also told the meeting that other than direct analysis, the trade could perform indirect nutrient analysis when formulating nutrition labels.

10. Mr KK LI added that regardless of the source of data, the vendor has the responsibility to verify the truthfulness of the information marked on the label; relevant actions would include performing random nutrient testings and requesting test reports from

manufacturers or ingredient suppliers.

11. A participant opined that the proposed NL scheme would have major impact on the trade and asked whether the Administration would offer any assistance to the trade. The Chairman said that the Administration would publish guidelines on nutrition labelling and nutrient testing methods for the trade's reference. Furthermore, workshops would be conducted to assist the trade in making changes.

12. Representatives from the trade urged the Administration to release the guidelines as soon as possible. The Chairman indicated that the guidelines would be made available within one year of the enactment of the nutrition labelling regulations. He then supplemented that FEHD had already discussed with laboratory services providers on test methods development. As for other technical issues, such as exemption list and tolerance limits, the Government would continue to have dialogues with the trade on the development of the scheme; therefore, they would be kept informed about the details of the requirements before the release of the guidelines.

13. Data showed that the consumption of prepackaged foods only represented twenty-something percent of a general diet. Hon. Vincent FANG and some trade representatives questioned the degree of health impact that might be brought about by a nutrition labelling scheme on just prepackaged foods. Regarding the assessment results, the Chairman informed the meeting that they would have a better idea when it was made available. He added that FEHD had been conducting nutrient analyses on local indigenous foods and the information had been posted on the FEHD website (under the Nutrient Inquiry Information System, NIIS). He indicated that with the proposed NL scheme on pre-packaged foods and the NIIS focused mainly on non-prepackaged foods, together with nutrition education programmes by FEHD and various government departments/health organizations, such as the Department of Health, the Hospital Authority and the Education and Manpower Bureau, individuals would be empowered to make healthy eating choices.

Agenda Item 3

Any Other Business

14. There being no further business, the meeting was adjourned at 4:20 PM.