

**Food and Environmental Hygiene Department**

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**Minutes of a Technical Meeting with Trade on  
the Labelling Scheme on Nutrition Information (Manufacturers' Subgroup)  
held on 9 June 2005 at 2:30 p.m.  
in Room 4331, 43rd Floor, Queensway Government Offices**

**PRESENT:**

**Government Representatives**

Dr HO Yuk-yin	Consultant (Community Medicine), FEHD	(Chairman)
Ms Vivian KO	Principal Assistant Secretary, HWFB	
Ms SHEA Wing-man	Assistant Secretary, HWFB	
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 Waiky WONG	Research Officer (Risk Assessment), FEHD	(Note-taker)
Ms Jacqueline FUNG	Scientific Officer (Risk Assessment), FEHD	(Note-taker)

**Trade Representatives**

Ms Maria LAU	Deputy Secretary General, The Chinese Manufacturers' Association of HK
Ms Miran NG	Assistant Manager, The Chinese Manufacturers' Association of HK
Mr Delon SHUM	Assistant General Manager, Cheong Kee Special Food Product Ltd.
Mr SO Ken-kam	Business Development Manager, Cheong Kee Special Food Product Ltd.
Mr Doni CHAN	Marketing Assistant, Cheong Kee Special Food Product Ltd.
Ms Elmer LAM	Assistant Marketing & Sales Manager, Four Seas Global Food Co., Ltd.
Ms Christine NG	Marketing & Sales Supervisor, Four Seas Global Food Co., Ltd.
Ms Fiona TONG	Marketing Officer, Four Seas Global Food Co., Ltd.

Mr Jeffery CHIANG	Marketing Assistant, Four Seas Global Food Co., Ltd.
Ms Phyllis WONG	Administrative Officer, Home of Swallows Ltd.
Mr YONG Sin-tung	Director / Manager, H.K. Rice Merchants Enterprises Ltd.
Mr NING Wei	Managing Director, H.K. Rice Merchants Enterprises Ltd.
Mr LIN Wei-guang	Marketing Consultant / Vice Manager, H.K. Rice Merchants Enterprises Ltd.
Ms CHANG Pui-sze	QA Officer, Kampery Development Ltd.
Mr Nelson LUI	Managing Director, Kwong Tai Hong Sealand Products Co. Ltd.
Ms IP Hoi-lam	Sales Clerk, La Rose Noire Ltd.
Mr Timothy TAM	Laboratory Manager, Lee Kum Kee International Holdings Ltd.
Ms Mona WONG	Technical Officer (Food Regulations), LKK International Holdings Ltd.
Mr TANG Kwok-hing	Managing Director, Sunning Development Limited
Mr Raymond LEE	Manager, Sunning Development Limited
Mr Samuel CHAN	Laboratory Manager, The Garden Company Ltd.
Mr Bryan YIP	Quality Management Manager, The Garden Company Ltd.
Mr Vincent MAK	QA Officer, The Garden Company Ltd.
Mr MO Shing-chi	Sales Department Sub-Manager, The Tien Chu (Hong Kong) Co Ltd.
Mr Dick CHIANG	Clerk, The Tien Chu (Hong Kong) Company Ltd.
Mr Joe HO	Group Technical Director, Vitasoy International Holdings Ltd.
Ms Sue LAU	HKPD Manager, Vitasoy International Holdings Ltd.
Mr TSANG Hon-chung	Supervisor, Wah Fung Marine Products Co.

## Action

### Welcoming Remarks

1. The Chairman opened the meeting by welcoming the trade representatives and told them the latest development with regard to the labelling scheme on nutrition information. In brief, he informed the meeting that the voting result of the motion debate at the LegCo on 8 June 2005, which indicated that majority of the LegCo

members supported the NL proposal and they had asked the Administration to do more so as to make the scheme a better one.

### **Agenda Item 1**

#### **Confirmation of Minutes**

2. Minutes of the meeting held on 6 April 2005 were confirmed without further amendments.

### **Agenda Item 2**

#### **Updates on Overseas Practice on Nutrition Information on Food Labels**

3. Ms FUNG briefed the participants on the latest development on overseas nutrition labelling (Annex I). After the presentation, the Chairman remarked that clearly there was a global trend towards introducing labelling scheme on nutrition information or tightening existing labelling scheme. Over the past few years, an increasing number of countries, both developed and developing countries, had formulated relevant schemes.

### **Agenda Item 3 Technical Issues on Nutrition Labelling**

#### **(i) Exemption List**

4. Dr KWOK briefed the meeting on the proposed amendments to the draft exemption list found in the Consultation document released in November 2003 (Annex 2).

5. Following the presentation, the Chairman emphasized that exemption would only be granted to prepackaged products *without* claims or other nutrition information, i.e., food product would lose its exemption status if it carries any nutrient-related claims or nutrition information. He further said that the Administration had taken into consideration the comments given by the trade and in response came up with some proposed additional exemption items, such as the exemption given to soup packs with assorted ingredients and food products produced by “front-shop-back-factory”.

6. At the meeting, trade participants sought clarifications of the followings:

*Lunch box delivered to schools* – Mr KK LI explained that food factory with endorsement for the preparation of lunch box to schools was exempted from food labelling if the lunch boxes were prepared upon receipt order and delivered directly to the ultimate consumer for immediate consumption on the spot. In this manner, the box (container) was used to facilitate the delivery of lunch box to school.

*Seasoning pack accompanied with the prepackaged meals, dim sum, instant noodles, etc.* – Dr KWOK clarified that separate nutrition label would not be necessary for seasoning pack included as part prepackaged meals, dim sum or instant noodles. The manufacturer could consolidate all nutrition information and provide one single nutrition label for the food product as a whole. However, nutrition labelling would be required if individual seasoning packs were sold separately, unless it bore no nutrient-related claims and the size of the package was less than 100 cm<sup>2</sup> (total surface area). As for seasoning packs provided at the catering establishments, these items would be exempted from nutrition labelling under exemption item no. 2 in the revised list.

*Soup packs containing assorted ingredients* – The Chairman remarked that this exemption was proposed in response to the trade's comments on the difficulty of standardizing the amounts and types of ingredients of some soup packs. However, exemption would not be granted to soup or concentrated soup.

*Flavourings and Seasonings* – Dr KWOK clarified the reasons behind deleting “flavourings” from the revised exemption list. In reality, the Administration took another approach by granting exemption to flavourings and other food items by assessing whether the food items contained insignificant amount of energy and nutrients. For example, vanilla extract with insignificant amount of energy and nutrients would be exempted from nutrition labelling (Item No. 9 in the revised exemption list). For seasonings such as soy sauce and chicken powder, they would not be exempted as these food products contained a substantial amount of nutrients, notably sodium.

*Alcoholic beverages* – Mr KK LI clarified that drinks with an alcoholic strength by volume of more than 1.2% would be exempted from nutrition labelling. With regard to the existing food labelling regulations, alcoholic drinks with an alcoholic strength by volume of 10% or more were exempted from all food labelling. For

drinks with an alcoholic strength by volume of more than 1.2% but less than 10% were exempted from the provision of food labelling information except the indication of durability.

*Prepackaged foods sold in bulk package* – Mr KK LI informed the meeting that if the prepackaged foods were intended to be sold in bulk package to consumers, the outer packing should bear a food label which complied with the food labelling regulations. If not, the manufacturers/suppliers should inform the retailers that prepackaged foods should not be sold in bulk package. The manufacturers/suppliers might consider signing an agreement with retailers in this regard.

*Assorted packaged* – Ms FUNG remarked that there would be two options available for nutrition labelling for assorted packages: (i) one nutrition label covering all different varieties of products found in the package, provided that the nutrition contents of each variety of product were the same/similar; and (ii) separate nutrition labels for different varieties of products found in the package.

*Gift with purchase or free food for tasting* – Mr KK LI explained that if the gift was bundled with the prepackaged food and sale as a whole item, both the gift and the food item should bear a food label complying with the food labelling regulations, including NL requirements. He supplemented that free foods given out for tasting without sales transaction would not be governed by the existing food labelling regulations.

*Prepackaged foods for market testing purpose (e.g., for sale at a food fair)* – The Chairman clarified that prepackaged foods introduced for market testing purpose would require nutrition labels. Mr KK LI supplemented that prepackaged food for marketing testing purpose were required to comply with the current food labelling regulations.

7. The Chairman informed the meeting that after collecting comments from the trade at the technical meetings, the exemption list would be further revised and tabled for discussion at the next meeting. He urged the trade representatives to propose other exemptions for the consideration of the Administration before finalizing the list later in the year.

## **(ii) Tolerance Limits**

8. Ms FUNG introduced the proposal on tolerance limit at the meeting (Annex 3). The Chairman remarked that some members of the trade had repeatedly expressed their wish to have the same labelling scheme on nutrition information as the Mainland. Although the Mainland's scheme was not yet forthcoming, they had made proposals on the tolerance limits. The Administration suggested the adoption of the Mainland's proposed tolerance limits. He added that the tolerance limits would be included in the labelling guidelines for the reference of the trade.

9. A trade representative enquired whether the proposed tolerance limits covered the uncertainty of test methods. Dr CHUNG replied that uncertainty of test methods was not taken into consideration when setting tolerance limits as it would be dealt with as a separate issue and on a case by case basis. A follow-up question on whether the Administration would standardize nutrient test methods was raised by a trade representative. Dr CHUNG informed the meeting that a separate meeting focused on laboratory testings was held between the Administration and laboratory service providers. It was agreed that a set of guidelines on laboratory testing methods comprising information on reference test methods would be published for the trade's reference. He emphasized that these test methods would be for reference purpose only and would not be made mandatory.

10. The Chairman supplemented that most of the test methods would be derived based on AOAC methods. Both in-house and private/commercial laboratories could conduct nutrient tests. A representative enquired whether the Administration would consider deriving reference test methods from GB nutrient test methods in the Mainland. Also, whether there were plans to compare results of AOAC nutrient test methods and those obtained from PRC GB nutrient test methods. The Chairman replied that generally AOAC test methods were well recognized internationally, thus local reference test methods would be based mainly on AOAC methods. He pointed out that the use of test methods (e.g., AOAC vs. GB test methods) would not be taken into account when setting tolerance limits as tolerance limits were given due to natural variation of nutrient content found in foods rather than uncertainty of test methods.

11. Participants at the meeting had no strong views on the adoption of tolerance limits in the Mainland. However, a trade representative opined that food regulations in the Mainland were relatively stringent as compared to food regulations in Hong

Kong and other countries. He was concerned that the final tolerance limits for the Mainland's NL scheme would be more stringent, for example  $\pm 10\%$ . The Chairman agreed to keep in view the development on NL in the Mainland and would consider making necessary changes with regard to the tolerance limits as needed. He remarked that if in case there was a substantial change, the Administration would seek further comments from the trade in due course.

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### **(iii) Rounding Rules**

12. Ms FUNG briefed the meeting on the proposed rounding rules for the NL scheme (Annex 4). A participant told the meeting that a software had been developed by a US firm for the purpose of rounding nutrient data. He suggested the Administration to set up a similar computerized programme to facilitate the trade in this regard.

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13. Some participants supported the adoption of the Mainland's rounding rules as it would facilitate their trading businesses under the CEPA agreement. However, others gave preference to the increment approach as it would widen the range of the compliance limits. The Chairman noted their concerns and remarked that the rounding rules would be included in the NL guide, instead of being part of the regulations. However, he encouraged the trade to follow the guide closely in the future.

14. The Chairman encouraged the trade representatives to study the tolerance limits and rounding rules issues in detail since both of them were technical and complicated. He welcomed further discussion in future meetings.

### **Agenda Item 4**

#### **Proposed Contents of the Draft Guide on Labelling Scheme on Nutrition Information**

15. Ms FUNG told the meeting the outline of the draft NL guide (Annex 5). Trade representatives had no further addition to the proposed content of the NL guide. The Chairman said that the Administration aimed to release the draft guide for comment after the enactment of the nutrition labelling regulations. Furthermore, workshops for the trade would be conducted to facilitate their understanding of the

regulations and making of accurate nutrition labels for the local market.

### **Agenda Item 5**

#### **Any Other Business**

16. The Chairman informed the trade representatives that next technical meeting would be held around September 2005 covering other technical issues, including principles and/or conditions for nutrient-related claims; synonyms for nutrition claims; and simplified formats.

17. Several participants urged the Administration to review the criteria for small prepackaged foods. One trade representative suggested the calculation of surface area should be based on surface area available for labelling, e.g., excluding shoulders and necks of non-uniform shaped bottles and jars. Furthermore, as the font type and font size of Chinese characters were different from English letters, some representatives opined that there might be difficulty in placing a Chinese or bilingual nutrition label on small prepackaged foods. The Chairman agreed to study the issues and discuss at the next meeting.

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18. There being no further business, the meeting was adjourned at 5:50 PM.