

Food and Environmental Hygiene Department

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**Minutes of a Technical Meeting with Trade on
the Labelling Scheme on Nutrition Information (Importers’/Suppliers’ Subgroup)
held on 21 June 2005 at 9:30 a.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	
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 Waiky WONG	Research Officer (Risk Assessment), FEHD	(Note-taker)
Ms Jacqueline FUNG	Scientific Officer (Risk Assessment), FEHD	(Note-taker)

Trade Representatives

Mr Ronald LAU	Vice President, The Hong Kong Food Council
Mr Simon WONG	Vice Chairman, The Hong Kong Food Council
Mr Albert TANG	Chairman, Hong Kong Suppliers Association Ltd.
Ms Betty LEUNG	Committee Member, Hong Kong Suppliers Association Ltd.
Mr Johnny LO	Committee Member, Hong Kong Suppliers Association Ltd.
Mr Joseph MA	Committee Member, Hong Kong Suppliers Association Ltd.
Ms Frenda WONG	Committee Member, Hong Kong Suppliers Association Ltd.

Mr Jacky YU	Committee Member, Hong Kong Suppliers Association Ltd.
Mr LAI Tak-wong	Warehouse Manager, Champion Fair Ltd.
Ms Connie NGAI	Administration Officer, China Pacific Group Ltd.
Ms Amy YEUNG	Marketing Manager, China Pacific Group Ltd.
Mr Michael LIU	Marketing and Development Manager, Dah Chong Hong Ltd.
Ms Veness YEUNG	Senior Trade Marketing Executive, Friesland Foods HK Ltd.
Ms Brenda CHAN	Buying Manager – Food, Marks and Spencer (Asia Pacific) Ltd.
Mr HO Kwok-ying	Alternated Director & Senior Manager, The Asia Provisions Co. Ltd.

Welcoming Remarks

Action

1. The Chairman opened the meeting by welcoming the trade representatives particularly those who joined the meeting for the first time.

Agenda Item 1

Confirmation of Minutes

2. Minutes of the meeting held on 7 April 2005 were confirmed without amendments.

Agenda Item 2

Updates on Overseas Practice on Nutrition Information on Food Labels

3. Ms J FUNG presented the latest development on overseas nutrition labelling (Annex I). The Chairman welcomed supplementation from the trade representatives. He clarified that other than the types and number of core nutrients and nutrient content expressions, the Administration planned to impose minimum nutrition labelling requirements making reference to Codex recommendations. Unlike other countries, no detailed formatting requirements (such as font size, colour, nutrients order, etc.) would be specified in the local scheme.

4. As for trans fat labelling, the Chairman noticed that (i) an increasing number of countries required trans fat declaration on nutrition label; (ii) Codex provided an option for mandatory declaration of trans fat if the product carried a fat or cholesterol claim; and (iii) some members of the medical and paramedical fraternity and LegCo urged the Administration to include trans fat in the core nutrient list. As a balancing act, the Administration would consider requiring trans fat declaration, along with saturated fat, monounsaturated fat, polyunsaturated fat and cholesterol listings, in the presence of a fat or cholesterol claim.

5. Selected trade representatives urged the Administration to reconsider matching the core nutrient list with the one proposed by the Mainland. The Chairman explained that the core nutrient list was determined after studying the local public health situation. Furthermore, he told the meeting that the general public and health professionals found the information on saturated fat and dietary fibre, the two nutrients not required to be declared under the Mainland proposal, important and useful.

Agenda Item 3 Technical Issues on Nutrition Labelling

(i) Exemption List

6. Dr P KWOK briefed the meeting on the proposed amendments to the draft exemption list found in the Consultation document released in November 2003 (Annex 2). The Chairman added that the exemption list was not yet finalized and the Administration remained open to other recommendations. Furthermore, he stressed that the recommendations should be found acceptable to the general public, and not jeopardizing the public health purpose of the whole scheme.

7. At the meeting, trade representatives sought for clarifications on the following:

Lunch box – 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. The

Chairman clarified that lunch boxes or meal packs available for sale at supermarkets or convenience stores would be subject to NL regulations as nutrition information should be made available at the point of sale for consumers to make healthy food choices.

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.

Gift with purchase or free food for tasting – Mr KK LI explained that foods given out for tasting without any sales transaction would not be governed by the existing food labelling regulations. Ms V KO and Mr S NG supplemented 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 legislation, including NL requirements.

Prepackaged food with insignificant amount of energy and nutrients – Ms J FUNG clarified that seasonings, such as soy sauce and chicken powder, would not be exempted as these food products contained a substantial amount of nutrients, notably sodium. She reminded the trade that if the product bore a nutrient-related claim (e.g., no energy) it must be accompanied with a nutrition label, i.e., losing the exemption status if a nutrient-related claim was made.

Small package with less than 100 cm² total surface area – The trade representatives urged the Administration to reconsider relaxing the 100 cm² limit up to at least 200 cm² as bilingual NL occupied more space and Chinese characters were more difficult to read if in small prints. The Chairman said most countries adopted the same criteria. Nevertheless, he agreed to look into the difficulties in fixing nutrition labels to small food packages, particularly the non-uniform designed small packages. Furthermore, the trade requested a confirmation on use of languages on nutrition labelling. The Administration clarified the proposed requirements.

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Prepackaged foods introduced for market testing purpose – A trade representative enquired about granting exemption for prepackaged foods introduced for market testing purpose. The representative from HKSA (Chairman, Mr Albert TANG) suggested an alternative to cover all prepackaged foods with low sales volume imported by SMEs. He proposed that SMEs could apply for exemption given that the total sales volume of that particular product in Hong Kong ranged between 50,000 to 100,000 items per year. He added that since it would be an honor system, any trade violated this exemption should be subject to a higher level of penalty. The Chairman agreed to study the proposal in detail (including the sales volume, cost and profit margin per item, size of the company, profit made by the company, etc.), but he reminded the trade that food product would lose its exemption status if it carries any nutrient-related claims or nutrition information.

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(ii) Tolerance Limits

8. Ms J FUNG presented the proposal on tolerance limit (Annex 3). The Chairman pointed out that the draft tolerance limits proposed by the Mainland in its consultation in October 2004 were considered relatively stringent as it defined both upper and lower limits.

9. A trade representative told the meeting that some labels found in the Mainland allowed declaration of nutrient content in a range. Ms J FUNG quoted the General Standard for the Labelling of Prepackaged Foods for Special Dietary Uses (GB13432-2004) indicating that three different nutrient content expressions were allowed on special dietary foods in the Mainland, namely (i) the average/typical value; (ii) the range; and (iii) the maximum or minimum value. However, only average/typical value was proposed in the Mainland's NL consultation for general prepackaged foods. She also pointed out that average/typical value was the only nutrient content expression suggested by Codex. Apparently, the tolerance limits would be determined based on average/typical values on nutrition labels.

(iii) Rounding Rules

10. Ms J FUNG introduced the proposed rounding rules for the NL scheme

(Annex 4). The Chairman remarked that the tolerance limits would be more than 20% on most occasions after applying the rounding rules. The trade representatives had no specific views on the proposed rounding rules.

Agenda Item 4

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

11. Ms J FUNG briefed the meeting the outline of the draft NL guide (Annex 5). 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, particularly for SMEs, would be conducted to facilitate their understanding of the regulations and making of accurate nutrition labels for the local market. Trade representatives had no further addition to the proposed content of the NL guide.

Agenda Item 5

Any Other Business

12. Several trade representatives had concerns in the demerit point system. They opined that the system was too harsh and suggested excluding nutrition labelling requirements from the system. The Chairman told the meeting that the demerit point system was set up by the Licensing Section of the Environmental Hygiene Branch. He agreed to find out the details about the system.

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13. 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.

14. There being no further business, the meeting was adjourned at 1:00 PM.