

International Business Committee

Nutrition Labelling Scheme for Prepackaged Food

Purpose

This paper updates the International Business Committee (IBC) on the latest progress of the introduction of a nutrition labelling scheme (the Scheme) for prepackaged food in Hong Kong.

Legislative Process

2. The Administration last briefed the IBC on the key features of the proposed Scheme in September 2007. Taking into account the views of the IBC and other stakeholders, including members of the food trade, the medical sector and Consulates-General, the Administration moderated the previous proposal and in December 2007 presented to the Legislative Council Panel on Food Safety and Environmental Hygiene a revised proposal. The Scheme was carefully formulated to balance the need to assist consumers in making informed choices, and the need to maintain diversity in food.

3. The Amendment Regulation for the nutrition labelling scheme was tabled in the Legislative Council on 9 April 2008. A Subcommittee was formed by the Legislative Council to scrutinize the Amendment Regulation. Having considered the views from the Subcommittee and the concerns expressed by members of the public and the trade, the Administration put forward two amendments to the Legislative Council: the extension of the small volume exemption scheme to food products with nutrition claims and relaxation on the labelling of trans fat. The amendments were put to vote at the Legislative Council on 28 May 2008, but both amendments did not find sufficient support for them to carry.

Features of the Scheme

4. The final Scheme, as set out in the Amendment Regulation enacted by the Legislative Council, requires all prepackaged food to label energy plus seven core nutrients, namely (i) protein, (ii) carbohydrates, (iii) total fat, (iv) saturated fat, (v) trans fat, (vi) sodium and (vii) sugars, as well as any nutrient for which a claim is made. When a nutrition claim is made on the different types of fat, the amount of cholesterol should also be declared.

5. In regulating nutrition claims, the Scheme follows generally the standards and conditions stipulated in the Guidelines of the Codex Alimentarius Commission¹. In light of the common use of certain nutrition claims, some non-Codex claims (e.g. “Low Sugar”, “Trans Fat Free”) are also permitted. For nutrients without widely accepted international standards for making claims, e.g. Omega 3, we allow the flexibility for food traders to make a quantitative declaration of the nutrient value provided that the declaration does not place any emphasis on the high/low content, presence/absence of that nutrient contained in the food. It is also worth noting that the Scheme does not prohibit declarations on allergenic substances, e.g. “Lactose Free”, “Gluten Free” and does not regulate organic food products.

6. The Scheme contains ample flexibilities in the labelling format, and accepts energy to be labelled in either kilocalorie or kilojoule; nutrition labels in either per 100 g/ml or per serving format. In addition, a number of facilitation measures are also built in to minimize the impact on the trade and food choice. Having regard to the practical difficulty of the trade, we have included exemptions for certain types of prepackaged food from the nutrition labelling requirements, including prepackaged food packed in a container which has a total surface area of less than 100 cm²; food which is fresh or raw in nature without any addition of ingredient, etc., provided that no nutrition information or nutrition claim is present. Furthermore, food products bearing no nutrition claims and with annual sales volume not exceeding 30 000 units can enjoy small volume exemption, subject to prior approval by the Food and Environmental Hygiene Department (FEHD). To allow the trade to make necessary adjustments, the Scheme will come into operation on 1 July 2010.

Partnership with the Stakeholders

7. All the stakeholders, including the food trade, the Legislative Council, the public at large and the Administration, have had in-depth discussion over the Scheme during the consultation and legislative process. Looking ahead, the Administration would continue to collaborate with the stakeholders to facilitate compliance with the statutory requirements of nutrition labelling, and to launch an education and publicity campaign, for the benefits of the community.

8. The Administration is keenly aware of the possible hurdles faced by the trade in adapting to the changes, and would spare no effort in assisting the trade to comply with the new requirements. The Administration has been drawing up a

¹ The Codex Alimentarius Commission was created in 1963 by the United Nations Food and Agriculture Organisation (FAO) and the World Health Organisation (WHO) as an international authority to develop food standards, guidelines and related texts such as codes of practice under the Joint FAO/WHO Food Standards Programme.

technical guidance notes in consultation with the trade since late 2007, to provide detailed technical information to facilitate compliance. The final draft of the guidance notes was issued shortly after the enactment of the Amendment Regulation and the FEHD met with the trade in mid June with a view to finalizing the technical guidance notes. The Centre for Food Safety is prepared to publish the bilingual technical guidance notes by July 2008, for facilitating the trade to begin their preparation at an early stage. In order to assist the trade to tackle any possible difficulties in a more direct manner, the FEHD will run workshops for the trade beginning in July 2008. There are also dedicated staff members in the FEHD who are familiar with the nutrition labelling scheme to answer enquiries from the public and traders. The FEHD will continue to explore other effective avenues to assist the trade, in particular the small and medium enterprises.

9. Education must come hand in hand with the new law to realise the full benefits of the nutrition labelling scheme for consumers. The Task Force on Nutrition Labelling Education comprising representatives from various professional and trade organisations, like the Hong Kong Medical Association, the Hong Kong Retail Management Association, the Consumer Council, met in mid June 2008 to co-ordinate public education and promotion activities on nutrition labelling. The Administration will build up a strategic network of education alliance to deliver a quality and target-based education programme throughout the two-year grace period. Activities include territory-wide promotion campaign, talks and seminars, resources materials like posters and leaflets, teaching kit, Education TV programmes, videos and roving exhibitions. We will closely monitor the feedback of the trade, the public and other stakeholders to ensure effectiveness.

10. Members are invited to note the progress report for information.

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