



10 February 2015

BY EMAIL ([panel\\_fseh@legco.gov.hk](mailto:panel_fseh@legco.gov.hk)) & BY POST

Panel on Food Safety and Environmental Hygiene of the Legislative Council,  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong

**Initial views on “Regulation of Nutrition and Health Claims on Formula Products and Foods for Infants and Young Children in Hong Kong”**

Dear Sir,

As a global leader in the food industry committed to serving consumers in Hong Kong, Danone Nutricia welcomes government regulation of nutrition and health claims on products for infants and young children up to 36 months old.

**Principle: Health and nutrition information allows consumers to make an informed choice**

Parents rightly attach great importance to the health of their children and are increasingly aware of the need for a healthy diet. The latest scientific findings also show the clear impact of early-life nutrition on health in later years. Product packaging provides one of the most important sources of information on the health benefits and nutritional value of the food contained inside. We believe that these health and nutrition claims enable parents to make informed choices and should be allowed based on fact based scientifically proven information that are not exaggerated or misleading.

**Views on regulatory framework and conditions of the regulation**

**(1) Information to promote understanding of nutrition science**

Danone Nutricia invests heavily in research and development to design products that meet the specific needs of infants and young children in each of our local markets. Small changes in a formula product can have a big impact on future health, so we follow strict Danone Nutricia nutritional standards and international guidelines when bringing the latest science to our products. Regulations should help promote a greater understanding of the science behind good nutrition.

**(2) Limiting information on scientific benefits could put R&D in jeopardy**

Research shows significant gaps exist between an optimal diet and the nutrition many young children actually received<sup>1</sup>. Baby nutrition products can help meet the challenge of providing a

<sup>1</sup> A Survey of Infant and Young Child Feeding in Hong Kong: Diet and Nutrient Intake, Department of Medicine and Therapeutics Centre for Nutritional Studies The Chinese University of Hong Kong And Family Health Service The Department of Health Hong Kong SAR Government 2012

Walton J. and Flynn A. Nutritional adequacy of diets containing growing up milks or unfortified cow's milk in Irish children (aged 12-24 months). Food and Nutrition Research 2013; 57:21826

properly balanced diversified diet to meet their children's nutritional requirements, for example key micro-nutrients like iron or vitamin D. Danone Nutricia invests large sums in research and development to produce ever-improved products that respond to the nutritional and physiological needs of infants and young children. Prohibiting companies from communicating these benefits, even those that are scientifically proven, would hinder research and innovation in this sector.

**(3) Evidence-based system would protect young and ensure fair competition**

A proper evidence-based regulatory framework would ensure a high level of protection for infants and young children from unsubstantiated claims, while also ensuring legal clarity and fair competition for food business operators. Danone Nutricia supports the idea of creating a list of pre-approved health and nutrition claims in Hong Kong – a system that has proved to be effective in other developed markets such as the European Union, Australia, New Zealand, USA and Singapore. The administrative burden is reduced, as a claim needs simply to be checked against the list and condition of use is specified to verify whether it is misleading or not. The ultimate aim of the framework should be to enable the industry and other stakeholders to work together to promote good feeding practices and improve nutrition for infants and young children in Hong Kong.

Nutrition plays a crucial role in this unique period. The science of nutrition is advancing every day and usually directs revision of guidelines (e.g. lowering protein level<sup>2</sup>). We therefore call upon the Hong Kong Government to regulate based on inclusive approach, ensure a process of on-going reviewing the positive list of claims, allowing the views of all stakeholders to be heard in a transparent manner and grounded in sound science.

**Danone Nutricia Early Life Nutrition (Hong Kong) Limited**

---

<sup>2</sup> Recommended protein level for Follow-On formula reduced from 2.25-4.5g/100 kcal in 1991 to 1.8-3.5g/100 kcal in 2006. Commission Directive 91/321/EEC on infant formulae and follow-on formulae  
Commission Directive 2006/141/EC on infant formulae and follow-on formulae and amending Directive 1999/21/EC