



**Legislative Proposals on Regulation of Edible Fats and Oils and Recycling of "Waste Cooking Oils"**

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1 個附件檔



Feedback of Legislative Proposal Edible Fats and Oils 06102015.pdf

Dear Sir

Attached is Nestle Hong Kong's response to consultation of Legislative Proposals on Regulation of Edible Fats and Oils and Recycling of "Waste Cooking Oils".

If you have any queries, please don't hesitate to contact me at

Thank you.

Regards,

Joseph Ma  
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Quality Assurance  
Nestle Hong Kong Ltd.

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Your ref.

Our ref

Hong Kong,  
6 Oct, 2015

Dear Sir

**Subject : RESPONSE TO CONSULTATION OF LEGISLATIVE PROPOSALS RELATING TO REGULATION OF EDIBLE FATS AND OILS AND RECYCLING OF 'WASTE COOKING OILS', JULY 2015**

Nestle Hong Kong does not agree the legislative proposals relating to regulation of edible fats and oils and recycling of waste cooking oils. To impose such regulation will cause trade barrier, majority of edible fats and oils are imported from other countries (Mainland China, Canada, Brazil, US, Argentina, United Arab Emirates, Malaysia, Taiwan, Singapore, Thailand, Australia, New Zealand, Japan, France, Italy, other EU countries, etc.). Instead we proposed to establish guidelines which align with international practices and standards for edible fats and oils for local manufacturer, importer and exporter for reference. We would like to highlight the following points for your consideration.

1. To make it a statutory requirement that "waste cooking oils" and "substandard fats and oils" not intended for human consumption should not be used as ingredients for edible fats and oils manufactured locally or imported into Hong Kong.
  - We suggest to clearly defining the terms of 'waste cooking oils" and "substandard fats and oils".
2. To require edible fats and oils manufactured in Hong Kong (for export or domestic sale) should be accompanied by an official certificate or a certificate issued by an officially recognized independent testing institution.
  - As majority of edible fats and oils are imported from overseas, it is not an international common practice for this commodity to obtain such official certificate, such requirement will cause trade barrier. What about other food products and raw materials? CFS should not rush to impose regulation due to one incident.
3. To incorporate this requirement into the conditions of licences issued under the Food Business Regulation (Cap. 132X). The Food and Environmental Hygiene Department (FEHD) may cancel the license of any licensed factory manufacturing edible fats and oils if it is found to be in breach of the condition.
  - We believed there is no need to revise the conditions of licences issued under the Food Business Regulation, as the existing Food Business Regulation, Public Health and Municipal

Services Ordinance, Food Safety Ordinance, Trade Description Ordinance, Harmful Substances in Food Regulation, Food Adulteration (Metallic Contamination) Regulations, Food and Drugs (Composition and Labelling) Regulations, Food Hygiene Code, Food Recall Guidelines, Microbiological Guidelines Ready To Eat Food, etc. are sufficient. On top any person misleads the nature, substance or quality of any food commits an offence.

4. To require that the imported fats and oils comply with the requirements for edible fats and oils produced locally, importers of edible fats and oils have to provide an official certificate or a certificate issued by an officially recognized independent testing institution certifying that the edible fats and oils imported into Hong Kong fulfill the above mentioned requirements, i.e. meeting the proposed statutory standards and being fit for human consumption.

To apply the same regulatory control on edible fats and oils manufactured locally/imported to exported edible fats and oils to accompany similar regulatory effects.

Importers of edible fats and oils should provide copies of certificates or other relevant documents to their downstream distributors, retailers of food premises for the FEHD's inspection.

- As mentioned above, such requirement will cause trade barrier. We are of the view that the existing Food Safety Ordinance have established clear instruction and responsibility for the manufacturer, importer, distributor and retailer, therefore such legislative proposal is not necessary which would not only increase unnecessary workload and manpower but eventually price increase.

5. Food supplements such as fish liver oil capsule and DHA capsule should not be covered in the legislative scope.

To conclude, we do not agree with the legislative proposal. Nevertheless we propose CFS to convene technical meeting for the trade and laboratory services provider to review suitable testing method of heavy metals, aflatoxin, erucic acid, benzo [a] pyrene, peroxide value, acid value, etc.

If you have any queries, please don't hesitate to contact the undersigned

Yours faithfully,  
Nestlé Hong Kong Limited

Joseph Ma  
Director – Regulatory, Scientific Affairs &  
Quality Assurance