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Respond to the proposed amendments to Food Adulteration (metallic contamination)
to: metal_consultation@fehd.gov.hk 8/9/2017

16:26

Cc:

1 Attachment



Feedback to the proposed amendments to Food Adulteration (metallic contamination) regulations.pdf

Dear Sir,

We are sorry for the delay on submitting our views on the proposed amendments to the Food Adulteration (Metallic Contamination) Regulations. Please find the detail of our views on the letter as attached.

Should you have any queries, please don't hesitate to contact [redacted] at [redacted] (e-mail [redacted]). Thanks.

Best regards,

Regulatory & Scientific Affairs

Tel.

Centre for Food Safety
(Attn: Consultation on proposed amendments to
the Food Adulteration (Metallic Contamination)
Regulations)
Food and Environmental Hygiene Department
43/F, Queensway Government Offices
66 Queensway, Hong Kong
Fax no.: 28933547
E-mail: metal_consultation@fehd.gov.hk

Your ref.

Our ref.

Hong Kong,
8 September, 2017

Dear Sir,

Subject : RESPONSE TO Proposed Amendments to the Food Adulteration (Metallic Contamination) Regulations

Nestlé do not agree of legislative proposals relating to establish MLs for foods/food groups which there is no relevant Codex MLs.

To impose such regulation will cause trade barrier, as the majority of foods in Hong Kong are imported.

Instead we proposed to completely adopt all Codex MLs Standard on metallic contaminants (CODEX STAN 193-1995, amended in 2016) to enhance and update the current regulations, with a view to better protecting public health, facilitating effective regulation and promoting harmonization between local and international standards.

Nestlé recognizes the General Standard for Contaminants and Toxins in Food and Feed (GSCTFF) benefits of harmonized food standard for contaminants, heavy metal and toxins that globally ensure fair trade practices in the food trade.

Therefore we support the development of international harmonization and alignment of local regulations with the GSCTFF.

We would like to highlight the following points for your consideration.

- (a) To replace the existing generic food categories of "all food in solid / liquid form" with specific MLs targeting individual food / food groups, with a view to aligning with the Codex principle and modern international regulatory trends of specifying metallic contamination standards for individual food / food groups of significant dietary exposure;
- In refer to CODEC STAN 193 (P. 7-9), the principles laid down for establishing MLs are set on primary agricultural products.
 - Will that imply the proposed new MLs will focus on controlling the metallic contamination in primary food/food groups, rather than processed food (finished food product) in solid/liquid form?

- (b) To adopt MLs established by Codex unless otherwise justified;
- We proposed to adopt all Codex MLs Standard on metallic contaminants (CODEX STAN 193-1995, amended in 2016) to enhance and update the current regulations, with a view to better protecting public health, facilitating effective regulation and promoting harmonization between local and international standards.
- (c) To establish MLs for food / food groups which are of significance to the population in Hong Kong and which there is no relevant Codex MLs;
- Do not agree of legislative proposals relating to establish MLs for foods/food groups which there is no relevant Codex MLs for reference; as it is inconsistent with international standard and will create confusion.
 - Nestlé recognizes the General Standard for Contaminants and Toxins in Food and Feed (GSCTFF) benefits of harmonized food standard for contaminants, heavy metal and toxins that globally ensure fair trade practices in the food trade.
 - Therefore, we support the development of international harmonization and alignment of national regulations with the GSCTFF.
- (d) To update the food descriptions and nomenclatures in the Regulations, with reference to the available Codex's food descriptions and nomenclatures or those of other jurisdictions as appropriate; and
- We propose to completely adopt Codex's descriptions and definitions to align with international standard.
- (e) To incorporate interpretation of MLs into the Regulations, given that there is currently no interpretation in the Regulations on how the maximum permitted concentrations can be applied to food in a dried, dehydrated or concentrated form; as well as multi-ingredient products.
- We propose to completely adopt Codex's principles in order to align with international standard

If you have any queries, please don't hesitate to contact me at _____ (my e-mail address _____).

Yours faithfully,
Nestlé Hong Kong Limited

Director - Regulatory, Scientific Affairs &
Quality Assurance