

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 29 November 2007 at 9:15 a.m.
in Conference Hall, 3rd Floor, Edinburgh Place, Central**

PRESENT:

Government Representatives

Dr HO Yuk-yin	Consultant (Community Medicine), FEHD	(Chairman)
Ms Kay KWOK	Assistant Secretary, FHB	
Dr Stephen CHUNG	Senior Chemist (Food Research Laboratory), FEHD	
Dr Anna WONG	Head (Risk Assessment Section), FEHD	
Dr Marina SUM	Senior Medical Officer (Risk Communication), FEHD	
Mr NG Ping-wah	Superintendent (Food Surveillance and Labelling), FEHD	
Mr CHUNG Kwok-wah	Chief Health Inspector (Food Labelling), FEHD	
Ms Joey KWOK	Scientific Officer (Risk Communication), FEHD	
Mr LEUNG Sui-sum	Superintendent (Risk Assessment), FEHD	(Notes-taker)

Trade Representatives

Mr Albert TANG	Hong Kong Suppliers Association Ltd.
Ms Eleanor CHAN	Hong Kong Suppliers Association Ltd.
Mr Johnny LO	Hong Kong Suppliers Association Ltd.
Ms HO Suk Mui	The Hong Kong & Kowloon Provisions, Wine & Spirit Dealers' Association
Mr Ben P.W. TSE	AEON Stores (Hong Kong) Co., Ltd.
Mr Edward CHAK	AEON Stores (Hong Kong) Co., Ltd.
Mr Noah SIO	AEON Stores (Hong Kong) Co., Ltd.
Mr Ricky PANG	AEON Stores (Hong Kong) Co., Ltd.
Mr Jimmy CHAN	AIC Merchandising (Japan) Ltd.
Mr PAK Siu Wa	China Dragon Company Ltd.
Mr Ming CHEUNG	Campbell soup (Asia) Co. Ltd.
Mr Covington LEUNG	C K Life Sciences Int'l., Inc.
Ms TO Ki Sim	Classic Fine Foods (HK) Ltd.
Ms May KAN	Coca-Cola China Ltd.
Ms Carmen NOU	IDS (Hong Kong) Ltd.

Mr LAM Wai Cheong	Kai Fat Food Co. Ltd.
Ms Ellen CHOW	Kellogg Asia Marketing Inc.
Mr Stephen CHOI	Lee Kum Kee Intl Holding Ltd.
Mr DI Suet Fung	Nestle Hong Kong Ltd.
Ms Doris CHAN	Nestle Hong Kong Ltd.
Ms CHEUNG Lai Kuen	Office of Hon Vincent FANG Kang, JP
Ms KONG Siu Ching	Office of Hon Tommy CHEUNG Yu-yan
Ms Launita CHAN	Polybrands Int'l Ltd.
Ms Eliza WONG	Rainbow Asset Ltd.
Ms Betty LEUNG	Sims Trading Co., Ltd.
Mr WONG Kam Chuen	Swire Coca-Cola HK Ltd.
Mr Allen HO	The Dairy Farm Group
Ms Frenda WONG	The Kowloon Dairy Ltd.
Mr Lewis I.S. LING	Taikoo Sugar Limited
Mr SIU Hon Tung	The Asia Provisions Co. Ltd.
Mr Albert YAN	Unilever Hong Kong Ltd.
Ms Kaylie LIU	YHS Hong Kong (2000) Pte Ltd.
Ms Fann YUEN	YHS Hong Kong (2000) Pte Ltd.

Welcoming Remarks

1. The Chairman welcomed all trade representatives to the meeting and introduced the Government representatives.

Agenda Item 1

Confirmation of Minutes

2. As the minutes of the last meeting had just been ready, the Chairman suggested all participants to give their comments, if any, in one week so that the minutes would be confirmed before the next meeting. The suggestion was agreed by the meeting.

Agenda Item 2

Revised Proposal on Labelling Scheme on Nutrition Information

3. Ms J Kwok briefed the meeting on the revised proposal of the Labelling Scheme on Nutrition Information and remarked that the contents could be subject to revision.

After the presentation, the Chairman invited comments and questions from the trade representatives.

4. A trade representative enquired what relaxations have been incorporated. The Chairman replied that comparing with the 2005 proposal, there were a number of relaxations. For example, the unit of energy could be expressed as kilojoule or kilocalorie per 100 gram/ml; besides available carbohydrate, trade could also express as total carbohydrate as long as the amount of dietary fibre was also provided; the number of core nutrients were less comparing with the 2005 proposal, which was energy plus 9 core nutrients; expression of energy and nutrient content could be made as of per serving as well.

Grace Period

5. Trade representatives in general requested a longer grace period since there were operational difficulties. They also said that they relied heavily on the labeling guidance and urged the Administration to finalize it as early as possible. Representatives of trade expressed that compared with the phased implementation of the nutrition labelling scheme proposed in 2005, the grace period was reduced to two years which was insufficient for the trade especially the small suppliers to comply with the revised proposal. Some representatives considered that the grace period should be three plus one year.

6. A trade representative opined that the grace period should only start after the technical guidance notes were finalised. Some requested the guidance notes to be provided at an earlier time. Another trade representative said that to request manufacture date as a mandatory requirement might facilitate enforcement actions in relation to labeling. The Chairman replied that labeling manufacture date was voluntary and making it mandatory would be a major issue requiring unanimous view from trade and policy support.

Available Carbohydrate

7. Noting that available carbohydrate was one of the core nutrients in the revised proposal, trade representatives expressed that many imported foods only labelled total carbohydrate. They enquired whether the labelling of total carbohydrate could be accepted as another option. A trade representative enquired on the difference between total and available carbohydrate. It was clarified that available carbohydrate was total carbohydrate minus dietary fibre and dietary fibre was more abundant in fruits and vegetables and less in processed food. Another trade representative asked whether the

Government would follow the practice of labelling total carbohydrate in the Mainland. The Chairman replied that under the revised proposal, available carbohydrate had to be labelled. However, the trade would be allowed to label total carbohydrate as an alternative, provided that dietary fibre was also labelled under total carbohydrate. Only available carbohydrate should be used for calculating energy. The requirements on labeling of available carbohydrates were in line with the Codex recommendations and the latest proposal in the Mainland as well.

8. A trade representative worried that the analysis method for dietary fibre was not mature enough. Dr. Chung replied that the internationally recognized analysis method for dietary fibre had been in use for over 10 years and found to be accurate as suggested by results of international inter-laboratory comparison .

Nutrition Labels in Other Countries

8. Ms J Kwok made a brief introduction of the existing nutrition labels in Australia/New Zealand, USA, Canada, EU/UK, Japan and Taiwan and highlighted the differences between these nutrition labels with the revised proposal.

Other Technical Problems

9. A trade representative raised question on the definition of “high calcium” in milk. Ms J Kwok clarified that requirements on such claims were in line with the Codex Guidelines. That was to say, to claim as “source” of calcium, milk should contain more than 7.5% i.e. 60mg/100ml of calcium and to claim as “high calcium”, milk should contain more than 15% i.e. 120mg/100ml of calcium. If “high calcium” claim was to be used for solid food, it should contain more than 240mg/100gram of calcium. The Chairman added that there would be further meetings to discuss the technical guidance notes for trade, which would be held shortly in late December 2007 or early 2008.

Agenda Item 3

Proposal Exemption List

10. Ms J Kwok presented a list of proposed exemptions (as attached) to the meeting and explained the underlying principles used in drawing up the list. After the presentation, the Chairman invited comments and questions from the trade representatives, drawing their attention to the wordings used for the individual exemption items as they would form part of the amendment regulations.

11. The trade representatives raised questions including (i) the meaning of “no”,

“does not contain” and “insignificant amount” with respect to nutrients (ii) the meaning of “single ingredient” in several exemption items, (iii) the conditions under which items 2, 14 and 15 would apply, (iv) the meaning of assorted raw ingredients under item 12 and (v) the total surface area of less than 100cm² in item 5. Clarifications were made as appropriate and the wordings would be further scrutinized.

Low Volume Food Sold

12. The representatives of HK Suppliers Association expressed that the threshold for low volume food exemption (20,000 units per annum) was too low. They considered it should be raised to 100,000 units per annum, and 50,000 units per annum at the least. According to their analysis, even if the threshold of low volume food exemption was 50,000 units per annum, the total food units in terms of quantity hence exempted would be less than 5%. They would provide additional information to facilitate the Government to consider their counter-proposal. Ms Kay Kwok replied that FHB would liaise with the Association for more information as necessary after the meeting. The Chairman supplemented that the revised proposal would be discussed in the relevant LegCo Panel meeting on 11 December 2007 and the amendment regulations would be submitted to LegCo again for negative vetting in early 2008. Hence there would be time for the trade to further submit their views after the meeting.

13. A representative of the HK Suppliers Association recapitulated their requests as follows:-

- (i.) The threshold for low volume exemption should be 50,000 units per annum. Marking should be provided for these exempted foods so as to facilitate consumer choice. Claims should also be allowed without jeopardizing its exemption status.
- (ii.) Exemption item 5 should be more relaxed in that the total surface area involved should be less than 200cm².
- (iii.) The grace period should be at a minimum of three years and preferably, three plus one year.
- (iv.) For carbohydrate labelling, either available carbohydrate or total carbohydrate should be allowed whether or not dietary fibre was provided.
- (v.) Trans fat should not be included as a core nutrient in the revised proposal.

Agenda Item 4

Any Other Business

14. Their being no other business, the meeting was adjourned at 12:20pm.