

Food and Environmental Hygiene Department

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**Minutes of a Technical Meeting with Trade on
the Labelling Scheme on Nutrition Information (Food Retailers' Subgroup)
held on 30 November 2007 at 9:15 p.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 Anna WONG	Head (Risk Assessment Section), FEHD	
Dr Stephen CHUNG	Senior Chemist (Food Research laboratory), FEHD	
Mr LEUNG Sui-sum	Superintendent (Risk Assessment), FEHD	
Mr CHUNG Kwok-wah	Chief Health Inspector (Food Labelling), FEHD	
Ms Jacqueline FUNG	Scientific Officer (Risk Assessment), FEHD	(Note-taker)

Trade Representatives

Mr. Peter Johnson	A S Watson Group (HK) Ltd
Ms. Virginia LEE	Circle K - Li & Fung Group
Ms. Grace YEE	City Super Limited
Ms. Wendi CHAN	Dah Chong Hong Ltd
Mr. James WONG	Edo Trading Company
Mr. Charlie WOOD	Hong Kong Retail Management Association
Ms. Ruth YU	Hong Kong Retail Management Association
Mr. LEUNG Yiu-hung	Hong Kong Yamazaki Baking Co., Ltd
Ms. Michelle KWAN	Mannings
Ms. CHAN Yuen-han	Maxim's Caters Ltd
Ms. German CHEUNG	Pappagallo Pacific Limited
Ms. Nicole LI	Pappagallo Pacific Limited
Mr. LAI Sin-man	Parknshop
Ms Stephanie SHUM	Saint Honore Cake Shop Ltd
Ms. Erin YEUNG	Tai Pan Bread & Cakes Co Ltd

Mr. Allen HO	The Dairy Farm Group
Ms. May LO	The Dairy Farm Group
Mr. LAU Yiu-fai	The Hong Kong Food Council Ltd
Mr. Perry SIT	The Hong Kong Health Food Association
Ms. CHAN Wia-choi	Wing Wah Food Mgy. Ltd.
Ms. SHUM Hau-lee	Wing Wah Food Mgy. Ltd.

Welcoming Remarks

1. The Chairman opened the meeting by welcoming the trade representatives.

Agenda Item 1

Confirmation of Minutes

2. Minutes of the meeting held on 11 October 2007 were tabled. The Chairman suggested if no comments were received in a week's time, the minutes of last meeting would be confirmed.

Agenda Item 2

Revised Proposal on the Labelling Scheme on Nutrition Information

3. Ms FUNG briefed the meeting on the revised proposal of the Labelling Scheme on Nutrition Information. The Chairman stressed that the information presented was the most updated information, however, it might not be the final proposal put forward to LegCo. He remarked that taking into consideration the burden on the trade and local situation, the requirements in many areas had been lessened, such as unit of energy, basis of expressions, etc. Such changes would certainly make the nutrition labels less user friendly and affect the application of the nutrition information by consumers.

4. As for the way forward, the Chairman informed the meeting that the administration would submit a paper with details about the latest revised proposed Scheme for the LegCo Panel meeting in December on 4 December 2007. With regard to the legislative procedures, the Administration would table the Amendment Regulations in early 2008.

Trans Fat Labelling

5. A trade representative enquired about the Administration's latest position on trans fat labelling. Ms KWOK indicated that the Administration was seriously considering the inclusion of trans fat in the core nutrient list. The following factors were taken into account when making the decision: (i) Overseas trend; (ii) Scientific evidence on health impact; (iii) Codex had not yet required trans fat labelling; (iv) Overseas NL requirements; and (v) the amount/distribution of trans fat in prepackaged foods.

Grace Period

6. A trade representative urged that Administration to extend the grace period to three years. Another trade representative indicated that a two-year grace period would be considered acceptable if the counting of the two years began with the manufacturing date. The Chairman said their views would be put forward for SFH's consideration.

Language

7. A participant suggested the language for nutrition labelling should be either Chinese or English. The Chairman said the language requirement for nutrition labelling would be the same as general food labelling since nutrition labelling requirements would be set out in a Schedule under the food labelling regulations. He also told the meeting that some LegCo members and consumers had suggested mandatory bilingual food labelling.

Agenda Item 3

Proposed Exemption List

8. Ms FUNG presented the principles for exemption from nutrition labelling and the latest proposed exemption list. She stressed that any prepackaged foods meeting one or more principles might not be necessarily granted with the exemptions; as other factors, such as overseas practices and consumer expectations, would be taken into consideration as well.

Small Package Exemption (Item 5)

9. A participant suggested that foods in small packages (i.e., less than 100 cm² total surface area) should be granted with exemption from nutrition labelling even the product carried any nutrition label or nutrient-related claim as the package was too small for information display. The Chairman explained that the cost of relabelling

should be relatively lower as compared to low volume product. Also, low volume product exemption would be subject to special arrangements, such as application and permission, routine reporting, etc. Furthermore, nutrition labels in linear format would be allowed for packages with less than 200 cm².

Same Premise / Immediate Vicinity Exemption (Item 14)

10. A participant asked whether repacking of kimchi or cheese at the premise and sold at the same premise would be granted with exemption. The Chairman indicated that this exemption was for products that had gone through a key preparation process, such as baking (e.g., bakery products) and roasting (e.g., bbq pork). Thus, simply repacking would not meet the criteria of food preparation under this exemption.

Low Sales Volume Products Exemption (Item 16)

11. The Chairman reiterated that importers/suppliers would have to obtain permission from DFEH and subject to several conditions, such as non-refundable application fee, monthly reporting, submission of annual audit report, products marked with specific sticker or placed on separate shelf display for exemption status indication, etc.

12. Trade representatives were pleased to learn about the proposed low sales volume products exemption. They suggested the Administration to further lessen the requirements on nutrition labelling for these exempt products, such as (i) not requiring nutrition labels even with nutrient-related claims, or (ii) decreasing the core nutrient list to energy + 3 (protein, carbohydrate and fat) + claimed nutrients for exempt low volume products with claims. The Chairman said that low volume products in USA lost exemption status totally in case with any nutrition information. The local requirements, only for products that carrying nutrient-related claims, was already very loose. He further explained that it was reasonable for products with nutrient-related claims to provide further information for consumers to make informed choices and should be abided to straighter requirements, which was one of the fundamental principles of the labelling scheme on nutrition information. Nevertheless, their suggestions would be put up to SFH for consideration.

13. Selected participants were concerned about the requirement regarding separate display for low volume products. They had reservation on the requirement of designated shelves, instead they proposed that these products could be displayed together with other products but were clearly marked on the rack display.

School Lunch Box

14. A trade representative enquired about whether school lunch box would be exempted from nutrition labelling. Mr CHUNG explained that in case the lunch boxes were prepared upon receiving the order and delivered directly to the school, then the box (container) was used to facilitate the delivery of the lunch to the school and therefore the lunch box was not considered as a prepackaged food, which in turn not subject to the control of the food labelling regulations.

Agenda Item 4

Any Other Business

15. There being no further business, the meeting was adjourned at 11:20 AM.