

Food and Environmental Hygiene Department

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**Minutes of a Technical Meeting with Trade on
the Labelling Scheme on Nutrition Information
held on 19 March 2008 at 10:00 AM
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	
Ms Heidi HUNG	Senior Administrative Officer, FEHD	
Dr Anna WONG	Senior Medical Officer (Risk Assessment), FEHD	
Dr Stephen CHUNG	Senior Chemist (Food Research laboratory), FEHD	
Mr TAM Chi-wai	Senior Superintendent (CFS), FEHD	
Mr LEUNG Sui-sum	Superintendent (Risk Assessment), FEHD	
Mr CHUNG Kwok-wah	Chief Health Inspector (Food Labelling), FEHD	
Ms Melissa LIU	Scientific Officer (Nutrition), FEHD	
Ms Jacqueline FUNG	Scientific Officer (Nutrition Labelling), FEHD	(Note-taker)

Trade Representatives

Ms. FUNG Kwok-keung	A S Watson Industries
Ms. Carol LAU	Aeon Stores (Hong Kong) Co., Ltd.
Ms. Maggie LEE	AIC Merchandising (Japan) Ltd.
Ms. Philip SHULL	Agricultural Trade Office, American Consulate General
Ms. Julie LAM	Arome Bakery (HK) Co., Ltd.
Mr. Alan KWOK	Campbell Soup Asia Ltd.
Mr. PAK Siu-wa	China Inspection Co., Ltd.
Ms. LO Yi-wah	China Resources Vanguard (HK) Co., Ltd.
Ms. Virginia LEE	Circle K Convenience Stores (HK) Ltd
Ms. Grace YEE	City Super Limited
Mr. LEUNG Ho-wing	CKIS
Ms. Nikki TO	Classic Fine Foods (HK) Ltd.
Ms. Evelyn TANG	Classic Fine Foods (HK) Ltd.
Ms. May KAN	Coca-Cola China Ltd.

Ms. CHAN Sze-yeg	Dah Chong Hong, Ltd.
Mr. Victor LEE	Dah Chong Hong, Ltd.
Mr. Allen HO	Dairy - Farm Group
Ms. Debby LAW	Dairy for life
Mr. WONG Wai-chun	EDO Trading Co.
Mr. Charles LUI	Fok Hing (HK) Trading Limited
Mr. Conrad LAM	Four Seas Mercantile Ltd.
Ms. LAI Tsz-mei	Golden Resources Development International Ltd.
Ms. Ruth YU	H K Retail Management Association
Mr. Charlie WOOD	H K Retail Management Association
Mr. Albert TANG	Hong Kong Suppliers Assoc. Ltd.
Ms. Frenda WONG	Hong Kong Suppliers Assoc. Ltd.
Mr. NG Yat-ming	Hong Kong Yakult Co., Ltd.
Ms. Connie LIU	Hong Kong Yakult Co., Ltd.
Mr. Gary LO	Hong Kong Yakult Co., Ltd.
Mr. Takuro Mori	Hong Kong Yakult Co., Ltd.
Mr. Junichiro Ikudome	Hong Kong Yakult Co., Ltd.
Mr. LEUNG Yiu-hung	Hong Kong Yamazaki Baking Co. Ltd.
Mr. CHAN Chim-ming	Hop Hing Oil Factory Ltd.
Ms. Yvonne CHIU	IDS (HK)
Ms. Carmen NOU	IDS (HK)
Ms. LEE Wai-yee	Ito Ya Japanese Cakes & Bakery Group Limited
Mr. NG Pui-kay	Kee Wah Bakery
Ms. Jessica CHUI	Kjeldsens & Co. (HK) Ltd.
Mr. LEE Kwok-lam	Kowloon Chamber of Commerce
Ms. Wilphia YAU	Kraft Foods Ltd.
Ms. LAM Wan-ling,	Lank Remedies Limited
Mr. Stephen CHOI	Lee Kam Kee Co. Ltd.
Ms. Alice KONG	Legislative Councillor Mr. CHEUNG Yu-yan's office
Ms. CHEUNG Lai-kuen	Legislative Councillor Mr. FANG Kang's office
Ms. Daphne KWOK	Lucullus Food and Wines Co., Ltd
Ms. Michelle KWAN	Mannings
Ms. Becky LAU	Mars Foods Inc.
Ms. CHAN Yuen-han	Maxims
Mr. Philip KWAN	Mead Johnson Nutritional
Mr. Jacky SO	Mengniu Milk Industry (H.K.) Ltd.
Mr. Johnny LO	Metro Alliance Ltd.
Ms. LAW Sin-ki,	Multizen Asia Limited
Mr. Joseph MA	Nestle Hong Kong Ltd.

Ms. Eleanor CHAN	Nestle Hong Kong Ltd.
Mr. LAM Tsz-mau	Nissin Foods Co., Ltd.
Ms. German CHEUNG	Pappagallo Pacific Limited
Mr. CHAN Wing-cheong	Par Chun International Limited
Ms. LAI Sin-man	ParknShop
Mr. Peon LEE	Pepsico International - Pepsico Foods
Ms. Grace YU	Procter & Gamble Hong Kong Ltd.
Mr. TANG Kwok-fai	SAN Miguel Brewery HK Ltd.
Mr. Wellock LO	Sims Trading Co., Ltd.
Ms. YEUNG Tsz-lai	Tai Pan Bread & Cakes Co., Ltd.
Mr. HO Mong-lin	The Asia Provisions Co., Ltd.
Ms. Eunice MOK	The Chinese Manufacturers' Association of Hong Kong
Ms. LO Kar-man	The Dairy Farm Company Limited
Ms. Angela WONG	The Garden Co., Ltd.
Mr. Ronald LAU	The Hong Kong Food Council Ltd.
Mr. Perry SIT	The Hong Kong Health Food Association
Ms. Sylvaine SIU	U S Dairy Expert Council
Mr. Albert YAN	Unilever Hong Kong Ltd.
Mr. Eric AU	Unilever Hong Kong Ltd.
Mr. Clement CHAN	Wing Sang Cheong Ltd.
Mr. SHUM Hau-lee	Wing Wah Food Manufactory Limited
Ms. LAM Siu-ping	Winner Food Products Ltd.
Ms. Olivia HUNG	Wyeth (H.K.) Limited
Ms. Alice TANG	Wyeth (H.K.) Limited
Mr. CHEN Man-tak	Yue Hwa Chinese Products Ltd.

Welcoming Remarks

1. The Chairman opened the meeting by welcoming the trade representatives from various sectors of the trade. He said that was the first meeting combining three sectors of the trade into one meeting.

Agenda Item 1

Confirmation of Minutes

2. Minutes of the meetings with importers/suppliers and manufacturers' subgroup held on 9 January 2008 and 11 January 2008 were confirmed without amendments. As for the minutes of the meeting with food retailers, Mr Charlie WOOD, representative from the Hong Kong Retail Management Association (HKRMA), suggested to include their comment regarding small volume exemption – HKMA urged the Administration to consider exempting small volume products with claims from

nutrition labelling requirements as well. The minutes of meeting with food retailers held on 10 January 2008 was then confirmed without further amendments.

[Post-meeting Note: Amendments on the list of trade representatives (manufacturers' meeting) requested by Tai Pan Bread & Cakes Co., Ltd. was received on 20 March 2008 and amendments were made accordingly.]

Agenda Item 2

Matters Arising (to be covered in the following agenda items)

Agenda Item 3

Proposed Exemption List

3. Ms FUNG briefed the participants on the updated proposed exemption list (Annex I). After the presentation, several questions were raised –

Prepackaged food sold at exhibitions

- There would not be an exemption item for prepackaged food sold at exhibitions. However, if the annual sales volume of any food item did not exceed 30,000 units, the trade could apply for small volume exemption. As for items given out for sample/tasting with no sales involved, these prepackaged foods would not be subject to the requirements of the proposed NL Scheme except in the case when they were treated as advertisement (see below).

Infant formula with claims

- Infant formula was not included in the scope of the proposed NL Scheme. Thus, infant formula, with or without claims, would not be subject to the requirement of the proposed NL Scheme.

Prepackaged food processed and sold at the same premises or processed at a place which is adjacent to, or in the immediate vicinity of the premises where the food is sold

- In case the manufacturer also produced the same product (the one qualified for exemption under the above criteria) at the central factory and sold the products at various outlets, then the items from the central factory must be labelled in accordance with the requirements under the proposed NL Scheme.
- The term “processed” under this exemption would mean that the food had gone under substantial change in the natural state.

Advertisement

- Exempt items would lose their exemption status if there was a nutrition claim on food label or in advertisement. Advertisement included not just TV and radio advertisements, but also included any promotion materials.

Agenda Item 4

Small Volume Exemption (Operation)

4. Mr TAM introduced the small volume exemption (Annex II). Comments on the small volume exemption scheme included –

Application and Renewal Fee

- Mr TAM stressed that the fee was calculated by applying the cost recovery principle. A participant commented that several hundred dollar of application fee for one product might still be costly for some small companies.

Annual audit report on sales volume

- Mr TAM explained that certification or verification of the *sales volume* was essential as the monthly report would be a self-reporting exercise. Several trade representatives had reservation on this requirement as the exercise would be very costly to companies. They urged the Administration to waive this requirement.

Label/Sticker and Permission number

- Mr TAM stressed that the requirements for specific label/sticker and the permission number would assist enforcement staff and consumers in identifying the exempted products. Several trade representatives opined that provision of label/sticker with permission number would have significant cost implication. The trade urged the Administration to consider waiving this requirement.. In case a label/sticker must be provided, a participant suggested that the design should be simple and could be applied by using standardized machine, such as labelling gun. Furthermore, they would prefer to keep the same permission number upon renewal.

Mandatory nutrition labels with claims

- The trade had different views on the requirement of nutrition label on small volume prepackaged foods with nutrition claims : -

- No nutrition labelling requirement
 - Nutrition label showing only the claimed nutrient
 - Nutrition label showing energy, protein, carbohydrate, fat and the claimed nutrient
- The Chairman reiterated that requiring mandatory nutrition label with nutrition claim was already a less stringent approach compared to the US scheme which required mandatory nutrition label with any nutrition information.

Agenda Item 5

Regulation of Claims

5. Ms FUNG briefed the meeting on the issues related to the regulation of claims (Annex III). She stressed that Chinese Nutrient Reference Values (NRVs) should be used when determining the conditions of nutrient content claims for protein, vitamins and minerals (except sodium).

6. The Chairman reiterated that the Administration remained open to other claims and would consider adopting them if they were widely adopted internationally.

Agenda Item 6

Technical Guidance Notes on the Labelling Scheme on Nutrition Information (Revised Draft)

7. Ms FUNG highlighted that amendments made in the Technical Guidance Notes (Annex IV). The revised draft would be made available on the CFS website. The Chairman encouraged the trade to submit comments as soon as possible, so that such information could be included in the revised draft.

Agenda Item 7

Any Other Business

8. The Chairman told the meeting that the Administration would table the amendment regulation at the LegCo in April 2008.

9. There being no further business, the meeting was adjourned at 1:15 PM.