

From: The Hon. Selina Chow's Office

To : Members of the Panel on Food Safety and Environmental Hygiene

**Labeling Scheme on Nutrition Information**  
**Position Paper of the Wholesale & Retail Constituency**

The consensus among government, consumer protection advocates and the trade is:

Nutrition labeling is desirable as the means with which consumers can make informed choices so as to protect their own health and safety.

However there seems to be decision on government's part, in response to pressure, to introduce labeling within a time frame which is not practicable to the trade for the following reasons:

1. Hong Kong is a very small market and about 2/3 of food on sale that contains the nutrients for which government intends to mandate nutrition labeling is imported. The other 1/3 is supplied by local manufacturers.

Among the local manufacturers, the major ones would have no difficulty meeting basic requirements set down by CODEX (ie. Energy, Protein, Carbohydrate & Fat) However, for medium and small companies such requirement will pose great cost and difficulties. Furthermore if labeling were required for snacks, this would present enormous problems, both in terms of tests required, and the almost impossible task of labeling on very limited space on most packaging.

As for the other 2/3 imported products, there is as yet no international standard adopted. US has a very strict system that currently mandates 14 components to be labeled, while Europe has a loose one that does not mandate any at all. China, which supplies 1/3 of our imports, does not have any requirement of mandatory nutrition labeling.

If government insists on applying the same start date for all food products, it would mean that many of the products currently on sale will not qualify to be sold, as such information is not available from the suppliers.

2. The prescribed form proposed in the consultation document is totally unrealistic, given the limited space on most of the packaging which is already taken up by labeling containing information mandated by law.
3. The proposed regulation on claims will not only deprive consumers of vital information that would need them to make better choices. If quantitative criteria are to be strictly applied as proposed in the consultative document. Some claims such as low fat for butter and the definition of low fat milk cannot be made. As a result products will not be allowed to carry claims that would actually enable consumers to make the right choices for themselves.

We would therefore like to propose that:

1. Nutrition labeling should only be mandated for specified foods that make up the staple consumption of the community i.e. rice, bread, noodles, cooking oils, soya based sauces and fresh milk. This is the approach adopted by Taiwan and Malaysia.
2. Labeling requirements for imported foods should be based on information provided by source markets according to legal requirements of those markets for their own consumption. Thus mandatory information should be listed out under a schedule of the regulatory standards of the main source markets of Hong Kong foods.
3. Given that Hong Kong imports so much from the Mainland, the pace of mandatory labeling must synchronize with that of China.
4. An RIA must be conducted as soon as possible so that the community

will know the cost involved, and government must do all it can to help keep this cost low by avoiding unnecessary red tape and bureaucratic wastage. It is also crucial that the Panel that advises the Secretary on this legislation must consist of representation from the trade so that the operational aspects of this issue is well considered before final decisions on this regulation are made.

5. Government must detail the approval, monitoring, controlling and policing processes so as to avoid abusive implementation.
6. Ample time must be allowed after the legislation is passed to give time for both government and trade to iron out any initial problems and to ensure the practicality of the implementation as well as to ascertain that the law is well understood by both operators and enforcers.
7. In order for such information to serve the purpose of helping consumers to make healthy choices, government must have a specific programme of public education. Otherwise all efforts will be futile.