

**For discussion on
25 November 2003**

LegCo Panel on Food Safety and Environmental Hygiene

**Public Consultation on
Proposed Labelling Scheme on Nutrition Information**

PURPOSE

This paper informs Members of the launch of a public consultation exercise on the Administration's proposed labelling scheme on nutrition information, and invites Members' views on the proposal.

BACKGOURND

2. In recent years, there is a growing recognition among public health and food safety authorities that nutrition information in respect of food products has a significant bearing and impact on public health. The use of nutrition label on food products has therefore become increasingly common in the worldwide market. Various countries have put in place their own nutrition labelling schemes having regard to the labelling guidelines issued by the Codex Alimentarius Commission¹ (Codex) and their local public health situation. Among them, US, Canada, Australia, New Zealand, Japan and Malaysia require mandatory nutrition labelling. On the other hand, countries such as member states of the European Union and Singapore adopt a voluntary approach except that nutrition labelling is compulsory for products which carry nutrient-related claims. Moreover, quite a number of these countries are taking active steps moving towards mandatory labelling.

¹ The Codex Alimentarius Commission was created in 1963 by the United Nations Food and Agriculture Organisation (FAO) and the World Health Organisation (WHO) as an international authority to develop food standards, guidelines and related texts such as codes of practice under the Joint FAO/WHO Food Standards Programme.

3. In Hong Kong, our existing legislation does not provide for any specification on nutrition information on food labels. Hence, the formats of the nutrition information presented on the labels of prepackaged food products currently available in the local market are not consistent. In 2001/2002, the Food and Environmental Hygiene Department (FEHD) conducted a feasibility study on the implementation of nutrition labelling scheme in Hong Kong. The results of the feasibility study were presented to Members at the Panel meeting held on 20 March 2003. The findings of the study concluded that our policy objectives of protecting public health, ensuring food safety and promoting healthy eating could best be achieved through the implementation of a mandatory nutrition labelling scheme by phases. We have undertaken to consult the public on the details of the nutrition labelling proposal later this year.

THE PROPOSAL

4. In formulating our proposed nutrition labelling requirements, various factors including the Codex principles, local health and disease patterns, international practice, compliance cost for the food trade, implication on food choice, etc., have been taken into consideration. We believe that the introduction of a mandatory nutrition labelling scheme by phases will benefit the community as a whole through fulfilling the following objectives:

- (a) facilitating consumers to make healthy food choices;
- (b) encouraging food manufacturers to apply sound nutrition principles in the formulation of food which would benefit public health as well as facilitating the trade to promote healthier and more nutritious products; and
- (c) regulating misleading or deceptive nutrition labels and nutrient-related claims.

5. Details of our proposed nutrition labelling scheme are set out in the

ensuing paragraphs:

(1) Phased Approach

6. In order to ensure smooth implementation of the scheme and to allow sufficient time for the food trade to adapt to the new requirements, we propose to implement the mandatory labelling scheme on nutrition information in two phases. In Phase I, food suppliers who choose on a voluntary basis to carry nutrient-related claims (including nutrient content claims, nutrient comparative claims and nutrient function claims) or other nutrition information on their prepackaged food products are required to follow the set of nutrition labelling requirements stipulated in our legislation. In Phase II, the same set of statutory nutrition labelling requirements will be extended to cover all prepackaged food products regardless of whether they carry nutrient-related claims. In other words, all prepackaged food products will have to provide nutrition labelling in accordance with legislative requirements unless otherwise exempted². Taking into account the wide range of products that will be affected and their shelf-lives, a two-year grace period will be allowed for Phase I implementation after the enactment of the legislation. Phase II will be implemented three years after the full implementation of Phase I.

(2) Requirements on Nutrition Labelling

7. Having thoroughly considered the public health significance of individual nutrient and our local health and disease patterns, we propose to require nutrition labels to list out the contents of energy plus nine core nutrients including protein, available carbohydrate (i.e. carbohydrate excluding dietary fibre), total fat, saturated fat, cholesterol, sugars, sodium, dietary fibre and calcium. Other nutrients may be listed on the nutrition

² Examples of exempted items include fresh fruits and vegetables, food packed in a container of which the aggregated surface area is less than 100cm², food sold at a catering establishment for immediate consumption, etc. Besides, by making reference to the scope covered by the Codex Guidelines on Nutrition Labelling, our proposed nutrition labelling scheme will not apply to infant/follow-up formulae, foods for infants and young children and other foods for special dietary uses.

labels voluntarily, but it will be a mandatory requirement to declare the amount of any nutrient for which a claim is made. To assist consumers in evaluating the contribution of a food to their daily nutrient intake and to facilitate our setting of conditions on nutrient-related claims, a set of local Nutrient Reference Values (NRVs) for nutrition labelling purpose will be established by making reference to those recommended by Codex and other countries. For vitamins and minerals with NRVs stipulated in our future legislation, they must be present in amounts greater than 5% of the NRV per 100g (or 100ml) if their amounts are declared on the nutrition labels.

8. We propose that the content of energy and nutrients on the nutrition labels should be expressed in absolute amount in kilocalories³/metric units per 100g (per 100 ml) of food, or per package if the package contains only a single portion of food. Apart from that, food suppliers may additionally express the amounts of energy/nutrients in relative amounts in terms of percentages of the local NRVs per 100g (or per 100 ml) or per serving as quantified on the label; or in absolute amounts in kilocalories/metric unit per serving as quantified on the label.

9. Presentation of nutrition information in a standardized manner can facilitate easy understanding of the information by consumers, thus augmenting the effectiveness of the use of nutrition label in enhancing public health. We therefore propose to impose specific requirements on the format of the nutrition label, which include the requirements to present the information in a tabular form and to place the label on a conspicuous area of the package. Some suggested examples of nutrition labels which are in line with our proposed nutrition labelling requirements are shown in Annex.

(3) Requirements on Nutrient-related Claims

10. There are two main types of nutrient-related claims, namely (i) nutrition claims (which can be further categorized into nutrient content

³ Energy may additionally be expressed in kilojoules.

claims and nutrient comparative claims) and (ii) nutrient function claims. Under our proposal, all permitted nutrient-related claims shall be limited to those relating to energy, protein, carbohydrate, fat and components thereof (such as saturated fat), cholesterol, sugars, dietary fibre, sodium plus vitamins and minerals for which NRVs have been laid down for nutrition labelling purpose in our legislation. The proposed requirements applicable to each type of nutrient-related claim are illustrated in the paragraphs below:

(i) Nutrition Claims

(i)(a) Nutrient Content Claims

11. Nutrient content claims refer to those claims which describe the level of a nutrient contained in a food e.g. “high calcium” and “low fat”. In regulating nutrient content claims, we propose to follow the descriptive wordings and conditions of use specified in the Table of Conditions for Nutrient Content Claims under the Codex Guidelines for Use of Nutrition Claims.

(i)(b) Nutrient Comparative Claims

12. Nutrient comparative claims refer to those claims which compare the nutrient levels of two or more similar products e.g. “reduced fat – 25% less than the regular product of the same brand”. We propose to adopt the following Codex principles regarding the use of nutrient comparative claims:

- (a) the foods being compared should be different versions of the same food or similar foods. The foods being compared should be clearly identified;
- (b) a statement of the amount of difference in the nutrient content related to the same quantity should be given in close proximity to the nutrient comparative claim;
- (c) the comparison should be based on a relative difference of at least 25% in the nutrient content between the compared

foods. For micronutrients, a 10% difference in the NRV would be acceptable; and

- (d) the comparison should be based on a minimum absolute difference in the nutrient content equivalent to the figure defined as “low” or as a “source” in the Table of Conditions for Nutrient Content Claims.

(ii) Nutrient Function Claims

13. Nutrient function claims are claims which describe the physiological role of a nutrient in growth, development and normal functions of the body e.g. “Calcium aids in the development of strong bones and teeth. Product X is high in calcium.” In regulating nutrient function claims, we propose to adopt the following principles as laid down in the Codex guidelines:

- (a) the food should be a significant source of the nutrient in the diet;
- (b) the claim should be based on scientific consensus; and
- (c) the claim should not imply that the nutrient can cure, treat or prevent disease.

PUBLIC CONSULTATION

14. We would like to gauge views from the public on the above nutrition labelling proposal before we proceed further. The public consultation exercise will commence on 25 November 2003 and will last until 31 January 2004. A series of publicity programmes including public consultation forums will be held during the consultation period. Copies of the public consultation documents are available at the 18 District Offices of the Home Affairs Department and District Environmental Hygiene Offices of FEHD. The document will also be uploaded onto the Health, Welfare and Food Bureau Homepage (<http://www.hwfb.gov.hk>). We shall thoroughly consider the views received in the public consultation exercise before finalising the details of our nutrition labelling requirements.

Advice Sought

15. Members are invited to note the public consultation exercise and comment on the Administration's proposal.

**Health, Welfare and Food Bureau
Food and Environmental Hygiene Department
November 2003**

Examples of Proposed Nutrition Labels

A) Basic format
(absolute amount per 100 g or 100 ml)

Nutrition Information	
	Per 100g or Per 100ml
Energy	kcal (kJ)
Protein	g
Fat, total	g
- Saturated fat	g
Cholesterol	mg
Carbohydrate	g
- Sugars	g
Dietary fibre	g
Sodium	mg
Calcium	mg
Insert nutrient(s) involved in claim(s)	g, mg or µg
Insert other nutrient(s) to be declared	g, mg or µg

營養資料	
	每100克 或每100毫升
熱量	千卡 (千焦)
蛋白質	克
脂肪總量	克
- 飽和脂肪	克
膽固醇	毫克
碳水化合物	克
-糖	克
膳食纖維	克
鈉	毫克
鈣	毫克
填入涉及聲稱的 營養素	克、毫克或微克
填入其他標示的 營養素	克、毫克或微克

Nutrition Information 營養資料	
	Per 100g or Per 100ml / 每100克或每100毫升
Energy / 熱量	kcal (kJ) / 千卡 (千焦)
Protein / 蛋白質	g / 克
Fat, total / 脂肪總量	g / 克
- Saturated fat / 飽和脂肪	g / 克
Cholesterol / 膽固醇	mg / 毫克
Carbohydrate / 碳水化合物	g / 克
- Sugars / 糖	g / 克
Dietary fibre / 膳食纖維	g / 克
Sodium / 鈉	mg / 毫克
Calcium / 鈣	mg / 毫克
Insert nutrient(s) involved in claim(s) / 填入涉及聲稱的營養素	g, mg or µg / 克、毫克或微克
Insert other nutrient(s) to be declared / 填入其他標示的營養素	g, mg or µg / 克、毫克或微克

B) Basic format plus serving
(absolute amount per 100 g or 100 ml and absolute amount per serving)

Nutrition Information		
Servings Per Package: (insert number of servings)		
Serving Size: g, ml or other unit as appropriate		
	Per 100g or Per 100ml	Per Serving
Energy	kcal (kJ)	kcal (kJ)
Protein	g	g
Fat, total	g	g
- Saturated fat	g	g
Cholesterol	mg	mg
Carbohydrate	g	g
- Sugars	g	g
Dietary fibre	g	g
Sodium	mg	mg
Calcium	mg	mg
Insert nutrient(s) involved in claim(s)	g, mg or µg	g, mg or µg
Insert other nutrient(s) to be declared	g, mg or µg	g, mg or µg

營養資料		
每包裝所含食用分量數目: (填入食用分量數目)		
食用分量: 克、毫升或其他適當的單位		
	每100克 或每100毫升	每食用分量
熱量	千卡 (千焦)	千卡 (千焦)
蛋白質	克	克
脂肪總量	克	克
- 飽和脂肪	克	克
膽固醇	毫克	毫克
碳水化合物	克	克
- 糖	克	克
膳食纖維	克	克
鈉	毫克	毫克
鈣	毫克	毫克
填入涉及聲稱的 營養素	克、毫克或微克	克、毫克或微克
填入其他標示的 營養素	克、毫克或微克	克、毫克或微克

Nutrition Information 營養資料		
Servings Per Package / 每包裝所含食用分量數目: (insert number of servings)		
Serving Size / 食用分量: g, ml or other unit as appropriate / 克、毫升或其他適當的單位		
	Per 100g or Per 100ml / 每100克或每100毫升	Per Serving / 每食用分量
Energy / 熱量	kcal (kJ) / 千卡 (千焦)	kcal (kJ) / 千卡 (千焦)
Protein / 蛋白質	g / 克	g / 克
Fat, total / 脂肪總量	g / 克	g / 克
- Saturated fat / 飽和脂肪	g / 克	g / 克
Cholesterol / 膽固醇	mg / 毫克	mg / 毫克
Carbohydrate / 碳水化合物	g / 克	g / 克
- Sugars / 糖	g / 克	g / 克
Dietary fibre / 膳食纖維	g / 克	g / 克
Sodium / 鈉	mg / 毫克	mg / 毫克
Calcium / 鈣	mg / 毫克	mg / 毫克
Insert nutrient(s) involved in claim(s) / 填入涉及聲稱的營養素	g, mg or µg / 克、毫克或微克	g, mg or µg / 克、毫克或微克
Insert other nutrient(s) to be declared / 填入其他標示的營養素	g, mg or µg / 克、毫克或微克	g, mg or µg / 克、毫克或微克

- C) Basic format plus serving and %NRV (on per serving basis)
(absolute amount per 100 g or 100 ml, absolute amount per serving and %NRV per serving)

Nutrition Information			
Servings Per Package: (insert number of servings)			
Serving Size: g, ml or other unit as appropriate			
	Per 100g or Per 100ml	Per Serving	% NRV Per Serving
Energy	kcal (kJ)	kcal (kJ)	%
Protein	g	g	%
Fat, total	g	g	%
- Saturated fat	g	g	%
Cholesterol	mg	mg	%
Carbohydrate	g	g	%
- Sugars	g	g	%
Dietary fibre	g	g	%
Sodium	mg	mg	%
Calcium	mg	mg	%
Insert nutrient(s) involved in claim(s)	g, mg or µg	g, mg or µg	%
Insert other nutrient(s) to be declared	g, mg or µg	g, mg or µg	%

營養資料			
每包裝所含食用分量數目: (填入食用分量數目)			
食用分量: 克、毫升或其他適當的單位			
	每100克 或每100毫升	每食用分量	每食用分量的 營養素參考值 百分比
熱量	千卡 (千焦)	千卡 (千焦)	%
蛋白質	克	克	%
脂肪總量	克	克	%
- 飽和脂肪	克	克	%
膽固醇	毫克	毫克	%
碳水化合物	克	克	%
- 糖	克	克	%
膳食纖維	克	克	%
鈉	毫克	毫克	%
鈣	毫克	毫克	%
填入涉及聲稱的 營養素	克、毫克或微克	克、毫克或微克	%
填入其他標示的 營養素	克、毫克或微克	克、毫克或微克	%

Nutrition Information 營養資料			
Servings Per Package / 每包裝所含食用分量數目: (insert number of servings)			
Serving Size / 食用分量: g, ml or other unit as appropriate / 克、毫升或其他適當的單位			
	Per 100g or Per 100ml 每100克 或每100毫升	Per Serving 每食用分量	% NRV Per Serving 每食用分量的 營養素參考值 百分比
Energy / 熱量	kcal (kJ) / 千卡 (千焦)	kcal (kJ) / 千卡 (千焦)	%
Protein / 蛋白質	g / 克	g / 克	%
Fat, total / 脂肪總量	g / 克	g / 克	%
- Saturated fat / 飽和脂肪	g / 克	g / 克	%
Cholesterol / 膽固醇	mg / 毫克	mg / 毫克	%
Carbohydrate / 碳水化合物	g / 克	g / 克	%
- Sugars / 糖	g / 克	g / 克	%
Dietary fibre / 膳食纖維	g / 克	g / 克	%
Sodium / 鈉	mg / 毫克	mg / 毫克	%
Calcium / 鈣	mg / 毫克	mg / 毫克	%
Insert nutrient(s) involved in claim(s) / 填入涉及聲稱的營養素	g, mg or µg / 克、毫克或微克	g, mg or µg / 克、毫克或微克	%
Insert other nutrient(s) to be declared / 填入其他標示的營養素	g, mg or µg / 克、毫克或微克	g, mg or µg / 克、毫克或微克	%