

LegCo Panel on Food Safety and Environmental Hygiene

Results of the public consultation exercise On proposed amendments to the Preservatives in Food Regulations

PURPOSE

This paper briefs members on the results of the public consultation exercise on the proposed amendments to the Preservatives in Food Regulations.

BACKGROUND

2. Members were briefed at the meeting on 14 November 2006 on the Administration's proposal of amending the Preservatives in Food Regulations (CAP. 132BD) by making reference to Codex¹ standards, including the General Standard on Food Additives (GSFA) and relevant commodity standards. The major amendments include the following -

- (a) amendment of the definitions of preservatives and antioxidants;
- (b) incorporation of those preservatives and antioxidants, as well as their permitted levels of use, that are listed in the GSFA into the Regulations;
- (c) combining Part I and Part II of the First Schedule to the Regulations; and
- (d) introduction of a food category system.

PUBLIC CONSULTATION

3. To seek views from members of the public, trade and other stakeholders on the broad direction and principles of the amendment exercise, the Centre for Food Safety (CFS) issued a consultation paper and started public consultation on the proposed amendments to the Preservatives in Food Regulations on 14 December 2006. Copies of the consultation paper were sent to food trade associations, individual companies, consulates, relevant authorities in

¹ The Codex Alimentarius Commission was created in 1963 by the World Health Organization (WHO) and the Food and Agriculture Organization (FAO) to develop food standards, guidelines and related texts.

the Mainland, the Consumer Council, the Legislative Council, District Councils and the World Trade Organization. The consultation paper was also made available to the public on the CFS's website. Two public consultation forums were held in January and February 2007. The consultation period ended on 28 February 2007.

Public consultation forums

4. A total of 276 participants attended the two consultation forums. Among them, 240 (about 87%) were from the trade & consulates. The rest included the general public, academics, representatives from consumer associations, medical sector, Government, Legislative Council, District Councils and Consultative Committees etc. A total of 191 participants (69% of the total number of forum participants) completed and returned an evaluation questionnaire. The majority of the respondents fully agreed or agreed with the broad direction and principles in the proposed amendments.

5. During the consultation forums, we sought the views of the participants on the need to conduct a Regulatory Impact Assessment (RIA) and they generally agreed that an RIA was not necessary for the amendment exercise.

Written submissions

6. We received a total of 25 written submissions. Among them, 17 (about 68 %) were from the food trade, two from consulates, three from the general public and the remaining three were from authorities in the Mainland, Consumer Council and Department of Health.

7. Among the 25 submissions, 24 fully supported / agreed with the scope of the proposed amendments. One submission disagreed with the proposal to amalgamate the preservatives and antioxidants in GSFA with those in the Regulations, for fear that a wide variety of the writer's products will be affected, but agreed with other proposed amendments.

8. Two of the submissions urged the Administration to organize technical meetings with the trade before implementation of the amendments and five submissions requested the Administration to expedite the amendment process. One submission suggested a 2-year grace period and another suggested a 3-year grace period be given before the proposal comes into effect. One submission suggested the Administration to adopt the Mainland's food category system instead of the one adopted by the Codex.

WAY FORWARD

9. The Administration will conduct technical meetings with the trade to go over the detailed amendments with a view to introducing the legislative amendment proposal in end 2007.

ADVICE SOUGHT

10. Members are invited to note the result of the public consultation and comment on the way forward as described in paragraph 9.

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Food and Environmental Hygiene Department
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