

**Legislative Council
of the
Hong Kong Special Administrative Region**

**Delegation of the
Panel on Food Safety and
Environmental Hygiene**

**Report on the duty visit to study
the regulatory systems of food safety
in France and the United Kingdom**

24 to 30 March 2008

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Acknowledgement

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The delegation wishes also to thank the Consul-Generals of France and the UK in Hong Kong, and the Hong Kong Economic and Trade Offices in Brussels and London for their kind assistance in putting together the visit programme and making the logistical arrangements.

Chapter 1 – Introduction

Purpose of the visit

1.1 A delegation of the Panel on Food Safety and Environmental Hygiene of the Legislative Council (LegCo) visited France (Paris) and the UK (London) in March 2008 to study the policies and regulatory frameworks of food safety in these two countries. This report presents the main findings and observations of the delegation.

Membership of the delegation

1.2 The delegation comprised the following Members -

Hon Fred LI Wah-ming (Deputy Chairman of the Panel and leader of the delegation)

Hon WONG Yung-kan (Panel member)

Dr Hon Joseph LEE Kok-lung (Panel member)

Hon LI Fung-ying (Non-Panel Member)

1.3 Miss Flora TAI, Clerk to the Panel, accompanied the delegation on the visit.

Portfolio of the Panel

1.4 The Panel is tasked to monitor and examine Government policies and issues of public concern relating to food safety, environmental hygiene and agriculture and fisheries. The Panel has all along taken a keen interest in the import control of food and the food surveillance measures to ensure that all food on sale are wholesome, unadulterated and fit for human consumption. The Panel is of the view that a comprehensive food safety regulatory system should be put in place in Hong Kong to ensure food safety "from farm to fork" and to bring every part in the whole food supply chain under the regulatory control with a view to better safeguarding food safety and protecting public health in Hong Kong. The Panel has decided to send a delegation to obtain first-hand information on the food regulatory systems in France and the UK to ensure the safety of food and to protect the public from health hazards caused by the consumption of unsafe food. The experience of these countries will provide useful reference for Hong Kong in improving further its regulatory system of food safety.

Visit programme

1.5 The delegation visited France (Paris) and the UK (London) from 24 to 30 March 2008. During its stay in Paris, the delegation met with government officials from the French Food Safety Agency, Directorate General of Food, Directorate General for Competition, Consumption and the Repression of Fraud and other authorities responsible for food safety. The delegation also visited Min Rungis, the largest fresh produce wholesale market in the world, and the border sanitary control office at Charles de Gaulle International Airport. During its stay in London, the delegation met with representatives of Food Standards Agency, British Retail Consortium, Food and Drink Federation, and “Which?”, the largest consumer body in the UK. Further details of the programme of the visit are in **Appendix I**. A list of reference materials obtained during the visit is in **Appendix II**.

Chapter 2 – Regulatory system of food safety in France

Regulatory landscape

2.1 The Law of July 1998 has established the framework of the existing food safety system in France. At present, the food safety system involves a large-scale monitoring scheme carried out by the French Food Safety Agency (AFSSA in the French acronym) and the National Institute for Monitoring of Health. In compliance with the European directives, food producers, processors and distributors are required to be responsible for the safety of the foodstuffs they manufacture and market.

2.2 The French government has adopted five major principles in guiding its food safety policies -

- (a) maintaining that producers, processors and distributors (operators) have the first responsibility;
- (b) continuous modification of regulation in response to scientific and technical developments in health issues;
- (c) approval and monitoring of food establishments under the responsibility of public services which have the power to sanction when deem necessary;
- (d) utilizing both the national and the European Commission (EC) alert networks for health monitoring in the event of potential or known risk; and
- (e) ensuring that responsible authorities are capable of managing risks, particularly in urgent situations.

2.3 To keep pace with the scientific and technological advances in the agricultural sector, new regulations are continuously adopted at the national and the European Union (EU) levels. The current food safety legislation in France is based on -

- (a) EU directives – as a member state, France enforces food safety regulations as stipulated in the framework of the unified market;
- (b) Consumer Code – created in 1993 and last updated in 1998, the Code brings together the provisions of the Law of 1905 and the Law of 21 July 1983 on consumer safety, as well as provisions

specified in other legislation and regulations. The Consumer Code governs every aspect of a product's life cycle, including its compliance with safety regulations, composition, labelling and distribution;

- (c) Rural Code – the Code constitutes the regulatory environment for food production firms and stipulates the procedures of health/sanitary inspections and the quality of food products. In July 1999, the Agricultural Orientation Law formalized a latent safety concept that "food safety begins in the field or on the ranch and is built up step-by-step throughout the entire processing chain, all the way to the consumer's plate.";
- (d) Law of 1 July 1998 – the Law improves health monitoring and safety inspection of food products destined for human consumption. Under this law, an independent body, AFSSA, is created to be in charge of assessing food-related health and nutritional risks; and
- (e) European regulations of 1 January 2006 on food hygiene and animal feed – under the regulations, a single, transparent policy is applied to food products, animal feeds and the food industry, with effective instruments being used for managing food safety, such as an alert system, throughout the food chain.

Division of responsibility among authorities

2.4 The responsibilities for food safety in France are shared among authorities at the national and local levels. At the national level, food safety is overseen by the following ministries -

- (a) Ministry of Agriculture and Fishing – Directorate General of Food (DGAL in the French acronym);
- (b) Ministry of Economy, Finance and Industry – Directorate General for Competition, Consumption and the Repression of Fraud (DGCCRF in the French acronym); and
- (c) Ministry of Health and Solidarity – Directorate General for Health (DGS in the French acronym).

2.5 The monitoring and enforcement of health legislation throughout France is carried out by the 100 partnerships of the Departmental Management of Veterinary Services (DDSV in the French acronym), the Departmental

Management for Competition, Consumption and the Repression of Fraud (DDCCRF in the French acronym) and the Departmental Management of Health and Social Affairs (DDASS in the French acronym) at the local level.¹ DDSVs inspect and certify production facilities and processing plants in their respective districts.



Presentation by Dr Marie-Frederique Parant, Head of Export Office,
Directorate General of Food

Directorate General of Food

2.6 Under the purview of the Ministry of Agriculture and Fishing, DGAL monitors and handles health and safety risks within the agriculture and food industries, including -

- (a) protection of plants and animal health;
- (b) protection, hygiene and organization of quality systems for food products in various stages of preparation, transportation and sale; and

¹ In the context of the political and geographic organization of France and many of its former colonies, a department is an administrative unit similar to an English county, and there are a total of 100 departments grouped under 22 regions.

- (c) promotion of the French food, health and phytosanitary models.

2.7 DGAL plays the following roles in the food chain:

- (a) certification and qualification of food and food production plants;
- (b) control and investigations of food safety incidents; and
- (c) periodic inspections of slaughterhouses.

2.8 DGAL monitors compliance with health regulations throughout the entire food chain for products of animal origin and up to the first processing for products of plant origin.

Directorate General for Competition, Consumption and the Repression of Fraud

2.9 Under the purview of the Ministry of Economy, Finance and Industry, DGCCRF is responsible for ensuring open and fair trade of consumer goods and services and protecting consumers. Its activities centre on the safety, fairness and quality of consumer goods and services. Food products account for part of its portfolio, focusing on the composition, additives, authorized processing, labelling and sales practices. DGCCRF monitors plant products (except those undergoing first processing) on the food chain and carries out inspections at points of distribution and consumption.

Directorate General for Health

2.10 DGS falls under the purview of the Ministry of Health and Solidarity. It works in all fields relating to public health and food safety, particularly in the area of water intended for human consumption. It carries out checks on potable water and conducts investigations following cases of human food poisoning.

French Food Safety Agency

2.11 Established in April 1999 in response to various health crises, AFSSA is a state institution under the responsibility of the Ministry of Agriculture and Fishing, the Ministry of Economy, Finance and Industry and the Ministry of Health and Solidarity. Its roles, prerogatives, organization and operation are laid down in the *Code of Public Health*. Its jurisdiction covers the following -

- (a) human nutrition, originating in food (including water-related risks), of animal origin and those relating to the use of agronomic inputs, and human health;
- (b) animal health;

- (c) plant health, relating to the use of agronomic inputs;
- (d) environment (and ecosystems), relating to the use of agronomic inputs or veterinary medicinal products; and
- (e) animal welfare.



Presentation of souvenir to Ms Lilian Puech, Head of International Affairs Unit, French Food Safety Agency

National Institute for Monitoring of Health

2.12 The National Institute for Monitoring of Health (InVS in the French acronym) is a state organization founded in 1999 as part of the drive to increase food safety, and falls under the purview of the Ministry of Health and Solidarity. InVS monitors the sanitary conditions and observes the health condition of the French population. It is responsible for alerting the authorities concerned and providing them with recommendations in the event of any threat to public health.

Enforcement of feed and food controls

2.13 The delegation received a very detailed briefing on the enforcement of

feed and food controls in France from representatives of DGAL and DGCCRF. The delegation was told that, under a single chain of command, there were well-defined missions for all organizations and an integrated approach was adopted for the enforcement of feed and food controls. According to representatives of DGAL and DGCCRF, there is a separation between risk management and economic support functions to be performed by DGAL and Directorate for Economical and International Policies under the Ministry of Agriculture, Food, Fishery and Rural Affairs. While AFSSA is responsible for risk assessment, DGAL is responsible for risk management. Moreover, there is a network of laboratories with large analysis capacities in France with additional support from reference laboratories in various regions.

2.14 The delegation notes that both the manufacturing and marketing of food products are subject to the principle of "proven safety" as stipulated in the Consumer Code. The Code defines risk analysis and the principle of responsibility for defective products. To ensure the safety of their products, industry professionals are responsible for identifying the critical points of their activity. To help the industry professionals in their work, the Hygiene Committee of Codex Alimentarius Commission has developed a method of analysis, called Hazard Analysis Critical Control Point (HACCP). The agri-foods, animal feed and restaurant sectors are familiar with HACCP concepts, traceability and European hygiene standards. To carry out risk assessment and management, the French government relies on all parties involved in the food chain. Industrial professionals and the public are consulted in the process of development or amendment of regulations.

2.15 Monitoring food safety is the responsibility of DGAL. The actual implementation involves inspection of animals at ranches and farms, and checking certified slaughterhouses. Industrial or small-scale firms that manufacture food products using animal products or products of animal origin are required to obtain a health certificate from DDSVs. Frequency of inspections depends on the risks relating to the nature of a particular activity and the related company's overall hygiene level.

2.16 Product inspections are performed by DDSVs at the production, transportation, storage and distribution stages. Such inspections cover the checking of the composition of the products, their microbiological characteristics and storage conditions (in particular, the temperature). Both DGAL and DGCCRF implement ad hoc monitoring plans for some categories of food products that are particularly fragile, or likely to develop emerging pathogens or to be in contact with toxic residues.

2.17 Imports of animal products or products of animal or plant origin from other countries are subject to inspections at the Border Inspection Posts, which fall under the purview of DGAL. Random inspections are also conducted at refrigerated warehouses, distribution facilities and agri-food firms.

2.18 AFSSA conducts regular comprehensive studies on food consumption of the French people. Areas of studies include types of diet, eating habits and population at risk.

2.19 An alert system on a certain product at risk will be activated by the authorities concerned if it has not been done by the relevant company or organization, which is legally responsible for the marketing of that product. The alert given by the authorities allows any product at risk to be identified so that it can be withdrawn from points of sale and recalled from consumers.

2.20 DDSVs are required to send notification of non-compliance to DGAL's central health alert management office. Upon receipt of such notification, the office will send out the relevant information to the directorates and offices concerned. The office is also responsible for coordinating any necessary resulting actions.

2.21 Local authorities are responsible for handling the outbreak of food poisoning. While investigations are conducted by DDSVs on the agri-food industry, DDASSs are responsible for identifying the causes of food poisoning. Proven fraud is brought before DDCCRF. The "in the field" investigations are coordinated by local governments. Predetermined procedures are in place to enable investigators to collect the required information in a swift manner.



Visit to MIN Rungis wholesale market in Paris

2.22 During its visit to Min Rungis, the delegation has found that beef farmers identify their livestock at birth in order to allow identification, transparency and traceability. On each ear, beef cattle have a tag with a 10-digit national ID number. This same number is also used in a passport in which relevant information about the animal is noted, such as its country of identification, its working number, its sex, its breed, its date of birth, as well as all its movements from birth. This information contributes to ensuring traceability and each quarter and each cut are identified at each step in processing the carcass. Veterinary inspectors stationed at Min Rungis have explained to the delegation how the hygiene of animals delivered to the market is monitored. The delegation has noted that there is a systematic verification of the individual documents that accompany the animals. Upon arrival at the meatpackers, an animal must be accompanied by its passport and the two tags indicating its ID number. Their identification as well as the health documents that accompany it are verified by the operator of the meatpacking plants, under the control of the veterinary inspectors. A number is marked in ink on the carcass, in relation to the animal's ID number, as well as on each piece of cut meat. The meatpackers must be able at all times to find the ID number of the animal by using this slaughtering number to ensure traceability. After slaughter, the carcasses are inspected by the veterinary services, and health controls are carried out to determine if the meat is fit for human consumption.



A meat hall at MIN Rungis



Briefing on the labelling system of beef cattle at Min Rungis

2.23 The delegation has also received a briefing on the work of France Vétérinaire International (FVI), created in 2003 and which is set up to coordinate veterinary training and technical cooperation on animal health issues. Under the form of a public interest group, it is charged of unifying, coordinating and promoting the expertise of the French veterinarians on an international level.

Chapter 3 – Regulatory system of food safety in the UK

Regulatory landscape

3.1 The main food laws applicable to food safety in the UK are as follows

-
- (a) *Food Safety Act 1990* – providing the framework for all food legislation in England, Wales and Scotland²;
- (b) *General Food Law* – EC legislation on general food safety; and
- (c) *General Food Regulations 2004* – providing for the enforcement of certain provisions of the *General Food Law* and the amendment of the *Food Safety Act 1990* to bring it in line with the *General Food Law*.

3.2 In 2007, the UK published the *Single Integrated National Control Plan for the United Kingdom January 2007 to March 2011 (NCP)*, in accordance with the requirements of the *European Community Regulation 882/2004*. The principal objectives of *NCP* are to ensure that the EC laws on feed and food, animal health and welfare, and plant health are implemented in the UK and that there are effective control systems in place for enforcement and monitoring compliance. In essence, it helps safeguard public, animal and plant health, protect consumer interests, and promote animal welfare.

3.3 *NCP* details the roles and responsibilities of the different authorities and associated organizations involved in the monitoring of compliance with, and enforcement of, the feed and food laws, animal health and welfare rules and plant health requirements. It also provides an overview of how these authorities and other bodies should work together to safeguard public, animal and plant health, to protect consumers and to promote animal welfare.

Division of responsibility among authorities

3.4 The responsibility for feed and food controls is shared among the central and local authorities. The central authorities are -

- (a) Food Standards Agency (FSA); and
- (b) Department for Environment, Food and Rural Affairs (Defra) in England³.

² Similar legislation applies in Northern Ireland.

³ The equivalent authorities are the Scottish Government Directorate-General Environment, the Welsh Assembly Government Department for Rural Affairs and the Department of Agriculture and Rural

3.5 There are 469 local authorities⁴ responsible for monitoring and verifying compliance with the food laws, and enforcing the related requirements.⁵ In carrying out their functions, these authorities are assisted by the National Reference Laboratories⁶ and other official laboratories and independent third parties to which specific control tasks have been delegated.

3.6 Established by the *Food Standards Act 1999* on 1 April 2000, FSA is a non-ministerial government department accountable to the government through the Secretary of State for Health. FSA provides advice and information to the public and the government on food safety from farm to fork, nutrition and diet. It also protects consumers through effective enforcement and monitoring measures.



Presentation of souvenir to Mr Tom Murray, Head of Food Hygiene Implementation Division, UK Food Standards Agency

Development for Northern Ireland.

⁴ Local authorities refer to county, shire, district, borough and city councils.

⁵ See *Single Integrated National Control Plan for the United Kingdom January 2007 to March 2011 (Revision 1 - issued August 2007)* (2007). Available from <http://www.food.gov.hk/multimedia/pdfs/uknationalcontrolplan.pdf> [Accessed 22 January 2008].

⁶ Created by the EC, the National Reference Laboratories are a network of laboratories responsible for setting up the EU-wide standards for routine procedures and testing methods in the areas of feed and food and animal health.

3.7 FSA's primary aim is to protect the health of the public and the interests of consumers in relation to food. The functions of FSA include -

- (a) developing effective policies relating to food safety and other interests of consumers in relation to food;
- (b) providing clear and practical advice, information and other forms of assistance to all stakeholders;
- (c) building and maintaining a reputation for expertise and excellence in matters relating to food safety and other interests of consumers in relation to food;
- (d) maintaining effective working links with devolved administrations, other public bodies and stakeholder organizations with an interest in food safety and standards, both in the UK and other countries;
- (e) making decisions and taking actions proportionate to the risk, and with due regard to costs and benefits; and
- (f) ensuring that the interests of the UK consumers in relation to food are effectively promoted within the EU and in other international forums.

3.8 Defra helps create a sustainable food and farming supply chain serving the market and the environment; put in place systems to reduce risks of animal diseases, and being ready to control them when they occur. According to the *Comprehensive Spending Review 2007* published by the Chancellor of the Exchequer on 9 October 2007, the strategic objectives of Defra are -

- (a) tackling climate change internationally and through domestic action to reduce greenhouse gas emissions;
- (b) securing a healthy, resilient, productive and diverse natural environment;
- (c) ensuring sustainable patterns of consumption and production;
- (d) ensuring the economy and society resilient to environmental risk and adapting to the impacts of climate change;
- (e) ensuring a thriving farming and food sector with a positive environmental impact;
- (f) ensuring sustainable development nationally and

internationally;

- (g) developing strong rural communities; and
- (h) providing efficient and high quality services.

Food labelling

3.9 Labelling rules specified in the *European Directive 2003/89/EC* were introduced in the UK by an amendment to the *Food Labelling Regulations 1996* in 2004. Under these rules, consumers are given comprehensive ingredient listing information, and people with food allergies should find it easier to identify ingredients they need to avoid. These rules were last updated in December 2007. FSA's primary responsibility for labelling is to help make sure that people obtain the relevant information in an understandable manner.

3.10 The *Food Labelling Regulations 1996* require food to be marked or labelled with the following information -

- (a) name of the food;
- (b) list of ingredients;
- (c) amount of an ingredient which is named or associated with the food;
- (d) durability indication;
- (e) special storage conditions;
- (f) name of business and manufacturer;
- (g) place of origin;
- (h) process used in manufacturing; and
- (i) instructions for use.

3.11 Guidance notes for businesses on food labelling regulations with regard to place of origin, Quantitative Ingredient Declarations, lot marking, specifying a "use by" date and nutrition labelling are offered by the government.

3.12 FSA has an extensive programme of surveillance on food authenticity, involving ad hoc checks on foods. Falsely describing, advertising or presenting food is an offence, and there are laws that help protect consumers against

dishonest labelling and mis-description. Breaching of the *Food Labelling Regulations 1996* may incur a fine of up to £5,000 (HK\$78,100).

3.13 During its visit to FSA, the delegation received very detailed briefings on general food labelling and nutrition labelling in particular. The delegation was told that FSA was committed to promoting informed choice and improving food labelling was one of its priority objectives. FSA has published the *Advice on Food Labelling* which lists out the relevant legislation, describes its territorial extent, provides advice on its interpretation and sets out advice on best practice. According to FSA, the aims in producing the Advice are to help -

- (a) manufacturers, producers, retailers and caterers to comply with the law and provide additional voluntary information in a way that is helpful to consumers;
- (b) enforcement authorities to identify and clamp down on misleading origin labelling; and
- (c) consumers by encouraging industry to give more origin information and adopt consistent, transparent labelling practices.

3.14 Officials from FSA highlighted to the delegation its introduction of the front of pack "Traffic Light" nutrition labelling. The delegation was told that, according to a *Nutrition Labelling research report* conducted by FSA in 2001, while approximately 80% of UK companies already provided some back of pack labelling on a voluntary basis, consumers still wanted an easier "at a glance" system of labelling. Rising level of obesity in the UK also raised serious health concerns, particularly in relation to cardiovascular disease, stroke, cancer and type II diabetes. In addition, National Diet and Nutrition Data found that consumers ate too much saturated fat, sugar and salt. Officials from FSA explained to the delegation how FSA had conducted extensive consumer research and consultation with industry and various stakeholders, before recommending the front of pack "Traffic Light" nutrition labelling for use in March 2006.

3.15 According to the FSA's recommendation, the front of pack "Traffic Light" nutrition labelling should be based on the following four core principles -

- (a) relating to the nutrients consumers are eating too much of - fat, saturated fat, sugars and salt;
- (b) including red, amber or green colours to indicate whether the level of each of the nutrients is high, medium or low;
- (c) using colour codes based on government dietary reference

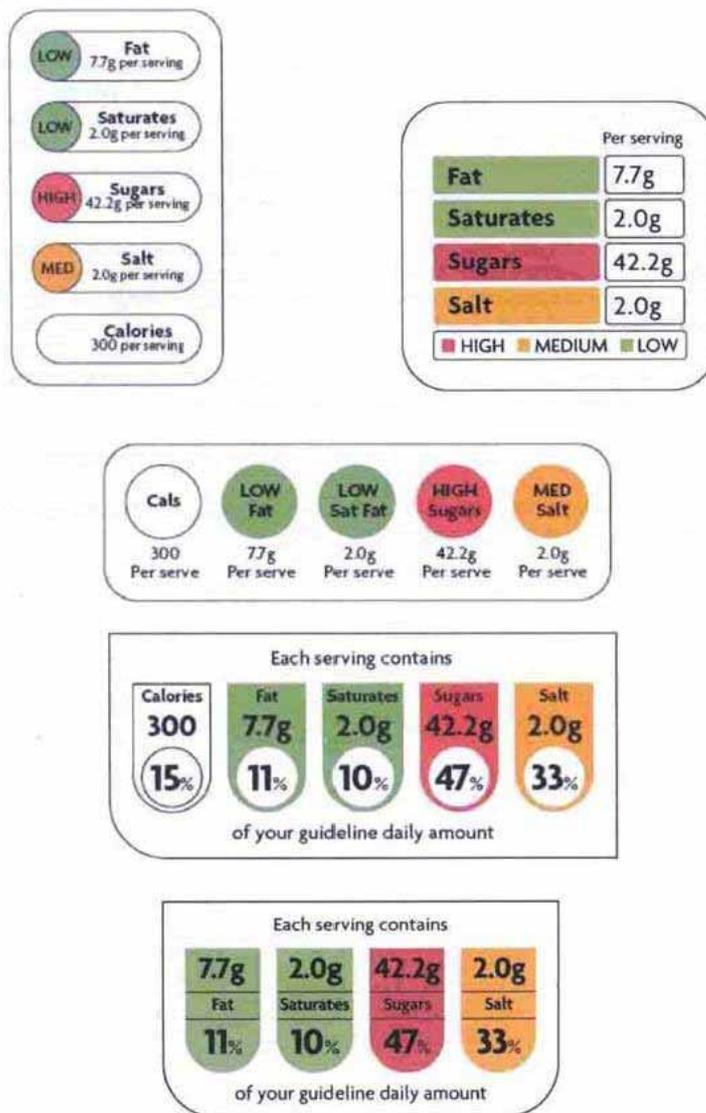
values; and

- (d) including information on the amounts of each nutrient in a portion of product.

In addition, information on calories and/or Guideline Daily Amounts (GDA) may also be provided optional extra information.

3.16 The delegation was shown examples of signposting formats which meet the core elements of the FSA's recommendations (see Figure 1).

Figure 1 - Examples of signposting formats



Source :Front-of-pack Traffic light signpost labeling Technical Guidance issued by FSA in November 2007

3.17 The delegation notes that, while the "Traffic Light" nutrition labelling is recommended to be applied to foods such as ready meals, pizzas, burgers, sausages, pies, pasties, quiches, breaded and formed meat products e.g. chicken nuggets and breakfast cereals, it is also being used on cakes, desserts, biscuits, bread products, cooking sauces, prepared salads, soups, drinks, oven baked products, crisps, cooked meats, fresh meat and poultry in the UK. The delegation also notes that the traffic light colour approach to nutritional signpost labelling requires criteria that define the green/amber (low/medium) and amber/red (medium/high) boundaries for the key nutrients fat, saturated fat, sugars and salt. The criteria for foods recommended by FSA are set out in Figure 2 -

Figure 2 - Nutritional criteria for food (per 100g whether or not they are sold by volume)

	Green (Low)	Amber (Medium)	Red (High)	
Fat	≤ 3.0g/100g	>3.0 to ≤ 20.0g/100g	>20.0g/100g	21.0g/portion
Saturates	≤ 1.5g/100g	>1.5 to ≤ 5.0g/100g	>5.0g/100g	6.0g/portion
Sugars⁷	≤ 5.0g/100g	>5.0 to ≤ 12.5g/100g	>12.5g/100g	15.0g/portion
Salt⁸	≤ 0.30g/100g	>0.30 to ≤ 1.50g/100g	>1.50g/100g	2.40g/portion ⁹

The colour code for sugars is determined in terms of both the total and added sugar components as follows¹⁰ -

Green if **total sugars** are less than or equal to **5g/100g**.

Amber if **total sugars** exceed **5g/100g** and **added sugars** are less than **12.5g/100g**.

Red if **added sugars** are more than 12.5g/100g.

Source :Front-of-pack Traffic light signpost labeling Technical Guidance issued by FSA in November 2007

3.18 The delegation was told that the "Traffic Light" nutrition labelling was being used by eight retailers in the UK, whose combined sales made up 40% of the retail market by sales, 16 manufacturers and four service providers. At the start of 2008, it was used on approximately 10 000 products.

⁷ The Agency has asked the Scientific Advisory Committee on Nutrition to review and advice on intakes of sugars as part of its future work programme.

⁸ Sodium from all sources expressed as salt.

⁹ To be reviewed in 2008 to reflect progress on salt reduction work.

¹⁰ For the purpose of FSA's front of pack nutrition signpost scheme, added sugars is defined as any mono- or disaccharide or any other food used for its sweetening properties. This would included, but is not exclusively limited to: sucrose, fructose, glucose, glucose syrups, fructose-glucose syrups, corn syrups, invert sugar, honey, maple syrup, malt extract, dextrose, fruit juices, deionised fruit juices, lactose, maltose, high maltose syrups, Agave syrup, dextrin and maltodextrin. The sugars contained in dried fruit are assumed to be intrinsic and are not included as added sugars. The sugars in milk powder are not included as added sugars, in line with COMA dietary guidelines which deemed sugars in milk as a special case and did not set guidelines to limit their intake.

3.19 The delegation notes that FSA has carried out extensive and scientifically robust published research with UK shoppers on front of pack signpost labelling. These studies have all found that red, amber and green colour coding is key to helping consumers use front-of-pack nutrition labelling to make healthier choices when shopping. The findings show that -

- (a) 90% of consumers are able to assess correctly the levels of fat, salt and sugar in individual foods using traffic light colour coded signposts;
- (b) using the same test, less than 50% of consumers assess the products correctly with a monochrome percentage of GDA label; and
- (c) only 3% of consumers prefer a monochrome percentage GDA option compared to 95% who prefer a traffic light colour coded scheme.

3.20 The delegation also notes that FSA has published, jointly with "Which?", a handy food shopping card for distribution to the public (see Figure 3) so that, if the food does not have traffic light colours, consumers could still make healthier choices by checking the levels of the nutrients.

Figure 3 - Food shopping card in real size published jointly by FSA and "Which?"



Front side of the card

Back side of the card

3.21 According to FSA, the effect of the "Traffic Light" approach is as follows -

- (a) preliminary sales data indicate consumers are using traffic light

colours to make healthier choices within a product category, e.g. ready meals;

- (b) traffic light colour coding empowers consumers to consider the overall nutritional balance of the food as well as the amounts of specific individual nutrients when making their purchasing choices; and
- (c) information from retailers and manufacturers indicates that they have used the FSA's nutritional criteria to reformulate products, to achieve more green and amber lights, resulting in healthier products on sale.

3.22 During the delegation's visit, representatives of the British Retail Consortium (BRC) also told the delegation that convenience eating was getting more popular which was the consequence of modern lifestyles. Food retailers have been working on provision of choice and information for consumers. However, many consumers rarely bother to look for nutrition information on labels, either because their product choice is driven by habit, or because they lack the knowledge and confidence to interpret the information. Retailers have responded by adopting GDAs and, more recently, by developing their own signposting systems, using colour coding to help convey the key points of nutritional information. On the calculation of GDAs, representatives of BRC have also explained to the delegation that GDAs are based on the predicted daily consumption of an average consumer on a diet conforming to the Committee on Medical Aspects of Food and Nutrition Policy report on Dietary Reference Values. They are therefore based upon, and are consistent with, the latest published scientific data on dietary requirements and recommendations and have been developed in consultation with recognized experts in nutrition for the purpose of maintaining a good nutritional status in the UK population. Food retailers have also worked with the EC and Members of the European Parliament to develop the new Regulation on Nutrition and Health Claims, so that the procedure for the substantiation for such claims is clearly defined.



Briefing on the work of UK Food Standards Agency

Enforcement of feed and food controls

3.23 During its visit to FSA, the delegation also received a briefing on the FSA's role in overseeing the enforcement of feed and food controls by local authorities, the control activities of which include -

- (a) setting out service delivery plans;
- (b) inspection of food premises;
- (c) inspection of food;
- (d) sampling and analysis;
- (e) investigating complaints;
- (f) control and investigations of outbreaks and food related infectious disease; and
- (g) providing advice to food business.

While the enforcement of the feed and food laws is the responsibility of local authorities, FSA monitors standards and audits local authorities' activities to ensure that enforcement arrangements are proportionate, consistent and transparent. The FSA's local authority scheme is the process by which the

Agency conducts a qualitative assessment of local authority performance.

3.24 Officials from FSA have explained to the delegation that, apart from its monitoring role, FSA also provides support to local authorities in enforcing feed and food controls which include low cost training programme, guidance material, grants and expertise, food sampling and surveillance database, and the Agency's regional presence in Regional Government Offices in England. The delegation, however, notes that, while there are about 600,000 food businesses and 150,000 farms in the UK, the manpower resources of local authorities for food law enforcement only include approximately 1,500 environmental health officers, 500 trading standards officers in addition to technical support officers.

3.25 Officials from FSA also gave a presentation on the Agency's work in managing food incidents to the delegation. The delegation notes that, in addition to the *Food Alerts* published by FSA to alert local authorities and consumers to food safety issues, FSA also has the *Incidents Response Protocol* outlining the procedures that should be followed by its staff during food and feed safety incidents. Officials from FSA have explained that the Protocol is a user friendly guide for procedures to be followed by Agency staff during incidents which cover notification, incident classification levels, roles and responsibilities, record keeping, and closure and review procedures.

3.26 The delegation also met with representatives of BRC and the Food and Drink Federation (FDF) to understand the role of the food industry in ensuring food safety. The delegation notes that BRC is a leading trade association in the UK representing all types of retailers from small, independently owned stores, to big chain stores and department stores. According to BRC, its mission is to make life easier for members by:

- (a) campaigning to promote and defend retailers' interests;
- (b) advising retailers of threats and opportunities to their business;
- (c) improving the perceptions of retailing in the UK; and
- (d) offering members a range of services and products which add value to their business.

3.27 Representatives of BRC have explained to the delegation the development of the BRC Global Standards which is used to assess retailer suppliers and as a framework upon which many companies have based their supplier assessment programmes and manufacture of some branded products. According to representatives of BRC, the objectives of BRC Global Standards are to -

- (a) promote best practice food/product safety and management of

quality;

- (b) ensure availability of record and documented systems to provide support for legal challenges;
- (c) reduce duplication of inspections and cost for suppliers;
- (d) provide clear and consistent guidance on base line retail requirements for suppliers;
- (e) ensure systems being put in place to produce product of a consistent specified quality;
- (f) facilitate continuous improvement in factory systems;
- (g) reduce the risk of consumer complaints and of product recalls; and
- (h) increase confidence in retailer own label products.

3.28 The delegation was told that audits by independent Accredited Certification Bodies registered to BRC would be carried out and the majority of the UK, and many European and Global retailers, and brand owners would only consider business with suppliers who have gained certification to the appropriate BRC Global Standards.

3.29 Representatives of FDF which comprises manufacturers of all sizes as well as trade associations have explained its food safety and health objectives to the delegation which include, among others, -

- (a) the promotion and fostering of proportionate handling of food safety incidents at national and EU level, and the coordination of an effective industry response to such incidents;
- (b) the seeking of proportionate and evidence-based legislation, coupled with effective and pragmatic enforcement; and
- (c) the promotion and delivery of effective food labelling at national and the raising of consumer understanding and usage of GDAs, including on front of pack.

3.30 They also told the delegation that the Federation would communicate the values and concerns of the food and drink industry to the government, regulators, consumers and media, and works in partnership with key players in the food chain to ensure food safety.

Chapter 4 - Observations

General

4.1 The delegation is of the view that the information obtained during the visit has provided useful reference for Hong Kong in the area of food safety regulatory framework and food labelling law. The observations of the delegation are given in the following paragraphs.

Food safety regulatory framework

4.2 The delegation finds that both French and UK governments have put in place effective food safety regulatory frameworks to ensure a high level of food safety in their countries. Both governments have adopted and implemented "from farm to table" approach in formulating their food safety regulatory frameworks, covering all sectors of the feed and food chain, establishing a high level of consumer health protection and clearly attributing primary responsibility for safe food production to industry, producers and suppliers. The delegation notes that an effective "from farm to table" food safety policy must be based on a comprehensive and integrated approach, and the roles of all stakeholders in the food chain must be clearly defined. In France and the UK, feed and food operators are required to implement traceability systems for identifying places where their products come from and go to, and provide such information to the authorities concerned. In compliance with the EU's *General Food Law*, food business operators have obligations to identify rapidly suppliers or consignees in the event of food safety incidents and withdraw immediately unsafe food or feed from the market.

4.3 In Hong Kong, there is presently no legal requirement for food business operators to keep proper records of the movement of food products. As a result, there are practical difficulties in tracing the food importers, distributors and retailers concerned in the event of a food safety incident. The delegation is pleased to note that a mandatory registration scheme for food importers and distributors would be introduced under the Food Safety Bill, to be introduced into LegCo in the next legislative term, and the Director of Food and Environmental Hygiene would be empowered to issue a recall order in a food safety incident. The delegation considers that the food safety regulatory frameworks in France and the UK would provide useful reference to Hong Kong in formulating a new regulatory framework to strengthen the management of every part in the whole food supply chain and enhance food traceability in Hong Kong.

Involvement of veterinarians

4.4 The delegation notes that the veterinary profession plays a key part in the food safety regulatory framework in France. The change to food safety assurance "from farm to table" requires an integrated and multi-disciplinary team in which veterinarians play an important role in mediating food safety between the producer and the consumer. Most of the subjects on the veterinary training curriculum are relevant to the improvement of animal health, prevention of disease and its spread and the identification of risks to humans involved in the industry and to consumers of foods of animal origins. The delegation is of the view that there should be greater veterinary involvement in all aspects of food safety in Hong Kong, and veterinarians should be involved in policy-making to ensure effective implementation of "from farm to table" approach and monitoring of food safety in Hong Kong. The Government should also consider formulating a policy to allow greater involvement of veterinarians in this respect and make appropriate manpower planning accordingly.

Beef cattle identification system and beef labelling system

4.5 The delegation is impressed by the stringent beef cattle identification system implemented in France. This system provides traceability of beef cattle from birth to slaughtering. It provides general assurance for consumers of the origin of beef products, and in particular underpins the effectiveness of the disease testing system of Bovine Spongiform Encephalopathy, commonly known as Mad-Cow Disease, in slaughterhouses to prevent infected beef reaching the food chain. It is mandatory for all fresh or frozen beef to be labelled with information including a reference number or code that can be used to trace the original animal, the veterinary approval number of the slaughterhouse and the approval number of the cutting plant. Under the law, all operators in the supply chain are required to have a traceability system so that beef on sale can be traced back to the original animal or group of animals which it came from.

4.6 The experience of France indicates that the identification and labelling systems are effective tools to trace the source of problematic food and facilitate food recall when it is deemed necessary. The delegation considers that the Government could draw reference from France in implementing a similar food tracking system in Hong Kong.

Front of pack "Traffic light" nutrition labelling

4.7 The delegation is highly impressed by FSA's front of pack "Traffic Light" nutrition labelling in helping consumers to make healthier choices when shopping. Consumers can look for products with green, amber and red

coloured labels (i.e. "trafftic light" labels) on the front of the pack of food products. The coloured labels show consumers at a glance whether the food products they buy has low, medium or high amounts of fat, saturated fat, sugars and salt. The delegation has noted that FSA has conducted extensive consumer research and consultation with industry and various stakeholders, before recommending the front of pack "Traffic Light" nutrition labelling for use in March 2006. The delegation is equally impressed by the positive attitude held and efforts made by the UK industry in providing more nutrition information to consumers in making food choices. The delegation also considers that the handy food shopping card published jointly by FSA and "Which?" can serve a quick reference for consumers to make healthier choices by checking the levels of the nutrients even if the food does not have traffic light colours.

4.8 Apart from the enactment of food labelling regulations on food additives, allergens and nutrients, the delegation considers that there is a need for the Government to enhance the publicity, education and promotion in pursuing the goal of helping Hong Kong people to develop a healthy diet. Drawing reference from the experience of the UK, the Government should strengthen collaboration with the trade and the interested parties, particularly on facilitating consumers to make healthier food choices and encouraging food manufacturers and retailers to formulate healthier products on sale.

Conclusion

4.9 The delegation has found the visit to France and the UK very enlightening and useful. The detailed briefings and exchange of views between the delegation and the government officials and representatives in France and the UK have provided good materials for further thoughts when Members consider the Government's proposals to enhance the overall food safety regulatory framework in Hong Kong.

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Panel on Food Safety and Environmental Hygiene

**Overseas duty visit to France and the United Kingdom
from 24 to 30 March 2008**

Visit programme

Date/Time	Programme
24 March 2008 (Monday)	Hong Kong / London / Paris
1:00 am	Depart Hong Kong for London
6:40 am	Arrive at London
8:45 am	Depart London for Paris
25 March 2008 (Tuesday)	Paris
9:00 am - 11:30 am	Presentation by Agence Française de Sécurité Sanitaire des Aliments (<i>French Food Safety Agency</i>)
12:15 pm - 12:45 pm	Presentation by France Vétérinaire International (FVI)
12:45 pm - 2:15 pm	Lunch with officials of Direction Générale de l'alimentation (DGAL) (<i>Directorate General of Food</i>) and FVI
2:15 pm - 3:00 pm	Meeting with DGAL
3:00 pm - 4:30 pm	Presentation by Direction Générale de la Concurrence, la Consommation et la Répression des Fraudes (<i>Directorate General for Competition, Consumption and the Repression of Fraud</i>)
4:30 pm - 5:00 pm	Presentation by DGAL
26 March 2008 (Wednesday)	Paris / London
6:30 am - 10:30 am	Visit to MIN Rungis (<i>market for wholesalers in food industry and horticulture</i>)
10:30 am - 11:00 am	Meeting with Direction Départementale des Services Vétérinaires (<i>Departmental Management of Veterinary Services</i>)

Date/Time	Programme
1:00 pm - 3:00 pm	Visit to Poste d'Inspection Frontiere (PIF) at Roissy Airport (<i>Border sanitary control office</i>)
6:00 pm	Depart Paris for London
27 March 2008 (Thursday)	London
9:00 am - 11:00 am	Meeting with British Retail Consortium
11:30 am - 1:30 pm	Meeting with Food and Drink Federation
7:00 pm	Dinner hosted by Mr Howard YAM, Deputy Director-General, Hong Kong Economic and Trade Office (London)
28 March 2008 (Friday)	London
10:00 am - 12:45 pm	Presentation by Food Standards Agency (FSA)
12:45 pm - 1:30 pm	Lunch with officials of FSA
1:30 pm - 3:00 pm	Presentation by FSA
3:30 pm - 4:30 pm	Meeting with "Which?"
29 March 2008 (Saturday)	London
9:30 pm	Depart London for Hong Kong
30 March 2008 (Sunday)	Hong Kong
5:50 pm	Arrive at Hong Kong

List of reference materials obtained during the visit

The United Kingdom

	Published/Provided by	Title
1.	British Retail Consortium	<i>Healthy options - Retail initiatives towards healthier eating</i>
2.	Commission of the European Communities	<i>Proposal for a Regulation of the European Parliament and of the Council on the provision of food information to consumers</i>
3.	Food Standards Agency	<i>Food labels - More informed choices</i>
4.	Food Standards Agency	<i>Front-of-pack Traffic light signpost labeling Technical Guidance - Issue 2 November 2007</i>
5.	Food Standards Agency	<i>FSANEWS (Autumn/Winter 2006) - Signpost Labelling Supplement</i>
6.	Food Standards Agency	<i>Food Labelling - Country of origin</i>
7.	Food Standards Agency	<i>Annual Report of Incidents 2006</i>
8.	Food Standards Agency	<i>The Food Labelling Regulations 1996 : Guidance Notes - (Rev 1) January 1997</i>
9.	Food Standards Agency	<i>Guidance Notes and Best Practice on Allergen and Miscellaneous Labelling Provisions</i>
10.	Food Standards Agency	<i>Guidance on Allergen Management and Consumer Information</i>
11.	Food Standards Agency	<i>Safer food better business - Chinese cuisine (2005) (with DVD)</i>

	Published/Provided by	Title
12.	Food Standards Agency and other Government Departments	<i>Single integrated national control plan for the United Kingdom - January 2007 to March 2011 (Revision 2 - issued February 2008)</i>
13.	Food Standards Agency	<i>Powerpoint material on the UK Front of Pack Signpost Labelling</i>

France

	Published/Provided by	Title
14.	Ministry of Agriculture and Fisheries	<i>Powerpoint material on the French organization for animal health and food safety</i>
15.	French Food Safety Agency	<i>Annual report 2006</i>
16.	French Food Safety Agency	<i>Pamphlet on French Food Safety Agency (Chinese version)</i>
17.	Ministry for Agriculture and Fisheries	<i>Leaflet on French Food Safety</i>
18.	France Vétérinaire International	<i>Leaflet on France Vétérinaire International</i>