

**Subcommittee on Food and Drugs (Composition and Labelling)
(Amendment: Requirements for Nutrition Labelling and
Nutrition Claim) Regulation 2008**

Purpose

At the meeting of the Subcommittee on Food and Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008 (Amendment Regulation) on 18 April 2008, Members raised questions on the public's views on the nutrition labelling scheme and the implications of the scheme on food choice.

Public Opinion on Nutrition Labelling

2. The Administration conducted a public opinion survey on the nutrition labelling scheme from 18 April 2008 to 22 April 2008. In total, 860 respondents were successfully enumerated by telephone interviews. 93% of the respondents considered that prepackaged food with nutrition claims should list out the nutrition information to support the claim. Some 81% of the respondents considered that it is worthwhile to implement the nutrition labelling scheme even if it will result in reduction in food choice.

3. On the small volume exemption scheme for food products with annual sales volume of 30 000 or below, it is noted that the public generally does not support such relaxation. Some 66% of the respondents do not agree with the small volume exemption scheme at all. And over 90% of the respondents considered that it is reasonable to require all prepackaged food with claims, regardless of its sales volume, to set out the nutritional information.

4. As to the grace period for implementation of the nutrition labelling scheme, over 54% of the respondents considered that the two-year grace period is already too long and some 39% considered that it is appropriate.

Implications on Food Choice

5. As claimed by the food trade, some 5% of the prepackaged food imported to Hong Kong is in small volume. Among them, about half (i.e. 2.5%)

carry nutrition claims. The trade estimated that if food products with nutrition claims are not eligible for small volume exemption, then these food products might be withdrawn from the Hong Kong market.

6. The US and Canada adopt a “one plus 14” and “one plus 13” nutrition labelling scheme respectively, covering all core nutrients required under our scheme. It follows that majority of the food products that are imported from North America to Hong Kong (whether they have claims or not) would have complied with our comparatively less stringent “one plus seven” requirement. We also note from the market that some of the food products imported from other countries have already listed out nutritional information in compliance with the amendment regulation despite there is not yet a nutrition labelling scheme in Hong Kong. This may be because the food producers want to voluntarily provide consumers with all the nutritional information or in some cases, the food products (including some manufactured in the Mainland) are for export to the North American markets. It follows that the impact on food choice may be less than the 2.5% as claimed by the trade. In this regard, Members may like to note that change in product variety is a normal trade practice, with an average product turnover rate of about 14% in the market.

7. Members may also wish to note that the 2.5% food products as claimed by the trade that may not come to HK, include those that do not meet the requirements for claims, e.g. products with low-fat claim that have high fat content. As shown from the experience of overseas countries which have implemented a nutrition labelling scheme, withdrawal of these food products from the market will eventually be replaced by more healthy food products.

8. The estimate by the food trade is generally in line with the results of the Regulatory Impact Assessment (RIA) conducted in 2005 for the proposed nutrition labelling scheme. The RIA report showed that if the Administration adopted the most stringent nutrition labelling scheme (i.e. energy plus nine core nutrients), 5% to 10% of the prepackaged food products currently available in Hong Kong might be withdrawn from the market. This estimate was made when no relaxation and facilitation measures were proposed by the Administration.

9. Thereafter, the Administration has moderated the nutrition labelling scheme, taking into account the views of the trade. These include reducing the

scope to “one plus seven”¹, allowing flexibility in the labelling format and introducing a small volume exemption scheme. The impact on the food trade would thus be greatly reduced.

Food and Health Bureau
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¹ Energy plus seven core nutrients, i.e. carbohydrates, protein, fat, saturated fat, trans fat, sodium and sugars.