

**2<sup>nd</sup> Written Submission on the Amendment of Nutrition Labeling and Nutrition Claim Regulation 2008.**

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**Health Claims for Small Volume Products – New Proposal 2008**

The proposed amendment on the Food and Drugs (Composition and Labeling) (Amendment: Requirements for Nutrition Labeling and Nutrition Claim) Regulation 2008, proposed to exempt the small volume food products with nutrition claims. It proposed to require these products to put a warning label on with HKSARG Warning – Nutrition labeling exempted in bilingual format. I cannot see the reason behind this proposal for it defeats the purpose of having nutrition claims. I also can understand the concerns of some consumers if those products with nutrition claims are withdrawn from the market but this proposal creates a gray area. If those products are withdrawn from the Hong Kong market, other more healthy products may be imported. The consumer may find healthier products in the market. As a health profession and dietitian working in Hong Kong, I urge the Government to provide clear and useful information for the general public. It is the duty of our Government to regulate the food imported and marketed in Hong Kong. We should not create any gray area which will confuse our consumers. The nutrition label regulation should provide clear information to our consumer without letting them to guess what is healthy or not healthy. Having this amended nutrition claim may mislead the consumer. Any products carry a claim should have a nutrition label of the claimed nutrients and other core nutrients to avoid misleading. This should be applied to all products without exemption. This is in line with international nutrition claim standards.

**Trans Fat Free/No Trans Fat/ Zero Trans Fat Claims – New Proposal 2008**

The amended trans fat proposal in 2008 proposed to accept products containing not more than 0.3g of trans fat per 100g to be labeled as “0g trans fat” on the nutrition panel. This may mislead the consumer to consume more of this product thinking that they do not have any trans fat which may be harmful to their health. As Canada is using less than 0.2g of trans fat per serving plus other conditions to have the above claims, whereas Malaysia is using less than 0.1g per 100g or 100ml. USA only allows the factual statement such as “zero gram of trans fat”. Our proposed level is much higher than those countries. Other proposal includes putting the trans fat information in the Government website which does not help the general public when they are shopping in the market. It also neglects the needs of those consumers who do not know how to use a computer and are in need of controlling trans fat intake like elderly. It is the responsibility of the government to regulate the nutrition claims

by providing user friendly information.

### **Nutrition Claims**

Nutrition claims are marketing strategy but not all products with nutrition claims are healthy. Some products claim to be low in one nutrient but high in other (e.g. low sugar products may contain a lot of saturated fat) which can be misleading. A lot of patients reported they purchased low sugar products for weight reduction but when I ask them to read the nutrition label and found the fat contain is high. Likewise, other patient purchase low fat products and found the sugar contain is high. Consumers were attracted by those claims and unaware of the nutrient contains of the product. Therefore I would propose the nutrition composition of the claimed nutrients and the core nutrients should be labeled accordingly. If a product with nutrition claim is a healthy food, the nutrition label will help their sales.

I would also suggest for those products using %NRV (Nutrient Reference Value) should state their NRV level as different country has their owe NRV level. For example, Vitamin C in Chinese NRV is 100mg, whereas USA is 60mg thus Australia and New Zealand is 40mg. If a product labeled as 100% NRV can be less than 50%NRV of the Chinese NRV. This can be deceptive to our consumer.

### **Nutrition Labeling of Energy Plus Seven Core Nutrients**

Nutrition labeling regulation is important for our patients and consumers. It is a very useful tool for nutrition education especially teaching them what food is appropriate for them. I and my professional colleagues fully support the regulation of Nutrition Labeling and Nutrition Claim. However, I would like to propose to include potassium, calcium and phosphorus in the nutrition labeling regulation as these nutrients are important for the renal patients. Many renal patients have a small selection of foods as inadequate information is provided. If the above information is available on the label, we can calculate their amount allowed. Diet therapy is an important treatment for our patients, taking the right amount of nutrients can improve their health status.

Teaching patients to read nutrition label and to interpret the nutrition claim is the responsibilities of the dietitian and nutritionist, but we need the Government's and trade's supports. I would like to urge the trade to provide user friendly nutrition information of their products including those with nutrition claims. I would also like to urge the Government and Legislative Council members to consider my proposal. Thank you.