



HONG KONG
RETAIL MANAGEMENT
ASSOCIATION
香港零售管理協會

HONG KONG
Suppliers Association Ltd. **HKSA**
香港供應商協會有限公司

17 March 2008

Members of The Executive Council
The Government of Hong Kong Special Administrative Region

Dear Sirs,

Nutrition Labelling

We write on behalf of the Hong Kong Suppliers Association and the Hong Kong Retail Management Association.

We appreciate and welcome the Food and Health Bureau's decision to include a small volume exemption to products that sell less than 30,000 units per year, but we are very concerned about the trade barrier that is being created unintentionally by the Bureau's proposal not to exempt small volume products that make nutrition claims.

We urge you to amend the proposed scheme so that products that are healthier and more nutritious for consumers can remain on sale. In particular, we propose:

1. to extend the small volume exemption to products that make nutrition claims, so that the ongoing sale of healthier products can be encouraged (and not discouraged);
2. to extend Hong Kong's specified list of allowable claims to include:
 - (a) "transfat-free" products;
 - (b) nutrition statements about "Omega-3", "Omega-6" (i.e. contains xx grams of Omega-3), and other nutrients that have a beneficial nutritional or physiological effect, as established by generally accepted international

scientific evidence; and

- (c) "-- percent fat free" claims provided that the food meets the criteria for "low fat";
3. similar to EU legislation, to allow (i.e. not ban) the sale of products that make nutritional claims that are not provided for in Hong Kong's specified list, provided that the claim which is made is truthful and has been shown to have a beneficial nutritional or physiological effect, as established by generally accepted international scientific evidence;
 4. to remove the requirement for "low fat" or "low cholesterol" products to include the amount of polyunsaturated and monounsaturated fat in the nutrition panel: these products have significantly less fat than their full fat counterparts that do not require this information;
 5. for products that that make vitamin or mineral claims, to remove the requirement for the vitamins and minerals to be labelled in absolute metric terms if already labelled in percentage terms with nutrient reference values from a recognized international authority;
 6. to extend the proposed grace period from two to three years; and
 7. similar to UK legislation, to insert a defence clause to provide for a legal defence that food products marked or labelled before a specified date do not have to comply with the new regulations.

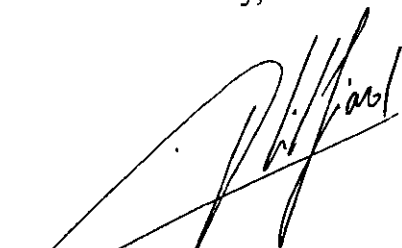
The extensive range of food products currently available is very important for local and overseas residents, and for Hong Kong's international status and its aspirations as Asia's world city. We know that consumers wish to maintain a wide variety of product choice in Hong Kong.

We trust that you will take due consideration of our proposals in order to arrive at a nutrition labelling scheme that is most suitable for Hong Kong, which is a small market that imports 90% of its food. In particular, it is important to note that 95% of pre-packaged food supplied in the market (in terms of volume) will be covered by the nutrition labelling scheme.

By including our suggestions within the proposed nutrition scheme, we believe that

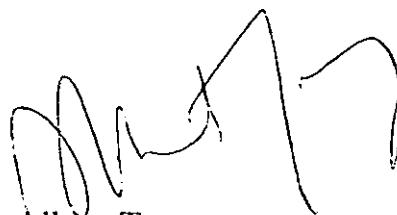
the objective of providing consumers with product information and maintaining a wide variety of product choice can be achieved.

Yours faithfully,



Philippe Gard
Chairman

Government Regulations Sub-Committee
Hong Kong Retail Management Association



Albert Tang
Chairman

Government Policy Committee
Hong Kong Suppliers Association

cc: Mr. Warner Cheuk, JP, Director of Food and Environmental Hygiene, Food and Environmental Hygiene Department
Mrs. Stella Hung, JP, Permanent Secretary for Food and Health (Food)
Members of Panel on Food Safety and Environmental Hygiene, Legislative Council
Mr. Vincent Fang, JP, Legislative Councillor (Wholesale & Retail) HKSAR
Ms. Connie Lau, Chief Executive of Consumer Council

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