

**For Discussion  
On 22 June 2009**

**Special Meeting of the  
LegCo Panel on Food Safety and Environmental Hygiene**

**Implementation of the Nutrition Labelling Scheme**

**PURPOSE**

This paper briefs Members on the actions taken by the Administration in preparation for implementing the Nutrition Labelling Scheme, focusing on the measures for facilitating legal compliance by the food trade and the publicity and education campaign for the Scheme.

**BACKGROUND**

2. The Food and Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008 (Amendment Regulation), which introduces the Nutrition Labelling Scheme for pre-packaged food, will come into force on 1 July 2010 after a two-year grace period. The Nutrition Labelling Scheme requires all prepackaged food to label the content of energy plus seven core nutrients, namely: (i) protein, (ii) carbohydrates, (iii) total fat, (iv) saturated fat, (v) trans fat, (vi) sodium and (vii) sugars, as well as any nutrient for which a claim is made, and regulates different types of nutrition claims.

3. Since the passage of the Amendment Regulation by the Legislative Council in mid 2008, the Administration has implemented a series of measures to facilitate legal compliance by the trade and to promote public understanding so as to reap the full benefits of the Scheme. The Administration has been in close communication with the trade through the Business Facilitation Advisory Committee and its Retail Task Force and various other forums/meetings with the trade to listen to their views on the implementation of the Scheme. The Administration will also brief the International Business Committee at its coming meeting in July.

**TRADE FACILITATION MEASURES**

**Small Volume Exemption**

4. To facilitate the food trade and to minimize the impact on food

choice, a number of exemptions from the nutrition labelling requirements are provided in the Amendment Regulation, e.g. exemption for prepackaged food packed in a container which has a total surface area of less than 100 cm<sup>2</sup>. In addition, we have introduced a small volume exemption scheme (SVE) for food products with annual sales volume of 30 000 units or below and do not carry nutrition claims. Food manufacturers/ importers need to apply to the Director of Food and Environmental Hygiene (DFEH) for SVE, which is subject to conditions set by DFEH, including the requirement of monthly reporting of sales volume at the importer's/manufacturer's level. Traders will be notified when the sales volume has reached 70% of the 30 000 level (i.e. 21 000 units), and once the sales volume exceeds the limit, i.e. 30 000 units per year, all food items currently being put on the market will have to be labelled in accordance with the legal requirements within 30 days.

5. Recently, some trade representatives inform the Administration that from 1 January 2010, certain major retailers will not accept delivery of products that do not comply with the Nutrition Labelling Scheme and hence request the Centre for Food Safety (CFS) to grant approval to all products eligible for SVE by the end of 2009.

6. The Administration is committed to working with the trade to enable the public to make healthier food choices through the use of nutrition labels, and we have been discussing with the trade to make special arrangement to accommodate the trade's needs. The CFS organized a meeting on 2 June 2009 to consult the trade of the operational details of the special arrangement of accepting SVE application starting from September 2009. The CFS's operation plan was generally supported at the meeting which was attended by over 200 traders. The CFS plans to proceed with the special arrangement as follows –

- (a) Application forms will be available in mid August 2009 and the CFS will begin processing SVE application on 1 September 2009;
- (b) Applications will be processed on a first-come-first-served basis. CFS will respond to the applications as soon as possible, and for applications submitted before 31 October 2009, the applicants will be informed of the result no later than 18 December 2009, provided that all necessary information is submitted; and
- (c) Successful applicants will be required to pay the exemption fee within a specified period in July 2010 for the exemption to take effect on 1 July 2010.

## **Laboratory Support**

7. The Administration appreciates that laboratory support is an integral component of the trade's preparation for the Scheme, and has been building up the capacity of the local laboratories long before the introduction of the Amendment Regulation. In addition to the series of inter-laboratory exercises conducted in the past three years and the publication of the "Method Guidance Notes on Nutritional Labelling and Nutrition Claims" (Method Guidance Notes) in June 2008, the CFS co-organized with the Hong Kong Accreditation Service a special seminar on the nutrition labelling test methods in April 2009, in order to encourage more local accredited laboratories to explore providing quality nutrient testing service.

8. The Administration's effort in building up laboratory support is not limited to the local arena. The CFS has been trying to facilitate liaison between the food trade and laboratories outside Hong Kong, in particular those in the Mainland. The CFS has conducted three briefing sessions/seminars in the Mainland between August and December 2008 to brief food traders and laboratory service providers in the Mainland on the requirements of the Scheme. Another briefing session is scheduled for June 2009 in Shenzhen with the Shenzhen Entry-Exit Inspection and Quarantine Bureau. To assist the food trade to select accredited laboratory service providers in the Mainland/overseas, information of Mainland/overseas accreditation organizations is available on the website of the CFS.

9. There are currently at least seven local laboratories that are capable of providing nutrient testing service, and the CFS has been keeping close liaison with these laboratories, in order to keep in view the market situation. According to the latest feedback from these laboratories, their current workload for nutrient testing is below their maximum capacity and they are able to provide laboratory testing service for energy, the seven core nutrients, and some other nutrients, e.g. dietary fibre, cholesterol, vitamins. The laboratories also indicate that they would enhance their capacity or send testing requests to their Mainland/overseas partners should the demand for service increase. To promote quality and consistency in testing, the CFS issued an advisory letter to the seven private laboratories in May 2009, to remind them to adopt the appropriate testing methods, which are elaborated in the Method Guidance Notes.

## **Guidance Notes and Web-based Information**

10. To assist food traders to better understand the requirements of the Nutrition Labelling Scheme, the CFS in June 2008 issued two sets of

guidance notes, namely, “Technical Guidance Notes on Nutrition Labelling and Nutrition Claims” for the trade and the Method Guidance Notes for laboratory service providers. The two Guidance Notes are accessible from the CFS website and have been widely distributed to relevant stakeholders. The CFS also sets up a dedicated web page on the Nutrition Labelling Scheme, containing a large volume of information for the trade and the public.

### **Trade Workshops**

11. The CFS began running workshops for the trade in July 2008, and eleven trade workshops have been organised so far, with over 1 300 participants in total. The workshops are classified into basic and advance levels. CFS staff elaborated the requirements under the Nutrition Labelling Scheme and the Guidance Notes in detail, discussed common problems encountered by the trade and addressed the traders’ enquiries at the workshops. Among participants who responded to our evaluation questionnaire, more than 90% agreed that the workshops enhanced their understanding of the Nutrition Labelling Scheme and more than 80% agreed that the workshop facilitated them to solve problems in developing nutrition labels. The CFS will continue to organise more workshops for the trade.

### **Telephone Enquiry Service**

12. The CFS runs a telephone enquiry service on the Nutrition Labelling Scheme for responding to specific enquiries and providing general information. The helpdesk (2381 6096) is manned by experienced CFS staff members to provide direct answers to the enquirers. Starting from February 2009, traders may also call the tri-lingual telephone hotline (2868 0000) which provides pre-recorded messages on various aspects of the Nutrition Labelling Scheme, including nutrition label information, nutrition label format, nutrition claims and the Small Volume Exemption Scheme. Callers can also obtain relevant information by fax or opt to be connected to CFS staff for direct enquiries.

### **Nutrition Label Calculator**

13. The CFS launched a web-based Nutrition Label Calculator in March 2009 to assist the trade in producing nutrition labels in formats that comply with the Amendment Regulation. The Calculator is accessible from the CFS’s website for free. An experience sharing session was organised on 12 June 2009 to introduce its use and the trade was provided with hands-on experience in making use of the Calculator.

## **Market Survey**

14. In order to have an overview of the impact of the Nutrition Labelling Scheme on the availability of prepackaged food in the market, the CFS will commission an independent consultant to conduct several market surveys before and after the commencement of the Scheme. The first survey will begin before October 2009.

## **PUBLICITY AND EDUCATION CAMPAIGN**

### **Objectives**

15. Education must come hand in hand with the new law to realise the benefits of the Nutrition Labelling Scheme for our consumers. With the steer of the Task Force on Nutrition Labelling Education, which comprises members from various professional bodies, consumer group, food trade, academia and government departments, the CFS formally launched the Publicity and Education Campaign on Nutrition Labelling on 12 March 2009. The three-year Campaign is divided into three phases with different focuses targeting at different audience: (a) to raise awareness in Phase I (June 2008 – July 2009), (b) to enhance understanding in Phase II (August 2009 – June 2010), and (c) to motivate behavioural changes in Phase III (July 2010 – June 2011). The objectives of the Campaign are as follows -

- (a) To increase public awareness and understanding of the Amendment Regulation;
- (b) To increase public awareness and understanding of nutrients and their implications for health;
- (c) To empower the public to use nutrition labelling and incorporate the use of nutrition labelling as part of their healthy eating routine in the longer term; and
- (d) To facilitate the trade to understand the new labelling requirements and to acquire the relevant technical know-how to enhance compliance.

### **Principles**

16. The Campaign is devised on the basis of the principles of stakeholder partnership and effective communication models. We aim to involve important stakeholders who share a common vision to promote nutritional health in Hong Kong, and have formed a strategic network of

educational alliance to deliver health messages to different stakeholders (including health professionals and teachers) through co-ordinated target-based education programmes. We also employ a wide range of communication means to ensure that our health messages reach the target audience effectively, including: resource materials (e.g. posters, pamphlets, pocket-size shopping cards, education television (ETV), on-line tools and thematic video), group briefing sessions, roving exhibitions, health talks, mass media programmes (e.g. newspaper articles, Announcement of Public Interest on TV and radio), studies on nutrients in food, territory-wide thematic event (e.g. Food Safety Day 2009) and distribution of souvenirs, etc. A list of the major initiatives under the Campaign for 2009 is at the Annex.

## **Evaluation**

17. A structured evaluation framework has been drawn up by the Task Force on Nutrition Labelling Education as an integral part of the Campaign to ensure its effectiveness. Evaluation will be conducted at the planning stage through pre-testing messages for the publicity and educational materials; during the process by monitoring quantitative indicators (e.g. number of people visiting website / attending workshops, number of publicity materials distributed); and against the outcome through conducting surveys at different stages of the campaign. To provide for a benchmark for comparison, a baseline survey was conducted in the summer of 2008 to assess public knowledge, attitude and practice towards nutrition labelling.

## **ADVICE SOUGHT**

18. Members are invited to note and comment on the trade facilitation measures and publicity and education campaign undertaken by the Administration in preparation for the implementation of the Nutrition Labelling Scheme.

**Food and Health Bureau**

**Food and Environmental Hygiene Department  
Centre for Food Safety**

**June 2009**

**List of Major Initiatives under the Publicity and Education Campaign  
on Nutrition Labelling for 2009**

Publicity Activities

- Briefing sessions for educational stakeholders (e.g. dietitians, nurses and doctors)
- Announcement of results of studies on nutrients, such as
  - Sodium in Savoury Snacks (with Consumer Council)
  - Trans Fat in Food
  - Low Sugar Claims of Prepackaged Food
- Announcement of Public Interest on TV and radio
- Roving exhibitions and health talks
- Food Safety Day 2009: Road show, Game booths, Exhibitions, RTHK Broadcast
- Train-the-trainer workshops for educational stakeholders (e.g. health professionals, secondary school teachers)
- Broadcast of short radio/ TV programmes
- Poster advertisement at public transport system

Resource Materials

- Newspaper feature articles
- Booklets, posters, souvenirs (e.g. desktop calendar, smart card holder, table mat)
- Thematic video
- Teaching kit
- Computer game for secondary school students
- Web-based gadget for comparing nutrition information of food

products and assessing dietary intake