

For discussion
on 9 March 2010

Legislative Council Panel on Food Safety and Environmental Hygiene

Proposed Amendment to the Sweeteners in Food Regulations

Purpose

This paper consults Members on the proposed amendment to the Sweeteners in Food Regulations (Cap. 132U).

Background

2. Sweeteners are food additives which are in general on a weight basis substantially sweeter than the common natural sugars. Accordingly, they can be used at much lower concentrations in foods. Besides, sweeteners contribute little or no caloric value to the normal diet. Hence, they may assist in weight management. They may also be used to provide sweet-tasting foods and beverages for people who have to restrict carbohydrates intake, such as people with diabetes, as they do not affect insulin or glucose levels.

3. To protect public health, sweeteners have to undergo stringent evaluation by the Joint Food and Agriculture Organisation/World Health Organisation Expert Committee on Food Additives (JECFA). Sweeteners that are evaluated by JECFA and are found to be safe for use are listed in the General Standard for Food Additives (GSFA) published by the Codex Alimentarius Commission (Codex).

4. In Hong Kong, the use of sweeteners in food is regulated by the Public Health and Municipal Services Ordinance (Cap. 132) and Cap. 132U. Cap. 132U stipulates that any food imported, consigned, delivered or sold that is intended for human consumption should not contain any sweetener which is not a permitted sweetener specified in the Schedule to the Regulations. At present, there are a total of eight types of sweeteners listed in the Schedule to Cap. 132U, namely-

- (i) acesulfame potassium;
- (ii) alitame;
- (iii) aspartame;
- (iv) aspartame-acesulfame salt;

- (v) cyclamic acid (and sodium, potassium, calcium salts);
- (vi) saccharin (and sodium, potassium, calcium salts);
- (vii) sucralose; and
- (viii) thaumatin.

Proposed Amendment

5. In order to align Cap. 132U with the latest international and scientific developments, the Administration proposes to add (a) neotame¹ and (b) steviol glycosides² which have been determined to be safe by JECFA to the list of permitted sweeteners specified in the Schedule to Cap. 132U. An Amendment Regulation to Cap. 132U to amend the Schedule will be made by the Director of Food and Environmental Hygiene (DFEH) under section 55(1)(a) of Cap. 132³.

6. Neotame is a permitted food additive in various food categories under the GSFA, and is currently permitted for use in Mainland China, Australia, New Zealand, the U.S. and Canada. It will also be permitted in all European Union member states by 12 October 2010.

7. Steviol glycosides are permitted for use in Mainland China, Japan, Korea, Australia, New Zealand, and the U.S. Steviol glycosides have been evaluated and determined to be safe by JECFA. The Codex Committee on Food Additives is taking steps for the inclusion of the uses of steviol glycosides in the GSFA.

Consultation

8. The proposal to add the two new sweeteners to Cap. 132U has been considered and supported by the Expert Committee on Food Safety.

¹ Neotame is a dipeptide methyl ester which is manufactured from aspartame and 3,3-dimethylbutyraldehyde in a one-step chemical synthesis. Neotame has a sweetness potency of 7 000 – 13 000 times that of sucrose.

² Steviol glycosides are natural constituents of the plant *Stevia rebaudiana* Bertoni, a member of the Compositae family. The leaves of this plant contain at least ten different glycosides, the major constituents being stevioside and rebaudioside A. Stevio glycosides are about 200-300 times sweeter than sucrose.

³ Section 55(1)(a) of Cap.132 provides that DFEH, as the appropriate authority, may make regulations for requiring, prohibiting or regulating the addition or extraction of any specified substance, or any substance of any specified class, to food intended for sale for human consumption, or the use of any substance as an ingredient in the preparation or preservation of any such food, and generally, for regulating or prescribing the composition of such food or the bacteriological or chemical standard thereof.

9. The proposal was also discussed at the Trade Consultation Forum organised by the Centre for Food Safety (CFS) on 22 February 2010 and was supported by trade representatives at the Forum.

Way forward

10. The Administration plans to table the Amendment Regulation to Cap. 132U at the Legislative Council in May 2010. Subject to negative vetting by the Legislative Council, we propose that the Amendment Regulation will commence on 1 August 2010.

Advice sought

11. Members are invited to comment on the proposed amendment to Cap. 132U.

**Food and Health Bureau
Food and Environmental Hygiene Department
Centre for Food Safety
March 2010**