

## Submission to Legislative Council

Public Consultation on "Proposed Regulatory Framework on Nutrition and Health Claims on Infant Formula, Follow-up Formula, and Prepackaged Foods for Infants and Young Children Under the age of 36 Months in Hong Kong"  
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***The following 5 counter-principles are proposed:***

**Principle #1** : *Advertising and packaging of foods is usually NOT equivalent to providing factual information and is typically designed to manage the public's perceptions and to increase sales, rather than the promotion of the public's optimal short and long-term health.*

**Principle #2** : *Simple unambiguous regulation is optimal to ensure effective monitoring of compliance. CODEX already provides a simple unambiguous regulatory framework that does NOT allow Nutrient Content Claims, Nutrient Comparative Claims, Nutrient Function Claims, Other Function Claims, or Reduction of Disease Risk Claims for Infant Formula (IF), Follow-up Formula (FF) and foods for infants and young children (IYC). To promote the long term health of Hong Kong infants and young children, Hong Kong should adopt CODEX's simple unambiguous regulatory framework.*

**Principle #3** : The concept of "follow-up formula" is not based on any solid nutritional science but is a marketing and branding strategy to advertise infant formulas. Infant formula meeting CODEX standards for use below 6 Months of age can also be safely and nutritionally used beyond 6 months of age. However should industry continue to differentiate products that are considered NOT SUITABLE FOR INFANT FEEDING BELOW 6 MONTHS of age, these products should be clearly labelled with this warning and covered by the regulations as outlined in Principle #2

**Principle #4** : All IF, FF and IYC foods designed for Special Medical Purposes (FSMP) should be exempted from regulation of Nutrition Content Claims to the extent that this information should be made clearly available to the consumer e.g. "lactose-free", "gluten-free" etc. A mechanism is required for deciding what products should be labelled for FSMP. Such products should be used under medical supervision.

**Principle #5** : All IF, FF and IYC foods should carry factual nutrient content labels in compliance with existing food labelling regulations.

***The Department of Health recommends the following choices of milk for infants and young children [1]***

- *Children over 1 year who are not breastfed may take cow milk (such as chilled pasteurized cow milk or UHT milk) or formula milk.*
  - *For the choice of cow milk, children under two years should take whole milk (i.e. full-fat milk, 3.25% or 3.5%). Children between 2 and 5 years can take low-fat (1-2%) milk and those above 5 years can take skimmed milk (0.5%).*
1. Department of Health. Recommendations on Milk Intake for Young Children. Information for Health Professionals. Feb 2012.