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**LegCo Panel on Food Safety and Environmental Hygiene**

**Written Submission 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**

As a socially responsible corporation that have been serving Hong Kong more than 20 years, Snow Brand recognizes Government's effort in encouraging and promoting breastfeeding, and also respects Government's decision to establish 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 order protect the health of infant and young children.

Hong Kong's economic prosperity has been resting on the merit of its free society in which the right of its citizens and consumers has been well protected. Hence, the government should cherish and protect this core value. Due to certain factors, there are some mothers in the society cannot breastfeed their babies and they have to use formula products as alternative. This group of mothers has the right to access proper product information of formula and food products, such as the nutrition and health claim. Factually correct nutritional information and claims on the packaging labels with scientific substantiation can provide consumers with useful information to arrive at informed choices, thereby ensuring that their children can obtain necessary nutrition for healthy growth. If the Government adopts a restrictive approach in the regulatory framework and prohibits any nutrition and health claims on Infant, Follow-up formula and prepackaged food, such action will deprive the consumer right to access proper product information and make informed purchase decision.

Therefore, Snow Brand suggests that the Government should benchmark the regulations in different jurisdictions on nutrition and health claims when setting up the regulatory boundary. Currently Nutrition Content Claim and Nutrient Function Claim of Follow-up formula are allowed in a number of famous overseas jurisdictions such as EU, Australia, New Zealand, Singapore and Mainland China. We sincerely urge the Government to strike a balance between regulation and protecting the consumer



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right to make informed choice, and adopt the inclusive regulatory option. Simultaneously, as one of the industry stakeholders, we urge the Government take reference from practice of international jurisdictions and come up a list of pre-approved nutrition and health claims for trade reference with clear guidance before setting up the regulation. At the same time, Government should establish a transparent and fair approval mechanism to approve trade's application on some other nutrient claims not appearing on the pre-approved list so that the trade can have enough time to prepare.

Last but not the least, Snow Brand would like to reiterate that we welcome Government's decision to set up appropriate 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, provide that this regulation is on par with international practices and suitable for the need of Hong Kong Society. At present, the trade has been busy preparing for the nutrition and labelling law of Infant and Follow-up formula effective in 2016, we hope the Government will provide a reasonable length of grace period for the trade to prepare for another round of new regulations moving forward.

**Snow Brand Hong Kong Co., Ltd.**