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LegCo Panel on Food Safety and Environmental Hygiene

GENETICALLY MODIFIED FOOD

PURPOSE

We have completed our study on the feasibility of introducing a GM food labelling system and are in a position to consult the public on the way forward.

2. This paper provides Members with background information about GM food labelling in other places and outlines the factors we have taken into consideration in our study.

GM FOOD LABELLING SYSTEM

Background

3. At present, about 50 kinds of crops for food purposes have been genetically modified. There is no scientific or medical evidence to date to suggest that GM food is unsafe for human consumption.

4. There is at present no international consensus on labelling of GM food or on a GM food testing protocol. The Codex Alimentarius Commission[1] (Codex) is discussing the introduction of an international standard on GM food labelling and working out a testing protocol.

Labelling of GM food in other places

5. A number of countries have introduced their own labelling requirements on GM food before the emergence of any international

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[1] The Codex Alimentarius Commission under the United Nations is recognized by the World Health Organization, the Food and Agricultural Organization and the World Trade Organization as the international authority for setting food related standards.

standard. The approaches adopted fall broadly into two categories. The first one is a selective approach that only requires GM food that is not substantially equivalent to its conventional counterpart in terms of composition, nutritional value and allergenicity to be labelled. The USA and Canada have adopted this selective approach. The fundamental principle of this approach is to provide consumers with information to safeguard their health.

6. The other approach is pan-labelling, which requires GM materials exceeding a threshold in any food product to be labelled. In addition, significantly different characteristics, such as the emergence of an allergen as a result of genetic modification and changes in intended use, composition or nutritional value, must also be labelled. The rationale behind adopting this approach is the protection of consumers' health as well as providing consumers with more information. The European Union (EU), Australia and New Zealand have adopted this approach. They have adopted a threshold of 1% which means that all food products containing more than 1% GM content in any one of their ingredients have to be labelled. The latest EU labelling requirements took effect in April 2000 whereas those of Australia and New Zealand will become effective in December 2001.

7. In Asia, Japan and the Republic of Korea have adopted a limited pan-labelling approach for processed food. Only specified food products containing the most common GM agricultural products, such as corn and soybean, as major ingredients have to be labelled as GM food. The threshold adopted by Japan is 5% and that by the Republic of Korea is 3%. Japan's labelling requirements will come into effect in April 2001 and that of the Republic of Korea in July 2001.

8. No country has yet required labelling of GM food irrespective of the amount of GM content because of the following considerations:

(a) Unintentional mixing of GM and non-GM crops during plantation, harvest, transportation and storage is unavoidable. Manufacturers may genuinely not be aware that the non-GM food they are producing have GM crops mixed in the ingredients;

(b) Current laboratory technology cannot produce accurate results if only a trace of GM material is present. The absence of scientifically accurate testing results will lead to problems in compliance and enforcement.

Negative labelling

9. Negative labelling for GM food refers to the labelling of the absence of GM content in food. Examples of common labels used are "GM free" and "Not genetically modified". In Japan, if a food item or a food ingredient is confirmed to be not genetically modified by way of an identity preservation system, it may be labelled as "Name of ingredient (non-GM)". In the Republic of Korea, a food item may be labelled as "Not genetically modified agricultural product" if a certificate of distinction of "Not genetically modified agricultural products" can be obtained from a seed distributor or producer.

10. In Australia and New Zealand, the food authorities intend to advise the food trade that negative claims must not be misleading or deceptive and that such claims must be supported by evidence. In particular, the claim "GM free" is viewed as an absolute claim that no GM food, ingredient, processing aid or additive has been employed in the production process. In USA, the Food and Drug Administration (FDA) is of the view that there is a potential for the term "free" in a claim for absence of bioengineering (genetic modification) to be inaccurate because of the potential for adventitious presence of bio-engineered material. The FDA's suggestion for the food trade is that the term "free" should not be used in label statements. If it is to be used, the statement should make it clear that a zero level of bio-engineered material is not implied.

Factors taken into consideration in our study on GM food labelling

11. In our study, we have taken into consideration the factors set out in the following paragraphs.

Implications on supply of food

12. Hong Kong relies heavily on imported food. Most of the raw materials used in locally manufactured food products are also imported. Furthermore, the majority of overseas and local food manufacturers and raw material suppliers do not cater for the Hong Kong market alone because of the small size of our market. We have to ensure that the introduction of a GM food labelling system would not adversely affect the supply and cost of our food.

Cost for the food trade

13. Additional labelling requirement is likely to increase costs for the food trade which may or may not be significant. This factor needs to be considered carefully as the increased costs may affect the price of food sold at the retail end.

Information for consumers

14. There is no scientific evidence to suggest that the presence of GM content would render a food product unsafe for human consumption. Moreover, food products made with GM crops with characteristics significantly different from their conventional counterpart are not common at present. Therefore, in the majority of cases, consumers may only be advised of the presence of GM content or otherwise. Such information may be useful to consumers who wish to know more about the GM content of food products when making a choice based on personal preferences. But it may not make much difference to consumers who are solely concerned with food safety.

Coverage

15. Food for sale include the following three broad categories :

(a) pre-packaged food;
(b) loose food items[2];
(c) food prepared at food establishments.

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[2] Loose food items include all pre-packaged food products, including fresh produce as well as food products which are not fresh when sold such as salted fish and dried vegetables.

Consideration has to be given to whether a GM food labelling system should cover all the above types of food having regard to the practical difficulties involved. At present, the Food and Drugs (Composition and Labelling) Regulations of the Public Health and Municipal Services Ordinance (Cap 132) require only pre-packaged food to be labelled in the manner specified therein.

Timing

16. In considering how to take forward a GM food labelling system, we have to take into account the time needed for implementation.

CONSULTATION

17. We will introduce our proposals on the approach and the options for introducing a GM food labelling systems to Members at the meeting on 26 February before public consultation commences.

Environment And Food Bureau
February 2001