

**立法會**  
**Legislative Council**

Ref : CB2/SS/7/03

LC Paper No. CB(2)3211/03-04  
(These minutes have been seen by  
the Administration)

**Subcommittee on  
Food and Drugs (Composition and Labelling)  
(Amendment) Regulation 2004**

**Minutes of meeting  
held on Thursday, 3 June 2004 at 11:00 am  
in Conference Room A of the Legislative Council Building**

**Members present** : Dr Hon LO Wing-lok, JP (Chairman)  
Hon Fred LI Wah-ming, JP  
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP  
Hon WONG Yung-kan  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Michael MAK Kwok-fung

**Member absent** : Dr Hon TANG Siu-tong, JP

**Public officers attending** : Ms Vivian KO  
Acting Deputy Secretary for Health, Welfare and Food  
(Food and Environmental Hygiene)

Dr Thomas CHUNG  
Assistant Director (Food Surveillance and Control)  
Food and Environmental Hygiene Department

Mr Stanley NG  
Senior Administrative Officer (Food and Public Health)

**Attendance by Invitation** : Consumer Council

Ms Connie LAU  
Deputy Chief Executive

Ms Rosa WONG  
Head, Research and Trade Practices Division

Hong Kong Medical Association

Dr CHIU Shing-ping  
Council Member

Hong Kong Food Science and Technology Association

Dr WONG Pak-yuen  
Director

Mr Leo YUEN  
Founding Chairman

Hong Kong Suppliers Association Co. Ltd.

Mr Albert TANG  
Vice Chairman

Mr Joseph MA  
Committee Member

Hong Kong Retail Management Association

Mr Peter Johnston  
Representative

Miss Anita Bagaman  
Executive Director

The Dairy Farm Co. Ltd.

Mr Douglas Brown  
Marketing Director  
The Dairy Farm Co. Ltd. — Wellcome

Mr Charlie Wood  
Legal Counsel

Heineken Hong Kong Ltd

Mr Wim HEKSTRA  
General Manager

Ms Kelly CHAN  
Financial Controller

Sims Trading Company Ltd

Ms Betty LEUNG  
Director

Edward Keller Ltd

Mr Alan TAM  
Business Manager

The Hong Kong Food Drink and Grocery Association

Mr Frederic DUFOUR  
Chairman

Hong Kong Institute of Allergy

Dr Henry CHAN  
Representative

The Chinese Manufacturers' Association of Hong Kong

Ms LAU Lai-sze  
Deputy Secretary General

**Clerk in attendance** : Mrs Constance LI  
Chief Council Secretary (2)5

**Staff in attendance** : Miss Kitty CHENG  
Assistant Legal Adviser 5

Miss Lolita SHEK  
Senior Council Secretary (2)7

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Action

**I Meeting with deputations**

[LC Paper Nos. CB(2) 2621/03-04(01) and (02), CB(2) 2624/03-04(01) to (04), CB(2) 2626/03-04(01) to (03) and CB(2) 2655/03-04(01)]

The Subcommittee noted that a total of 11 submissions had been received, and representatives of 12 organizations attended the meeting to give views on the Amendment Regulation.

2. The Subcommittee deliberated (Index of proceedings attached at **Annex**).

3. The Subcommittee noted that in addition to three organizations/individual who had provided written submissions only, five organizations with representatives attending the meeting expressed support for the Amendment Regulation. Some of these representatives suggested expanding the scope of allergens to include honey and pollen grain products. One deputation expressed support for some provisions in the Amendment Regulation but expressed reservation on the others.

4. The Subcommittee noted that six other organizations which attended the meeting expressed serious concerns about the labelling requirements stipulated in the Amendment Regulation. While they supported the principle of providing more information to consumers, they considered the Amendment Regulation not workable because of practical difficulties. This would result in many food products not being able to be imported, thus reducing the choice of the consumers. The major concerns of these representatives were –

- (a) many of the exporting countries/places (e.g. China and Asian countries) had not implemented mandatory labelling requirements based on CODEX standards, and their food manufacturers might not be willing to produce food with specific packaging for Hong Kong which was only a small market;
- (b) even if local food importers and retailers were willing to comply with the new requirements by producing specific labels for Hong Kong, the overseas manufacturers might not be able to provide the necessary information on additives and allergens, particularly those traces which were accidentally mixed during the manufacturing process;
- (c) many local food manufacturers did not have in place, as in other western countries, an allergen management system, and therefore could not tell whether their food products were free from allergens. The Government should assist local food manufacturers, importers and retailers to comply with the new labelling requirement relating to allergenic substances; and
- (d) the Amendment Regulation had included new labelling requirements on alcoholic drinks which were not clearly spelt out in the consultation paper issued in 2000. These new requirements should be deleted from the Amendment Regulation, pending further consultation with the trade.

5. Some deputations attended the meeting also suggested that -

- (a) the Administration should clarify the new labelling requirements, such as providing a clear definition of the eight allergenic substances which were to be declared in food labels; and
- (b) a grace period longer than 18 months should be provided, especially for the implementation of the new date marking format, as many food items already produced had a longer shelf life than 18 months, and such grace period should be based on the manufacturing date.

6. In response to paragraph 4(d) above, the Administration held the view that the consultation paper issued in 2000 had included the new labelling requirements on alcoholic drinks as specified in the Amendment Regulation.

Admin 7. The Subcommittee requested the Administration to provide a response to the concerns raised by the deputations.

## **II. Meeting with Administration**

[LC Paper No. CB(2) 2626/03-04(04)]

8. Members noted that the Administration had tabled a response to issues and concerns raised at the last meeting. The paper would be discussed at the next meeting.

## **III. Any other business**

### Date of next meeting

9. The Subcommittee agreed to hold the next meeting on Monday, 14 June 2004 at 2:30 pm to continue discussion with the Administration.

10. There being no other business, the meeting ended at 1:20 pm.

Council Business Division 2  
Legislative Council Secretariat  
9 August 2004

**Subcommittee on  
Food and Drugs (Composition and Labelling)  
(Amendment) Regulation 2004  
Meeting on Thursday, 3 June 2004 at 11:00 am  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action Required</b>
000000 - 000324	Chairman	Welcoming remarks	
000325 - 000800	Representative of Consumer Council	Presentation of views	
000801 - 001014	Representative of Hong Kong Medical Association (HKMA)	Presentation of views	
001015 - 001549	Representative of Hong Kong Food Science and Technology Association (FSTA)	Presentation of views	
001550 - 002620	Representative of Hong Kong Suppliers Association Co. Ltd. (HKSA)	Presentation of views	
002621 - 002815	Chairman Administration	Labelling requirements on alcoholic drinks stipulated in the Amendment Regulation	
002816 - 003915	Representative of Hong Kong Retail Management Association (RMA)	Presentation of views	
003916 - 004019	Representative of Heineken Hong Kong Ltd.	Presentation of views	
004020 - 004303	Representative of Sims Trading Company Ltd.	Presentation of views	
004304 - 004327	Representative of Edward Keller Ltd.	Presentation of views	
004328 - 004706	Representative of The Hong Kong Food Drink and Grocery Association (FDGA)	Presentation of views	
004707 - 004900	Representative of Hong Kong Institute of Allergy	Presentation of views	
004901 - 005043	Representative of The Chinese Manufacturers' Association of Hong Kong	Presentation of views	
005044 - 010933	Chairman Mr Tommy CHEUNG	Practical difficulties which would be encountered by the	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action Required</b>
	Mrs Selina CHOW Representative of Consumer Council Representative of FSTA Representative of Hong Kong Institute of Allergy Representative of HKSA Representative of RMA Representative of HKMA	relevant trades in complying with the labelling requirements in the Amendment Regulation	
010934 - 011255	Mrs Selina CHOW Representative of RMA Representative of The Dairy Farm Co. Ltd.	Number of food products which might be affected by the Amendment Regulation	
011256 - 011530	Chairman Mrs Selina CHOW Representative of RMA Administration	Whether the new labelling requirements on alcoholic drinks included in the Amendment Regulation had been included in the consultation paper issued in 2000	
011531 - 012128	Mr Tommy CHEUNG Chairman Representative of Heineken Hong Kong Ltd.	Labelling of Heineken Hong Kong Ltd. products	
012129 - 012223	Mr Tommy CHEUNG Representative of RMA	Number of beer manufacturers which could label / had already labelled their products in accordance with the new labelling requirements	
012224 - 012742	Representative of RMA Administration Mrs Selina CHOW	The new labelling requirements on alcoholic drinks included in the Amendment Regulation, and whether these requirements had been included clearly in the consultation paper issued in 2000	
012743 - 013539	Mr Tommy CHEUNG Chairman Representative of HKSA Representative of RMA Representative of FSTA	Practical difficulties in complying with the new labelling requirements relating to allergenic substances, if local or overseas food manufacturers did not have in place an allergen management system	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action Required</b>
013540 - 014405	Mr Fred LI Representative of RMA Chairman Representative of The Dairy Farm Co. Ltd.	Whether overseas food manufacturers encountered any difficulties in complying with the mandatory labelling requirements of those countries, such as Europe and Japan, which had adopted the CODEX standards	
014406 - 014639	Representative of The Dairy Farm Co. Ltd. Representative of Hong Kong Institute of Allergy	Allergies caused by allergens in food	
014640 - 015439	Mr Michael MAK Chairman Representative of FSTA Representative of HKSA	Proposal to extend the grace period to 36 months put forward by Hong Kong Food Science and Technology Association  Management of allergens in food by food manufacturers in China	
015440 - 021058	Mr WONG Yung-kan Chairman Representative of FDGA Representative of RMA Representative of The Dairy Farm Co. Ltd. Representative of HKSA Mrs Selina CHOW Administration	Extension of the grace period  Elaboration of the practical difficulties which might be encountered by the relevant trades in complying with the new labelling requirements	
021059 021233	Representative of The Dairy Farm Co. Ltd. Administration	The labelling requirements on alcoholic drinks included in the consultation paper issued in 2000	
021234 021352	Chairman Mrs Selina CHOW Mr Tommy CHEUNG Mr Michael MAK	Date of next meeting	<b>Admin to provide a response as per paragraph 7 of the minutes</b>