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Miss Vivian Ko
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Health, Welfare and Food Bureau
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By Fax (2136 3282) and By Post

4 June 2004

Dear Miss Ko,

**Food and Drugs (Composition and Labelling) (A) Regulation
(L.N. 85 of 2004)**

I am writing in relation to the legal aspects of the above Amendment Regulation and wonder if the Administration would clarify the following-

Specification of Allergens and Exempted Items from Schedule 3

(1) Paragraph 2 of Schedule 3 to the Food and Drugs (Composition and Labelling) Regulations (Cap. 132 sub. leg. W) provides for the marking and labelling of list of ingredients of prepackaged foods. Schedule 4 provides that some items are exempt from certain parts of Schedule 3.

Schedule 4 provides that, amongst other things, "flavourings" (調味料) is exempted from the labelling and marking requirement under Paragraph 2 (List of Ingredients) of Schedule 3.

Would the Administration explain, with examples, the definition of "flavourings" (調味料) in Schedule 4? Does it include ingredients commonly used in food preparation?

(2) New sub-paragraph 4E of Paragraph 2 of Schedule 3 requires that if a food consists of or contains any of the specified allergen substances, the name of that substance shall be specified in the list of ingredients.

Please explain the combined legal effect of new sub-paragraph 4(E) of

Paragraph 2 of Schedule 3 and Schedule 4. If a food consists of or contains an ingredient which is exempted from the labelling requirement with respect to ingredients under Schedule 4, is the substance or its components still required to be specified in the list of ingredients?

Overseas Legislation on Allergens and Additives

The Administration's paper provided to the Sub-committee on 3 June 2004 mentions that certain overseas legislation require mandatory labelling of additives and allergens (paragraph 5 and the summary below).

Would the Administration provide copy of those legislation mentioned, i.e. the United States, Canada, Australia, New Zealand and European Union and Japan, for the reference of the Sub-committee?

I would be grateful if you let me have a reply in bilingual form on or before 8 June 2004.

Yours sincerely,

Kitty Cheng
Assistant Legal Adviser

c.c. LA
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