

**For information on  
14 June 2004**

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

**PURPOSE**

This paper updates Members on the issues raised at the Subcommittee meeting on the Food and Drugs (Composition and Labelling) (Amendment) Regulation 2004 (“Amendment Regulation”) on 3 June 2004.

**LABELLING OF ADDITIVES AND ALLERGENS**

2. The requirements on labelling of additives and allergens of the Amendment Regulation are in line with the labelling practice in developed countries and regions, e.g. Australia, European Union, Japan, New Zealand and the US. As these raw materials and ingredients are added by the manufacturers, the latter will know the existence of these substances and be able to indicate the relevant information on the labels.

3. Although it may be the case that some countries or regions (e.g. South East Asian countries, the Mainland) have not implemented labelling requirement in accordance with the recommendation of the Codex

Alimentarius Commission, it is not inconceivable that these countries are also exporting pre-packaged food products to those countries which have already implemented such labelling requirement. Such labels will in general meet the requirements on additives and allergens stipulated in the Amendment Regulation as long as they meet the labelling requirement of these countries.

4. Regarding trace amount of allergens that may accidentally be mixed during the manufacturing process, it can be declared that trace amount of the allergen may be present. The purpose of the labelling requirement is to declare the presence of allergens but not to remove them altogether.

5. As for the request of a clear definition of the eight allergens, we consider the wordings included in the Amendment Regulation appropriate. We will prepare explanatory guidelines to help the trade in labelling such allergens.

## **LABELLING REQUIREMENT OF ALCOHOLIC DRINKS**

6. Under the current legislation, alcoholic drinks with an alcoholic strength by volume more than 1.2% as determined under section 53 of the Dutiable Commodities Ordinance (Cap. 109) are exempted from all labelling requirements. It is explained in the paragraphs 11 to 15 of the public consultation document issued in October 2000 that drinks with an alcoholic strength by volume of more than 1.2% but less than 10% are

required to follow all labelling requirements except declaring the list of ingredients. Wines, fruit wines and other drinks with an alcoholic strength of volume of 10% or more are required to follow all labelling requirements except declaring the list of ingredients and the indication of “best before” or “use by” date. Submissions received during the public consultation period indicated that such labelling requirement was clearly understood.

## **GRACE PERIOD**

7. The Amendment Regulation, if passed by the Legislative Council, will be effective on 9 July 2004. To allow sufficient time for the trade to prepare for the changes and taking into account normal shelf-lives of pre-packaged foods, a grace period of 18 months is allowed after the commencement of the Amendment Regulation on the labelling of additives and allergens, the flexible date marking format and the labelling of alcoholic drinks.

**Health, Welfare and Food Bureau**

**Food and Environmental Hygiene Department**

**June 2004**