

Business Facilitation Advisory Committee

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26 May 2008

Ms Flora Tai
Clerk to Sub-committee on
Food and Drugs (Composition and Labelling)
(Amendment : Requirements for Nutrition
Labelling and Nutrition Claim) Regulation 2008
Legislative Council
Legislative Council Building
8 Jackson Road
Central, Hong Kong

By fax: 2509 9055

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Dear Ms Tai,

Written submission

Thank you for the invitation dated 19 May 2008 for submission on the Food and Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008 to the Sub-committee.

The Retail Task Force (RTF) of the Business Facilitation Advisory Committee has no objection in principle to the Administration's latest proposals relating to prepackaged food products with nutrition claims and trans fat level as set out in LC Papers No. CB(2)1970/07-08(01) and (02), on the understanding that the relaxations under the proposals will help relieve the regulatory impact on the trade and safeguard food choice.

The RTF would also like to take the opportunity to convey the following concerns of the trade for the consideration of the Sub-committee and the Administration –

(A) Small Volume Exemption Registration Fee

The trade maintains its view that the registration fee of HK\$345 for new application for exemption and HK\$335 for renewal of exemption is too high, notwithstanding the Administration's explanation that the fee is calculated on a full-cost recovery basis in line with the established policy. The trade urges the Administration to reduce the annual registration fee to HK\$50, and publish an independent cost assessment on the registration fee for the information of the trade. The trade also

remains concerned that the high registration fee might render the holding of international food festivals in Hong Kong commercially not viable, thus reducing consumer choice as a result. The trade estimates that a typical three-week international (e.g. Japanese) food festival with 1 000 new products would incur a total registration fee of HK\$345,000 payable to the Administration. The trade envisages that the local trade might lose out to our counterparts in competing cities around the Pearl River Delta such as Macau and Shenzhen, which are not subject to similar registration fees.

(B) Warning Labels

In the interests of efficiency, the trade sees no need for two different warning labels (*one for products with claims and another for products without claims*). The trade requests that a single generic warning label for all small volume exempted products be permitted.

(C) Grace Period

The trade hopes that similar to the past practice when the Food and Drugs (Composition and Labelling) (Amendment) Regulation was enacted, the Administration should extend the grace period for the nutrition labelling scheme to three years in order to facilitate the trade to clear the old stock and sort out other related logistical arrangements such as testing and re-labelling.

Yours sincerely,


pp. (Yu Pang-chun)
Convener

Retail Task Force
Business Facilitation Advisory Committee

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Secretary for Food and Health – Fax: 2840 0467
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