



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

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電話號碼 Tel. No.: (852) 2973 8241
傳真號碼 Fax No.: (852) 2136 3281

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Mrs. Sharon TONG
Principal Council Secretary (2)
Council Business Division 2
Legislative Council Secretariat
Room 1009, 10/F
Legislative Council Complex
1 Legislative Road
Hong Kong
(Fax : 2840 0269)

Dear Mrs TONG,

LegCo Panel on Food Safety and Environmental Hygiene

Follow up to the meeting on 12 July 2011

At the meeting of the LegCo Panel on Food Safety and Environmental Hygiene held on 12 July 2011, a Member sought clarification on whether food products sold by hawkers, such as peanut candies, were considered prepackaged food and regulated under the Nutrition Labelling Scheme. He also queried whether there were adequate manpower resources undertaking enforcement actions. We now provide our response as follows.

The Nutrition Labelling Scheme regulates the nutrition labelling and nutrition claims of prepackaged food. According to Regulation 4B(1) of the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W), unless exempted, “prepackaged food shall be marked or labelled with its energy value and nutrient content in compliance with Part 1 of Schedule 5”. Regulation 4B(5) further stipulates that “any nutrition claim made on the label of, or in any advertisement for, a prepackaged food shall conform to Part 2 of Schedule 5”.

As to whether food products sold by hawkers, such as peanut candies, are considered prepackaged food and regulated under the Nutrition Labelling Scheme, it depends on whether the food product concerned fulfills the definition of prepackaged food under Cap. 132W. According to Regulation 2 of Cap. 132W, “prepackaged food means any food packaged, whether completely or partially, in such a way that (a) the contents cannot be altered without opening or changing the packaging; and (b) the food is ready for presentation to the ultimate consumer or a catering establishment as a single food item”.

Since the implementation of the Nutrition Labelling Scheme on 1 July 2010, the Centre for Food Safety has deployed staff to conduct inspections in retail outlets including hawkers to undertake enforcement actions. Appropriate follow-up actions will be taken against non-compliant cases.

Yours sincerely,



(Miss Victoria TSE)
for Secretary for Food and Health

