



23 December 2011

Dr York Chow, GBS, JP
Secretary for Food and Health
Food and Health Bureau
18/F, East Wing, Central Government Offices
2 Tim Mei Avenue, Tamar, Hong Kong

BY EMAIL AND BY MAIL

Dear Dr Chow,

Formal Meeting Request

The Hong Kong Infant and Young Child Nutrition Association (the Association/HKIYCNA) would like to thank the representatives from the Food and Health Bureau and Department of Health for meeting with the Association on 16th December 2011 to discuss Government's proposed plan to introduce the Hong Kong Code of Marketing of Breastmilk Substitutes (Hong Kong Code). While the Association appreciates the Bureau's time and comments, the Association still has unresolved concerns regarding: 1) the lack of transparency and public consultation in the process and 2) the scope and specifics of how the Hong Kong Code will be implemented. Therefore, the Association respectfully requests a meeting with you, in the next few weeks, to discuss these significant issues and possible solutions.

The drafting and implementation of public health policy should be an open and transparent process, providing all stakeholders the opportunity to participate. The Association has repeatedly requested a more inclusive and engaging process in the drafting of the Hong Kong Code. At the 16th December meeting, the Association was informed the Bureau does not plan on providing any public consultation prior to introducing the Hong Kong Code in early 2012. The Association strongly believes a health policy initiative which would substantially impact parents' interests, the infant and young child nutrition industry, related distributors and retailers, deserves careful, transparent public deliberations prior to implementation.

During the 16th December meeting, the Bureau shared that the Hong Kong Code of



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Marketing of Breastmilk Substitutes (Hong Kong Code) would be launched in the form of voluntary guidelines addressing promotion and advertising as well as labeling (under 36 months). The Association is concerned with the scope and specifics of how the guideline would be implemented as a “voluntary code.”

The Association believes the Hong Kong Code should be guided by the WHO Code which covers the promotion and advertising of infant formula (0-6 months) and should be based upon best practices from other developed countries. Whereas the Hong Kong food labeling gap for food for young children below 36 months should be addressed separately taking into account the relevant international standards, appropriate development principles (scientific evidence and Risk Analysis Principles), other reference countries' regulations and multi-lateral agreements.

We appreciate your careful consideration and look forward to meeting with you to discuss our concerns regarding: 1) the lack of transparency and public consultation in the process and 2) the scope and specifics of how the Hong Kong Code will be implemented. The Association firmly believes government, the health care industry, the nonprofit and advocacy communities, and the private sector all have important roles to play in this effort and should have the opportunity to discuss possible solutions together.

Should you have any questions, please do not hesitate to contact our Secretariat, Ms Jacqueline Choy at 3102 1600 or enquiry@hkiycna.hk.

Yours faithfully,

Clarence Chung

President

Hong Kong Infant and Young Child Nutrition Association

cc:

1. Ms. Estrella Cheung
Principal Assistant Secretary for Food and Health (Health) 1
Food and Health Bureau
2. Dr. Chui Kuk-ying



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Assistant Secretary for Food and Health (Health) SD1
Food and Health Bureau

3. Dr. Shirley Leung
Assistant Director of Health (Family and Elderly Health Services)
Department of Health
4. Dr. Winnie Lau
Senior Medical & Health Officer (Family and Elderly Health Services)
Department of Health
5. Members on the Taskforce on Hong Kong Code of Marketing of Breastmilk
Substitutes
6. Members of Food Safety and Environmental Hygiene Panel in Legislative Council
7. Members of Health Services Panel in Legislative Council
8. Retail Management Association
9. Hong Kong General Chamber of Pharmacy Limited
10. Hong Kong Paediatric Society