

香港特別行政區政府
商務及經濟發展局
工商及旅遊科



香港金鐘添美道二號
政府總部西翼二十三樓

Your Ref. : LS/B/24/12-13
Our Ref. : CITB CR 08/18/3

**COMMERCE, INDUSTRY AND TOURISM BRANCH
COMMERCE AND ECONOMIC
DEVELOPMENT BUREAU**

GOVERNMENT OF THE HONG KONG
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By Facsimile (2877 5029)

24 September 2013

Ms Clara Tam
Assistant Legal Adviser
Legal Service Division
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms Tam,

Re: Toys and Children's Products Safety (Amendment) Bill 2013

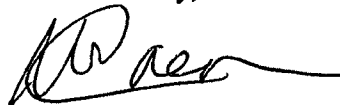
I refer to your letter of 11 September 2013 on the above Amendment Bill.

We would like to clarify that it is not our policy intention to impose the requirements for "children's product" under the Amendment Bill to regulate food or pharmaceutical products. We understand that such products are regulated under other existing legislation such as the Public Health and Municipal Services Ordinance (Cap. 132), the Food Safety Ordinance (Cap. 612) and the Pharmacy and Poisons Ordinance (Cap. 138).

In fact, plasticizers are substances mainly used in hard plastics to improve their flexibility and durability. They are used in many consumer products, primarily in polyvinyl chloride products including certain toys and children's products that can be mouthed by young children. Phthalates are among the types of plasticizers used. Our intention is to impose control on the maximum amount of six types of phthalates (namely DEHP, DBP, BBP, DINP, DIDP and DNOP) in certain toys and children's products that contain plasticized materials and that can be placed in the mouth of children under four years of age.

We understand that plasticized materials are not allowed to be added into food as ingredients. Medicine for children under four years of age should normally contain no plasticized materials. Therefore, we consider that, in practice, there would unlikely be any food and pharmaceutical products for children under four years old that would be caught by the definition of "children's product" under the proposed new section 2B(1)(b). That said, we will review if the formulation in the relevant definition is sufficient for our intended purpose.

Yours sincerely,



(Manda Chan)

for Secretary for Commerce and Economic Development

c.c. DoJ (Attn.: Ms Frances Hui) (Fax No. 2869 1302)