



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 nos. : (852) 3509 8925  
傳真號碼 Fax nos. : (852) 2136 3281

22 March 2013

Miss Betty MA  
Clerk to Subcommittee on  
Import and Export (General) (Amendment) Regulation 2013  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong

Dear Miss Ma,

**Subcommittee on  
Import and Export (General) (Amendment) Regulation 2013**

With regard to the questions raised by the Subcommittee at its meeting on 19 March, our reply is as follows:

**(1) Definition of powdered formula**

The Administration considers that the definition of powdered formula provided for under the Import and Export (General) (Amendment) Regulation 2013 reflects the scope of regulation in respect of powdered formula fully and effectively. However, in light of views expressed by Members at the meeting on 19 March, we are reviewing the definition with a view to exploring whether there is room for refinement.

**(2) Demand for and shortage of powdered formula for infants and young children under 36 months in Hong Kong**

Since the Administration does not keep statistics on the demand for powdered formula for infants and young children under 36 months in Hong Kong, no related figures are available. At Members' request, we have made a very rough estimate.

We estimate that in 2012, the consumption of powdered formula by all locally-born infants and young children was about 8 million kilograms, of which the amounts consumed by infants and young children of 0-6 months, 6-12 months and 12-36 months were about 1.6 million, 1.5 million and 4.9 million kilograms respectively. In our estimation, we have made reference to information like the Hong Kong population statistics compiled by the Census and Statistics Department and the “Survey of Infant and Young Child Feeding in Hong Kong” conducted by the Department of Health.

The accuracy of the figures is subject to a number of unknown factors including mainly:

- (a) the actual number of infants and young children living in Hong Kong; and
- (b) the feeding pattern for infants and young children, i.e. ratio of breastfeeding, powdered formula feeding and complementary feeding.

As such, the estimation is for reference only and cannot be regarded as the actual demand of local infants and young children for powdered formula.

Besides, during the short period of about two weeks starting from January 2013 when the shortage occurred up to the announcement of the amendments to the Import and Export (General) Regulation (Cap. 60, sub. leg. A) by the Secretary for Food and Health on 1 February 2013, the Administration deployed staff to obtain information in the community on the shortage of powdered formula in the market. The exercises were by no means systematic or scientific in nature, and no detailed records were thus kept in this regard. We would like to reiterate that the Government has confirmed the shortage problem from various channels and sending staff to conduct inspections in the market is just one of these channels.

### **(3) Provision of receptacles for disposal of powdered formula**

The Food and Health Bureau, the Customs and Excise Department and the stakeholders of boundary control points are working to arrange the provision of receptacles at passenger departure hall, coach drop-off area and vehicle holding area of the control points for persons leaving Hong Kong to dispose of their excessive powdered formula before

immigration clearance.

**(4) Prosecution cases in respect of import and export licensing offences**

Information on the prosecution cases in respect of import and export licensing offences handled by the Trade Controls Branch of the Customs and Excise Department in 2011-2012 is as follows:

<u>Year</u>	<u>2011</u>			<u>2012</u>		
	No. of Case	No. of Case with imprisonment/suspended sentence	Fine (HK\$)	No. of Case	No. of Case with imprisonment/suspended sentence	Fine (HK\$)
Textiles	29	-	2,000-45,000	23	-	500-381,000
Strategic Commodities	32	-	3,000-300,000	44	-	2,000-300,000
Pharmaceutical Products	7	-	8,000-30,000	12	-	1,000-15,000
Reserved Commodities	2	-	5,000-40,000	5	-	2,000-11,000
Chemical & Pesticides	9	-	5,000-30,000	-	-	-
<b>Total</b>	<b>79</b>	<b>-</b>		<b>84</b>	<b>-</b>	

**(5) Export control on powdered formula imposed by other jurisdictions**

Except for the examples mentioned at the last Subcommittee meeting, the Administration does not have any other information pertaining to export control on powdered formula imposed by other countries and places.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Leung', with a long horizontal flourish extending to the right.

(Jeff LEUNG)  
for Secretary for Food and Health