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**Panel on Food Safety and Environmental Hygiene**

**Background brief prepared by the Legislative Council Secretariat  
for the meeting on 12 March 2013**

**Voluntary genetically modified food labelling scheme in Hong Kong**

**Purpose**

This paper summarizes the concerns of the members of the Panel on Food Safety and Environmental Hygiene ("the Panel") on the voluntary labelling of genetically modified ("GM") food in Hong Kong.

**Background**

2. GM food is any food or food ingredient that is, or is derived from, an organism in which the genetic material has been modified using modern biotechnology. According to the World Health Organization, GM food currently traded on the international market is not likely, nor has been shown, to present risks for human health. However, there are studies which highlight the uncertainty involved in the long-term effect of GM food on human health.

3. There is currently no requirement in Hong Kong to label the GM content of pre-packaged or other types of food. Following a public consultation exercise on GM food labelling in 2001 and a regulatory impact assessment study in 2002 to identify difficulties in the implementation of a mandatory GM food labelling scheme in Hong Kong, the Administration issued in July 2006 the Guidelines on Voluntary Labelling of Genetically Modified Food ("the Guidelines"). The Administration encouraged the food trade to adopt the

Guidelines to make truthful and informative labels for consumers. The recommended practices of the Guidelines are summarized as follows -

- (a) labelling food items with 5% or more GM materials in their food ingredients as "genetically modified" (positive labels);
- (b) providing additional information on the label if the GM food concerned has undergone significant modifications in specific aspect (e.g. animal gene introduced into food of plant origin);
- (c) avoiding the use of negative labels in absolute term (e.g. "GM free"); and
- (d) using other forms of negative labels only when the declaration is substantiated by documentation.

### **Deliberations of the Panel**

4. The Panel held two meetings to discuss the introduction of voluntary labelling of GM food and the evaluation of the effectiveness of the Guidelines in 2006 and 2008 respectively. The deliberations and concerns of members are summarized below.

#### The international scenario of GM food labelling

5. Noting that the Administration would adopt a voluntary approach to put forward its policy on GM food labelling, members sought information on the regulatory approach on GM food labelling in overseas places.

6. According to the Administration, the regulatory approach on GM food labelling could be broadly classified into a mandatory approach and a voluntary approach. The mandatory approach could be further divided into the "labelling of designated GM products only" and "pan-labelling" approaches. For the former approach, labelling was required if the food products contained designated GM materials (e.g. soya bean and corn). Countries adopting this approach included the Mainland, Japan and Taiwan. For the "pan-labelling approach", it required the labelling of any food that contained GM ingredients exceeding a threshold level. Countries adopting this approach included the European Union, Australia, New Zealand and South Korea. As regards the

voluntary labelling approach, it only required the labelling of GM food that was significantly different from its conventional counterpart, in terms of composition, nutritional value and allergenicity. The United States and Canada were adopting this approach.

### Effectiveness of the voluntary GM food labelling scheme in Hong Kong

7. Many members considered that GM food labelling could enable consumers to make informed food choices. Noting that the Administration would introduce a voluntary GM food labelling scheme, they were sceptical of the effectiveness of the voluntary adoption of the Guidelines by the trade. They requested the Administration to review the effectiveness of the voluntary labelling scheme after a period of implementation and revert to the Panel on the review result.

8. According to the Administration, GM food currently available on the international market had passed risk assessments and there was no evidence that GM food would present risks for human health. The international community and the Codex Alimentarius Commission ("Codex") had not yet reached a consensus on the common standards in respect of GM food labelling. The regulatory impact assessment study on the labelling of GM food in Hong Kong also showed that there would be additional cost to the trade, in particular the small and medium sized companies, if a mandatory labelling scheme was to be implemented. Given that Hong Kong relied heavily on imported food, there would also be impact on food choices to Hong Kong people and the food trade if mandatory GM food labelling was introduced. In this regard, the Administration considered it more appropriate to implement a voluntary labelling scheme in Hong Kong.

### Implementation of a mandatory GM food labelling scheme

9. Members expressed diverse views on the implementation of a mandatory GM food labelling scheme in Hong Kong. Some members were supportive of a mandatory GM food labelling scheme. In their view, although GM food might not be unsafe, it was important to provide information on the GM contents on the food labels to enable consumers to make informed food choices. The absence of internationally agreed standards should not be used as a justification for not implementing a mandatory labelling scheme in Hong Kong. They urged the Administration to implement a mandatory labelling scheme for GM food as soon as possible and provide a concrete timetable in this regard.

10. Some other members, however, were of the view that there was no pressing need to implement a mandatory GM food labelling scheme in Hong Kong. They were supportive of the Administration's approach to continue to promote the Guidelines and encourage the food trade to participate in the voluntary labelling scheme. The Administration should only introduce a mandatory labelling scheme when Codex had set standards in respect of GM food labelling. Meanwhile, they requested the Administration to conduct more testing of food products, especially those containing the two most commonly used GM crops, i.e. soya bean and corn, to address the concern over the health risks of GM food posed to the public.

11. The Administration was of the view that food safety should be the prime consideration of the need to introduce a mandatory GM food labelling scheme in Hong Kong. In deciding on a policy relating to food labelling, the Administration had to strike a balance between the interests of the trade and the public so as to minimize impacts on food costs and food choices. Under the Public Health and Municipal Services Ordinance (Cap. 132), any person who sold food that was unfit for human consumption, irrespective of whether it was GM food or not, was guilty of an offence and subject to the penalty of fine and imprisonment. Given that GM food currently available on the market was unlikely to present risks for human health, the Administration did not consider it necessary to introduce a mandatory labelling scheme at this stage. The Administration would strengthen the promotion of the Guidelines and education to the trade with a view to bringing in more traders under the voluntary labelling scheme.

### **Relevant papers**

12. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

**Relevant papers on the  
voluntary genetically modified food labelling scheme in Hong Kong**

<b>Committee</b>	<b>Date of meeting</b>	<b>Paper</b>
Panel on Food Safety and Environmental Hygiene	13.6.2006 (Item VI)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Food Safety and Environmental Hygiene	8.7.2008 (Item III)	<a href="#">Agenda</a> <a href="#">Minutes</a> <a href="#">CB(2)740/11-12(01)</a>

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