

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1156/12-13  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/FE+HS

**Panel on Food Safety and Environmental Hygiene and  
Panel on Health Services**

**Minutes of joint meeting  
held on Tuesday, 20 November 2012, at 10:45 am  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Members of the Panel on Health Services

- \* Dr Hon LEUNG Ka-lau (Chairman)
- \* Dr Hon Joseph LEE Kok-long, SBS, JP (Deputy Chairman)  
Hon Albert HO Chun-yan
- \* Hon Vincent FANG Kang, SBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon CHAN Kin-por, BBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, JP
- \* Hon CHEUNG Kwok-che  
Hon Charles Peter MOK  
Hon CHAN Han-pan  
Hon Alice MAK Mei-kuen, JP  
Dr Hon KWOK Ka-ki  
Dr Hon Fernando CHEUNG Chiu-hung  
Dr Hon Elizabeth QUAT, JP  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, JP

Members of the Panel on Food Safety and Environmental  
Hygiene

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Hon Alan LEONG Kah-kit, SC (Chairman)  
Hon WONG Kwok-hing, MH  
Dr Hon Kenneth CHAN Ka-lok  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

(\* Also members of the Panel on Food Safety and Environmental Hygiene)

**Members absent** : Members of the Panel on Health Services

Hon Mrs Regina IP LAU Suk-ye, GBS, JP

Hon Albert CHAN Wai-yip

\* Dr Hon Helena WONG Pik-wan

Members of the Panel on Food Safety and Environmental Hygiene

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Hon Steven HO Chun-yin (Deputy Chairman)

Hon James TO Kun-sun

Hon Tommy CHEUNG Yu-yan, SBS, JP

Hon WONG Yuk-man

Hon Claudia MO

Hon CHAN Chi-chuen

(\* Also member of the Panel on Food Safety and Environmental Hygiene)

**Public Officers attending** : Item II

Professor Sophia CHAN Siu-chee  
Acting Secretary for Food and Health

Miss Janice TSE Siu-wa, JP  
Deputy Secretary for Food & Health (Health)1

Mr Philip CHAN Kwan-ye, JP  
Deputy Secretary for Food & Health (Food)2

Dr Shirley LEUNG Sze-lee  
Assistant Director of Health (Family and Elderly Health Services)  
Department of Health

Dr Gloria TAM Lai-fan, JP  
Controller, Centre for Food Safety  
Food and Environmental Hygiene Department

Dr HO Yuk-yin, JP  
Consultant (Community Medicine) (Risk Assessment and Communication)  
Centre for Food Safety, Food and Environmental Hygiene Department

**Attendance** : Item II  
**by invitation**

Hong Kong General Chamber of Pharmacy Limited

Mr LAU Oi-kwok  
Chairman

Hong Kong Society for the Protection of Children

Ms Susan SO Suk-yin  
Director

Hong Kong Infant and Young Child Nutrition Association

Mr Clarence CHUNG  
President

Baby Friendly Hospital Initiative Hong Kong Association

Dr Patricia IP  
Chairman

FrieslandCampina (Hong Kong) Ltd

Mr Arnoud van den Berg  
General Manager

Against Child Abuse Ltd

Dr Jessica HO  
Director

Department of Paediatrics,  
Faculty of Medicine,  
The Chinese University of Hong Kong

Professor Nelson, Edmund Anthony Severn

The Alliance for Children's Commission

Ms Eliza CHAN C Y

The Society of Hospital Pharmacists of Hong Kong

Mr SO Yiu-wah  
Vice President

Danone Baby Nutrition (HK) Limited

Mr Bruno Chevot  
General Manager

Pfizer Corporation (Hong Kong) Limited

Miss Veronica SZE  
Senior Public Affairs Manager

La Leche League - Hong Kong

Ms Maggie YU Yuen-ling  
Chairwoman

Hong Kong Retail Management Association

Mr Louis TING  
Working Committee Member

Hong Kong Breastfeeding Mothers' Association

Ms Millie WONG  
Chairlady

Abbott Laboratories Ltd

Mr Pingo LUK  
General Manager of Abbott Nutrition INT'L

Nestle Hong Kong Limited

Ms Eleanor CHAN  
Director - Legal & Corporate Affairs, HK

Consumer Council

Ms Rosa WONG  
Head, Research & Trade Practices Division

Mead Johnson Nutrition (Hong Kong) Ltd

Dr Steven WU, MD  
Medical Director, China, in Medical Affairs,  
Global Research & Development

Hong Kong Suppliers Association Ltd

Mr Kenneth HO  
Vice Chairman

Ms Caroline Carson

School of Nursing,  
Li Ka Shing Faculty of Medicine,  
The University of Hong Kong

Dr Marie Tarrant  
Associate Professor

Miss Celina CHAN

Impact Communications Company

Miss Carmen POON  
Managing Director

The Association of Accredited Advertising Agencies of  
Hong Kong

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Ms Sue McCusker  
Chairman

Hong Kong Committee on Children's Rights

Ms Billy WONG  
Executive Secretary

**Clerk in attendance** : Ms Elyssa WONG  
Chief Council Secretary (2) 5

**Staff in attendance** : Miss Carrie WONG  
Assistant Legal Adviser 4

Mr Jove CHAN  
Senior Council Secretary (2) 6

Ms Priscilla LAU  
Council Secretary (2) 5

Ms Michelle LEE  
Legislative Assistant (2) 5

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**I. Election of Chairman**

Dr LEUNG Ka-lau, Chairman of Panel on Health Services, was elected Chairman of the joint meeting.

**II. Regulation of formula products and foods for infants and young children**

(LC Paper Nos. CB(2)192/12-13(01) to (03))

2. Members noted the following papers on the subject under discussion -

- (a) Administration's papers entitled "The Hong Kong code of marketing and quality of formula milk and related products, and food products for infants and young children" and "Legislative proposals relating to formula products and foods intended for infants and young children under the age of 36 months in Hong Kong" (LC Paper Nos. CB(2)192/12-13(01) and (02)); and
- (b) Background brief entitled "Regulation of formula products and foods for infants and young children" (LC Paper No. CB(2)192/12-13(03)) prepared by the Legislative Council Secretariat.

Views of deputations

3. At the invitation of the Chairman, the following 25 deputations presented their views on the regulation of formula milk products and foods for infants and young children -

- (a) Hong Kong General Chamber of Pharmacy Limited;
- (b) Hong Kong Society for the Protection of Children;
- (c) Hong Kong Infant and Young Child Nutrition Association;
- (d) Baby Friendly Hospital Initiative Hong Kong Association;
- (e) FrieslandCampina (Hong Kong) Ltd;

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- (f) Against Child Abuse Ltd;
- (g) Department of Paediatrics, Faculty of Medicine, The Chinese University of Hong Kong;
- (h) The Alliance for Children's Commission;
- (i) The Society of Hospital Pharmacists of Hong Kong;
- (j) Danone Baby Nutrition (HK) Limited;
- (k) Pfizer Corporation (Hong Kong) Limited;
- (l) La Leche League - Hong Kong;
- (m) Hong Kong Retail Management Association;
- (n) Hong Kong Breastfeeding Mothers' Association;
- (o) Abbott Laboratories Ltd;
- (p) Nestle Hong Kong Limited;
- (q) Consumer Council;
- (r) Mead Johnson Nutrition (Hong Kong) Ltd;
- (s) Hong Kong Suppliers Association Ltd;
- (t) Ms Caroline Carson;
- (u) School of Nursing, Li Ka Shing Faculty of Medicine, The University of Hong Kong;
- (v) Miss Celina CHAN;
- (w) Impact Communications Company;
- (x) The Association of Accredited Advertising Agencies of Hong Kong; and
- (y) Hong Kong Committee on Children's Rights.

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4. Members also noted the written submission from the Department of Paediatrics and Adolescent Medicine, Li Ka Shing Faculty of Medicine, the University of Hong Kong.

5. A summary of the views of deputations is in the **Appendix**.

The Administration's response to the views expressed by deputations

6. Responding to the views expressed by the deputations, the Acting Secretary for Food and Health ("SFH(Acting)") made the following points -

- (a) in line with the recommendation of the World Health Organization ("WHO"), the Administration had all along endeavoured to promote, protect and support breastfeeding which provided optimal nutrition for infants and young children to grow and stay healthy;
- (b) the Steering Committee on Prevention and Control of Non-Communicable Diseases set up by the Food and Health Bureau ("FHB") had endorsed the proposal of developing and implementing the "Hong Kong Code of Marketing and Quality of Formula Milk and Related Products, and Food Products for Infants and Young Children" ("the proposed Hong Kong Code"), which was drafted by the Task Force on Hong Kong Code of Marketing of Breastmilk Substitutes with reference to the International Code of Marketing of Breastmilk Substitutes ("the WHO Code") and the subsequent resolutions passed by the World Health Assembly;
- (c) the proposed Hong Kong Code aimed to contribute to the provision of safe, adequate and balance nutrition for infants and young children by protecting breastfeeding and ensure the proper use of formula milk products and food products for infants and young children under the age of 36 months. It also specified provisions on the nutritional composition and labelling of formula milk products and food products for infants and young children including the use of nutrition and health claims, and provided voluntary guidelines to manufacturers and distributors on the marketing and quality of formula milk products and related products for children aged 36 months or below;
- (d) while noting the view of most deputations that legislations should be introduced to implement the requirements under the proposed Hong Kong Code, the Administration was of the view that the Code (the compliance of which was voluntary) could provide flexibility for the trade while at the same time encourage the



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provision of objective and adequate information and appropriate marketing practices. The Administration would monitor the situation and canvass the views of various parties to consider if there was a need to step up regulation and incorporate the proposed Hong Kong Code into the legislation;

- (e) as regards the concern raised by some deputations that the regulation on the advertising and marketing practices of breastmilk substitutes might undermine consumers' right to access information, the Administration stressed that there was no cause for such concern, as efforts had been and would continue to be made by the Department of Health ("DH") and the Hospital Authority ("HA") in promoting breastfeeding and optimal young child feeding through health education for parents and production and distribution of educational materials on infant and young child feeding; and consumers could easily access relevant information via various channels, such as booklets, videos and the Internet; and
- (f) a public consultation exercise on the proposed Hong Kong Code had already been launched in November 2012 and would end on 31 December 2012. Meanwhile, the Administration would continue to consult the trade on the details of the proposed Hong Kong Code.

7. At the invitation of the Chairman, SFH(Acting) then briefed members on the legislative proposals relating to formula milk products and foods intended for infants and young children under the age of 36 months in Hong Kong, details of which were set out in the Administration's paper (LC Paper No. CB(2)192/12-13(02)).

8. The Chairman suggested and members agreed to extend the meeting for 30 minutes beyond its appointed time to allow more time for discussion.

Discussion

*Promotion of breastfeeding*

9. Mr Vincent FANG thanked the deputations for attending the meeting and giving their views on the subject. In particular, he thanked the two mothers who attended the meeting to give an account of the difficulties in sustaining breastfeeding. Dr KWOK Ka-ki echoed Mr FANG's view. He also thanked the deputations for their persistent efforts in advocating breastfeeding in Hong Kong. He expressed dissatisfaction with the Administration's efforts

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in providing timely and adequate support for mothers when they had difficulties in sustaining breastfeeding.

10. Ms Elizabeth QUAT said that the Democratic Alliance for the Betterment and Progress of Hong Kong supported the promotion of breastfeeding in Hong Kong. She questioned whether sufficient efforts had been made by the Administration in creating and maintaining a breastfeeding-friendly environment for mothers. Mr Alan LEONG said that the community had a consensus that breastmilk was the best food for infants and more breastfeeding facilities should be made available in the community and workplace. Dr Fernando CHEUNG and Mr CHEUNG Kwok-che urged the Administration to allocate more resources to create a breastfeeding-friendly environment in the community, such as providing baby care rooms in public places, strengthening public education and providing more assistance to new mothers for breastfeeding.

11. SFH(Acting) stressed that the Administration had all along endeavoured to promote, protect and support breastfeeding in Hong Kong. The Administration had implemented various measures to encourage and protect breastfeeding, and further measures would be introduced at later stage. Assistant Director of Health (Family and Elderly Health Services) ("ADH(FEHS))" added that with reference to local and international research studies, DH had identified three factors affecting the prevalence of breastfeeding, which were the support given to breastfeeding mothers during the perinatal and postnatal periods by healthcare facilities and health workers; the support in workplace and community; and the aggressive marketing of formula milk products. In the past few years, DH had been providing relevant training for its medical staff, and encouraged hospitals under HA to implement measures to support breastfeeding. DH had also undertaken to promote breastfeeding with a view to enhancing public acceptance of breastfeeding. The proposed Hong Kong Code would be conducive to the promotion of and protection for breastfeeding.

*Nutritional composition and labelling*

12. Mr Vincent FANG expressed concern on the supply of formula milk products in Hong Kong if the legislative proposals relating to the nutritional composition and labelling for formula milk products were to be implemented. Pointing out that all formula milk products available in Hong Kong were imported from overseas, Mr FANG was concerned whether the manufacturers and suppliers of these products were aware of the legislative proposals and whether these products could meet the proposed nutritional composition and labelling requirements as set out in the legislative proposals.

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13. Deputy Secretary for Food and Health (Food) 2 ("DSFH(F)2") advised that when formulating the legislative proposals, the Administration had considered the standards developed by the Codex Alimentarius Commission ("Codex"), which was an international authority established by the United Nations and WHO to set food-related standards and guidelines. Relevant international practices had also been taken into account when developing the legislative proposals to ensure that the legislative proposals were on par with the international standards. A recent survey conducted by the Centre for Food Safety ("CFS") had also shown that among 62 infant formula milk, 31 of them were able to meet the nutrition labelling requirements of energy and all 33 nutrients which were required to be present in such products as specified by Codex while another 21 had displayed at least 29 specified nutrients on their nutrition labels. In addition, of the 51 follow-up formula milk products intended for infants and young children under the age of 36 months, 40 of them, i.e. nearly 80%, had displayed the energy and all 25 nutrients as specified by Codex on their labels. According to a survey on pre-packaged food for infants and young children conducted by CFS and the Consumer Council in April 2012, 79 out of the 117 pre-packaged food samples, i.e. nearly 70%, had indicated the value of energy, protein, total fat and carbohydrates on their nutrition labels. In this connection, the Administration was optimistic that the trade should be able to comply with the proposed nutritional composition and labelling requirements. In addition, there would be a suitable grace period to ensure the smooth implementation of the legislative proposals.

14. Dr Fernando CHEUNG expressed dissatisfaction that the foods intended for infants and young children under the age of 36 months were not covered by the existing regime for regulation of nutrition labelling. He held the view that the proposed legislation should have been introduced years ago.

15. Mr WONG Kwok-hing and Dr KWOK Ka-ki sought information on the legislative timetable for the proposed regulation of the nutritional composition and labelling of formula milk products. DSFH(F)2 advised that subject to the views collected in the public consultation exercise, the Administration planned to enact the relevant legislation in the first half of 2013.

16. Dr KWOK Ka-ki expressed concern on the length of the grace period. In his view, the longer the grace period, the higher the risk posed to the health of babies who were fed with infant formula milk not wholly meeting the nutritional requirements of infants. He considered that the grace period should not exceed three months. DSFH(F)2 clarified that the length of the grace period had yet to be determined. The Administration would consider the length of the grace period with reference to the views collected from the public consultation exercise. Regard would also be given to factors such as the readiness of laboratories.

*Public Consultation*

17. Mr CHEUNG Kwok-che considered the existing channels for soliciting views from mothers through Maternal and Child Health Centres, the district offices of the Home Affairs Department and the website of FHB to be ineffective. He suggested that specific consultation sessions should be arranged for soliciting their views. ADH(FEHS) noted Mr CHEUNG's suggestion.

18. Pointing out that the Administration's proposals would have impact on the supply of a wide variety of formula milk products for infants and young children, Mr Vincent FANG requested an extension of the public consultation period in order to allow sufficient time for the trade and the public to give views. Mr Alan LEONG made the same request. He said that given the concern of the trade, mothers and organizations advocating breastfeeding on the Administration's proposals and the policy and measures to promote breastfeeding, an extension of the consultation period would allow all parties to put forward their views to the Administration. SFH(Acting) agreed to consider the suggestion.

*Implementation of the proposed Hong Kong Code*

19. Noting that the compliance of the proposed Hong Kong Code would be voluntary, Mr WONG Kwok-hing enquired whether the Administration would disclose the names of the relevant parties who were non-compliant with the Code. SFH(Acting) said that the Administration would encourage the trade to follow the proposed Hong Kong Code. DH would jointly conduct surveys with consumer groups and academic research institutions on the advertising and marketing practices of formula milk products to monitor compliance with the Code. The Administration would not rule out additional measures when the situation warranted.

20. Dr KWOK Ka-ki, Mr CHEUNG Kwok-che and Dr Fernando CHEUNG considered that there was a need to impose a penalty for any non-compliance with the proposed Hong Kong Code. Mr CHEUNG and Ms Elizabeth QUAT further urged the Administration to commence the legislative process of the proposed Hong Kong Code as early as possible.

21. Mr Vincent FANG expressed dissatisfaction with the Administration for not inviting the trade to participate in the preparation process of the proposed Hong Kong Code. In his view, due regard had not been given to the trade's view. Pointing out the divergent views on the proposed Hong Kong Code expressed by some trade organizations, Dr Joseph LEE requested the Administration to properly address the trade's concerns.

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22. SFH(Acting) reiterated that the proposed Hong Kong Code was drafted with reference to WHO's recommendations. The compliance of the code was voluntary so as to provide flexibility for the trade. She stressed that the Administration had consulted the trade on the proposed Hong Kong Code and would continue to listen to the views of different parties during the public consultation exercise.

*Marketing of formula milk products and related products for infants and young children*

23. Mr WONG Kwok-hing, Dr KWOK Ka-ki, Dr Joseph LEE, Dr Fernando CHEUNG and Mr CHEUNG Kwok-che expressed grave concern about the misleading and exaggerated health claims made in some formula milk products advertisements. They expressed disappointment at the absence of legislative proposals to regulate the marketing of formula milk products. They urged the Administration to expeditiously introduce legislation to regulate the marketing of formula milk products.

24. SFH(Acting) responded that in the light of the finding of iodine deficiency in certain formula milk products and the urgency to protect the health of infants and young children, the Administration considered it important to introduce legislative proposals regulating the nutritional composition and labelling of formula milk products. As regards the regulation of the claims of formula milk products, owing to the complexity of the issue and the lack of international consensus, the Administration would need more time to consult the trade and the public. Meanwhile, CFS would continue to study relevant overseas experience concerning the regulation of those claims. The Administration planned to put forward relevant legislative proposals on the regulation of those claims in late 2013.

Motion proposed by member

25. Dr KWOK Ka-ki proposed to move the following motion -

"本會促請政府就配方奶及相關產品、嬰兒食品的銷售及品質立即進行立法。"

(Translation)

"That this Panel urges the Government to immediately legislate for the sale and quality of formula milk and related products, as well as foods for infants."

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26. The Chairman ruled that the motion was directly related to the agenda item. However, in the light of the absence of a quorum at that moment of the meeting, Dr KWOK Ka-ki withdrew his motion.

27. Mr Alan LEONG, Dr Joseph LEE and Dr KWOK Ka-ki said that members shared the view of many deputations that the Administration should introduce legislation instead of a voluntary Hong Kong Code to regulate the marketing of formula milk products.

Conclusion

28. In closing, the Chairman said that -

- (a) members supported breastfeeding and the Administration should provide appropriate support for mothers;
- (b) while some deputations considered a proposed Hong Kong Code ineffective in regulating the marketing of formula milk products, some other deputations expressed grave concern on the restrictions in the proposed Hong Kong Code in respect of the promotion and advertising of formula milk products;
- (c) the scope of the legislative proposals only covered the regulation of nutritional composition and labelling of formula milk products and foods for infant and children, but not their health claims and promotion; and
- (d) there was a suggestion of extending the public consultation period so as to allow more time for the trade and the public to consider the proposed Hong Kong Code and submit their views to the Administration.

**III. Any other business**

29. There being no other business, the meeting ended at 1:15 pm.

**Panel on Health Services and Panel on Food Safety and Environmental Hygiene**

**Joint meeting on Tuesday, 20 November 2012  
on Regulation of formula milk products and foods for infants and young children**

**Summary of views and concerns expressed by deputations/individuals**

Organization / Individual	Major views and concerns
<b>Legislative proposals relating to formula products and foods intended for infants and young children under the age of 36 months</b>	
<ul style="list-style-type: none"> <li>• Baby Friendly Hospital Initiative Hong Kong Association</li> <li>• Hong Kong Society for the Protection of Children</li> <li>• Department of Paediatrics and Adolescent Medicine, Li Ka Shing Faculty of Medicine, The University of Hong Kong</li> <li>• Abbott Laboratories Ltd</li> <li>• FrieslandCampina (Hong Kong) Ltd</li> <li>• Danone Baby Nutrition (HK) Limited</li> <li>• Hong Kong Infant and Young Child Nutrition Association</li> <li>• Hong Kong Suppliers Association Ltd</li> <li>• Mead Johnson Nutrition (Hong Kong) Ltd</li> <li>• Nestle Hong Kong Limited</li> <li>• Pfizer Corporation (Hong Kong) Limited</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputations express support for the legislative proposals to regulate nutritional composition of infant formula, as well as nutrition labelling of formula milk and foods intended for infants and young children under the age of 36 months.</li> <li>2. Some deputations call on the Administration to expeditiously enact legislation to regulate formula milk products.</li> </ol>

Organization / Individual	Major views and concerns
<b>Implementation of the proposed Hong Kong Code of Marketing and Quality of Formula Milk and Related Products, and Food Products for Infants and Young Children ("the proposed Hong Kong Code")</b>	
<ul style="list-style-type: none"> <li>• Against Child Abuse Ltd</li> <li>• The Alliance for Children's Commission</li> <li>• Baby Friendly Hospital Initiative Hong Kong Association</li> <li>• Consumer Council</li> <li>• Department of Paediatrics, Faculty of Medicine, The Chinese University of Hong Kong</li> <li>• Department of Paediatrics and Adolescent Medicine, Li Ka Shing Faculty of Medicine, The University of Hong Kong</li> <li>• Hong Kong Breastfeeding Mothers' Association</li> <li>• The Hong Kong Committee on Children's Rights</li> <li>• Hong Kong Society for the Protection of Children</li> <li>• La Leche League - Hong Kong</li> <li>• Ms Caroline Carson</li> </ul>	<ol style="list-style-type: none"> <li>1. The depositions express support for the implementation of the proposed Hong Kong Code, which aims at protecting breastfeeding and ensuring the proper use of formula milk products and food products for infants and young children.</li> <li>2. The depositions doubt the effectiveness of the proposed Hong Kong Code as the compliance of which will be voluntary. They call on the Administration to introduce legislations to implement the requirements under the proposed Hong Kong Code. Some depositions suggest disclosing the names of non-compliant manufacturers and distributors to strengthen the deterrent effect.</li> </ol>
<ul style="list-style-type: none"> <li>• School of Nursing, Li Ka Shing Faculty of Medicine, The University of Hong Kong</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputation points out that the provision of free infant formula milk to hospitals and health professionals as well as the giving out of free samples of infant formula milk to new mothers have an adverse impact on breastfeeding. Since the Hospital Authority has ceased the provision of complementary infant formula milk in April 2010, both the rate of exclusive breastfeeding in hospitals and the proportion of mothers who breastfeed for three months have increased. In this</li> </ol>



<b>Organization / Individual</b>	<b>Major views and concerns</b>
	connection, the deputation expresses support for the regulation over marketing and quality of formula milk products and related products through the implementation of the Hong Kong Code.
• Hong Kong Society for the Protection of Children	1. The deputation is of the view that manufacturers and distributors of formula milk products should not be allowed to perform or sponsor educational functions under the proposed Hong Kong Code. The deputation is also of the view that the Administration should monitor or screen the accuracy and validity of information materials provided by the manufacturers and distributors, even if the information materials do not disclose the names of the manufacturers and distributors or the brand names of the formula milk products.
• La Leche League - Hong Kong	1. The deputation is of the view that allowing manufacturers and distributors of infant formula milk and related products to provide sponsorship of research and educational activities is inappropriate and it might create a conflict of interests for healthcare workers.
• Abbott Laboratories Ltd	1. The deputations are concerned about the use of trademarks under the labelling requirements for formula milk products, as the proposed Hong Kong Code suggests that any photograph, drawing or graphic representation other than for illustrating methods of preparation is not allowed, but may show one occurrence of either a company logo or a trade mark of the product.

Organization / Individual	Major views and concerns
<b>Health claims, promotion and marketing of formula milk products and related products for infants and young children</b>	
<ul style="list-style-type: none"> <li>• Against Child Abuse Ltd</li> <li>• The Alliance for Children's Commission</li> <li>• Department of Paediatrics, Faculty of Medicine, The Chinese University of Hong Kong</li> <li>• Department of Paediatrics and Adolescent Medicine, Li Ka Shing Faculty of Medicine, The University of Hong Kong</li> <li>• Hong Kong Breastfeeding Mothers' Association</li> <li>• The Society of Hospital Pharmacists of Hong Kong</li> <li>• Ms Caroline Carson</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputations express grave concern about the misleading health claims made by some manufacturers and distributors of formula milk products and their negative effect on breastfeeding initiation. In their views, many health claims are not scientifically proven and are misleading and untruthful. The deputations urge the Administration to introduce legislations to prohibit untruthful health claims and nutrition claims of formula milk products. There is also a view that the advertising of infant formula milk and related products should be prohibited.</li> </ol>
<ul style="list-style-type: none"> <li>• Consumer Council</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputation urges the Administration to review the scope of the proposed Hong Kong Code from time to time for effective regulation of the advertising and promotion of formula milk products and related products for infants and young children.</li> <li>2. While the Centre for Food Safety ("CFS") is proposed to be responsible for monitoring the labelling requirements and quality standards of formula milk products and food products for infants and young children, the deputation is of the view that CFS should also examine and evaluate the health claims made by the formula milk products and food products during the regular surveys and surveillance.</li> </ol>

<b>Organization / Individual</b>	<b>Major views and concerns</b>
<ul style="list-style-type: none"> <li>• The Alliance for Children's Commission</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputation expresses concern that under the Generic Code of Practice on Television Advertising Standards, television programme service licensees might not be able to verify the truthfulness of claims made in the advertisements.</li> </ol>
<ul style="list-style-type: none"> <li>• Danone Baby Nutrition (HK) Ltd</li> <li>• Hong Kong Retail Management Association</li> <li>• Mead Johnson Nutrition (Hong Kong) Ltd</li> <li>• Impact Communications Company</li> <li>• Pfizer Corporation (Hong Kong) Limited</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputations hold the view that parents and caregivers should not be deprived of the access to the information provided by formula milk products manufacturers. There is no scientific evidence to show that the provision of marketing information on formula milk products is a key factor in affecting the breastfeeding rate and the duration of breastfeeding. In their view, restrictions on the marketing activities of the formula milk products are unnecessary, as they are not in line with the principle of free market economy.</li> </ol>
<ul style="list-style-type: none"> <li>• The Association of Accredited Advertising Agencies of Hong Kong</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputation expresses strong reservations on the ban of advertising of formula milk products up to 36 months.</li> </ol>
<ul style="list-style-type: none"> <li>• Abbott Laboratories Ltd</li> <li>• FrieslandCampina (Hong Kong) Ltd</li> <li>• Danone Baby Nutrition (HK) Limited</li> <li>• Hong Kong Infant and Young Child Nutrition Association</li> <li>• Hong Kong Suppliers Association Ltd</li> <li>• Mead Johnson Nutrition (Hong Kong) Ltd</li> <li>• Nestle Hong Kong Limited</li> <li>• Pfizer Corporation (Hong Kong) Limited</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputations object to a restriction on advertising and promotion of formula milk products in the proposed Hong Kong Code. They are of the view that it is not a common practice in overseas places to regulate the marketing practices, nutrition labelling and quality standard of formula milk products under the same code of practice, the compliance of which is voluntary. The deputations consider that the Administration should address issues relating to the marketing practices, the quality standard and nutrition labelling of formula milk products under separate codes. The deputations are also of the view that Hong Kong should follow the International Code of Marketing of Breast-milk Substitutes developed by the World Health Organization which regulates the advertising and marketing of breastmilk substitutes for infants up to 6 months old only.</li> </ol>

<b>Organization / Individual</b>	<b>Major views and concerns</b>
<ul style="list-style-type: none"> <li>• Hong Kong General Chamber of Pharmacy Ltd</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputation objects to a restriction on the marketing practices of formula milk products intended for the infants and young children from six to 36 months old as such restriction would undermine consumers' right to access information and the industry's right to promote their products. The deputation considers that the Administration should regulate the health claims of formula milk products with a view to enhancing protection for infants and young children.</li> </ol>
<ul style="list-style-type: none"> <li>• The Lion Rock Institute</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputation holds the view that mothers have the right to access information on infant feeding and opposes the ban of uncensored information flow of formula milk products.</li> </ol>
<b>Consultation period</b>	
<ul style="list-style-type: none"> <li>• Hong Kong Infant and Young Child Nutrition Association</li> <li>• Hong Kong Suppliers Association Ltd</li> <li>• Hong Kong Retail Management Association</li> <li>• Nestle Hong Kong Limited</li> <li>• Impact Communications Company</li> </ul>	<ol style="list-style-type: none"> <li>1. Taking into account the wide scope of the proposed Hong Kong Code, the deputations request the Administration to extend the consultation period in order to gauge the views of the stakeholders and the industry on the Code.</li> </ol>
<b>Protecting breastfeeding</b>	
<ul style="list-style-type: none"> <li>• Against Child Abuse Ltd</li> <li>• Hong Kong Society for the Protection of Children</li> <li>• La Leche League - Hong Kong</li> </ul>	<ol style="list-style-type: none"> <li>1. The deputations call on the Administration to enhance its promotion on the benefits of breastfeeding and strengthen parent education on the nutritional composition and labelling of formula milk products, so as to help parents make informed choices.</li> </ol>

<b>Organization / Individual</b>	<b>Major views and concerns</b>
<ul style="list-style-type: none"><li>• The Association of Accredited Advertising Agencies of Hong Kong</li><li>• Department of Paediatrics, Faculty of Medicine, The Chinese University of Hong Kong</li><li>• Hong Kong Breastfeeding Mothers' Association</li><li>• Hong Kong Retail Management Association</li><li>• Pfizer Corporation (Hong Kong) Limited</li><li>• Miss Celina CHAN</li></ul>	1. The deputations are of the view that the Administration should encourage and facilitate breastfeeding by providing baby care facilities in the workplace and public areas. There is also a suggestion of extending the maternity leave to promote breastfeeding.
<b>Others</b>	
<ul style="list-style-type: none"><li>• The Alliance for Children's Commission</li></ul>	1. The deputation urges the Administration to consider setting up a Children Commission to protect the rights and welfare of children.

<b><u>Name of Organization / individual</u></b>	<b><u>Submission (LC Paper No.)</u></b>
Abbott Laboratories Ltd	LC Paper No. CB(2)226/12-13(06)
Against Child Abuse Ltd	LC Paper No. CB(2)213/12-13(01)
The Alliance for Children's Commission	LC Paper No. CB(2)266/12-13(01)
Baby Friendly Hospital Initiative Hong Kong Association	LC Paper No. CB(2)192/12-13(05)
Consumer Council	LC Paper No. CB(2)226/12-13(07)
Department of Paediatrics, Faculty of Medicine, The Chinese University of Hong Kong	LC Paper No. CB(2)192/12-13(06) LC Paper No. CB(2)213/12-13(02)
Department of Paediatrics and Adolescent Medicine, Li Ka Shing Faculty of Medicine, The University of Hong Kong	LC Paper No. CB(2)213/12-13(03)
FrieslandCampina (Hong Kong) Ltd	LC Paper No. CB(2)226/12-13(02)
Hong Kong Breastfeeding Mothers' Association	LC Paper No. CB(2)226/12-13(05)
Hong Kong Committee on Children's Rights	LC Paper No. CB(2)226/12-13(10)
Hong Kong General Chamber of Pharmacy Limited	LC Paper No. CB(2)192/12-13(04)
Hong Kong Infant and Young Child Nutrition Association	LC Paper No. CB(2)226/12-13(01)

<b><u>Name of Organization / individual</u></b>	<b><u>Submission (LC Paper No.)</u></b>
Hong Kong Retail Management Association	LC Paper No. CB(2)226/12-13(04)
Hong Kong Society for the Protection of Children	LC Paper No. CB(2)237/12-13(01)
Hong Kong Suppliers Association Ltd	LC Paper No. CB(2)226/12-13(09)
La Leche League - Hong Kong	LC Paper No. CB(2)192/12-13(08)
The Lion Rock Institute	LC Paper No. CB(2)237/12-13(03)
Mead Johnson Nutrition (Hong Kong) Ltd	LC Paper No. CB(2)226/12-13(08)
Nestle Hong Kong Limited	LC Paper No. CB(2)266/12-13(02)
Pfizer Corporation (Hong Kong) Limited	LC Paper No. CB(2)226/12-13(03)
School of Nursing, Li Ka Shing Faculty of Medicine, The University of Hong Kong	LC Paper No. CB(2)237/12-13(02)
The Society of Hospital Pharmacists of Hong Kong	LC Paper No. CB(2)192/12-13(07)