

立法會CB(2)814/14-15(01)號文件
LC Paper No. CB(2)814/14-15(01)

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Submission to Panel on Food Safety and Environmental Hygiene -

Public consultation on the proposed regulation of nutrition and health claims on formula products and prepackaged food for infants and young children under the age of 36 months in Hong Kong.

As a manufacturer and importer of infant formula from New Zealand, Fonterra strongly supports the protection of breastfeeding and recommendations from the WHO and Codex. We welcome the proposed regulatory framework to enhance the regulation of nutrition and health claims on formula products, post the introduction of the Food and Drug (Composition and Labeling) (Amendment) (No.2) Regulation last year.

Fonterra supports the 5 overarching principles in the proposed regulatory framework, and believes that the inclusive approach is the most appropriate method of governing the use of health claims for formula products.

We believe such an approach is a fundamental step in protecting the health of infants and young children, by enabling the provision of accurate and appropriate information for parents and ensuring that manufacturers invest resources in scientific research and development in order to optimize the nutrition composition of their products.

There are a number of jurisdictions who recognize the valid role of health claims on formula products and have developed regulatory approaches which could be used as a reference for a claims framework in Hong Kong. Rather than prohibiting claims on up to 36 month old formula food as proposed in the restrictive approach outlined in the consultation, many countries adopt an approach that permits claims on formula products via a robust mechanism to evaluate the science in support of a claim. With sufficient scientific substantiation and assessment, the EU, Mainland China and Singapore permit the use of claims on formula from 6 month old. The Australia New Zealand Food Standards Code, under certain conditions, allows health claims on products suitable from 12 month old.

Fonterra suggests HK consider the adoption of the proposed inclusive approach with a supporting mechanism for claims approval and conditions of application, as a measure of preventing the misleading claims.

For those babies whose mothers have difficulties to breastfeed or need infant formula as a supplement, scientifically endorsed health claims can provide parents with appropriate information and advice to enable them to make an informed choice as to which formula to feed their child. An appropriate claims framework will ensure infant and young children receive the best nutrition appropriate to their needs. We support a regulatory framework which will empower mothers to make fully informed decisions on infant feeding and encourage manufacturers to continue to invest in research and consistently improve the understanding of infant nutrition and improve their products.

We welcome the opportunity to work with the government through ongoing dialogue and create an environment that protect and promote breastfeeding and healthy eating in infants and young children in Hong Kong.

Fonterra Brands (Hong Kong) Limited

3 Feb 2015