

February 9, 2015
By Fax and by Mail

To: Legislative Council Panel
Facsimile: (852) 2509 9055

Cc: Hon Vincent FANG Kang, SBS, JP

Dear Sir/Madam,

Re: Submission to the Panel on Proposed Regulatory Framework on Nutrition and Health Claims on Infant Formula, Follow-up Formula and Prepackaged Foods for Infants and Young Children Under the Age of 36 months

We fully support the Administration in establishing a regulatory framework to enhance the regulation of nutrition and health claims on formula products and IYC foods for children under the age of 36 months.

Milk Formula for babies under the age of 6 months old could be their only source of food and nutrition if a parent is unable to breastfeed or has chosen not to breastfeed. Infant and young children of ages 6 to 36 months are at such tender ages that the Administration has an obligation to protect them against false, misleading and inappropriate claims on their food source. It is undoubtedly that claims on such source of food should be monitored and regulated appropriately.

On the other hand, we urge the Administration to allow substantiated claims to be made for two main reasons. Firstly, product benefits and information, be it shown on food packaging or through any forms of advertisement, are vital information for consumer in making purchasing decision. Secondly, new formulation of food are being developed constantly. Most of these new formulation are for the improvement of existing products and some are for the health and nutrition improvement of targeted consumer, in this case our young children. Our Administration must allow the trade to inform consumer on such substantiated claims on health and nutrition, keeping in mind that claims must be substantiated and not misleading or inappropriately presented. If not, the trade cannot inform the consumer of such benefit and our young children will be deprived of such products while the rest of the world can enjoy.

We support an Inclusive Approach whereby substantiated claims can be made. We further agree, in general, with the Administration on the mechanism to approve claims and establish corresponding conditions as stated in the Consultation Document. We hope, however, the Administration will discuss with the Trade and take into consideration the Trade's view on the fine points of the approval process.

P.O. Box No. 33692 Sheung Wan Post Office, Hong Kong
Tel: 25433316 Fax: 31863019 E-mail: contactus@hksuppliers.com.hk

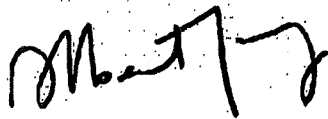
HONG KONG
Suppliers Association Ltd. **HKSA**
香港供應商協會有限公司

<http://www.hksuppliers.com.hk>

Grace Period is always subject to debate even a newly proposed regulation is agreed and welcomed by all parties. For the Trade, we need time to make preparation and execution to comply with a new regulation. There are many internal discussion and preparation to be made in individual companies to meet the requirement of a new regulation. We hope the Administration and the public would be understanding of our difficulties. In this case, a list of approved claims needs to be established. The Trade needs to submit application and the Centre for Food Safety needs time to approve. We suggest the Grace Period to be divided into three parts. Part One is the time allowed for submitting application. We suggest a deadline of six months from the time the new regulation is enacted for the Trade to submit and complete the application process. Part Two is the time for the Administration to approve the application. For the time needed for Part Two, the Administration must decide. Part Three is the time for the Trade to comply with the regulation after the list of approved claims is published by the Administration. We suggest a Grace Period of 18 months for Part Three to allow time for the Trade to change formulation, change packaging, change promotional material, clear stock, production of new products to comply, etc. as needed.

End of submission

Thank you for your attention.



Albert Tang
Chairman
Hong Kong Suppliers Association

P.O. Box No. 33692 Sheung Wan Post Office, Hong Kong
Tel: 25433316 Fax: 31863019 E-mail: contactus@hksuppliers.com.hk