

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

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

July 20, 2015
By Fax and by Mail

To: Hon Tommy Cheung Yu-yan, SBS, JP
Room 818,
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Cc: Members of Legislative Council Panel on Food Safety and Environmental Hygiene



Dear Hon Mr. Cheung,

Re: Views from Hong Kong Suppliers Association on the 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 in Hong Kong

We would like to first re-state our position that we fully support breastfeeding and the Administration in establishing a regulatory framework to enhance the regulation of nutrition and health claims on Infant and Follow-up formula products (Milk Formula Product) and Prepackaged Foods for Infants and Young Children (IYC food). But, we strongly object to a complete ban on nutrition and health claims for Milk Formula Product.

We are disappointed and saddened that the Administration adopted a restrictive approach whereby all nutrition and health claims for Milk Formula Product are banned. We are disappointed because the Administration is taking a “斬腳趾避沙蟲” approach (I apologize if this description sounded offensive, but, I find this is the best way to describe it), which does not solve the problem. We are saddened because parent who cannot breastfeed or have chosen not to breastfeed will have decision making information taken away from them.

Milk formula is not the deterrence of breastfeeding. It is an alternative if mother cannot/choose not to breastfeed. We have to admit Milk Formula Product, although breastfeeding is the best choice, is a necessity in today's Hong Kong society. Some parents simply cannot breastfeed. Parents choose not to breastfeed because of their lifestyle, their determination, their work, etc, not because they are convinced that Milk Formula Product is better than breast milk. Milk Formula Product is not poison or harmful to health, like cigarette, thus should not be treated as such. To effectively encourage breastfeeding, the Administration needs to form a multi-departmental task force to ensure facility for breastfeed, sufficient time off after birth for breastfeed, social support and many

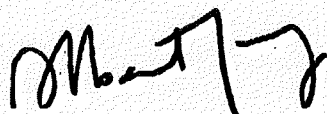
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more, but not a complete ban on nutrition and health claim. The Administration stated that nutrition and health claims are not necessary information and it is merely the trade's promotional tactic. We disagree. It is the fact that nutrition value and health benefit of Milk Formula Product are important to infant and young children whenever Milk Formula is necessary or chose, thus, true and substantiated claims are necessary information.

Furthermore, the proposed complete ban on health and nutrition claims is not in line with regulation of developed countries that are similar to the ways of life and living standard of Hong Kong. The unique nature of the proposed law would lead to restriction for new brands from entering the Hong Kong market which do not have our own manufacturing base but rely solely on importation. This ultimately would lead to limitation of choice of Hong Kong parents as some brands may choose to quit the market due to such exceptional regulation in Hong Kong.

We urge the Administration to reconsider an Inclusive Approach whereby substantiated claims can be made. We agree, in general, with the Administration on the mechanism to approve claims and establish corresponding conditions as stated in the Consultation Document.

Thank you for your attention.



Albert Tang
Chairman
Government Policy Committee
Hong Kong Suppliers Association