



中華人民共和國香港特別行政區政府總部食物及衛生局  
Food and Health Bureau, Government Secretariat  
The Government of the Hong Kong Special Administrative Region  
The People's Republic of China

---

**Our Ref:** FHB/H/4/50  
**Your Ref:** CB2/PL/HS

**Tel No.:** 3509 8963  
**Fax No.:** 2840 0467

8 June 2017

Ms Maisie LAM  
Clerk to Panel  
Legislative Council Panel on Health Services  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Ms Lam,

**Hong Kong Code of Marketing of Formula Milk and Related Products,  
and Food Products for Infants & Young Children (“Hong Kong Code”)**

During the discussion on the captioned subject at the meetings of the Legislative Council (“LegCo”) Panel on Health Services held on 20 March 2017 and 10 April 2017, Members requested the Administration to provide supplementary information. Our response is set out in the ensuing paragraphs.

Exclusive breastfeeding rate of infants in the first four months

2. The Department of Health (“DH”) has been conducting biennial surveys on breastfeeding. The latest survey was conducted in 2015 and the target was babies born in 2014. Findings of the survey revealed that 27% infants were exclusively breastfed for the first four months. The DH will conduct the next breastfeeding survey in mid-2017 and the target are babies born in 2016.

Quantity and value of formula milk powder imported into Hong Kong

3. The quantity and value of formula milk powder for infants and young children below 36 months old imported into Hong Kong in the past 3 years are as follows:

Year	Import	
	Quantity (million kg)	Value (HK\$ million)
2014	56	8,231
2015	54	8,029
2016	59	8,215

Implementation of the International Code of Marketing of Breastmilk Substitutes of the World Health Organization (“WHO”) in different places

4. Different approaches have been adopted by different places around the world to implement the International Code of Marketing of Breastmilk Substitutes announced by the WHO in 1981 (“1981 International Code”) and the subsequent resolutions endorsed by the World Health Assembly (“WHA”). Some places promulgate a voluntary code, some implement all or part of the provisions of the code by legislative means, while some have not implemented any relevant measures. Different places have taken into account local factors, such as breastfeeding situation, marketing practice of breastmilk substitutes and legal system, to decide the approach for implementing the 1981 International Code.

5. According to the report released by the WHO in 2016 on the status of implementing the 1981 International Code by different places<sup>1</sup>, 135 out of 194 countries/regions had some form of legal measures in place to implement some provisions of the 1981 International Code and the relevant WHA resolutions. Of the above 135 countries/regions, 39 imposed legal measures applicable to formula milk for infants and young children with age limits ranging from 24 months to 60 months, among which the age limits for 16 countries/regions are at 36 months and those for another 2 countries/regions are at 60 months. Relevant details are as follows:

Countries/Regions	Formula milk covered up to age (months)
Bolivia, Cambodia, Cabo Verde, Colombia, Dominican Republic, Egypt, Honduras, India, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Madagascar, Myanmar, Nicaragua, Pakistan, Panama, Peru, Vietnam, Yemen	24
Burundi, Cameroon	30
Afghanistan, Armenia, Botswana, Brazil, Gambia, Georgia, Kuwait, Lebanon, Maldives, Mozambique, Nigeria, Palau, Philippines, South Africa, Turkmenistan, Uruguay	36
United Republic of Tanzania, Zimbabwe	60

<sup>1</sup> Marketing of breast-milk substitutes: National implementation of the international code Status Report 2016 jointly published by the WHO, UNICEF and International Baby Food Action Network in May 2016. ([http://www.who.int/nutrition/publications/infantfeeding/code\\_report2016/en/](http://www.who.int/nutrition/publications/infantfeeding/code_report2016/en/)).

6. In May 2016, WHO issued the “Guidance on ending the inappropriate promotion of foods for infants and young children” which clearly states that the implementation of the 1981 International Code covers all breastmilk substitutes for infant and young children up to age of 36 months (including follow-up formula and growing-up milks). It is understood that some WHO member countries such as the United Kingdom have begun to review their relevant laws or codes to comply with the latest WHO guidelines.

#### Drafting of HK Code

7. Implementation of the HK Code is one of the important measures taken by the Government to support breastfeeding, with a view to ensuring safe and adequate nutrition for babies and safeguarding public health. In early 2013, the Food and Health Bureau (“FHB”) consulted the Wholesale and Retail Task Force under the Business Facilitation Advisory Committee on the draft HK Code. When refining the draft HK Code, the Government has already taken into consideration concerns of the trade, public consultation results, the latest guidelines and principles of the WHO and the situation of Hong Kong. The Competition Commission has offered us some advice from the competition perspective after our submission of the updated draft HK Code to the LegCo Panel on Health Services in March this year. We have contacted the Competition Commission and will refine the provisions where necessary before finalising the HK Code.

#### Trade Descriptions Ordinance

8. In the past 3 years, the Government has not instigated any prosecution for breach of the Trade Descriptions Ordinance (Cap. 362) due to incorrect or misleading nutrition and health claims of formula milk powder for infants and young children under the age of 36 months.

#### Funding granted to non-governmental organisations (“NGOs”) for implementing initiatives in support of breastfeeding

9. The Committee on Promotion of Breastfeeding (“the Committee”), chaired by the Under Secretary for Food and Health, was set up in 2014 to enhance the sustainability of breastfeeding and further strengthen community support for breastfeeding. Members of the Committee include relevant healthcare professionals and representatives from academia as well as organisations that have been participating in the promotion of breastfeeding. The Committee provides specific recommendations on strategies and action plans to strengthen the protection, promotion and support for breastfeeding. Its objective is to promote breastfeeding as the norm for baby care widely accepted by the community and translate public support into action, thereby creating a breastfeeding-friendly environment conducive to boosting the rate and sustainability of breastfeeding.

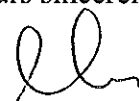
10. The Government has been promoting breastfeeding with a multi-pronged approach through implementing the initiatives recommended by the Committee.

The initiatives include strengthening publicity and education on breastfeeding, strengthening support for breastfeeding in healthcare institutions and the community, encouraging adoption of the Breastfeeding Friendly Workplace Policy to support working mothers to continue breastfeeding after returning to work, promoting breastfeeding through encouraging public places to become Breastfeeding Friendly Premises and to provide baby care facilities, implementing the HK Code and strengthening the surveillance on local breastfeeding situation.

11. The DH has been promoting breastfeeding through different publicity and education work, including (i) providing health information on breastfeeding for parents through organising workshops, producing and distributing educational materials such as booklets and videos, and offering advice on the webpage of the DH's Family Health Service ("FHS"); (ii) providing guidance and skill support for breastfeeding mothers through its Maternal and Child Health Centres and the breastfeeding hotline; and (iii) organising publicity activities (e.g. broadcasting promotional videos on television and buses and in MTR, advertising on bus bodies and arranging for officials to give media interviews) to enhance public awareness of the benefits of breastfeeding. Furthermore, the DH has produced a number of related guidelines such as "Guide to Establishing Breastfeeding Friendly Premises", "Employers' Guide to Establishing Breastfeeding Friendly Workplace" and "Employee's Guide to Combining Breastfeeding with Work", and uploaded them to its FHS webpage for reference by members of public as well as organisations and public premises interested in implementing breastfeeding-friendly measures.

12. The DH also works in collaboration with healthcare professional bodies, the academia and private hospitals with obstetrics department to promote and support breastfeeding. The FHB, the DH and the Hong Kong Committee for the United Nations Children's Fund have jointly launched a promotion campaign entitled "Say Yes to Breastfeeding" since July 2015. The campaign aims to introduce and promote the Breastfeeding Friendly Workplace Policy and the Breastfeeding Friendly Premises Policy. The "Info for Nursing Mum App" launched by the DH in February 2016 provides relevant online information, including policy and news on breastfeeding, FAQs on breastfeeding and available community resources. With a funding of around \$800,000, the DH has commissioned an NGO to implement a pilot programme from June 2015 to May 2017 to enhance the peer support among breastfeeding mothers. The Health Care and Promotion Scheme of the Health and Medical Research Fund under the FHB has also provided around \$300,000 for an NGO to implement a community support project on breastfeeding from April 2017 to March 2019 to support breastfeeding mothers and promote breastfeeding.

Yours sincerely,



(Dr Anita CHENG)  
for Secretary for Food and Health

cc. Director of Health  
(Attn.: Assistant Director (Family and Elderly Health Services))