

Regulation of Health Food in Overseas Places

Members of the LegCo Panel on Health Services requested the Research and Library Services Division (RLS) to conduct a research on the regulation of health food in overseas places. Despite the worldwide proliferation of health food in the past decade, such regulation is considered a challenge because health food is hard to define, sometimes being considered as food and other times as drug.

We propose to study the regulation of health food in Australia, Canada, China, European Union (EU), Japan, Taiwan and United States (US). The reasons are given below in tabular form for easier reading:

<i>Place</i>	<i>Reason</i>
Australia	Recent legislation on regulating health food
Canada	Very strict regime regulating health food
China	Producer of much Chinese herbal health food exported to HKSAR
EU	Has issued directives to its member states on how to regulate health food
Japan	Has legally defined "functional foods" (or health food) which are considered by experts to be among the most sophisticated in the world. It has also in place a tested system of regulating health food
Taiwan	Has recent legislation on regulating health food. Like Hong Kong, population consumes much Chinese herbal health food.
US	The first country to enact a law allowing health claims for "dietary supplements" (or health food).

In each of the places under study, we will examine the following:

- Definition of health food
- Regulatory framework for health food
- Analysis

Owing to resource constraint, we propose to conduct the research in two stages. In the first stage, we will examine the regulation of health food in Japan and the United States as these two countries have advanced regulatory framework and information about them is abundant. We expect to complete research on these two countries by early May 2000. Then, we will continue to research on the remaining places and expect the second stage research to complete by mid-June 2000. Nonetheless, our past experience with China has indicated relatively slow information flow--if information is not available by mid-May 2000, we will not include China in the second stage research but will continue to work on the study over this summer.