

## **LEGISLATIVE COUNCIL BRIEF**

### **FOOD ADULTERATION (ARTIFICIAL SWEETENERS) (AMENDMENT) REGULATION 1999**

#### **INTRODUCTION**

On 19 October 1999, the Secretary for Health and Welfare, in exercise of the power under section 55(1A) of the Public Health and Municipal Services Ordinance (Cap. 132), made the Food Adulteration (Artificial Sweeteners) (Amendment) Regulation 1999 at Annex, which adds five artificial sweeteners to the schedule of permitted artificial sweeteners.

#### **BACKGROUND AND ARGUMENT**

2. Artificial sweeteners can produce a sweet taste just as carbohydrate sweeteners and are now frequently used in various foods, such as desserts, confectionery and soft drinks. The low calorie characteristic of artificial sweeteners offers a choice for consumers who want to exercise control over their calorie intake. The Food Adulteration (Artificial Sweeteners) Regulations prohibit the sale and import of artificial sweeteners and of any food containing artificial sweeteners, unless such artificial sweeteners have been specified in the Schedule of the Regulations. At present, five chemical compounds, namely saccharin, saccharin sodium, saccharin calcium, aspartame and acesulfame potassium are included in the Schedule.

3. In addition to the above five substances, cyclamates (including cyclamic acid, sodium cyclamate and calcium cyclamate), thaumatin and sucralose have been confirmed by the Joint Food and Agriculture Organization / World Health Organization Expert Committee on Food Additives (JECFA) as safe for human consumption. Many countries, including the countries in European Union, United States of America, Canada, Australia and New Zealand, have either allowed the use of these five artificial sweeteners or are in the process of seeking approval for their use.

4. Since the safety of cyclamic acid, sodium cyclamate, calcium cyclamate, thaumatin and sucralose has already been endorsed by international authorities and is widely recognised by developed countries, we propose to follow suit and bring the local regulations in line with the international trend.

## **THE AMENDMENT REGULATION**

5. The Food Adulteration (Artificial Sweeteners) (Amendment) Regulation 1999 adds the artificial sweeteners “cyclamic acid”, “sodium cyclamate”, “calcium cyclamate”, “thaumatin” and “sucralose” to the schedule of permitted artificial sweeteners contained in the Food Adulteration (Artificial Sweeteners) Regulations (Cap. 132 sub. leg.). The Amendment Regulation will come into operation on 29 November 1999.

## **PUBLIC CONSULTATION**

6. We have consulted the Hygiene Services Committee, a body consisting of members of Provisional Urban Council and Provisional Regional Council, as well as representatives from various Government departments, to advise the Director of Health on food safety control matters. The Committee endorsed the proposal.

## **BASIC LAW IMPLICATIONS**

7. The Department of Justice advises that the proposed Regulation is consistent with the Basic Law.

## **HUMAN RIGHTS IMPLICATIONS**

8. The Department of Justice advises that the proposed Regulation has no human rights implications.

## **BINDING EFFECT**

9. The Amendment Regulation does not affect the current binding effect of the Principal Regulation.

## **FINANCIAL AND STAFFING IMPLICATIONS**

10. There will be no specific financial and staffing implications in relation to the proposed Regulation.

## **PUBLICITY**

11. The proposed Regulation will be published in the Gazette on 22 October 1999. A press release will be issued on the same day. We will also inform the food trade of the amendments. A spokesman will be available for answering media and public enquiries.

## **ENQUIRIES**

12. For enquiries about this brief, Members can contact Miss Angela LUK, Principal Assistant Secretary for Health and Welfare (Medical) 1 at 2973 8103 or Dr Gloria TAM, Assistant Director of Health (Hygiene) at 2961 8800.

**Health and Welfare Bureau**  
**22 October 1999**

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**FOOD ADULTERATION (ARTIFICIAL SWEETENERS)  
(AMENDMENT) REGULATION 1999**

(Made under section 55(1A) of the Public Health and  
Municipal Services Ordinance (Cap. 132))

**1. Commencement**

This Regulation shall come into operation on 29 November 1999.

**2. Permitted artificial sweeteners**

The Schedule to the Food Adulteration (Artificial Sweeteners) Regulations (Cap. 132 sub. leg.) is amended by adding -

- "6. Cyclamic Acid.
- 7. Sodium Cyclamate.
- 8. Calcium Cyclamate.
- 9. Thaumatin.
- 10. Sucralose."

Secretary for Health and Welfare

19 October 1999

### Explanatory Note

This Regulation adds the artificial sweeteners "Cyclamic Acid", "Sodium Cyclamate", "Calcium Cyclamate", "Thaumatococcus" and "Sucralose" to the Schedule of permitted artificial sweeteners contained in the Food Adulteration (Artificial Sweeteners) Regulations (Cap. 132 sub. leg.).