

Centre for Food Safety
Food and Environmental Hygiene Department

**Notes of Eighth Meeting of the Trade Consultation Forum held on
15 November 2007 at 2:30 pm at Conference Hall, 3 Edinburgh Place, Central, Hong Kong**

Present

Government Representatives

Dr Y. Y. HO	Consultant (Community Medicine) (Risk Assessment & Communication)	(Chairman)
Dr. Anne FUNG	Principal Medical Officer (Risk Assessment & Communication)	
Miss Kay KB KWOK	Assistant Secretary for Food & Health (Food)2	
Dr Anna Wong	Head (Risk Assessment Section)	
Dr Marina SUM	Senior Medical Officer (Risk Communication)	
Ms. Joan YAU	Scientific Officer (Risk Assessment) 3	
Ms. Melissa LIU	Scientific Officer (Risk Assessment) 5	
Ms. S. C. CHEUNG	Chief Health Inspector (Food Surveillance)	
Mr. K. W. CHUNG	Chief Health Inspector (Food Labelling)	
Mr. H M WONG	Superintendent (Risk Communication)	(Notes-taker)

Trade Representatives

Ms. LIM Lay Nak	A S Watson Industries
Mr. Peter Johnston	A.S. Watson Group (HK) Ltd
Mr. Edward CHAK	AEON Stores (Hong Kong) Co., Ltd
Mr. Ricky PANG	AEON Stores (Hong Kong) Co., Ltd
Ms. Annie WONG	Amoy Food Ltd
Ms. Carol LEE	Catalo Natural Health Foods Ltd.
Ms. Vicky CHAN	Cheong Kee Special Food Co., Ltd
Ms. Virginia LEE	Circle K
Ms. Grace YEE	City Super
Mr. LEUNG Ho Wing	CK Life Sciences
Ms. May KAN	Coca-Cola China Ltd
Ms. Lilian IP	Dah Chong Hong, Ltd.
Ms. Joanne LEE	Dah Chong Hong, Ltd.
Mr. James WONG	EDO Trading
Ms. Mavis NG	Fairwood Holdings Limited
Ms. Sandy Yuen Shan FUNG	Ferrero Asia Limited
Ms. CHAN Yuen Shan	Getz Bros & Co. (HK) Ltd.
Mr. CHOW Kwok Leung	Getz Bros & Co. (HK) Ltd.
Ms. Amanda WONG	Glee Foods Industries Ltd.

Mr. Wax WONG	Glee Foods Industries Ltd.
Mr. MOK Wai Lung	H.K. Rice Merchants Enterprises Ltd
Ms. YIP Sau Fong	Health Works (Food Production) Company Ltd.
Mr. WU Wen Hui	Health Works (Food Production) Company Ltd.
Mr. Derry SIT	HK Health Food Association
Ms. CHEUNG LAU Lai Yin Becky	Hong Kong Food Science & Technology Association
Ms. Athena LI	Kampery Development Ltd
Ms. NG Pui Kay	Kee Wah Bakery HK
Ms. Athena LEUNG	Kjeldsen & Co. (Hong Kong) Ltd.
Mr. LAU Kin Wah	Kowloon Chamber of Commerce
Mr. LEE Kwong Lam	Kowloon Chamber of Commerce
Mr. Stephen CHOI	Lee Kum Kee Intl Holding Ltd
Ms. Doris CHAN	Nestle Hong Kong Ltd
Ms. TANG Yuen Man	Nissin Foods Co., Ltd
Mr. LAM Tsz Mau	Nissin Foods Co., Ltd
Ms. LAI Sim Man	ParknShop
Mr. Chris CHAN	Pat Chun International Ltd.
Ms. Grace YU	Procter & Gamble Hong Kong Ltd
Ms. Stephanie SHUM	Saint Honore Cake Shop Ltd.
Mr. Wellock LO	Sims Trading Co., Ltd
Mr. WONG Kam Chuen	Swire Coca-Cola HK Ltd
Mr. Allen HO	The Dairy Farm Group
Mr. Samuel CHAN	The Garden Company Limited
Mr. LAW CHI SANG	The Garden Company Limited
Mr. Ronald LAU	The Hong Kong Food Council Ltd
Mr. Leslie WONG	The Hong Kong Food Council Ltd
Mr. Eric AU	Unilever Hong Kong Ltd.
Mr. Albert YAN	Unilever Hong Kong Ltd.
Mr. Ivan CHAN	Vitasoy International Holdings Ltd
Mr. ON Ka Ming	Winner Food Products Ltd.

Opening Remarks

1. The Chairman welcomed all to the meeting and introduced Government Representatives attending the forum.

Agenda Item 1

Confirmation of the Notes of Last Meeting

2. The notes of last meeting were confirmed without amendments.

Agenda Item 2

Matters Arising from the Notes of Last Meeting

Regulation of Red 2G

3. The Chairman said that trade representatives were told in the last meeting that in light of the latest scientific evidence and the recommendation of the Expert Committee on Food Safety, the

Government would seek approval from the Legislative Council (LegCo) to remove Red 2G from Part I of the First Schedule of the Colouring Matter in Food Regulations. The proposed amendment was supported by the Advisory Council on Food and Environmental Hygiene. As the proposed ban on the use of Red 2G was not expected to have great impact on the trade due to the availability of other permitted red dyes, the proposed amendment would be tabled to the LegCo for consideration in early 2008 and a reasonable grace period would be suggested for it. All the food sold in Hong Kong should not contain Red 2G when the grace period ended.

4. The Chairman urged the trade to stop using Red 2G and colouring matters containing Red 2G as food additives and to advise food manufacturers to follow suit. All food manufacturers were encouraged to prepare food in accordance with Good Manufacturing Practice (GMP) and not to abuse food additives.

Agenda Item 3

Matters Arising from the Notes of Last Meeting

Food and Drugs (Composition and Labelling) Regulations

5. A trade representative had suggested in the last meeting that the Government should allow the use of “or” on ingredient list as some seasonal ingredients may be replaced by substitutes.

6. Mr K W CHUNG responded that in order to produce food by the same formula, the food trade often used alternative ingredients and adopted the expression of “or” or “and/or” (e.g. “cream or butter” and “vegetable oil (canola oil, sunflower seed oil and/or soybean oil)”) to declare these alternative ingredients on ingredient list. Such expression suggesting food contained one of the ingredients shown was not acceptable under normal circumstances. However, as for the example of “vegetable oil (canola oil, sunflower seed oil and/or soybean oil)”, the legal advice considered that the declaration of “vegetable oil” on ingredient list had met the legal requirements. Since the additional information for the “vegetable oil” on the labels was to provide the possible oil types used, the expression of “or” or “and/or” was acceptable and did not breach the law. However, each case should be examined on its own merit and the use of such expression might not be acceptable in other cases.

Agenda IV

Pesticide Residues in Food

7. Dr Marina SUM presented the Proposed Regulatory Framework for Pesticide Residues in Food in Hong Kong (the Framework) to the meeting, which consisted of background, the legislative proposal and public consultation. In order to better protect public health, facilitate effective regulatory control of pesticide residues in food and promote harmonization between local and international standards, the Framework set out the following proposals: to adopt the definitions of “pesticide” and other related terms as well as classification of foods from the Codex Alimentarius Commission (Codex); to adopt a “positive list” approach; to adopt Maximum Residue Limits (MRLs) developed by the Codex as the backbone with related standards of major importing countries and conduct risk assessment studies before establishing standards for Hong Kong; to develop a “default value” for pesticide residues without specified MRLs in the subsidiary legislation; to develop a list of “exempted substances”; and to implement the new subsidiary legislation with a two-year grace period to allow sufficient time for both private and government laboratories to develop testing methods for pesticides and the trade in complying with the new regulatory requirement. Members of the public and the relevant parties were most welcome to give their views by all means during the consultation period.

8. A trade representative was concerned about the question of legal responsibility and would like to know if it was sufficient for an agent to provide laboratory report supplied by an importer.

9. Ms S C CHEUNG responded that the law enforcement agency would deal with cases in breach of the regulations on an individual basis in light of the evidence collected.

10. The Chairman reminded the food trade that it was against the law if food contained excessive pesticide residues or food additives and they were required to comply with the relevant legislation.

11. A trade representative asked if the restrictions of other countries would be listed in the future for reference.

12. The Chairman replied that the Framework was under consultation only and the restrictions of major exporting countries and various types of oriental food would be included in the future for the reference of the food trade.

13. A trade representative said that the majority in the proposed classification of foods were unprocessed or semi-processed foods and enquired about the case of dried spices.

14. Ms Joan YAU responded that the Codex had established MRLs for semi-processed food such as spices or ketchup. As set out in the consultation paper, the Administration proposed to adopt the MRLs developed by the Codex as the backbone with the standards of major food suppliers as reference to determine MRLs for Hong Kong.

15. A trade representative asked whether genetically modified (GM) foods and organic foods were exempted from the new legislation.

16. Ms Joan YAU replied that organic foods were grown with careful use of pesticides but not total rejection of pesticides. Biopesticides commonly used in organic farming were included in the list of “exempted substances” in some countries. The Chairman supplemented that the trade may check the list of “exempted substances” to see if the pesticides contained in GM produce were exempted.

17. A trade representative said that there were over 400 pesticides in the list and some of them were more toxic. He asked if there were any controls on the selling of this type of pesticides and was concerned about their toxicity levels.

18. The Chairman responded that the selling of toxic pesticides was under control by the Agriculture, Fisheries and Conservation Department (AFCD) as the law enforcement agency. Members of the trade who were interested in this might attend the forthcoming public forums in which the AFCD representative(s) would also be present.

19. In response to the enquiry about toxicity levels, Ms Joan YAU replied that the Expert Committee under Joint Food and Agriculture Organization / World Health Organization was responsible for evaluating the toxicity of pesticides and estimating their MRLs. When pesticides were registered for use, the regulatory authorities would also carry out assessments. It would not pose any health hazards if the residue levels in food were below the MRLs.

20. A trade representative would like to know whether residue levels would vary if pesticides were sprayed on the surface and the root of crops.

21. Ms Joan YAU responded that MRLs were established on the basis of appropriate data obtained mainly from supervised field trials according to Good Agricultural Practice. The data included residues deposited on the surface of the crops or absorbed into them. As for the testing methods of pesticide residues, the Codex had prepared a set of guidelines on this.

22. A trade representative asked if long-term intake of pesticide residues would damage our health despite their possible low toxicity.

23. Dr Anne FUNG responded that pesticide residues could cause acute and chronic health concerns. Acute toxicity may lead to respiratory difficulty or even shock, while chronic toxicity may affect the normal development of foetus in animal studies.

24. The Chairman supplemented that the Centre for Food Safety (CFS) would conduct risk assessment to determine the maximum daily intake in humans before developing the standards.

25. A trade representative enquired about pesticide residues in animals.

26. Ms Joan YAU replied that apart from MRLs for plants, the Codex had also established MRLs for food of animal origins.

27. A trade representative would like to know whether pesticides not in the list could be used.

28. Dr Anne FUNG replied that there were over 400 pesticides in the list. As for pesticides not in the list, it was proposed to set a “default value” for them and only those whose residue levels below the “default value” were acceptable.

29. The Chairman added that the Framework was still under consultation and welcomed views from all parties.

30. A trade representative enquired whether canned foods were exempted.

31. Ms Joan YAU responded that MRLs for pesticides proposed by the Codex covered processed food. The Administration would take into account the Codex standards and the international practices on MRLs for pesticides in processed food when developing MRLs for Hong Kong.

32. A trade representative asked if juice concentrate was classified into “FB0018” in Annex III.

33. Ms Joan YAU replied that there were different practices for different countries regarding MRLs for pesticides in processed food. Pesticide residues in food like juice concentrate would vary due to the changes in water content and temperature during the processing. The Administration would take into account the international practices on MRLs of pesticides in processed food and the Codex standards when developing MRLs for Hong Kong.

34. The Chairman said that the Framework currently put forward was an outline only. Technical details would be discussed with the trade once consultation exercise was completed and a consensus was reached on its general direction.

Agenda V

Trans Fat in Food

35. Dr Anna WONG explained the definition of trans fat and its impact on heart health. She also introduced the joint study conducted with the Consumer Council (CC) between May and August this year. A total of 80 samples were collected from the local market to understand the trans fat levels in popular local food. The testing items included total fats, trans fat, saturated fats, cholesterol and energy. The result showed that some food contained more trans fat or saturated fats and the trans fat levels among the same type of food might vary considerably due to different production processes and oil types used. Excess consumption of food with high level of trans fat or saturated fats would increase risk of coronary heart disease. Dr WONG urged the food trade to work together to prepare healthier food by avoiding hydrogenated oils or animal fats and using low-fat cooking methods in the production process. To enhance the public

understanding on trans fat, public education would be conducted through publications, exhibitions, talks, online information and hotline.

36. The Chairman encouraged members of the trade to take part in the discussion session(s) for development of the guidelines to reduce trans fat in food and to give their views on how to reduce trans fat in food.

37. A trade representative said that newspaper report(s) had played up low trans fat level of Chinese pastries.

38. Dr Anna WONG responded that not all food with low trans fat were healthy food. The CFS advised the public to eat less deep-fried or fatty food since these foods were high in energy and total fats.

39. A trade representative supported the reduction of trans fat in food and suggested avoiding hydrogenated oils or animal fats in food production.

40. Another trade representative proposed food manufacturers to declare whether the food contained trans fat on the packaging.

41. The Chairman pointed out that only core nutrients were required to be declared on food packaging in the existing guidelines but trans fat was not one of them according to the proposal being discussed at the moment.

Agenda Item VI **2007 Food Safety Report No. 4**

42. Ms S C CHEUNG told the meeting that under the CFS Food Surveillance Programme, a total of 12 800 samples including routine food, targeted food and seasonal food were collected at import, wholesale and retail levels for testing between July and August this year. The overall satisfactory rate was 99.4%, with 79 unsatisfactory samples (or 0.6%). Three types of testing, namely radioactivity test, microbiological test and chemical test, were conducted. Pesticides (over 100 types), metallic contamination, preservatives, colouring matters and sweeteners were covered in chemical tests. The CFS was concerned about the unsatisfactory rate of 9% in the targeted food surveillance on preservatives in preserved fruits and vegetables. Although preservatives usually would not pose any health effect upon normal consumption, their misuse was a breach of the relevant provisions. The CFS would take follow-up action against all unsatisfactory samples. She urged the food trade to use food additives properly and comply with GMP and the relevant legal requirements. They should also maintain good personal hygiene and food hygiene practices when handling food, especially those involving intensive preparations.

43. The Chairman pointed out that the Food Safety Report was released on a bimonthly basis. The current Food Surveillance Programme showed that improvements were needed in various areas on the use of preservatives. He urged the food trade to remind manufacturers to take heed of the requirements and the latest amendments on food in Hong Kong.

Agenda Item 7 **Any Other Business**

44. Regarding the nutrition labelling, a trade representative enquired whether 1+6 or 1+7 approaches should be adopted when food products were sent for testing.

45. The Chairman responded that the Proposed Labelling Scheme on Nutrition Information (the Scheme) was still under discussion and a presentation would be made at the LegCo meeting in

December. The amendment regulation would be presented in January 2008 for anticipated completion of vetting process in the end of February. The Scheme was yet to be finalised. Usually, there would be a two-year grace period for the trade to accommodate to any proposed new regulations.

46. A trade representative enquired if the grace period for the Scheme could be extended from two years to three years. He also wished to know whether “available carbohydrate” or “total carbohydrates” should be adopted for nutrients.

47. The Chairman replied that issues of grace period and core nutrients had been discussed and the Administration would consider views from all sides.

48. A trade representative wanted to know which raw materials could be exempted from nutrition labelling.

49. The Chairman replied that the question had been discussed in previous meetings and suggested the trade representative to refer to the notes of previous meetings for exempted food. A technical meeting would be held in December and trade representatives may participate according to their categories such as importers, manufacturers and retailers.

50. A trade representative asked if food products with annual sales below 100 000 units could be exempted from nutrition labelling.

51. The Chairman replied that the CFS had proposed exemption for products with annual sales below 10 000 units. However, the trade had demanded exemption for those with 100 000 units.

52. A trade representative enquired about part II of the joint study on trans fat by the CFS and the CC.

53. Dr Anne FUNG replied that part II study on trans fat would focus on prepackaged food and the report would be released in the first half of 2008.

There being no other business. The meeting was adjourned at 4:30 pm.