Legislative Proposal Relating to Formula Products and Foods Intended for Infants and Young Children under the Age of 36 Months in Hong Kong

Trade Consultation Forum 11 January 2013





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 - Nutrition labelling requirement
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 - Regulation of claims





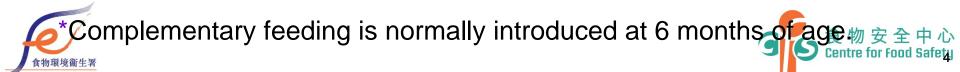
Background





Formula products and foods intended for infants and young children

- The superiority of breastfeeding in ensuring physical and psychosocial health and wellbeing of mother and child, in particular, the long-term health of infants, are widely recognised
- However, where breastfeeding is not feasible, infant formula is the only processed foodstuff which wholly fulfils the nutritional requirements of infants during the first months of life until the introduction of appropriate complementary feeding*
- In order to safeguard the health of infants, it is of paramount importance to ensure that infant formula has the appropriate composition and is nutritionally adequate
- To assist parents to make informed food choices, it is also important to provide nutrition information on labels of foods intended for infants and young children



Current situation

- Section 54 of the Public Health and Municipal Services Ordinance (Cap. 132) stipulates that all food for sale must be fit for human consumption. However, there is no specific provision governing the requirements and standards for nutritional composition for formula products and foods intended for infants and young children < 36 months
- Food and Drugs (Composition and Labelling) Regulations (Cap.132W) do not cover formula products and foods intended for infants and young children under the age of 36 months
- A survey conducted by Centre for Food Safety (CFS) in 2012 revealed that the content of individual nutrients in some products have not met the standard prescribed by Codex. These findings underline the need to regulate such formulae urgently





Legislative Proposals





Aim of legislation

- To protect the health of infants and young children
- To enhance the local legislative control on the nutritional composition and labelling of formula products and foods intended for infants and young children





Codex-based approach

- When formulating the legislative proposals, the Government have adopted the Codex principles, taking into account the international practice
 - To ensure that our legislative proposals are on par with the international standards
 - To strike a balance between the protection of health of infants and young children and the need to maintain stable supply of formula products and foods for infants and young children



Legislative proposal

- 1. Codex requirement on nutritional composition (i.e. energy and 33 nutrients as specified by Codex) for infant formula for infants before complementary feeding is introduced. In particular, the level of energy and each nutrient must fall within the range specified by Codex
- 2. Nutrition labelling requirement for Infant formula for infants before complementary feeding is introduced by listing the energy and 33 nutrients which are required to be present in infant formula by Codex
- 3. Nutrition labelling requirement for Follow-up formula for infants and young children under the age of 36 months by listing the energy and 25 nutrients as specified by Codex
- 4. Nutrition labelling requirement for Foods intended for infants and young children under the age of 36 months by listing the nutrients specified by Codex

Timeframe of implementation

- To allow sufficient time for the trade to prepare for the changes and the necessary laboratory equipment and techniques on the testing of the relevant nutrients to be in place, we propose to allow a suitable grace period before implementing the legislation
- To take into account the views received during the consultation before finalising the length of the grace period





Other Issues





Labelling of sodium content in noncereal-based food

- Additional requirement on labelling of sodium content in non-cereal based food for infants and young children?
 - Sodium is necessary for proper function of the body
 - Prolonged excessive intake of sodium may increase the risk of developing high blood pressure
 - Codex does not have mandatory labelling requirement of sodium content in all non-cereal based food
 - Be challenged at WTO for setting up trade barrier?
 - Overseas countries (e.g., USA, Australia/New Zealand, EU countries) usually require labelling of sodium content



Regulation of claims

- At present, there is still lack of international consensus on the regulation of claims
- In view of the complexity and controversies concerning the regulation of claims, more time would be needed for consultation among stakeholders and public before a consensus can be reached
- To avoid delay in the more urgent task of regulating nutritional composition and nutrition labelling of formula products and foods intended for infants and young children under the age of 36 months, we propose to tackle the issue of regulating claims at a later stage





Summary





Legislative proposal

- 1. Codex requirement on nutritional composition (i.e. energy and 33 nutrients as specified by Codex) for infant formula for infants before complementary feeding is introduced. In particular, the level of energy and each nutrient must fall within the reange specified by Codex
- 2. Nutrition labelling requirement for Infant formula for infants before complementary feeding is introduced by listing the energy and 33 nutrients which are required to be present in infant formula by Codex
- 3. Nutrition labelling requirement for Follow-up formula for infants and young children under the age of 36 months by listing the energy and 25 nutrients as specified by Codex
- 4. Nutrition labelling requirement for Foods intended for infants and young children under the age of 36 months by listing the nutrients specified by Codex
- Commencement of the proposed legislation after a suitable grace period





Let us have your views

- The Government will take into account the views received before finalising the details of the legislative proposals
- Please send your comments by letter, facsimile or e-mail to the Centre for Food Safety before 21 January 2013:

Centre for Food Safety

(Attn: Consultation on formula products and foods for infants and young children)

Food and Environmental Hygiene Department

43/F, Queensway Government Offices,

66 Queensway, Hong Kong

Facsimile: (852) 2893 3547

E-mail address: formulafoods_consultation@fehd.gov.hk

Enquiry tel. no.: (852) 2867 5699





Thank You!



