

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

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Trade Consultation Forum  
11 January 2013

# Overview

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  - Timeframe of implementation
- Other issues
  - Labelling of sodium content in non-cereal-based foods for infants and young children
  - Regulation of claims

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# Background

# Formula products and foods intended for infants and young children

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- ❑ 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

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- ❑ 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

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- ❑ 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

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- **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

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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

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- ❑ 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

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# Other Issues

# Labelling of sodium content in non-cereal-based food

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- 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

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- ❑ 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

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# Summary

# Legislative proposal

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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
5. Commencement of the proposed legislation after a suitable grace period

# Let us have your views

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- ❑ **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)

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# Thank You!

