

Centre for Food Safety
Food and Environmental Hygiene Department

Notes of Fourth Meeting of the Trade Consultation Forum held on
16 March 2007 at 2:30 pm at Conference Hall, 3 Edinburgh Place, Central, Hong Kong

PRESENT

Government Representatives

Dr. Y Y HO	Con(CM)(RAC)	(Chairman)
Dr. Howard WONG	AS, HWFB	
Dr. Samuel YEUNG	PMO(RAC)	
Dr. K W SIN	Head(RCS)	
Dr. Terence CHEUNG	SMO(RA)	
Mr. C W TAM	SS(CFS)2	
Mr. K T TAM	Supt(I/E)1	
Mr. Johnny CHU	ScO(RA)1	
Mr. F M WONG	CHI(FL)	
Mr. H M WONG	Supt(RC)	(Notes-taker)

Trade Representatives

Ms. Janet CHAN	Aeon Stores (Hong Kong) Co. Ltd.
Mr. Ben TSE	Aeon Stores (Hong Kong) Co. Ltd.
Ms. Penny CHOW	Aeon Stores (Hong Kong) Co. Ltd.
Mr. Ricky PANG	Aeon Stores (Hong Kong) Co. Ltd.
Mr. Tues LAM	Aeon Stores (Hong Kong) Co. Ltd.
Ms. Lina LIM	A. S. Watson Industries
Ms. CHAU Ming-chu	Asia Pacific Catering Corporation Ltd.
Ms. Lo Pui-shan	Asia Pacific Catering Corporation Ltd.
Ms. Virginia LEE	Circle K Convenience Stores (HK) Ltd.
Mr. Vincent CHAN	City Super Ltd.
Ms. Patty CHO	City Super Ltd.
Ms. Polly TANG	City Super Ltd.
Ms. May KAN	Coca-Cola China Ltd.
Ms. Amy CHONG	Dah Chong Hong Ltd.
Mr. Conrad LAM	Four Seas Mercantile Ltd.
Ms. Elaine HAU	Gold Coast Hotel
Mr. YU Po-choi	Guangnan Hong Co. Ltd.
Mrs. Becky CHEUNG	Hong Kong Food Science and Technology Association
Ms. LEUNG Man-yee, Patricia	Hong Kong Food Science and Technology Association
Ms. Betty LUI	Hong Kong Hotels Association
Mr. Jacky YU	Hong Kong Suppliers Association
Mr. Albert TANG	Hong Kong Suppliers Association
Ms. Kay NG	Kee Wah Food Production Ltd.
Ms. Rita LI	Kee Wah Food Production Ltd.
Mr. LAU Kin-wah	HK Kowloon Chamber of Commerce

Mr. Stephen CHOI
Mr. William LI
Ms. Joanne YIP
Mr. SIT Chi-yeung, Charles
Ms. Eleanor CHAN
Mr. Joseph MA
Mr. Peter JOHNSTON
Ms. Stephanie SHUM
Mr. Wellock LO
Mr. K C WONG
Mr. HO Kwok-ying
Ms. Maria LAU
Mr. Allen HO
Mr. CHOW Kwok-ying
Dr. P Y WONG, Leslie
Mr. Kenneth CHAN
Mr. AU Hoi-fung
Ms. Christina YIP

Lee Kum Kee International Holdings
Lucullus Food & Wines Co. Ltd.
Master Kong (Hong Kong) Trading Co. Ltd.
Maxim's Food Production Centre
Nestle Hong Kong Ltd.
Nestle Hong Kong Ltd.
ParkN Shop/A. S. Watson Group
Saint Honore Cake Shop Ltd.
Sims Trading Co. Ltd.
Swire Coca-Cola Hong Kong
The Asia Provisions Co. Ltd.
The Chinese Manufacturers' Association of Hong Kong
The Dairy Farm Co. Ltd.
The Association for HK Catering Services Management Ltd.
The Hong Kong Food Council
The Hong Kong Food Council
Unilever Hong Kong Ltd.
Vitasoy International Holdings Ltd.

OPENING REMARKS

1. The Chairman welcomed all to the meeting and introduced staff of the Centre for Food Safety (CFS) attending the forum.

Agenda Item 1

Confirmation of the notes of last meeting

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

Agenda Item 2

Matters arising from the notes of last meeting

3. There being no matters arising from the notes of last meeting, the meeting proceeded to Agenda Item 3.

Agenda Item 3

Amendment to the Preservatives in Food Regulations

4. Dr. Terence CHEUNG presented the preliminary results of the consultation exercise for the proposed amendment to the Preservatives in Food Regulations. The consultation period lasted from 14 December 2006 to 28 February 2007. During the consultation period, two public consultation forums were held on 23 January 2007 at the Hong Kong Science Museum and 7 February 2007 at the Hong Kong Central Library respectively. The majority of the attendants agreed with the broad direction and principles in the proposed amendment. The trade was generally in favour of not conducting the Regulatory Impact Assessment (RIA) for the amendment exercise. In addition, a technical meeting for the trade on the proposed amendment

would be held on 12 April 2007. Besides, details of comparison between standards of proposed amendment and the existing regulations could be accessed on the CFS website. The Chairman added that the trade representatives would be invited to the technical meeting. Registration information was available on the CFS website.

5. One trade representative remarked that the international approach to amendment relating to food regulations would consider the manufacture date instead of the expiry date in considering the provision of grace period. It was because the expiry dates may vary from several days to several years and grace period should be given to food manufactured before the enactment of the amendment regulations.

6. The Chairman replied that the details of proposed amendment were not yet decided and the CFS would continue to discuss with the trade on the technicality of implementing the changes. Views on duration of the grace period for the trade to comply with the new requirements would be considered.

Agenda Item 4

Discussion on the intended legislative amendments on food safety

7. Dr. Samuel YEUNG informed members that the Hong Kong Special Administrative Region Government (HKSARG) had been considering various legislative amendments on food safety. First of all, the HKSARG would expedite the legislation process to tighten control of the import of poultry eggs, including the proposed registration of egg importers, prior permission for the import of eggs and each import consignment to be accompanied with a health certificate. The poultry egg importers and wholesalers/distributors would be required to submit information of their egg imports/wholesale/distribution on demand so as to trace and recall the food at risk in response to food incidents. The HWFB would submit the said proposal to the Legislative Council this year.

8. Dr. Samuel YEUNG continued to report on the latest developments of the Labelling Scheme on Nutrition Information. The public consultation of the scheme started in 2003. The Government reported the results of the public consultation exercise as well as the RIA in respect of the scheme to the Legislative Council Panel on Food Safety and Environmental Hygiene in 2005. The revised proposal of the nutrition labelling scheme in Hong Kong would be introduced in two phases - Phase I: Labelling of prepackaged foods with nutrient-related claims only. Prepackaged foods with nutrient-related claims needed to label energy plus five core nutrients, namely protein, carbohydrate, total fat, saturated fat and sodium on their packages, as well as any nutrient for which a claim was made. On the enactment of the relevant legislation, there would be a two-year grace period. Phase II: Mandatory nutrition labelling of all prepackaged foods except those exempted. All prepackaged foods needed to label energy plus

nine core nutrients, namely protein, carbohydrate, total fat, saturated fat, sodium, cholesterol, sugars, dietary fibre and calcium, as well as any nutrient for which a claim had been made. Phase II would be implemented two years after the implementation of Phase I. The HWFB would finalize the proposal of the nutrition labelling scheme within this year and submit the legislative amendments to the Legislative Council in 2007.

9. Dr. Samuel YEUNG also informed the meeting that the Expert Committee on Food Safety recommended the CFS gave priority to two issues - first, veterinary drug residues present in foods; second, pesticide residues on fruits and vegetables. The CFS had set up working groups to deal with these two issues and would plan to legislate on that regard. Furthermore, the CFS would conduct a number of risk assessment studies every year. Risk assessment reports soon to be released included the nutrient values of fruits and vegetables and 3-monochloropropane-1,2-diol in foods .

10. The Chairman supplemented that trans-fat was not a core nutrient covered by the proposal of the nutrition labelling scheme. In view of the latest motion passed by the Legislative Council on trans-fat, there was a need to examine the issue whether trans-fat should be included as a core nutrient again before the proposal was finalized.

11. One trade representative expressed that in the absence of a universal standard of trans-fat, it was difficult for the Government to set a maximum limit on trans-fat for prepackaged foods. The trade representative also wished to know how to guarantee the so-called “trans-fat free” foods did not contain any trans-fat. In addition, the trade representative suggested the Government to draw up a set of criteria/guidelines on “trans-fat free” foods for reference by the trade.

12. The Chairman replied that regulatory control of trans-fat had not yet been re-examined by the Government. Nevertheless, the Government would conduct more education activities for the general public to know more about trans-fat and keep an eye on the development of trans-fat as well as “trans-fat free” foods in the international market.

13. Another trade representative enquired whether the CFS would consider adopting the Codex standard in the legislation of veterinary drug residues and pesticide residues that were present in foods.

14. Dr. Samuel YEUNG replied that the CFS had set up an internal task force to look into the legislation need and the standard to be adopted. The Chairman added that the work was on the preliminary stage, consultation document would be prepared. On the whole, the adoption of Codex standards would form the basis of the exercises.

Agenda Item 5

Discussion on the enforcement of Food and Drugs (Composition and Labelling)

(Amendment) Regulations 2004 upon the expiry of 36-month grace period on 9 July 2007

15. Mr. F M WONG notified the meeting that the grace period of the Food and Drugs (Composition and Labelling) (Amendment) Regulations would lapse on 9 July 2007. The changes of the Amendment Regulations included: (a) food labels should declare the presence of substances which were known to cause allergy; (b) food labels should specifically indicate the functional classes and full names or identification numbers of the food additives used; and (c) the format required in marking the “best before” or “use by” date would be made more flexible to the trade and clearer to consumers. For prepackaged foods that require the prior permission for importation from the FEHD, such as ice creams, milk and frozen confections, import permits would be issued only if food labels had complied with the labelling requirements. For other prepackaged foods, enforcement actions would be taken on and after 9 July 2007 if they did not comply with the new labelling requirements. [Post-meeting note: the date the new requirements take effect should be 10 July 2007.]

16. The Chairman added that a series of campaigns and publicities would be carried out by the CFS to enhance public education on the Amendment Regulations on food labelling. A booklet introducing the identification number under the International Numbering System (INS) shown on a food label would be published soon. Additionally, the CFS had conducted a survey in collaboration with the Consumer Council on the allergenic substances and the result of it would be disseminated in May.

17. One trade representative enquired about whether the nutrition labelling scheme covered health foods/supplements.

18. Mr. C W TAM replied that in general, edible products not containing medicinal drugs or Chinese medicine were regarded as foods. The proposed nutrition labelling scheme would apply to all prepackaged foods.

19. The other trade representative wondered whether the declaration of the presence of soybeans should be made on soy sauce products i.e. soy sauce (contains soybeans).

20. Mr. F M WONG replied that if a food contained any substances which might cause allergy, including soybeans, the name of the allergen had to be specified in the list of ingredients.

21. Some trade representatives concerned whether the Amendment Regulations governed all prepackaged lunch boxes of student meals supplied in bulk by suppliers and delivered to school for reheating in everyday practice.

22. Mr. C W TAM said that lunch boxes of student meals could be sold through different means; therefore, there was a need to look into the details of the mode of operation for individual cases.
23. The other trade representative enquired if it was necessary for the prepackaged food items solely supplied to catering establishment for further cooking and processing to comply with the Amendment Regulations.
24. Mr. F M WONG replied that according to the Amendment Regulations, catering establishment would also be regarded as an ultimate consumer; therefore the Amendment Regulations would be applied.
25. Some trade representatives expressed the difficulties to comply with the Amendment Regulations on 9 July 2007 as about ten thousands of food products would be affected and it had only been 18 months since the Government had produced a guideline on how to comply with it.
26. The Chairman replied that the difficulties faced by the trade had already been taken into full consideration when the duration of the grace period was decided upon. The trade should have made full use of the grace period of three years to comply with the new regulatory requirements.
27. One trade representative enquired whether the Amendment Regulations would be applied if some cooked foods were prepackaged and sold on the shelf/counter directly to the consumer.
28. The Chairman replied that if the trade chose to prepackage the foods and then sold to the consumers, the foods could not be exempted from labelling requirements.
29. Another trade representative enquired about the definition of prepackaged food and was concerned that technical problems might arise for small size products which contained a number of allergenic ingredients.
30. Mr. C W TAM indicated that according to the Food and Drugs (Composition and Labelling) Regulations, (Cap. 132W), “prepackaged food” (預先包裝食物) meant any food packaged, whether completely or partially, in such a way that - (a) the contents could not be altered without opening or changing the packaging; and (b) the food was ready for presentation to the ultimate consumer or a catering establishment as a single food item. Further, prepackaged food packed in a container with the largest surface area of less than 10 cm² could be exempted from allergen declaration.

31. One trade representative was concerned about the labeling of Salmon under the Amendment Regulations.

32. Mr. F M WONG replied that the name of the allergenic substance “fish” should be indicated in the English label but “三文魚” in the Chinese label was acceptable as the allergenic substance “魚” had already been indicated.

Agenda Item 6

Report of current risk communication activities

33. Mr. H M WONG reported on the current risk communication activities in the pipeline including the Trade Consultation Forum, Food Safety Focus, Food Safety Bulletin (For Consumer), Food Safety Express (For Food Trade), Food Safety Electronic Information Delivery System (FSEIDS) and Food Alerts disseminated through the CFS website.

34. The Chairman encouraged the trade to subscribe the FSEIDS so as to receive timely food safety information from the CFS and supplemented that a Food Safety Seminar for the trade would be arranged, tentatively in September 2007.

Agenda Item 7

Any other business

35. Dr. Samuel YEUNG introduced to the meeting that an updated Microbiological Guidelines for Ready-to-eat Food would be released to the public shortly and a seminar would be held in May.

There being no other business, the meeting was adjourned at 4:30 p.m.