

**Centre for Food Safety**  
**Food and Environmental Hygiene Department**  
**Notes of the Twenty-first Meeting of the Trade Consultation Forum**  
**held on 30 December 2009 at 2:30 p.m.**  
**in Conference Room at Room 102, 1/F, 258 Queen's Road East, Wan Chai, Hong Kong**

**Present**

**Government Representatives**

Dr. Y. Y. HO	Consultant (Community Medicine) (Risk Assessment & Communication)	(Chairman)
Dr. Ada WONG	Senior Medical Officer (Risk Communication)	
Dr. Janet KWAN	Senior Medical Officer (Risk Assessment)	
Mr. C. W. TAM	Senior Superintendent (Centre for Food Safety)2	
Mr. F. W. LEE	Senior Chemist (Food Chemistry)	
Ms. L. P. ZHANG	Food Safety Officer (Risk Assessment)2	
Mr. Y. K. LAI	Superintendent (Food Surveillance)2	
Mr. Y. S. CHEUNG	Superintendent (Import/Export)1	
Mr. Nicky HO	Scientific Officer (Programme Planning)2	
Ms. Joey KWOK	Scientific Officer (Nutrition Labelling Education)	
Mr. H. M. WONG	Superintendent (Risk Communication)	(Notes-taker)

**Trade Representatives**

Ms.	Caroline YUEN	American Consulate General Hong Kong, Agricultural Trade Office
Ms.	Nicole LO	7-Eleven & Dairy Farm Co. Ltd.
Mr.	Frankie KWAN	A Top Consultants Ltd
Ms.	Alison MAK	A Top Consultants Ltd
Ms.	Janice WONG	AEON Stores (HK) Co., Ltd
Mr.	Gibson POON	Apita Dept. Store
Ms.	Ming CHEUNG	Campbell Soup Asia Ltd.
Ms.	Grace YEE	City Super Limited
Ms.	Caroline HO	Coffee Concepts HK Ltd.
Mr.	Arist WONG	Food Republic

Mr.	Stephen CHOI	Food Safety Services International Ltd.
Mr.	Freddy FONG	Foodscan Analytics Ltd.
Mr.	Jackie LIU	Glaxo Smith Kline Ltd.
Mr.	Allen PANG	Home of Swallows Ltd.
Mr.	LOCK Kwok On	HK Federation of Restaurants & Related Trades
Mr.	Peter JOHNSTON	Hong Kong Retail Management Association
Mr.	SHEA Kai Chuen	Hong Kong Small and Medium Enterprises Association
Mr.	LAU Tat Pong	Hong Kong Small and Medium Enterprises Association
Mr.	Frenda WONG	Hong Kong Suppliers Association Ltd.
Mr.	Albert TANG	Hong Kong Suppliers Association Ltd.
Mr.	Gary LO	Hong Kong Yakult Co., Ltd.
Mr.	Eugene WONG	McDonald's Restaurants (Hong Kong) Limited
Mr.	Jonathan SO	McDonald's Restaurants (Hong Kong) Limited
Ms.	Amy XU	Mead Johnson Nutrition
Mr.	Jonathan CHOW	Nikken's Japanese Food Co., Ltd.
Mr.	HUI Yiu Kai	Nissin Foods Co., Ltd.
Ms.	German CHEUNG	Pappagallo Pacific Limited
Ms.	LIU Chun Pong	Pappagallo Pacific Limited
Ms.	Cactus LAI	ParknShop
Mr.	Chris CHAN	Pat Chun International Ltd.
Miss	WU Xian	Pepsico (China) Ltd.
Ms.	Zoe LIU	Pepsico (China) Ltd.
Ms.	Jenny CHAN	Pfizer Corporation Hong Kong Ltd.
Ms.	Florence LAW	Procter & Gamble Hong Kong Ltd.
Ms.	Grace YU	Procter & Gamble Hong Kong Ltd.
Mr.	K.C. WONG	Swire Coca-Cola HK Ltd.
Mr.	Victor KOK	Tai Pan Bread & Cake Co., Ltd.
Mr.	James HO	The Asia Provisions Co., Ltd.
Ms.	May LO	The Dairy Farm Company Ltd.
Mr.	Perry SIT	The Hong Kong Health Food Association
Mr.	Martin WONG	The Hong Kong Health Food Association
Mr.	Eric AU	Unilever Hong Kong Ltd.
Mr.	Willem CHAN	Winner food Products Ltd.
Ms.	Grace LAU	Yau Shing Hang Provisions Ltd.

## **Opening Remarks**

The Chairman welcomed all trade representatives to the meeting and introduced Government Representatives.

## **Confirmation of the Notes of Last Meeting**

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

## **Agenda Item 1**

### **Matters Arising from Notes of Last Meeting**

#### **Guidelines on Tray Liners**

3. The Chairman referred to paragraph 19 of the notes of last meeting and advised that the guidelines on tray liners had been finalized and this was tabled at the meeting. It was also available on the Centre for Food Safety (CFS) website for reference of restaurant operators. He appealed to restaurant operators in the food trade to observe the guidelines when providing tray liners to consumers and print written warnings on tray liners to alert consumers when they were not suitable to be in contact with food directly.

#### **International Numbering System**

4. The Chairman referred to paragraphs 23 & 24 of the notes of last meeting and advised that the number of functional classes under the International Numbering System (INS) for food additives was revised from 23 to 27 by the Codex Alimentarius Commission (Codex). Adoption of the revised INS required in-depth examination due to the legislation in Hong Kong demanding food additives to be labelled with their INS under the respective functional

class or printed with their full name. Cap. 132 also stated that there were 23 functional classes, and food additives must be labelled under these 23 functional classes. If the 27 functional classes revised by Codex were to be adopted in Hong Kong, it would require amendments to the local legislation. After the way forward was formulated, the trade would be consulted before implementation. Taking this opportunity, he inquired the meeting whether there were significant difficulties with the trade in revising label to match with the revised INS.

5. A trade representative suggested that, whilst the revised INS under Codex should be followed as a general principle, flexibility should be allowed due to the huge varieties of food products that were labelled with INS. The Chairman agreed and advised that only five of the 27 functional classes were affected. However, the issue was still a complicated one as the revised INS was not adopted uniformly by all overseas countries. In view of the general principle to follow the revised INS of Codex but there was legislative process involved in the adoption of the revised INS locally, it would take some time to examine the issue and to formulate the way forward. Nevertheless, he assured the meeting that the issue did not affect food safety and public health.

## **Agenda Item 2**

### **Food Safety Charter 2009 Update**

6. The Chairman referred to paragraph 9 of the notes of last meeting and invited Mr. Nicky HO to update the meeting on the progress of Food Safety Charter (FSC) 2009. In addition to those recorded in paragraph 9 of the notes of last meeting, Mr. Nicky HO reported that the advertisement in MTR stations, and on public bus bodies to promote and publicise FSC 2009

as well as Five Keys to Food Safety (5 Keys) from November to December 2009 had completed. He encouraged food trade associations to remind their members who were signatories to the FSC 2009 to implement 5 Keys at their premises, and to display at their premises the FSC certificate, sticker and publicity materials on 5 Keys with a view to informing the public that they were signatories to FSC.

### **Agenda Item 3**

#### **Draft Trade Webzone**

7. The Chairman referred to paragraph 26 of the notes of last meeting and invited Mr. Nicky HO to introduce the draft design of the Trade Webzone. Mr. Nicky HO said that the Trade Webzone was aimed at providing traders a one-stop web page to search conveniently information relating to the trade. The design of the Trade Webzone had taken reference to similar web pages of food / health authorities in other countries and the one stop portal of Hong Kong Government “GovHK”. It had also incorporated comments from trade representatives offered at a focus group meeting on the subject held on 6 November 2009. The Chairman invited and noted that there were no comments at the meeting on the draft design of the Trade Webzone.

8. Dr. Ada WONG advised that the Trade Webzone would be rolled out in the first quarter of 2010 and thanked again for the valuable contributions of trade representatives who attended the focus group meeting. She welcomed trade representatives to inform CFS any comments they might have on the Trade Webzone in future.

### **Agenda Item 4**

### **Progress of Working Group on Nutrition Labelling**

9. The Chairman said that a Working Group (WG) on Nutrition Labelling (NL) was formed and it had held two meetings on 16 November and 17 December 2009 since formation. The two meetings were chaired by Controller, CFS. The terms of reference of the WG were as follows:

- a) To identify and tackle difficulties faced by the food trade in complying with the Food and Drugs (Composition and Labelling) (Amendment: Requirements for NL and Nutrition Claim) Regulation 2008; and
- b) To enhance communication among different stakeholders of the food trade to ensure smooth implementation of the new NL Scheme.

10. The Chairman invited Mr. C. W. TAM to brief the discussion at the two meetings of the WG that had been held in particular on some examples of packages for food products that would not be regarded as prepackaged foods. If food products in containers that were not considered prepackaged food, compliance with NL requirements would not be required.

### **Sampling Plan**

11. Mr. C. W. TAM briefed the meeting on the Sampling Strategy for NL Compliance Testing discussed at the two meetings of the WG that would be adopted starting 1 July 2010. At least 12 individual prepackaged consumer units would be taken randomly from the same lot to produce a composite sample. The Government Laboratory would conduct testing and analysis on the composite sample with one result. This result would represent the lot

nutrient content after taking into account the rounding rules provided in the Technical Guidance Notes. He reminded that the trade was responsible for ensuring that the nutrient values declared on the label should reflect accurately the nutrient content of the food product. The trade was advised to follow a similar sampling strategy for laboratory testing. Details of the Sampling Plan were available on CFS website for reference of traders.

#### Law Enforcement Issues

12. Mr. C. W. TAM continued to brief on enforcement issues covering the following:

- a) Nutrition Label Compliance – When discrepancy between the nutrition label and CFS’s test result was detected after taking into account the tolerance limits provided in the Technical Guidance Notes, CFS would issue a letter to trader for explanation within 21 days. Without satisfactory explanation, CFS would issue a letter to the trader to re-label or withdraw from sale within 30 days; with satisfactory explanation, no immediate enforcement action would be taken and CFS would issue a letter to the trader to re-label or withdraw from sale within 60 days as flexible arrangement during the 1st year of enforcement. If the label was rectified within the specified period, no legal action would be taken out. There were about 3 months for cases with satisfactory explanation, counting from the day of issue of letter by CFS demanding for explanation; and
- b) Small Volume Exemption (SVE) – This applied to sale exceeding 30,000 units per year or not complying with exemption conditions. CFS would issue letter to the trader asking for explanation and representation in 21 days. Without satisfactory explanation, the exemption would be revoked. Retailers would be allowed to

continue selling products under the SVE scheme for 30 days as a statutory allowance. Another 30 days would be extended as flexible arrangement during the 1st year of enforcement. There were about 3 months of allowance counting from the day of issue of letter by CFS. He advised that the same issue had been discussed in the last meeting and trade representatives might refer to paragraph 18 of the notes of last meeting.

### Definition of Prepackaged Food

13. Mr. C. W. TAM briefed the meeting that "Prepackaged Food" was defined by law as any food packaged, whether completely or partially, in such a way that the contents cannot be altered without opening or changing the packaging, and the food is ready for presentation to the ultimate consumer or a catering establishment as a single food item. Foods packed after they were sold to consumers, such as "cream cake" sold at bakery shops are not considered as "Prepackaged Food" and do not require nutrition labelling. He illustrated to the meeting with samples of package that would be regarded as prepackaged food products. "Prepackaged Food" included a bag of food tied up securely with a string or wire, or a "date hook" at the opening end. Another example was food securely wrapped up in plastic wrap such that there was no spilling out of contents when this was picked up or when the package was turned over, e.g. "Siu Mei" products wrapped up by plastic wrap sold in supermarkets. Sandwich wrapped with transparent film tightly and securely with no gaps for tampering by finger also came under the definition of "Prepackaged Food".

14. Mr. C. W. TAM also illustrated with samples on package that would not be considered as "Prepackaged Food". This referred to package with the cover loosely attached onto the



container and turning the package over would lead to spilling of the contents, e.g. fresh eggs in plastic or carton packs. It also covered “Swiss rolls” in bakery shops and boxes of “Sushi” in supermarkets that could be tampered by finger without the need of opening the cover. These were regarded as container and nutrition label was not required. Food products packed with the cover loosely fixed with pieces of household adhesive tapes or staples and the contents could be tampered without opening the box, e.g. sandwich in plastic box, were not prepackaged food. However, this excluded those adhesive tapes that could only be detached from the package after much efforts or cut with scissors. Prepackaged food products applying such adhesive tapes fell within the definition of “Prepackaged Food”. He recommended that traders should select the appropriate packaging method for their products. The Chairman supplemented that the form that a product was ultimately sold to consumers would determine whether it constituted as prepackaged food. In short, all food products that were packaged before selling were prepackaged food; food products that were packed after selling to consumers were not prepackaged food. Due to the advancement in packaging method, for products packed with new packaging methods, examination of real samples might be required to determine whether they were prepackaged food.

#### Progress of Applications for SVE

15. Mr. C. W. TAM continued to brief about the progress of applications for SVE discussed at the 2<sup>nd</sup> meeting of the WG held on 17 December 2009. Applications for SVE had been processed by SVE Office at Middle Road Carpark Building since 1 September 2009. As at 25 December 2009, about 13,100 applications for SVE were received. Among these, around 11,700 had been approved. There were about 1,200 applications rejected and about 80 ones withdrawn. The pledge of replying all applications submitted on or before 31

October 2009 by 18 December 2009 was fully met. There were about 8,700 applications processed in meeting the pledge. Of 1,200 rejected applications, the majority was due to the provision of nutrition claims on labels whilst some were due to applications not submitted from within Hong Kong. A "Guide to Application for SVE" was available on CFS website for reference of traders when completing the form to apply for exemption.

#### Other Law Enforcement Issues

16. Mr. C. W. TAM advised that the 2<sup>nd</sup> meeting of the WG also discussed about other law enforcement issues. It was acceptable to list out nutrient contents of a range of similar products. Such as “honey sausage”, “smoked sausage” and “pepper sausage”, on a package provided that there was clear indication on which product was contained in the package. This advice was incorporated as Question No. 12 in Additional Frequently Asked Questions (Part II) under Frequently Asked Questions (FAQs) on NL Scheme for Trade on the web page for Nutrition Information for Food Labels of CFS website. The nutrition information of other similar products that were not contained in the package would be regarded as additional information for consumers' reference.

17. Mr. C. W. TAM also advised that for products like cheese, sausage and ham in bulk that required cutting and repacking at retail shops but not of standard weight, a maximum of 50% variation in weight would be allowed such as the following three examples:

- a) 50 - 100 g :  $(100 - 50) \div 100 = 50\%$
- b) 100 - 200 g :  $(200 - 100) \div 200 = 50\%$
- c) 80 - 150 g :  $(150 - 80) \div 150 = 46.7\%$

Such products were regarded as the same version for the purpose of applying for SVE. When the range exceeded 50%, it would not be regarded as the same version, e. g. 50 – 150 g:  $(150 - 50) \div 150 = 66.7\%$ . A range of weight was allowed in filling the application form for SVE. However, this allowance was not applicable to other products like pickles and nuts which did not encounter cutting problem.

18. In response to a trade representative's view that prepackaged food products sold at a "catch-weight" status should be of same version, the Chairman advised the meeting that the trade was welcomed to raise problems encountered from implementing and complying with the NL Scheme at meetings of the WG on NL and resolve problems upon thorough discussion and using real products as examples. The Trade Consultation Forum would then be reported later on the solutions to these problems. This included the suggestion of treating prepackaged food products that were sold at a "catch-weight" status or as it came with no predetermined exact weight for each package, such as chicken, due to the variation of weight among chickens, where the nutrients should be the same per unit of serving.

19. Trade representatives raised questions on law enforcement issues for the NL Scheme and these were summarised and answered as follows:

- a) Satisfactory explanation – Mr. C. W. TAM advised that laboratory testing arranged by traders, testing arranged by manufacturers or suppliers with documentary proof, and proof of reasonable computation with "Calculator" to arrive at the nutrient values, etc. were examples that might constitute satisfactory explanation. With satisfactory explanation, prosecution would not be taken out

immediately but rectification of the inaccurate nutrition label was still required. The result of laboratory test conducted by the GL would be final. Enforcement actions would be based on that result.

- b) Testing sample for reference – Mr. F. W. LEE advised that three samples each consisted of at least 12 units would be collected. Among these three samples, one would be tested by GL, the second one would be delivered to traders for arranging their own testing with commercial laboratory, if necessary, and the remaining one would be kept for future reference in case there were disputes between the testing results of GL and the commercial laboratory.
- c) Collection of 12 units in a testing sample – The Chairman advised that the collection of 12 units in each of the three composite samples had taken reference of other countries and was decided after discussion by the Expert Committee on Food Safety. He opined that when sufficient quantity was collected in the testing samples, the testing results should be more or less the same for all testing samples. It would also depend on the homogeneity of individual products, such as soft drinks where the nutrient contents were similar. For other products, there might be more variations, such as ice-cream containing nuts.
- d) Compliance of nutrition label with tolerance limit – The Chairman advised that because of natural variations between samples a tolerance limit of 20%, which was in line with international practice, would be considered when law enforcement was being considered,.. In addition to measurement uncertainty of testing method and rounding rules, etc., discrepancies up to 30% to 40% might still be regarded as acceptable. Mr. F. W. LEE added that the discrepancies of 30% to 40% were reasonable particularly when the nutrient value was close to the method detection limit for the nutrient. These factors would be considered in

law enforcement.

- e) Sale of prepackaged soup in sealed plastic bag – Mr. C. W. TAM advised that prepackaged soup in sealed plastic bag sold to consumers at retail outlets was prepackaged food and nutrition label would be required; when the package for the soup had to be opened and heated at the retail outlet before selling, it was not prepackaged food. The Chairman reminded that the need of heating before selling the prepackaged soup to consumers should be clearly stated on the package to avoid misunderstanding during law enforcement.
- f) “Sushi” packaged securely for hygiene reasons – Mr. C. W. TAM advised that individual units of “Sushi” packaged tightly and securely for hygiene reasons and these individual units were packaged together ultimately in a loosely covered outer package would come under the definition of “Prepackaged Food”. However, if the total surface area of each individual unit of “Sushi” fell into the exemption from the NL Scheme, they could be exempted. It was acceptable for the nutrition label to be put on individual units of “Sushi” or on the outer package.
- g) Discrepancies of different testing results – The Chairman did not rule out the possibility that the testing result of the second sample, when it was collected a certain period of time after the first sample had been tested, would differ from the first sample significantly due to variations in raw materials. If it was not due to variations in raw materials, it was likely attributed to deficiency in quality assurance and traders should review in this respect.

#### Technical Support to Laboratory Service Provider

- 20. Mr. F. W. LEE briefed the meeting about technical support to laboratory service

providers discussed at meetings of the WG on NL. A series of technical meetings had been held with interested local laboratories since 2004. After several years of development, a total of seven local laboratories were identified and had become major service providers for the food trade. In 2008, Method Guidance Notes on NL and Nutrition Claims was published to provide guidance on the selection of analytical laboratory, analytical methodology and related FAQs. In 2009, a series of seminars and technical workshops were organised jointly with the Hong Kong Accreditation Service where detailed analytical procedures on nutrient testing were introduced, with on-site demonstrations provided at the Food Research Laboratory of the Food and Environmental Hygiene Department. To evaluate the technical competence of the local testing laboratories, three inter-laboratory comparison studies had been organised in 2006, 2007 and 2009. In the second exercise, held in 2007, the performance of participated local laboratories was generally satisfactory. In the last one held in 2009, the report on results was being prepared. Lastly, an email account to provide technical support to laboratories had been in operation since November 2009. Laboratories were encouraged to write to CFS through the email to seek technical advice on matters on nutrient testing. CFS would reply as soon as possible, and the reply would be shared among local laboratories.

21. The Chairman supplemented that all seven local laboratories had participated in the inter-laboratory comparison study held in 2009. Among seven laboratories, at least one had recently been accredited with the accreditation scheme of Mainland. However, there was no private laboratory accredited locally in Hong Kong for testing one plus seven nutrients though a few were accredited for testing individual nutrients. He noticed that a few were seeking such local accreditation. The names of the seven local laboratories were available on CFS website and traders might search full information on each laboratory at the website

of the Hong Kong Accreditation Service. Laboratory service providers were advised to refer to Method Guidance Notes on NL and Nutrition Claims on the appropriate methodology for testing nutrients. Law enforcement on compliance of food products with the NL Scheme would basically employ the methodology laid down in the guidelines.

### **Agenda Item 5**

#### **Publicity Plan on Nutrition Labelling**

22. Ms. Joey KWOK introduced the three-year (2008 to 2011) NL Publicity & Education Campaign to the meeting. There were four objectives with the campaign as follows:

- a) To increase public awareness and understanding of the Amendment Regulation;
- b) To increase public awareness and understanding of nutrients and their implications for health;
- c) To empower the public to use NL and incorporate the use of NL as part of their healthy eating routine in the longer term; and
- d) To facilitate the trade to understand the new labelling requirements and to acquire the relevant technical know-how to enhance compliance.

23. Ms. Joey KWOK said that the campaign consisted the following three phases:

- a) June 2008 to July 2009 – To raise awareness with focuses on empowering the trade with the technical know-how, publicising the NL Scheme and clarifying myths, promoting awareness and understanding of nutrients and their implications for health and developing and producing publicity and educational resource materials.

Highlights of activities conducted/publicity materials produced were television (TV)/radio announcement of public interest (API), studies on sodium and trans fat in food and nutrient contents of common non-prepackaged beverages, briefing sessions for educational stakeholders, newspaper feature articles, booklets/posters/souvenirs, thematic video, roving exhibitions & health talks, Food Safety Day 2009 held on 11 July 2009 with the theme on “Turn and Look for Healthier Food Choices”, and 20 episodes of 1-minute radio programmes on NL that were broadcast in Radio One, Radio TV Hong Kong from July to August 2009 and were available for downloading from CFS website;

- b) August 2009 to June 2010 – To enhance understanding with focuses on providing continuing support to the trade to enhance compliance, equipping educational stakeholders by conducting train-the-trainer workshops and organising publicity activities to increase acceptance and use of NL in making food choices. Highlights of activities conducted/publicity materials produced were NL teaching kit 2009, train-the-trainer workshops starting from June 2009, and poster advertisement at public transport system in September and October 2009, advertisement in a commercial TV programme “Off Pedder” from October to December 2009, shopping cards for consumers, health talks, roving exhibitions, study on sugars content in prepackaged non-alcoholic beverages, and the launch of hotline for public.
- c) July 2010 to June 2011 – To motivate behavioural changes with focuses on publicising the commencement of the Amendment Regulation through “Food Safety Day 2010” and mass media campaign, continuing to support educational stakeholders for their implementation of territory-wide educational programmes and activities targeted for different community sub-groups, and staging



point-of-purchase activities for consumers to facilitate integration of the use of NL into shopping routines.

24. Ms. Joey KWOK continued that there were NL publicity materials in the pipeline as follows:

- a) IT resources – computer game for secondary school students, web-based gadget for comparing nutrition information of food products and assessing dietary intake, interactive food label, new designated website for NL, etc.;
- b) Audio-visual materials – 2nd TV/radio API, an Educational Television programme, etc.; and
- c) Souvenirs – Octopus card holder and plastic folder.

25. Ms. Joey KWOK advised that upcoming activities were as follows:

- a) Collaboration with Educational Stakeholders – With Consumer Council to publish feature articles on NL in the Choice Magazine on a monthly basis starting early 2010;
- b) Food Safety Day 2010 – To be conducted in June/July 2010, featuring the commencement of the Amendment Regulation;
- d) Mass Media Campaign – 3rd TV/radio API, poster advertisement at public transport system, TV/radio programme, etc.; and
- e) Point-of-Purchase Publicity Activities – In collaboration with local traders and to solicit their active support in organising point-of-purchase publicity activities, which might include displaying posters, distributing pamphlets, broadcasting pre-recorded

audio messages, etc.

26. Ms. Joey KWOK also introduced publicity activities on blacked out marks found on prepackaged food products which might be due to the fact that traders blacked out or covered certain nutrition claims/wordings on food packages which did not comply with the conditions as set out in the Amendment Regulation of Hong Kong, or the nutrition claims being blackened by traders to render the product eligible for application under SVE. However, this arrangement might cause confusion or concerns among consumers and affect their willingness to buy the product. Publicity activities had been incorporated into the NL Publicity & Education Campaign and were as follows:

- a) Telephone Hotline for Public – It was updated with the message on blacked out marks on 7 December 2009;
- b) Health Talks – The message on blacked out marks was promulgated via health talks since 16 December 2009;
- c) Web-based resources – These included a new question on blacked out marks uploaded to FAQs on 16 December 2009 and NL Teaching Kit 2009 was updated with the same message on 24 December 2009; and
- d) Printed materials and publications – Among the 5 new posters to publicise the NL Scheme in early 2010, there was one on nutrition claims with message on blacked out marks. There was a feature article on blacked out marks in the 2010 1<sup>st</sup> issue of “Food Safety Bulletin”, a CFS quarterly publication.

27. The Chairman noted the suggestion of a trade representative that Hong Kong Retail Management Association instead of individual supermarkets should be informed of the

messages under the Point-of-Purchase Publicity Activities so that HKRMA could coordinate uniform messages to be delivered at different supermarkets.

#### **Agenda Item 6**

#### **Any Other Business**

#### **Announcement in Press Conference**

28. A trade representative referred to the announcement in the last press conference of the study on sugars content in prepackaged non-alcoholic beverages and opined that CFS should adopt an impartial stance in future NL public education and publicity activities on releasing similar studies to avoid creating panic among the public and to avoid misleading them. Moreover, the way the message was presented and delivered had caused a negative image to the respective product and was unfair to it . He wished that the choice of whether a food product should be consumed would be left to consumers themselves after the information on nutrients of a product was released.

29. The Chairman noted and said that the approach adopted by CFS in that particular study was to offer factual information and scientific interpretation to consumers to facilitate them making informed healthy choices. CFS would not advise consumers to avoid eating certain food unless there was a breach of legislation with the food product or consumption of that product might endanger their health.

#### **Date of Next Meeting**

30. Trade representatives would be notified of the date of next meeting. Taking the opportunity, the Chairman wished all a Happy New Year.

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