

Centre for Food Safety
Food and Environmental Hygiene Department
Notes of the Twenty-third Meeting of the Trade Consultation Forum
held on 16 April 2010 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. Teresa CHOI	Principal Medical Officer (Risk Assessment & Communication)	
Dr. Y. XIAO	Food Safety Officer ((Risk Assessment)1	
Dr. S. M. CHOI	Senior Chemist (Food Chemistry)	
Mr. Y. S. CHEUNG	Superintendent (Import/Export)1	
Mr. Y. K. LAI	Superintendent (Food Surveillance)2	
Ms. Melissa LIU	Scientific Officer (Nutrition Labelling)	
Ms. Melva CHEN	Scientific Officer (Chemical)	
Mr. Nicky HO	Scientific Officer (Programme Planning)2	
Mr. W. Y. CHAN	Scientific Officer (Standard Setting)	
Mr. C. L. CHIU	Chief Health Inspector (Food Labelling)	
Mr. H. M. WONG	Superintendent (Risk Communication)	(Notes-taker)

Trade Representatives

Ms. Nicole LO	7-Eleven HK
Mr. Justin WONG	7-Eleven HK
Ms. Christy CHEUNG	A & W Food Service Ltd.
Ms. Rachel LIU	A & W Food Service Ltd.
Ms. Alison MAK	A Top Consultants Ltd.
Mr. Frankie KWAN	A Top Consultants Ltd.
Mr. FUNG Kwok Keung	A. S. Watson Industries
Mr. Brian CHEUNG	A. S. Watson Industries
Ms. Janice WONG	Aeon Stores (HK) Co., Limited
Ms. Chloe LEUNG	AIC Merchandising (Japan) Ltd.

Ms. Caroline YUEN	American Consulate General Hong Kong
Mr. Raymond YAN	Arome Bakery
Ms. Becky CHEUNG	Bestkey
Ms. Candace WONG	Bestkey
Mr. Samuel LAM	Bureau Veritas Hong Kong Ltd.
Ms. Ming CHEUNG	Campbell Soup Asia Ltd.
Mr. Garick CHAU	Chewy International Foods Ltd.
Mr. PAK Siu Wa	China Inspection Co., Ltd.
Mr. Alvin WONG	China Inspection Co., Ltd.
Mr. Dennis CHAN	City Super Limited
Ms. Grace YEE	City Super Limited
Mr. HOU Kwun Wing	CMA Industrial Development Foundation Limited
Ms. May KAN	Coca-Cola China Ltd.
Ms. Caroline HO	Coffee Concepts (Hong Kong) Ltd.
Mr. Charles IP	Dah Chong Hong Ltd.
Mr. LAY Po Wing	DCH Foodmart
Ms. Mandy LAM	DCH Foodmart
Ms. Kamy FUNG	DKSH Hong Kong Limited
Ms. Karen CHIU	Eurofins Hong Kong Ltd.
Ms. Quinny CHAN	Eurofins Hong Kong Ltd.
Mr. Stephen CHOI	Food Safety Services International
Mr. Freddy FONG	Foodscan Analytics Ltd.
Mr. Joseph CHAN	Four Sea Mercantile Limited
Mr. Matthew KWOK	Four Sea Mercantile Limited
Mr. Henry CHENG	General Mills Hong Kong Ltd.
Ms. Jackie LIU	GlaxoSmithKline Ltd.
Mr. Ivan NG	Godiva Chocolatier
Mr. Keith KEI	Herbalife International of H.K. Ltd.
Mr. Allen PANG	Home of Swallows Ltd.
Ms. Frenda WONG	Hong Kong Suppliers Association Ltd.
Mr. Albert TANG	Hong Kong Suppliers Association Ltd.
Mr. Gary LO	Hong Kong Yakult Co., Ltd.
Ms. Corine LIU	Hong Kong Yakult Co., Ltd.
Ms. Jacqueline YEUNG	IDS (H.K.) Ltd.
Ms. LI Ka Wan	Kee Wah Bakery
Mr. LAM Sze Kwan	Mannings
Ms. Winnie AU	Marks & Spencer (Asia Pacific) Ltd.
Ms. KWOK Chi Wah	Maxim's Caterers Ltd.

Ms. Juliana CHAN	Maxim's Caterers Ltd.
Mr. KU Kai Leung	MC Marketing & Sales (Hong Kong) Limited
Mr. Eugene WONG	McDonald's Restaurants (HK) Ltd.
Ms. Amy XU	Mead Johnson Nutrition
Ms. Irene NG	Muji (Hong Kong) Co., Ltd.
Ms. LI Yin Yu	Muji (Hong Kong) Co., Ltd.
Ms. German CHEUNG	Pappagallo
Ms. LI Wan Ha	Pappagallo
Ms. Cactus LAI	Parknshop
Mr. Chris CHAN	Pat Chun International Ltd.
Ms. CHENG Mian	Pepsico (China) Limited
Ms. WU Xian	Pepsico (China) Limited
Ms. Peko LO	Pepsico (Greater China Region - Foods)
Ms. Jenny CHAN	Pfizer Corporation Hong Kong Limited
Ms. Amy FU	Pfizer Corporation Hong Kong Limited
Mr. TSUI Hiu Leung	Prince Foods Manufactory
Ms. Florence LAW	Procter & Gamble Hong Kong Ltd.
Ms. Stephanie SHUM	Saint Honore Cake Shop Ltd.
Ms. Winnie YUEN	Sims Trading Co., Ltd.
Mr. Felix KO	Stevia International Limited
Mr. Clement LEE	Stevia International Limited
Mr. Victor KOK	Tai Pan Bread & Cakes Co. Ltd.
Ms. Janice LAM	The American Club
Mr. Eric LIN	The American Club
Mr. Allen HO	The Dairy Farm Group
Mr. Douglas CHENG	The Garden Company Ltd.
Ms. Kiwi YEUNG	The Garden Company Ltd.
Mr. Samuel CHAN	The Garden Company Ltd.
Mr. Perry SIT	The Hong Kong Health Food Association
Mr. Martin WONG	The Hong Kong Health Food Association
Ms. Kammy YEUNG	The Hong Kong Standards and Testing Centre
Ms. Candy HON	The Hong Kong Standards and Testing Centre
Ms. Jam TING	Tingyi-Asahi Beverages Holding Co., Ltd.
Mr. Eric AU	Unilever Hong Kong Limited
Ms. Christina YIP	Vitasoy International Holdings Ltd.
Ms. May LO	Wellcome Fresh Food Centre
Ms. Wendi CHAN	Wellcome Fresh Food Centre
Ms. Amelia YEUNG	YHS Hong Kong (2000) PTE Ltd.

Mr. SENG Yong Ming	Zhuhai Stevia Science & Technology Development Co., Ltd.
Mr. ZHAO Yan Bin	Zhuhai Stevia Science & Technology Development Co., Ltd

Opening Remarks

The Chairman welcomed all trade representatives to the meeting. He introduced Dr. Teresa CHOI who succeeded Dr. Anne FUNG as Principal Medical Officer (Risk Assessment & Communication), Mr. C. L. CHIU who succeeded Mr. K. W. CHUNG as Chief Health Inspector (Food Labelling), and other government representatives to the meeting. He said that the Civil Service Bureau had arranged video shooting of the meeting.

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

Progress of Working Group on Nutrition Labelling

Progress of Applications for Small Volume Exemption

3. Mr. C. L. CHIU reported that, as at 26 March 2010, about 17,300 applications for Small Volume Exemption (SVE) were received. Among these applications, around 14,800 had been approved and about 1,380 rejected. There were 251 applications withdrawn.

Products with Variable Weight

4. Mr. C. L. CHIU said that products, like cheese, sausage and ham in bulk, requiring cutting and repacking at retail outlets but encountering problems of cutting them into multiple pieces of exactly the same weight would be treated as the same version for applying SVE. Two options were discussed (Details were introduced at the 22nd meeting of the Trade Consultation Forum (TCF) and recorded in paragraphs 8 & 9 of the notes of this meeting) but no consensus had been reached on the preferred option among these two. After further considering the trade's views, a third option was proposed. In the third option, there was no limitation set on the range of weight for such kind of products in the context of applying for SVE. This arrangement was applicable to products with cutting and repacking done either at local retail outlets or in overseas countries before importation. The option was preferred by the trade and had been adopted.

5. Mr. C. L. CHIU continued that option three was also applicable to products sold under "catch weight", like dried fruits, nuts, pickles, bean curd, tofu puffs, "siu mai" and processed meat that were packed and sold in a package or container of the same size and design but with variation in weight be regarded as the same version when applying for SVE. There was a question raised on products sold under "catch weight" at the 4th meeting of the Working Group (WG) on Nutrition Labelling (NL). It was about the change of shape / design of container for a product after SVE was approved. Two options were proposed for consideration of the trade as follows:

- (a) Stick to the original shape / design; or
- (b) To report the change in shape / design to Centre for Food Safety (CFS) for record purpose.

6. The Chairman supplemented that applications for SVE that had been rejected because of the provision of nutrition claims might apply again for SVE after removing the nutrition claims.

Food Fair and Test Market Products

7. Mr. Y. K. LAI advised that Hong Kong Retail Management Association (HKRMA) proposed on 16 March 2010 the consideration of special exemption from the NL Scheme for products sold at “Food Fair” or “Test Market”. This proposal was raised with the rationales that, Hong Kong holding 40 to 50 food fairs each year with an average 15 fairs of one company and each food fair involving 500 to 750 new products, there was a significant cost implication to the commercial sector. The cost arose from the need of an application fee of \$345 chargeable for each application of SVE. This would cost each food fair \$172,500, or \$2.5 million annually for a company organizing 15 food fairs a year. The proposal suggested exempting pre-register products to be sold at specified locations within specific stores from the NL Scheme. There was a specified time limit for the exemption and it covered up to 3,000 packs per Stock Keeping Unit (SKU) and a maximum 750 SKUs or different products per food fair. No fees were chargeable on this occasion. However, all items must be in full compliance with the labelling regulations of their country of origin.

8. Mr. Y. K. LAI advised that after reviewing the background and history of the legislation for the NL Scheme, it was noted there was no legal power for CFS to grant separate exemption for “Food Fair” or “Test Market” products and accept a reduced exemption fee or waive the fee chargeable for application of SVE. He reminded that, if the food sample was offered free to customers and not for sale, Caps. 132W would not be applicable and nutrition label would not be required.

Nutrition Labelling for Bottled Mineral Water

9. Ms. Melissa LIU advised that spring water and mineral water, including water to which minerals were artificially added and was described as mineral water, were exempted from the NL Scheme. Under the local general food labelling law (Cap 132 W), mineral water was not an exempted item. However, it was exempted from the NL requirements after making reference to overseas practice. Similarly, “mineralized water” was also exempted to address the request from the trade during the consultation process. According to the Amendment Regulation, the exemption status of mineral water and “mineralized water”, similar to other exemption items, would be removed if nutrition information or nutrition claim was present. In such case, nutrition label complying with the Amendment Regulation should then be provided.

10. Ms. Melissa LIU continued that information on the content of minerals added to the product, when provided as a part of the list of ingredients, was acceptable and would not cause the removal of the exemption status. On the other hand, when mineral content was declared outside the list of ingredients, it would be regarded as nutrition information provided on the product. Such mineral water would lose its exemption status and nutrition label would be required. The exemption list and conditions of removal of exemption had been discussed with the trade on the following occasions:

- a) Technical Meetings with trade in 2007 in the course of consultation;
- b) Meetings of the TCF in April and June 2008, which were held before and after enactment of the Amendment Regulation by Legislative Council (LegCo); and
- c) Workshops on NL for trade.

11. Ms. Melissa LIU advised that the list of exempted items might be sought from Annex I of the Technical Guidance Notes, causes to the removal of exemption status from paragraph 10 of the Technical Guidance Notes and the Amendment Regulation from LegCo Brief (http://www.cfs.gov.hk/english/food_leg/files/legco_brief.pdf).

Market Survey on Nutrition Labelling

12. Ms. Melissa LIU briefed the meeting on results of a market survey conducted by a contractor commissioned by CFS to address the concern of the trade on the impact of the NL Scheme on the availability of food in Hong Kong. The market survey, supported by HKRMA, was aimed at finding out the following:

- a) Total number of prepackaged food in Hong Kong; and
- b) Compliance rate of prepackaged food to the basic NL requirements.

13. Ms. Melissa LIU continued that the whole survey was composed of three individual surveys. Two of them were conducted before 1 July 2010 (the commencement of the Amendment Regulation) and one after. The 1st survey was conducted from October 2009 to January 2010, the 2nd one in March 2010 and the 3rd one would be in April 2011. The list of shops covered in the survey had been agreed by HKRMA and these shops were categorized as follows:

- a) Supermarkets (popular, high-end and Japanese)
- b) Specialty shops (health food and snack)
- c) Ethnic shops (Filipino, Indonesian, Indian, Nepalese, Thai and Pakistani)

14. Ms. Melissa LIU advised that detailed information on products, including barcode and brand name, was collected from 19 shops in the 1st survey. Besides, 190 shops were surveyed by Food and Environmental Hygiene Department (FEHD) enumerators as “mystery shoppers” who carried out site survey at shops and counted the number of products available from these shops. Result on the total number of prepackaged products has been estimated basing on the following sources of data:

- a) Detailed product information surveyed from 19 shops;
- b) Number of products counted by mystery shoppers from 190 shops; and
- c) Six questionnaires returned from trade out of a total of 45 being distributed.

15. Ms. Melissa LIU continued that according to the 1st survey, all types of prepackaged food products in the Hong Kong market were estimated at 90,000 items and prepackaged food products that were required to fulfil the NL requirements (excluding those products not covered by and exempted from the NL scheme except SVE products) were estimated at 73,000 items. Among the samples surveyed, the NL compliance rate was 47%. For products not complying with the NL requirements, 53% did not carry nutrition label and 47% did not carry “1+7” information. There were a few products carrying nutrition claims not meeting the relevant conditions. The average compliance rates of shops with the NL requirements were as follows:

- a) Supermarkets – 57%;
- b) Specialty shops (i.e. health food and snack shops) – 42%; and
- c) Ethnic shops (including Filipino, Indonesian, Indian, Nepalese, Thai and Pakistani) – 17%.

Survey by Hong Kong Food Council and Association of Green Organic at Living on the Compliance of the Nutrition Labelling Requirements

16. Ms. Melissa LIU also briefed the meeting on results of a survey conducted jointly by Hong Kong Food Council (HKFC) and Association of Green Organic at Living (AGOL) from February to March 2010 to assess the compliance of the NL requirements by the food trade. Results of the survey were already shared at the 5th meeting of the WG on NL and it had been agreed for these to be presented at the TCF and as follows:

- (a) Half of respondent enterprises found that the sales of their products would not be affected by the NL regulations; only 10% estimated that over 20% of their products would disappear after the NL regulations becoming effective.
- (b) Half of respondent enterprises spent less than \$30,000 in complying with the NL requirements; around 30% spent \$30,000 to \$100,000 for the purpose.
- (c) Over 30% of respondent enterprises had all their products complied fully with the NL regulations; 25% had completed compliance with the NL requirements for over 80% of their products.

To sum up, the organizations conducting the survey did not consider the disappearance of products a severe problem. The majority of respondent enterprises were almost ready for the NL regulations and expenses incurred from complying with the NL requirements were appeared to be not too much. They would conduct a large scale survey later to follow-up on the issue.

17. The Chairman thanked the trade for the assistance offered to the survey. He found results of the survey a useful reference. While most shops were able to achieve a relatively high levels of compliance with the NL requirements, he noticed that the rate of compliance with the NL requirements among ethnic shops was relatively low. A leaflet on the NL Scheme in nine languages had been produced for distribution to these shops to inform them of the NL requirements and staff of CFS had been deployed to more than 200 ethnic shops to alert them to prepare for the NL requirements. He encouraged trade representatives to advise these shops on the NL requirements in the course of their business with these shops. He also encouraged the trade to participate actively in the coming survey to be conducted by HKFC and AGOL. As for the 2nd survey conducted by CFS in March 2010, the results were being compiled and would be presented to the TCF later.

Agenda Item 2

Proposed Amendment Regulation on Sweeteners

18. Ms. Melva CHEN briefed the meeting on the progress of the proposed amendment to Sweeteners in Food Regulations, Cap 132U. At present, a total of eight sweeteners were permitted in Hong Kong under Food Regulations and they were recommended to be used in food under conditions of Good Manufacturing Practice (GMP). These were as follows:

- (a) Acesulfame potassium ;
- (b) Alitame;
- (c) Aspartame;
- (d) Aspartame-acesulfame salt;
- (e) Cyclamic acid (and sodium, potassium, calcium salts);

- (f) Saccharin (and sodium, potassium, calcium salts);
- (g) Sucralose; and
- (h) Thaumatin.

It was recommended to add Neotame (International Numbering System (INS) 961) and Steviol glycosides (INS 960) as sweeteners permitted under the Regulations and to be used in accordance with GMP. The proposed amendment was supported by the Expert Committee on Food Safety and was welcomed by trade at the 22nd meeting of the TCF. It was subsequently discussed at the Legislative Council Panel on Food Safety and Environmental Hygiene on 9 March 2010 and was supported by the panel.

19. Ms. Melva CHEN provided more information on the two sweeteners as follows:

- (a) Neotame (INS 961) – A relatively new sweetener. It is 7000 to 13,000 times sweeter than sucrose. The Acceptable Daily Intake (ADI) set by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) is 0 – 2 mg/kg body weight. It is applied to confectioneries, bakery products, beverages, etc. and is included in the Codex Alimentarius Commission (Codex) General Standard on Food Additives (GSFA).
- (b) Steviol glycosides (INS 960) – They are natural constituents of the plant *Stevia rebaudiana* Bertoni and there are 7 constituents named by JECFA for these constituents: Stevioside, Rebaudioside A, Rebaudioside C, Dulcoside A, Rubusoside, Steviolbioside, & Rebaudioside B. According to JECFA in 2008, Steviol glycosides should be composed of not less than 95% of the fore-mentioned 7 constituents. Steviol glycosides are 200 to 300 times sweeter than sucrose. The ADI is 0 – 4 mg/kg body weight. They are applied to

confectioneries, bakery products, beverages, etc. Steviol glycosides are not included in the Codex GSFA but Codex is drafting provisions for Steviol glycosides in food. They are permitted in Mainland China, Japan, Korea, Australia, New Zealand and the U.S.A. In 2006, the Chinese Pharmacopoeia Commission announced that the Chinese character “甙” should be replaced by “苷” and the Chinese translation for Stevioside is changed from “:甜菊糖甙” to “甜菊糖苷”. For the purpose of labelling under legislation, the specific name should be “Steviol glycosides/960/E960/e960” or “Stevioside”. Descriptions such as “Stevia powder” and “Stevia extract” were not acceptable.

20. Ms. Melva CHEN continued that an ad hoc surveillance programme had been carried out to understand the situation of applying sweeteners in food. Two samples were found containing high levels of cyclamatem, which exceeded the national standard of 8,000 ppm. On the other hand, four samples did not contain saccharin and / or cyclamate as declared on label. Advisory letters had been issued to the relevant traders. Food containing excessive sweeteners or incorrectly labelled contravened the Public Health Municipal Services Ordinance, Cap 132 and Food and Drugs (Composition and Labelling) Regulations. Penalties for such offences would be up to a maximum fine of \$50,000 and imprisonment for 6 months. It was therefore extremely important to observe GMP when applying sweeteners to food. The upcoming plan was to table the amendment Regulations at LegCo on 26 May 2010. Subject to the decision of LegCo, the two sweeteners could be permitted in food in Hong Kong by 1 August 2010.

21. The Chairman reminded that the regulation on sweeteners in other countries might be different from that in Hong Kong. Traders importing such products should pay attention to the differences. Attention should also be paid to the descriptions permissible on label as

they might also be different among countries. When INS was adopted, it would be the same in all countries. In Hong Kong, there was no regulation on the quantity of sweeteners permissible for applying in food and the types of food permissible for application but he suggested applying sweeteners to food in accordance with GMP and to make reference to standards and regulations in other countries and Codex. It was also not necessary to apply for permission in advance when applying sweeteners in food. However, in case there was abuse of sweeteners or unreasonable / excessive application of sweeteners, legal actions would be taken. When there was further information on the change of the Chinese character from “貳” to “廿”, the trade would be informed.

Agenda Item 3

Food Safety Charter 2010

22. Mr. Nicky HO briefed the meeting on Food Safety Charter (FSC) 2010. FSC was aimed at gearing up community efforts to promote the “Five Keys to Food Safety (5 Keys)” and to enhance food safety (Information on FSC 2009 is available from notes of previous meetings of the TCF). 5 Keys helped to prevent foodborne diseases and they were as follows:

- (a) Choose (Choose safe raw materials);
- (b) Clean (Keep hands and utensils clean);
- (c) Separate (Separate raw and cooked food);
- (d) Cook (Cook thoroughly); and
- (e) Safe Temperature (Keep food at safe temperature).

23. Mr. Nicky HO advised that signatories to FSC were expected to promote and practise

the 5 Keys, set a good example for the food trade, to help build a food safe city and build a good image of the signatories. They were categorized as Food Premises (FP) or Food Trade Associations (FTA). Signatories of FP should practise 5 Keys in their food premises, display “FSC” and “FSC” sticker in their food premises, display the CFS’s 5 Keys publicity materials in their food premises and provide training to staff on food safety/hygiene, whereas those of FTA should display “FSC” and “FSC” sticker in their premises, display any of the CFS’s 5 Keys publicity materials in their premises, encourage members of their associations to sign up to the FSC and encourage members to promote and practise the 5 Keys.

24. Mr. Nicky HO continued that signatories would enjoy benefits like the provision of leaflet and short video promotion, teaching kit and video. They would be involved in the Recognition Scheme and FSC promotion activities, and would be invited to attend customized thematic training and the FSC Presentation Ceremony. There was publicity on signatories to the public by means of roving exhibition and the provision of computer for the public to search for signatories at roving exhibition, a Signatory List on the FSC website and a search function for the Signatory List. Besides, FSC was publicized to the public through advertisement on bus body and in Mass Transit Railway stations. To help signatories practicing 5 Keys, there were tailor-made seminars for staff working in the signatories with voluntary assessment and award of certificate as appreciation.

25. Mr. Nicky HO noticed that there were good practices on the 5 Keys observed at retail outlets during visits under FSC 2009. For example, supermarkets were found separating raw and cooked food and labelling utensils for raw and cooked food with different colours to prevent cross contamination. At convenience stores, safe temperature was upheld by informing customers and staff of the temperature with thermometers placed inside freezers. There were good practices observed at FP and these included choosing safe food and raw

materials, adopting first-in-first-out principle by labelling the food in fridges with date card.

26. Mr. Nicky HO advised that to recognize the continuous support of FTA and licensed FP, there was a Recognition Scheme for both FTA and licensed FP. FTA signing up to the FSC for three consecutive years and successfully encouraging their members to sign up to the same for three consecutive years would be awarded Star Award in Charter and Sticker; licensed FP signing up to the FSC for three consecutive years and meeting the food safety and hygiene requirements in the past two years would be awarded Award in Charter and Sticker. The food safety and hygiene requirements were no history of the following incidents:

- (a) Suspension or cancellation of licence under the Demerit Points System of the FEHD;
- (b) Suspension or cancellation of licence due to the breach of FEHD's licensing conditions / requirements;
- (c) Closure of FP ordered by the Director of Food and Environmental Hygiene; or
- (d) Food poisoning cases occurring in the FP as recorded by the CFS.

27. Mr. Nicky HO reminded that if FP failed to comply with any of the food safety and hygiene requirements upon being a signatory or receiving the Award, their signatory status or Award would be withdrawn and their name removed from the Signatory List on the CFS website. He advised that FSC 2010 would start in July 2010. Current signatories to FSC would receive the FSC Newsletter and souvenirs. Upon completion of feedback forms issued in May and updating of information, eligible signatories would be automatically renewed as signatories to FSC 2010. In FSC 2010, thematic sessions, such as on food preparation, would be introduced and public promotion on the FSC would be enhanced.

FTA and FP that were not yet signatories to FSC would be invited to sign up to FSC 2010 in June or July 2010. He invited trade representatives to provide their name cards after the meeting for CFS to inform them of the first hand news on FSC 2010.

28. The Chairman encouraged trade representatives to sign up to FSC for concerted efforts in enhancing the level of food safety in Hong Kong.

Agenda Item 4

Amendment Regulation on Preservatives

29. Mr. W. Y. CHAN informed the meeting that the transitional period of Preservatives in Food (Amendment) Regulation 2008 would be ended on 30 June 2010. Under Preservatives in Food Regulations, Cap 132BD, there were 12 permitted preservatives and 91 specified foods permitted to add one or some of these 12 preservatives under Part I of the First Schedule and 7 permitted antioxidants and 8 specified foods permitted to add one or some of these 7 antioxidants under Part II of the First Schedule. In Preservatives in Food (Amendment) Regulation 2008, there were the following amendments:

- (a) Amendment of the definitions of preservatives and antioxidants;
- (b) Introduction of a food category system;
- (c) Combining Part I and Part II of the First Schedule to the Regulations; and
- (d) Amalgamation of the preservatives and antioxidants in GSFA with the Regulations.

In this connection, there were 11 additional preservatives and antioxidants permitted for food use under the amendments after taking reference to GSFA and they were as follows:

- (a) Guaiac resin (INS 314);
- (b) Isopropyl citrates (INS 384);
- (c) Stannous chloride (INS 512);
- (d) Tertiary butylhydroquinone (INS 319);
- (e) Thiodipropionic acid (INS 388);
- (f) Dimethyl dicarbonate (INS 242);
- (g) Ferrous gluconate (INS 579);
- (h) Formic acid (INS 236);
- (i) Hexamethylene tetramine (INS 239);
- (j) Lysozyme (INS 1105); and
- (k) Pimaricin (INS 235).

30. Mr. W. Y. CHAN reminded that after the transitional period of Preservatives in Food (Amendment) Regulation 2008 was expired, one preservative, propyl para-hydroxybenzoate (INS 216), and its alternative form would no longer be permitted to be used in food.

31. Mr. W. Y. CHAN said that public consultation on the amendments to the Preservatives in Food Regulations started on 14 December 2006 and ended on 28 February 2007. During the period of consultation, there were two public consultation forums held on 23 January 2007 and 7 February 2007. Subsequently, five technical meetings for trade were held between April 2007 and May 2008. The Amendment Regulation was published in the Gazette on 18 April 2008 and it came into effect on 1 July 2008 with a transitional period of two years from the effective date. During the transitional period, it was legally in order for any single food item to comply with the relevant standards in either the existing Cap 132BD or the Amended Regulation. After the transitional period expiring on 30 June 2010, the

existing Regulations would be repealed and all foods must comply with the Amended Regulation.

32. The Chairman supplemented that the Preservatives in Food (Amendment) Regulation 2008 brought an overall relaxation on preservatives and antioxidants in food and more choices to the consumer and trade albeit there were some permitted preservatives and antioxidants with lower permitted levels and some of preservatives no longer permitted. He further reminded the trade to note the expiry date of the transitional period on 30 June 2010. In replying to an enquiry of a trade representative, the Chairman, Mr. C. L. CHIU and Mr. W. Y. CHAN advised that when a chemical was an exempted substance and was not considered as preservative or antioxidant under Preservatives in Food (Amendment) Regulation 2008 but function as one, its function as preservative or antioxidant in the food should still be required to be labelled in the food product in accordance with relevant legislations (e.g. Food & Drugs (Composition and Labelling) Regulations, Cap. 132W).

Agenda Item 5

Any Other Business

Promotion Activities on Nutrition Labelling

33. Dr. Teresa CHOI appealed to trade representatives to complete the questionnaire available at the meeting for feedbacks on their interest in enrolling to the various promotional activities on the NL Scheme and their availability in offering assistance at their points-of-sales to collaborate with CFS the further promotion of the NL regulations ahead of its commencement on 1 July 2010. They would also be invited to provide information on their efforts undertaken in previous years to comply with the NL Scheme.

Food Testing in Hong Kong

34. Dr. S.M. CHOI introduced to the meeting a report released on 31 March 2010 by Hong Kong Council for Testing and Certification (HKCTC) entitled “Tested in Hong Kong Certified in Hong Kong” to introduce the development plan for testing and certification industry (Full text of the report at: www.itc.gov.hk/en/hkctc/HKCTC_Report_Eng.pdf). He said that the HKCTC was established in September 2009 following the establishment of the Task Force on Economic Challenges by the Chief Executive in October 2008. The testing and certification industry was one of the six economic areas in Hong Kong that had been identified as enjoying clear advantages and had good potential for further development. After consulting various sectors and evaluating the available information, the HKCTC considered that there would be good opportunities to promote the use of testing and certification services in the four trades of Chinese medicine, construction materials, food and jewellery.

35. Dr. S.M. CHOI continued that there was an increasing demand on food testing due to, among others, growing public awareness and concern about safety and nutritional content of food and the progressive introduction / amendment of legal standards or regulation framework in the food trade. Government’s initiative to outsource food testing work also brought about increased demand. Government planned that food tests to be outsourced in 2010-11 would reach about 107,000 tests involving 11,800 samples, which saw an increase from about 22,000 tests involving 2,900 samples in 2008-09 and about 79,000 tests involving 7,400 samples in 2009-10. On Government’s support, the Hong Kong Accreditation Service (HKAS) could explore the introduction of accreditation service for more international recognized schemes while the Government Laboratory could conduct technical

seminars to share testing methodologies and skills, and to organize proficiency tests / inter-laboratory comparison studies.

36. The Chairman noted that food testing was a real business opportunity. This would be coupled with new legislation and an increase in outsourcing food testing. He suggested that laboratories should master the opportunity. He understood that HKCTC would arrange meetings with the trade later to discuss further on the development plan.

37. A trade representative was concerned about the academic qualifications and capacity of service providers and assessors in the accreditation service on International Organization for Standardization (ISO) 22000 and Hazard Analysis Critical Control Point (HACCP) programme. It was noticed that there were great variations in the background, qualifications and integrity of these service providers and their assessors. There was a case of an assessor certifying ISO 22000 but this assessor was not trained up on food safety. This trade representative suggested that the accreditation service on ISO 22000 and HACCP programme should be monitored closely and inquired whether CFS would participate in regulating the accreditation service in this respect and whether HKAS had regulated the certification bodies under its purview and whether there were sufficient professionals with HKAS to regulate the service providers.

38. The Chairman advised that CFS did not participate directly in regulating the accreditation service but he understood that Environmental Hygiene Branch of FEHD did monitor the performance of FP accredited with ISO 22000 and HACCP in place under their inspection programme with a revised inspection regime. He was aware that HKCTC was taking up the work of developing accreditation service and suggested that enquiry on the issue might be made to HKCTC. Dr. S. M. CHOI added that the development of

accreditation service came under the purview of HKAS. He trusted HKAS would consider the matter. In view of the interest of the trade representative in the matter, the Chairman undertook to provide the name of this trade representative to HKCTC for consideration of future contact.

Nutrition Information on Products for Sales at Vending Machine

39. The Chairman noticed that there were feedbacks from consumers on problems of seeing all the information on nutrition label on products, primarily soft drinks, available for sales at vending machine because of design problem. He sought the advice of trade representatives on whether the telephone number provided on vending machine might be called to obtain the information. He requested them to consider and advise the appropriate measures in tackling the problems to the TCF at the next meeting of the TCF for informing consumers.

Date of Next Meeting

40. The next meeting would be held in June 2010.

41. There being no other business, the meeting was adjourned at 4:15 p.m.