

Tolerance limit of declared values on nutrition labelling

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

3rd Technical Meeting with Trade
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Background

- Sources of nutrient information used to formulate the nutrition label vary from direct analysis and indirect analysis.
- Despite the method used, enforcement action would be based on test results obtained by the Government Laboratory.
- The test result is compared against the compliance limits (i.e., label value plus tolerance).
- Tolerance limits would therefore affect the compliance of nutrition labelling in terms of accuracy of the declared values.

Overseas situation

- ❑ There is no internationally recognized tolerance limits for declaration of nutrition information on food labels.
- ❑ Recommended tolerance limits have not been provided in relevant Codex standards.
- ❑ Guidelines on Nutrition Labelling (CAC/GC2-1985) recommends tolerance limits to be set in relation to:
 - public health concerns,
 - shelf-life,
 - accuracy of analysis,
 - processing variability and inherent lability
 - variability of the nutrient in the product,
 - whether the nutrient has been added or is naturally occurring in the product

Overseas situation

- Not every jurisdiction with a nutrition labelling scheme published the tolerance limits.
- Of those released, different approaches were identified in setting tolerance limits for different types of food products-
 - a) *Specified range approach*
 - b) *“One-way tolerance” approach*

a) Specified range approach

- The label value should fall within a specified range (e.g., $\pm 20\%$ of the label value).
- Under the specified range approach, a tolerance limit of $\pm 20\%$ of the label value of macronutrients is generally considered acceptable.
- However, the tolerance limits vary for other nutrients according to their nature.

b) “One-way tolerance” approach

- The label value should be equal/less than or equal/more than a maximum or minimum value
- Nutrients that will bring a **negative impact** on health in case of imbalance intake (e.g., total fat, saturated fat, cholesterol, sodium, etc.) : generally set at $\leq 120\%$ of the label value
- Those that are **positive to health** (e.g., protein, dietary fibre, vitamins, etc.) : commonly set at $\geq 80\%$ label value.
- Some jurisdictions also established a separate tolerance limit for **added nutrients**. Since the amount of nutrients added to the food can be precisely controlled by the manufacturer, the tolerance limit set for added nutrient is at the level of **not less than 100%** of the label value.

Tolerance limit for food for infant and young children

- Regardless of the approach being adopted, the tolerance limits applied to formula and foods for infants and young children may not be the same to those for other general prepackaged foods. E.g. -
 - USA:
A set of “one-way tolerance”, similar to those for general prepackaged food, is applied to formula and foods for infants and young children
 - Mainland China and Taiwan:
Different tolerance limits were established

	General foods	Formulae and foods for infants and young children
USA (one way tolerance)	<ul style="list-style-type: none"> added vitamin, mineral, protein, fiber, K: \geq declared value naturally occurring vitamin, mineral, protein, total CHO, fiber, other carbohydrate, PUFA, MUFA, K: \geq 80% of declared value calories, sugars, total fat, sat. fat, trans fat cholesterol, Na: \leq120% of declared value 	<p><u>Infant formula:</u></p> <ul style="list-style-type: none"> added vitamins, mineral, protein, linoleic acid, K: \geq declared value naturally occurring vitamins, minerals, protein, total CHO, K: \geq 80% of declared value energy, fat, sodium: \leq120% of the declared value <p><u>Other foods:</u> Similar to general foods</p>
Mainland China (one way tolerance)	<p>protein, vitamins, minerals, etc: \geq 80% of labelled value; energy, fat, sodium, sugar: \leq 120% of labelled value)</p>	<p>When declaring average value on nutrition label:</p> <ul style="list-style-type: none"> Fortified/naturally existing nutrient: \geq80% of labelled value Calories/ fat/ sat. fat/ cholesterol/ sodium which is claimed to be “low”: \leq120% of labelled value
Taiwan (Specified range approach)	\pm 20%	<ul style="list-style-type: none"> Energy and macronutrients: \pm 20% Vitamins: 80%-180/250/300%* Minerals: 80%-150/200%* (* depending on the vitamin/mineral)

Local situation

- Under the current Nutrition Labelling Scheme for general prepackaged food, depending on the type of nutrients, the declared values have different tolerance limits, which were described in the Technical Guidance Notes on Nutrition Labelling and Nutrition Claims—

Energy/ Nutrients	Tolerance Limits
Energy, Total fat, Saturated fatty acids, Trans fatty acids, Cholesterol, Sodium, Sugars	$\leq 120\%$ declared value
Protein, Polyunsaturated fatty acids, Monounsaturated fatty acids, Carbohydrates, Starch, Dietary fibre, Soluble fibre, Insoluble fibre, individual component of fibre	$\geq 80\%$ declared value
Vitamins and minerals (other than Vitamin A, Vitamin D and added vitamins and minerals)	$\geq 80\%$ declared value
Vitamin A and Vitamin D (including added ones)	80% - 180% declared value
Added vitamins and minerals (other than Vitamin A and Vitamin D)	\geq declared value

For comments and discussion

