

**Centre for Food Safety  
Food and Environmental Hygiene Department**

**Notes of Fourth Technical Meeting with the Trade on  
Proposed Amendments to the Preservatives in Food Regulations held  
on 20 December 2007 at 2:30 pm at Conference Hall, 3/F,  
3 Edinburgh Place, Central, Hong Kong**

**Present**

***FEHD***

Dr. Y. Y. HO	Consultant (Community Medicine) (Risk Assessment & Communication)	(Chairman)
Mr. F. W. LEE	Senior Chemist (Food Chemistry)	
Ms. Heidi HUNG	Senior Administrative Officer (Centre for Food Safety)	
Ms. S. C. CHEUNG	Chief Health Inspector (Food Surveillance)	
Mr. F. W. HUI	Chief Health Inspector (Risk Assessment)	
Mr. Johnny CHU	Scientific Officer (Risk Assessment)	(Secretary)

***The Trade***

Mr. LAU Kin Wah	Kowloon Chamber of Commerce
Mr. LEE Kwong Lam	Kowloon Chamber of Commerce
Mr. Perry SIT	The Hong Kong Health Food Association
Mr. Edward CHAK	AEON Stores (HK) Co., Ltd.
Ms. CHOW Ching Man	AEON Stores (HK) Co., Ltd.
Mr. Ricky PANG	AEON Stores (HK) Co., Ltd.
Mr. CHEUNG Hiu Ming	Campbell Soup Asia Ltd
Ms. Grace YEE	City Super Ltd
Ms. Karen CHIU	City Super Ltd
Ms. May KAN	Coca-Cola China Ltd
Mr. CHAN Yiu Wing	Dah Chong Hong Ltd
Mr. James WONG	EDO Trading Co.
Mr. Conrad LAM	Four Seas Mercantile Ltd.
Ms. Angela LEE	Health Max Nutrition Centre Ltd
Ms. Terry SHEN	Lanxess Chemical (Shanghai) Co., Ltd
Mr. Stephen CHOI	Lee Kum Kee Intl Holdings Ltd.
Ms. Michelle KWAN	Mannings

Mr. Joseph MA	Nestle Hong Kong Ltd
Ms. Eleanor CHAN	Nestle Hong Kong Ltd
Mr. HUI Yiu Kai	Nissin Foods Co., Ltd.
Ms. LEUNG Po Ting	ParkN Shop
Ms. LAI Sin Man	ParkN Shop
Ms. Launita CHAN	Polybrands International Ltd
Mr. TANG Kwok Fai	San Miguel Brewery HK Ltd
Mr. WONG Kam Chuen	Swire Coca-Cola HK Ltd
Mr. Lewis LING	Taikoo Sugar Ltd.
Ms. Erin YEUNG	Tai Pan Bread & Cakes Co. Ltd
Ms. May LO Kar Man	The Dairy Farm
Ms. WONG Siu Ling	The Kowloon Dairy Ltd
Mr. Eric AU	Unilever Hong Kong Ltd
Mr. Albert YAN	Unilever Hong Kong Ltd
Mr. CHAN Wai Choi	Wing Wah Food Manufactory Ltd
Mr. LEUNG Man Hong	Wing Wah Food Manufactory Ltd
Ms. LAM Siu Ping	Winner Food Products Ltd.
Ms. Kaylie LIU	YHS Hong Kong (2001)Pte Ltd

### **Opening Remarks**

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

### **Agenda Item 1**

#### Confirmation of the Notes of last Meeting

2. The notes of the meeting held on 13 September 2007 were confirmed without amendment.

### **Agenda Item 2**

#### Highlights of the updated proposed Amendments to the Preservatives in Food Regulation

3. Mr. Johnny CHU presented the background of the proposed amendment exercise, summary of the whole consultation process and the salient points of the proposed amendments.
4. Mr. CHU mentioned that the proposed definition of antioxidant was

made reference to the Codex and included any substance which protects foods against colour change caused by oxidation. Besides, list of substances not considered as antioxidants in the new Regulations were excluded in the definition. He reminded the trade to adopt Good Manufacturing Practice (GMP) condition in the use of these substances.

5. Mr. CHU recapped that there would have 11 additional preservatives and antioxidants permitted for use in the proposed amendment. These were guaiac resin, isopropyl citrates, stannous chloride, tertiary butylhydroquinone (TBHQ), thiodipropionates, dimethyl dicarbonate, ferrous gluconate, formic acid, hexamethylene tetramine, lysozyme, pimaricin.
6. To illustrate the general principle of the amendment, he quoted “cured and heat-treated meat” as an example: (a) four additional antioxidants (INS 310, 319, 320 & 321) were permitted for use; (b) permitted level of sodium nitrite was lowered to 125 ppm after adopting Codex’s standard; (c) permitted level of sodium nitrate (500 ppm) was unchanged when no correspondence standard found in Codex.
7. Mr. CHU pointed out that though the new food category system made reference to the Codex GSFA, some examples of food were added to the class name to facilitate better understanding by the trade. Examples quoted were Food Category 1.5.1 (unripened cheese), 1.6 (Dairy-based desserts) and 4.7 (Fruit-based spreads). Miss Heidi HUNG supplemented that the Amendment Regulation was in drafting stage and the proposal of quoting some examples in the food category system would be subject to discussion with the Department of Justice.
8. Mr. CHU pointed out that certain food items in the Regulations were unique to the local setting and did not fit the relevant Codex food category system. New food categories had been created to accommodate these food items. Examples quoted were Food Category No. 8.3.4.2 (Heat-treated hamburgers or similar products), 9.2.3.1 (Cooked fish balls and fish cakes (excluding frying)) and 15 (Miscellaneous).
9. Mr. CHU invited the trade to pay attention to “Column 4” of the proposed Schedule. “Notes”, similar to those in GSFA, were present

describing the permitted level of two or more preservatives / antioxidants when used together in food. Some “notes” described the form of chemicals that were to be tested.

### **Agenda Item 3**

#### **Guidelines (Food Category Descriptors) to the Trade**

10. Mr. CHU presented the draft guidelines to the trade which made reference to the Codex’s Food Category Descriptor. The Guidelines were proposed to include some definitions (e.g. Preservative, Antioxidant, etc.), Good Manufacturing Practice, list of food additives excluded as preservative or antioxidant under the Regulation and Frequently Asked Questions. He invited the trade to download the said document from CFS’s website and study the document carefully. He welcomed comments from the trade on the drafted document.
11. The Chairman revealed that two workshops would be arranged to introducing the Guidelines to the trade after enactment of the Amendment Regulation.

### **Agenda Item 4**

#### **Discussion on the Proposed Amendment**

12. One trade representative wished to know the timetable of enactment of the new Regulations.
13. Miss HUNG informed the meeting that the Administration planned to table the Amendment Regulation at Legislative Council (LegCo) for negative vetting by early 2008. The Chairman supplemented that in general, negative vetting by LegCo would be lasted for 28 days. However, LegCo would have an option to extend the process for another 21 days, if necessary. In other words, the whole legislative process would last for a maximum of 49 days.
14. One trade representative wished to know when the new preservatives and antioxidants would be allowed to be used in foods.
15. The Chairman replied that though the proposal amendment would have 2 years’ transitional period for the trade, the trade would be allowed to use the additional preservatives and antioxidants upon enactment of the

Amendment Regulation.

16. One trade representative concerned about the labelling of additives having multi-functions in food.
17. The Chairman replied that any food additives intended for use in food must be labelled by their functional categories, e.g. either preservative or antioxidant and their functions should be made with reference to Codex as appropriate.
18. One trade representative enquired about the categorization of “糖蓮子” & “糖冬瓜” in the new food category system.
19. As a preliminary opinion, Mr. CHU suggested that “糖蓮子” and “糖冬瓜” might belong to Food Category No. 4.20 (candied vegetables) or Food Category No. 4.8 (candied fruits). However, the categorization of a particular food item should also be made reference to its manufacturing process.
20. One trade representative alleged that there would be grey area in controlling the health food supplements.
21. The Chairman clarified that any food products intended for human consumption and were not considered by Department of Health (DH) as pharmaceutical products or Chinese medicinal products would be subject to control by the Regulations.
22. On trade representative claimed that the use of sulphur dioxide in their sugar products was as a bleaching agent instead of as an antioxidant.
23. Mr. CHU quoted the legislation of EU as an example; the functional use of sulphur dioxide in sugar was as an antioxidant. Since there was no strong justification to adopt a different standard, the maximum level of sulphites in soft brown sugar (20 ppm) and brown sugar (40 ppm) in the GSFA (Food Category No. 11.3 and 11.5 under the proposed amendment) were adopted in the proposed amendment.
24. The Chairman remarked that the recent food surveillance conducted by

CFS revealed that only one brown sugar sample failed to comply with the new standard. If the manufacturer thought that there was a technological need to use a higher level, he was welcomed to provide technical information about the manufacturing process of sugar in question for consideration by CFS.

25. One trade representative asked whether the alternative form of the preservatives and antioxidants were permitted to be used in the new Regulations.
26. Mr. CHU clarified that a separate list containing the alternative forms of both the existing and additional preservatives and antioxidants would be maintained in the new Regulations.
27. One trade representative raised concern about the lowering of permitted level of sulphur dioxide in fruit juice (Food Category No. 13.1) from 350 ppm to 50 ppm.
28. Mr. CHU recapped that the general principle in the proposed amendment was to follow as far as possible the Codex standards unless there was strong justification to adopt a different standard. The Chairman invited the trade to provide technical information to CFS for consideration if he had genuine difficulties in complying the new standards
29. One trade representative enquired about the permitted level of additives in food e.g. sulphur dioxide in wine, referring to the added fraction or the final fraction in the final product?
30. The Chairman replied that CFS would check the end product for the level of additives added. For detection of Dimethyl dicarbonate (DMDC), the level of DMDC added during manufacturing process should be checked for. Ms. CHEUNG added that CFS would take sample of finished product for testing.

## **Agenda Item 5**

### **Any Other Business**

31. One trade representative wanted to know about the control and labelling

of so called “防臭劑” in foods.

32. The Chairman replied that the proposed amendment regulated the use of preservatives and antioxidants and its permitted level in foods. The trade was encouraged to adopt GMP condition in the use of all food additives. There were 23 functional classes of food additives in Codex GSFA. The trade should make reference to Codex in determining which functional class the alleged food additive belonged. The trade had to provide additional information before further comments be made.
33. One trade representative asked about use of extract form of natural antioxidant in the tea.
34. The Chairman explained that a list of substances not considered as antioxidants were set out in the Amendment Regulations which were made with reference to Codex and had already included many natural antioxidants. The trade had to provide additional information before further comments could be made.
35. The Chairman anticipated that unless there was new technical issue to be discussed with the trade, this meeting would be the last technical meeting held with the trade. Any further amendment would be uploaded onto CFS's website and the trade was invited to download the relevant documents for information. Since the Amendment Regulation was already in the drafting stage, the trade had to submit comments, if any, in writing to CFS as soon as possible

### **Adjournment**

36. There being no other business, the meeting was adjourned at 4:15pm.

*Risk Assessment Section*

*FEHD/CFS 8/10/11/2/5*