

Nutrition and Health Claims on Foods for Infants and Young Children

Technical Meeting with Trade
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Background

- Under the proposed regulatory framework on nutrition and health claims for formula products and foods for infants and young children (IYC foods) under the age of 36 months, some nutrition claims (i.e. nutrient content claims) and health claims (nutrient function claims and other function claims), will be allowed to be made on IYC foods.
- Establishing a list of approved claims would facilitate the trade in making nutrition and health claims, and enhance public understanding regarding the regulatory control on this area.

Nutrition Claims

Factors to be considered

- It is proposed to establishing pre-approved lists of nutrient content claims and nutrient comparative claims to be allowed in IYC foods.
- When considering the claims to be allowed and the relevant claim conditions, a number of factors would need to be taken into consideration:
 - Regulatory control currently adopted overseas.
 - Most IYC foods in the local market are imported from overseas countries
 - To have regulatory regime on par with the international standards
 - To reduce the impact on food choice.
 - Other important factors, e.g.
 - local public health concern, consumer behaviour, implementation issues, etc.

Criteria to be fulfilled

- It is proposed that the following criteria should be fulfilled before a nutrition claims will be included in the list of approved nutrition claims in Hong Kong-
 - The claim is of high importance to the health of local infants and young children; and
 - Appropriate claim conditions can be established.
- When establishing the list of approved nutrition claims, reference will be made to those claims accepted overseas and the corresponding claim conditions

Overseas regulatory control

- When it comes to the regulatory of nutrition claims on IYC foods, different jurisdictions have established different requirements
- Nutrition claims on IYC foods for younger infants and children might be under restricted control with a limited number of accepted claims, e.g. -
 - US: only accept claims/statements related to sodium and sugar for foods for children under 2 years old
 - Australia/New Zealand: only accept claims on protein, vitamins and minerals on foods for infants under 1 year old
- More nutrition claims are allowed to be made on products for older children, such as those above 2 years old
 - Regulatory control is sometimes be similar to those for general prepackaged foods

Health Claims

Health Claims

- Regarding health claims on IYC products, it is proposed to allow certain nutrient function claims and other function claims
 - as long as the specific requirements have been fulfilled
- Similar to nutrition claims, a list of approved health claims will be established through an application-based approach

Allowed declarations/ presentations

- Currently, certain declarations and presentations on general prepackaged food are not considered as nutrition claims under the Nutrition Labelling Scheme.
- Many of such declarations/presentations are made in the labelling to meet existing statutory requirements.
- It is proposed to have similar arrangements for formula products and IYC foods when regulating nutrition and health claims

Examples

Declaration/presentation	Examples (non-exhaustive)
(a) Reference to any nutrient content of an ingredient required to be listed under the Food and Drugs (Composition and Labelling) Regulations, Cap. 132W	<ul style="list-style-type: none"> ● Ingredients on a package of biscuits: ...low fat milk,... iodised salt
(b) Quantitative or qualitative declaration of any substances specified in paragraph 2 of Schedule 3 to Food and Drugs (Composition and Labelling) Regulations, Cap. 132W	<ul style="list-style-type: none"> ● lactose free / no lactose ● gluten free / no gluten ● soy free / no soy
(c) Declaration of non-addition or removal of ingredients	<ul style="list-style-type: none"> ● no added salt / monosodium glutamate (MSG) / unsalted ● no added sugar / unsweetened ● non-addition of starch ● no (partially) hydrogenated oil
(d) Descriptions or warning statements for young consumers with particular medical conditions and / or about religious and / or ritual preparations	<ul style="list-style-type: none"> ● for phenylketonuric children, ... contains phenylalanine ● for galactosaemic children, ...galactose-free ● Halal ● Kosher
(e) Other statements/ presentation that are factual and not related to nutritional properties / health effects of the product	<ul style="list-style-type: none"> ● “natural” ● “organic” ● “non-GMO” ● “made with vegetable oil” ● “no artificial sweetener”

Note: The representations (a) and (c) mentioned above should not place any special emphasis on the high content, low content, presence or absence of energy or a nutrient contained in the product

~ For Discussion ~