



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

本函檔案 Our ref. : FH CR 1/3231/13
來函檔案 Your ref. :

電話號碼 Tel nos. : (852) 3509 8925
傳真號碼 Fax nos. : (852) 2136 3281

14 March 2013

Miss Betty MA
Clerk to Subcommittee on
Import and Export (General)(Amendment) Regulation 2013
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

Dear Miss MA,

**Public Consultation conducted by
the Administration on the Amendments to
Import and Export (General) Regulations (Cap. 60, sub. leg. A)**

At the Subcommittee meeting on 13 March 2013, Members requested the Administration to provide details relating to the captioned public consultation. The information is attached.

Yours sincerely,

(Jeff LEUNG)
for Secretary for Food and Health

**Public Consultation conducted by
the Administration on the Amendments to
Import and Export (General) Regulations (Cap. 60, sub. leg. A)**

At the second meeting of the Subcommittee (13 March 2013) to scrutinise the Import and Export (General)(Amendment) Regulation 2013 (the Amendment Regulation), Members requested the Administration to provide details regarding the public consultation conducted by the Administration on the Amendments to Import and Export (General) Regulations (Cap. 60, sub. leg. A).

2. We conducted the public consultation from 7 February to 18 February 2013. We organised a trade consultation session on 7 February 2013 and invited over 500 stakeholders to attend, with details as follows:-

- (a) 7 major powdered formula suppliers;
- (b) Hong Kong Retail Management Association;
- (c) Hong Kong Suppliers Association;
- (d) Hong Kong General Chamber of Pharmacy Limited;
- (e) All importers (around 460) of “infant/follow-up/growing-up formula (for babies up to 36 months)” who have registered under the Food Safety Ordinance or importers of “infant/follow-up/growing-up formula (for babies up to 36 months)” exempted under section 4(3)(a) of the Food Safety Ordinance from the registration requirement under Part 2 of the Food Safety Ordinance;
- (f) All distributors (around 40) of “infant/follow-up/growing-up formula (for babies up to 36 months)” who have registered under the Food Safety Ordinance; and
- (g) 11 foreign consulates in Hong Kong and relevant government bodies.

3. At the close of the public consultation period, we have received a total of 50 submissions with 35 from individuals and 15 from organisations. About half of the submissions from individuals are supportive of the legislative proposal. Some individuals as well as parents with children living in the Mainland object to the proposal. As regards submissions from organisations, the Hong Kong General

Chamber of Pharmacy Limited proposes to postpone the enactment of the Amendment Regulation. The Hong Kong Retail Management Association expresses reservation on the proposal on the grounds that it is not consistent with the free trade policy. Two major powdered formula suppliers object to the proposal while another expresses reservation. The Consumer Council supports the proposal as it will stabilise the supply of powdered formula.

4. We have uploaded all submissions received and the summary onto the webpage of the Food and Health Bureau (<http://www.fhb.gov.hk/en/powderedformula/>) on 27 February 2013, the day when the Amendment Regulation was tabled at the Legislative Council.

Food and Health Bureau
March 2013