

**Subcommittee on Food and Drugs (Composition and Labelling)
(Amendment) (No. 2) Regulation 2014**

**List of follow-up actions arising from the discussion
at the meeting on 2 July 2014**

1. Members pointed out that it had become increasingly popular for some parents to buy formula products directly from overseas markets via online purchasing agents. Concerns were raised whether and in what ways online purchasing activities and the offering of formula products as gifts by some private clinics and child service organizations were subject to the regulation of the Food and Drugs (Composition and Labelling) (Amendment) (No. 2) Regulation 2014 ("the Amendment Regulation"). There was a view that the moisture content of and the use of additives in formula products should also be regulated. The Administration was requested to respond to members' concerns and view.
2. While members held different views on the suitable length of grace period, members shared similar view that the Administration should provide the same grace period for infant formula, follow-up formula and prepackaged food for infants and young children under the age of 36 months. The Administration was requested to respond to members' views.
3. The Administration was requested to -
 - (a) advise whether and to what extent the proposed nutritional composition and labelling requirements for infant formula, follow-up formula and prepackaged food for infants and young children under the age of 36 months under the Amendment Regulation were in line with the international standards adopted by other overseas jurisdictions, including such as the United States, Australia, New Zealand, European Union and Singapore;
 - (b) advise whether the nutrition labels of infant formula products, which were currently on sale in Hong Kong, indicating energy

value and the 33 nutrients ("1+33") that were required to be present in infant formula could comply with the nutrition labelling requirement under the Amendment Regulation, and whether or not these labels were required to be re-printed for indicating energy value and 29 nutrients ("1+29") as prescribed under the Amendment Regulation.

- (c) in respect of the 33 nutrients required to be present in infant formula under the Amendment Regulation, advise which four nutrients were not covered in the proposed labelling requirements ("1+29"), and provide reasons for that;
- (d) explain why it was proposed to exempt prepackaged food for infants and young children from the proposed nutrition labelling requirement if it was packed in a container with a total surface area of less than 100 cm²; and provide information on the Administration's estimation on the number and types of such products;
- (e) provide information, in a table format, the tolerance limits adopted by the Centre for Food Safety ("CFS") for each nutrient against the minimum and maximum levels of the 33 nutrients as set out under the Amendment Regulation, with reference to the tolerance limits adopted by other overseas jurisdictions including such as the United States, Australia, New Zealand, European Union and Singapore;
- (f) provide information on the sampling tests on the nutritional composition of formula products and prepackaged food for infants and young children under the age of 36 months conducted by CFS in the past two years, including the number of samples taken for testing, the number and names of nutrients tested as well as the testing results, and details of the food samples where there were discrepancies between labelled and tested nutrient values; and
- (g) advise whether the term "infants" was defined in the law; and if so, please provide details.