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 14 October 2014

The Administration was requested to –

(a) in respect of the surveys on infant formula products conducted by the Centre for Food Safety in 2012, provide detailed information about the survey including types of infant products surveyed, source countries supplying the surveyed infant formula products, and the test results on the nutrient contents of infant formula products (including whether or not the iodine content and other nutrient contents conforming to the international standards prescribed by the Codex Alimentarious Commission ("Codex");

(b) consider members' view that in addition to the information of the results of the surveys on the nutrient contents of the formula products conducted between 2012 and 2013, it would be desirable for the Administration to provide information on the latest market situation to reflect the overall compliance of the formula products with the Codex standards;

(c) regarding the proposed amended section 5(1B) which provided that "any person who, not being the manufacturer or packer originally responsible for so marking or labelling the food or drug, alters, removes or obliterates the marking or labelling of any food or drug marked or labelled for the purposes of regulation 4, 4A, 4B or 4C commits an offence and is liable to be a fine at level 5 and to imprisonment for 6 months", provide a clarification as to whether persons who were authorized by the manufacturer or packer originally responsible for marking or labelling the formula products would be liable to an offence under this provision. If the answer was affirmative, whether the Administration would consider proposing amendment to the effect that the persons authorized to alter, remove or obliterate the marking or labelling of formula products would not commit an offence;

(d) provide details of, in a table format, the penalties for not conforming to the nutritional composition and labelling requirements for food products, and the penalties for contravening the relevant legislation governing food for sale in respect of its fitness for human consumption;

(e) provide information on (i) fluoride content of tap water in Hong Kong; (ii) the advice sought from dentists regarding the requirement on fluoride content in respect of the nutrition labelling of infant formula products; and (iii) the fluoride content for infant formula products on sale in Hong Kong and the fluoride content of tap water of the source countries supplying the infant formula products, where available; and

(f) in respect of section 1(2) of the newly added Schedule 6A, respond to members' suggestion that the infant formula products are required to be marked or labelled with a statement indicating the recommended daily dosage limit of fluoride to alert consumers about the risk of dental fluorosis.