

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

FHB(FE)124

Question Serial No.

2961

Head: 49 Food and Environmental Hygiene Department Subhead (No. & title):

Programme: (4) Public Education and Community Involvement

Controlling Officer: Director of Food and Environmental Hygiene

Director of Bureau: Secretary for Food and Health

Question:

It is stated that the Department will “continue to strengthen the promotional activities on nutrition labelling”. Please provide information on the following:

- (a) the plans to enhance the promotional and education activities on nutrition labelling, the details of such plans and the estimated expenditure to be involved;
- (b) the ways to assess the effectiveness of the promotional activities on nutrition labelling; whether indicators will be set to evaluate the effectiveness of the activities; if yes, the details of the indicators;
- (c) the numbers of inspections conducted and non-compliant cases detected since the implementation of the Nutrition Labelling Scheme; and
- (d) the Department's response to the comments made by the Director of Audit in his report published at the end of 2011 criticising the Centre for Food Safety for failing to perform its work effectively in the regulatory control over the existing Nutrition Labelling Scheme and that its performance in various areas such as accuracy and legibility of nutrition labels, nutrition and health claims, etc., was less than satisfactory and needed to be improved, and the measures to step up the regulatory control of nutrition labelling.

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows –

- (a) Since the passage of the Food and Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008 (the Regulation) by the Legislative Council in mid-2008, the Centre for Food Safety (CFS) had launched a three-year Publicity and Education Campaign (the Campaign) on promoting nutrition labelling, implemented in three phases :
 - (1) to raise public awareness in Phase I (June 2008 – July 2009);
 - (2) to enhance understanding in Phase II (August 2009 – June 2010); and
 - (3) to motivate behavioural changes in Phase III (July 2010 – June 2011).

To sustain the efforts, CFS has launched another two-year enhanced education and publicity programme on nutrition labelling since July 2011. CFS will continue to work with the education sector

and community organizations in promoting the use of nutrition information on the labels among the general public and students through the following programmes -

- (i) during the academic year 2010/11, CFS and the Education Bureau jointly organised the “Live it, Use it” Nutrition Labelling Promotion Award Scheme (the Award Scheme). Under the Award Scheme, a total of 35 teams from 21 secondary schools involving 256 students took part in various creative activities. An award presentation ceremony cum Food Safety Day was held in July 2011. The Award Scheme for the academic year 2011/12 has started since September 2011; and
- (ii) building on the model of the Award Scheme, another scheme targeting at users of community organizations service, namely the “Live it, Use it” Nutrition Labelling Fun Shopping Award Scheme, supported by the Hong Kong Council of Social Service, has been launched since December 2011.

To promote the wider application of the nutrition information in our daily life, CFS has also launched a mobile application “Nutrition Calculator” (“NuCal”) in October 2011. With “NuCal”, one can set up a personal database on food items for recording nutrition information of their favourite prepackaged food items. The estimated level of nutrient intake can be worked out by inputting the amount of food consumed. Users may then compare it with the upper limit of the daily intake and make necessary adjustments as appropriate. As at 15 February 2012, “NuCal” had recorded about 28 000 downloads.

The above promotion work is undertaken by existing staff and the expenditure cannot be separately identified.

- (b) CFS evaluates the Campaign by means of two large-scale surveys. The first one was conducted in mid-2008, called the “Survey on Public Knowledge, Attitude and Practice regarding Food Safety and Nutrition Labelling”. The findings were released through a press conference. The second survey will be conducted in 2012 to evaluate the effectiveness of the Campaign, through using quantifiable indicators such as the number of visits to websites and the number of participants in publicity and education activities.
- (c) As at 17 February 2012, CFS had checked 18 921 prepackaged food products since the commencement of the Nutrition Labelling Scheme (the Scheme) on 1 July 2010, with 180 found to be non-compliant. The overall compliance rate is 99.05%. A detailed breakdown of the 180 cases is as follows -

Nature of non-compliance	No. of cases for the period of 1.7.2010 - 17.2.2012
No nutrition label or incomplete 1+7 core nutrients label	68
Inappropriate nutrition label format	7
Inappropriate nutrient claim	18

Inappropriate language	17
Involved more than one type of irregularity	9
Discrepancy on declared nutrient value confirmed after our chemical analysis	61
Total	180

- (d) CFS welcomes the Audit Report and would proceed to implement the recommendations therein as follows –
- (i) surveillance and enforcement : CFS has initially targeted at chain supermarkets to maximize the portion of the population to be benefited from the Scheme, hence enhancing public health. In view of the high compliance rate of chained supermarkets, CFS has adjusted its enforcement strategy by focusing on small retail outlets since 1 April 2011.
 - (ii) legibility of nutrition labels : In December 2011, CFS issued a draft “Trade Guidelines on Preparation of Legible Food Label” for consultation which ended on 31 January 2012. CFS is now consolidating the comments received and will finalise the guidelines by April 2012.
 - (iii) Regulation of health claims: The Public Health and Municipal Services Ordinance (Cap. 132) and its subsidiary legislation have safeguarded the safety of foods in general and in particular, protected consumers from being misled by false labelling or advertisement. Our efforts have been further enhanced with the commencement of the Scheme. The Scheme enables consumers to make healthy food choices, encourages food manufacturers to provide food products that are conducive to public health and meet sound nutrition principles, and regulates misleading or deceptive nutrition information labels and claims. The Undesirable Medical Advertisements (Amendment) Ordinance (UMA(A)O) provides that health food products carrying medical claims but not registered under the Pharmacy and Poisons Ordinance (Cap. 138) or the Chinese Medicine Ordinance (CMO) (Cap. 549) must carry an additional disclaimer indicating so. The UMA(A)O will be brought into operation on 1 June 2012.
 - (iv) Non-compliant cases identified in the Audit Report: CFS is taking follow up actions on suspected non-compliant cases identified in the Audit Report, upon receipt of the detailed information from the Audit. Enforcement actions will be taken under section 61 of the Public Health and Municipal Services Ordinance (Cap.132) if any person is found to use or display a food label which falsely describes the food or is calculated to mislead as to its nature, substance or quality.

Signature _____

Name in block letters Clement LEUNG

Post Title Director of
Food and Environmental Hygiene

Date 29.2.2012

Session 18 FHB(FE)