

CONTROLLING OFFICER'S REPLY

FHB(FE)182

(Question Serial No. 2083)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (-) Not specified

Programme: (1) Food Safety and Public Health

Controlling Officer: Director of Food and Environmental Hygiene (Miss Diane WONG)

Director of Bureau: Secretary for Food and Health

Question:

With respect to the work of “ensuring prepackaged food for sale is properly labelled”, as the Food and Drugs (Composition and Labelling) Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008 (the Regulation) has come into operation since 1 July 2010, please advise this Committee of the following:

- (1) How many inspections were conducted by the Food and Environmental Hygiene Department (the Department) and how many non-compliance cases were detected, with a breakdown by year, food type and type of non-compliance, in each of the past 5 years (i.e. from 2016 to 2020)?
- (2) Did the Department institute prosecutions against non-compliance cases over the past 5 years (i.e. from 2016 to 2020)? If yes, how many prosecutions were instituted each year?
- (3) How many complaints related to nutrition labelling were received by the Department over the past 5 years (i.e. from 2016 to 2020)? Please set out the cases, with a breakdown by year (2010, 2011 and 2012), food type and type of complaints.
- (4) Given that no amendment has been made to the core nutrients and nutrition claims required to be listed since the commencement of the Regulation, does the Department have plans to amend the Regulation? If yes, what are the details? If no, what is/are the reason(s)?

Asked by: Hon WONG Kwok-kin (LegCo internal reference no.: 72)

Reply:

- (1) The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department adopts a risk-based approach in the checking of nutrition labels of prepackaged food products. The results of checking from 2016 to 2020, with breakdowns by nature of non-compliance and food type, are tabulated below:

	Number of cases					
	2016	2017	2018	2019	2020	Total
Number of prepackaged food products checked	5 625	7 023	7 170	7 035	7 560	34 413
Number of non-compliant cases	54	34	62	80	54	284
(a) Breakdown of non-compliant cases by nature of non-compliance						
Nature of non-compliance	2016	2017	2018	2019	2020	Total
No nutrition label or incomplete information on the content of energy and seven core nutrients specified for labelling	18	8	19	32	20	97
Inappropriate nutrition label format	0	2	0	7	3	12
Inappropriate nutrient claim	0	1	2	1	0	4
Inappropriate language	2	4	6	1	4	17
Involving more than one type of the abovementioned irregularities	0	0	1	0	2	3
Discrepancy between declared nutrient value and chemical analysis result	34	19	34	39	25	151
Total	54	34	62	80	54	284
(b) Breakdown of non-compliant cases by food type						
Food type	2016	2017	2018	2019	2020	Total
Bakery and cereal products	9	4	21	16	12	62
Candies and snacks	13	14	23	15	14	79
Drinks	7	2	2	10	4	25
Oils, sauces and condiments	12	10	9	4	2	37
Milk, milk products and frozen confections	3	1	0	1	2	7
Aquatic products and related products	3	0	0	8	4	15
Meat, poultry and related products	3	2	2	2	4	13
Vegetables, fruits and related products	2	0	1	12	11	26
Others	2	1	4	12	1	20
Total	54	34	62	80	54	284

- (2) From 2016 to 2020, the CFS took 34 413 samples for testing, with 284 non-compliant cases identified. The CFS has instituted prosecution against 133 cases, of which 128 cases were convicted and 5 are pending a court decision. The number of the prosecution cases, with a breakdown by year, is as follows:

	Number of prosecution cases					
	2016	2017	2018	2019	2020	Total
Number of summons	19	18	28	46	22	133
Number of convictions	19	18	28	46	17 [#]	128

Another 5 cases were pending a court decision.

- (3) The CFS received 122 nutrition labelling complaints from 2016 to 2020. A breakdown of the figures by nature of complaints and food type is tabulated below:

	Number of cases					
(a) Breakdown of complaint cases by nature of complaints						
Nature of complaints	2016	2017	2018	2019	2020	Total
No nutrition label or incomplete information on the content of energy and seven core nutrients specified for labelling	5	9	11	17	25	67
Inappropriate nutrition label format	0	4	16	4	5	29
Inappropriate nutrient claim	0	0	0	0	1	1
Inappropriate language	0	0	2	1	1	4
Involving more than one type of the abovementioned irregularities	0	0	0	0	0	0
Suspected inaccuracy in declared nutrient value	1	2	6	6	6	21
Total	6	15	35	28	38	122
(b) Breakdown of complaint cases by food type						
Food type	2016	2017	2018	2019	2020	Total
Bakery and cereal products	0	0	1	0	3	4
Candies and snacks	2	2	3	4	4	15
Drinks	1	1	2	3	4	11
Oils, sauces and condiments	0	0	2	0	0	2
Milk, milk products and frozen confections	0	1	2	2	2	7
Aquatic products and related products	1	1	6	0	4	12
Meat, poultry and related products	0	1	5	2	2	10

Vegetables, fruits and related products	1	0	1	6	4	12
Others	1	9	13	11	15	49
Total	6	15	35	28	38	122

- (4) Subsequent to the Food and Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008, which came into effect on 1 July 2010, the Government enacted the Food and Drugs (Composition and Labelling) (Amendment) (No. 2) Regulation 2014 in 2014 to stipulate the requirements on nutrition labelling of infant formulae, follow-up formulae and prepackaged food for infants and young children and nutritional composition of infant formulae. The requirements specified for infant formulae and those related to follow-up formulae and prepackaged food for infants and young children took effect on 13 December 2015 and 13 June 2016 respectively. The Government will continue to make reference to the relevant principles of the Codex Alimentarius Commission to review the local food safety legislation in a timely manner.

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