

Proposed Nutrition Labelling Scheme for Prepackaged Food

BACKGROUND

Food label is a means for consumers to obtain specific information about individual food products, such as ingredients, expiry date, etc. Provision of nutrition information on food labels is an important public health tool to promote a balanced diet. While under-nutrition is generally not a public health problem in Hong Kong, China nowadays, chronic degenerative diseases such as coronary heart disease, diabetes and certain types of cancer have become more common. The causes of these diseases may be multi-factorial, but an imbalanced diet is no doubt one of the important causes. Requiring the inclusion of nutrition information on food labels is therefore necessary for promoting public health.

THE PROPOSAL

1. The Hong Kong Special Administrative Region Government (HKSARG) proposes to introduce a Nutrition Labelling Scheme in relation to prepackaged food, with an aim to –

- (a) assist consumers to make healthy food choices;
- (b) encourage food manufacturers to apply sound nutrition principles in the formulation of foods which would benefit public health; and
- (c) regulate misleading or deceptive labels and claims.

2. The proposed Scheme is to cover nutrition labelling¹, and as far as claims are concerned, nutrient content claim², nutrient comparative claim³ and nutrient function claim⁴. The proposed Scheme, which makes reference to the Guidelines on Nutrition Labelling of the Codex Alimentarius Commission⁵ (Codex), will not apply to infant/follow-up formulae, foods for infants and young children and other foods for special dietary uses, since these foods are regulated under different Codex standards.

¹ Nutrition labelling refers to the listing of the nutrient content of a food in a standardized manner. When nutrition labelling is applied, energy content and the nutrient content of a core list of nutrients (i.e. core nutrients) and claimed nutrients are required to be affixed on the nutrition label.

² A nutrient content claim describes the level of a nutrient contained in a food, e.g. ‘High calcium’; ‘Low fat’; ‘Sugar-free’.

³ A nutrient comparative claim compares the nutrient levels of two or more different versions of the same food or similar food products, e.g. ‘Reduced fat – 25% less than the regular product of the same brand’.

⁴ A nutrient function claim describes the physiological role of a nutrient in growth, development and normal functions of the body, e.g. Calcium aids in the development of strong bones and teeth. Product X is high in calcium.

⁵ The Codex Alimentarius Commission was created in 1963 by the United Nations Food and Agriculture Organisation (FAO) and the World Health Organisation (WHO) as an international authority to develop food standards, guidelines and related texts such as codes of practice under the Joint FAO/WHO Food Standards Programme.

(a) Requirements on Labelling of Core Nutrients

3. In formulating the proposed nutrition labelling requirements, we have taken into consideration various factors including the principles adopted by the Codex, local health and disease patterns, overseas regimes, compliance cost for the food trade, implication on food choice, views collected during the consultation exercise and the results of the Regulatory Impact Assessment (RIA), so as to come up with a scheme appropriate for our local situation.

4. Under the Codex Guidelines on Nutrition Labelling, the application of nutrition labelling is mandatory when a nutrient-related claim is made for a food. The Codex Guidelines require that when nutrition label is applied, it should include declarations of energy, protein, carbohydrates⁶ and fat, and any other nutrients which are considered to be relevant for maintaining a good nutritional status in the population concerned. Different countries have indeed adopted different requirements on nutrition labelling having regard to their own public health needs.

5. The HKSARG proposes to require all prepackaged food to label *energy, plus seven core nutrients*, namely (i) protein, (ii) carbohydrates, (iii) fat, (iv) saturated fat, (v) trans fat, (vi) sodium and (vii) sugars on their food labels, as well as any nutrient for which a claim is made. When a claim is made on the amount of cholesterol or the amount and/or type of fat, then the amount of cholesterol, monounsaturated fat and polyunsaturated fat should also be declared. We propose to include saturated fat, sodium, sugars and trans fat on top of the basic Codex requirements because they are closely associated with cardiovascular diseases and strokes, the second and third major causes of deaths in Hong Kong, China. Furthermore, the report on “Food, Nutrition, Physical Activity, and the Prevention of Cancer: a Global Perspective” published by the World Cancer Research Fund in November 2007 has clearly identified obesity as a key cause of cancer, the major cause of deaths in Hong Kong, China. To reduce the risk of cancer, the report recommended us to, amongst others, limit intake of energy-dense foods, avoid sugary drinks and limit consumption of salt.

6. The adverse health effect of trans fat has been internationally recognized. Trans fat elevates low-density cholesterol (“bad” cholesterol) and lowers high-density lipoprotein cholesterol (“good” cholesterol). Excessive intake of trans fat may lead to clogging of arteries and increase the risk of coronary heart disease and strokes. The World Health Organisation has recommended that trans fat intake should be limited to less than 1% of overall daily energy intake. We also note that an increasing number of countries like the US, Canada, Brazil, Argentina and Israel have required the labelling of trans fat in food. The inclusion of trans fat in our Nutrition Labelling Scheme will certainly bring about health benefits to the public in the long run.

7. On the labelling of nutrients, one point to note is about carbohydrates. The value of available carbohydrates is derived by subtracting dietary fibre from total

⁶ Available carbohydrates.

carbohydrates. To facilitate comparison by consumers, we propose that the food traders may choose to label either the value of available carbohydrates or total carbohydrates but if the latter is labelled, the value of dietary fibre must also be listed out immediately under the value of total carbohydrates.

8. Compared with the “energy plus nine core nutrients” proposal put forward in the consultation document in 2003(G/TBT/N/HKG/18: 16 January 2004), we have taken out cholesterol, calcium and dietary fibre from the list of core nutrients and added trans fat to the list.

(b) Voluntary Labelling of Nutrients

9. While we will require all prepackaged food to be labelled with the value of energy and seven core nutrients, food traders are free to include in the food labels the amount of other nutrients contained in the prepackaged food, e.g. calcium, dietary fibre, etc. We consider that information relating to energy and the seven core nutrients of the food must be labelled in the prescribed format. For other information voluntarily provided by the food traders, as long as they are true and accurate, we consider that flexibility should be allowed so as to encourage the provision of more useful nutrition information for consumers and to minimize the need for re-labelling of prepackaged food. Labelling of any vitamins and minerals is also permitted regardless of the amount present.

(c) Requirements on Labelling Format

10. We propose to allow the labelling of energy in either kilocalorie or kilojoule format and the labelling of nutrients in either per 100 g/ml format, per serving format (with the serving size specified on the label) or per package (if the package contains only a single portion).

(d) Requirements on Nutrient-related Claims

11. In regulating nutrient content claims, we propose to follow generally the conditions of use specified in the Table of Conditions for Nutrient Content Claims under the Codex Guidelines. We also propose to adopt generally the Codex principles regarding nutrient comparative claims and nutrient function claims in general. For nutrient comparative claims, the main principle is that there must be at least 25% difference in the levels of the nutrient claimed between the two products being compared. In relation to nutrient function claims, only nutrients with local Nutrient Reference Values (NRV)⁷ and required level prescribed can be the subject of this type of claim.

12. Various countries have developed or adopted their own NRVs, but under different terminologies, e.g. Reference Labelling Values, Daily Intakes, Daily Values,

⁷ NRVs are a set of values used for labelling purpose and consist of one single value for each individual nutrient. NRVs are intended to assist consumers to evaluate the contribution of a food to their daily nutrient intake and to compose a diet suitable for their individual needs.

etc. NRVs are different for Europeans and Asians due to general difference in body size and differences in opinions of nutrition experts. Given that majority of people in Hong Kong, China are Chinese, we will adopt the same set of NRVs of China (see Annex 1). Having our own set of NRVs in the Regulations is important as it will set the benchmark for prepackaged foods making nutrient-related claims. For example, a “high-protein” claim could only be made if a solid food contains not less than 20% of the NRV per 100 g of food. For claims which are not covered by the Codex Guidelines, but are commonly used in the local context, e.g. “low-sugar” claim, “low-protein” claim, we will follow the standards adopted in China.

(e) Grace Period

13. Taking into account the shelf life of most prepackaged food, we propose to allow a two-year grace period before enforcing the requirements on nutrition labelling. This will allow the trade sufficient time to liaise with their trading partners (e.g. food manufacturers and/or food importers) and prepare for re-labelling of their products, where necessary. This arrangement replaces the two-phased approach proposed in the consultation document in 2003 (**G/TBT/N/HKG/18**: 16 January 2004).

EXEMPTIONS

14. To facilitate the trade operation and to maintain the food product variety in Hong Kong, China, we propose to allow certain types of prepackaged food to be exempted from the nutrition labelling requirements. The principles of exemption are as follows –

- (a) There is practical difficulty for the trade to provide the nutrition information (e.g. prepackaged food packed in a container which has a total surface area of less than 100cm²).
- (b) The food has insignificant value of energy and core nutrients (e.g. tea leaves, spices, distilled water).
- (c) The food is fresh in nature without any addition of ingredient, and is not subject to processing (e.g. raw meat, fresh fruits and vegetables).
- (d) Subject to approval by the relevant Authority, the food sold in small volume (i.e. annual sales of less than 30,000 units).

For (a), (b) and (c), it must be noted that where a prepackaged food is marked or labelled with its energy value or nutrient content, or any nutrient-related claim is made, the exemption status of the food concerned will be removed. For (d), the exemption status of the food concerned will be removed if a nutrient-related claim is made.

LEGISLATIVE TIMETABLE

15. We aim to table the relevant legislative instrument at the Legislative Council in early 2008. With the two-year grace period, the new measures are expected to come into operation in early/ mid 2010.

**Food and Health Bureau
Centre for Food Safety
Food and Environmental Hygiene Department
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NUTRIENT REFERENCE VALUES

<u>Nutrient</u>	<u>NRV</u>	<u>Nutrient</u>	<u>NRV</u>
Energy (kcal/kJ)	2000/8400	Saturated fat (g)	20
Protein (g)	60	Cholesterol (mg)	300
Fat (g)	60	Total carbohydrates (g)	300
Dietary fibre (g)	25		

Vitamins and Minerals

<u>Minerals</u>	<u>NRV</u>	<u>Vitamins</u>	<u>NRV</u>
Calcium (mg)	800	Vitamin A (µg RE)	800
Phosphorus (mg)	700	Vitamin C (mg)	100
Potassium (mg)	2000	Vitamin D (µg)	5
Sodium (mg)	2000	Vitamin E (mg α-TE)	14
Iron (mg)	15	Vitamin K (µg)	80
Zinc (mg)	15	Vitamin B1 (mg)	1.4
Copper (mg)	1.5	Vitamin B2 (mg)	1.4
Iodine (µg)	150	Vitamin B6 (mg)	1.4
Selenium (µg)	50	Vitamin B12 (µg)	2.4
Magnesium (mg)	300	Niacin (mg)	14
Manganese (mg)	3	Folic acid (µg DFE)	400
Chromium (µg)	50	Pantothenic acid (mg)	5
Molybdenum (µg)	40	Biotin (µg)	30
Fluoride (mg)	1.0	Choline (mg)	450