

File Ref : FEHD/CFS/RCS 16-15/0/1

12 June 2014

Dear Sir / Madam,

New Food Labelling Enforcement Action

The Food and Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008 (the Amendment Regulation), which introduces the Scheme for prepackaged food, has come into force since 1 July 2010.

The Centre for Food Safety (CFS) has been taking enforcement action after the Amendment Regulation came into force. Where irregularities such as incomplete nutrition label are identified, CFS will issue a warning letter to the trader concerned requiring actions to be taken to comply with the requirements of the Scheme within 60 days. For traders who fail to do so, CFS will initiate prosecution. If discrepancy between the actual nutrient content based on test result and the stated value on the nutrition label is detected, CFS will issue a letter to the trader concerned requiring an explanation within 21 days. If the explanation is not accepted by CFS and the food concerned is still found on sale, a warning letter requiring the trader concerned to take actions to comply with the requirements of the Scheme within 39 days will then be issued. In case the food item with detected discrepancy remains on sale after 39 days, CFS will initiate prosecution. For some cases such as festive food like rice dumpling, CFS has been adopting a different enforcement strategy to shorten the time allowed for compliance, given that the window for selling such festive food may be short. Starting in June 2012, if irregularities of festive food such as incomplete nutrition label are identified, CFS will give verbal warnings to the trader concerned, requiring actions to be taken to rectify the irregularities within 7 days. If the irregularities persist, a warning letter will be issued to the trader. For traders who fail to comply within 7 days after the issue of the warning letters, CFS will initiate prosecution.

Besides, where general labelling irregularities such as incomplete or inappropriate food name, ingredients not listed in descending order are detected, CFS will issue the 4-week warning letter to the trader concerned to rectify the irregularities. If the trader fails to do so, CFS will initiate prosecution.

We reported progress to the LegCo Panel on Food Safety and Environmental Hygiene on the implementation of the Nutrition Labelling Scheme (Scheme) on 13 May 2014.

The Scheme under the Regulation has come into full operation for nearly four years, the trade should be familiar with and capable of strictly abiding by the requirements stipulated in the relevant provisions. In addition, CFS has issued a "Trade Guidelines on Preparation of Legible Food Label" in May 2012 to assist the trade in providing clear and legible information on the food labels. In view of this, CFS has decided to tighten up its enforcement by doing away with the explanation period, as well as the practice of issuing warning letters and allowing time for rectifying any irregularities, as mentioned in the second and third paragraphs above. If CFS identifies any non-compliance with the requirements, including failure to provide labels meeting the legibility requirement, CFS will initiate prosecutions immediately without allowing any time for compliance.

We plan to have the new enforcement strategy come into effect on 1 October 2014.

We will further inform member of the trade in the next Trade Consultation Forum tentatively scheduled for 30 July 2014.



(Dr Samuel YEUNG)

for Director of Food and Environmental Hygiene