

Dear Sir / Madam,

Regarding the Proposed Amendments to the Preservatives in Food Regulation (Cap132BD), we have the below 5 questions/comments:

1. Citric Acid, Acetic Acid, and other acids listed in Annex V to the Proposed Amendments are additives with multifunction including acid, acidity regulator, preservative, antioxidant, etc... If these acids are used as acidity regulator in our products, can we claim “No Added Preservatives” for our products?
 - If no, what is your justification?
 - If yes, what supporting documents do you accept as a proof of its intended use?Please provide clear guidance to the industry.
2. The current definition of preservative in Cap132BD does not include common ingredients such as salt, sugar and vinegar. While keeping salt and sugar in the exclusion list, vinegar is removed and no longer in the exclusion list in the Proposed Amendments. Please consider adding naturally brewed vinegar back into the exclusion list.
 - If not, what is your reason behind?
 - If vinegar is used as a food ingredient and is not intended to serve as a preservative in a food product, can the food product be claimed as “No Added Preservatives”?
3. Flavourings are listed as an exemption item from labelling the list of ingredients in Schedule 4 of Cap132W. If a flavouring contains citric acid as a preservative and this flavouring is used to produce a food product, does the name of citric acid and its function will need to be declared on the ingredient list of the food product in the future?
4. Shelf life of general food products is usually about two to three years. Setting a transition period for the Proposed Amendments as 18 months is rather short for the food industry. We recommend to:
 - extend the transition period to at least 30 months;
 - use manufacturing date as a cut-off date; or
 - follow the practice in EU and other countries, allow foodstuffs lawfully placed on the market before the end of transition period, remain on the market until their date of minimum durability
5. During the consultation forum on 09 June 2023, the speaker mentioned that the Proposed Amendments is the first phase in revising the current food regulations and there would be other amendments coming up. Please share your planning on the coming amendments with the food industry. This can help us to plan actions ahead and not to duplicate our works in revising product labels, marketing materials and etc...

We look forward to receiving your reply on the above.

Best regards,

Dan Wong

Regulatory Affairs

Lee Kum Kee International Holdings Ltd.