

# The Hong Kong Code of Marketing and Quality of Formula Milk and Related Products, and Food Products for Infants & Young Children: A summary

Full text available from [www.fhs.gov.hk](http://www.fhs.gov.hk)

Article	Major Provisions
<b>1. Aim</b>	The Code aims to contribute to the protection of breastfeeding and provision of safe and adequate nutrition for infants and young children.
<b>2. Scope</b>	<p>The Code applies to the following designated products for infants and young children aged between 0-36 months:-</p> <ul style="list-style-type: none"><li>▪ Infant formula</li><li>▪ Follow-up formula</li><li>▪ Formula milk related products: Feeding bottles, teats and pacifiers</li><li>▪ Food products for infants and young children</li></ul>
<b>3. Definitions</b>	Terms used in the Code are defined.
<b>4. Information and Education (to the general public, pregnant women and mothers)</b>	<p>Manufacturers and distributors (M&amp;Ds) of designated products should not:-</p> <ul style="list-style-type: none"><li>▪ perform or sponsor educational functions</li><li>▪ produce, distribute or sponsor the production and distribution of informational and educational materials on breastfeeding and formula milk feeding and nutrition.</li></ul> <p>Informational and educational materials on infant-and-young-child feeding and nutrition (produced or distributed by parties other than M&amp;Ds of designated products) should not refer to brand names of products or names of M&amp;Ds and should explain the relevant points about breastfeeding, complementary feeding, formula feeding and bottle feeding as specified.</p> <p>Product Information about formula milk, feeding bottles, teats and pacifiers could be obtained from websites of M&amp;Ds, retailers or health care facilities on request.</p>
<b>5. Promotion to the Public</b>	<p><u>For formula milk, feeding bottles, teats and pacifiers:-</u></p> <ul style="list-style-type: none"><li>▪ No promotional practices should be allowed</li></ul> <p><u>For food products for infants and young children:-</u></p> <ul style="list-style-type: none"><li>▪ Advertising is allowed but not in health care facilities</li><li>▪ Free samples are allowed but not in health care facilities</li></ul> <p><u>For all designated products:-</u></p> <ul style="list-style-type: none"><li>▪ No activities involving infants, young children, pregnant women and mothers of children aged 36 months or below, e.g. baby crawling competition, mothers' clubs; nor the seeking of personal information of such persons</li></ul>
<b>6. Promotion in Health care facilities</b>	<p>M&amp;Ds of designated products should not:-</p> <ul style="list-style-type: none"><li>▪ offer free or low-cost supplies of designated products</li><li>▪ provide equipment, gifts or samples</li><li>▪ promote or distribute products to any person via health workers / health care</li></ul>

## Article

## Major Provisions

facilities.

### 7. Information and Promotion to Health Workers

Informational materials about products provided by M&Ds should be limited to scientific and factual matters.

M&Ds may provide products to health workers only for the purpose of professional evaluation or research at the institutional level.

#### Sponsorship of Continuing Medical Education Activities

- M&Ds should exert no influence on the choice of speakers, topics to be discussed and sponsorship recipients.
- Any interest in relation to M&Ds should be disclosed.
- Promotional activities should be avoided within the conference venue.

### 8. Labelling

#### For formula milk and food products for infants and young children:-

The label should not create an impression that the product is equivalent to, comparable with or superior to breastmilk or breastfeeding.

Product labels should meet relevant requirements of existing regulations (in Cap 132W) and satisfy an additional list of conditions to ensure clear information to and safe use of the product by the public.

Five representations as specified in Article 8.5.3 are permitted, provided that they have not placed any special emphasis on the high content, low content, presence or absence of energy or a nutrient contained in the product.

Nutrition claims and health claims should not appear except:-

- for food product for infants and young children (but not infant formula or follow-up formula), nutrition claims in relation to sodium, sugars, vitamins and minerals, which are permitted by a recognized international/ national authority and the relevant claim condition(s) are complied with
- for follow-up formula and food products for infants and young children (but not infant formula), health claims which are permitted by a recognized international/ national authority and based on current relevant scientific substantiation, and that the claim condition(s) and the exact claim statement set by the concerned authority are complied with

#### For formula milk and related products (feeding bottles, teats and pacifiers):-

The container or label should not contain photograph, drawing or graphic representation other than for illustrating methods of preparation.

Product labels of formula milk, feeding bottles and teats must clearly state breastfeeding as the norm of infant feeding, the need for the advice of a health professional before the use of formula milk and the health hazards of its use.

<b>Article</b>	<b>Major Provisions</b>
<b>9. Quality Standards</b>	All products should be of a high quality and comply with relevant Codex standards. For nutritional composition of follow-up formula and food products for infants and young children, the requirements by recognised international or national authorities should be complied with if Codex standards are not followed, provided that following such standard(s) will not pose public health risk to the local population.
<b>10. Implementation and Monitoring</b>	<p>A combination of active and passive approach is adopted to monitor the compliance with the HK Code by M&amp;Ds.</p> <p>The active approach consists of surveillance and regular surveys to look for non-compliance. The passive approach relies on receiving complaints from members of the public. In the case of a substantiated complaint, an advisory letter to the M&amp;D involved and its parent company will be issued. Statistics on compliance with the HK Code by M&amp;Ds will be published periodically.</p> <p>M&amp;Ds themselves are also responsible for monitoring their marketing practices according to the principles and aim of the HK Code.</p>

[Although every effort has been made to ensure that the contents of this sheet are an accurate summary of the Code, no express or implied warranty is given as to the accuracy of the information set out in this sheet.]

**Taskforce on Hong Kong Code of Marketing of Breastmilk Substitutes  
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