

Abbott Laboratories Limited (“Abbott”) objects to the Government’s proposed amendment to the Import and Export (General) Regulations to prohibit the export of powdered formula for infants and young children under the age of 36 months from Hong Kong except with a license for the following reasons:

1. There has never been a shortage in supply for infant or follow-on formulas in Hong Kong in general. As stated in paragraph 1.4 of the Consultation Document of February, 2013, the recent shortage of supply only happened to “certain brands of powdered milk” at “certain retail outlets”. It is not appropriate for the Government to impose such drastic legislative measure which will negatively impact the businesses of all suppliers of powdered milk.
2. Abbott agrees that infant formula may be the sole source of nutrients for infants from 0 - 6 months where breastfeeding is not feasible, and some form of legislative measure to ensure supplies for the Hong Kong market for this category of powdered milk may be necessary. However, follow-on formulas for infant or children between the age of 6 to 36 months only serve as complementary food. Therefore, legislative measure to restrict the export of powdered formula for infants and young children between the age of 6 to 36 months is neither necessary nor appropriate.
3. The amendment also restricts each person over 16 years of age departing from Hong Kong to carry only 1.8kg (or 2 cans of 900g) of powdered formula for personal use. This is an over restrictive and inflexible measure and may impact the health of infants or children under some circumstances. For instance, the permitted amount of powdered formula will not be enough for a single mother bringing three children for an overseas vacation for a month. Abbott recommends that the Government adopts more flexible measures and grants exemption in certain circumstances to safeguard the health of Hong Kong infants and children.
4. Lastly, the infrequent and temporary shortage of supply of certain brands of powder milk appear to occur around Chinese New Year. Abbott recommends the government delay any legislative action at this time and allow the free trade market in Hong Kong to correct the supply situation. The government should continue to work with infant milk powder industry to ensure all companies have sufficient supply to meet the needs of Hong Kong mothers and the expected increased demand for Chinese New Year..

We would also like to point out that a 10-day consultation (out of which only 4 days are business days) is too short to allow for full public participation, particularly in considering the impact of this amendment to Hong Kong. Abbott would like to ask for an extension of the consultation period to 3 months in order for the society to fully analyze the current situation and the possible effect of the proposed amendments..