

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Hong Kong

Post: Hong Kong

Hong Kong's Control of GBL

Report Categories:

Agriculture in the News

FAIRS Subject Report

Food Processing Ingredients

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Report Highlights:

The Hong Kong government (HKG) intends to regulate Gamma-butyrolactone (GBL) as a dangerous drug by amending the Dangerous Drug Ordinance. Since GBL can exist in flavoring agents/composite flavoring agents, the HKG is considering setting an exemption level at 0.1 percent. However, the Hong Kong government is soliciting views from the industry and the exact exemption level has not yet been determined.

General Information:

Given that there has been some evidence for its increasing abused use as a 'club drug' in many countries and its adverse impact on health is similar to other drugs, the Narcotic Division of Hong Kong Security Bureau is planning to amend the Dangerous Drugs Ordinance by placing Gamma-Butyrolactone (GBL) on its controlled substance list. As GBL could be used as an ingredient in favoring agents and residue might be found in food, the authority is considering providing an exemption for GBL with a concentration up to a certain limit from regulatory control. The Hong Kong government has tentatively set a concentration limit of 0.1 percent for exemption and is soliciting views from the industry to see if the proposed limit is practicable for the food industry. They explained that the low 0.1 percent level was planned because this exemption level applies for all products including those for human consumption. Therefore, the exemption level could be far lower than other countries. In the U.S., GBL chemical mixtures in concentrations less than 70 percent, are automatically exempted from the Controlled Substances Act (CSA).

GBL can be chemically converted with ease to gamma-hydroxybutyric acid (GHB), which is already on the control list under the Dangerous Drugs Ordinance. The Hong Kong government pointed out that the GBL has already been regulated indirectly via the regulation of GBH. The proposed amendment would now explicitly list GBL as a controlled substance.

The HKG informed the trade of the proposed regulation of GBL at a trade forum and asked if the trade would have any comments on Hong Kong's proposed exemption level of 0.1 percent. The government chemist at the trade forum said that the government laboratory had tested about 9 samples and all did not show a trace of GBL. A participant at the forum commented that food manufacturers may not know the formula of a favoring agent as the formula may be considered a trade secret. Also, the test results from only nine food samples may not be good enough to indicate whether an exemption level of 0.1 percent is reasonable. Thus, he suggested the government consult some international trade associations of favoring agents in order to reach a reasonable exemption level that would not impede trade.

The government noted the comments and said they would try to liaise with some international associations as suggested to gauge the use of GBL in the favoring agent industry.

Under the proposed amendment, any persons engaged in the manufacture, transport, and import and export of GBL will be required to apply for a permit from the Department of Health. Products having GBL exceeding the proposed exemption limit of 0.1 percent concentration have to obtain a permit as well.

The HKG is planning to introduce the proposed amendment to the Legislative Council in a few months' time. As the HKG does not consider the regulation of GBL as controversial, the authority expects the amendment can be passed in mid 2012.

Members of the U.S. industry who would like to comment on the exemption level can write to the Hong Kong Security Bureau, Narcotics Division at sbenq@sb.gov.hk or to U.S. Agricultural Trade Office at atohongkong@usda.gov. The ATO office will pass on the comments to the Hong Kong government accordingly.