



二〇〇八年八月十五日

不應收取信用卡手續費或設最低簽帳額

信用卡卡主應拒絕向商戶支付「碌卡」手續費，並向發卡機構舉報，以杜絕不當的營商手法。

商戶向卡主收取「碌卡」手續費的手法，經傳媒廣泛報道有關的消費者投訴後，引起公眾關注。

消費者委員會向其中 3 間信用卡組織（VISA、萬事達卡、美國運通）查詢，得到一致的回覆，該等做法是違反他們的指引要求。

根據卡組織的指引要求，商戶不能就使用信用卡加上任何形式的限制。

亦即是商戶不可在交易金額上另加任何費用。有聲稱指，部分商戶要求使用信用卡付款的顧客繳付 2% 或更高的手續費。

此外，商戶不可為簽帳設最低消費金額。即使是低金額的交易，商戶仍須容許卡主以信用卡支付。有投訴指部分商戶設定 \$200 甚至更高的金額，為使用信用卡的最低消費額。

但大部分卡主都不知悉信用卡組織所定的條例指引，是不容許收手續費或預設消費額，更遑論懂得追回手續費。

消委會向 18 間發卡銀行查詢，全部都表示會處理或接受消費者索回「碌卡」手續費的申請，但消費者必須出示足夠的證明顯示手續費的資料。

換言之手續費金額須清楚並分開列明在商戶收據上，不能包括在消費金額內。

但由於部分商戶會刻意避免在收據上列出手續費，消費者難以取得足夠證明，向發卡銀行申請退款。

難怪少於一半的受訪發卡銀行（18 間中的 8 間）曾接獲少數退款申請，而申請成功的個案則更少。

消委會認為卡組織及發卡機構應加強向消費者和商戶的宣傳和教育，改善現時的情況。

首要的是，卡組織及/或發卡機構應向所有卡主發出相關的消費提示，讓他們知道有關的限制是商戶的信用卡服務合約所不容的，並說明申請索回手續費的程序。

第二，消費者亦可發揮集體力量，使用信用卡時拒絕商戶所訂的限制，包括繳付手續費，並向其發卡機構舉報。

第三，卡組織或發卡機構應加強與商戶的溝通，確保商戶遵守現行規定。並且積極處理商戶收取手續費的情況，及回應消費者的投訴。

只有透過卡組織和發卡機構，與及消費者的共同力量，才能有效遏止該等不當的營商手法。

兩款嬰孩小食鈉含量超標

一般人都喜愛小食，嬰兒和幼兒亦不例外。

但值得關注的是以 4 個月或以上嬰孩為推廣對象的食品，在製造過程中所添加的糖和鹽（鈉）。

消費者委員會就該類預先包裝食品的標籤資料，檢視其成分及營養素含量。

共研究 26 個食品，包括 3 款穀類食品、5 款牙仔餅和 18 款小食。發現樣本間的總糖和鈉含量差異很大。

兩個分別是餅乾及曲奇餅的樣本，所含的鈉超過食品法典委員會（CODEX）的《嬰兒及幼兒加工穀類食品標準》的上限，以每 100 千卡即時食用的食物計算，鈉含量不應超過 100 毫克。

英國食品標準局建議，嬰兒及幼兒每日鈉的建議最高攝取量為 — 初生至 12 個月：400 毫克（= 1 克或五份一茶匙鹽）；1 歲至 3 歲：800 毫克。

以上只是建議的最高攝取量，嬰幼兒能夠減少攝取的話會更理想。

兩款鈉含量過高的樣本中，其中一款餅乾每 100 千卡含 189 毫克鈉，比 CODEX 標準高出 89%。

該樣本的包裝標示適合 6 個月或以上的幼兒食用。以一歲的幼兒為例，進食一包已攝取約 177 毫克鈉，達英國食品標準局建議每日鈉最高攝取量的 22%。

另外一款曲奇餅每 100 千卡含 109 毫克鈉，高於 CODEX 標準 9%。

餘下有標示鈉含量的 22 個樣本，鈉含量都合乎標準，過半數（22 款中的 13 款）的鈉含量低至每 100 千卡食物含 0 至 50 毫克，消費者可比較及選擇。

鈉是人體必需的礦物質，但攝取過量會增加患高血壓及引發心血管疾病的風險。嬰幼兒尤其需要注意，因太多的鈉會加重他們腎臟的負荷。

研究亦檢視了樣本的總糖含量，包括添加及天然存在於原材料的糖分。

結果發現總糖含量差異很大，每 100 克食物計，由 3.4 克至 36 克，相距達到 10 倍，最高和最低的樣本都來自牙仔餅類別。

添加糖除了提供熱量外，並無其他營養素。過量進食含添加糖的食物會影響嬰幼兒膳食的總體營養素質，有不健康增磅的風險。

消費者應仔細檢查配料表及營養資料標籤，選擇不含或較少添加糖及鈉的產品。兒童的膳食應根據「健康飲食金字塔」的比例實行均衡飲食，零食應適可而止，切勿用以代替正餐。

此外，研究檢視了 9 款蔬菜蓉和 8 款蘋果蓉，材料除蔬果外有不同成分例如水、澱粉或麵粉，各樣本間的成分組合都不同。

蔬果有其獨特的維生素、礦物質和膳食纖維，家長購買前應閱讀包裝上的配料表，揀選適合個人需要的蔬菜蓉或水果蓉。

為對抗通脹，報告包括了自製水果蓉和蔬菜蓉的方法。

小心不良直銷陷阱

不良直銷的個案在今年有所增加。

消費者委員會在今年上半年共收到 22 宗有關直銷的投訴，去年全年為 33 宗，2006 年共 46 宗。

投訴人指被誘參與一些高回報的「賺快錢」直銷計劃。

常見的情況是投訴人先被游說購買沒有市場價值的貨品，繼而被建議虛構文件申請貸款入貨。

消費者應小心分辨市面上穩健可靠的直銷公司，是會提供高質素的產品，不會只靠游說新人加入為主要收入來源。

《選擇》月刊刊登的 3 個個案中，其中一名投訴人的部門主管建議他申請銀行貸款以購買大量傳銷貨品。

在部門主管的協助下，投訴人利用虛假就業和薪酬確認函件，成功申請到貸款。

投訴人後來發現該傳銷公司的貨品質素低劣，沒有市場價值。銀行亦懷疑他提供的資料失實而向警方報案。

投訴人因使用偽造文件訛騙銀行被判守行爲，其部門主管亦被判處入獄。

另一個非常近似的個案中，投訴人指傳銷公司職員與他熟稔後，游說他支付**\$5,000**參加傳銷商品課程，後來商討減費至**\$3,000**。

投訴人指該公司職員建議他開立公司，並教他偽造公司文件，申請貸款支付課程費用。

幸好投訴人對該公司的手法有懷疑而拒絕，並向消委會投訴。

第三個個案是投訴人應邀參加傳銷公司的培訓課程，受到職員猛烈游說成爲會員。

投訴人在接近午夜時才能取回身份証，但已同意繳付**\$6,600** | **\$6,000** 入會費及**\$600** 課程費用。

消費者應小心傳銷商的不良推銷和招攬伎倆，其手法接近《禁止層壓式推銷法條例》（香港法例第 355 章）所禁止的。

特別要提高警覺的是任何非法欺騙行爲要求、收取高昂的入會費、或游說購買大量質素成疑的貨品。

有意加入傳銷行列的消費者，宜先參考 8 月份《選擇》月刊所列出的建議。

使用「節能環」可致命

消費者要小心一款聲稱能節省約 3 成氣體煮食爐燃料費的高度危險產品。

在燃料費高企的環境下，該類聲稱能吸引不少消費者的注意。

消費者委員會與機電工程署合作測試一款稱爲「節能環」的產品。

結果令人震驚，因使用者在不知情下會備受吸入過量有毒一氧化碳的危險。

將該產品放在氣體煮食爐的爐架下使用時，排出的有毒一氧化碳，在幾分鐘內增加超過 40 倍。

排出的有毒一氧化碳量超出《香港住宅式氣體用具基本安全評估》的安全標準上限 7 倍以上。

視乎其濃度及排放速度、廚房大小及空氣流通程度，一氧化碳可導致頭痛、暈眩及噁心 — 甚至死亡。

由於測試時有毒一氧化碳的排出量持續上升，基於安全理由，測試須立即終止。

消費者應立即停用該產品，或者是任何類似產品，避免意外出現。

消費者購買任何氣體爐具的配件前，應向爐具代理商查詢。

如市民在本港發現有「節能環」或類似產品出售，可與香港海關、機電工程署或消委會聯絡。

這並非首次發現該類聲稱節省能源的產品，亦可能不是最後一次。消委會曾於 1997 年發出相似的危險產品警示，該產品稱為「節能網」，用於氣體煮食爐，跟是次測試的「節能環」同樣危險。

電風扇安全測試

電風扇是夏日必備家居電器，安全程度再度是今次測試的重點。

10 個樣本包括 5 款盒形風扇和 5 款柱狀直立式風扇，售價由 \$128 至 \$568。測試包括參照國際安全標準的 6 個項目，由消費者委員會與機電工程署合作進行。

其中 3 個樣本（全是盒形風扇）通過所有測試項目。

另外兩個（1 款盒形和 1 款柱型）亦表現不俗，只是在標示說明方面有些微不足。

以上 5 個樣本在整體安全評分方面都得到最高的 5 分。評分標準為：結構（30%）、防觸電保護（20%）、溫度及不正常操作（15%）、防觸碰扇葉保護（15%）、物料阻燃性（15%）和標示說明（5%）。

在表現較差的一方，兩個樣本只取得 3.5 分，同樣需要提高保護性，防止用戶觸碰到帶電部分。

其中一個樣本的風扇與底座之間的罅隙，可讓試驗手指接觸到只有基本絕緣的部分。

另一個樣本的扇葉罩較單薄，測試時手指可穿過風扇罩接觸只有基本絕緣部分，也抵不住 0.5 焦耳能量的撞擊而破裂。

其他不足的地方包括：螺絲釘固定不穩、電線接法不當、絕緣距離不足、物料的阻燃性不足。

用戶使用風扇時應留意以下安全要點：

- 把風扇擺放在平穩、不易絆倒的地方，以免電線受拉扯；
- 不要把風扇放在容易被濺濕的地方，例如浴室內或窗戶附近；
- 勿讓小孩將手指或其他物件放進保護罩內；
- 依說明書指示定期清洗風扇。

日常的省電建議：(一) 離開房間時應關掉風扇；(二) 睡前調校時間掣；(三) 與冷氣裝置同時使用時，可調高冷氣機的溫度設定，省回不少電費。

打擊出售假鱷魚肉

5間店舖被控售賣假鱷魚肉乾的案件已有法庭裁決。

去年 11 月消費者委員會揭發不少在市面出售的鱷魚肉乾只是巨蜥肉或蛇肉，而非真正鱷魚肉，亦有攙雜的情況。

隨後香港海關向 5 間有關的店舖東主或店員提出檢控，指其觸犯《商品說明條例》。

在今年 4 月至 7 月期間，各被告被判罰款 \$1,000 至 \$30,000 不等。

另外兩間店舖的檢控案件正在進行中。

消費者如欲購買鱷魚肉乾，應選擇商譽較佳的商舖，並查看店舖是否領有有效的許可證。如對所購鱷魚肉乾產品有懷疑，可向香港海關熱線 2545 6182 投訴。

《選擇》月刊現已上網，網址為<http://choice.yip.com.hk>，同時可透過電訊盈科固網及流動電話服務接收。

今日（八月十五日）《選擇》月刊記者招待會主持為消委會宣傳及社區關係小組副主席許樹源教授。

歡迎被邀出席新聞發布會的傳媒引用新聞稿的內容。

消費者委員會保留所有關於《選擇》月刊及網上《選擇》的權利（包括版權）。



消費者委員會
CONSUMER COUNCIL

**NO to credit card surcharge
and minimum spending limit**

Credit cardholders are urged to say NO to merchants imposing a surcharge on their purchase.

They should also report any such incidents to their card issuers in an effort to put an end to this malpractice.

The issue of merchants surcharging credit cardholders has come under public scrutiny recently following media publicity on consumer complaints.

The Consumer Council has obtained the clear and unanimous assurance of three credit card associations, namely, Visa, MasterCard and American Express, that such a practice is prohibited by, and in breach of the operating regulations of the card associations.

According to the operating regulations of the card associations, merchants are NOT allowed to impose restrictions in any forms on the acceptance of credit cards for payment.

Specifically, merchants must NOT add any surcharges to the transaction amount. Some merchants have allegedly demanded a surcharge of 2% or more for credit card transactions.

Further, merchants must NOT set any minimum spending limit; they must honour all cards properly presented for payment, even for transactions of small amounts. Allegations of a minimum \$200 or more limit have been raised against some merchants.

Most credit cardholders are, however, unaware of these prohibitions, let alone the redress available to them.

In a Consumer Council survey on 18 credit card issuing banks, all without exception responded that they would handle requests for surcharge refund – but on the condition that affected consumers could provide sufficient proof on the surcharge they actually paid.

This means that the amount of the surcharge must be specified

separately on the receipt or invoice provided by the merchant, and not included in the transaction amount.

As some merchants seek to deliberately avoid listing the surcharge separately on the invoice, consumers are unlikely to obtain the sufficient proof necessary to claim refund from their card issuers.

Little wonder that only a few requests for refunds were received by less than half of the card issuers surveyed (8 out of 18), and the number of successful cases was even fewer.

The Council believes that an extensive programme of educational publicity by relevant stakeholders directed at consumers and merchants will go a long way to improve the situation.

First and foremost, card associations and/or card issuers - should undertake to issue a notice to all cardholders drawing their attention to such malpractices which are prohibited in the service contracts with the merchants, and listing out the application procedures for surcharge refund, as well as to communicate to their cardholders on their proper right on credit card usage.

Second, consumers can play a vital role - by refusing to accept any restrictions, including any surcharges, imposed by the merchants, and reporting such incidents to their card issuers.

Third, card associations or card acquirers should get their act together in strengthening communication and ensuring merchants' compliance with the rules and regulations in force. Card associations and card issuers should handle positively any complaints and irregularities reported by consumers against any non-complying merchants.

Only the collective efforts of card associations, issuers and acquirers, on the one hand, and cardholders, on the other, could such malpractice be effectively stopped and eliminated.

Excessive sodium found in two baby snacks

Infants and toddlers enjoy a good snack just as much as adolescents and adults.

Of particular parental concern is the levels of sugar and salt added in the manufacturing process of food products that are marketed specifically for babies of over 4 months.

The Consumer Council has conducted a study of the ingredients and nutrient contents of these prepackaged food products based on their label information.

The study revealed considerable variations in the sugar and sodium contents of 26 food samples – 3 cereals, 5 teething biscuits and 18 snacks.

Two of the snack samples – a cracker and a cookie samples - were found to contain sodium in excess of the CODEX Standard for Processed Cereal-Based Foods for Infants and Young Children, which prescribes a limit of not more than 100 mg/100 kcal of ready-to-eat products.

According to the Food Standards Agency of UK, the sodium daily recommended maximum for children is : 400 mg (=1 g or one-fifth of a teaspoonful of salt) for newborn to 12 months; and 800 mg for 1 to 3 years.

But bear in mind, these are the recommended maximum, and it is better for infants and toddlers to have less.

Of the 2 snack samples in question, the cracker sample had 189 mg/100 kcal sodium or 89% higher than the CODEX standard.

The product was labelled to be suitable for babies of 6 months or above. So in the case of an 1-year-old, consuming one package (25g) of the cracker would take in 177 mg of sodium, which is about 22% of the recommended maximum sodium intake.

The other, a cookies product, had 109 mg/100 kcal just barely exceeding the CODEX standard by 9%.

Overall, the sodium content of the remainder samples (of the 22 models with sodium content label) were all within the limit with over half (13 out of 22) containing as little as between 0 mg/100 kcal and 50 mg/100 kcal of sodium for the choice of consumers.

Though an essential mineral in the body, excessive sodium can raise blood pressure and lead to an increased risk of cardiovascular diseases. This is particularly serious with infants and young children, as their kidney cannot cope with large amounts of salt.

In addition, the study examined the total sugars content (both added or naturally occurring in the ingredients) of the samples.

They were found to vary over a vast range from 3.4 g/100 g to

36 g/100 g of food, a difference of over 10 times (both extremes were found in the teething biscuits).

High intake of added sugars threatens the overall nutrient quality of diets for infants and young children by providing significant energy but without supplying specific nutrients, risking unhealthy weight gain.

Consumers are advised to read the ingredient list and nutrition label and choose food products with less or no added sugars and sodium. It is important for children to follow the Food Pyramid and practise a balanced diet. Snacks should only be taken moderately and not to replace the main meals.

Further, as part of the study, the ingredients of 9 vegetable purees and 8 apple purees were also examined and found to vary in composition other than vegetable and apple such as water, starch and flour from one to another.

As vegetables and fruits have their own unique vitamins, minerals and dietary fibre, parents are advised to study the ingredient lists to suit their preference for more vegetables or fruits.

To counter inflation and to achieve savings, the report includes also DIY tips on making your own baby puree foods.

Beware of direct selling scams

Direct selling scams are on the rise this year.

In the first 6 months of 2008, the Consumer Council has received 22 complaint cases related to direct selling, compared with 33 cases for the whole of 2007. There were 46 cases in 2006.

Complainants were allegedly lured into joining direct selling schemes that promised quick monetary return.

Typically, they would be persuaded into investing on merchandise of dubious market value, and then into forging documents in order to secure loan for the purchase.

Consumers should be wary and be able to differentiate in the market between well-established direct selling companies with quality products and those which rely almost solely on recruiting newcomers as a source of earnings.

In one of the 3 cases highlighted in CHOICE, the complainant was persuaded by his supervisor to apply for a bank loan for the purchase of a bulk quantity of direct selling products.

With the aid of the supervisor, he managed to successfully apply for a loan by producing forged documents as proof of his employment and salary income.

The complainant later found the products he bought to be of a low quality and hardly any market value; he was also suspected to have supplied false information to the bank, which reported the matter to the Police.

The complainant was subsequently bound over by the court and his supervisor sentenced to imprisonment.

In another almost identical case, the complainant was first befriended by a company staff, who later persuaded him to join a direct selling training course at a fee of \$5,000. The fee was later bargained down to \$3,000.

He was then suggested to set up a new company to operate his direct selling business, and to also use forged documents under the name of the company to apply for a loan to pay for the course expenses.

Fortunately, the complainant became suspicious and pulled out of the deal, and reported the matter to the Council.

In the third case, the complainant was detained for hours as staff of a company bombarded her with persuasion to join a direct selling training course.

She finally managed to retrieve her Identity Card, and was released shortly before midnight but not without having paid a total of \$6,600 - \$6,000 for membership fee and \$600 for course expenses.

Consumers are warned to be on the alert of unscrupulous sales and recruitment tactics adopted by direct selling operators bordering on those prohibited under the Pyramid Selling Prohibition Ordinance (Cap. 355).

In particular, they should be wary of any illegal deceptive schemes and any demands for exorbitant amount of fee for training or membership, or the purchase in large quantity of merchandise of dubious market value.

Consumers contemplating to join any direct selling schemes are advised to refer to the report in this August issue of CHOICE for guidance.

**Warning on potentially deadly
"energy saving wire mesh"**

Consumers are alerted to a highly hazardous product that claims to cut down on fuel consumption, by up to 30%, of gas stoves.

At a time of high fuel costs, such claim will no doubt impact significantly on an unwary consumer public.

The Consumer Council, in collaboration with the Electrical and Mechanical Services Department (EMSD), has conducted a test on the product called "energy saving wire mesh".

The results are nothing short of shocking to its users who will, without their knowledge, be exposing themselves to the danger of carbon monoxide (CO) poisoning.

It was found that the use of the wire mesh when placed under the stove pan support spikes, can increase the concentration of the highly lethal CO gas by more than 40 folds in a matter of a few minutes.

The CO level was more than 7 times in excess of the safety standard under the Hong Kong Domestic Gas Appliances Basic Safety Assessment requirements.

Depending on the concentration and speed of emission, the size of the kitchen and ventilation, carbon monoxide can cause headache, dizziness and nausea – and even death.

As the CO concentration kept rising during the test, for safety reasons the test had to be terminated.

Users are warned to immediately cease using the wire mesh or any similar products to avoid potential tragedy.

They should always consult the appliance agent whenever they intend to buy an accessory for the gas appliance.

Consumers are also urged to report the sales of the wire mesh or similar products in the market to the Customs and Excise Department, the EMSD or the Consumer Council.

The marketing of such claimed energy saving device is not the first time, nor will it be the last. In 1997, the Consumer Council issued a similar

severe warning to consumers on a similarly dangerous "energy saving wire net" for gas burner.

Safety in electric fans

The safety of electric fans is again the focus of a test on this much-needed home appliance to keep the summer cool.

The 10 samples – 5 box fans and 5 tower fans over a price range of \$128 to \$568 – were put to a series of test of 6 safety items with reference to international safety standard.

The test was a project between the EMSD and the Consumer Council in a joint effort to assist consumers in the choice of safe domestic electrical appliances in the Hong Kong market.

Three of the 10 samples – all box fans – were judged to pass all (6) test items.

Two others – a box fan and a tower fan – also fared well with only slight deficiency in markings and instruction.

All 5 samples were awarded the top 5-point score in overall safety rating based on: construction (30%), protection against electric shock (20%), temperature and abnormal operation (15%), fan guard protection (15%), material resistance to heat and flames (15%), markings and instruction (5%).

At the other end of the rating, 2 samples scored only 3.5 points. Both samples were found to be in need of enhancement of protection against accessibility to live parts.

Specifically, one of the 2 samples in question had a gap which was wide enough at the base to allow the test probe to touch the parts protected with only basic insulation.

The other had fan guard that could not stop the probe touching parts with basic insulation only when inserted; the guard was also too weak to withstand slight impacts of energy 0.5 Joule.

Other minor deficiencies included: loose screw fixing for the enclosure, inappropriate wiring connection methods, insufficient insulation distances and inadequate material resistance to heat and flames.

For safety tips, users are reminded of the following:

- place the fan on flat surface free of obstacle and avoid tangling of power cord;
- do not put the fan in wet places such as bathroom or near the window;
- keep an eye on children and teach them not to put fingers through the fan guard; and
- clean the fan regularly according to the instruction.

Useful everyday tips to achieve savings in energy consumption: (i) always switch off the fan(s) when leaving the room; (ii) set the timer provided when sleeping; (iii) with the aid of a fan to spread out cool air, the temperature setting of the air-conditioner could be adjusted higher to save electricity cost.

Crackdown on fake dried crocodile meat

Legal proceedings have been completed against the operators of 5 shops for selling fake dried crocodile meat.

This followed the disclosure by the Consumer Council in November last year that many of the dried crocodile meat on sale in the market were not genuine or unadulterated – but largely of monitor lizard or snake dried meat.

In consequence, charges were brought by the Customs and Excise Department (C&ED) against the owners or employees of the 5 shops concerned under the Trade Descriptions Ordinance.

Between April and July 2008, the offenders were fined by the Court an amount ranging from \$1,000 to \$30,000.

Legal proceedings against 2 other shops are still pending.

Consumers are advised to purchase dried crocodile meat from shops of good reputation and check whether the sellers have a valid licence. Should they suspect a shop of making false description of the product, they are urged to report the matter to the C&ED's hotline 2545 6182.

CHOICE magazine is now also available online (at <http://choice.vp.com.hk>) and via fixed-line and mobile services of PCCW.

Chairing the press conference today (August 15) on the publication of CHOICE issue number 382 is Prof. Ron HUI Shu-yuen, Vice-chairman of Publicity and Community Relations Committee of the Consumer Council.

Members from the media who are invited by this Council to the Press Conference may quote the content of this Press Statement.

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Issued by
Consumer Council
15 August 2008