

**For information on
19 August 2005**

LegCo Panel on Food Safety and Environmental Hygiene

Food Incidents Relating to Pork and Eel

Purpose

This paper briefs Members on the response actions taken by the Administration to ensure the safety of pork, live eels and eel products and our proposal to amend the Harmful Substances in Food Regulations under the Public Health and Municipal Services Ordinance (Cap. 132) to prohibit the use of malachite green in food.

Background

Food Safety Control in Hong Kong

2. The overall objective of Hong Kong's food safety control is to ensure that food products are hygienic, safe and fit for human consumption. Our food safety regulatory regime is based on international practices and risk analysis assessment. The enforcement of food safety measures is supported by a network of legislation regulating hygiene standards of food; additives and harmful substances etc.

3. In the recent incidents related to food, the Administration has observed consistent principles and standards in determining the measures to be taken in each case.

Streptococcus suis outbreak in Sichuan

4. In the case of *Streptococcus suis* outbreak in Sichuan, Hong Kong was informed immediately by the Ministry Of Health of the Mainland that the outbreak was caused by the *Streptococcus suis* type II disease. According to the guidelines issued by the OIE (Office Internationale des Epizoontes, the World Organisation for Animal Health), the disease caused by *Streptococcus suis* is not a notifiable disease which an importing country or territory may restrict the import of pig and pig products to protect human and animal health. Since *Streptococcus suis* is commonly found in pigs, there is always a possibility of finding *Streptococcus suis* in pork or fresh pig products.

5. Furthermore, it is to be noted that even if the pork is found to have the bacteria, there should be no danger to public health if the pork is properly handled and cooked before consumption. The Administration therefore concluded that it would not be appropriate to suspend the importation of pork from Sichuan purely on the basis that the pork may contain the bacteria because such a course of action deviates from sound scientific principles and is not in accordance with international guidelines and practices. In this connection, Members' attention is drawn to paragraph 2 of Article 3 of the Agreement on The Application of Sanitary and Phytosanitary Measures (AASPM) promulgated by the World Trade Organisation¹.

Recall of pork by Shenzhen

6. Compared with the case of Sichuan in which we received sufficient information for us to make a judgement or assessment, in the case of the recall of pork by the Shenzhen Authority, we have not been informed of the specific reasons for the recall. In the absence of detailed information, we therefore decided not to process any application for the importation of frozen pork from Shenzhen and Henan on 15 August 2005 as a precautionary measure until we have obtained clarification from the Mainland Authorities. This course of action is also consistent with paragraph 7 of Article 5 of the AASPM². On 18 August 2005, we received detailed information from Shenzhen with regard to the recall action.

Identification of malachite green in eel and eel products

7. Hong Kong imports live eels and eel products from a number of countries. In the first six months of 2005, a total of 1,032 tonnes of live eels (73% from Indonesia, 15% from Mainland, 6% from Bangladesh); 140 tonnes of fresh or chilled eels (98% from Mainland); 182 tonnes of frozen eels (46% from Thailand, 30% from Mainland and 13% from Malaysia); and 130 tonnes of prepared or preserved eel (100% from Mainland) were imported to Hong Kong.

8. On 16 August 2005, the Guangdong Entry-Exit Inspection and Quarantine Bureau in the Mainland decided to recall eel products destined for exports as a precautionary measure to ensure that all eel products for exports do not contain the chemical, malachite green. The Administration immediately took action and collected 25 samples of live eels and eel products for sale in local

¹ Paragraph 2 of Article 3 specifically provided that sanitary or phytosanitary measures which conform to international standard, guidelines or recommendation, shall be deemed to be necessary to protect human, animal or plant life or health.

² Paragraph 7 of Article 5 provides that a member provisionally adopt sanitary or phytosanitary measures where the scientific evidence is insufficient.

markets and food outlets for testing. Based on the results available so far (as at 18 August) on 14 samples, malachite green was found to be present in 10 samples. FEHD will follow up these cases, seeking to have the remaining products destroyed.

9. Malachite green is a type of industrial dye and has been used for treating infection in fish. Major agricultural economies such as the Mainland, EU and US prohibit the use of the chemical in food fish. Some animal studies show that malachite green may cause liver tumour in rats but there has yet no such conclusive evidence in human. However, many countries have banned its use in food fish. Existing legislation do not explicitly prohibit the presence of malachite green in food imported, consigned, delivered, manufactured or sold in Hong Kong but any food with the presence of malachite green is deemed to be in breach of the Public Health and Municipal Services Ordinance (Cap. 132).

10. To strengthen the control of malachite green in food and food fish, the Administration has decided to take the following action -

Amendment to Harmful Substances in Food Regulation

11. The Harmful Substances in Food Regulations (herein after referred to as “the Regulations”)(Cap.132 Sub. Leg. AF) govern the import and sale of food containing harmful substances. The First Schedule of the Regulations stipulates the maximum amount of harmful substances allowed in food. Any person who imports, consigns, delivers, manufactures or sells for human consumption any food containing substances exceeding the concentration level stipulated in the Regulations commits an offence.

12. To ensure food safety and protect public health, the Administration proposes to amend the Regulations to prohibit the presence of malachite green in all food sold in Hong Kong by adding a new item for malachite green in the First Schedule. The amendment will also have the effect to control live fish as food with regard to the use of malachite green.

Communication and Arrangement with the Mainland

13. We have informed the Mainland Authorities that we have just detected the presence of malachite green in eel products and our measures taken to protect public health. To strengthen the export and import control regime, both sides will explore the possibility to require all live eel and eel products imported from the Mainland in future to be accompanied by a health certificate testifying that the concerned consignments do not contain malachite green.

Continuous Inspections

14. The Food and Environmental Hygiene Department (FEHD) will continue to collect samples of eel and eel products for testing. FEHD will exercise its statutory power under the Public Health and Municipal Services Ordinance (Cap. 132) to seize and destroy the food if they are unfit for human consumption.

Communication with the Trade

15. FEHD will issue an advisory letter immediately to inform the fish trade and food business of the test results. Traders will be reminded that their products should not contain malachite green and are fit for human consumption. They will also be informed that FEHD will step up the surveillance of food fish and their products, as well as the Administration's plan to introduce legislation as described in paragraph 11 and 12 above.

16. According to available information, to date the international community has not imposed blanket import ban on all live eel and eel products from the Mainland.

Notification Mechanism Between Hong Kong and the Mainland

17. To ensure food safety, prevent communicable diseases from spreading across the border and to protect the health of the public as well as animals, the Administration has set up a liaison and notification mechanism each with AQSIQ, Ministry of Health and Ministry of Agriculture. Under the mechanism, the authorities across the border agree to notify their counterparts in case of major human and animal infection and food incident affecting the other parties.

18. Infectious disease notification between the Mainland and the Hong Kong Special Administrative Region (HKSAR) takes place at two levels. Under the Tripartite Meetings of Guangdong-Hong Kong-Macao Expert Group on Prevention and Treatment of Infectious Diseases, the three places have established an effective mechanism for sharing experience and regular exchange of information on infectious diseases. The mechanism requires the three places to exchange information about notifiable diseases on a monthly basis, to promptly report sudden upsurge of infectious diseases of unknown nature or of public health significance and to establish point-to-point communication among the health authorities via phone and fax etc. The *Streptococcus suis* has recently been added to the list of notifiable diseases.

19. On the food safety front, officials from Hong Kong and the Mainland meet regularly to exchange views and enhance collaboration in respect of food safety control, inspection and quarantine matters, etc.

Conclusion

20. As food safety is a livelihood issue of great concern to the community, the Health, Welfare and Food Bureau has decided to undertake a comprehensive review including enhancing the notification system with the Mainland, surveillance and enforcement support services, inspection and food sampling/laboratory testing work. We are actively considering the establishment of a Food Safety Centre with focal control on food related matters. As soon as we have more concrete proposals, we shall consult Legislative Council.

Health, Welfare and Food Bureau
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