

**For discussion
on 9 May 2006**

LegCo Panel on Food Safety and Environmental Hygiene

Genetically Modified Food

PURPOSE

This paper briefs Members on issues related to genetically modified (GM) foods and the Cartagena Protocol on Biosafety.

BACKGROUND

2. According to the World Health Organisation, GM foods currently on sale in the international market would have passed risk assessments and therefore are unlikely to pose adverse effect on human health. A lot of major countries in the world, including Canada, Australia, New Zealand, Japan and the Mainland allows GM foods which have passed pre-market safety assessment to be sold in the market. At present, Hong Kong does not have any specific legislation regulating GM food. However, the Public Health and Municipal Services Ordinance (Chapter 132) provides that all food, no matter genetically modified or not, sold in Hong Kong must be fit for human consumption.

GENETICALLY MODIFIED PAPAYA

3. To help local organic farming industry expand agricultural resources, Agriculture, Fisheries and Conservation Department (AFCD) obtained papaya seeds from a renowned agricultural research institute in the Mainland in March 2004. In line with the established international practice on organic agricultural trading, AFCD obtained from the institute a declaration in writing that the seeds were not GM. After successful trials, AFCD distributed the papaya seedlings to 18 organic farmers from February to September 2005 for field trial and some 300 papaya trees were planted. The Federation of Vegetable Marketing Co-operative Societies (FVMCS), a local crop farming organization, also helped a total of 8 organic farmers make bulk purchase of the papaya seeds from the agricultural research institute. In response to a report that papaya in a South East Asian country had been inadvertently contaminated by GM varieties, AFCD collected some local organic papaya fruits for GM testing in November 2005. The fruits were found positive for GM in December 2005.

4. In organic farming, unlike other types of farming in Hong Kong, GM materials are prohibited. To ensure organic integrity locally, AFCD notified all farmers concerned and the FVMCs of the test result in January 2006, and

required them to eradicate all the papaya trees concerned. AFCD has also stopped importing any kinds of seeds from the research institute immediately.

5. AFCD officers visited the research institute and its papaya production site on 27 March 2006, and discussed the incident with researchers of the institute. The institute reaffirmed that it had not conducted any GM engineering work on papaya. However, AFCD officers discovered the presence of papaya seedlings of unknown sources near the institute's papaya production site, indicating that the seed saving process could be contaminated by the pollen of other papayas, including GM papayas. AFCD collected more papaya seeds from the institute for GM testing and was informed that the seeds were tested positive for GM in April 2006.

6. AFCD will continue to stop importing seeds from the institute, and advise the local organic farming industry of the risk of GM papaya contamination and the preventive measures available. The Department will also carefully assess the risk of GM contamination before introducing new crops and conduct GM tests on high risk crops to prevent similar incidents in future.

CARTAGENA PROTOCOL ON BIOSAFETY

7. The primary objective of the Cartagena Protocol on Biosafety (the Protocol) is to protect individual signatories to the Protocol from potentially adverse impacts arising from the trans-border movement of imported living modified organisms (LMOs) on their biological diversity through the regulation of import and export of LMOs. Environmental Protection Department is responsible for the implementation of the Protocol in Hong Kong. The Protocol does not specifically regulate GM food sold in the market. China has signed and ratified the Protocol and formally became the signatory to the Protocol since September 2005. The Administration have also obtained the approval in principle from the Central Government to extend the application of the Protocol to Hong Kong. Subject to the LegCo's approval of the draft legislation and completion of other preparatory work, the Administration will make a formal request to the Central Government to complete the necessary procedures to extend the Protocol to Hong Kong.

8. Whilst the Protocol has yet to be extended to Hong Kong, the AFCD remains very vigilant about the transfer, handling and use of LMOs in order to ensure the ecological balance of our natural environment and conserve the biological diversity of Hong Kong. In the context of promoting organic farming in Hong Kong, AFCD, when introducing seedlings for experimental planting, would strive to ensure that the seedlings do not contain any genetically modified materials by requiring written certification from suppliers and conducting sampling tests, etc. Upon discovery that the papaya concerned might contain genetically modified materials, the department has

acted immediately to destroy all papaya plants and conducted an in-depth investigation. The measures taken were in line with the basic principles of the Protocol.

BABY RICE CEREAL

9. Following the report by a non-governmental organization that some baby cereal products on sale in Hong Kong contained genetically modified (GM) ingredients which have not passed safety assessment, the Food and Environmental Hygiene Department (FEHD) met with representatives of the concerned company and requested for further information. So far there is no evidence to show that GM ingredient which has not passed safety assessment has been used.

10. On genetically modified food, through the Notification System for Food Safety Incidents for Guangdong and Hong Kong signed last month, Hong Kong and Guangdong authorities concerned will arrange experts of the two places to meet, in order to exchange experiences on genetically modified food and to enhance mutual understanding.

LABELLING REGIME FOR GENETICALLY MODIFIED FOOD

11. On setting up a labelling regime for genetically modified food, the Codex Alimentarius Commission of the United Nations is working on a uniform standard but the work is unlikely to be completed soon. Since the international community has yet to reach a consensus on the labeling of genetically modified foods, we need to consult the trade and various sectors concerned before deciding whether to implement a mandatory labelling system for genetically modified foods in Hong Kong. But we will work with the trade to study the proposal for drawing up a guideline for voluntary labelling to help the trade ensure that the claims made for the genetically modified elements of their products are true and accurate.

**Environmental Protection Department
Health, Welfare and Food Bureau
May 2006**