

**For Discussion**

**On 30 November 2006**

**LegCo Panel on Food Safety and Environmental Hygiene**

**Harmful Substances Found in Eggs of Hens and Ducks and Fish**

**Purpose**

The paper briefs Members on the measures and plans adopted by the Government to tackle the recent incidents about harmful substances found in eggs and fish.

**Background**

2. Most of the food (over 90%) on sale in Hong Kong is imported. To ensure food safety, the Centre for Food Safety (CFS) has adopted a risk-based assessment mechanism promulgated by the World Health Organization in its food surveillance work, including risk management, assessment and communication. The CFS also adopts a risk-based approach in taking samples for tests at the points of import as well as wholesale and retail levels. For high-risk food items imported from overseas or Mainland, such as live poultry and meat, the CFS has put in place measures such as prior import approval and requirement for health certificates to ensure that the inspection and quarantine authorities of exporting country would guarantee the safety and hygiene of their products.

3. To enhance safety control of food at source, we have established a notification mechanism with the relevant Mainland authorities, including the State General Administration for Quality Supervision, Inspection and Quarantine (AQSIQ) and Guangdong Provincial Government. In case of any problem arising from Mainland food supplied to Hong Kong, we will immediately approach the Mainland authorities concerned to follow up. In case of any incident in the Mainland that may impact on the safety of food supplied to Hong Kong, we will also liaise with the relevant authorities to initiate enquires and follow up.

4. Since its inception in May 2006, the CFS has strengthened liaison with the Mainland regulatory authorities. It has facilitated the authorities across the border to

communicate more effectively and efficiently in dealing with incidents related to food supplied to Hong Kong and Mainland food incidents.

5. Moreover, the CFS has also facilitated effective communication with the trades since its establishment. In case of food incidents, the CFS would liaise with the trade to work out solutions.

### **Sudan Dyes Found in Egg Products**

6. Recently, many Mainland provinces have found Sudan dye, a non-permitted colouring matter, in eggs of ducks and hens in tests. To address the issue, the CFS tested over 160 egg samples (including eggs of ducks, hens and quails) and found that two salted duck eggs and five hen eggs contained Sudan dye. As it is suspected that the contaminated salted duck eggs and hen eggs came from Hunan, the AQSIQ agreed to suspend the export of hen eggs from Hunan to Hong Kong. As at November 28, the CFS has received a total of more than 31 reports on sale of “red-yolk” eggs. It has followed up the reports and collected 20 egg samples for tests.

7. In response to a Mainland report on November 13 about duck farmers in Hunan using feed mixed with Sudan dyes, the CFS immediately contacted the AQSIQ for confirmation and collected duck egg samples for testing. On November 14, it received assurance from the AQSIQ that the affected duck eggs in Hebei had not been exported to Hong Kong. The local egg samples collected by CFS also tested negative for Sudan dye. On November 17, the CFS received notification from the AQSIQ that certain egg products from Shendan Healthy Food Co. Ltd. (Shendan Company) were found to contain Sudan dyes but the affected batch of duck eggs had not been exported to Hong Kong. It also noted that a batch of Shendan duck eggs had been exported abroad via Hong Kong in September. The CFS subsequently confirmed the transshipment of Shendan duck eggs via Hong Kong in response to an enquiry from a local television station. Meanwhile, the CFS followed the usual practice and contacted major local retailers and supermarkets in Hong Kong on the afternoon of the same day (November 17) to check whether they had any Shendan duck eggs for sale. On that evening, Yue Hwa Chinese Products Emporium Limited (Yue Hwa) confirmed that it had a batch of Shendan duck eggs in stock. The CFS staff did not find any Shendan duck eggs on display during their inspection at Yue Hwa premises that evening. They asked Yue Hwa to surrender the duck eggs kept at the warehouse. But Yue Hwa could neither surrender the duck eggs nor provide details about the exporter and importer for the duck eggs immediately.

8. Since Yue Hwa had already stored the duck eggs concerned in warehouse and promised not to sell them, the CFS staff asked Yue Hwa to sign an undertaking on their pledges in the same evening. Under the circumstances, the Food and Environmental Hygiene Department (FEHD) did not consider it necessary to disclose the information to the public immediately. In any case, the CFS also needed time to verify the export channel of the duck eggs with the Mainland authorities.

9. On November 18 and 19 (Saturday and Sunday), the CFS continued to press Yue Hwa to provide import and export data about the duck eggs and surrender them. In the afternoon of November 20, the CFS collected about 1 200 duck eggs from Yue Hwa and sent samples for tests. Although Yue Hwa had provided some relevant documents concerned, the information provided was incomplete. It failed to indicate the place of origin and channel of export for the duck eggs concerned. Therefore, the CFS asked Yue Hwa to provide further information about the export channel of the duck eggs, including details of the exporter. It was not until the afternoon of November 21 that CFS received detailed information from Yue Hwa which confirmed that the duck eggs were accompanied with an official export authorisation. The CFS immediately approached AQSIQ for verification and was informed on the same day that the relevant data for that batch of duck eggs could not be identified in its previous record search for food exported to Hong Kong as it was exported for exhibition only and did not come under the category of general export.

10. Between November 17 and 21, the CFS continued to pressed Yue Hwa to furnish all relevant information on the one hand and, on the other, continued to liaise with the Mainland authorities to seek all relevant information in order to make a full account to the public as soon as possible. Indeed, the FEHD had neither reason nor intention to cover up any fact in the whole incident.

### **Banned Substances Found in Fish Products**

11. In response to reports in Shanghai about the detection of veterinarian drug residues in turbot, the CFS immediately asked ASQIQ for information including whether the affected products had been exported to Hong Kong. CFS collected five turbot samples, which tested positive for both malachite green and nitrofurans. The CFS then asked the Mainland authorities to suspend export of turbot to Hong Kong and the trade to stop importing or selling turbot from the Mainland. In addition, tests on other freshwater fish revealed that 15 samples contained malachite green. They included samples of 13 freshwater groupers, one silver carp and one mud carp. Nitrofurans residue was also found in four of the freshwater groupers and one silver carp samples.

12. In tracking down the origins of these samples, CFS discovered that the silver carp and mud carp samples came from registered fish farms supplying Hong Kong at Shunde and Fushan respectively. It immediately notified the authorities at Beijing and Guangdong to follow up. It was understood that the Guangdong authorities had immediately stepped up export control on freshwater fish supplied to Hong Kong. The relevant trade in the Mainland also announced on 27 November that they would suspend export of freshwater fish to Hong Kong with effect from 28 November

### **Immediate Follow-up Measures**

13. To understand the background of the recent food incidents in the Mainland and to discuss the follow-up measures, the Permanent Secretary for Health, Welfare and Food Bureau and the Controller of CFS met with ASQIQ on 28 November and reached a consensus on the following:

#### *Poultry eggs*

14. To strengthen control on the production as well as inspection and quarantine for poultry eggs supplied to Hong Kong, the ASQIQ agreed to implement the following measures to step up control for poultry eggs at source:

- (i) Strictly implement a listing regime for egg farms. All currently listed farms would be inspected and substandard ones would be removed from the list. An updated list of farms and their associated processing companies, both registered and listed, would be published on ASQIQ website in late December 2006. Farms and their associated companies that are not listed in the ASQIQ website will not be permitted to export eggs and egg products.
- (ii) All inspection and quarantine bureaus are required to test for Sudan dyes in poultry eggs and egg products prior to export. Only products that pass the test may be exported. This would ensure that exported eggs and egg products are free from Sudan dyes.
- (iii) Strengthen control on batch number and identification for exported poultry eggs. From 1 January 2007 on, retail package for exported poultry eggs and egg products must list the following details for

information of consumers and for tracing back problematic eggs: name, address and hygiene registration code of the manufacturer; name, address and list number of the farm; date of manufacture; and batch number.

- (iv) At the request of the Hong Kong Government, health certificates will be issued for eggs and egg products supplied to Hong Kong with effect from 1 January 2007. The health certificates will set out the same information as detailed on retail packages: the name, address and hygiene registration code of the manufacturer; name, address and list number of the farm; date of manufacture; and batch number, to ensure that the certificates are issued for the products concerned.
- (v) Increase penalty against irregularities in Mainland operation. Poultry eggs and egg products that are found to contain prohibited drugs and additives would be destroyed under supervision in accordance with law and the listed farm and its associated processing company concerned would have its exporter status cancelled.

#### *Aquatic Products*

15. In respect of aquatic products, we agree that the current registration system for freshwater fish farms supplying fish to Hong Kong is effective in safeguarding the safety of freshwater fish supplied to Hong Kong. The recent incidents show that the registration system has functioned as expected and enabled the authorities across the border to track down the sources of suspect fish, identify the targets for investigation and thus contain the damage expeditiously.

16. To address the problems in aquatic products, ASQIQ has instructed the inspection and quarantine authorities in Guangdong, Shenzhen and Zhuhai to conduct comprehensive inspection of all freshwater fish farms supplying Hong Kong to ensure that they comply with the relevant requirements and to interdict the flow of fish from non-registered fish farms to Hong Kong. On the part of Hong Kong, the CFS will collaborate with the Customs and Excise Department and other relevant departments to strengthen control of these products

#### **Regulation Proposals**

17. Hong Kong imports a vast amount of food, both in terms of variety and volume. For instance, over four million eggs are imported daily into Hong Kong, which amounts to about 1.7 billion in a year. To require health certificates for egg products supplied to Hong Kong from the Mainland is a first step in the right direction. But it must be noted that a considerable number of eggs may enter Hong Kong through other channels. Therefore, we must step up control to ensure that there is appropriate supervision at every link of the supply chain under the regulation regime.

18. For this purpose, we will consider enacting legislation to put in place the following measures:

- Require egg importers to register with the CFS and only permit entry of eggs with health certificates; and
- Punish non-registered importers/distributors/retailers that import eggs without first registering with the CFS as importers, and seize imported eggs that enter into Hong Kong through illegal channels.

19. Without the necessary power, the CFS may only take samples and detain products for inspection. It cannot track down the source of suspect eggs and thus cannot exercise effective control and make prompt response. If Members endorse the proposed regulatory regime for eggs, we will also consider applying the same model to regulate aquatic products. But we must undertake a more comprehensive impact assessment before further extending the application of the proposed model to other sectors.

20. At present, the current *Public Health and Municipal Services Ordinance* only empowers the Government to seize and remove food that is suspected to be unfit for human consumption. But it does not empower the Government to prohibit the sale of problematic food items. The Government has considered enacting legislation to provide for mandatory recall of food. But Members expressed different views when they were consulted at a meeting of LegCo Panel on Food Safety and Environmental Hygiene on 14 December 2004 about setting up a mandatory food recall system.

21. In view of this, we propose to amend the law to empower the Administration to order all wholesalers and retailers to stop selling problematic food when necessary. Whilst the proposed power will only be exercised in dealing with serious incidents with grave impact, the proposal still has a far-reaching implication. For instance, we need to consider when the Administration may exercise the proposed power, that is whether the power

should be exercised when the food authorities abroad announced that a particular kind of food item is problematic or wait till our laboratory tests confirm that the concerned food item contains harmful substances.

### **Consultation**

22. Members are asked to note and comment on the above-mentioned follow-up measures and legislative proposals under consideration.

**Health, Welfare and Food Bureau**  
**Centre for Food Safety**  
**November 2006**