

Legislative Council Panel on Security

Information Paper on Division of Responsibilities between Government Departments on Import Control of Food at Man Kam To Boundary Control Point

PURPOSE

This paper informs Members of the division of responsibilities between government departments in customs and public health clearance of food imported from the Mainland at the Man Kam To Boundary Control Point. Different food import controls are imposed on different types of food, and this paper focuses on the import of live chicken, fish and vegetables, as requested by Members at the Panel meeting on 8 July. The controls explained in this paper are by no means exhaustive.

BACKGROUND

2. C&ED is responsible for enforcement of the provisions of the Import and Export Ordinance (Cap. 60), which require all goods imported into or exported from Hong Kong to be declared at the control points. The objective is to prevent smuggling of unmanifested cargo¹ and contraband². On average, there are over 42,000 vehicles passing through the land control points each day. Similar to Customs administrations around the world, to balance between facilitation of trade and prevention of smuggling, Customs officers at the control points adopt a risk-based strategy in selecting vehicles for inspection based on intelligence and risk profiling.

3. On public health and food safety, the Food and Environmental Hygiene Department (FEHD) is responsible for monitoring the food imports, with support from the C&ED and the Agriculture, Fisheries and

¹ “Unmanifested Cargo” means any cargo which is not recorded in a manifest under the Import & Export Ordinance.

² “Contraband” means an article which is imported, exported or otherwise dealt with contrary to the provisions of the Import & Export Ordinance or any other law controlling the import or export of any article, e.g., dangerous drugs, firearms and ammunition, weapons, dutiable commodities, strategic commodities.

Conservation Department (AFCD). To facilitate control and monitoring, certain types of food, including live chicken, fish and vegetables are required to enter Hong Kong via the Man Kam To Control Point, whenever road transport is used.

DIVISION OF RESPONSIBILITIES AT MAN KAM TO

C&ED

4. Customs officers at the Man Kam To Customs clearance kiosks are responsible for checking and collecting Import Manifests submitted by the goods vehicle drivers. The officers will determine whether the vehicle and the cargo should be selected for further check or examination to prevent smuggling (carrying of unmanifested cargo or other controlled/illicit substance).

5. If detailed Customs inspection is required, the vehicle will be directed to the C&ED Cargo Examination Platform where Customs officers will check the vehicle and/or the cargo on board. If there is no unmanifested cargo or contraband on board, C&ED will release the vehicle. For food consignments, Customs officers will advise the driver to go to the Food Control Office/Animal Inspection Station (FCO/AIS) adjacent to the Man Kam To Control Point operated by FEHD for inspection as necessary.

FEHD & AFCD

6. For consignments of live chicken, a number of actions will be taken by officers at the AIS of FEHD: verifying relevant documents, taking blood samples and collect cloacal samples for H5 avian influenza testing, sealing the vehicle, issuing movement permit, etc. Drivers of vehicles importing live chicken require a movement permit, issued by AIS, in order to deliver the imported poultry to Cheung Sha Wan Temporary Poultry Wholesale Market managed by the AFCD. All vehicles importing live poultry are therefore required to stop at the AIS to obtain the movement permit.

7. As for fish and vegetable, FEHD staff will verify the relevant documents, e.g. proof showing that the consignments come from registered farms in the Mainland, conduct inspection, take samples for analysis as necessary before releasing the vehicle. Should the

driver/owner fail to produce the required documents, FEHD may subject the consignment to hold-and-test procedures and release it upon satisfactory analysis result.

8. AFCD provides the necessary support by, for example, conducting laboratory tests on the samples that FEHD takes from chickens at the land boundary. Where there are illegal imports of live food animals detected at the land boundary, AFCD may also take over the cases from C&ED as appropriate.

CONCLUSION

9. To facilitate control and monitoring, import of live chicken, fish and vegetables by land, among other food types, is required to go through the Man Kam To Control Point. At the control point, Customs officers are responsible for checking and collecting cargo manifests and where necessary perform vehicle and cargo inspection to prevent smuggling of unmanifested cargo and contraband. Goods vehicles with certain food consignments are required to present relevant public health and food safety control documents and are subject to sampling and testing by FEHD officers.

10. Officers of the three departments maintain close liaison and meet regularly to ensure close cooperation and coordination in preventing smuggling and enhancing public health and food safety control.

Customs and Excise Department
Food and Environmental Hygiene Department
Agriculture, Fisheries and Conservation Department

18 July 2008