

(Translation)

**LEGCO QUESTION NO. 6**

(Oral Reply)

Asked by: Hon LEUNG Yiu-chung

Date of Meeting: 7 January 2009

Replied by: Secretary for Food and Health

Question:

It has been reported that vegetables not originating from farms or collection stations registered for supplying vegetables to Hong Kong, as well as uninspected chilled chickens, other types of meat and hairy crabs are being smuggled from the Mainland into Hong Kong. In this connection, will the Government inform this Council:

- (a) whether it has investigated if activities of merchants smuggling food from the Mainland into Hong Kong by such ways as using labels with false information on the source of vegetables and hiding chilled chickens in vegetables are rampant;
- (b) whether it will enhance the coordination with vegetable traders in Hong Kong, in order to eradicate the smuggling of vegetables from the Mainland; and
- (c) in view of the above smuggling activities, what new measures are in place to eradicate the problem of smuggling food into Hong Kong and selling smuggled food in the market, including whether it will enhance communication with the relevant mainland authorities, and step up the works of border inspection as well as inspection of retail outlets?

Reply:

President,

Some vegetable wholesalers staged a slow drive protest yesterday and the action has raised public concern. I wish to explain in detail on how the HKSAR Government ensures the food safety of vegetables before replying to the question from the Honourable Member.

These wholesalers requested the Government to make it mandatory for all vegetables imported from the Mainland to be distributed through local wholesalers on the grounds of enhancing food safety. I must point out that vegetables can be distributed through direct sale or wholesalers. Both are proper channels operated on commercial basis in a free market environment and the distribution channel of vegetables has nothing to do with food safety.

What is essential for ensuring the safety of vegetables is a holistic safety management system. In the late 1980's and the early 1990's, there were food incidents caused by excessive pesticide residues in vegetables. The HKSAR Government therefore in collaboration with the Mainland authorities implemented a series of measures and developed a safety management system which has safeguarded food safety of Mainland vegetables supplied to Hong Kong. In more than a decade, food poisoning incidents caused by vegetables were rare. According to the Department of Health, no food poisoning caused by the consumption of vegetables has been reported since June 2005. The safety management system covers the following aspects:

- (1) A registration system has been established for vegetable farms that supply vegetables to Hong Kong in order to facilitate management at source. Under the registration system, more stringent requirements on the use of pesticides are imposed, and non-registered vegetable farms are not allowed to supply vegetables to Hong Kong.
- (2) Each consignment of vegetables imported from the Mainland must be accompanied with a 「供港澳蔬菜農藥使用報告單」 (certificate of pesticide usage for vegetables supplied to Hong Kong and Macao) and a 「供港澳蔬菜檢驗檢疫監管卡」 (inspection card of vegetables supplied to Hong Kong and Macao) issued by the Mainland authorities. All delivery vehicles will be sealed up to prevent the vegetables from being mixed with vegetables or other articles from unknown sources in the course of transportation.

- (3) In order to strengthen the inspection and quarantine management of vegetables supplied to Hong Kong, the Mainland authorities established the Nanshan Centre for processing and distribution of agricultural products to Hong Kong (南山供港農產品加工配送中心) in Shenzhen. The Centre began operation in April 2007 and adopts a closed management approach. Entry permit is required for relevant personnel to enter the premises and trespassers are not allowed. Vegetable consignments entering the Centre must be accompanied by certificates issued to the Centre by the provincial quarantine departments of the place of origin. After entering the premises, the consignments will be tested at random by the Centre; and only consignments that pass the examination can be transacted. The vegetables have to bear labels on the packages after processing, with the packaging process monitored by the Centre. The consignments can be delivered only after being sealed by the Shenzhen Entry-Exit Inspection and Quarantine Bureau (SZCIQ).
- (4) Vegetables supplied to Hong Kong must be imported via the designated Man Kam To Control Point (MKTCP). SZCIQ would check the seals of the vehicles at Man Kam To and inspect the vehicles on a computer-generated random basis, by unpacking the consignments to verify the type and quantity of the vegetables. On the Hong Kong side, the Centre for Food Safety (CFS) would check the 「供港澳蔬菜農藥使用報告單」 (certificate of pesticide usage for vegetables supplied to Hong Kong and Macao) and 「供港澳蔬菜檢驗檢疫監管卡」 (inspection card of vegetables supplied to Hong Kong and Macao), and again take sample on a random basis, to ensure safety of the vegetables.
- (5) In 2007 and 2008, a total of about 57 000 vegetable vehicles were inspected at the MKTCP, and there was no report of cases involving vegetable source not tallying with accompanying documents. The passing rate of test results of over 37 000 vegetable samples collected at import, wholesale and retail levels from 2007 up till now is 99.9 per cent.

President, it is clear that the existing source management and border monitoring system are offering the local vegetables an extremely high level of protection, in terms of its hygiene and safety. Therefore, there is only a very small chance of vegetables supplied to Hong Kong containing excessive amount of pesticides unless there are individuals who are bent on creating troubles.

- (a) In view of the report on smuggling of chilled chicken and other foodstuffs into Hong Kong by mixing them with vegetables and applying bogus labels of vegetable source, the CFS of the Food and Environmental Hygiene Department (FEHD) has taken follow-up actions and contacted the relevant Mainland authorities for details and requested them to investigate. The CFS has also enhanced collaboration with the Customs and Excise Department (C&ED) to conduct joint inspections on vegetable vehicles at the MKTCP to guard against the entry of problem vegetables into Hong Kong and combat smuggling of food. In December 2008, there are 260 – 280 vegetable vehicles entering Hong Kong via Man Kam To daily. About 15 per cent of the vehicles would be inspected by C&ED, and among which 70 per cent would go through X-ray scanning examination, with the remaining 30 per cent subject to examination by unpacking the consignments. In 2008, C&ED has discovered only two cases of vegetable vehicles transporting un-manifested goods. The situation of using vegetable vehicles to smuggle other food is not serious.
- (b) The Government has been maintaining close liaison with the vegetable traders and has met with them on many occasions to discuss the monitoring of the safety of food imported from the Mainland. The Food and Health Bureau, the Agriculture, Fisheries and Conservation Department and the FEHD had held seven meetings with the vegetable traders in the past two years to discuss suggestions on control of vegetables imported from the Mainland and combating the smuggling of other foodstuffs by means of vegetable vehicles. The Mainland authorities, including the AQSIQ and the SZCIQ, have also met with the vegetable traders from Hong Kong on many occasions.

We note that some vegetable traders hope that all imported vegetables should be distributed through wholesalers in the wholesale markets. However, as I have already explained, this proposal is based purely on commercial considerations, and bears no relationship with the promotion of food safety. Under the free market policy, it is inappropriate for the Government to interfere with the arrangements for distributing vegetables imported into Hong Kong, which should be determined by market demand. In order to enhance food safety control, the Government is formulating the Food Safety Bill under which a mandatory registration scheme for food importers and distributors will be launched and food businesses will be required to keep proper records on the movement of food to enhance food traceability, so that the Authority can trace the source of the problem food based on such information in the event of a food incident.

Regarding the allegation by the trade that unscrupulous traders smuggle other foodstuffs by means of vegetable vehicles, since the traders indicate that they are aware of the details of the situation, we have appealed again to the trade to provide the CFS or the C&ED with information so that investigation can be made. The Government will continue to keep in contact with the trade with a view to tackling the problem of vegetable and meat smuggling.

- (c) The CFS has been maintaining close liaison with the relevant Mainland authorities to explore ways to enhance safety of food imported into Hong Kong. Since April 2007, the Mainland has stepped up control measures on vegetables supplied to Hong Kong. These measures include the management of farms and collection stations that supply vegetables to Hong Kong, labelling requirements and supervision of the whole loading process, marking of vegetable consignments and sealing of vegetable vehicles.

As I have mentioned just now, all fresh food (including fresh vegetables) supplied to Hong Kong that is transported by land must be imported via the MKTCP. The information provided by the Mainland indicates that the SZCIQ inspects daily the seals of all vegetable vehicles at the border crossing and inspect the vehicles on a random basis, by unpacking the consignments to verify the type and quantity of the vegetables. SZCIQ also takes random samples for testing of pesticide residues. When vegetable vehicles arrive at the MKTCP in Hong Kong, officers of the CFS will also check the relevant documents of 30 per cent of the vegetable vehicles, and would examine at random whether the seal on vegetable vehicles remains intact, check whether the vegetable consignment tallies with the accompanying documents, inspect vegetables and take vegetable samples for quick tests for pesticide residues and comprehensive chemical analysis. In 2007 and 2008, a total of about 57 000 vegetable vehicles were inspected at the MKTCP, and there was no report of cases involving vegetable source not tallying with accompanying documents. The passing rate of test results of over 37 000 vegetable samples collected at import, wholesale and retail levels from 2007 up till now is 99.9 per cent.

Regarding the samples with unsatisfactory results, the CFS will take follow-up actions which include destroying the vegetables, tracing of the source, putting on record the information of the farms and informing the respective Entry-Exit Inspection and Quarantine Bureau for follow-up actions. For future vegetable consignments from the relevant farms, they will be detained for testing and will be released only when satisfactory results are obtained.

In addition, the CFS has been working closely with the C&ED in exchanging intelligence and conducting joint operations at the MKTCP to combat smuggling of other foodstuffs by means of vegetable vehicles. In 2007 and 2008, a total of about 12 500 vegetable vehicles were inspected during the joint operations conducted by the CFS and the C&ED.

The C&ED has adopted a number of measures at the various land border control points to combat food smuggling activities, including enhanced inspection of consignments based on risk management and intelligence-led strategy. Moreover, the C&ED has also strengthened cooperation with the customs authorities of the Mainland, including the exchange of intelligence and undertaking joint operations, in order to counter the inflow of the problem meat, poultry and food into Hong Kong.

The CFS would continue to work with C&ED and other relevant government departments to combat any illegal activities and to ensure food safety.