

**For information
8 December 2009**

LegCo Panel on Food Safety and Environmental Hygiene

New Administrative Measures for Vegetables Imported from the Mainland

Purpose

This paper briefs Members on the new set of “Administrative Measures on Inspection, Quarantine and Supervision for Vegetables Supplied to Hong Kong and Macao” (供港澳蔬菜檢驗檢疫監督管理辦法) (the new Measures)¹ implemented in the Mainland and the corresponding regulatory actions taken by the Administration on vegetables imported from the Mainland.

Background

2. The Administration and the Mainland authorities have established administrative arrangements to regulate vegetables imported from the Mainland to Hong Kong. Since 1 July 2002, all vegetables supplied to Hong Kong must come from registered farms or registered collection stations in accordance with the requirements set out in the “Administrative Measures on the Quarantine of the Vegetables Supplied to Hong Kong and Macao”. Each consignment must also be accompanied with documentary proof and affixed with a label with information on the source of the vegetables on the packaging (e.g. basket and carton). The State General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) has recently amended the “Administrative Measures on the Quarantine of the Vegetables Supplied to Hong Kong and Macao” to align with the “Law of the People’s Republic of China on Food Safety” that has already come into force in the Mainland. The new Measures have come into operation on 1 November 2009.

¹ The full text of “Administrative Measures on Inspection, Quarantine and Supervision for Vegetables Supplied to Hong Kong and Macao” is available at http://www.aqsiq.gov.cn/zwgk/jlgg/zjl/2009/200909/t20090918_127148.htm

Highlight of the New Measures

3. The new Measures strengthen the supervision and control at source in respect of vegetable farms and production and processing establishments that supply vegetables to Hong Kong, improve the product tracing system, introduce an electronic supervision system, increase penalties for non-compliance and further realise the food safety management concept of “from source to table”. The new Measures will significantly contribute to ensuring the safety of vegetables imported from the Mainland.

4. The new Measures mainly cover the following aspects:

(a) Implementation of a registration system for farms and production and processing establishments that supply vegetables to Hong Kong

At present, farms and production and processing establishments which supply vegetables to Hong Kong must be registered with the inspection and quarantine authorities. The new Measures have laid down clear registration requirements on conditions, vetting period, management system of the establishments, etc. A list of all registered vegetable farms and production and processing establishments that supply vegetables to Hong Kong is published on the AQSIQ website.

(b) Farms supplying vegetables to Hong Kong to establish a certification and record system for vegetable supply

Under the new Measures, the responsible person of the vegetable farm is required to issue a raw material processing certificate for every vegetable supply consignment supplied to Hong Kong. Production and processing establishments must check the certification documents for the supply of incoming raw materials and keep record.

(c) Implementation of a record system and labelling management system

Vegetable farms and production and processing establishments are respectively required to establish and maintain a record system for vegetable production and purchase and inspection of raw materials. The record keeping period must not be less than two years.

Production and processing establishments must affix labels on the packaging for transport and sale of their vegetables supplied to Hong Kong to facilitate source tracing. Information on the labels must include the name, address and registration number of the establishments, product name, date of production and consignment number.

(d) Loading supervision and seal control

The new Measures require production and processing establishments to conduct testing on vegetables supplied to Hong Kong. Upon obtaining satisfactory testing results, the establishment must apply to local inspection and quarantine authorities for inspection and submit a raw material processing certificate, an export certificate as well as a certificate of production in respect of the vegetables supplied to Hong Kong.

Production and processing establishments shall apply to the inspection and quarantine authorities for seals bearing serial numbers and seal all conveyances supplying vegetables to Hong Kong. The seals are exclusively produced by the inspection and quarantine authorities. The establishments must keep record of the application and use of seals and implement a stringent verification and write-off management system in accordance with the requirements.

The inspection and quarantine authorities will conduct surveillance through video or by deploying their staff, and carry out on-site inspections at irregular intervals.

(e) Implementation of an electronic supervision system

In accordance with the requirements of the new Measures, inspection and quarantine authorities have to introduce an electronic management system for various supervision work in relation to vegetables supplied to Hong Kong, including the registration information of production and processing establishments; records of vegetable supply certification documents; on-site inspection and sampling records; sample testing records; loading supervision and sealing records; information of export certificates, etc.

For instance, the Shenzhen Entry-Exit Inspection and Quarantine Bureau has installed video surveillance systems at all of the 14 production and processing establishments which supply vegetables to Hong Kong in areas under its jurisdiction. In addition, a video surveillance centre has also been set up at the Man Kam To Sub-bureau. Detailed instructions of video surveillance have been formulated and officers are deployed to the production and processing establishments to monitor production procedures including the purchase of raw materials, processing, testing, vehicle loading, and sealing of consignments.

(f) Testing of pesticide residues in production and processing establishments

Production and processing establishments must be equipped with instruments for testing pesticide residues, and must conduct testing on incoming raw materials. The inspection and quarantine authorities may conduct on-site inspection and take random vegetable samples at the border for testing.

(g) Inspection at the border

The inspection and quarantine authorities will conduct random testing of vegetables supplied to Hong Kong and issue a “Clearance Certificate for Exports” (出境貨物通關單) based on the results. The inspection and quarantine authorities at the boundary control point will conduct random checking on the seals and certificates of vegetables supplied to Hong Kong at the border.

(h) Non-compliance

Under the new Measures, penalties for illegal conducts have been increased. Vegetable farms and production and processing establishments will be fined or even disqualified from being eligible to supply vegetables to Hong Kong upon violation of relevant inspection and quarantine requirements, or if their vegetables are tested to contain toxic or harmful substances exceeding the prescribed limits or contain prohibited pesticides, or if their vegetables are reported by Hong Kong to be unsatisfactory.

Corresponding Regulatory Actions Taken Following Implementation of the New Measures

5. Since the implementation of the new Measures, officers of the Centre for Food Safety (CFS) have been monitoring imported vegetables at Man Kam To according to the arrangements mentioned above. They check the seals of the vegetable vehicles, verify and examine the export certificate of each vegetable consignment and take vegetable samples for testing of pesticide residues.

6. From 1 to 15 November 2009, the CFS inspected about 470 vegetable vehicles at Man Kam To, and has not discovered any case of vegetable source not tallying with the accompanying documents of relevant consignments. During the period, over 370 vegetable samples were taken for testing of pesticide residues. None of these samples has been found to be unsatisfactory.

7. The CFS will continue to closely monitor the food safety of vegetables imported from the Mainland, enhance the inspection of vegetable vehicles at Man Kam To and detain any consignment found not tallying with its accompanying documents. If any vegetable sample is tested to be unsatisfactory, the CFS will destroy the vegetable consignment concerned and inform the relevant Mainland authorities for investigation and follow-up actions. The CFS will also record the information of the vegetable farm and production and processing establishment concerned, as well as the vegetable vehicle involved to facilitate detention of their next vegetable consignment supplied to Hong Kong.

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