



Research Office  
Legislative Council Secretariat

## Fact Sheet

# Regulation of imported food in Hong Kong

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## 1. Introduction

1.1 Hong Kong has little arable land and few natural resources, so it imports most of its food from outside. Imports currently account for over 90% of the total food supply in Hong Kong. The Mainland is the most important food source, especially for fresh food. Among the imported food products, 100% of livestock, 93% of vegetables, 53% of eggs and 45% of marine products came from the Mainland in 2015. As most food supplies originate outside the territory, import control is an important part of the Government's food safety work. This fact sheet highlights the regulation of imported food in Hong Kong in terms of the legal framework, the responsible government authorities, and the food safety control measures undertaken before and after importation.

## 2. Legal framework governing imported food

2.1 The basic food law in Hong Kong is laid down in Part V of the *Public Health and Municipal Services Ordinance* (Cap. 132). The main provisions cover general protection for food purchasers, offences in connection with sale of unfit/adulterated food, composition and labelling of food, food hygiene, as well as seizure and destruction of unfit/adulterated food.

2.2 The subsidiary legislation under the *Public Health and Municipal Services Ordinance* sets out specific legal requirements for the import of perishable or high-risk food comprising (a) game, meat, poultry and eggs; (b) milk and milk beverages; (c) frozen confections; and (d) marine products. These perishable/high-risk food products are subject to different food safety control measures stipulated in the subsidiary legislation. In general, the

control process involves a pre-entry import licensing system,<sup>1</sup> verification of health certificates<sup>2</sup> and prior approval of source of manufacture<sup>3</sup>.

2.3 Another food law in Hong Kong, the *Food Safety Ordinance* (Cap. 612), provides for new food safety control measures. Under the *Ordinance*, all food importers and distributors have to register with the Government once every three years. The registration scheme enables the relevant authorities to identify and contact the importers and distributors in case of food incidents. In addition, the *Ordinance* requires registered importers to keep records of the import activities for a specified period of time, including (a) the date the food was acquired; (b) the name and contact details of the person from whom the food was acquired; and (c) the place from where the food was imported. The record keeping requirements aim to enhance the traceability of the movement of imported food products.

### **3. Government authorities responsible for food safety control**

3.1 In Hong Kong, the Food and Health Bureau oversees both food and healthcare issues. On the food issue, its Food and Environmental Hygiene Department is responsible for food hygiene in Hong Kong with the mission of ensuring that food sold in the territory is safe and fit for consumption. The Department has established the Centre for Food Safety as its executive arm to carry out food safety control through measures such as the food surveillance programme and risk-based food inspections (to be discussed in Section 4).

3.2 Within the Food and Health Bureau, the Agriculture, Fisheries and Conservation Department and the Government Laboratory also carry out specific work related to food safety. The Agriculture, Fisheries and Conservation Department licenses and inspects farms, monitors animal disease, regulates drug use in livestock farms, and ensures safe and proper use of pesticides by farmers. For the Government Laboratory, it provides food testing services to support the regular Food Surveillance Programme of the Centre for Food Safety and assist the Centre in handling food incidents.

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<sup>1</sup> Under the *Import and Export Ordinance* (Cap. 60), import of frozen or chilled beef, mutton, pork and poultry is subject to import licensing control. The Food and Environmental Hygiene Department is responsible for issuing import licences for these foods.

<sup>2</sup> The *Imported Game, Meat, Poultry and Eggs Regulations* require food products such as game and eggs to be imported with a health certificate issued by an issuing entity recognized by the Director of Food and Environmental Hygiene certifying that the food products concerned are fit for human consumption.

<sup>3</sup> The *Frozen Confections Regulation* requires any frozen confection to be imported into Hong Kong from a source of manufacture that has been approved by the Director of Food and Environmental Hygiene.

## **4. Food safety control measures before and after importation**

4.1 The Centre for Food Safety monitors food safety under the Food Surveillance Programme. The Programme, following the "from farm to table" strategy, is designed to control food safety throughout the food chain, starting from farm audits, to import control, to food surveillance at the import, wholesale and retail levels. For imported food products, the Centre employs two-stage controls to ensure their safety before and after importation.

### Control before importation

4.2 Control measures before importation include registration of importers, prior import approval for high-risk food, and prior approval of source of manufacture (as described in paragraph 2.2). As over 90% of the food supply in Hong Kong is imported, control at source is also of paramount importance for ensuring food safety in Hong Kong.

4.3 The Food and Environmental Hygiene Department collaborates closely with exporting partners, particularly the Mainland, in ensuring that only safe food enters the local market. Of particular importance are the administrative arrangements made with the State General Administration of Quality Supervision, Inspection and Quarantine to strengthen the import control on vegetables, eggs, freshwater fish and livestock from the Mainland. Under the arrangements, the above imported food products must be originated from registered farms<sup>4</sup> and accompanied by health certificates and relevant documents issued by the respective Mainland authorities.

### Control after importation

4.4 After the arrival of imported food products, the Centre for Food Safety takes samples at the border as well as at the wholesale and retail levels. It adopts a risk-based principle in determining the types of food samples to be collected, the frequency and number of samples taken for testing and the required laboratory analysis to be conducted.<sup>5</sup> The sampling programme is

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<sup>4</sup> Registered farms are required to follow relevant Mainland regulations governing their sanitation, use of veterinary drugs/pesticides, and/or quarantine control.

<sup>5</sup> Analysis includes microbiological, chemical and radiation tests. Microbiological testing covers both bacteria and viruses, while chemical testing includes natural toxins, food additives and contaminants.

under regular review by the Centre, taking into account factors such as past food surveillance results, local and overseas food incidents, hazards associated with the food or food ingredients, and the potential risks to the consumers.

4.5 Food products identified at the import level to be unfit for human consumption will be rejected at the entry. For those problem food products identified at the wholesale and retail levels, they might be impounded or recalled.<sup>6</sup> In most cases, recalls of food are carried out voluntarily by the relevant food industries and traders. If there is no industry-initiated recall, the Director of Food and Environmental Hygiene can make a food safety order under the *Food Safety Ordinance* to prohibit the import or supply of problem food.

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<sup>6</sup> Apart from being initiated from the results of the sampling food tests, food recalls may be triggered due to the information provided by the manufacturers or retailers, or food alerts issued by food authorities in other jurisdictions.

## References

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