

Subcommittee on Pesticide Residues in Food Regulation

**Follow-up on Matters arising from the Subcommittee Meeting
on 22 May 2012**

Purpose

This paper sets out the Administration's response to enquiries made by Members at the Subcommittee meeting on 22 May 2012, regarding –

- (a) how the list of maximum residue limits (MRLs) / extraneous maximum residue limits (EMRLs) in Schedule 1 to the Pesticide Residues in Food Regulation (“the Regulation”) was formulated; and
- (b) the necessity for a grace period prior to the commencement of the Regulation.

List of MRLs / EMRLs in Schedule 1 of the Regulation

2. The Regulation specifies in Schedule 1 a list of over 7 000 MRLs/EMRLs for certain pesticide-food pairs (i.e. the maximum concentration of specified pesticide residues permitted in specified food commodities). The list is based primarily on the available standards recommended by the Codex Alimentarius Commission (“Codex”) (around 2 800 MRLs/EMRLs), supplemented by standards of the Mainland (around 800 MRLs) and other major food exporting countries to Hong Kong, including the United States and Thailand (around 3 200 MRLs/EMRLs). It has also taken into account comments received during public consultation conducted in 2011 (around 300 MRLs/EMRLs). All standards set out in Schedule 1 to the Regulation have been scrutinised by conducting risk assessment to ensure that they are adequate to protect public health in Hong Kong. Taking into account the heavy reliance of Hong Kong on imported food, such an approach will strike a balance between protecting public health and maintaining a stable supply of food in Hong Kong.

3. The Centre for Food Safety (CFS) has engaged the trade at early stage during the formulation of the list of MRLs/EMRLs. The list in its preliminary

draft was first uploaded to the website of CFS for comments by the trade in March 2011. Traders were encouraged to comment on the list on different occasions including regular technical meetings between CFS and the trade as well as during the public consultation from July to September 2011. CFS briefed the trade at a meeting on 30 March 2012 on the revised list of MRLs/EMRLs which has incorporated the latest standards of Codex, the Mainland, the United States and Thailand, and suggestions received during consultation. The trade noted the updates and had no further comments.

4. We have advised trade members that as new pesticides and new applications on crops keep emerging, Schedules 1 and 2 to the Regulation will be updated by the Director of Food and Environmental Hygiene (DFEH) regularly. To this end, traders are welcomed to make proposals accompanied by sufficient supporting information to DFEH for consideration. DFEH would suitably incorporate the proposals received in the next updating exercise of Schedules 1 and 2, taking into account the latest international developments, consistency with the existing list, availability of relevant supporting information and reference materials for testing, and whether the limits concerned could pass risk assessment.

Grace period prior to commencement of the Regulation

5. We have proposed a grace period of about two years prior to the commencement of the Regulation on 1 August 2014, after taking account of the need for timely implementation of the Regulation and the preparation required by the trade.

6. The Regulation affects a wide range of stakeholders including food manufacturers, food importers, food distributors, retailers, local farmers, private laboratories and pesticide suppliers. During earlier consultation, the trade has indicated that a sufficient period of time would be required for the following major preparatory work –

- (a) to familiarise themselves with the Regulation which is new and highly technical, including how to determine MRLs/EMRLs for different food commodities by applying the relevant sections and Schedule 1 of the Regulation as well as by making reference to the food classification

system of Codex;

- (b) to liaise with food suppliers to ensure that the food commodities they are dealing with could meet the standards under the Regulation. If necessary, some food traders may have to switch to suppliers who are reputable and able to provide documentary proof on compliance with the Regulation; and
- (c) private laboratories which provide testing services for pesticide residues in food in Hong Kong may have to acquire the necessary facilities, enhance their testing capability and develop suitable testing methods.

7. The proposed two-year grace period, supported by trade members, is considered necessary for relevant stakeholders to prepare for the commencement of the Regulation and to avoid any unintended impact on food supply. During the grace period, CFS will provide briefings, training and guidelines for different sectors to familiarise them with the Regulation. The Government Laboratory will also provide technical assistance to private laboratories.

Advice Sought

8. Members are invited to note the content of this paper.

Food and Health Bureau
May 2012