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中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

Our ref: FH CR 5/1886/07
Your ref: LS/S/24/11-12(01)

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By Fax
5 June 2012

Miss Evelyn LEE
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(Fax No: 2877 5029)

Dear Miss LEE,

Subcommittee on Pesticide Residues in Food Regulation

Thank you for your letter of 1 June 2012 concerning the Pesticide Residues in Food Regulation ("the Regulation").

The word "cases" in the phrase "...cases that also fall within paragraph (d) or (e) ..." in section 4(1)(f) of the Regulation refers to situations where food containing pesticide residues (see the words that appear in the chapeau of section 4(1)) is food to which either paragraph (d) [of section 4(1)] or paragraph (e) [of section 4(1)] applies. There may be more than one way in which this exception can be expressed, but considering the wording of section 4(1)(f), and the context and the arrangement of the various paragraphs under section 4(1), we are of the view that the meaning has been clearly expressed, i.e. where a food containing pesticide residues is one to which paragraph (d) or (e) of section 4(1) applies, it is not necessary to consider paragraph (f) as it does not apply to the food in question. We do not see how the existing section 4(1)(f) might create any ambiguity and therefore do not consider any amendment necessary. In addition, "cases", as a plural noun, could be used together with the disjunctive reference that follows.

I trust the above has addressed your concern.

Yours sincerely,

(Clement CHAN)

for Secretary for Food and Health

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