

LEGISLATIVE COUNCIL BRIEF

Issuance of an order under section 30(1) of the Food Safety Ordinance (Cap. 612) to prohibit the import and supply of lard/lard products produced by CHANG GUANN Co. Ltd. in Taiwan and food products made with such lard/lard products

ISSUE

The Director of Food and Environmental Hygiene (DFEH) made an order (at Annex) under section 30 of the Food Safety Ordinance (Cap. 612) (the Order) on 14 September 2014 to prohibit the import and supply¹ within Hong Kong of all lard/lard products produced by CHANG GUANN Co. Ltd. in Taiwan (CHANG GUANN) on or after 1 March 2014, as well as all food products made in Taiwan or Hong Kong with such lard/lard products, with effect from noon on 14 September 2014. The Order also directs that such lard/lard products and food products which have been supplied be recalled within 14 days from the effective date of the Order and be disposed of, in the specified manner. The Order was published in gazette on 14 September 2014.

JUSTIFICATIONS

2. The incident of “sub-standard lard” from Taiwan was first reported by Taiwan authorities on 4 September 2014. On 11 September 2014, the Taiwan authorities announced that in addition to the initially affected lard “全統香豬油(合將香豬油)”, another 24 lard/lard products produced by CHANG GUANN might have been contaminated. These products have been impounded by the Taiwan authorities. Six Hong Kong importers have imported some of these contaminated products.

¹ “Supply” means (a) to sell the food; (b) to offer, keep or exhibit the food for sale; (c) to exchange or dispose of the food for consideration; or (d) for commercial purposes, to give the food as a prize or to make a gift of the food.

3. According to Taiwan authorities, these substandard lard/lard products have also been used to manufacture other food products. The traders in Taiwan are instructed to recall these food products. Some of these food products have been imported into Hong Kong.

4. Lard is widely used in Hong Kong to produce food products commonly available in the market. The sub-standard lard/lard products imported by the six Hong Kong importers concerned may possibly be used to manufacture food products locally.

5. In light of the latest announcement of the Taiwan authorities as mentioned above, we have reasonable ground to conclude that the consumption of the lard/lard products produced by CHANG GUANN on or after 1 March 2014 and food products made with such lard/lard products in Taiwan or Hong Kong will pose health risks.

ORDER MADE UNDER SECTION 30(1) OF CAP. 612

6. Section 30(1) of Cap. 612 provides that DFEH may make an order to, among others, prohibit the import and the supply of any food for the period specified in the order, as well as to direct that any food supplied be recalled and specify the manner in which, and the period within which, the recall is to be conducted. Section 30(2) stipulates that the Director may only make a section 30(1) order if the Director has reasonable grounds at the time of making the order to believe that the making of the order is necessary to prevent or reduce a possibility of danger to public health or to mitigate any adverse consequence of a danger to public health.

7. According to information from Taiwan authorities, the sub-standard lard/lard products were produced from collected waste oils and substandard ingredients such as lard for animal feeds. Lard/lard products so produced are subject to contamination by harmful substances such as benzo[a]pyrene, aflatoxins and metallic contaminants etc. These harmful substances can cause cancers or other adverse health effects to the consumers, thus presenting possible danger to public health. DFEH has therefore decided it was necessary to make a section 30(1) order to prevent or reduce a possibility of danger to public health, or to mitigate any adverse consequence of a danger to public health.

8. A copy of the Order is at **Annex**. The Order –

- prohibits the import and supply of all lard/lard products produced by CHANG GUANN on or after 1 March 2014, including but not limited to the products specified in the Appendix of the Order;
- prohibits the import and supply of all food products made in Taiwan or Hong Kong with the above-mentioned lard/lard products; and
- directs that such lard/lard products and food products which have been supplied be recalled within 14 days from the effective date of the Order and be disposed of, in the manner specified.

9. The Order is directed to all persons and took effect at noon on 14 September 2014. Any person who contravenes a term of the Order commits an offence and is liable on conviction to a fine at level 6 (currently \$100,000) and to imprisonment for 12 months.

PUBLICITY

10. A press release was issued on 14 September 2014. A spokesman is available to answer press enquiries.

ENQUIRIES

11. Any enquiries on this brief may be addressed to Mr Jeff LEUNG, Principal Assistant Secretary (Food)1 at 3509 8925.

Food and Health Bureau

15 September 2014

FOOD SAFETY ORDINANCE
(Chapter 612)
(Section 30)
Food Safety Order

Order No. : CFS/1/2014
FEHD Ref. : FEHD/CFS/12/1/32/Pt 3
TO : All Persons

This Order takes effect from noon on 14 September 2014.

I now have reasonable grounds to believe that the making of this order in relation to the food specified in Annex A is necessary to prevent or reduce a possibility of danger to public health, or to mitigate any adverse consequence of a danger to public health, the details of which are specified in Annex B. **I DO**, in exercise of my powers under section 30(1) of the Food Safety Ordinance (Chapter 612), order that :

- (a) you be prohibited from importing into Hong Kong the food specified in Annex A, that is intended for human consumption, from noon, 14 September 2014 until further notice;
- (b) you be prohibited from supplying¹ within Hong Kong the food specified in Annex A, that is intended for human consumption, from noon, 14 September 2014 until further notice; and
- (c) you recall within a period of 14 days from noon, 14 September 2014 the food specified in Annex A, that is intended for human consumption and has been supplied by you and dispose of such food, in the manner specified in Annex C.

If you feel that you are aggrieved by this order, you may, within 28 days after becoming bound by it (that is the date and time specified in the first paragraph), appeal to the Municipal Services Appeals Board.

¹ "Supplying" means (a) selling the food; (b) offering, keeping or exhibiting the food for sale; (c) exchanging or disposing of the food for consideration; or (d) for commercial purposes, giving the food as a prize or making a gift of the food.

A person bound by this order who contravenes a term of the order commits an offence and is liable on conviction to a fine at level 6 (currently \$100,000) and to imprisonment for 12 months. It is not a defence for a person to show that the food concerned is the subject of a licence, permit or any other form of authorization issued or granted under this or any other Ordinance.

Dated this 13 September 2014



(Vivian LAU)

Director of Food and Environmental Hygiene

FOOD SPECIFIED IN THE ORDER

Brand Name & Food Name/ Designation	Place of Origin	Date of Production
All lard/lard products from CHANG GUANN Co. Ltd. including but not limited to the products specified in Appendix	Taiwan	On or after 1 March 2014
All food products made with the above-mentioned lard/lard products	Taiwan or Hong Kong	On or after 1 March 2014

List of known lard/lard products from CHANG GUANN Co. Ltd.

Brand Name & Food Name/ Designation	Manufacturer's/ Packer's Name & Address	Place of Origin	Count/ Weight/ Volume	Best Before/ Use By Date	Batch No./ Bar Code No.
1. 全統香豬油/合將香豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	All	N/A	Produced on or after 1 March 2014
2. SRL14 特製豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Carton (16kg)	N/A	Produced on or after 1 March 2014
3. SRL14 特製豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (16kg)	N/A	Produced on or after 1 March 2014
4. RL(A)精製豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Loose pack	N/A	Produced on or after 1 March 2014
5. RL(E)精豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Drum (180kg)	N/A	Produced on or after 1 March 2014
6. RL(E)精豬油 (small opening)	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Drum (180kg)	N/A	Produced on or after 1 March 2014
7. RL(E)精豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (18kg)	N/A	Produced on or after 1 March 2014

8. RL(A)精豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (16kg)	N/A	Produced on or after 1 March 2014
9. RL(E)精豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Loose pack	N/A	Produced on or after 1 March 2014
10. RCS 精清芳油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Drum (180kg)	N/A	Produced on or after 1 March 2014
11. RCS 精清芳油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (18L)	N/A	Produced on or after 1 March 2014
12. RL03 精豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Drum (180kg)	N/A	Produced on or after 1 March 2014
13. RL(A)精豬油 (large opening)	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Drum (180kg)	N/A	Produced on or after 1 March 2014
14. SRL-EX 豬之脂豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
15. SRL-EX 特佳 清香	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (14.5kg)	N/A	Produced on or after 1 March 2014
16. SRL-EX 五月花特製 豬油 清香	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014

17. SRL-EX 三葉牌豬油 清香	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
18. SRL-EX 金印特製豬 油 清香	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
19. SRL-EX 鳳凰 清香	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
20. SRL-EX 維嘉 清香	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
21. SRL-EX SUNRIPE 清 香	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
22. SRL-EX 味師傅精緻 豬油 清香	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
23. SR14L-EX 全統特製 豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
24. SRL-EX 特寶精製豬 油 濃醇	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014
25. LO103(E)香醇豬油	CHANG GUANN Co. Ltd., Taiwan	Taiwan	Tin (15kg)	N/A	Produced on or after 1 March 2014

**REASON FOR MAKING THE ORDER AND
PRINCIPAL FACTORS THAT LED TO MAKING OF THE ORDER**

Summary of incident

The incident of “sub-standard lard” from Taiwan was first reported by Taiwan authorities on 4 September 2014. On 11 September 2014, the Taiwan authorities announced that in addition to the initially affected lard “全統香豬油(合將香豬油)”, another 24 lard/lard products produced by CHANG GUANN Co. Ltd in Taiwan might have been contaminated. These products have been impounded by the Taiwan authorities. Six Hong Kong importers have imported some of these contaminated products.

According to Taiwan authorities, these substandard lard/lard products have also been used to manufacture other food products. The traders in Taiwan are instructed to recall these food products. Some of these food products have been imported into Hong Kong.

Lard is widely used in Hong Kong to produce food products commonly available in the market. The sub-standard lard/lard products imported by the six Hong Kong importers concerned may possibly be used to manufacture food products locally.

In light of the latest announcement of the Taiwan authorities as mentioned above, we have reasonable ground to conclude that the consumption of the lard/lard products produced by CHANG GUANN Co. Ltd. and food products made with such lard/lard products in Taiwan or Hong Kong will pose health risks.

Source of Information

Food and Drug Administration, Taiwan

Health Effects

According to information from Taiwan authorities, the sub-standard lard/lard products from CHANG GUANN Co. Ltd. were produced from collected waste oils and substandard ingredients such as lard for animal feeds. Lard/lard products so

produced are subject to contamination by harmful substances such as benzo[a]pyrene, aflatoxins and metallic contaminants etc. These harmful substances can cause cancers or other adverse health effects to the consumers, thus presenting possible danger to public health.

**MANNER IN WHICH PRODUCT RECALL AND DISPOSAL
SHOULD BE CONDUCTED**

(A) Applicable to importers

1. Immediately conduct a stock take of the storage facilities and isolate any remaining stock of the food specified in Annex A.
2. Set up telephone enquiry service to handle enquiries related to recall of the food specified in Annex A as soon as possible.
3. Immediately notify all known distributors of the recall and its arrangement.
4. Inform FEHD¹, upon commencement of recall, of detailed description of the products to be recalled and the recall period.
5. Display posters of not less than A4 size (21cm x 30cm) at a conspicuous location on the importer's premises. The posters shall have:
 - (a) the heading 'Food/Product's Name – Recall Announcement';
 - (b) the description and brand (if any) of the food;
 - (c) picture(s) of the food;
 - (d) details of the recall arrangement (such as period of recall, place of recall or return of the food);
 - (e) the full name, address and telephone number of the recalling importer; and
 - (f) the telephone enquiry service for the recall.
6. Retract the food concerned returned by distributor(s), retailer(s) or consumers.
7. Report to FEHD¹ within two working days upon completion of recall for advice on final disposal of the recalled food and any remaining stock.
8. Submit report to FEHD¹ within one week from the date of completion of recall, and the report should contain the following information:

¹ Email : dmylam@fehd.gov.hk
Fax : 2776 5226

- (a) the names of the companies, organizations or persons from whom the food was returned;
- (b) the description of the recalled food and the amount of the food returned;
- (c) the description and amount of any remaining stock;
- (d) a reconciliation between the delivered and recovered quantities of the food, as well as the stock in hand; and
- (e) the final disposal of the returned food and any remaining stock.

(B) Applicable to distributors

1. Immediately conduct a stock take of the storage facilities, isolate any remaining stock of the food specified in Annex A and return the food concerned to the supplier.
2. Set up a telephone enquiry service to handle enquiries related to recall of the food specified in Annex A as soon as possible.
3. Immediately notify all known retailer(s) and consumers of the recall and its arrangement.
4. Inform FEHD², upon commencement of recall, of detailed description of the products to be recalled and the recall period.
5. Display posters of not less than A4 size (21cm x 30cm) at a conspicuous location on the distributors' premises. The posters shall have:
 - (a) the heading 'Food/Product's Name – Recall Announcement',
 - (b) the description and brand (if any) of the food;
 - (c) picture(s) of the food;
 - (d) details of the recall arrangement (such as period of recall, place of recall or return of the food);
 - (e) the full name, address and telephone number of the recalling trader(s)/ organization(s)/person(s); and
 - (f) the telephone enquiry service for the recall.
6. Retract the food returned by retailer(s) or consumers and return to the supplier.

² Email : Food_Recall_Notification@fehd.gov.hk
Fax : 2521 4784

7. Keep records of recalled food, including :
 - (a) a description of the food returned such as brand and product name, size, identifying codes;
 - (b) the date and quantity of food returned; and
 - (c) the disposal of the food, for example, returned to the supplier(s).
8. Report to FEHD² within two working days upon completion of recall, the quantity and description of the recalled food and any remaining stock, and the date of return to the supplier.

(C) Applicable to retailers

1. Immediately stop sale and use of all food specified in Annex A, and return them to the supplier.
2. Immediately remove from the shelves all food specified in Annex A, and return the food concerned to the supplier. In case there is no supplier, the food concerned should be properly destroyed by the retailer.
3. Keep record on quantity and description of the food such as brand and product name, size, identifying codes, and date of return to the supplier (or destruction as appropriate) of the food concerned; and report the same to FEHD³ within two working days upon return to the supplier (or destruction as appropriate) of the food concerned.

³ Email : Food_Recall_Notification@fehd.gov.hk
Fax : 2521 4784