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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

(Translation)

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By Fax

13 January 2014

Dr Hon Helena WONG Pik-wan
Chairman of the LegCo Panel on
Food Safety and Environmental Hygiene
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Chairman,

Contaminated horse feed being used as fish feed
by freshwater fish farmers

On 6 and 10 January 2014, this Panel wrote to us, requesting our response to the issue of "follow-up on Hong Kong Jockey Club's feed with beta-agonist being used by fish farmers" raised by Dr Hon KWOK Ka-ki and Hon Steven HO and Hon CHAN Han-pan. After seeking input from the Agriculture, Fisheries and Conservation Department (AFCD), I write to set out our reply below.

On 6 November 2013, AFCD was informed by the Hong Kong Jockey Club (HKJC) that some 2 300 bags (about 55 tonnes) of horse feed contaminated by beta-agonist "Zilpaterol" were released by frontline staff of HKJC to a local feed supplier during the period from 7 to 15 October 2013 and the contaminated horse feed was being used as fish feed by a few freshwater fish farms. As indicated by HKJC, beta-agonist

“Zilpaterol” is a feed supplement for promoting the growth of cattle. It is approved for use in cattle feed in some countries including the USA, Canada, South Africa and Brazil. According to the information provided by HKJC, the contaminated horse feed in question contained zero to 25 parts per billion of beta-agonist “Zilpaterol”. As also indicated by HKJC, the withdrawal period of beta-agonist “Zilpaterol” for cattle in the USA is three days. During the withdrawal period, the beta-agonist “Zilpaterol” will be metabolized or excreted. The residue level is governed by the relevant authority in the USA.

AFCD has started investigation right after it learned of the incident. The Department notified the freshwater aquaculture industry and the affected fish farms of the incident immediately. The concerned fish farmers were requested to stop using the contaminated feed, to ascertain the species and size of the affected fish stocks, and to ensure that the fish fed with the contaminated feed do not enter the market. All the affected fish farmers confirmed with AFCD that no affected fish was sold, and they agreed not to harvest the affected fish for sale.

According to the information provided by HKJC and the concerned feed supplier, 9 fish farms with 19 fish ponds totalling 21.3 hectares have used these “Zilpaterol” contaminated feed. The affected fish stocks are mainly grey mullet, grass carp and tilapia including some juveniles. The total affected stocks weighted some 300 tonnes.

All the affected fish farmers confirmed with AFCD that no affected fish was sold. AFCD considered that no affected fish had been released to the food supply chain.

AFCD maintained close contact with HKJC and the freshwater aquaculture industry throughout the incident. HKJC has indicated commitment to take all necessary actions to properly handle this incident. With assistance from AFCD, HKJC has retrieved several hundred bags of unused contaminated horse feed. HKJC has agreed to purchase all affected fish from the concerned fish farmers for proper handling. HKJC will start collecting the affected fish from 14 January 2014 so as to prevent the affected fish from entering the food market.

Also, with assistance from AFCD, HKJC has collected fish, water and sediment samples from all the affected fish ponds. Samples are being tested by an accredited laboratory for “Zilpaterol” contamination. AFCD will monitor closely to ensure that the affected fish ponds are fit for

aquaculture. Should "Zilpaterol" residue be detected, AFCD will advise on mitigation measures.

According to the information provided by HKJC, the contamination with "Zilpaterol" is not the original ingredient of the horse feed concerned. Therefore, there is no evidence suggesting that the horse feed is a "pharmaceutical product" as defined under the Pharmacy and Poisons Ordinance.

Currently, there are no registered pharmaceutical products containing "Zilpaterol" in Hong Kong. If a product contains "Zilpaterol" as its active ingredient and falls within the definition of "pharmaceutical product" as stipulated by the Pharmacy and Poisons Ordinance, such product must be registered with the Pharmacy and Poisons Board before it can be sold in Hong Kong. Any person involved in illegal sale or possession of unregistered pharmaceutical products containing "Zilpaterol" may be prosecuted by the Department of Health, and shall be liable on conviction to a maximum penalty of a fine of \$100,000 and imprisonment for two years.

At present, "Zilpaterol" is not listed as a regulated substance under the Harmful Substances in Food Regulations (Cap.132AF) and the Public Health (Animals and Birds) (Chemical Residues) Regulation (Cap.139N). Nevertheless, section 54 of the Public Health and Municipal Services Ordinance (Cap.132) stipulates that all food on sale must be fit for human consumption. The Centre for Food Safety (CFS) will, by means of risk assessment, ascertain whether consumption of the food in question is dangerous or prejudicial to health.

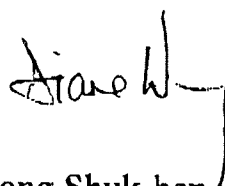
In light of the incident, CFS conducted a risk assessment. CFS noted that the Joint Food and Agriculture Organization/World Health Organization Expert Committee on Food Additives (JECFA) had evaluated the safety of "Zilpaterol" and established an acceptable daily intake (ADI) of 0.04 $\mu\text{g}/\text{kg}$ body weight (bw). "ADI" refers to an estimate of the amount of a chemical substance in food or drinking water that may be ingested daily over a lifetime without health risk to the consumer. Transient excursions above the ADI value, if not for a long period of time, would have no health consequences. Based on the information provided by HKJC, it was calculated that an adult weighing 70 kg would need to ingest on a long-term and daily basis an amount of "Zilpaterol" equivalent to that in 112 g of the affected horse feed in order to reach the ADI. Consumption of food containing "Zilpaterol" in

excessive concentration may result in symptoms such as increased heartbeat or tremor in humans.

The Codex Alimentarius Commission has not established any residue limits for "Zilpaterol" in animal tissues. Nevertheless, to ensure food safety in Hong Kong, CFS will review the local food legislation from time to time and keep in view the latest development, including the best practice of international organisations and overseas authorities.

We note that no fish affected in this incident has entered the local market. CFS will maintain close liaison with AFCD and monitor any further developments, thereby ensuring the safety of food on sale in Hong Kong. AFCD will continue to provide assistance including paying regular visits to the concerned fish farms, fish health inspections and collecting samples for examination.

Yours sincerely,



(Miss Wong Shuk-han, Diane)
for Secretary for Food and Health

LegCo Panel on Food Safety and Environmental Hygiene

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Hong Kong Jockey Club