

# 立法會

## *Legislative Council*

LC Paper No. CB(2)192/15-16(06)

Ref : CB2/PL/FE

### **Panel on Food Safety and Environmental Hygiene**

#### **Information note prepared by the Legislative Council Secretariat for the meeting on 10 November 2015**

#### **Enhancing the monitoring and surveillance of food trading and imports**

At the meeting of the Panel on Food Safety and Environmental Hygiene ("the Panel") held on 9 June 2015, members noted a letter from Dr Hon Helena WONG expressing concern about the absence of food inspection checkpoint at the Kwai Chung Container Terminal to conduct checks on food products imported via marine channel, in particular those imported from Japan which might be contaminated by radiation (LC Paper No. CB(2)1432/14-15(01)). Members agreed that the Panel should discuss the food safety surveillance mechanism for food products imported via marine channel at a future meeting.

2. In his letter of 18 September 2015 (LC Paper No. CB(2)2126/14-15(01)), Prof Hon Joseph LEE suggested the Panel's discussion of the regulation of online sale of food products and the relevant food safety legislation regulating such activities.

3. The Panel has not discussed these subjects before. The Administration will brief members at the Panel meeting on 10 November 2015 on its efforts in enhancing the monitoring and surveillance of food trading and imports, covering the above two issues suggested by members.

#### Regulation of online sale of food products

4. According to information available on the website of the Centre for Food Safety ("CFS"), food safety regulations governing traditional business activities related to the import, sale and advertising of food products are also applicable to sale activities conducted online. Food traders should comply with the following local legal requirements -

- (a) for the importation of certain high-risk food commodities -
  - ❖ an import licence is required for the import of chilled/frozen meat or chilled/frozen poultry;
  - ❖ game, meat and poultry can only be imported from approved country of origin;
  - ❖ a permission is required for the import of milk or milk beverages and frozen confections and they can only be imported from approved sources of manufacture; and
  
- (b) for the sale, advertising or display of prepackaged food products -
  - ❖ local food labelling requirements as stipulated in the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W).

5. Apart from the above mentioned requirements, any person who carries on a food business (including importation or distribution) must register as a food importer/distributor and maintain records of the movements of food as stipulated in the Food Safety Ordinance (Cap. 612) ("FSO"). Moreover, traders should observe the basic food law in Hong Kong laid down in Part V of the Public Health and Municipal Services Ordinance (Cap. 132) and its subsidiary legislation.

6. At the Panel meeting on 21 January 2015 to receive the policy briefing by the Secretary for Food and Health, concern was raised about the increase in complaints involving the sale of health food and food products containing medicine ingredients on the Internet. The Administration informed members that in view of the increasing online purchase of food products, the Food Surveillance and Control Division's Food Import and Export Section under CFS had been conducting a target surveillance project to monitor the situation. CFS would carry out joint operations with the Department of Health or the Customs and Exercise Department ("C&ED") if suspected violation of relevant laws was found.

7. In the Administration's response dated 27 October 2015 (LC Paper No. CB(2)157/15-16(01)) to Prof Hon Joseph LEE's letter dated 18 September 2015 as mentioned above in paragraph 2, the Administration stressed that food safety regulations governing traditional sales are also applicable to online transactions.

### Surveillance mechanism for food products imported via marine channel

8. At the Panel meetings on 10 March and 12 May 2015 when the Administration gave an annual report respectively on the Food Surveillance Programme of CFS and the implementation of FSO, some members expressed concerns about the illegal import of food products from Chiba, Japan, one of the five prefectures from which imports of fresh vegetables and fruits had been banned since the Fukushima nuclear power plant incident in 2011 and the absence of food inspection checkpoint at the Kwai Chung Container Terminal to conduct checks on food products imported via marine channel.

9. According to the Administration's response given at the meetings, CFS did carry out routine surveillance and inspection on food imported into Hong Kong by sea at seaport, and control over such imports were covered by inspections at the warehouse, wholesale and retail levels. While consideration was being given to establishing a checkpoint at the Kwai Chung Container Terminal to step up the surveillance work, CFS and C&ED were reviewing their cooperation and administrative measures in identifying the source of problem food.

10. In its letter dated 9 July 2015 (LC Paper No. CB(2)1889/14-15(01)), the Administration further advised that regarding Japanese food products imported by sea, C&ED would notify CFS daily of the manifest data on food products imported from Japan. Importers would also provide relevant information to CFS which would then contact the relevant importers for radiation tests. CFS had taken action to review the existing import monitoring mechanism. To better monitor food products imported via container terminals, CFS was actively discussing with C&ED the possibility of setting up entry points at container terminals for testing food products imported by sea, with a view to enhancing the testing of these products to further safeguard food safety.