



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

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Clerk to Panel on Food Safety and Environmental Hygiene
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn.: Miss Josephine SO)
(Fax no.: 2509 9055)

Dear Miss SO,

Food Surveillance Report

Thank you for referring to us the letter of the Hon Helena WONG dated 4 March 2016 on the captioned subject. Our reply to the questions raised in the letter is as follows.

Pesticide Residues in Food Regulation

2. The Centre for Food Safety (“CFS”) adopts the general principle of the Codex Alimentarius Commission (“Codex”) regarding the use of pesticides as the backbone in formulating the chemical standards for pesticides in food as laid down in the Pesticide Residues in Food Regulation (“the Regulation”). The maximum residue limits (“MRLs”) for pesticides in food are established based on appropriate residue data obtained from supervised field trials (“SFTs”), which are conducted by observing the Good Agricultural Practices (“GAP”) in using pesticides in accordance with their labellings to reflect actual use situations. The purpose of developing MRLs is to ensure that the minimum amount of pesticides is applied for control of pests in food production as required by GAP, so that pesticide residues in food are kept as low as practicable. This is the general principle recognised by Codex and the international community.

3. A pesticide residue level in food above the MRL indicates that the trade fails to adhere to GAP strictly and is in need of improvement, especially during food production in the places of origin. It does not necessarily mean that consumer health will be affected. As circumstances differ from place to place (e.g. pest types and environmental conditions), the GAPs of different places for the same pesticide may not be the same. Therefore, different MRLs may be introduced by different places.

4. GAP-based MRLs for a registered pesticide in certain crops may not be established due to a lack of SFT data. In these circumstances, it is the practice of some jurisdictions (e.g. Australia, the European Union (“EU”) and New Zealand) to set MRLs with reference to “detection limits”. “Detection limits” are the limits of determination made possible by the laboratory, and the values for a particular pesticide can vary among different crops. For example, the limits of determination set by the EU for chlorpyrifos in blueberries and teas are 0.05 mg/kg and 0.1 mg/kg respectively. These limits have no direct relevance to the safe use of the pesticides concerned. A residue level exceeding the limits does not necessarily imply a hazard to the health of consumers.

5. Besides, some jurisdictions (e.g. Canada, the EU and New Zealand) have assigned “default values” for pesticide residues. “Default values” are usually set at a very low level and apply to “pesticide-food” pairs not specified in regulations. It is important to note that both “default values” and “detection limits” are not directly associated with the safe use of pesticides. Pesticide residues above this level do not necessarily affect consumers’ health.

6. As such, the CFS did not adopt a “positive list approach” (to preclude the use of pesticides not specified in the list of MRLs) pursuant to the public consultation exercise during 2007 - 2008. It was thus unnecessary to develop a “detection limit” or “default value”. Instead, import or sale of food containing pesticide residues outside the specified lists is prohibited unless the Director of Food and Environmental Hygiene Department (“DFEH”) is satisfied that the detected level of pesticide residue is not dangerous or prejudicial to public health. In reaching a decision, the DEFH takes into account the risk assessments conducted by the CFS. The Expert Committee on Food Safety supports this approach, as it is in line with the Codex standards and international developments in the regulation of pesticide residues in food. Given the evolution of pesticides, it is more scientific to conduct risk assessments on pesticide-food pairs with no specified MRLs / extraneous maximum residue limits (“EMRLs”) in determining whether the consumption of a particular food is hazardous or harmful to health, rather than setting a “default value”. The present framework can accommodate the latest development in pesticide application. As clearly pointed out in the consultation document, there is no need to develop a “default value” since this has been taken care of by risk assessment. The refined regulatory framework is not only more flexible, but also capable of better coping with the latest development on the pesticide front in the local and the international arena.

7. The Regulation came into force in August 2014. From the food safety perspective, all substances falling within the definition of “food” are regulated by the Regulation. Regardless of whether there is an MRL specified in Schedule 1 to the Regulation, all food products shall comply with the legislative requirements related to food safety in Hong Kong. For pesticide residues with no specified MRLs/EMRLs in Schedule 1, the Regulation stipulates that except for exempted pesticides, import or sale of food containing such pesticide residues is allowed only if the consumption of the food concerned is not dangerous or prejudicial to health. The CFS conducts risk assessment to determine whether the consumption of such food is hazardous or harmful to health. Risk assessment is a science-based method in line with the international practice. The adoption of a risk assessment approach also makes the Regulation more flexible and practical.

Food Imports from Japan

8. Subsequent to the Fukushima nuclear power plant incident in Japan in March 2011, the CFS took immediate action to test radiation in Japanese food imports against the standards laid down by the Codex in the Guideline Levels for Radionuclides in Foods Contaminated Following a Nuclear or Radiological Emergency (“the guideline levels”) for testing of radiation to safeguard food safety. On 24 March 2011, DFEH issued an order to prohibit the import of all vegetables and fruits, milk, milk beverages and dried milk from the five most affected prefectures of Japan, namely Fukushima, Ibaraki, Tochigi, Chiba and Gunma. Under the order, all chilled or frozen game, meat and poultry, poultry eggs and live, chilled or frozen aquatic products from these five prefectures may be imported into Hong Kong only if accompanied by a certificate issued by the competent authority of Japan certifying that the radiation levels do not exceed the guideline levels. The order is still in force at present.

9. In November 2015, the CFS found that a consignment of 652 cartons of fresh vegetables and fruits imported from Ishikawa and Nagano in Japan contained 90 cartons of radish from Chiba and 40 cartons of cabbage from Ibaraki. The CFS immediately marked and sealed all the illegally imported items stored in the warehouse of the importer concerned. None of these produce had entered the market. Samples were taken for testing of radiation levels and the results were satisfactory. According to the packing list, Ishikawa and Nagano were the places of origin of the imported food, but the importer found food products from other Japanese prefectures in the consignment when it arrived in Hong Kong. The CFS has called on importers to inspect their fresh produce from Japan carefully to avoid mixing their goods with those covered by the import ban.

10. The incident showed that the CFS’ mechanism for monitoring food imports and communication with the trade have been effective. It also revealed that there is a need on the Japanese side to strengthen its gatekeeping functions regarding food exports. The CFS has notified the Japanese authorities about the incident, and will closely follow up on the incident and take appropriate actions to safeguard food safety and public health.

11. The CFS has been conducting radiation tests on food products imported from Japan and been in liaison with the Japanese authorities on the safety of Japanese food. The ban on relevant Japanese food is premised on public health grounds, which are science-based and evidence-based. We consider that our control remains reasonable and appropriate.

12. Nevertheless, we will continue to review the situation and review the control on food imported from Japan, having regard to assessments made by international agencies, the control measures implemented by other jurisdictions, local food surveillance results, the handling of the Fukushima incident by the Japanese authorities and other relevant factors. Generally speaking, we accord top priority to food safety, while we also need to keep in view the latest development of the above factors and comply with the requirements of the World Trade Organization.

Targeted Food Surveillance Projects and Surveys on Popular Food Items

13. The CFS announces all surveillance results of the previous month by a monthly Food Safety Report. If test results indicate that a food sample does not meet the statutory standards, poses threats to public health or is related to issues of public concern, the CFS immediately issues press releases to explain the risks involved and advises the public against consuming the food in question.

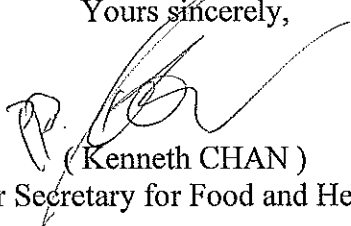
14. The results of targeted food surveillance projects and surveys on popular food items are released upon completion, while the results of seasonal food surveillance projects are announced ahead of the relevant festivals and seasons to enable consumers to make informed choices.

15. Apart from press releases, the food surveillance results are uploaded onto the CFS' Facebook page. Advice is also given to consumers on measures to minimise health risks posed by problem food.

16. From 1 January 2013 to 31 December 2015, the CFS had issued press releases on detection of 13 unsatisfactory samples from targeted as well as popular food surveillance projects. The details are set out in the table below:

Food group	Number of unsatisfactory samples on which press releases were immediately issued	Major problems (number of unsatisfactory samples involved)
Meat, poultry and related products	7	Preservatives (6), microbiological testing (1)
Others	6	Microbiological testing (6)
Total	13	

Yours sincerely,


(Kenneth CHAN)
for Secretary for Food and Health

c.c. DFEH (Attn.: Controller, Centre for Food Safety) (Fax no.: 2530 1368)