

**For discussion
on 10 May 2016**

LegCo Panel on Food Safety and Environmental Hygiene

Implementation of Regulations on Import Control of Poultry Eggs

Purpose

This paper briefs Members on the implementation of the regulations governing import control of poultry eggs.

Background

2. Food products in Hong Kong are mainly imported from outside Hong Kong. 99% of poultry eggs are being imported. In 2015, more than 2.317 billion poultry eggs were imported into Hong Kong, with around 56% from the Mainland, 15% from the United States (US) and 15% from Thailand.

3. To safeguard food safety and public health, it is necessary to impose import control on some high-risk foods (including poultry eggs). In 2014 and 2015, there were outbreaks of highly pathogenic Avian Influenza (AI) in Europe, the American continents and different parts of Asia. Such outbreaks are expected to occur from time to time. The World Organisation for Animal Health (OIE) has recommended that for control of AI, an international veterinary certificate should accompany the import of poultry eggs for human consumption. The same import requirement has been imposed in many jurisdictions, including the European Union, the US and Singapore.

4. With a view to better protecting Hong Kong from the AI threat and following the recommendation of OIE, the Government has amended the Imported Game, Meat and Poultry Regulations (Cap. 132AK) and made consequential amendments to other related subsidiary legislation to extend the import control regime to cover poultry eggs. The amended Imported Game,

Meat, Poultry and Eggs Regulations (Cap. 132AK) (the Regulations) came into effect on 5 December 2015.

Import Control of Poultry Eggs under the Imported Game, Meat, Poultry and Eggs Regulations

5. According to the Regulations, “egg” means an egg of a bird belonging to a type of bird sold or offered for sale for human consumption or any edible part of such an egg—

- (a) whether such an egg or edible part—
 - (i) is shelled or unshelled;
 - (ii) is raw or partially cooked;
 - (iii) is salted, preserved or otherwise processed;
 - (iv) is in frozen, liquid or dried form; or
 - (v) contains any functional ingredient; but
- (b) excludes such an egg or edible part that—
 - (i) is fully cooked; or
 - (ii) constitutes one of the ingredients of any compounded food.

Hence, fully cooked eggs and eggs that constitute one of the ingredients of a compounded food item (e.g. egg rolls or cakes) are excluded.

6. Under the Regulations, no one shall import eggs into Hong Kong unless they (i) produce a health certificate issued by an issuing entity from the place of origin recognised by the Director of Food and Environmental Hygiene to certify that the eggs are fit for human consumption; and (ii) obtain a permission in writing from a health officer of the Food and Environmental Hygiene Department (FEHD) by providing information that the health officer considers essential for tracking the actual importation of the poultry eggs into Hong Kong.¹ An offender shall be liable on conviction to a maximum fine of HK\$50,000 and imprisonment for six months. One of the important regulatory

¹ Regulation 4(1)(ab) stipulates that “no person shall import eggs –

- (i) without a health certificate;
- (ii) where they have been transhipped, subject to subregulation (5), without a transhipment certificate;
- (iii) without having obtained a permission in writing of a health officer that the officer may give for the purposes of this subregulation; or
- (iv) without having complied with such conditions as a health officer may impose for the purposes of this subregulation”.

measures under the Regulations is to empower the Centre for Food Safety (CFS) to obtain detailed and updated information on the importation of poultry eggs, such as description of goods, expected date of arrival of the consignments, the means of transport, container number, etc. prior to issuing the aforementioned permission in writing in (ii) above. This would enable the CFS to conduct more effective pre-arrival risk assessment and facilitate food surveillance at the import level.

7. Currently, the FEHD has accepted health certificates issued by the relevant authorities of 30 places of origin of poultry eggs, including the Mainland, the US and Thailand, etc.

Publicity and Education

8. To raise public awareness of the import control measures on poultry eggs, the FEHD has been disseminating information on the requirement for a health certificate and written permission from the FEHD for import of poultry eggs into Hong Kong through various channels, such as radio broadcasts, posters at boundary control points, messages on display screens at the arrival/departure halls of the Hong Kong International Airport, and banners in train compartments of the Mass Transit Railway. The FEHD has also provided posters and leaflets to relevant Government departments as well as the district offices of the FEHD for display or distribution to the public. The relevant information has also been uploaded onto the FEHD's website and the GovHK portal for reference of the public and the trade. In addition, the FEHD has produced TV Announcements of Public Interest and the Guide to Import of Eggs for reference by the trade. The FEHD has also organised briefings for the trade on the measures and arrangements for import control of poultry eggs.

Implementation of the Regulations

9. Since the implementation of the Regulations on 5 December 2015 till 31 March 2016, for freight transport, the FEHD has issued 317 written permissions for import of poultry eggs², inspected 1 029 consignments and initiated two prosecutions against persons violating the import requirements.

² The written permission mentioned in paragraph 6 above refers.

As for travelers, the FEHD has taken 205 prosecutions against inbound travelers bringing in poultry eggs in contravention of the Regulations. The numbers of prosecutions taken against travelers were 63, 44, 42 and 56 in December last year, January, February and March this year respectively. The FEHD will continue to take enforcement action and enhance publicity and education efforts through various channels.

Advice Sought

10. Members are invited to note the content of this paper and give comments.

Food and Health Bureau
Food and Environmental Hygiene Department
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