For discussion
on 14 February 2017

LegCo Panel on Food Safety and Environmental Hygiene

Report on the Food Surveillance Programme for 2016

Purpose

This paper briefs Members on the work of the Centre for Food Safety (CFS) in respect of the Food Surveillance Programme (FSP) for 2016 and reports on the major surveillance results and the follow-up actions taken.

Food Surveillance Programme

2. The CFS adopts the World Health Organization's (WHO) "from farm to table" strategy to ensure food safety in Hong Kong. Control at source includes allowing only food from registered farms / processing plants with audit inspections to enter Hong Kong, and requiring health certificates for certain food animals and food products, etc. At the downstream of the food supply chain, the FSP is one of the key components to safeguard food safety.

3. Through the FSP, the CFS monitors food for sale to ensure its compliance with the legal requirements and fitness for human consumption. The CFS takes food samples at the import, wholesale and retail (including online retailers) levels and adopts a risk-based principle in determining the types of samples to be collected, the frequency and number of samples taken for testing, and the types of laboratory analysis to be conducted. The CFS regularly reviews the sampling programme and the types of laboratory analysis to be conducted, taking into account factors such as past food surveillance results, local and overseas food incidents, and relevant risk analyses. Also, the CFS consults the Expert Committee on Food Safety (the Expert Committee) on food surveillance projects under the FSP.

4. The food surveillance strategy is made up of regular food surveillance, targeted food surveillance and seasonal food surveillance. In addition, the CFS conducts surveys on popular food items to assess the safety of food commonly consumed in Hong Kong. In 2016, the CFS completed eight targeted food surveillance projects, six seasonal food surveillance projects and one survey on popular food items. Details are set out in the **Annex**.

Announcement Mechanism

5. The CFS releases a Food Safety Report each month to make public all of the surveillance results of the previous month. If the test results indicate that the food samples concerned will pose immediate threats to public health or will be of public concern, the CFS issues press releases immediately to explain the risks involved and advise the public against consuming the food concerned.

6. The results of targeted food surveillance projects and surveys on popular food items are released promptly upon completion, while the results of seasonal food surveillance projects are announced ahead of the related festivals or seasons.

7. Apart from announcement through press releases, the food surveillance results are also uploaded onto the CFS Facebook. Advice will be given to consumers on measures to minimise the health risks posed by problem food.

Overall Results

8. Other than radiation testing on samples of food imported from Japan[1], the CFS conducted tests on a total of about 65 500 food samples in 2016.

[1] Please refer to paragraphs 23 and 24 below for radiation testing of samples of imported food from Japan.

9. The test results revealed 152 unsatisfactory samples (please see **Table 1**). The overall satisfaction rate was 99.8%.

Table 1: Major problems of unsatisfactory samples

Food group	Number of samples tested*	Number of unsatisfactory samples	Major problems (number of unsatisfactory samples involved)
Vegetables, fruits and related products	30 800	73	Pesticides (45), preservatives (14), metallic contaminants (7), pathogens (5), colouring matters (2)
Meat, poultry and related products	5 300	13	Preservatives (10), pathogens (3)
Aquatic products and related products	5 600	32	Veterinary drug residues (14), metallic contaminants (9), preservatives (4), dioxins and dioxin-like polychlorinated biphenyls (3), biotoxins (2)
Milk, milk products and frozen confections	9 500	22	Hygiene indicators (18), composition (3), preservatives (1)
Cereals and cereal products	3 200	2	Preservatives (1), metallic contaminants (1)
Others	11 100	10	Benzo[a]pyrenes (3), pathogens (2), preservatives (2), sweeteners (2), plasticisers (1)
Total	**65 500**	**152**	

* Figures are rounded to the nearest hundred.

10. Most of the unsatisfactory samples did not involve serious problems and would not cause adverse health effects to the general public. Details of individual food items with more unsatisfactory samples are set out below.

I. Pesticide residues in vegetables and fruits

11. Following the commencement of the Pesticide Residues in Food Regulation (the Regulation) (Cap. 132CM) on 1 August 2014, the CFS completed pesticide residue tests on about 24 400 vegetable and fruit samples collected at the import, wholesale and retail levels in 2016. Of these, 45 samples were found to be unsatisfactory while the remaining samples were all satisfactory. The overall unsatisfactory rate was less than 0.2%.

12. According to the findings of the risk assessment[2] conducted by the CFS on the unsatisfactory samples, it was unlikely that normal consumption of the foods concerned would pose immediate adverse health effects. Excessive pesticide residues in these foods may be caused by the trade not observing Good Agricultural Practices, e.g. using excessive pesticides and / or not allowing sufficient time for pesticides to decompose before harvesting. The maximum residue limit (MRL) of pesticide residues in food stipulated in the Regulation is not a safety indicator. It is the maximum concentration of pesticide residues permitted in a food commodity when applying pesticides under Good Agricultural Practices. In this connection, consumption of food with pesticide residues higher than the MRL does not necessarily lead to any adverse health effects.

13. The CFS has followed up on the samples concerned, including announcing the test results to the public promptly, tracing the source and distribution of the foods concerned, as well as collecting samples for testing, with a view to protecting public health.

II. Preservatives in fresh meats

14. The CFS collected about 700 fresh meat samples for testing of preservatives in 2016. Ten samples were found containing sulphur dioxide, a preservative not permitted to be used in the food concerned. According to the risk assessment on the levels of preservatives in these

[2] The assessment methodology involves comparison between the data determined by the detected level of pesticide residues in a food sample in combination with the relevant consumption pattern of the food (i.e. the result of risk assessment) and the safety reference values (e.g. acceptable daily intakes (ADI) for long-term exposure assessment, or acute reference dose (ARfD) for short-term exposure assessment).

samples, normal consumption of the food concerned would not pose any adverse health effects.

15. The CFS had immediately notified the traders in question and samples were taken to monitor their improvements. Prosecutions were taken against five cases with sufficient evidence. As at 31 December 2016, there were three convicted cases with fines imposed, while the ruling for the remaining two cases was pending.

16. Under the Preservatives in Food Regulation (Cap. 132BD), any person who sells food containing levels of preservatives exceeding the statutory limits has committed an offence and is liable on conviction to a maximum penalty of a fine of $50,000 and an imprisonment for six months. The licences of shop operators selling fresh meats adulterated with sulphur dioxide may be subject to suspension or cancellation by the Food and Environmental Hygiene Department (FEHD) in accordance with the Demerit Points System. If the offenders are public market stall tenants, the tenancies of their stalls may also be subject to termination by the FEHD. Between 2014 and 2016, four shops had their licences suspended because their meat samples were repeatedly found to contain preservatives.

III. Veterinary drug residues in aquatic products

17. The CFS collected about 1 500 aquatic food samples through its regular food surveillance projects for testing of veterinary drug residues in 2016. There were 14 samples detected with veterinary drug residues. 12 were fish samples (7 eel samples, 2 spotted scat samples, 2 tinned fried dace samples and 1 threadfin sample) detected with malachite green. One fish sample and one common oriental clam sample were detected with chloramphenicol. The test results of the remaining samples were satisfactory.

18. Malachite green is a type of industrial dye and has been used for treating infection in fish. Chloramphenicol is used for treatment of different infections including eye infection in humans. According to the Harmful Substances in Food Regulations (Cap. 132 AF), no food sold in Hong Kong is allowed to contain malachite green or chloramphenicol. Offenders are liable to prosecution and, upon conviction, a fine of $50,000

and six months' imprisonment. The CFS had taken immediate follow-up actions in respect of the above cases, including informing the vendors concerned of the irregularities, instructing them to stop the sale of the affected batches of products and closely tracing the sources and distribution of the affected products. Where there is sufficient evidence, prosecution will be instituted. The CFS had also brought these incidents to the attention of the trade.

IV. Hygiene indicators of milk products and frozen confections exceeding statutory standards

19. The CFS takes samples of milk products and frozen confections at the import level for testing. In particular, milk products and frozen confections imported into Hong Kong for the first time have to be detained for testing and will only be allowed for sale in the market after passing the tests. In 2016, five samples from two consignments of imported milk products and one consignment of imported frozen confections taken by the CFS at import level were found to have hygiene indicators (total bacterial count, colony count or coliform organisms) exceeding the statutory standards. While the hygienic conditions of these samples were unsatisfactory, it did not imply that the samples would pose direct adverse health effects.

20. The CFS had notified the authorities of the exporting places for follow-up action. The products in question had been suspended from import into Hong Kong until the CFS was satisfied with the remedial actions of the importers / manufacturers and the investigation reports submitted by the relevant authorities of the exporting places.

21. In 2016, the hygiene indicators of 13 frozen confection samples taken at the retail level by the CFS were found to have exceeded the statutory limits. Among them, 12 unsatisfactory samples of frozen confections were manufactured locally. For these local cases, the FEHD conducted site inspections. Also, at the instruction of the CFS, the manufacturers concerned had suspended the production line for thorough cleansing and disinfection and improving the production process to the satisfaction of the FEHD, so as to ensure that their products comply with the hygiene standards.

22. Given the 2016 test results, apart from strengthening communication with the trade to enhance food safety levels, the FEHD will step up testing of imported and locally manufactured frozen confections in 2017. Besides, inspections will be targeted at local frozen confection factories with unsatisfactory samples. Food safety management training for the persons-in-charge of these factories will also be stepped up to assist them in upgrading the hygiene and safety standards of the factories.

V. Radiation testing on food imported from Japan

23. In response to the Fukushima nuclear power plant incident in Japan in 2011, the Director of Food and Environmental Hygiene issued an order under Section 78B of the Public Health and Municipal Services Ordinance (Cap. 132) to prohibit the import of certain fresh produce, milk, milk beverages and milk powder from the five most affected prefectures of Japan, namely Fukushima, Ibaraki, Tochigi, Chiba and Gunma. Targeted radiation testing on food imports from Japan has been carried out since then.

24. Some 73 700 samples of food imported from Japan were tested in 2016. The test results of all of the samples were satisfactory. The surveillance results were uploaded onto the CFS website each working day. Among these samples, five dried mushroom samples (four collected at the import level and one at the retail level) were detected with low radioactivity levels not exceeding the guideline levels set by Codex, which would not constitute adverse health effects. Despite that, the related food consignments were returned to the place of origin by the importers. The food concerned had not entered the local market.

25. In April 2016, the CFS and the Customs and Excise Department (C&ED) found a consignment of frozen beef suspected to be illegally imported from Japan, all without the necessary import documents including import licences, health certificates, written permission from the FEHD and certificates of radiation levels from the place of origin. The seized consignment of frozen beef amounted to 337 cartons. Information on the product labels showed that 101 cartons were from Ibaraki, Tochigi and Chiba, 116 cartons were from other regions of Japan, and the remaining 120 cartons were of unknown origins. Prosecution had been taken out

against these cases. The CFS had also collected samples of the food products for testing of radiation levels. All test results were satisfactory.

26. In May 2016, the CFS discovered that a local importer had illegally imported frozen beef without certificates of radiation levels from the place of origin into Hong Kong. 366 cartons of frozen beef were seized. Information on the product labels showed that 209 cartons were from Ibaraki, Tochigi and Chiba. In addition, 38 cartons of suspected frozen beef fat without proper labels were seized. Information on the cartons showed that the product was from Chiba. All the said products were intercepted and none had entered the market. Samples of these products were taken for testing of radiation levels and all test results were satisfactory. In June 2016, the CFS found a consignment of frozen pork feet imported from Gunma by an importer was not accompanied by a certificate of radiation levels issued by the competent authority of Japan. The consignment, totalling 2 400 cartons, was marked and sealed by the CFS, and none had entered the market. For the sake of prudence, samples of the products concerned were collected for testing of radiation levels and all test results were satisfactory.

27. The Japanese Authority has in recent years stepped up its diplomatic efforts to lobby different importing places (including Hong Kong) to relax their import restrictions. Having regard to the undesirable situation mentioned in paragraphs 25 and 26 above, the concern of the general community and the views of the Advisory Council on Food and Environmental Hygiene which are in favour of maintaining the status quo, we will maintain the existing restrictions on certain foods imported from the affected prefectures of Japan at this stage. Also, we will continue to monitor international development and gauge the views of the Hong Kong community.

VI. Others

28. The CFS has also strengthened surveillance to address public concerns on other food incidents and reports. For instance, in response to the detection by the Macau authorities of aflatoxins in mooncake samples from a Hong Kong brand which had exceeded Macau's statutory limit, the detection of prohibited veterinary drugs in pigs, and the detection of dioxins and dioxin-like PCBs exceeding the action level set by the CFS in

hairy crab samples, and the reported presence of suspected "fake" rice, the CFS took immediate risk management measures, including liaising with the relevant authorities and the trade for more details and information, ascertaining whether the affected products were sold in Hong Kong and, where necessary, taking relevant food samples from the local market for testing of hazardous substances in question. Test results of the unsatisfactory samples were announced immediately through press releases.

29. The Government is mindful that vegetables are brought, in the name of self-consumption, into Hong Kong by travellers via the Lo Wu Control Point for sale in the market. In fact, the CFS maintains close liaison with the C&ED and exchanges intelligence on activities of importing vegetables through control points other than the Man Kam To Food Control Office. To intercept such activities, the C&ED and the CFS conduct joint operations from time to time. If travellers are found to have brought into Hong Kong a substantial amount of vegetables which are suspected not to be of self-consumption, the C&ED will refer the cases to the CFS for follow-up action. From January 2015 to December 2016, 26 cases of travellers carrying a substantial amount of vegetables into Hong Kong detected at the Lo Wu Control Point were referred to the CFS. After intelligence gathering and investigation, it was evident that in three cases the vegetables were brought into Hong Kong for sale. The CFS had initiated prosecution against the persons concerned for not registering as food importers under the Food Safety Ordinance (Cap. 612). As for the other 23 cases, no sufficient evidence of sale could be found. Nonetheless, the travellers concerned voluntarily surrendered the vegetables to the CFS for disposal. The CFS destroyed 0.7 tonnes of vegetables in total.

30. The CFS disseminates advice to local vegetable retailers and vegetable importers through risk communication from time to time, reminding them that imported vegetables have to be sourced from registered vegetable farms and production and processing establishments in the Mainland. In addition, they are reminded that the Pesticide Residues in Food Regulation has come into operation since 1 August 2014. Under the Regulation, they would face legal responsibilities may be subject to relevant penalties if they sell vegetables containing pesticide residues at levels exceeding the legal limits. Any person who imports, manufactures

or sells any food not in compliance with the requirements of the Regulation concerning pesticide residues commits an offence and is liable to a maximum fine of $50,000 and an imprisonment for six months upon conviction.

31. As sale of food through the Internet has become increasingly popular, the CFS has stepped up sampling of food available online for chemical and microbiological tests. In 2016, more than 4 000 food samples purchased online were tested. With the exception of one lobster tail sample with preservative found to have exceeded statutory limits, the test results of all samples were satisfactory.

32. To further ensure food safety, the FEHD introduced on 22 February 2016 a new set of licensing conditions for regulation of operators without physical premises and selling restricted foods via the Internet or social media platforms. Applications for the relevant permits are accepted starting on the same day. The licensing conditions mainly require that restricted foods must be obtained from lawful sources, that they shall not be tampered with during transportation to prevent cross-contamination, and that the food products shall be stored at a safe and proper temperature at all times. Moreover, the operators shall provide on their websites information about their permits, such as the permit number, the registered address and the restricted foods permitted for sale, so that consumers can verify such information through the FEHD website when purchasing the foods online. As at 16 January 2017, the FEHD has issued 163 permits for online sale of restricted foods. The FEHD has been monitoring online food sale activities. If an unlicensed food business is suspected to be involved in selling any food for human consumption online, or the food is from a suspicious source, the FEHD will conduct investigation and take follow-up action accordingly, including issuing warnings to the websites concerned. Should there be sufficient evidence, prosecution will be instituted. In 2016, a total of 26 prosecutions were instituted by the FEHD against unlicensed food premises conducting online food sale activities in breach of the Food Business Regulation (Cap. 132X).

33. The FEHD has enhanced public education and publicity on matters which the public and the trade should pay attention to when purchasing and selling food online. Through channels such as the FEHD website, TV and radio Announcements in the Public Interest, leaflets and posters, members

of the public are made aware of the nature, potential risks and delivery temperature control of foods purchased online, in particular perishable and high-risk foods. The trade is also advised of the need to apply for a food business licence or permit under the law for operating a food business, irrespective of its scale and nature, in order to protect consumers' rights and health. Moreover, during the peak periods of online food selling activities over Christmas and the Lunar New Year, the FEHD will intensify publicity to promote safety awareness of food purchase through the Internet.

Future Work

34. The CFS will continue to strengthen its efforts in food surveillance, enforcement, public education, etc. to safeguard food safety in Hong Kong.

35. An effective food surveillance mechanism is premised on an effective food tracing mechanism. The Food Safety Ordinance empowers the CFS to monitor food import and distribution activities through an enhanced food-tracing mechanism. This facilitates the CFS to identify the sources and causes of food incidents and the parties which should be liable for the food incidents. Also, the food-tracing mechanism facilitates the CFS to take enforcement actions and enhances the deterrent effects. Where resources permit, the CFS will step up its surveillance efforts including spot checks to further ensure that food import and distribution activities comply with the food traceability requirements.

36. As in the past, we will capitalise on food safety incidents to review the food safety regulatory system and arrangements to see if there is room for improvement. We will introduce improvement measures where appropriate. For example, FEHD introduced a set of targeted licensing conditions for the sale of restricted foods on the Internet (paragraph 32 above) following a food safety accident on imported sandwiches on the Internet.

Conclusion

37. The FSP for 2016 indicated that the overall satisfaction rate of the food sold in Hong Kong had remained at a high level, which was

comparable to that of recent years. For individual food products with problems identified, the CFS has taken prompt and effective risk management actions to safeguard public health.

Advice Sought

38. Members are invited to note and comment on the FSP implemented by the CFS in 2016.

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Annex

Projects under 2016 Food Surveillance Programme

(A) Regular Food Surveillance

It covered major food groups such as fruits and vegetables, meat, poultry, aquatic products, milk and cereals. The CFS adopted a risk-based approach in taking samples for chemical and microbiological analyses.

(B) Targeted Food Surveillance

(i) Sulphur dioxide in meat
(ii) Metallic contaminants in food
(iii) Listeria monocytogenes in ready-to-eat foods
(iv) Vibrio parahaemolyticus in ready-to-eat foods
(v) Salmonella in ready-to-eat foods
(vi) Coagulase-positive staphylococci organisms in ready-to-eat foods
(vii) Bacillus cereus in ready-to-eat foods
(viii) Clostridium perfrigenes in ready-to-eat foods

(C) Seasonal Food Surveillance

(i) Lunar New Year food
(ii) Rice dumplings
(iii) Mooncakes
(iv) Hairy crabs
(v) Lap mei
(vi) Poon choi

(D) Survey on Popular Food Items

(i) Hot pot food and soup base