

[English Translation]

29 August 2017

Clerk to Panel on Food Safety and
Environmental Hygiene
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn.: Miss Josephine SO)
(Fax: 2509 9055)

Dear Miss SO,

**Proposed Amendments to the
Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)**

During the discussion of the proposed amendments to the Food Adulteration (Metallic Contamination) Regulations (Cap. 132) at the special meeting of the Panel on Food Safety and Environmental Hygiene on 3 July 2017, Members requested the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department to provide information on its assessment on the potential impact of the proposed maximum levels (MLs) for metallic contamination on the supply of relevant foods / food groups. Our response to Members' queries is set out below.

In proposing the MLs for metallic contamination targeting individual food / food groups, CFS has taken into account the "as low as reasonably achievable" principle ¹ adopted by the Codex Alimentarius Commission (Codex). We have also assessed whether the proposed MLs are adequate to protect public health and comparable to the MLs adopted by other jurisdictions. Specifically, CFS has compared the proposed MLs for relevant "metal-food" pairs (including meat, seafood, fruits and vegetables) with the results of the routine food surveillance programme in the past and

¹ According to the General Standard for Contaminants and Toxins in Food and Feed, contaminant levels in food shall be as low as reasonably achievable through best practices such as Good Agricultural Practice and Good Manufacturing Practice following an appropriate risk assessment.

additional baseline studies of CFS as appropriate, so as to assess the possible impact on the supply of the relevant food/food groups.

According to the results of the routine food surveillance programme in the past and additional baseline studies of CFS, in general, less than 5% of the test results for levels of metallic contamination were found exceeding the proposed MLs. This proportion is in line with the normal approach adopted by Codex in setting food safety standards. Meanwhile, the Agriculture, Fisheries and Conservation Department has also conducted tests (including levels of metallic contamination) on local farmed fish. According to the information and data of these tests, local farmed fish can generally comply with the proposed MLs. Overall speaking, the proposed MLs are not likely to affect the food supply in Hong Kong.

In response to the concern of the trade, we have earlier conducted a number of public forums and trade consultation forum, and invited the trade to put forward their specific concerns and suggestions on the proposed MLs for metallic contamination for individual food / food groups. Apart from this, we also welcome the public and relevant stakeholders to submit their views and suggestions, together with relevant supporting information, on or before 5 September 2017. We will fully take into account the views received during the three-month public consultation before finalising the legislative proposals and tabling the Amendment Regulations in the Legislative Council for scrutiny.

Yours sincerely,

(Kenneth CHAN)
for Secretary for Food and Health

cc.:

Director of Agriculture, Fisheries and Conservation (Attn.: Dr Jim CHU)
Controller, Centre for Food Safety of the Food and Environmental Hygiene
Department (Attn.: Dr Samuel YEUNG)