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來函檔號 Your ref. : CB4/PAC/R71

26 February 2019

Mr Anthony CHU
Clerk to Public Accounts Committee
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr Chu,

LegCo Public Accounts Committee
Consideration of Chapter 2 of the Director of Audit's Report No. 71
Centre for Food Safety: Import Control of Foods

I refer to your letter dated 29 January 2019, requesting this Department to provide supplementary information on Chapter 2 "Centre for Food Safety: Import Control of Foods" of the Director of Audit's Report No. 71. The relevant information is now enclosed for reference please.

Yours sincerely,

A handwritten signature in black ink that reads 'Christine Chow'.

(Christine CHOW)

for Director of Food and Environmental Hygiene

c.c.:

Secretary for Food and Health
Secretary for Financial Services and the Treasury
Director of Audit

**Reply to letter of 29 January 2019 from
Legislative Council Public Accounts Committee**

(a) & (b)

Since 2002, only vehicles approved by the Food and Environmental Hygiene Department (FEHD) are allowed to transport imported chilled meat and poultry to Hong Kong. To obtain the approval, importers and their food transport operators are required to submit an application form to the FEHD for vehicle inspection. Approval will be granted if the Health Inspector is satisfied with the result of vehicle inspection. There is no specified period of time for the approval. Upon inspection of foods conveyed by an approved vehicle at the control points, the Health Inspector will also check the hygienic condition of the vehicle and the food storage temperature, etc. to ensure that the vehicle is suitable for transporting chilled meat and poultry. If there are changes in the information of the vehicle after the application is approved, for examples the vehicle registration number is changed or another vehicle is used, a new application should be made for approval by the FEHD before the vehicle can be used for transporting chilled meat and poultry imported from the Mainland. Starting from 2019, the FEHD will conduct a comprehensive inspection on all approved vehicles every two years.

(c)

According to the operation procedures of the Centre for Food Safety (CFS), after a vehicle conveying imported chilled meat and poultry enters the Man Kam To Food Control Office (MTKFCO), the frontline officers will conduct inspection and release the consignment if they are satisfied with the food safety of the consignment, and find the hygienic conditions of the conveyance vehicle and its food storage temperature suitable for carrying chilled meat and poultry. In the past, the list of vehicles approved for importing chilled meat and poultry was not kept in the computer system of the MTKFCO. It was not possible for the frontline officers to identify a vehicle that was not approved during the inspection (of its hygienic conditions and food storage temperature). The CFS observed this inadequacy during its facilitation to the Audit's review. Hence, it put in place some improvement measures in July 2018, including adding the list of vehicles approved for importing chilled meat and poultry to the computer system. When a vehicle on the list enters the MTKFCO, the frontline officers will input the vehicle registration number into the system. The system will give a warning signal if the information entered is different from that on the list. Starting from July 2018, the CFS randomly selects 5% of the inspection record for verification on a daily basis to ensure that the above improvement and monitoring measures are functioning well.

(d)

Health Inspectors of the CFS are responsible for inspecting vehicles importing chilled meat and poultry at the MKTFCO. Officers of the MKTFCO are deployed on two shifts, with three to four Health Inspectors on each shift to serve the operating hours of the Mam Kam To Control Point (7:00 am to 10:00 pm). They are responsible for inspection of vehicles carrying chilled meat and poultry as well as other food inspection work.

As for inspection of vehicles by Health Inspectors at the MKTFCO, the CFS staff will check the items set out at **Annex A**.

(e)

Vehicles transporting frozen meat from other provinces (other than Guangdong Province) usually have to unload their consignments upon arrival in Shenzhen. The consignments will then be reloaded onto the cross-boundary vehicles for conveyance to Hong Kong. In the past, if there were no seal numbers on the health certificates, or if any irregularities were found, the CFS staff would check the place of origin shown on the packing of the frozen meat, and also verify the health certificate, the import licence, the Mainland manifest and the import declaration before releasing the consignments. In response to Audit's observations in paragraph 2.48, the CFS has taken improvement measures since September 2018, which include preparing a physical inspection checklist, reminding frontline officers to keep a record and, where necessary, clarifying issues with the Mainland authorities on the spot if any irregularities were found during verification of documents, as well as enhancing supervision of the frontline staff and on-the-spot guidance. Regarding the seal numbers on the health certificates of frozen poultry, the CFS has communicated with the Mainland authorities and the situation has improved. So far in 2019, three consignments of frozen poultry have been imported from other provinces, no irregularities were found on the seal numbers marked on the health certificates and the conveyance vehicles.

(f), (g)(iv) and (v)

The CFS applies a risk-based principle in selecting and inspecting food containers shipped by sea. In selecting containers for inspection, the CFS takes into account such factors as the relevant intelligence, food safety incidents in different places, whether the importers concerned have previously disregarded instructions to contact the CFS for food inspections, and whether the information provided for the imported food consignments is doubtful.

Routine physical inspection of food consignments imported by sea are mainly conducted at the warehouses, cold storages or cold stores of the importers concerned. This is similar to the practice of other economies (e.g. New Zealand and Singapore) in inspecting foods imported by sea routes. Nonetheless, to strengthen monitoring of foods imported by sea, the CFS set up the Kwai Chung Customhouse (KCCH) checkpoint in October 2015 to inspect foods shipped to Hong Kong by sea. The KCCH checkpoint is an additional facility for inspecting high-risk food containers on top of routine inspections of food consignments at the warehouses, cold storages or cold stores of importers. Before it was set up, the CFS was aware that given the practical circumstances (it was a temporary checkpoint without chilling facilities, and it would be difficult to provide chilling facilities there), this checkpoint could not be used for inspection of refrigerated food containers. Consequently, all selected refrigerated food containers (whether high-risk or not) have to be inspected at the warehouses or cold stores of the importers concerned.

Hence, the KCCH checkpoint is meant for inspection of food containers with potential food safety risks (consignments with potential food safety hazards as revealed by intelligence, foods coming from economies with food safety incidents, importer has previously disregarded instructions to contact the CFS for food inspections, and food imports which information is doubtful) and does not cover frozen foods.

Regarding the setting up and operation of the KCCH checkpoint, the facilities that the Hong Kong Customs and Excise Department (C&ED) provided for the KCCH were decided at a working meeting between the CFS and the C&ED on 22 September 2015, the minutes (English only) of which are at **Annex B**. In September and October 2015, the CFS held a number of briefings on the KCCH checkpoint for the trade. The notes of the briefing sessions (English only) are at **Annex C**. On 18 November 2015, the CFS organised a trade consultation forum to further brief the trade on the KCCH checkpoint. The speaking note and the notes of the consultation forum are at **Annex D**.

(g)(i) and (iii)

As at the end of January 2019, there were 61 licensed cold stores in Hong Kong. Their distribution, with a breakdown by districts, was as follows:

District	Number of licensed cold stores
Southern District	2
Kwun Tong District	3
Sham Shui Po District	1
North District	4
Sha Tin District	9
Kwai Tsing District	21
Tai Po District	2
Tsuen Wan District	8
Tuen Mun District	4
Yuen Long District	3
Islands District (Airport)	4
Total	61

As mentioned in paragraph 2.82 of the Audit Report, the CFS conducted 3,598 physical inspections on imported foods (involving 3,598 imported food consignments) at warehouses or cold stores in 2017. These inspections were carried out by 24 Health Inspectors from the Hong Kong and Kowloon Offices and the Food Importer/Distributor Registration and Import Licensing Office (FIRLO) of the CFS. On average, about 15 imported food consignments were inspected at importers' warehouses or cold stores on each working day.

(g)(ii)

The CFS selects food consignments for physical inspection in accordance with the operational manual. The details are as follows:

- (1) 20% of import licences issued under the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK) for permission cases of imported consignments of chilled or frozen meat and poultry are randomly selected by computer each day for physical inspection of food consignments;
- (2) 5 other cases of frozen meat and poultry consignments issued with import licences are randomly selected by computer each day for physical inspection of food consignments;
- (3) For consignments of chilled or frozen meat and poultry issued with import licences that are granted with a copy of health certificate, one from each 50 import licences is randomly selected for physical inspection of food consignments;
- (4) One from each 100 egg consignments is randomly selected for physical inspection; and
- (5) For each flavour of imported milk, milk beverages and frozen confections, one from each five consignments is randomly selected for physical inspection.

(g)(vi)

Although there are practical difficulties furnishing the KCCH checkpoint with chilling facilities, the CFS is discussing and assessing the feasibility of providing such facilities at the KCCH checkpoint with the Architectural Services Department. An implementation timetable will be formulated upon completion of the relevant feasibility study taking into account the circumstances.

(h)

In selecting food consignments imported by sea for inspection at the KCCH checkpoint, the CFS adopts a risk-based monitoring approach to conduct inspections on high-risk target containers (i.e. intelligence indicates that the foods have potential food safety risks, the foods are from economies with occurrence of food safety incidents, the importer concerned has previously failed to contact the CFS as instructed for arrangement of food inspections, and there is doubt about the particulars of the imported food consignment, etc.). Food consignments (e.g. chilled food) that cannot be inspected at the KCCH checkpoint due to practical constraints will be inspected at the warehouses or cold stores of the importers concerned.

For high-risk target containers selected for inspection, regardless of whether food inspections are conducted at the KCCH checkpoint or the cold storages or cold stores of importers, the CFS staff must ensure that the seal/lead seal of a container is intact before it can be opened for food inspection.

As for routine inspection of other containers (i.e. not high-risk target containers) at importers' warehouses, cold storages or cold stores, taking into account the mode of operation of the trade and other practical operational concerns, the intactness of the container seal/lead seal is not a

prerequisite for physical inspection of imported food consignments (The relevant measures to enhance surveillance of food imports by sea have been submitted for discussion at the Legislative Council Panel on Food Safety and Environmental Hygiene on 10 November 2015. The relevant paper is at **Annex E**). However, the CFS staff must check the indications on the packages against the information of the import documents (the shipping mark, name of product, name of processing plant, date of manufacture, etc.) to ensure that the foods inspected come from the original container. In terms of practice, the routine inspection of food containers imported by sea is similar to that in other countries (including New Zealand, Singapore).

In paragraph 2.77 of the Audit Report, it is mentioned that “For food consignments imported by sea, the CFS requires that a container carrying the consignments must be sealed. According to the operational manual: (a) ‘at the checkpoint (KCCH checkpoint), the seal of the container should not be opened until it is confirmed to be intact by CFS officers’; and (b) ‘for food products (e.g. chilled foods) that cannot be inspected at the above checkpoint due to practical constraints, CFS conducts food inspections at the warehouses or cold stores of the importer concerned, although the seal of the container must be confirmed to be intact by CFS officers before it can be opened’.” The relevant operational manual targets high-risk target refrigerated containers, and the requirement is not applicable to containers selected for routine inspections. As the CFS pointed out at the PAC hearing on 25 January 2019, in the past few years, there was not a case in which the act of breaking the container seal by the importer was witnessed when the food containers were conveyed to the cold stores for inspection. After the hearing, the CFS further checked the record and confirmed that from the commencement of the KCCH checkpoint in October 2015 up to 2018, a total of six high-risk target containers were inspected at the cold stores (2 in 2015, 3 in 2016 and 1 in 2017). In all these cases, the CFS staff had checked the intactness of the container seals/lead seals before conducting physical inspections. Moreover, the CFS selected two high-risk target containers in January 2019 for inspection, with the additional requirement of ascertaining the intactness of the container seal/lead seal prior to the performance of food inspection at the cold stores of importers. In both cases, the entire inspection process was rather time-consuming. Furthermore, the unloading area of a cold store was very busy with forklift trucks in operation. The CFS staff encountered some difficulty in collaborating with the importers during the actual operation.

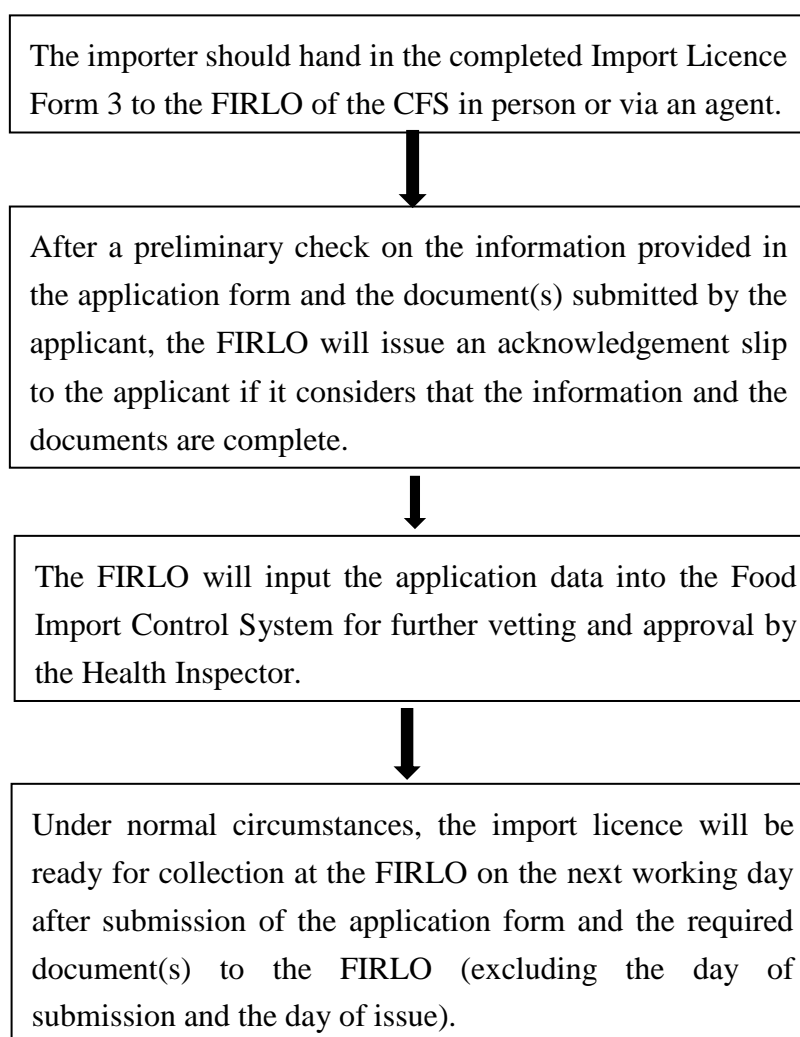
Nevertheless, we will review the situation in two directions. On one hand, we will study the feasibility of providing cold storage facilities at the KCCH checkpoint. On the other hand, we will continue to apply a risk-based principle in selecting high-risk target containers for inspection at cold stores, with the CFS staff witnessing the act of breaking the seal prior to the conduct of food inspections.

(i)

Any person or importer importing frozen or chilled meat and poultry into Hong Kong must hold an import licence issued under the Import and Export Ordinance (Cap. 60). The FEHD is the designated authority to issue import licences for such foods. Each consignment of imported frozen or chilled meat and poultry must be covered by an import licence. Applications for import licences should be made by completing the original application form, i.e. Import Licence Form 3 (TRA 187). The application must be supported by a valid health certificate for the consignment concerned issued by the recognised issuing entity of the exporting place or by specific approval from the Director of Food and Environmental Hygiene. To apply for an import licence, payment is only required for purchase of the

****Note by Clerk, PAC: Please refer to LC Paper No. CB(2)192/15-16(05) on LegCo Website for Annex E.***

original application form TRA 187 (\$3 per set and \$20 per pad (20 sets)). No other fees are charged. The steps for the issuance of an import licence are as follows:



(j) and (k)

When a consignment of imported frozen or chilled meat and poultry is selected for physical inspection according to the mechanism stated in (g)(ii) by the CFS, the FIRLO will add a licensing requirement to the import licence stating that “the consignment shall be inspected before release”. Upon receipt of the approved import licence, the importer will be aware that the consignment is subject to physical inspection by the CFS staff.

The CFS conducted an analysis on 372 import licences which covered frozen or chilled meat and poultry that were imported by sea and were selected for physical inspection by the CFS in October and November 2018. Among them, 70 (or some 19%) import licences were found to have the importer subsequently applying for cancellation, which involved altogether 35 importers. Each of them applied for cancellation of 1 to 7 import licences. As the CFS understands it, importers have different grounds for making applications to cancel their import licences, mainly out of concern of commercial operations. However, it cannot be ruled out that some might have done so for evasion of physical inspections.

As some importers may apply for cancellation of import licences to evade physical inspection of food consignments, the CFS has introduced an improvement measure since October 2018 by keeping a monitoring system of cancelled import licences. If a food consignment has been selected for physical inspection but subsequently not done because of cancellation of the import licence by the importer, the information contained in the cancelled licence (such as the name of the importer) will be included in the system. The food consignment concerned will still be subject to physical inspection by the CFS if the importer re-applies for an import licence for the same consignment of frozen/chilled meat/poultry (carrying the same health certificate). The improvement measure has been functioning well since its introduction. The CFS will also keep a close watch over the importers on the monitoring list and analyse cases of repeated cancellation of import licences for corresponding follow-up actions.

(l)

Import licenses issued by the FEHD cover frozen and chilled meat and poultry. Taking into account the relatively short durability for chilled meat and poultry, the import licences issued by the FEHD are valid for 6 weeks. The FEHD will actively consider the feasibility of extending the validity of import licences.

(m) & (o)

The operational manual of the CFS mentioned in paragraph 2.93 of the Audit Report directs the FIRLO staff to spot out unused import licences so as to identify and follow up on food consignments imported by sea and were suspected of evading physical inspections. Currently, the return of expired unused import licences by importers to the CFS for cancellation is entirely voluntary in nature. The reasons for non-return of import licences include that the expired import licences were discarded and the relevant documents were lost, and the non-return is by no means contrary to the legislation or in breach of the licensing requirements.

The management and the supervisory staff of the CFS maintain liaison with the frontline staff and encourage the staff to reflect challenges met at work and put forward improvement suggestions. Communication with the frontline staff is on-going and conducted in different forms. The CFS does not keep records of such communication.

(n)(i) to (n)(v) and (p)

The existing computer system of the CFS has its limitations. All issued import licences will be shown as “unused”. When a food consignment has undergone document checking or been selected for physical inspection, the computer system will then show this import licence as “used”. As an import licence that has been used will still be shown as “unused” if the food consignment covered by the licence has not undergone document checking or has not been selected for physical inspection, the “unused” import licences mentioned in paragraph 2.94 and Table 9 of the Audit Report only reflected the classification of import licences (whether unused or used) of food consignments that have not undergone document checking or physical inspection in the CFS’s computer system, not reflecting the actual situation of import licenses that were unused.

In response to Audit Commission’s observations, the CFS conducted a survey from June to December 2018 to identify import licences of which the CFS has requested for document checking or have selected them for physical inspection, and thus the CFS has laid down the

concerned licensing conditions thereon. After checking the expired import licences that have not been used, CFS could have a better idea on whether the importers had breached the issue condition, i.e. requiring submission of import documents upon arrival in Hong Kong or requiring physical inspection, if so requested. The results showed that during the period, out of the 1,163 import licences stipulated with the above licensing condition imported through the sea route, 88% were used and the importers concerned had submitted the import documents and/or accepted physical inspection of their consignments. The remaining 12% were unused (5% were returned to the CFS by the importers voluntarily and 7% were not returned).

Having regard to the information which importers have to provide in applying for the import licence, the CFS has enhanced its computer system which can now identify whether an importer has applied for more than one import licence for the same meat consignment. This is to ensure that the same consignment of meat will not be issued with several import licences at the same time. For food consignments selected for physical inspection but which import licences are subsequently cancelled by the importers, the CFS will put the information of the relevant import licences on a watch list. The food consignment concerned is still be subject to physical inspection by the CFS if the importer re-applies for an import licence for the same meat consignment.

In the long run, we expect that with the implementation of Phase 3 of the Trade Single Window (TSW) in the future, cargo information needed for custom clearance has to be submitted through the TSW platform in advance. Meanwhile, the CFS will develop an information system to link up with the TSW for gathering cargo information in conducting risk assessment on food imports. The CFS will then have more timely and comprehensive knowledge of the usage of import licences.

(q)

Sea, air and land boundary control points are different in terms of infrastructure and modes of operation. Therefore, the inspection processes for foods imported by sea, air and land are not the same. As mentioned in parts (f) and (g) above, the CFS applies a risk-based principle in selecting and inspecting food containers shipped by sea, while routine physical inspection of food consignments imported by sea are mainly conducted at the warehouses, cold storages or cold stores of the importers concerned. This is similar to the practice of other economies in inspecting foods imported by sea routes. Based on the above principles and arrangements, the CFS will continue to review the guidelines for selecting food consignments imported by sea for physical inspection, and will make appropriate adjustments where necessary.

(r)

From 2016 to 2018, the CFS instituted 14 prosecutions under section 4 of the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK) and 1 prosecution under section 5A of the Milk Regulation (Cap. 132AQ) against importers who failed to present valid import documents for food consignments imported by sea. All cases were convicted with imposition of fines from \$1,000 to \$20,000. The number of prosecutions is as follows:

Relevant provisions	2016	2017	2018
Section 4 of the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK)	7	3	4
Number of convicted cases	7	3	4
Fines imposed	\$1,000 - \$8,000	\$2,000 - \$10,000	\$1,800 - \$20,000
Section 5A of the Milk Regulation (Cap. 132AQ)	-	1	-
Number of convicted cases	-	1	-
Fines imposed	-	\$6,000 + \$6,600 (daily fine of \$300 x 22 days) Total: \$12,600	-

(s) and (t)

According to the administrative arrangement between the Hong Kong Special Administrative Region and the Mainland authorities, Mainland food animals and live aquatic products supplied to Hong Kong must originate from registered farms approved by the General Administration of Customs, People's Republic of China (GACC) with the provision of valid animal health certificates. The CFS maintains liaison with the Mainland authorities concerning changes in the list of registered farms. For example, the Mainland authorities will inform the CFS of the farms that have completed registration for export to Hong Kong. The CFS will also regularly check the list of registered farms on the GACC website and verify the relevant information with the Mainland authorities if necessary.

Regarding the cattle farm mentioned in paragraph 3.9 of the Audit Report, where two consignments of bovines were inspected by Audit in the company of the CFS staff on 17 May 2018, the Mainland authorities confirmed on 14 February 2017 that it was a registered farm approved for exporting to Hong Kong. In other words, the registration status of the farm was confirmed by the Mainland authorities before 17 May 2018. The two consignments of bovines were accompanied by valid animal health certificates and attached with intact official seals affixed by the Mainland authorities. They had passed inspection by the Mainland inspection and quarantine authorities and were released only after passing inspection by the CFS staff.

The registration status of the farm remains unchanged. It continues to supply cattle to Hong Kong.

(u)

As for the two farms covered during the audit period (27 April to 28 May 2018) as mentioned in paragraph 3.10(b) of the Audit Report, the Mainland authorities confirmed respectively in February and April 2017 that they were registered farms approved for exporting to Hong Kong. The registration status of the two farms remain unchanged and they continue to supply cattle to Hong Kong. The consignments of bovines from these two registered farms in the above period were accompanied by valid animal health certificates and attached with intact official seals affixed by the Mainland authorities. The consignments had passed inspection by the

Mainland inspection and quarantine authorities. They were released only after passing inspection by the CFS staff. The liaison details between the CFS and the Mainland authorities concerning these two registered cattle farms are set out in the following table:

Date	Details
Cattle Farm A (registered for exporting cattle to Hong Kong)	
14.2.2017	<ul style="list-style-type: none"> ● The CFS inspected the imported live cattle and found that Farm A was not on the list of registered farms for exporting to Hong Kong. ● The CFS staff immediately sought clarification from the Mainland authorities, which confirmed on the same day that the farm was a registered farm approved for exporting to Hong Kong.
14.2.2017 - 28.5.2018	<ul style="list-style-type: none"> ● Registered Farm A continued to export cattle to Hong Kong. The CFS did not receive any notification from the Mainland authorities concerning change of registration status of the farm.
Cattle Farm B (registered for exporting cattle to Hong Kong)	
20.4.2017	<ul style="list-style-type: none"> ● The Mainland authorities informed the CFS that Farm B had completed registration in March 2017 and was approved for exporting to Hong Kong.
25.4.2017 - 28.5.2018	<ul style="list-style-type: none"> ● The first consignment of bovines from Registered Farm B was supplied to Hong Kong on 25 April 2017. The farm continued to export cattle to the territory afterwards. The CFS did not receive any notification from the Mainland authorities concerning change of registration status of the farm.

(v)

Regarding the third farm mentioned in paragraph 3.10 (b) of the Audit Report, the Mainland authorities confirmed that it was a registered pig farm (Farm C) which has been supplying pigs to Hong Kong since 2010.

In April 2017, the CFS found that the Mainland authorities had updated the list of registered farms that exported to Hong Kong on the relevant website. The original code of Farm C was changed and became identical with the code of another registered farm exporting to Hong Kong (Farm D). However, the other information about Farm C (including its name and address) was not changed. As for Farm D, its code, name, address and other information was same as what was previously entered on the registered farm list. As each farm should have a unique code and the above identical code had all along been assigned to Farm D, the CFS had reasonable ground to consider the new code of Farm C as an input mistake. Hence, the CFS had not particularly sought clarification from the Mainland authorities at that time.

In response to Audit's enquiry, the CFS communicated with the Mainland authorities on the above issue in September 2018. In its reply, the Mainland authorities confirmed that Farm

C's code on the website was an input mistake. Subsequently, on the list of registered farms for exporting to Hong Kong posted on the GACC website, the code of Farm C was reverted to the original code.

The CFS agrees that there is room for improvement in handling this case. In the future, the CFS staff would seek clarification from the Mainland authorities as early as possible if there are suspected mistakes in the registered farm list posted on the GACC website.

(w)

The permit issued by the Agriculture, Fisheries and Conservation Department (AFCD) under the Rabies Regulation (Cap. 421A) allows the permittee (i.e. the importer) and the airline/shipping company responsible for shipping animals to convey animals to Hong Kong, subject to the clauses listed on the permit and its attached pages. The permit, which lists out the daily maximum number of livestock permitted to be imported to Hong Kong, is valid for one month. The arrangements under the permit are applicable to live food animals imported from the Mainland.

The AFCD issues the permit to local importers that import food animals from the Mainland. As stated in additional clause (1) of the permit, the permit is for multiple use and the importer should produce it to the officer authorised by the AFCD (i.e. a CFS officer) when the animals are shipped to Hong Kong. The AFCD will send duplicate copies of the permit to the CFS by fax after its issuance. However, as the goods vehicle driver that conveys the animals to Hong Kong is not the permittee (i.e. the importer), in actual operation it is impractical to adhere to the above clause by requiring the importer to produce the permit for inspection upon the arrival of each livestock consignment.

In response to Audit's recommendation, the CFS took the initiative to discuss improvement measures with the AFCD. The AFCD also liaised with the importers concerned. After joint discussions, the three parties reached a consensus on the improvement measures. Starting from November 2018, the importers will produce the original AFCD permit to the CFS each month after obtaining the permit from the AFCD, and the CFS staff will make photocopies of the relevant documents accordingly. When the CFS staff inspect imported food animals at the control point, they will check whether the consignee's name on the animal health certificate of each consignment is identical with the importer's name on the permit produced to the CFS by the importer. The AFCD has confirmed that the new arrangement is compatible with the clauses of the permit.

(x)

In the past three years, the daily number of livestock imported by individual importers has been within the daily maximum import quota indicated on the AFCD permit.

(y)

The CFS will review the operational manual and internal guidelines in light of the work situation and consult the trade and/or the relevant sections within the CFS in order to update the manual and guidelines in a timely manner. In addition, the CFS holds working meetings with the frontline staff regularly to communicate with them as well as to exercise supervision

to ensure that they are informed of and understand the operational manual and internal guidelines.

In response to Audit's recommendations, the CFS has enhanced communication with the frontline staff, their supervision and on-the-spot guidance. Newly appointed officers will be given training and briefings on the implementation of the operational manual and guidelines. The CFS encourages the frontline staff to reflect problems encountered at work or their views on the manual and guidelines to the senior management.

In 2017, the CFS set up a dedicated team to fully review the operational processes and the monitoring system for regulation of food imports and to carry out major revamping of the information system, with a view to supporting the work of the frontline staff and enhancing data management and analysis by the CFS. The new measures will be implemented in phases starting from 2019.

- ENDS -

**List of items to be checked in the inspection of vehicles
conveying chilled meat and poultry
by CFS at the MKTFCO**

1. A goods vehicle, with an enclosed conveying compartment and equipped with refrigerating devices capable of maintaining a chilling temperature between 0°C and 4°C, and in no circumstances exceeding 8°C, shall be provided for the transportation of imported chilled meat, poultry and/or offal.
2. The internal surfaces of the conveying compartment shall be smooth and impervious to facilitate cleansing.
3. Hanging rails and/or metal or plastic containers shall be provided in the conveying compartment for separate storage of imported chilled meat, poultry and/or offal.
4. The vehicle shall have temperature devices which constantly record the temperature of the conveying compartment on a running graph during the trip.
5. A temperature gauge shall be provided outside the conveying compartment so that the driver can readily monitor the temperature in the compartment.
6. The conveying compartment of the vehicle approved for transportation of imported chilled meat, poultry and/or offal shall be kept clean and free from refuse, dirt or other offensive substances, and shall be cleansed and disinfected before loading and after unloading or as and when required by a Health Inspectorate officer.
7. The conveying compartment of the vehicle shall only be used for transportation of imported chilled meat, poultry and/or offal approved by the FEHD. Different types of poultry shall be placed at different parts of the conveying compartment. Apart from chilled meat, poultry and/or offal, the vehicle shall not be used for transportation of any other commodities.

8. Imported chilled meat, poultry and/or offal shall be kept hygienically in the conveying compartment at a chilling temperature between 0°C and 4°C, and in no circumstances exceeding 8°C. This temperature requirement applies to all portions of poultry.
9. Every door or window of the conveying compartment of the vehicle for carrying imported chilled meat, poultry and/or offal shall be kept properly closed except during loading and unloading of food. The chilling devices of the conveying compartment shall be kept running at all times when the compartment is loaded.
10. No person shall remain in the conveying compartment of the vehicle except for the purpose of loading and unloading of food or for cleansing, disinfection and maintenance of the conveying compartment.
11. The refrigerating devices of the conveying compartment and the temperature gauge shall be kept in good working condition at all times.

List of Facilities provided for
Setting Up a **Temporary** Food Check Point by FEHD at KCCH

	List of facilities to be offered by C&ED	
1.	One container truck bay at the KCCH with operating hours between 0900 hrs and 2200 hrs from Monday to Saturday (No. 3 Container Truck Parking Space of the new cargo examination compound and the corresponding examination bay area as depicted at the <u>Appendix</u>)	- 3 office chairs to be provided - Photocopying service at Duty Office, 9/F, KCCH - FEHD to decide the installation of a fax line & own fax machine
2.	A temporary work station (next to the metal storage cage at the new compound area) with two office desks, two <u>three</u> office chairs and two power sockets. (<u>Location for temporary use of fax machine and photocopier</u>)	
3.	One car parking space to facilitate FEHD officers' travelling to and from KCCH for reporting on/off duty and meal arrangements	
4.	The waiting area at the Lobby of the G/F of KCCH for stand-by	- Confirmed provision and microwave oven can be used at 1245 hrs
5.	Male and Female Toilets on G/F	
6.	Pantry on 9/F (<u>whether there is the provision of microwave oven and water dispensing machine</u>)	
<u>7.</u>	<u>Lockers for storage of equipment / stationery /reflective vest</u>	- A cabinet to be provided at the temporary work station

Remarks: No wi-fi service at KCCH.

Notes of Briefing Session on
Further Improving Control of Food Imported by Sea

Date : 24.9.2015 (Thursday)
Time: 3:00 pm (1st Briefing Session)
Venue: Lecture Theatre at 3/F, Lai Chi Kok Training School

ATTENDEE

(I) Trade side

A total of 77 representatives of 52 Japanese food importers attended the briefing session, as shown in the Annex.

(II) Centre for Food Safety (CFS)

Ms. CHEUNG Lai-kuen, Senior Superintendent (CFS)1
Ms Doris TAM, Superintendent (Import/Export)3
Mr. Mok Wai Hung, Chief Health Inspector (Import/Export)7
Mr Kwan Kin Wai, Senior Health Inspector (Import/Export)R1
Ms. Rachel TAM, SEO(I/E)IR
Mr. John Yip, EO(I/E)IR

Notes of meeting

SS(CFS)1 welcomed all representatives of Japanese food importers attending the forum and briefed them on ‘Further Improving Control of Food Imported by Sea’, an enhanced food container inspection at Kwai Chung Customhouse (KCCH).

The following major enquiries were raised by the representatives of food importers:

Q1: Were radiation certificates required for all categories of Japanese food imported to Hong Kong?

A: Following the Fukushima nuclear incident in Japan, DFEH made an order in March 2011 under the Public Health and Municipal Services Ordinance to prohibit the import of vegetable, fruit, milk and milk powder which were from the five prefectures of Japan, i.e. Fukushima, Ibaraki, Tochigi, Gunma and Chiba into Hong Kong . However, chilled or frozen game, meat and poultry, poultry eggs and live, chilled or frozen aquatic products accompanied by a

certificate issued by the competent authority of Japan certifying that the radiation levels did not exceed the corresponding Guideline Levels of Codex could be imported into Hong Kong.

Q2: Which party of the food trade would CFS approach for food inspection at KCCH?

A: CFS would only approach food importers for the inspection of food containers at KCCH.

Q3: Would there be cold store provided for the importers at KCCH?

A: There was currently no cold storage facilities provided at the CFS checkpoint at KCCH. Preliminarily, no chilled or frozen food items would be chosen for the enhanced food inspection at KCCH.

Q4: Could the food importers requested for their imported food being inspected at the KCCH?

A: The importers' request would not be entertained because CFS would base on mentioned criteria/ risk assessment to choose food containers.

Q5: Would the inspection of container be arranged in the late afternoon? How long would it take for the food inspection at KCCH?

A: CFS would arrange the food inspection in the morning or early afternoon in order not to cause any inconvenience to the food traders. The required time for the inspection of container would depend on the quantity and packing of the food in the container.

Q6: Would the importers be required to be present for food inspection at KCCH?

A: Importer or his representative whose container was chosen should be present during food inspection at KCCH to witness the progress.

Q7: Would CFS pay for the cost of the food inspected? Would there be any document certifying that the food could be released after the inspection?

A: As only radiation test by handheld meter would be conducted at KCCH,

CFS would not purchase food sample for CMS test at KCCH. Release letter would be issued on the spot. However, if the result by handheld was doubtful, CFS would purchase food sample for CMS.

Q8: Would forklift and manual workers be available for food inspection at KCCH?

A: Yes.

Q9: Would CFS be responsible for any damages incurred during the food inspection?

A: Importer or his representative should be present during inspection to oversee loading and unloading of the goods. If CFS received any request for claim, CFS would provide the case with our findings to DoJ for seeking legal advice.

Q10: As the longer the time samples of food items were taken for testing, the importers would bear more cost, would CFS shorten the time for the sample testing?

A: It takes 2-3 days for CMS test, CFS would liaise with the Government Laboratory to shorten the testing time if CMS test was required.

Q11: If radiation of the food items was detected but the level of radiation was lower than the Guideline level, should the food items be required to be disposed of?

A: You might refer to CFS website that there were as at today about 60 food items detected with low radiation level but did not exceed the corresponding Guideline Levels of Codex. Although such food was considered safe for human consumption, concerned importers usually surrendered the food items voluntarily to CFS for disposal to ensure good quality of their food products and gain confidence of consumers.

Q12: Were Surveyor appointed by importer be allowed to be present in the food inspection at KCCH?

A: Surveyor would be allowed but prior notification should be given to CFS for follow-up action with C&ED as KCCH was under the management of

C&ED.

Q13: Some food traders had encountered that although their food items had been found free from radiation after testing by handheld meter, they were still required to have samples of their food items taken for testing at Government Laboratory. Why were food inspection practices not aligned as the new mode in KCCH?

A: CFS adopted risk-based approach in carrying out radiation test (handheld/CMS) in warehouses or cold stores. Although we would only conduct handheld test in KCCH, CFS would continue to take samples at wholesale and retail level basing on risk assessment. .

Q14: Would food importers with good records be subject to less frequent food inspection?

A: CFS selection criteria of container for inspection at KCCH would include importers with uncooperative track record to report to CFS or failed to provide e-manifest voluntary to C&ED or incomplete information of e-manifest. However, if there was food incident in surrounding areas/ overseas or CFS received intelligence about import of food from the restricted prefectures of Japan, importers even with good tracking records would be subjected to inspection of food containers at KCCH. Anyway, importers were reminded to report to CFS and submitted import documents before the arrival of their imported food items for arrangement of inspection. They should also remind their forwarders the same.

Q15: Would CFS follow C&ED's practice to inspect containers at importers warehouse?

A: CFS would not consider at the moment as not all the importers had their own warehouses and equipment such as forklift. CFS would inspect food containers at KCCH.

Q16: Were importers allowed to bring along their vanning and devanning equipment and workers at KCCH?

A: C&ED's clarification was required as KCCH was a restricted premises managed by C&ED.

Q17: Would CFS seal the container after food inspection? CFS would help food traders if CFS would seal the container after food inspection to ensure security of the food items during transportation.

A: No, the importers had to seal the container by themselves after the release of the food container by CFS. CFS had no legal basis to seal the container for the owner basing on security purpose. However, CFS would mark and seal those suspected unfit food under legal ground.

Q18: The new mode at KCCH was for imported Japanese food. Would other food categories imported through sea border be required to be inspected?

A: All imported food containers would be selected for inspection in KCCH under the risk-based approach. The new mode started with Japanese food due to the reasons mentioned before including Fukushima nuclear incident in Japan in March 2011, concern of food safety of Japanese food by some HK citizen, a complaint concerning import of Chiba carrot in this Jan. Besides, as a new legislation on regulation of imported eggs would be implemented in December 2015, imported eggs container through sea border would also be inspected under the new mode.

Q19: When would the food order targeted at Japanese food be lifted?

A: CFS would continue to monitor the situation by collecting relevant information from Japan and other countries. We would inform food traders if there would be any development in this respect.

The meeting ended at 5:15 pm.

Centre for Food Safety
Food and Environmental Hygiene Department
25 September 2015

Notes of briefing session to importers on
Further Improving Control of Food Imported by Sea

Date : 25.9.2015 (Friday)

Time: 10:00 pm (2nd Briefing Session)

Venue: Theatre at 2/F, Oi Kwan Court, Oi Kwan Road, Wanchai, HK

ATTENDEE

(I) Trade side

A total of 46 representatives of 33 Japanese food importers attended the briefing session, as shown in the Annex.

(II) Centre for Food Safety (CFS)

Ms. CHEUNG Lai-kuen, Senior Superintendent (CFS)1

Ms Doris TAM, Superintendent (Import/Export)3

Mr. Mok Wai Hung, Chief Health Inspector (Import/Export)7

Mr Kwan Kin Wai, Senior Health Inspector (Import/Export)R1

Ms. Rachel TAM, SEO(I/E)IR

Mr. John Yip, EO(I/E)IR

Notes of meeting

SS(CFS)1 welcomed all representatives of Japanese food importers attending the forum and briefed them on ‘Further Improving Control of Food Imported by Sea’, an enhanced food container inspection at Kwai Chung Customhouse (KCCH).

The following major enquiries were raised by the representatives of food importers:

Q1: How would CFS handle cases of console container (夾櫃) carrying multi-categories of goods items owned by different importers? Would container with goods items other than Japanese food be unsealed for inspection?

A: As mentioned in the briefing before, C&ED provided Japanese food import information from pre-arrival manifest to CFS daily for follow-up action, CFS would base on risk-based criteria such as intelligence, food incidents in surrounding areas, past track records of importers, etc to select targeted

containers for inspection at KCCH. CFS was not aware that the container was 'console' basing on the received manifest information from C&ED. Hence, the selected targeted containers might include consul containers.

Q2: In the console container cases involving several importers, individual importer of the container did not have the right to unseal the container. In such circumstance, which importer would CFS approach for food inspection?

A: Base on the Japanese food import information in the pre-arrival manifest as provided by C&ED to CFS daily, CFS would contact the importer appeared on the manifest. The importer had to communicate with the forwarder to arrange for the food container inspection at KCCH.

Q3: Which party was to provide devanning and vanning services for food inspection in KCCH? How many workers? Trade experienced that 3-4 workers were required for the devanning and vanning services and it took more than 3-4 hours. Drivers as hired by the importers would not take part in the vanning and devanning of goods. The time required for the devanning and vanning services.

A: CFS would provide forklift and workers to assist in food container inspection at KCCH. There would be one worker at the initial stage but would later increase to 2-3 workers. Importer or your representative could assist during devanning and vanning services if so wished. The duration of inspection would depend on various factors including types and quantities of food items, packing mode, etc.

Q4: Would there be any cold storage facilities at KCCH? As the goods would be of various types which would take a number of workers for devanning and vanning, would the manual workers CFS provided be sufficient to speed up the devanning and vanning process in order to shorten time in the food inspection process? CFS should take into account that food inspection at KCCH would induce higher cost paid by the importers.

A: There was currently no cold storage facilities provided at KCCH, chilled/frozen containers would not be selected for inspection preliminarily under the new mode of food inspection at KCCH. CFS noted the importers' concern on time, manpower and cost factors in the new mode of food inspection at KCCH.

Q5: To implement the new mode of food inspection in October 2015 before sorting out problem, such as time and manpower, would be too hasty. As chilled and frozen food items were considered as high risk, what was the purpose of food inspection if chilled/frozen food items were not inspected at KCCH?

A: Currently, there were CFS food checkpoints at the airport and land borders, however, there was no such checkpoint at sea borders. The new measure to conduct food container inspection in KCCH based on risk-based approach would be an enhancement to the current sea border control. CFS would continue the current sea border control by conducting food inspections at warehouses or cold stores.

Q6: For console container cases involving several importers, the importer of the Japanese food did not have the right to unseal the whole container of assorted goods items. Some importers would require the presence of cargo surveyors in unsealing the container if the goods/food items were of high cost, such as wine and other luxurious food items.

A: The importer appeared on the manifest should communicate with his forwarder for food inspection of console container case. CFS would also liaise with importer to work out the schedule for food inspection at KCCH before issuing the detention notice.

Q7: As it would be difficult for the importers of console cases to arrange food inspection at KCCH as individual importer did not have the right to unseal the container, would it not be more appropriate for CFS to approach the forwarders instead of importers to arrange consul food container inspection at KCCH?

A: CFS ensured food safety and regulated import of food through relevant regulations such as Public Health and Municipal Services Ordinance and Food Safety Ordinance. Under the existing legislation, we would direct importers instead of forwarders to arrange their food containers to be delivered to KCCH for inspection by CFS.

Q8: CFS did not understand the operational flow and logistics of containers imported via sea. The mode of operation of container via sea route was totally different to those consignments imported via airport and land. Unlike air and land routes, importers would encounter many operational difficulties in directing the food container to KCCH for inspection. CFS should contact

C&ED to familiar with the inspection of imported container via sea. They inspected containers at KCCH and also importers' warehouses.

A: C&ED had demonstrated their works at Kwai Chung Container Terminal and KCCH to CFS staff. Besides, CFS did contact some importers to collect their current practice via sea route. Hence, CFS was aware of the operational flow and logistics of containers imported through sea route.

Q9: Would CFS follow C&ED's practice to inspect imported food containers at forwarders' warehouse?

A: In the initial stages, CFS would not inspect containers at forwarders' warehouse because not all the importers had their own warehouses and equipment such as forklift and laborers. However, CFS noted the suggestion.

Q10: As it was understood that C&ED conducted dangerous goods inspection at KCCH for anti-terrorism reason, why CFS implemented the new mode of food inspection at KCCH?

A: C&ED and CFS had similar purpose of inspecting containers at KCCH under respective purviews. C&ED's risk profiling focused on anti-terrorism, narcotics interdiction, etc. For CFS, as mentioned, we would conduct enhanced inspections to food containers imported by sea at KCCH basing on risk-based approach, such as intelligence/ complaints received, food incident in surrounding areas, past track record such as non-reporting cases or incomplete manifest information, etc, to protect food safety.

Q11: Were there any figures on contaminated food items with radiation detected in Hong Kong ever since the Fukushima nuclear incident in Japan in 2011?

A: Result of surveillance on radiation level had all along been uploaded in the CFS webpage daily. Given three vegetable samples from Chiba in March 2011 detected with radiation level exceeding the corresponding Guideline Levels of Codex, the DFEH had subsequently issued a Food Safety Order. Since then, about 60 food items were detected with low radiation level but did not exceed the Guideline Levels. Food traders usually surrendered the food items to CFS voluntarily for disposal to ensure good quality of their food products and gain confidence of customers.

Q12: Would CFS just target those importers with poor track record in the new mode of food inspection at KCCH rather than involving all the food importers? It seemed that food importers with good track record in console container were “punished” under the new mode of food inspection at KCCH.

A: As mentioned, CFS would base on risk-based approach to select food containers for inspection at KCCH. Apart from poor tracking record of importers, CFS would also consider other criteria, such as intelligence/complaints, food incidents of surrounding areas, etc.

Q13: The new mode at KCCH was for imported Japanese food. Would other food categories imported through sea border be required to be inspected?

A: All imported food containers would be selected for inspection in KCCH under the risk-based approach. The new mode started with Japanese food due to the reasons mentioned before including Fukushima nuclear incident in Japan in March 2011, concern of food safety of Japanese food by some HK citizen, a complaint concerning import of Chiba carrot in this Jan. Besides, as a new legislation on regulation of imported eggs would be implemented in December 2015, imported eggs container through sea border would also be inspected under the new mode.

Q14: It would be difficult for the importers to arrange transport for food inspection at KCCH, which involved “double handling” of the container in driving the container to KCCH and then back to the importers’ warehouse. Moreover, no definite time was given as to how long it would take for the food inspection at KCCH, while it would just usually take two hours for the importers/forwarders to unload their food items from the containers at their warehouses. This would also lead to the problem of finding a place to park the container after the inspection at KCCH. All the factors would incur higher cost to be paid by the importers. How would CFS cope with these problems which caused nuisances to the importers? CFS should not implement the new mode of food inspection in KCCH in October 2015 before resolving all these problems.

A: It was anticipated that concerned stakeholders including importers, forwards and shippers would be affected by the enhanced inspection to food containers at KCCH. Hence, the purpose of this briefing session aimed at informing importers of the new sea border enhancement for your early liaison/arrangement with relevant stakeholders to cope with CFS’s new measure to

protect food safety. CFS noted importers' concern/ comment on time, manpower and higher cost under the new mode of food inspection at KCCH. In respect of operational difficulties on inspection of console container at KCCH, CFS would look into the issue.

Q15: Would CFS be responsible for any damages incurred during the food container inspection at KCCH?

A: Importers/ their representatives should be present during inspection to oversee loading and unloading of the goods at KCCH. If CFS received any request for claim, CFS would submit the case with our findings to DoJ for seeking legal advice.

Q16: Could the driver drive away the 'vehicle head' and leave the truck in the inspection bay for CFS inspection? The driver will return to KCCH with the 'vehicle head' after completing other orders.

A: The suggestion was not supported because CFS staff might need to wait for the return of the driver with 'vehicle head'. This would interrupt the smooth operation flow in KCCH.

Q17: How many inspection bays would there be for food inspection at KCCH?

A: Importers needed not to worry about it. An inspection bay in KCCH should have been arranged for inspection of your container according to the information in the detention letter issued to the importer.

Q18: What would happen if the importers missed the food inspection requirement due to public holidays?

A. Based on the import information in pre-arrival manifest provided by C&ED, CFS would contact the importer before arrival of the container so as to agree with a date of inspection. A detention letter with date and time of inspection would then be issued to the importer.

Q19: Although my company usually imported full container of food, not consul container, we anticipated double handling of the food container under the new mode of inspection at KCCH. There would be increased operational cost incurred in employing different forwarders to deliver containers to and from

KCCH. Delayed arrival to the booked warehouse would also incur additional cost to find another storage place. Such situation would also affect the importer's contract with the warehouse.

A: CFS noted your concerns. While CFS would look into the operational flow in KCCH, importers were advised to contact your stakeholders early for necessary preparation.

The meeting ended at 12:00 noon.

Centre for Food Safety
Food and Environmental Hygiene Department
28 September 2015

Notes of Briefing Session on
Further Improving Control of Food Imported by Sea

Date : 20.10.2015 (Tuesday)
(Briefing for poultry egg importers)
Time: 3:00 pm
Venue: Lecture Theatre at 3/F, Lai Chi Kok Training School

ATTENDEE

(I) Trade side

A total of 57 representatives of 44 egg importers attended the briefing session, as shown in the Annex.

(II) Centre for Food Safety (CFS)

Ms CHEUNG Lai-kuen, Senior Superintendent (CFS)1
Ms Doris TAM, Superintendent (Import/Export)3
Ms Ho Kit Yi, Chief Health Inspector (Import/Export)5
Mr Sin Chiu Hong, Senior Health Inspector (Import/Export) HK1
Ms. Rachel TAM, SEO(I/E)IR
Mr. John Yip, EO(I/E)IR

Notes of meeting

SS(CFS)1 welcomed all representatives of food importers attending the forum and briefed them on ‘Further Improving Control of Food Imported by Sea’, an enhanced food container inspection at Kwai Chung Custom House (KCCH).

The following major enquiries were raised by the representatives of food importers:

Q1: For all types of Japanese food imported to Hong Kong, were radiation certificates required, including chilled meat? Should the food inspected at the chilled store be sealed before inspection?

A: Due to the Fukushima nuclear incident in Japan, DFEH made an order in 2011 under the Public Health and Municipal Services Ordinance to prohibit the import of vegetable, fruit, milk and milk powder from the five prefectures of Japan, i.e. Fukushima, Ibaraki, Tochigi, Gunma and Chiba into Hong Kong .

However, chilled or frozen game, meat and poultry, poultry eggs and live, chilled or frozen aquatic products from the five prefectures accompanied by a certificate issued by the competent authority of Japan certifying that the radiation levels did not exceed the corresponding Guideline Levels of Codex could be imported into Hong Kong. Targeted chilled meat containers issued with detention letter would be inspected at importers' cold storage area and the container seal should be intact.

Q2: Would the importers be required to be present for food inspection at KCCH?

A: It was advisable for the importer whose container was chosen or his representative to be present during food inspection at KCCH in order to witness the inspection progress.

Q3: As the legislation for poultry eggs would be implemented on 5 December 2015, were health certificates for imported eggs from the countries of origin ready? Which were the countries with their health certificates agreed by CFS?

A: CFS had actively liaised with Consulate General and relevant food authorities of exporting countries to work out agreed health certificates (H/C) before implementation of the poultry egg legislation for import of eggs/egg products.

Q4: While the majority of imported poultry eggs were from Mainland China, USA, Thailand and Malaysia, a lower percentage of poultry eggs were from Ukraine, Pakistan, etc. As it would take around two months to import poultry eggs to Hong Kong, should the health certificates from the exporting countries were not yet ready when the legislation was implemented, the egg importers would suffer loss and the supply of poultry eggs in Hong Kong would be in short.

A: Health certificates for imported poultry eggs would be required when the legislation of poultry eggs were implemented on 5 December 2015. While CFS had already agreed on the health certificates with some major eggs exporting countries, we also actively urged relevant Consulate General and relevant food authorities of exporting countries to step up the process of the agreed H/C. CFS would take note of the importers concern on the readiness of health certificates.

Q5: What would be the criteria for assigning KCCH or warehouse as the place of inspection for poultry eggs? C&ED would inspect food at either wholesale markets where there were more skilled workers or warehouse of the importers. CFS could make reference to C&ED in food inspection. It was suggested that there should be grace period at the commencement of the legislation of poultry eggs.

A: CFS would inspect eggs containers at KCCH. CFS was aware of the operational flow and logistics of containers imported through sea route as C&ED had demonstrated their works at Kwai Chung Container Terminal and KCCH to CFS staff. CFS would provide forklift with driver and workers for devanning and vanning of food items if the food inspection was conducted in KCCH but not in importers' warehouse.

Q6: How long would it take for the food inspection at KCCH ?

A: CFS would arrange the food inspection in the morning or early afternoon in order not to cause any inconvenience to the food traders. The required time for the inspection of container would depend on factors such as the risk assessment, quantity and packing of the food in the container.

Q7: What were the procedures for application of permission for imported poultry eggs from CFS? Would the permission limit the quantity of imported eggs?

A: Importers should apply to CFS for permission to import eggs/ egg products. Relevant import information such as name and quantity of food to be imported, the exporting country, etc should be provided in the application form in accordance with the amended regulation. The validity of the permission would be 6 months for shipments. Importers would be required to inform CFS for import of each shipment of the eggs. Importers were not allowed to import eggs more than the quantity allowed in the written permission.

Q8: Were imported food items inspected at land border?

A: Food items imported through land border would be inspected at Man Kam To Food Control Office as usual.

Q9: If the imported food in a console container included eggs and meat, if

either the poultry egg or meat was subject to laboratory test, would both the eggs and meat be sealed?

A: CFS would release the container after taking samples or if necessary, detain the sealed container waiting for test result. Importer was required to make temporary arrangement for storage of the detained sealed container. We would make assessment for different scenario.

Q10: How long would it take if the food item was marked and sealed before it was released? Should the detention period be say more than five days, the importers would suffer loss as more cost would be incurred for storing the detained food items during the detention period. Would there be enough time for CFS to arrange food inspection with the importers before shipment of the food items arrived?

A: CFS would liaise with the laboratory for earlier test result of food container as far as possible. Based on the import information in pre-arrival manifest provided by C&ED, CFS would contact the importer before arrival of the container so as to agree with a date of inspection. A detention letter with date and time of inspection would then be issued to the importer. Food traders were requested to cooperate with CFS once they received notification for the enhanced food inspection.

The meeting ended at 4:40 pm.

Centre for Food Safety
Food and Environmental Hygiene Department
20 October 2015

Notes of Briefing Session on
Further Improving Control of Food Imported by Sea

Date : 22.10.2015 (Thursday)
(Briefing for frozen confectionary & milk importers)
Time: 3:00 pm
Venue: Lecture Theatre at 3/F, Lai Chi Kok Training School

ATTENDEE

(I) Trade side

A total of 40 representatives of 24 food importers attended the briefing session, as shown in the Annex.

(II) Centre for Food Safety (CFS)

Ms CHEUNG Lai-kuen, Senior Superintendent (CFS)1
Ms Doris TAM, Superintendent (Import/Export)3
Ms Ho Kit Yi, Chief Health Inspector (Import/Export)5
Mr Liang King Man, Chief Health Inspector (Import/Export)6
Mr Sin Chiu Hong, Senior Health Inspector (Import/Export) HK1
Ms. Rachel TAM, SEO(I/E)IR
Mr. John Yip, EO(I/E)IR

Notes of meeting

SS(CFS)1 welcomed all representatives of food importers attending the forum and briefed them on ‘Further Improving Control of Food Imported by Sea’, an enhanced food container inspection at Kwai Chung Custom House (KCCH).

The following major enquiries were raised by the representatives of food importers:

Q1: How long would it take for the food inspection at KCCH, detention of food container waiting for test result?

A: Selected food containers would generally be directed to KCCH for CFS inspection. For frozen confectionary and fresh milk, the containers would be inspected at the importers’ cold store. For inspection of food containers at KCCH, the containers would be released upon satisfactory inspection result

and taking sample, if necessary. For detained container waiting for result of food sample from Government Laboratory, it may take a few days for the test result. CFS would liaise with laboratory for earlier test result. The importer was required to make temporary arrangement for detaining the sealed container. CFS would usually arrange the food inspection in the morning or early afternoon in order not to cause any inconvenience to the food traders. The required time for the inspection of container would depend on factors such as the risk assessment, quantity and packing of the food in the container.

Q2: The importers for frozen confectionary had experienced that while the food items such as ice cream was required to be inspected within 48 hours after arrival in Hong Kong, inspection by CFS could not be arranged within the time limit as inspectors informed them that the Government Laboratory was fully occupied due to heavy workload. It might take the importers weeks before their frozen confectionary food items could be inspected by CFS.

A: CFS had already noted the said situation, Please rest assured that actions were being taken to improve the situation.

Q3: Would food importers with good records be subject to less frequent food inspection?

A: CFS selection criteria of container for inspection at KCCH would include importers with uncooperative track record to report to CFS or failure to provide e-manifest voluntarily to C&ED or incomplete information of e-manifest. However, if there was food incident in surrounding areas/ overseas or CFS received intelligence about import of restricted food from the restricted areas, importers even with good tracking records would be subjected to inspection of food containers at KCCH. Importers were reminded to report and submitted import documents to CFS immediately after loading the food at exporting countries and before the arrival of their imported food items in HK for arrangement of inspection. They should also remind their forwarders/ shippers the same.

Q4: Would popsicles without milk content, though under the frozen confectionary food category, be required for inspection under the enhanced mode of inspection? If sample of the frozen confectionary was taken for further testing and detained, the importers would bear more cost for storing the food at the chilled store. What were to be tested for imported popsicles ?

A: The enhanced inspection at the KCCH applied to all food items imported at sea border, such as frozen confectionary, fresh milk, Japanese food, poultry eggs in particular when the legislation for poultry eggs would be implemented in December 2015. The tests applied to popsicles included the bacteriological tests such as total bacteria count and coliform; chemical tests such as food colouring, artificial sweetener, radiation, etc.

Q5: What would be the effects on the logistics companies under the new mode of food inspection at KCCH? Would the cargo forwarders be required to liaise with CFS or C&ED?

A: CFS would contact the food importers but not the forwarders for arrangement of container inspection at the KCCH. Food importers should then liaise with their forwarders, if necessary, in arranging the imported food to be inspected at KCCH. To facilitate the food inspection, forwarders/ shippers should provide detailed import information as required in the pre-arrival manifest.

Q6: Would there be any information on the enhanced mode of food inspection at KCCH such as the workflow, documents to be inspected, etc. uploaded in the CFS website?

A: Yes, relevant information would be issued to importers.

Q7: For the frozen confectionary to be inspected at the importer's warehouse, should the seal of the container remain intact before the inspection?

A: Yes. The seal of the container at the warehouse should be intact for inspection by CFS inspector. The following procedures would then be the same as inspection of frozen confectionary as at present.

Q8: Would console containers with different food items be inspected at KCCH under the new mode?

A: Depending on the circumstance, console containers of different food items would be inspected at the KCCH or warehouses if situation warrant.

Q9: Food items inspected at the airport food control check points would be released after the inspection if no further testing was required. Would it be the same at KCCH under the new mode of inspection?

A: Yes, unless there was doubt on the imported food and food sample had to be taken for testing.

Q10: If both CFS and C&ED required to inspect the food container, would there be any arrangement to minimize the inconvenience caused to the importers?

A: Inspections conducted by CFS and C&ED were not the same. CFS inspection aimed at protection of food safety while that of C&ED would be for prevention of arm and drug trafficking. Should it happen that both inspection by CFS and C&ED would be required, CFS would liaise with C&ED for a joint inspection at KCCH.

Q11: What would happen if there was shipment delay after arrangement for food inspection at KCCH had been made with CFS?

A: Importers should inform CFS officers and re-schedule the food inspection at KCCH.

Q12: If food sample was taken for further check during the food inspection at KCCH, would the whole container be detained? It would induce extra cost for detaining the container. Would CFS pay for the extra cost for renting the chilled store, transport cost, etc. if the container had to be detained pending result of the food testing at the laboratory?

A: Testing of food might be required during the food inspection., If necessary, release of food could only be done after satisfactory test results, Under such circumstance, the whole container would be detained and sealed. The importers would be required to arrange temporary storage of the detained sealed container and bear the cost so incurred. CFS would not pay for the extra cost. The mechanism for further improving control of food imported by sea was to protect food safety and gain confidence on food safety from members of the public.

Q13: The trade suggested CFS to consider making a pledge for how long the food test result would be known in order to minimize the cost in detaining the container.

A: CFS noted the suggestion and would arrange the test results be obtained as

early as possible.

Q.14: Why was frozen food allowed to be inspected and detained if necessary at the importers' warehouse but the arrangement did not apply to dry food?

A: The CFS aimed at carrying inspection of the sealed containers at the CFS inspection point at KCCH under the enhanced sea border control. For special circumstance such as frozen food, the alternative arrangement at importers' warehouse could be considered.

Q.15: As shipment of food items from Taiwan would take just around two day to arrive in Hong Kong. Would CFS' inspection be arranged speedily enough to meet the short shipment time?

A: Under such circumstance, the targeted importer after being notified by CFS should provide us with import documents as soon as possible for arrangement of inspection of sealed container at KCCH.

Q16: Could the importers choose to have their imported food be inspected at the KCCH or their warehouse?

A: The CFS aimed at carrying inspection of the sealed containers at the CFS inspection point at KCCH under the enhanced sea border control. Frozen food items could be inspected at the importers' warehouse.

Q17: If the imported food in a console container included different types of milk but just one type of milk was subject to laboratory test, would all the milk products in the container be detained and sealed?

A: Depending on the circumstance, containers containing different milk products would be inspected, released or detained at the KCCH or warehouses according to risk assessment.

The meeting ended at 5:00 pm.

Centre for Food Safety
Food and Environmental Hygiene Department
22 October 2015

Centre for Food Safety
Food and Environmental Hygiene Department
Notes of the Fifty Second Meeting of the Trade Consultation Forum
held on 18 November 2015 at 2:30 p.m.
in Conference Room at Room 102, 1/F, New Wan Chai Market,
258 Queen's Road East, Wan Chai, Hong Kong

Present

Government Representatives

Dr. HO Yuk Yin	Consultant (Community Medicine) (Risk Assessment & Communication)	(Chairman)
Dr. Samuel YEUNG	Principal Medical Officer (Risk Assessment & Communication)	
Ms. Joey KWOK	Scientific Officer (Total Diet Study)	
Mr. Nicky HO	Scientific Officer (Nutrition Labelling)	
Mr. YANG Chi Ming	Chief Health Inspector (Food Safety Promotion)	
Mr. WONG Cheuk Ho	Superintendent (Risk Communication)	(Secretary)

Trade Representatives

Ms. May LAU	A & W Food Service Ltd.
Ms. LIM Lay Nak	A.S. Watson Industries
Ms. Christy CHEUNG	A.S. Watson Industries
Mr. LO Lok Sang	A-1 Bakery Co., (HK) Ltd.
Mr. Andrew WONG	Abbott Laboratories Limited
Ms. Lilian TANG	AEON Topvalu (Hong Kong) Co., Ltd.
Ms. Caroline YUEN	American Consulate General, Agricultural Trade Office
Ms. CHAN Nga Li	Amoy Food Ltd.
Mr. Rex LEUNG	Angliss Hong Kong Food Service Ltd.
Mr. CHAU Wing Kong	B & S Company
Mr. LAM Pak Wah	Best Harvest Company Ltd.
Ms. Kylie SHUM	Birdland (Hong Kong) Limited
Mr. Kenrick CHU	Bureau Veritas Hong Kong Limited
Mr. TSANG Wah Him	Calbee Four Seas Co. Ltd
Mr. Justin WONG	Castco Testing Centre Ltd.
Ms. Jessica OU YANG	CATALO Natural Health Foods Ltd.
Mr. Ivan CHAN	CATALO Natural Health Foods Ltd.

Ms. Leona WONG	Cerebos (Hong Kong) Ltd.
Mr. Ryan CHAN	CFSS Co., Ltd.
Mr. Howard MAK	Chemical Laboratory (HK) PTE. Ltd.
Ms. May LEUNG	Chemical Laboratory (HK) PTE. Ltd.
Ms. LI Ka Fung	Chew's Food International Ltd.
Ms. Hannah WONG	China Dragon Inspection & Certification (HK) Ltd.
Mr. Chi WONG	China Inspection Co., Ltd.
Ms. Samantha TSANG	China Resources Vanguard (HK) Co Ltd.
Ms. Grace YEE	City Super Ltd.
Ms. Elaine WONG	CMA Testing & Certification Laboratories
Ms. May KAN	Coca-Cola China Ltd.
Mr. XU Xiao Xu	Coils Electronic Co., Ltd.
Mr. Houston WONG	Consulate General of Canada
Mr. Michael LEE	Dah Chong Hong Ltd.
Ms. Sandy TSE	Danone Nutricia ELN Hong Kong Ltd.
Mr. Howard SUEN	Deqingyuan (Hong Kong) Limited
Mr. Carlo C. Catingan	Dole Hong Kong Limited
Ms. Charlotte LAU	Economic Department, Consulate General of France
Ms. Karin HO	Eurofins
Mr. Henry CHENG	Fonterra Brands (Hong Kong) Ltd.
Mr. Freddy FONG	Foodscan Analytics Ltd.
Ms. CHAN Miu Ling	Fresh-cut Produces Ltd.
Ms. Doris CHAN	FrieslandCampina (Hong Kong) Limited
Ms. Natalie YUEN	FrieslandCampina (Hong Kong) Limited
Ms. Noel HO	Garden Heart Food Ltd.
Ms. Joe MAK	General Mills HK Ltd.
Mr. TO Yui Nam	Global Wellness Logistics
Ms. Alice WAN	Godiva Chocolatier (Asia) Limited
Ms. Heidi HO	GS1
Mr. Anson POON	GS1
Mr. CHAN King Lung	HAVI Freight Management Ltd.
Ms. HONG Pui I	HAVI Logistics Services (HK) Ltd.
Ms. NG Kwai Chi	Health Naturally Co., Ltd.
Ms. Connie KUNG	Heinz Hong Kong Limited
Ms. Ada WONG	Herbalife Asia Pacific Services Ltd.
Ms. CHEUNG Tin Yan	HK Elements Ltd.
Mr. Allen WONG	Hong Kong Food Science & Technology Association
Mr. Billy TANG	Hong Kong Food Science & Technology Association
Mr. YUEN Lam Piu	Hong Kong Ham Holdings Ltd.

Ms. Isabella LEUNG	Hong Kong Institute of Vocational Education (Chai Wan)
Ms. LAU Kam Sim	Hong Kong Yakult Co., Ltd.
Mr. Ronald CHOW	Hung Fook Tong
Ms. Katrina NG	Hutchison China Meditech Ltd.
Ms. Leona HO	IKEA
Ms. Yolanda CHOW	International Food Safety Association
Ms. WAN Lok Man	Intertek Testing Service H.K. Limited
Ms. MOU Yee Man	Itochu HK Ltd.
Mr. Tanaka Hiroyuki	Japan External Trade Organization
Mr. Nao CHOW	Japan External Trade Organization
Ms. Kennie SIU	Kellogg Asia Marketing Inc.
Ms. Alice WONG	Lee Kum Kee International Holding Ltd.
Mr. SIU Wai Lun	M & S Industries Ltd.
Ms. Faye LEUNG	Mannings
Mr. Stephen LAM	Mannings
Ms. Rita HO	Maxim's Caterers Limited
Ms. SO Po In	Maxim's Caterers Limited
Ms. Juliana CHAN	Maxim's Food Factory
Ms. Amy CHU	Mead Johnson Nutrition (Hong Kong) Ltd.
Mr. Matthew TANG	Mondelez Hong Kong Limited
Mr. WONG Pui Sum	Natural Alliance Co. Ltd.
Mr. Joseph MA	Nestle Hong Kong Ltd.
Mr. LAU Wing Lun	Nine to Five Ltd.
Mr. Herbert LEE	Nissin Foods Co., Ltd.
Ms. Jasmine IP	Nu Life International Headquarters
Ms. German CHEUNG	Pappagallo Pacific Ltd.
Ms. Cactus LAI	ParknShop (HK) Limited
Mr. Peter Johnston	ParknShop (HK) Limited
Ms. WONG Sheung Ling	Pizza Hut HK Management Ltd.
Ms. Launita CHAN	Polybrands International Ltd.
Ms. LAM Hoi Ming	Power Mark Development Ltd.
Mr. Thomas YEUNG	Reckitt Benckiser Hong Kong Limited
Ms. Susana Munoz Enriquez	Secretariat of Economy of Mexico
Ms. LEUNG Wing Shan	SFB Ltd.
Ms. Carol LAI	SGS Hong Kong Limited
Mr. Nick LEUNG	Snow Brand Hong Kong Co., Ltd.
Ms. Antonia Martinez F.	Spanish Trade Commission
Ms. LIU Wing Shan	Swire Coca-Cola HK
Mr. Victor KOK	Tai Pan Bread & Cakes Co., Ltd.

Ms. Sally LEUNG	The Dairy Farm Group
Ms. Anna LEUNG	The Dairy Farm Group
Mr. LING Tsun Kit	The Garden Company Ltd.
Ms. Kammy YEUNG	The Hong Kong Standards and Testing Centre Ltd.
Ms. Vanessa CHAU	Truth & Faith International Ltd.
Ms. Wing CHEUNG	Unilever Hong Kong Ltd.
Mr. Attlee LAU	URC Hong Kong Co., Ltd.
Mr. LE Van Nghia	Vietnam Trade Office
Mr. Sidney NG	Vital Production Ltd.
Ms. Winnie KWOK	Vitasoy International Holdings Ltd.
Ms. Clara LAM	Wellcome
Mr. LAM Tsz Mau	Winner Food Products Ltd.
Mr. Philip KWAN	Wrigley Asia Pacific Ltd
Mr. Tony CHOW	Wyeth (Hong Kong) Holding Co. Ltd.

In Attendance

Mr. WANG Chao	China Food and Drug Administration
Ms. LONG Jie	China Food and Drug Administration
Mr. KE Faye	China Food and Drug Administration
Mr. LI Weixin	China Food and Drug Administration
Mr. LI Weifeng	China Food and Drug Administration
Ms. LI Huimin	China Food and Drug Administration
Mr. JIN Fabin	China Food and Drug Administration

Opening Remarks

The Chairman welcomed all trade representatives to the 52nd meeting and introduced government representatives to the meeting. He also welcomed seven representatives from the China Food and Drug Administration who came to Hong Kong on a study tour and introduced to them the function of this Forum.

Confirmation of the Notes of Last Meeting

Agenda Item 4

Seaport Control at Kwai Chung Container Terminal

20. Mr. YANG Chi Ming informed the meeting that in order to strengthen the monitoring of food imported by sea, the CFS had set up a Food Control Checkpoint (Checkpoint) at Kwai Chung Customhouse (KCCH). The Checkpoint had commenced operation in October 2015. The risk-based surveillance principle was adopted in selecting containers conveying food via sea route for inspection. Taking into account such factors as relevant intelligence, food safety incidents in neighboring areas, whether the importers concerned had previously disregarded instructions to contact CFS for food inspections and whether cargo manifests were submitted to C&ED prior to container arrival or whether the cargo manifests contained all the required information. Imported food items subject to inspection included: food affected by food incidents; other imported food under regulatory control; and food of higher risk (e.g. milk / milk products, frozen confections, etc.). After the container was loaded onto

the vessel at the exporting end, and prior to its arrival in Hong Kong, the food importer should take the initiative to notify the CFS of the shipment as early as possible, along with the submission of relevant import documents. Containers of food shipped to Hong Kong by importers would be inspected at the KCCH Checkpoint if selected by CFS. Before the container's arrival in Hong Kong, CFS issued a notice to the importer concerned requiring the importer's container to be transferred to the Checkpoint for inspection on the date and at the time specified on the notice. The seal / lead seal of the selected container should not be opened. CFS officers would examine the food items in the container or, should circumstances warranted, took samples for testing by the Government Laboratory before release of the consignment. Depending on the circumstances of the case (e.g. frozen foods), the CFS might examine the imported food at other specified sites. The CFS had conducted a number of briefing sessions on the enhanced food regulatory measures and arrangements at Kwai Chung Container Terminals to the trade and called on trade members to collaborate with the Government.

21. In response to an enquiry from a trade representative, Mr. YANG Chi Ming informed that her name would be forwarded to the Food Import and Export Section for invitation to the next briefing session. The Powerpoint presentation of this meeting had been uploaded to the CFS website for general information.

22. In response to an enquiry of another trade representative, the Chairman explained that unless the consignment had to be detained, the items could be released after examination or taking samples without the need to wait for testing results. Enquiries on operational details could be addressed to the Food Import and Export Section. In response to an enquiry of another trade representative, the Chairman mentioned that there was no plan to install new facilities to inspect frozen food at KCCH. He also replied another trade representative that

for Japanese food items requiring checking of radiation level, the checking would be performed in one go and there would not be separate checks on the same items.

Strengthening Surveillance of Food Imported by Sea



Food Control Checkpoint for Food Imported by Sea

- To strengthen the monitoring of food imported by sea, CFS has set up a Food Control Checkpoint at Kwai Chung Customhouse (KCCH).
- The Checkpoint has commenced operation in October 2015.



Food Control Checkpoint for Food Imported by Sea

Food Control Checkpoint at Kwai Chung Customhouse (KCCH)



Regulatory Control Arrangements

1. Selection Criteria

- Adopt the risk-based surveillance principle in selecting containers conveying food via sea route for inspection at that Checkpoint.
- Taking into account such factors as relevant intelligence, food safety incidents in neighboring areas, whether the importers concerned has previously disregarded instructions to contact CFS for food inspections and whether cargo manifests were submitted to C&ED prior to container arrival or whether the cargo manifests contain all the required information.

Regulatory Control Arrangements

2. Items selected for inspection

- CFS adopts the risk-based principle and driven by public concern about the safety of imported food products.
- Imported food subject to inspection include:
 - Imported food affected by food incidents;
 - Other imported foods under regulatory control
 - Foods of higher risk (e.g. milk / milk products, frozen confections, etc.)
 - Poultry eggs which will be under regulatory control in December this year
 - Foods covered under the Food Safety Order issued by the Director of FEH (e.g. food imported from Japan, edible oil imported from Taiwan, etc.)



Regulatory Control Arrangements

3. Import Documents Submission

- After the container is loaded onto the vessel at the exporting end, and prior to its arrival in Hong Kong, the food importer should take the initiative to notify the CFS of the shipment as early as possible, along with the submission of relevant import documents.

Import Licence

Bill of Lading

Official Certificate /
Health Certificate

Packing List

Certificate of
radiation levels

Regulatory Control Arrangements

4. Inspection of container for food safety test arrangements

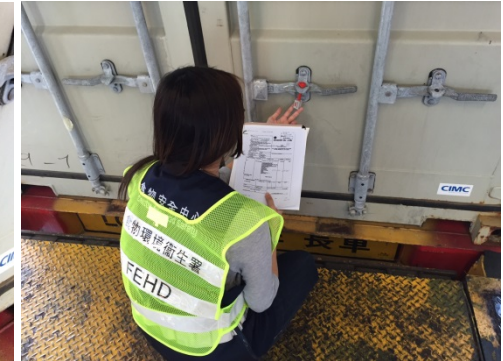
● Food Control Checkpoint at KCCH

- Containers of food shipped to Hong Kong by importers are inspected at the KCCH checkpoint if selected by CFS.
- Before the container arrives in Hong Kong, CFS issues a notice to the importer concerned.
- Requiring the importer's container, after arrival, to be transferred to the checkpoint for inspection on the date and at the time specified on the notice.

Regulatory Control Arrangements

5. Security seals

- The seal / lead seal of the selected container should not be opened by the importer / the driver until the container has been delivered to the Food Control Checkpoint at KCCH.
- It must be confirmed by CFS officers that the seal is intact on arrival before opening the container.



Regulatory Control Arrangements

6. Food Safety Test

- CFS officers examine the food items in the container.



Regulatory Control Arrangements

6. Food Safety Test

- Should circumstances warrant, CFS officers may take samples for testing by the Government Laboratory before release of the consignment. The container will be detained before the testing result is released, if necessary.



Regulatory Control Arrangements

7. Other Specified Sites

- Depending on the circumstances of the case (e.g. frozen foods), the CFS may examine the imported food at other specified sites (such as the place where the container is to be opened and unloaded).
- The seal / lead seal of the container must be confirmed to be intact by CFS officers before it can be opened.



Importer's warehouse
(apply to frozen or chilled foods)

Briefing to Food Traders

- CFS has conducted a number of briefing sessions on the enhanced food regulatory measures and arrangements at KC Container Terminals to the trade and called on trade members to collaborate with the Government.



Thank you