



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

25 September 2019

Ms Josephine SO
Clerk to the Panel on Food Safety and Environmental Hygiene
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms SO,

Panel on Food Safety and Environmental Hygiene
List of follow-up actions

Thank you for your letter dated 29 August 2019. Enclosed please find our responses to the list of follow-up actions on the subjects as follows:

Subject	Response
1. Certification system for organic food	<u>Annex A</u>
2. Food safety of online food sale	<u>Annex B</u>
3. Food safety management and import control of the Centre for Food Safety	<u>Annex C</u>
4. Food Surveillance Programme and food safety of food groups of concern	<u>Annex D</u>

Yours sincerely,

(Chelsea WONG)

for Secretary for Food and Health

c.c.

Director of Food and Environmental Hygiene
Director of Agriculture, Fisheries and Conservation

Certification System for Organic Food

The major differences between organic food and ordinary food are their ways of production, processing and handling. There is no notable difference between the two in terms of food safety. All food for sale in Hong Kong for human consumption (whether organic or ordinary food) must comply with the statutory standards for food safety, quality and labelling to ensure its fitness for human consumption.

The Government has been giving support to the Hong Kong Organic Resource Centre (HKORC) through the Agriculture, Fisheries and Conservation Department to promote organic education and provide voluntary organic certification service to the sector. HKORC conducts inspections of all certified operations. A total of 160 regular checks and 32 spot checks were made in 2018-19. In case any irregularities are spotted, HKORC will issue a notice of non-compliance to the operation concerned, suspend its certification as circumstances may require, and request it to take corrective actions and provide relevant proofs for the vetting committee of HKORC to decide whether to maintain or revoke the certification.

In addition, through its Quality Retailer Programme and Top Organic Retailer Programme organised on an annual basis, HKORC conducts site visits to the participating retailers and make assessment on their procurement, storage, package/label descriptions, sales and staff training in respect of organic products. Retailers of organic products conforming to a professional operating model are selected and commended on HKORC's website for public access.

HKORC also conducts random checks on retail outlets and wet markets, and refers cases of suspected counterfeit organic produce for sale to the Customs and Excise Department (C&ED) for enforcement actions under the Trade Descriptions Ordinance (Cap. 362) (the Ordinance). Under the Ordinance, any person who, in the course of any trade or business, makes false or misleading statements in respect of the goods, including organic food, which he supplies commits an offence. In the past three years, C&ED instituted one prosecution concerning counterfeit organic food under the Ordinance, which was convicted successfully. C&ED will continue to handle complaints about false trade descriptions proactively, adopt a risk-based approach in prioritising its enforcement actions, and take appropriate enforcement actions having regard to the evidence of individual cases.

Food Safety of Online Food Sale

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department (FEHD) takes samples of food sold online for testing through direct purchases from various websites and online platforms along a risk-based approach under its Food Surveillance Programme. The number of food samples purchased online over the past three years is set out as follows:

Year	2016	2017	2018
Number of food samples purchased online	4 053	4 091	4 164

Except for nine samples detected with *Listeria monocytogenes* or with preservatives, pesticide residues or metallic contaminants exceeding the statutory levels, all were tested with satisfactory results. CFS has taken follow-up actions regarding the unsatisfactory samples, including tracing the source and distribution of the food consignments concerned, instructing vendors to stop selling the incriminated food items and remove them from the shelves, requesting the importers/distributors to recall the food products as necessary, conducting more sample tests on the related food products, notifying the relevant authorities of the exporting places to take follow-up actions in respect of imported foods with unsatisfactory samples detected, and informing the public about the incidents and explaining to them the food safety risks involved, etc.

To ensure food safety of online food sale (and/or food delivery service), the conditions listed below shall apply if the related licensed food business involves the sale or offer for sale of food through websites, online platform accounts or printed promotional materials (excluding promotional materials published in the mass media), whether with or without delivery of food ordered by customers:

- (a) The following particulars of the licence shall be legibly provided on any websites, online platform accounts and printed promotional materials, or means to access the relevant information shall be provided on printed promotional materials used in connection with the licensed food business:
 - (i) type of licence obtained and the licence number;
 - (ii) type of restricted food(s) endorsed for sale (if any); and
 - (iii) business address of the licensed premises.

- (b) All food when being delivered shall be contained in covered containers or wrapped with clean paper or other clean new wrapping materials to prevent contamination.
- (c) If delivery of food ordered by customers is provided, the food shall be kept at a suitable and safe temperature having regard to the type of food concerned and shall not be tampered with during delivery to the customers.
- (d) Food delivery equipment shall be cleansed with water and anti-bacterial detergent at least once daily.

FEHD has been closely monitoring online food sale activities, including online traders that are not involved in food production and do not have physical premises. Inspections of licensed food premises are conducted based on their risk levels to examine the hygienic conditions of the premises and check their compliance with the licensing conditions and the relevant statutory requirements. FEHD also purchases food items from websites and online platforms to check whether the food items are stored at a safe and proper temperature during the transportation or delivery process.

FEHD does not have the breakdown of the number of inspections conducted on food premises covered by permits for online sale of restricted food (the permits) or online food suppliers in 2016 or before. From 2017 to 2018, FEHD conducted about 2 600 inspections on food premises and online platforms covered by the permits, as well as the licensed food premises of their suppliers. During the same period, FEHD also made 88 food purchases from online platforms covered by the permits. All food items delivered were found to have stored at a safe and proper temperature.

If FEHD suspects that an online food business is unlicensed, or has doubts about the source and safety of the food sold, investigations (including decoy operations to collect evidence and information) will be conducted and appropriate actions will be taken. The numbers of prosecutions and convictions in connection with online food sale in the past three years are set out as follows:

Year	2016	2017	2018
Number of prosecutions	26	36	68
Number of convictions	25	34	67 ^{Note}

Note: As at the end of August 2019, the hearing result of the remaining one prosecution instituted in 2018 was pending.

- End -

Food Safety Management and Import Control of the Centre for Food Safety

The types and numbers of registered Mainland farms eligible for export of food to Hong Kong from 2014 to 2018 are set out as follows:

Year	Vegetable farms	Orchards	Poultry farms	Pig farms	Cattle farms	Goat farms	Aquatic food animal farms	Total
2014	459	3 622	36	216	34	1	181	4 549
2015	450	2 463	34	217	34	1	174	3 373
2016	442	2 978	34	213	36	1	191	3 895
2017	458	2 978	28	173	38	3	150	3 828
2018	458	3 384	29	154	36	3	122	4 186

The types and numbers of Mainland farms inspected by the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department (FEHD) during the same period are set out as follows:

Year	Vegetable farms	Orchards	Poultry farms	Pig farms	Cattle farms	Goat farms	Aquatic food animal farms	Total
2014	17	3	29	8	5	0	7	69
2015	13	3	22	14	6	0	9	67
2016	9	3	25	19	3	1	5	65
2017	18	1	25	8	4	0	7	63
2018	7	4	16	7	7	0	13	54

Breakdown of the number of Mainland farms inspected by geographical locations is set out as follows:

Province / City / Autonomous Region	Vegetable farms	Orchards	Poultry farms	Pig farms	Cattle farms	Goat farms	Aquatic food animal farms
Anhui					1		1
Chongqing					1		
Gansu	2						
Guangdong, Shenzhen and Zhuhai	32	3	102	19	5		28
Guizhou					1		

Hainan	3	4	1	3			
Hebei			2		1		
Henan			2	4			
Hubei	2		1	4	1		4
Hunan				11	2		3
Jiangsu	2						3
Jiangxi	1	2		6			
Jilin				1	1		
Liaoning			4				
Nei Mongol					3		
Ningxia	6						
Shaanxi					5		
Shandong	2	5	5				
Shanxi					3		
Shanghai	3			3			
Sichuan				4			
Tianjin	1				1		
Xiamen	3						
Yunnan	3			1		1	
Zhejiang	4						2
Total	64	14	117	56	25	1	41

CFS's major items for inspection on the farms include their production management measures, hygienic conditions and biosecurity measures, health status of farm produce, use and storage of pesticides/veterinary drugs, surveillance test results and traceability of farm production records, etc. The overall conditions of the farms visited were satisfactory. The statistics of the inspection visits are provided and updated each year as per the request of members of the Finance Committee of the Legislative Council when the Government Budget is examined. The relevant information is also uploaded to the FEHD website for public access.

As for the list of registered Mainland farms eligible for exporting food to Hong Kong and the latest updates, the public and the trade can access the information through the official website of the General Administration of Customs of the Mainland.

Food Surveillance Programme and Food Safety of Food Groups of Concern

The Public Health and Municipal Services Ordinance (Cap. 132) stipulates that all food for sale in Hong Kong must be fit for human consumption. Under the Food Safety Ordinance (Cap. 612), all food importers/distributors are required to register with the Food and Environmental Hygiene Department (FEHD) to facilitate prompt tracing of food sources and distribution channels in case of food incidents. Through its Food Surveillance Programme, the Centre for Food Safety (CFS) of FEHD takes food samples (including fresh, chilled or frozen fish and aquatic products) at the import, wholesale and retail levels along a risk-based approach for testing.

From 2016 to 2018, CFS collected over 16 300 samples of aquatic and related products (including sashimi) for chemical and microbiological testing. Other than 77 unsatisfactory samples (detected with dioxins, tetrodotoxin, histamine or *Listeria monocytogenes*, or with veterinary drug residues, metallic contaminants or preservatives exceeding the statutory levels), all were tested with satisfactory results. CFS has made public the unsatisfactory samples and taken follow-up actions accordingly.

Currently, the Public Health Laboratory Services Branch of the Department of Health is verifying the methods for detecting parasites in fish, which include the digestion and candling methods. The digestion procedure is based on the breakdown of fish tissues by proteases. The undigested parasites freed from the surrounding flesh can then be identified. The candling technique makes use of light penetration and reflection to expose parasites in different colours or shadows for identification. Both are internationally recognised methods commonly used for detection of parasites in fish. After verifying these methods, CFS can conduct pilot tests on fish samples for parasites.

Regarding meat, CFS collected over 16 600 samples of meat, poultry and their products (including chilled meat and poultry meat) for chemical and microbiological tests between 2016 and 2018. Other than 24 unsatisfactory samples (detected with the preservative sulphur dioxide or veterinary drug residues and pathogens exceeding the statutory levels), all were tested with satisfactory results. CFS has made public the unsatisfactory samples and taken follow-up actions.

Of the 3 400 samples of cereals and cereal products tested last year, two were found unsatisfactory. One of the samples was uncooked dumpling wrapper detected with the preservative sorbic acid, and the other sample was white rice found to contain cadmium exceeding the statutory level.

The Food Adulteration (Metallic Contamination) (Amendment) Regulation 2018 (the Amendment Regulation) was scrutinised and passed by the Legislative Council (LegCo) on 10 October 2018. The Amendment Regulation will take effect for certain types of fresh food (i.e. fresh fruit and vegetable and their juice, fresh meat and edible offal of animal and poultry, aquatic animal and poultry egg) on 1 November 2019, and for food types other than those mentioned above on 1 November 2020. From November 2018 (i.e. following the passage of the Amendment Regulation by LegCo) to August 2019, CFS collected over 90 rice samples for testing of cadmium levels. All samples complied with the existing level for cadmium stipulated in the Food Adulteration (Metallic Contamination) Regulations.

- End -