

**For discussion
on 11 June 2019**

LegCo Panel on Food Safety and Environmental Hygiene

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

Purpose

This paper briefs Members on the measures of the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department to improve its daily operation in respect of food safety management and import control.

Food Safety Regime of Hong Kong

2. CFS adopts the risk analysis model advocated by the Codex Alimentarius Commission as the basis of its food safety regulation strategy, and safeguards food safety in Hong Kong through three areas of work, namely risk assessment, risk management and risk communication. CFS takes about 65 000 food samples for testing each year and the satisfactory rate has all along remained high at over 99.8%, while the number of food poisoning cases has been declining over the years. This reflects the robustness of our food safety regime.

Improving CFS' Daily Operation

3. The Audit Commission's reports on CFS published in October 2018 and the reports published by the Public Accounts Committee (PAC) of the Legislative Council on its hearings on the audit reports indicated that there was room for improvement in some aspects of CFS' daily operation in respect of food safety management and import control and the way individual cases were handled. CFS accepts the recommendations of the

Audit Commission and PAC and is committed to improving its daily operation, so as to ensure that Hong Kong continues to maintain a high standard of food safety.

4. CFS has set up a task group early this year, led by its Controller, to take forward the recommendations of the Audit Commission and PAC. The task group has commenced comprehensive reviews on CFS' operational manuals and guidelines, staff management and supervision arrangements, training requirements, and manpower and resource requirements. CFS has started to roll out concrete short, medium and long term measures to enhance its effectiveness by phases, including updating guidelines where there were inadequacies or ambiguities, enhancing training and supervision of frontline staff, and strengthening staff's law enforcement mindset and the keeping of data and records. In 2019-20, 35 additional civil service posts will be created in CFS along with an additional provision of \$25 million to implement the reviews and the enhancement measures.

5. In addition, CFS already put in place a dedicated team in end 2017 to look closely at its operational workflow, revamp its information technology (IT) systems for higher efficiency, and enhance its mode of operation through IT to support the work of its frontline staff and reinforce its capability in food import control, surveillance, incident management, risk assessment and traceability. Phased improvements to the IT systems of CFS will start from the end of this year.

Food Safety Management

6. CFS is making efforts to enhance its risk assessment work, including expediting the second population-based food consumption survey (FCS), planning for a FCS on the younger population, taking forward the second total diet study upon completion of the second population-based FCS, and carrying out various risk assessment studies in order of priority.

7. CFS has implemented a series of improvement measures for its Food Surveillance Programme¹, revised the guidelines for the management of food incidents and complaints to enhance the sampling procedures,

¹ Details are provided in the Panel paper "Food Surveillance Programme and Safety of Food Groups of Concern".

strengthened the monitoring of the follow-up work on food complaints by the Food Complaint Risk Analysis Panel which is led by a directorate officer, and stepped up the monitoring of food recall exercises carried out by food traders.

8. CFS will continue to keep up its risk communication work to provide food safety information and advice to the public through various channels.

Import Control of Foods

9. CFS has put on trial new guidelines on inspections at boundary control points, including the number of food samples to be inspected in a physical inspection, with a view to fully implementing the new guidelines on 1 June 2019.

10. CFS has reminded its staff at boundary control points to check the status of importers on the spot upon arrival of imported food consignments, and take enforcement actions against unregistered food importers based on the circumstances of individual cases.

11. For the control of foods imported by air, CFS has enhanced the training for frontline staff since October 2018, and issued supplementary guidelines on randomisation sampling for physical inspections at the Airport Food Inspection Office in November 2018.

12. For the control of foods imported by road, CFS has included the containers approved for carrying chilled meat/poultry in the approved vehicle list for transporting chilled meat and poultry since September 2018, and reminded frontline staff to check whether the vehicles transporting chilled meat and poultry are on the approved vehicle list. Starting from February 2019, CFS conducts re-inspections of the approved vehicles and containers for transporting chilled meat and poultry at two-year intervals.

13. For the control of foods imported by sea, CFS updated its operational manual in March 2019 to clarify that the requirement for the act of breaking container seals be witnessed by CFS staff is only applicable to high-risk target refrigerated containers, not containers selected for routine

inspections. CFS is exploring with the Architectural Services Department the possibility of setting up a food control office with cold storage facilities at Kwai Chung Customhouse.

14. Detailed progress of CFS in implementing the recommendations of the Audit Commission and PAC on food safety management and import control is set out at Annexes 1 and 2.

Review of Penalties Related to Food Safety

15. Given the Audit Commission's and PAC's concern over the enforcement work of CFS on food import control, and that there was a view that the maximum penalty for non-compliance with the restriction on the import of relevant foods as stipulated in the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK)² under the Public Health and Municipal Services Ordinance (Cap. 132) was lower than that on the import of specified articles including meat and poultry etc. under the Import and Export Ordinance (Cap. 60) (i.e. a fine of \$500,000 and imprisonment for 2 years), which is enforced by the Customs and Excise Department to combat smuggling activities, CFS has reviewed the maximum penalties against offences related to food import control under the relevant legislation and the penalties for the successful prosecution cases in recent years.

16. The Public Health and Municipal Services Ordinance, its subsidiary legislation and the Food Safety Ordinance (Cap. 612) stipulate penalties at different levels corresponding to the nature and severity of food safety offences. The relevant maximum penalties under the Public Health and Municipal Services Ordinance and its subsidiary legislation are a fine at level 5³ (i.e. \$50,000) prescribed in a schedule to the Criminal Procedure Ordinance (Cap. 221) and imprisonment for 6 months. Under the Food Safety Ordinance, except for contravention of food safety orders⁴ which is

² Any person who imports game, meat, poultry and eggs must meet the requirements of the Imported Game, Meat, Poultry and Eggs Regulations, including obtaining prior permission from the Food and Environmental Hygiene Department and/or producing health certificates for the imports etc. CFS is the law enforcement agency of the Regulations.

³ The scale of fines stipulated in the Criminal Procedure Ordinance ranges from level 1 to level 6.

⁴ Food Safety Orders may be made by the Director of Food and Environmental Hygiene to prohibit the import and supply of certain foods to Hong Kong, and/or recall, impound, isolate, and/or destroy certain foods, etc.

liable to a fine at level 6 (i.e. \$100,000) and imprisonment for 12 months, the maximum penalties for any other offences are also a fine at level 5 and imprisonment for 6 months. The maximum penalties provided in the above legislations are on par with each other, and the penalties are proportional to the harm and impact that the offences may cause to the general public and the society.

17. From 2016 to 2018, there were about 1 350 convictions for offences related to food import control under the Public Health and Municipal Ordinance, its subsidiary legislation and the Food Safety Ordinance. The offenders were given suspended jail sentences, community service orders and fines by the courts having regard to the severity and culpability of the cases. Our analysis showed that most of the convicted cases were of low culpability, and only a minority of the cases involved high culpability. The penalties imposed by the courts generally reflected the severity of the cases. Nevertheless, in order to further combat food safety offences, CFS is committed to strengthening staff's law enforcement mindset, especially the need to continue to provide sufficient background information and evidence on the cases for the courts to determine appropriate penalties, including the consideration of whether to impose higher level of fines or imprisonment.

Advice sought

18. Members are invited to note the content of this paper.

**Food and Health Bureau
Food and Environmental Hygiene Department
Centre for Food Safety
June 2019**

**Centre for Food Safety: Management of food safety
Progress in implementing the Audit's and PAC's Recommendations**

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
Part 2: Assessment of Food Safety Risks		
Para. 2.12(a) of the Audit Report Page 97 of the PAC Report	Audit has recommended that the Director of Food and Environmental Hygiene (DFEH) should continue to closely monitor the progress of the second population-based food consumption survey (FCS) and the performance of the contractor to ensure timely completion of the FCS. PAC urges CFS to continue to closely monitor the progress of the second FCS currently underway and the performance of the contractor.	CFS is closely supervising and monitoring the performance of the contractor and the progress of the second population-based FCS. As at end of May 2019, the contractor has completed interviewing around 52% targeted survey respondents. CFS has instructed the contractor to continue to deploy more manpower resources to expedite the progress of the fieldwork survey and gear up for the data processing work, with a view to completing the second population-based FCS by mid-2021.
Para. 2.12(b) of the Audit Report	Audit has recommended that DFEH should keep in view the need for expediting the conduct of an FCS covering the youth population and take necessary measures to launch the FCS in a timely manner.	CFS has started the research on the methodology of conducting FCSs on the younger population in other economies. CFS aims to complete the research in 2020 and will formulate a plan for conducting a FCS on the younger population, having regard to the experience gained from the second population-based FCS and other competing priorities.
Para. 2.12(c) of the Audit Report	Audit has recommended that DFEH should consider the feasibility of conducting FCSs more frequently, taking into account the need for more up-to-date food consumption data as well as other competing priorities.	The frequency of conducting FCSs in Hong Kong is on par with that of other economies carrying out similar surveys with a similar methodology. The time intervals for conducting such surveys range from 11 years as in Canada and New Zealand to 16 years as in Australia. After

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		completing the second population-based FCS, CFS will consider the need and the feasibility for conducting FCSs more frequently, taking into account the experience gained in conducting FCSs and other competing priorities (e.g. FCS on the younger population and the second total diet study).
Para. 2.18 of the Audit Report	Audit has recommended that DFEH should, having regard to the evaluation results of the first total diet study (TDS), take necessary measures to improve the conduct of TDSs in future.	CFS took the initiative in conducting an evaluation exercise on the first TDS in 2015. CFS will take into account the evaluation results and the experience gained in the first TDS in conducting the second TDS. In particular, CFS will consider according priority to those substances ranked with a high priority but which had not been included in the first TDS and will enhance the food list for a more comprehensive and effective coverage.
Para. 2.30 of the Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) monitor the operation of the new mechanism for selecting risk assessment studies (RAS) to ensure that it is implemented properly as intended; and</p> <p>(b) facilitate the public's understanding of RAS results, post the links to RAS reports and those to the relevant supplementary information on the same webpages.</p>	<p>CFS formulates its annual plans for RAS, taking into account the advice of the Expert Committee on Food Safety (the Expert Committee). At the suggestion of the Expert Committee, CFS introduced a scoring system to select topics for inclusion in its annual plans for RAS. The selection mechanism is working properly. CFS will continue to monitor and ensure proper operation of the mechanism.</p> <p>CFS has posted the links of relevant supplementary information on the webpages of corresponding RAS on CFS' website. CFS will continue this arrangement for other RAS in future.</p>

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Part 3: Food Surveillance Programme		
Para. 3.13 & 3.22(b) of the Audit Report	<p>Audit has recommended that DFEH should keep under review and, where appropriate, update the Food Surveillance Programme (FSP); and explore, from time to time, room for reallocating food samples designated for the surveillance of low-risk foods (e.g. fruits and vegetables) to other uses (e.g. the surveillance of high-risk food hazards).</p> <p>Audit has recommended that DFEH should review the need for increasing the proportion of online food samples purchased for microbiological testing.</p>	<p>CFS reviews the FSP on an annual basis and from time to time during the year as and when necessary. For example, CFS has started to reallocate resources for testing pesticide residues in fruits and vegetables which are of relatively low risk to testing of other food hazards such as metallic contaminants in foods. CFS has also increased the proportion of online food samples for microbiological testing under the FSP in 2019, and will continue to adopt the risk-based principle to review the FSP on an ongoing basis.</p>
Para. 3.22(a) of the Audit Report	<p>Audit has recommended that DFEH should provide CFS staff with guidelines on taking food samples from different food outlets and food types.</p>	<p>With reference to the statistics on total retail sales of food and beverages in supermarkets/department stores and other retail outlets provided by the Census and Statistics Department, and taking into consideration other risk factors, CFS has promulgated new operational guidelines to revise the sampling ratio for different food outlets at the retail level as follows with effect from October 2018 –</p> <ul style="list-style-type: none"> (i) Supermarkets, convenience stores and department stores (40%); (ii) Groceries, shops and stores (20%); (iii) Wet markets (15%); (iv) Licensed food premises (other than food factories, frozen confection factories and milk factories) and cooked food stalls (15%); and

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		<p>(v) Food factories, frozen confection factories and milk factories (10%).</p> <p>CFS will continue to review the operational guidelines on taking food samples from different types of food outlets and food as and when required.</p>
<p>Para. 3.22(c) and (d) of the Audit Report</p>	<p>Audit has recommended that DFEH should –</p> <p>(c) remind CFS staff to observe the sampling requirements laid down in FSPs; and</p> <p>(d) take measures to step up the supervision of the work of sampling officers, with a view to preventing recurrence of non-compliance with sampling requirements in future.</p>	<p>The Training Section of the Food and Environmental Hygiene Department (FEHD) provides induction training to all newly recruited Health Inspectors. In addition, refresher courses, experience sharing sessions, seminars and workshops are organised from time to time for Health Inspectors. Among others, training on food safety control is covered.</p> <p>In light of Audit's recommendations, CFS has introduced various enhancement measures, including –</p> <p>(i) Conducting briefings on CFS' operational guidelines, circulars and issues of concern by Senior Health Inspectors of the Food Surveillance Unit for Health Inspectors newly posted to CFS;</p> <p>(ii) Circulating CFS' operational manual and guidelines to CFS staff once every three months;</p> <p>(iii) Introducing checklists to facilitate supervision of sampling work;</p> <p>(iv) Conducting monitoring and supervision meetings on a more frequent and regular basis to enhance communication with and supervision of the frontline staff;</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
		<p>(v) Increasing the frequency of Senior Health Inspectors of the Food Surveillance Unit accompanying Health Inspectors to collect food samples at the retail level from once every two months in the past to once per month;</p> <p>(vi) Introducing a new arrangement for the Chief Health Inspector of the Food Surveillance Unit to accompany Health Inspectors to collect food samples at retail levels once every two months; and</p> <p>(vii) Organising new refresher courses conducted by the Chief Health Inspector of the Food Surveillance Unit on the sampling procedures for Health Inspectors once every six months.</p>
Para. 3.28 of the Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) closely monitor the turnaround time of food sample testing, and take necessary measures to reduce the turnaround time as appropriate; and</p> <p>(b) lay down guidelines on the timeliness of delivering food samples to laboratories for testing.</p>	<p>CFS has formulated and promulgated new operational guidelines on the timeliness of delivering food samples to laboratories for testing, requiring that samples be delivered to the laboratories within 14 working days from the sampling date and setting out contingency measures against changes of delivery schedules. The new operational guidelines have come into effect since October 2018.</p> <p>CFS has also put in place enhancement measures for monitoring the delivery of food samples, including enhancing its Food Surveillance System (FSS) by adding a mandatory field for recording the dates of sample delivery and a function of pop-up reminder for sample delivery. To further enhance monitoring, a new e-mail notification system was introduced in early</p>

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		April 2019 in the FSS to remind sampling officers and Senior Health Inspectors of the deadline for sample delivery, and alert the Chief Health Inspector and the Superintendent concerned when the delivery deadline is missed.
Part 4: Management of Food Incidents and Complaints		
Para. 4.13(a) and (b) of the Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) closely monitor the time taken between taking food samples and publicising unsatisfactory testing results of the samples, and take necessary measures (e.g. expediting procedures) to minimise the time taken; and</p> <p>(b) look into any delay in publicising unsatisfactory testing results after the completion of food sample testing, and take measures to prevent recurrence of delay in future.</p>	CFS will continue to closely monitor the lead time from taking food samples arising from food incidents to publicising the testing results of unsatisfactory samples. To minimise the lead time, CFS has revised its guidelines to specify that enforcement samples should be taken right away (i.e. without the need to obtain surveillance samples first) if it is anticipated that there will be difficulties in identifying similar products afterwards. CFS will make public unsatisfactory testing results normally within 24 hours from the completion of risk assessment upon receiving the testing results.
Para. 4.13(c) to (e) of the Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(c) request traders to provide reports for monitoring the progress of food recall exercises, having regard to the requirements of the CFS's guidelines;</p> <p>(d) closely monitor the effectiveness of food recall exercises and take measures to improve the effectiveness as appropriate; and</p>	<p>CFS has implemented the following improvement measures to proactively and closely monitor the entire food recall exercises carried out by food traders –</p> <p>(i) CFS has published updated food recall guidelines to the trade to specify clearly that food traders must destroy/dispose of/repatriate or handle the recalled foods under the supervision of the staff of CFS. CFS consulted the trade and published the guidelines on the CFS website in early April 2019;</p>

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	(e) provide staff with guidelines on the proper disposal of recalled foods.	(ii) CFS has required food traders to submit regular food recall progress reports and has formulated a template of the progress report to facilitate food traders to provide the required information for CFS' timely monitoring of the recall progress; and (iii) CFS has issued new operational guidelines to its staff on proper documentation and disposal of recalled foods.
Para. 4.23 of the Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) consider compiling regular management information on food complaints to facilitate monitoring of food complaints and surveillance of food safety;</p> <p>(b) closely monitor the time taken to complete investigation of food complaints;</p> <p>(c) take measures to expedite the investigation of food complaints; and</p> <p>(d) review the adequacy of CFS's guidelines in stipulating situations under which enforcement samples could be directly obtained for testing.</p>	<p>CFS has maintained a food complaint database for monitoring possible food incidents and surveillance of food safety. The existing database facilitates data search on the types of foods being complained about and outlets subject to repeated food complaints. In light of the Audit's recommendation, CFS has put in place a new measure to compile weekly complaint management information. The Food Complaint Risk Analysis Panel (the Panel), led by a directorate officer, will regularly review the complaint management information. The Panel will also continue to provide prompt and professional advice to the frontline staff on handling of more complicated food complaint cases that they come across in the course of daily work.</p> <p>The Environmental Hygiene Branch of FEHD has reviewed and promulgated updated operational guidelines to set out the time frame for officers to follow up on food complaints (including taking the statements or declarations of the complainants, and recording the follow-up actions taken). To expedite the investigation of food complaints, CFS has also revised the relevant guidelines to</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
		<p>stipulate that enforcement samples should be taken immediately for specific types of foods or if the incriminated foods are seasonal.</p>
<p>Page 98 of the PAC Report</p>	<p>PAC urges CFS to –</p> <ul style="list-style-type: none"> (a) review frequently the work flow of surveillance projects and follow-up projects, and handling of food incidents and complaints in order to supplement new guidelines where necessary or revise/ update existing guidelines, as the case may be; (b) enhance its monitoring of staff's compliance with guidelines, in particular the use of information technology (IT) to record relevant information and generate management reports for better monitoring of special cases; and (c) review whether its establishment and manpower and the available laboratory capacity for food testing are sufficient to ensure that they could deal with the increasing workload and urgent food incidents which require immediate attention and action. 	<p>CFS has set up a task group, led by the Controller, CFS, to take forward the recommendations of Audit and PAC concerning the work of CFS in food safety management and import control. The task group has commenced comprehensive reviews on CFS' operational manuals and guidelines, staff management and supervision arrangements, training requirements, and manpower and resource requirements. CFS has started to roll out concrete and effective short, medium and long-term measures to enhance its effectiveness by phases, including updating the guidelines where there are inadequacies or ambiguities, enhancing training and supervision of the frontline staff, and strengthening staff's law enforcement mindset and the keeping of data and records. In 2019-20, 35 additional civil service posts will be created in CFS along with an additional provision of \$25 million to implement the reviews and the enhancement measures.</p> <p>In addition, CFS already put in place a dedicated team in end 2017 to look closely at its operational workflow, revamp its IT systems for higher efficiency, and enhance its mode of operation through IT to support the work of its frontline staff and reinforce its capability in food import control, surveillance, incident management, risk assessment and traceability. Phased improvements to the IT systems of CFS will start from end 2019.</p>

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Part 5: Communicating with the Public on Food Safety Risks		
Para. 5.11 of the Audit Report	<p>Audit has recommended that DFEH should –</p> <ul style="list-style-type: none"> (a) regarding findings of other organisations' food studies published in the public domain, keep in view the need for CFS to offer its official views and advice through the most appropriate means, taking into account relevant factors such as public concern and gravity of the matter; (b) make arrangements for viewing of CFS's food safety talks on the Internet; and (c) closely monitor the attendance at food safety exhibitions and take necessary measures (e.g. enhancing publicity and improving exhibition hours) to improve the attendance. 	<p>CFS has been providing food safety information and advice to the public through various channels, having regard to the circumstances of individual cases (e.g. the public health significance of the issues concerned). According to CFS' experience, the extent to which its food safety messages may reach out to various sectors of the community depends on the degree of public concern about the message. In addition, in view of the increasing popularity of social media, CFS has further strengthened the use of its Facebook page to enhance communication with the public. CFS has also enriched its multimedia materials, such as presentation slides and video recordings of its talks, on the Internet.</p> <p>With reference to Audit's recommendation, CFS has extended the operating hours of its roving exhibitions in public markets from closing at 4 pm in the past to 8 pm, and from weekdays only to weekends as well. CFS will also continue to explore different locations for arranging exhibitions to enhance attendance.</p>
Para. 5.16 of the Audit Report	<p>Audit has recommended that DFEH should, taking into account the audit observations, conduct a review of the two charters on food safety.</p>	<p>CFS has completed a review of the two charters as recommended by Audit.</p> <p>The Food Safety Charter is a voluntary scheme to encourage food traders to bear in mind and implement the "Five Keys to Food Safety" in their daily operations. Having reviewed its objectives and effectiveness, CFS considers it worthwhile to continue to promote the messages of ensuring food safety and hygiene to the food trade through the Food Safety</p>

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		<p>Charter. CFS will enhance the publicity of the Food Safety Charter through various platforms such as its Trade Consultation Forums, Facebook page, official webpage and other channels as appropriate, with a view to increasing the number of signatories. A new leaflet has been produced for distribution to food premises on occasions like the Trade Consultation Forums and the Food Safety Day.</p> <p>CFS has replaced the “Reduce Salt, Sugar, Oil. We Do” Charter with the new initiatives launched by the Food and Health Bureau (FHB) and CFS to promote territory-wide salt and sugar reduction in restaurants. So far, more than 600 restaurants involving over 100 brand names have provided customers with food options low in salt and/or sugar or tailor-made dishes with less salt and sugar. FHB/CFS will continue to encourage more restaurants to participate in the scheme.</p>

- End -

**Centre for Food Safety: Import control of foods
Progress in implementing Audit's and PAC's Recommendations**

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
Part 2A: Control of Foods Imported by Air		
Para 2.13 of the Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) take measures to ensure that import licences are issued after the submission of supporting documents from importers as far as practicable;</p> <p>(b) review the propriety of granting discretion by CFS staff in circumstances where food consignments are released without the submission of original health certificates or Export Declarations by importers and without the conduct of physical inspections, and take remedial measures as appropriate (e.g. take measures to ensure that physical inspections are conducted prior to the release of consignments and issue guidelines to facilitate granting discretion by CFS staff); and</p> <p>(c) ensure that appropriate training for handling cases involving the import of foods requiring EU Export Declarations is provided to CFS staff.</p>	<p>CFS has issued a new guideline which requires that with effect from January 2019, every import consignment of foods regulated under the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK) must be accompanied with the original copy of health certificate/export declaration and undergo risk-based inspection at the Airport Food Inspection Office (AFIO) before being released. The aforementioned new arrangement is running smoothly. There have not been cases when the imported foods were not accompanied with original copy of health certificate/export declaration.</p> <p>Since October 2018, CFS has enhanced training for the frontline staff. For example, Senior Health Inspectors (SHIs) will brief Health Inspectors (HIs) newly posted to the AFIO on the details of the guidelines and import requirements. Experienced HIs will give on-site training to the new incumbents of AFIO. SHIs will conduct weekly supervisory visits, whereas Chief Health Inspectors (CHIs) will conduct monthly supervisory visits and chair bi-monthly staff meetings.</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
Para. 2.16 of Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) lay down guidelines on the number of food samples to be inspected in a physical inspection of foods imported by air; and</p> <p>(b) take measures to ensure that CFS staff select food samples randomly for the conduct of physical inspections (including, for example, extending CFS's "randomisation sampling" to inspection of foods imported by air).</p>	<p>CFS has put on trial new guidelines on inspections at the boundary control points (including the number of food samples to be inspected in a physical inspection), with a view to fully implementing the new guidelines on 1 June 2019.</p> <p>In addition, CFS issued supplementary guidelines on randomisation sampling for physical inspections at the AFIO in November 2018 and requested all frontline staff to strictly comply with the guidelines.</p>
Para. 2.26 of the Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) take measures to ensure that food samples collected for Contamination Monitoring System (CMS) tests are selected by CFS staff themselves at the AFIO;</p> <p>(b) remind CFS staff at the AFIO to properly weigh the food samples selected for CMS tests to ensure that the weight of a food sample is approximately 1 kg as required by the Operational Manual;</p> <p>(c) remind CFS staff at the AFIO to remove, as far as possible, inedible parts of food samples in the conduct of CMS tests; and</p>	<p>In taking samples of imported foods, CFS definitely does not accept pre-selected food samples from importers. According to the Operational Manual, CFS staff must personally inspect the targeted consignment of foods by taking samples at random and examine the import documents. Taking into account the Audit's observations on individual cases, CFS has further reminded all staff to strictly comply with the relevant guidelines and collect food samples in accordance with a risk-based approach.</p> <p>Since October 2018, CFS has implemented improvement measures and enhanced supervisory inspections to ensure full compliance with the relevant guidelines (including the Operational Manual on food sample collection) at the AFIO.</p> <p>CFS organised a refresher course on CMS tests for AFIO staff in November 2018,</p>

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	(d) provide refresher courses on the conduct of CMS tests for CFS staff at the AFIO.	<p>and completed the production of training videos in early 2019. The video clips have been uploaded to the AFIO Intranet for reference and self-learning by its staff.</p> <p>Supplementary guidelines on CMS tests were issued in March 2019 to remind AFIO staff to properly weigh the food samples.</p>
Part 2B: Control of Foods Imported by Road		
Para 2.44 of Audit Report	Audit has recommended that DFEH should take further measures to address the problem of vehicles evading CFS inspection of food consignments at the Man Kam To Food Control Office.	Further to the discussion with the Customs and Excise Department (C&ED), the joint operations of CFS and C&ED targeting vegetable vehicles have been extended to cover vehicles carrying regulated foods (e.g. eggs, meat, etc.) since January 2019.
Para. 2.52 of Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) take measures to ensure that CFS staff follow the guidelines issued in July 2018 in the conduct of physical inspections;</p> <p>(b) seek legal advice on the definition of “frozen” in the relevant Regulations under the Public Health and Municipal Services Ordinance from the Department of Justice (DoJ);</p> <p>(c) take measures to ensure that frontline CFS staff fully check that food consignments are imported with appropriate import documents;</p>	<p>CFS has issued a checklist on the inspection of meat, poultry, egg, milk and frozen confections consignments for frontline staff of boundary control points and started using the checklist in September 2018. The checklist reminds the frontline staff of the required import documents for different types of foods and the items to be inspected.</p> <p>Since October 2018, CFS has implemented improvement measures and enhanced supervision to ensure that its staff follow the guidelines when carrying out their duties. Staff are reminded to clarify with the relevant Mainland authorities any irregularities on the spot where necessary during verification of documents and keep record of the cases.</p> <p>CFS is seeking DoJ's advice on the definition of “frozen” in the Imported</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
	<p>(d) clarify with the General Administration of Customs (GAC) of the Mainland any irregularities relating to health certificates as soon as practicable, and document the actions taken to deal with the irregularities; and</p> <p>(e) take measures to ensure that discrepancies between import documents are promptly clarified.</p>	<p>Game, Meat, Poultry and Eggs Regulations.</p>
<p>Para. 2.56 of Audit Report</p>	<p>Audit has recommended that DFEH should –</p> <p>(a) lay down guidelines on the number of food samples to be inspected in a physical inspection of foods imported by road;</p> <p>(b) evaluate the trial run of the “randomisation sampling” of chilled/frozen meat or poultry, modify the methodology where warranted, and apply the methodology to other foods (e.g. eggs);</p> <p>(c) set guidelines on the number of food types to be examined in a consignment; and</p> <p>(d) ensure that inspection checklists are randomly checked by SHIs and that regular on-site supervisory inspection visits are carried out by the Inspectors.</p>	<p>CFS has put on trial new guidelines on inspections at the boundary control points (including the number of food samples to be inspected in a physical inspection), with a view to fully implementing the new guidelines on 1 June 2019.</p> <p>CFS issued and implemented guidelines on randomisation sampling of chilled/frozen meat/poultry in September 2018. A trial run of randomisation sampling on egg consignments is scheduled for Q4 of 2019.</p> <p>Since October 2018, CFS has enhanced supervision (including weekly supervisory checks by SHIs and monthly supervisory checks by CHIs) to ensure that frontline operations are conducted according to the guidelines.</p>

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Para. 2.62 of Audit Report	<p>Audit has recommended that DFEH should –</p> <ul style="list-style-type: none"> (a) take measures to ensure that vehicles transporting chilled foods are approved by CFS; (b) include containers approved for carrying chilled foods in the list of vehicles approved for transporting consignments of chilled foods; (c) take measures to ensure that all the containers carrying consignments of chilled foods are approved by CFS for transporting such foods; and (d) consider conducting periodic examinations similar to the first-time examination of the condition of vehicles transporting consignments of chilled foods to ensure that the vehicles are continually suitable for transporting consignments of such foods. 	<p>Since September 2018, CFS has included the containers approved for carrying chilled meat/poultry in the approved vehicle list for transporting chilled meat and poultry. Through the inspection checklist for frontline staff of boundary control points, frontline staff are reminded to check whether the vehicles transporting chilled meat and poultry are on the approved vehicle list.</p> <p>Starting from February 2019, in addition to routine checking, re-inspections of the approved vehicles and containers for transporting chilled meat and poultry are conducted at two-year intervals.</p>
Para 2.65 of the Audit Report	Audit has recommended that DFEH should keep under review the adequacy of the guidelines on collection of food samples for laboratory tests and modify the guidelines where warranted.	CFS issued guidelines on randomisation sampling of chilled/frozen meat or poultry in September 2018. It will continue to monitor and review the implementation of the guidelines to ensure that operational needs are met.

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
Part 2C: Control of Foods Imported by Sea		
Para. 2.88 of the Audit Report	<p>Audit has recommended that DFEH should –</p> <ul style="list-style-type: none"> (a) sort out the discrepancy between the requirement of the Operational Manual and the actual inspection practices; (b) take measures to improve the utilisation of the checkpoint at Kwai Chung Customhouse (KCCH), including for example, improving its cold storage facilities; and (c) take further measures to ensure that all food consignments imported from Japan are subjected to radiation tests. 	<p>CFS updated the Operational Manual in March 2019 to clarify that the requirement for CFS staff to witness the act of breaking container seals is only applicable to high-risk target refrigerated containers, not containers selected for routine inspections.</p> <p>CFS is exploring with the Architectural Services Department the possibility of setting up a food control office with cold storage facilities at KCCH.</p> <p>C&ED has clarified at the PAC hearing that it has been providing CFS with information on all seaborne food consignments imported from Japan. CFS reiterates that it has all along conducted radiation testing on every consignment of imported Japanese food with hand-held devices, and adopted a risk-based approach to take food samples for CMS test as an extra and supplementary measure to ensure food safety.</p>
Para 2.102 of the Audit Report	<p>Audit has recommended that DFEH should –</p> <ul style="list-style-type: none"> (a) complete the exercise to identify and cancel unused import licences in a timely manner; (b) ensure that the measures taken to prevent importers from cancelling their import licences when their consignments are selected for physical inspection are duly carried out and monitor the effectiveness of the measures taken; 	<p>For cases with import licences issued based on the submission of import permission, CFS completed the exercise of identifying expired unused import licences at the end of 2018. The importers concerned have been informed in writing to return the expired unused licences for cancellation.</p> <p>CFS implemented an improvement measure in October 2018 to require that for a food consignment selected for physical inspection but where inspection is subsequently not conducted because of cancellation of the import licence by the</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
	<p>(c) take further measures to deal with the situation where importers cancel their import licences and apply for new ones with the submission of import permissions;</p> <p>(d) continue to identify and cancel unused import licences on a regular basis; and</p> <p>(e) for import licences issued based on photocopies of health certificates:</p> <p>(i) take measures to ensure that follow-up action to deal with delay in submitting original health certificates by importers is taken until the importers have submitted the certificates; and</p> <p>(ii) take measures to ensure that follow-up action is carried out properly in accordance with CFS's Operational Manual and practices unless there are justified reasons for not doing so.</p>	<p>importer, the information contained in the cancelled licence should be included in the monitoring system. The food consignment concerned will still be subject to physical inspection by CFS if the importer re-applies for an import licence for the same food consignment.</p> <p>In addition, CFS enhanced its computer system in October 2018 to facilitate identification of cases where an importer applies for more than one import licence for the same food consignment, so that the same food consignment will not be issued with multiple import licences.</p> <p>For import licences issued based on photocopies of health certificates, CFS has, since June 2018, stepped up efforts to follow up on delays in submitting original health certificates, including contacting importers who fail to submit original health certificates within 42 days and enhancing supervision to ensure that the relevant officers issue reminders and/or warning letters to these importers in accordance with the Operational Manual.</p>

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Para. 2.108 of Audit Report	<p>Audit has recommended that DFEH should –</p> <ul style="list-style-type: none"> (a) take measures to ensure that discrepancies, if found, in import documents are investigated and rectified; (b) consider selecting additional import licences to compensate for those that could not be subjected to physical inspection due to cancellation; (c) take measures to ensure that warning letters are issued to importers for breaching the conditions of import licences where applicable; (d) take measures to ensure the accuracy of figures quoted in letters for releasing food consignments; (e) take measures to ensure that physical inspections of food consignments (in respect of the 5% inspection requirement and overall examination of the whole consignment and cross-checking to supporting documents) are conducted in accordance with the Operational Manual; and (f) take measures to ensure that CFS staff select food samples randomly for the conduct of physical inspections (including, for example, extending the “randomisation sampling” to inspection of foods imported by sea). 	<p>Since October 2018, CFS has taken a series of improvement measures to:</p> <ul style="list-style-type: none"> (i) remind its frontline staff to clarify with importers on any discrepancies identified in import documents, and to keep a record of the actions taken; (ii) select additional import licences to make up for those cancelled import licences; and (iii) enhance supervision of frontline staff to ensure that operations are conducted according to the relevant guidelines. For example, import documents should be checked in accordance with the Operational Manual and warning letters should be issued, where applicable, to importers in breach of the conditions of import licences. <p>New guidelines on the number of food samples to be inspected in a physical inspection are being implemented on a trial basis. The new guidelines are expected to be fully implemented on 1 June 2019.</p> <p>In December 2018, CFS fine-tuned the Operational Manual to provide clearer guidance to the frontline staff on random sampling of foods imported by sea in physical inspections.</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
Part 3: Control of Live Food Animals and Live Aquatic Products		
Para. 3.16 of Audit Report	<p>Audit has recommended that DFEH should –</p> <ul style="list-style-type: none"> (a) ensure that, prior to the release of consignments of livestock, the livestock are originated from approved farms in the Mainland; (b) in cases where the livestock are imported from farms not on the list of registered farms or there are other irregularities, seek immediate clarification with the GAC; and (c) take measures to ensure that the permits of the Agriculture, Fisheries and Conservation Department (AFCD) are always shown to CFS for checking upon arrival of the livestock at the Man Kam To Animal Inspection Station in accordance with the terms of the permits, or make use of the permits received from AFCD to verify that the livestock are covered by valid permits when they are being imported into the territory. 	<p>With effect from October 2018, prior to the release of consignments of livestock, CFS will seek immediate clarification with the relevant Mainland authorities if the registration status of the farms concerned is not confirmed or there are other irregularities.</p> <p>After discussion with AFCD and the importers concerned, with effect from November 2018, CFS officers check whether the consignee's name on the animal health certificate is identical with the name of the importer (the permittee) on the valid AFCD permit during import inspections.</p>
Para. 3.32 of Audit Report	<p>Audit has recommended that DFEH should ensure that –</p> <ul style="list-style-type: none"> (a) CFS clarifies with drivers (and importers where necessary) in cases of any discrepancies noted between food import declaration forms and original animal health certificates, and 	<p>Since October 2018, CFS has implemented improvement measures including proactively clarifying information with the drivers if necessary, such as requesting the drivers to clarify when the import quantities on the food declaration form are greater than those on the health certificate; and checking at least half of the fish types in the</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
	<p>take action to rectify the discrepancies where warranted;</p> <p>(b) Field Officers clarify with drivers in circumstances where unclear information is filled in by the drivers on the food import declaration forms; and</p> <p>(c) in inspecting consignments involving several types of live fish, CFS inspects more than one type of fish and verifies the types against those shown on the original animal health certificates.</p>	<p>consignment as declared on the official health certificate.</p> <p>CFS is examining the Food Import Declaration Form, with a view to modifying the form in 2019 to enhance collection of necessary information for food traceability.</p>
<p>Para. 3.38 of Audit Report</p>	<p>Audit has recommended that DFEH should –</p> <p>(a) identify and clarify any discrepancies between the admitted quantities of livestock and the quantities shown on the animal health certificates; and</p> <p>(b) take follow up action on those cases of which the admitted quantity of livestock was greater than that recorded on the animal health certificate.</p>	<p>With effect from late September 2018, CFS checks whether there are discrepancies between the admitted quantities of livestock and the quantities shown on the movement permit issued by officers at boundary control points to the drivers on a daily basis. In case the admitted quantities of livestock are greater than those recorded on the animal health certificates, CFS will verify the information with the relevant parties where necessary.</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
Part 4: Registration and Inspection of Food Traders		
Para. 4.11 of Audit Report	<p>Audit has recommended that DFEH should –</p> <ul style="list-style-type: none"> (a) take measures to ensure that follow-up actions are taken on those licensees that have failed to reply to the Food Importer/Distributor Registration and Import Licensing Office (FIRLO) concerning exemption of registration; and (b) step up publicity efforts to raise food importers'/distributors' awareness of the registration requirement of the Food Safety Ordinance. 	<p>With effect from October 2018, CFS has kept record of non-responding licensees and accords priority to follow up on their cases.</p> <p>Since March 2019, the Environmental Hygiene Branch of FEHD has conducted a trial run to issue letters to the licence and permit holders during the licence/permit renewal exercises to request the holders to return the reply slips stating whether they are engaging in food importation/distribution businesses.</p> <p>CFS will continue to raise the awareness of the trade on the registration requirements of the Food Safety Ordinance through various publicity channels.</p>
Para. 4.21 of Audit Report	<p>Audit has recommended that DFEH should –</p> <ul style="list-style-type: none"> (a) conduct inspections (e.g. when conducting import documents checking or at the point of importing food consignments) to detect unregistered food importers; (b) take enforcement actions against those unregistered food importers where warranted; (c) take measures to ensure that inspections are conducted in accordance with the inspection plan; (d) ensure that all the improvement measures relating to the 	<p>Since September 2018, CFS has stepped up efforts to remind its staff at the boundary control points to check the status of the importer immediately upon the arrival of an imported food consignment. CFS will take enforcement against unregistered food importers based on the circumstances of individual cases.</p> <p>In October 2018, CFS revised the inspection checklist and report form. Apart from the findings and follow-up actions, the inspection officers also keep record of the number of invoices inspected and take photographs for record purpose. CFS has enhanced supervision to ensure that the licensing offices have taken appropriate follow-up actions on unsuccessful inspections, including issuance of letters to the food traders</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
	<p>checking of invoices during inspections are duly carried out;</p> <p>(e) take measures to ensure that FIRLO takes follow-up actions on unsuccessful inspections;</p> <p>(f) take further actions to resolve cases of which the results of follow-up actions are unsatisfactory (e.g. in cases where the food importers/distributors failed to respond to CFS enquiries); and</p> <p>(g) require FIRLO to conduct further inspections to replace unsuccessful inspections with no follow-up action taken to meet the target number of inspections where warranted.</p>	<p>concerned reminding them to notify FEHD if there is any change in their registration particulars, and putting the food traders concerned with a valid registration status on the monitoring list.</p> <p>Since the end of 2018, CFS has deducted the number of unsuccessful inspections from the annual number of inspections and conducted additional inspections on food traders to make up the shortfall in the number of successful inspections. Moreover, the food trader monitoring system has been improved to prompt CFS staff to arrange inspections on food traders on the list when they renew registration.</p>
Para. 4.26 of Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) require FIRLO to report more information on inspections to senior management (e.g. information on unsuccessful inspections with no follow-up action taken and the reasons for not following up); and</p> <p>(b) digitise the results of inspections to facilitate the formulation of the risk-based inspection plan.</p>	<p>Since October 2018, CFS has enhanced supervision to ensure that inspecting officers keep a proper record of the findings of inspections and follow-up actions (including issuance of letters to the food traders) for checking by supervisory officers. With effect from October 2018, the results of inspections are entered into computer for record to facilitate the formulation of risk-based inspection plans.</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
Part 5: Other Issues Relating to Import Control of Foods and Way Forward		
Para. 5.10 of Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) keep in view the latest changes in factors relevant to the updating of food safety standards, i.e. latest international development, new scientific evidence, and changes in other prevailing circumstances (e.g. emerging food incidents, results of public consultations, and other competing priorities); and</p> <p>(b) having regard to the relevant factors and any latest changes in the factors, closely monitor the updating of food safety standards for shellfish toxins and mycotoxins, with a view to updating the standards in a timely manner.</p>	<p>FHB and CFS have been closely monitoring the international developments and measures relating to safeguarding of food safety, including making reference to the food safety standards of the Codex Alimentarius Commission and other economies, as well as taking into account the local dietary practice and risk assessment results, to timely update the local food safety standards and regulatory arrangements on the basis of scientific evidence.</p> <p>Upon completion of the amendments to the Food Adulteration (Metallic Contamination) Regulations in 2018, CFS has been working on proposals to update the regulatory regime for harmful substances in food, including mycotoxins and trans fat. FHB and CFS plan to conduct public consultation on the proposals in 2019-20.</p>
Para. 5.16 of Audit Report	<p>Audit has recommended that DFEH should take measures to –</p> <p>(a) ensure that data on imported foods are accurately inputted into the Food Import Control System (FICS); and</p> <p>(b) prevent recurrence of errors and omissions in the FICS in future.</p>	<p>In September 2018, CFS provided a briefing on data input requirements to its frontline staff. It has also enhanced supervision by carrying out regular supervisory checks on data input since November 2018.</p> <p>Since January 2019, CFS has strengthened the functions of the FICS by requiring mandatory input of several types of data that were frequently omitted in the past. A new FICS will be set up by phrases to make use of IT to further enhance collection and maintenance of information on importers, distributors and food imports, so as to improve accuracy of information on imported food consignments and avoid omission of information.</p>

Para. No.	Audit's / PAC's Recommendations	Progress (as at end of May 2019)
Para. 5.23 of Audit Report	<p>Audit has recommended that DFEH should –</p> <p>(a) review the adequacy of the practices of individual food control offices on the conduct of supervisory visits, taking into account the requirements of the Operational Manual and the relevant observations in this Audit Report; and</p> <p>(b) based on the results of the review, take measures to ensure that supervisory visits are properly carried out in future.</p>	<p>Since October 2018, CFS has stepped up supervisory measures, formulated a checklist to ensure proper conduct of supervisory visits and enhanced the record of supervisory visits to better assess staff performance and give advice.</p>
<p>Para. 5.29 of Audit Report</p> <p>Page 58, Item (e) of PAC Report</p>	<p>Audit has recommended that DFEH should, in planning for the interfacing of the computer system of CFS with the Trade Single Window, explore opportunities for enhancing CFS's existing import control practices having regard to the observations in this Audit Report.</p> <p>PAC urges CFS to make good use of the new dedicated team to conduct a comprehensive review of various systems under CFS, including upgrading the information system and the workflows associated with the import control of foods so that the procedures/workflows could be rationalised and simplified to ensure the integrity of the input data, avoid manual errors and enhance its monitoring of staff's compliance with guidelines, among other objectives. The work of the dedicated team should be expedited</p>	<p>CFS has put in place a dedicated team in the end of 2017 to look closely at its operational workflow, revamp its IT systems for higher efficiency, and enhance its mode of operation through IT to support the work of its frontline staff and reinforce its capability in food import control, surveillance, incident management, risk assessment and traceability.</p> <p>CFS is developing and building five major IT systems, namely a Food Trader Portal, a Food Import and Export Control System, a Food Incident Management System, a revamped Food Surveillance System and a Food Classification and Coding System. These IT systems are expected to be rolled out in order of priorities commencing from the end of 2019, and be completed by 2024.</p> <p>In developing the above IT systems, CFS will pay special attention to system design in data organisation and data structure,</p>

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	and any recommendations made by the team should be implemented as soon as possible.	with particular reference to retrieval, use and integration of data in support of food safety management. The interconnection of these systems will also be examined to ensure data transfer and systematic integration of data to provide a central data bank for easy management, retrieval and analysis of data to support risk profiling and risk-based inspections and surveillance.
<p>Para. 5.35 of Audit Report</p> <p>Page 58 of PAC Report</p>	<p>Audit has recommended that DFEH should consider the need for conducting a comprehensive review of CFS's import control of foods, taking into account the findings and recommendations in this Audit Report.</p> <p>PAC urges CFS to –</p> <ul style="list-style-type: none"> (a) set up a mechanism to review the work flows at various food control offices in order to identify whether they could achieve their intended purpose and are practical, as well as other areas of improvements; (b) supplement new guidelines where necessary or revise/update existing guidelines/ Operational Manual, as the case may be; (c) enhance its communication channels with the relevant authorities in the Mainland and other countries/areas from which foods are imported so that CFS could be informed of any updates (e.g. the list of 	<p>A task group, led by the Controller, CFS, has been set up to take forward the recommendations of the Audit and PAC concerning the work of CFS in food safety management and import control. The task group has commenced comprehensive reviews on CFS' operational manuals and guidelines, staff management and supervision arrangements, training requirements, and manpower and resource requirements. As mentioned above, CFS has started rolling out concrete and effective short, medium and long term measures to enhance its effectiveness by phases, including updating guidelines in which inadequacies or ambiguities were found, enhancing training and supervision of its frontline staff, strengthening staff's law enforcement mindset and improving the maintenance of data and records. In 2019-20, 35 additional civil service posts will be created in CFS along with an additional provision of \$25 million to review and implement the enhancement measures.</p>

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	<p>registered farms as shown on the website of GAC) and any discrepancies found during the import control could be clarified as soon as practicable; and</p> <p>(d) review whether its establishment and manpower are sufficient to ensure that they could handle the increasing workload at the food control offices.</p>	

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