

**For information
on 31 October 2018**

LegCo Panel on Food Safety and Environmental Hygiene

**Latest Update on the Import and
Regulatory Arrangements for Sale of Hairy Crabs**

Purpose

This paper briefs Members on the import and regulatory arrangements for sale of hairy crabs in 2018 and the latest situation.

Market-oriented Supply

2. Hairy crabs from any economies¹ can be imported into Hong Kong provided that they meet Hong Kong's food safety requirements and each consignment is accompanied with a health certificate issued by the relevant authorities of the exporting economies. In other words, the source of supply of hairy crabs to Hong Kong is essentially determined by the market.

3. As the Mainland is the main source of food supply to Hong Kong, administrative arrangements have been put in place between the Mainland inspection and quarantine authority and the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department (FEHD). Only registered aquaculture farms approved by the relevant Mainland authorities are authorised to export hairy crabs to Hong Kong to further safeguard food safety. In discharging their monitoring and gatekeeping roles at source, the Mainland authorities have established approval procedures regarding the quality of registered aquaculture farms and the issuance of authorisation documents for the export of hairy crabs to Hong Kong.

Required Tests for Hairy Crabs

4. Food safety is our prime concern. The laws of Hong Kong stipulate that all food for sale in Hong Kong must be fit for human consumption. CFS conducts various types of tests on hairy crabs, including dioxins and dioxin-like polychlorinated biphenyls (hereafter referred to as

¹ Hairy crabs are produced in places such as the Mainland, Taiwan, Japan and the Netherlands.

dioxins)², metallic contaminants, colouring matters and residues of pesticides and veterinary drugs.

5. The testing of dioxins involves very complicated process³. Given that the testing procedures require a high degree of precision, there are stringent requirements on the experience of the laboratory personnel and the laboratory environment. The Government Laboratory has made every effort to speed up the testing process. At present, testing for dioxins can be completed in about 10 days.

Hold-and-Test upon Importation

6. In the hairy crab season of 2016, CFS detected that the levels of dioxins of some hairy crab samples exceeded its action level. To maintain public confidence on the safety of hairy crabs available for sale in Hong Kong, CFS has implemented an arrangement since 2017 to hold up hairy crabs at import level and take samples for testing of dioxins. The importers concerned may make available the hairy crabs for sale in the market only after they are informed by CFS of satisfactory testing results. This hold-and-test arrangement is still in use by CFS.

7. We understand that hairy crabs are seasonal fresh food. In this regard, the Food and Health Bureau (FHB) and CFS have been liaising closely with the Mainland inspection and quarantine authority on the import arrangements of hairy crabs from the Mainland into Hong Kong this year, with a view to striking a better balance between food safety protection and business facilitation.

8. FHB and CFS have also been liaising closely with the trade on the import and testing arrangements of hairy crabs this year. We will continue to communicate with the trade. If there are any new arrangements, we will inform them immediately.

² Dioxins are chemical compounds that are persistent environmental pollutants and highly toxic. They are fat-soluble and not easily broken down which tend to accumulate in fatty tissues and along the food chain. The International Agency for Research on Cancer has classified dioxins as human carcinogens. CFS started to test dioxins in hairy crabs in 2015. Having considered the standards of EU and Taiwan, CFS set an action level of 6.5 picograms per gram of sample for dioxins in hairy crabs in 2016.

³ The process for testing of dioxins involves extraction, multiple clean-up steps, instrumental testing and substantial data analysis, as well as re-examination when necessary.

Sampling at Retail Level

9. CFS takes hairy crab samples at the retail level for testing in accordance with the risk-based principle. If samples are found to be unsatisfactory, follow-up actions will be taken, including source tracing, instructing the vendors concerned to remove the products from shelves and recall the products, and making public the incidents.

Regulatory Arrangements for Sale

10. To crack down on hairy crabs from unknown sources and further ensure that hairy crabs available for sale at the retail level meet the food safety and hygiene requirements, FEHD requires that, pursuant to the Food Business Regulation (Cap. 132X) and starting from 3 September 2018, operators selling hairy crabs should have obtained the Shell Fish (Hairy Crab) Permit or relevant permission granted by FEHD. Such permission includes prior written permission granted for selling hairy crabs at other food premises (e.g. fresh provision shops and fish stalls in public markets) and permit for selling restricted food online with respect to the online sale of hairy crabs.

11. The permit requires that all hairy crabs for sale must be accompanied with health certificates issued by the relevant authorities of the exporting economies, and the premises used for storing and handling hairy crabs must comply with relevant hygiene requirements, including the provision of refrigerators and hand-washing facilities.

12. The Food Safety Ordinance (Cap. 612) also applies to operators selling hairy crabs in Hong Kong. Any person who carries on a hairy crab importation or distribution business must register with FEHD and keep records of the source and distribution of the hairy crabs.

Import of Hairy Crabs This Year

13. As at to-date:

- (a) in August 2018, a consignment of hairy crabs totalling about 100 kg (an estimate of about 700 crabs⁴) imported from the Mainland and accompanied with a health certificate was released to the market after the test results on the samples were found satisfactory by CFS;

⁴ Conversion from the total weight on the assumption that each crab is four taels.

- (b) since September 2018, 10 consignments of hair crabs totalling about 2 000 kg (an estimate of about 13000 crabs⁴) imported from Japan and accompanied with health certificates were made available to the market for sale after the test results on the samples were found satisfactory by CFS; and
- (c) recently, a few consignments of hairy crabs from the Mainland totalling about 3 500 kg (an estimate of about 23 000 crabs⁴), which were imported from Korea and accompanied with health certificates, were being held up for testing by CFS. The hairy crabs will be allowed to be put on the market for sale if the test results on the samples are found satisfactory.

Dedicated Efforts to Eradicate Unauthorised Sale

14. As at 26 October 2018, FEHD has issued hairy crab permits to 99 operators, of which 27 are for online sale of hairy crabs. The list is available on FEHD's website⁵ for public inspection. If members of the public suspect that there are operators selling hairy crabs without the relevant permits or the hairy crabs are not accompanied with health certificates, they may call the FEHD hotline⁶ for enquiries or complaints.

15. Since the implementation of the permit system, FEHD has been carrying out regular inspections of the premises issued with the permits to ensure that the permit holders comply with the terms and conditions of the permits. Appropriate actions will be taken as and when necessary, including issuing warnings against the permit holders and suspending their permits depending on the seriousness of the situation.

16. FEHD also actively follows up and investigates complaints about suspected sale of hairy crabs without a permit. If there is sufficient evidence, FEHD will initiate prosecutions against the operators under the Food Business Regulation.

17. From 3 September to 26 October 2018, FEHD received a total of 29 complaints about the sale of hairy crabs. Among the complaints of which investigations had been completed, one licenced fresh provision shop was prosecuted by FEHD for sale of hairy crabs without prior written permission granted. The premises of the remaining cases were confirmed to have been

⁵ Website: www.fehd.gov.hk/english/licensing/list_licensed_premises.html.

⁶ FEHD hotline: 2868 0000.

issued with permits. Premises which were granted with permission and were selling hairy crabs had produced valid health certificates to FEHD staff on inspections.

18. If the Customs and Excise Department (C&ED) discovers cases of misrepresentation on the places of origin of hairy crabs sold in the market, it will take appropriate enforcement actions in accordance with the Trade Descriptions Ordinance (Cap. 362). In 2018, C&ED received two reports of online sale of hairy crabs alleged to come from the Mainland. The cases are under investigation.

19. Members are invited to note the import and regulatory arrangements for sale of hairy crabs this year, as well as the latest situation.

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