

**For discussion
on 8 June 2021**

Legislative Council Panel on Food Safety and Environmental Hygiene

Regulation of Food Imports

Purpose

This paper outlines the work of the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department (FEHD) in regulating food imports, including its measures to monitor the import of foods via land, air and sea.

Import Regulatory Measures

2. Over 90% of food in Hong Kong is imported. To ensure the safety of imported food and for public health reasons, the import of certain high-risk foods such as game, meat, poultry, eggs, milk, milk beverages and frozen confections is governed by the existing legislation and related arrangements. According to the Import and Export Ordinance (Cap. 60), an import licence issued by the FEHD is required for import of frozen or chilled meat and poultry meat. Under the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK), import of meat, poultry or eggs is confined to sources recognised by the FEHD, and importers have to provide health certificates issued by the relevant issuing entity of the place of export. The Frozen Confections Regulation (Cap. 132AC) and the Milk Regulation (Cap. 132AQ) also stipulate respectively that any frozen confection and milk or milk beverage to be imported into Hong Kong must come from a source of manufacture that has been approved by the FEHD.

3. Upon arrival of regulated foods at the food control checkpoints of relevant boundary control points, importers have to present import documents (including airway bills/bills of lading, packing lists and invoices, as well as original copies of health certificates and import licences or import permissions) for examination by CFS staff. CFS staff will adopt a risk-

based approach to conduct physical inspection on the consignments to ensure their compliance with various safety and quality indicators, such as whether there is food spoilage and whether a proper storage temperature is maintained. Food samples will also be taken for testing under the Food Surveillance Programme (FSP). Upon completion of these procedures, a release letter will be issued to the importers for releasing the relevant foods.

4. In 2020, the CFS examined the documents of about 220 000 food consignments imported by land, air and sea and conducted physical inspections on about 82 000 food consignments. Some 37 000 food samples were taken for microbiological, chemical or radiation tests (see the results of food surveillance presented to Members on 9 March 2021 vide LC Papers No. CB(2)839/20-21(05) and CB(2)1078/20-21(01)). Breakdown of the relevant figures of the food inspection work at the import level by land, air and sea is provided at **Annex**. Details are set out in the ensuing paragraphs.

Control of Food Imports by Land

5. Fresh foods imported from the Mainland via land routes are required to enter Hong Kong via the Man Kam To Boundary Control Point (MKTBCP) and undergo inspection in accordance with the aforementioned procedures at the Man Kam To Food Control Office (MKTFCO) of the CFS. The CFS and the Customs and Excise Department (C&ED) maintain close contact and exchange intelligence on the inspection of vehicles carrying food to Hong Kong, and conduct joint blitz operations from time to time to combat illegal food imports and the import and sale of food of unknown origins. In recent years, the CFS and the C&ED have stepped up cooperation to increase the frequency of inspecting cross-boundary vehicles carrying regulated foods (such as eggs and meat) and other food products to Hong Kong via the MKTBCP. In 2020, the CFS inspected about 6 100 vehicles under this mechanism. In the joint blitz operations mounted by the CFS and the C&ED last year, several cases of suspected smuggling of hairy crabs were also detected at the Man Kam To and Shenzhen Bay Port Boundary Control Points between October and December, seizing a total of some 30 000 hairy crabs not accompanied with health certificates. The crabs were subsequently detained and destroyed by the CFS.

6. Earlier this year, the relevant authorities of the Mainland adjusted the functions of various land boundary control points. Insofar as the goods inspection function of the MKTBCP is concerned, only goods vehicles carrying fresh food are allowed to continue to use the MKTBCP for cargo clearance. In this connection, the CFS implemented a new strategy in cooperation with relevant departments to step up the inspection of goods vehicles carrying food to Hong Kong at different time and locations of the cross-boundary carriageway at the MKTBCP. With the new strategy in place, the CFS is able to select and direct target vehicles to undergo inspection at the MKTFCO and conduct inspection of cross-boundary vehicles in a more flexible manner, rendering the overall food control at Man Kam To more effective and systematic. Since its implementation, the new strategy has been operating smoothly. The CFS intercepted about 380 goods vehicles carrying food at the MKTBCP under the new strategy between April and May 2021, and will further strengthen its efforts to conduct surprise checks on target vehicles.

Vehicles carrying Chilled Meat

7. As chilled pork and poultry are high-risk foods, vehicles transporting these food products are subject to prior application with the CFS. A goods vehicle is allowed to carry such imported food only if it satisfies the relevant conditions, including that the vehicle must have a conveying compartment of an enclosed type; the compartment must be equipped with a refrigerating device and a temperature gauge; the internal surfaces of the compartment must be smooth and impervious to facilitate cleansing; and devices must be installed to record the temperature of the conveying compartment for the duration of the trip. In recent years, the CFS has enhanced the monitoring mechanism for vehicles and containers approved for transporting chilled meat and poultry. The vehicles and containers approved for such use must be re-inspected at two-year intervals to ensure that they are still suitable for transporting chilled food. In 2020, about 90 vehicles and containers were inspected under this mechanism. Their food storage temperatures and hygienic conditions were satisfactory.

8. When an approved goods vehicle carries chilled meat and poultry to Hong Kong via the MKTBCP, CFS staff will check the import documents (e.g. the original health certificate, import licence and/or import permission) and conduct food inspection and sampling, including using forklifts to take

samples from upper and inner parts of the vehicle. CFS staff will also verify whether the vehicle is on the approved vehicle/container list, check the intactness of the seal on the vehicle and the hygienic conditions of the enclosed conveying compartment, as well as monitor the operation of the refrigerating device. Such monitoring includes checking whether a suitable chilling temperature is maintained for food storage and whether the temperature devices have constantly recorded the temperature of the conveying compartment on a running graph for the duration of the trip. If the inspection results and the hygienic conditions are satisfactory, a release letter will be issued to the importer for releasing the food consignment.

Vehicles carrying Vegetables

9. The Mainland is the major supplier of vegetables to Hong Kong. Under the administrative arrangements between the CFS and the Mainland regulatory authorities, all imported vegetables come from vegetable farms and production and processing establishments recognised by the Mainland authorities for supply to Hong Kong. Vegetable consignments imported from the Mainland via land routes must be accompanied with supporting documents, including the “Export Certificate of Vegetables Supplied to Hong Kong and Macau”, and be affixed with labels on the packaging showing information of their origins. When a vehicle carrying vegetables arrives at the MKTFCO, CFS staff will check whether the seal on the vehicle remains intact, examine the accompanying documents and take vegetable samples from different parts (including upper and inner parts) of the vehicle directly or using forklifts for conducting rapid tests for pesticide residues and comprehensive chemical analysis based on a risk-based approach under the FSP and a random sampling plan.

10. Imported Mainland vegetables are distributed through wholesale markets (including those operated by the Agriculture, Fisheries and Conservation Department, the Cheung Sha Wan Vegetable Wholesale Market of the Vegetable Marketing Organisation or other private wholesalers) or sold directly at retail outlets (i.e. direct sale). Whether vegetables are distributed through wholesalers or sold directly at retail outlets is a commercial decision. The CFS will continue to take samples of vegetables at the import, wholesale and retail levels for testing under its regular FSP, including those distributed through wholesalers or sold through direct sale,

so as to ensure that vegetables available for sale in Hong Kong are compliant with statutory standards and fit for human consumption.

Vehicles carrying Aquatic Products

11. Following the opening of the Hong Kong-Zhuhai-Macao Bridge (HZMB) at the end of 2018, some members of the trade expressed to the Government their wish to import fresh aquatic products via the HZMB to save transportation time and increase the survival rate of those products. Having discussed with the trade and studied the proposal with the Mainland authorities, the CFS has implemented an interim measure since December 2019 for vehicles carrying aquatic products to import fresh aquatic products via the HZMB over a designated period shortly before and during the closure of the MKTBCP (i.e. from 9 p.m. to 5 a.m.) and receive random inspection by CFS staff. As at the end of May 2021, over 3 600 vehicles have been inspected with no irregularities found.

12. Since the Hong Kong Boundary Crossing Facilities (HKBCF) of the HZMB are currently not equipped with permanent facilities for fresh food inspection, the interim measure mentioned above is only applicable to vehicles carrying fresh aquatic products for facilitating the wholesale and trading of these relatively perishable products by the trade. In view of the smooth operation of the interim measure and the inclination indicated by the trade to import other fresh foods such as poultry and eggs via the HZMB, the CFS is studying the feasibility of setting up permanent facilities for fresh food inspection at the HKBCF of the HZMB. The CFS has initially engaged with traders of different types of fresh food on this idea for assessing issues such as vehicular flow, entry time of vehicles and long-term development, with a view to enabling more types of fresh food to be imported via the HZMB in a pragmatic manner, thereby promoting future growth, extending the scope of food supply and refining the emergency management of food supply in line with the development of the Guangdong-Hong Kong-Macao Greater Bay Area.

Control of Food Imports by Air

13. The CFS has an Airport Food Inspection Office (AFIO) at each of the three cargo terminals (namely Hong Kong Air Cargo Terminals, Asia Airfreight Terminal and Cathay Pacific Cargo Terminal) of the Hong Kong International Airport. The AFIOs operate round-the-clock to monitor the food safety of food consignments imported by air. Prior to the arrival of an imported food consignment at the Hong Kong International Airport, the air consignment operator has to submit electronic cargo information of the imported goods to the C&ED through its Air Cargo Clearance System for customs clearance. C&ED staff will assign a customs constraint code based on the information provided by the air consignment operator and instruct the importer to apply to the CFS for releasing the food consignment. The importer is required to present import documents including airway bills, packing lists, invoices and bill of lading, as well as original copies of health certificates, import licences or import permissions, etc. at the AFIO operated by the CFS. CFS staff will also inspect and take samples of the food consignment. If necessary, CFS staff may hold and test certain food products and release the consignment only when the inspection and testing results are satisfactory.

Hairy Crabs

14. Regardless of their places of origin, hairy crabs have to meet Hong Kong's food safety requirements and each imported consignment must be accompanied with a health certificate issued by the relevant authorities of the place of origin. In recent years, Hong Kong has not imported any hairy crabs from the Mainland. Instead, hairy crabs have been imported by air from South Korea and Japan. Every year, the first consignment of hairy crabs imported with a health certificate from each place of origin or aquaculture farm is held for testing at the import level by the CFS. The crabs could be offered for sale in the market only if the testing results are satisfactory. After the hairy crabs have entered the market, the CFS adopts a risk-based approach to take samples for testing for dioxins and dioxin-like polychlorinated biphenyls, metallic contaminants, colouring matters, pesticide and veterinary drug residues, etc. under the regular FSP, so as to ensure that the crabs are compliant with statutory standards and fit for human consumption. In 2020, the CFS collected more than 120 hairy crab samples at the import and retail levels for testing. The results were all satisfactory.

Japanese Food

15. Following the incident at the Fukushima nuclear power plant in 2011, the Government has strictly regulated the import of certain high-risk food products from the five affected Japanese prefectures (namely Fukushima, Ibaraki, Tochigi, Chiba and Gunma) into Hong Kong. Currently, the import of vegetables, fruits, milk, milk beverages and dried milk from Fukushima is still prohibited in Hong Kong, and a radiation certificate is required for the import of game, meat, poultry, poultry eggs and aquatic products from Fukushima and the other four abovementioned prefectures. In addition, a radiation certificate and an exporter certificate have to be produced for import of vegetables, fruits, milk, milk beverages and dried milk from the four abovementioned prefectures. The CFS also conducts radiation tests on food items imported from Japan (by both air and sea) on a risk-based approach. Over the past ten years, the CFS has tested more than 750 000 food samples from Japan. None of them was found to have exceeded the guideline levels laid down by the Codex Alimentarius Commission (Codex).

Control of Food Imports by Sea

16. The CFS has all along been controlling food imports by sea through its collaboration with the C&ED. Same as the surveillance of food imports by land and air, importers have to report to the CFS consignments of regulated foods shipped to Hong Kong by sea, submit the relevant import documents and allow CFS staff to conduct food inspection and collect food samples for testing. For targeted food consignments imported into Hong Kong, physical inspections of the original sealed containers are conducted at the food inspection checkpoint of the Kwai Chung Customhouse (KCCH checkpoint) or in the warehouses or cold stores of the importers. To enhance surveillance of food imports by sea, the CFS has been making efforts to improve the ancillary facilities of the KCCH checkpoint. With the cooperation of the C&ED and other relevant departments, the CFS has awarded contracts for providing additional chilling facilities at the KCCH checkpoint for inspecting containers of relatively high-risk frozen foods. The relevant food inspection rooms and chilling facilities are expected to be completed and commissioned for use in the third quarter of 2021.

Brazilian Meat

17. In the wake of the incident of quality of Brazilian meat in 2017, the CFS and the Brazilian authorities laid down specific requirements on the import of Brazilian meat into Hong Kong by the end of 2019, which have been in place since May 2020. The new arrangements, which are set on the basis of food safety principles, include drawing up a list of eligible establishments that meet the specific requirements, revising the health certificates, providing more information to enhance food traceability, specifying more clearly the requirement for compliance with the standards of the World Organization for Animal Health and the Codex and the conformity with the Hazard Analysis Critical Control Point System and Good Manufacturing Practices, strengthening risk-based veterinary audit and drug monitoring programmes, etc. The new arrangements have been in smooth operation since they took effect. Last year, the CFS collected 750 samples of meat, poultry and their products imported from Brazil for testing under the FSP. The testing results of all samples were satisfactory.

COVID-19 Testing on Imported Frozen Foods

18. Apart from regular control and surveillance of food imports, the CFS has been deploying manpower to collect samples of various types of frozen foods and their packaging at the import level, including the cold stores of importers, for COVID-19 testing since mid-2020. As at the end of May 2021, more than 10 000 relevant samples (mainly meat and aquatic products) imported from over 50 places were tested and the results were all negative. The CFS will continue to take samples of imported frozen foods and their packaging for COVID-19 testing to closely monitor the risk of virus transmission via imported frozen foods.

Conclusion

19. The CFS will continue to perform its gate-keeping role for food imports at various sea, land and air control points and maintain close liaison and cooperation with the C&ED. In addition, the CFS will continue to collect a variety of food samples at the import, wholesale and retail levels for testing using a risk-based approach under the FSP. The CFS is also reviewing its workflow and revamping its information technology systems

to support the operational needs of different units and the work of its frontline staff, so as to enhance the effectiveness of its control and surveillance of food imports continuously for ensuring the food safety in Hong Kong.

Advice Sought

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

**Food and Health Bureau
Food and Environmental Hygiene Department
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CFS's Food Inspection at the Import Level in 2020

	Number of food consignments with import documents checked	Number of food consignments physically inspected	Number of samples taken for testing
Land imports	46 161	45 731	18 570
Air imports	154 342	32 293	3 776
Sea imports	17 834	4 325	14 904
Total	218 337	82 349	37 250