

立法會

Legislative Council

LC Paper No. CB(2)1137/20-21(06)

Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Background brief prepared by the Legislative Council Secretariat for the meeting on 8 June 2021

Food import control

Purpose

This paper provides background information on the work of the Centre for Food Safety ("CFS") of the Food and Environmental Hygiene Department ("FEHD") concerning food import control, and summarizes major views and concerns of members of the Panel on Food Safety and Environmental Hygiene ("the Panel") on relevant issues.

Background

2. According to the Administration, about 95% of food in Hong Kong is imported from places outside the territory. Food import control is very important in ensuring that all food which enters Hong Kong is fit for human consumption. To control food safety and safeguard public health, CFS works under the legal framework of the following two Ordinances and their subsidiary legislation:

- (a) the Public Health and Municipal Services Ordinance (Cap. 132) ("PHMSO") which stipulates that all food for sale in Hong Kong, whether imported or locally produced, must be fit for human consumption; and
- (b) the Food Safety Ordinance (Cap. 612) which stipulates a registration scheme for food importers/distributors and also requirements for them to maintain transaction records, so that in the event of a food incident, the sources and points of sale of the food concerned can be traced.

3. In addition, CFS takes food samples at the import, wholesale and retail levels for testing under the Food Surveillance Programme ("FSP"), while adopting a risk-based principle in determining the types and numbers of food samples to be collected and the laboratory analyses to be performed.

4. According to information available on CFS' website, the following import requirements for food are imposed for public health reasons:

- (a) certain high-risk imported food like milk, milk beverages, frozen confections, game, meat, poultry and eggs are governed by subsidiary legislation of PHMSO. Import of game or eggs requires the prior permission of FEHD and import of meat, poultry or eggs is confined to sources recognized by FEHD. For the release of imported food, importers are required to provide health certificates issued by the issuing entities of exporting countries/places;
- (b) all vegetables imported from the Mainland should be accompanied by identification tags and export certificates of vegetables supplied to Hong Kong and Macau. Samples of vegetables are taken from vehicles for testing of pesticide residues at Man Kam To Food Control Office ("MKTFCO"); and
- (c) live food animals are subject to inspection and testing at Man Kam To, wholesale markets and slaughterhouses.

Members' concerns

5. Members' major views and concerns on relevant issues are summarized below.

Inspection visits to farms outside Hong Kong

6. Some members suggested that, to enhance control of food imported to Hong Kong, the Administration should conduct more inspection visits to the registered farms/production and processing establishments on the Mainland, in order to ensure that live poultry, food animals, aquatic products as well as agricultural products supplied to Hong Kong were wholesome and safe at source. To enhance the effectiveness of the inspections, surprise visits, instead of scheduled visits, should be conducted.

7. According to the Administration, between 2014 and 2017, CFS inspected each year nearly 70 registered farms on the Mainland eligible for export of food to Hong Kong. In 2018, CFS inspected about 60 registered farms. CFS adopted a risk-based approach to identify the target farms for inspection, taking

into account the volume and previous testing results of imports from the farms as well as relevant food incidents, if any. In other words, the actual number of farms inspected each year would depend on needs and circumstances. To ensure that inspection visits could be conducted smoothly, prior arrangements with the relevant Mainland authorities had to be made. CFS would keep liaising with the Mainland authorities on the type, scale and number of registered farms to be visited every year.

8. In response to members' enquiry as to whether the Administration would conduct inspection visits to overseas farms supplying food products to Hong Kong, the Administration replied in the affirmative, adding that the operation of overseas farms was regulated by the respective local authorities. CFS staff visited farms exporting food products to Hong Kong mainly to understand their husbandry practices and compliance with food safety standards, including the quarantine measures taken and their use of feed and veterinary drugs. Inspections of food animal and fish farms outside Hong Kong were undertaken by an inspection unit in CFS comprising veterinary officers, field officers and fisheries officers.

Surveillance of imported food

Imported vegetables

9. Concerns were raised about (a) the follow-up actions taken by CFS in respect of sampling checks of imported vegetables in response to the direct investigation report entitled "Food and Environment Hygiene Department's System of Safety Control for Imported Fruits and Vegetables" published by the Office of The Ombudsman in November 2017; and (b) measures adopted by FEHD to address the problem of vehicles evading CFS' inspection of food consignments at MKTFCO, as pointed out by the Audit Commission's report on value-for-money review of the work of CFS in respect of food safety management and import control of foods published in October 2018.

10. According to the Administration, CFS had sought the assistance of the Customs and Excise Department ("C&ED") in intercepting targeted vehicles (including those carrying vegetables) for referral to CFS staff for inspection at MKTFCO. In response to the recommendations made in The Ombudsman's investigation report, frontline staff of CFS had adopted the principle of random sampling when collecting vegetables from vehicles at MKTFCO for inspection and testing. In addition to taking vegetables near the door of the storage compartment, CFS staff also collected vegetables placed at the inner part of the compartment using elevating work platforms, if necessary. CFS had also issued an inspection checklist for frontline staff working at boundary control points, reminding them of the required import documents for different types of food and the items to be inspected.

11. In response to members' concern about CFS' course of actions if unsatisfactory vegetable samples from the Mainland were identified, the Administration advised that if vegetables imported from Mainland registered vegetables farms were detected with excessive pesticide residues or metallic contaminants, CFS would trace the sources of the vegetables concerned and alert the Mainland authorities which would normally suspend the export from the implicated farms until measures had been taken to rectify the problem.

Quality of frozen and chilled meat and poultry meat imported from Brazil

12. Members noted that, in the wake of the Brazilian meat incident occurred in 2017, CFS had stepped up surveillance of meat products imported from Brazil and laid down specific requirements on the import of Brazilian meat into Hong Kong. According to those specific import requirements, the Brazilian authorities had drawn up a list containing 447 Brazilian establishments eligible for exporting meat, poultry meat and eggs to Hong Kong. Question was raised about the criteria adopted in determining those 447 eligible establishments.

13. The Administration advised that after rounds of discussion between CFS and the Brazilian authorities, specific import requirements were laid down on the importation of Brazilian meat into Hong Kong by the end of 2019. These requirements were based on food safety principles and in line with the standards of the World Organisation for Animal Health, the Codex Alimentarius Commission, the Hazard Analysis Critical Control Point System and Good Manufacturing Practices; and had strengthened risk-based veterinary audit and drug monitoring programmes etc. The Brazilian authorities had subsequently drawn up a list of eligible establishments according to the specific import requirements; and revised the content of its official health certificates issued for beef, pork, poultry meat and eggs for export to other places to enhance traceability.

Imported hairy crabs

14. Following the detection in 2016 of dioxins and dioxin-like polychlorinated biphenyls in hairy crabs imported from two aquaculture farms in Jiangsu Province, CFS had implemented an arrangement since 2017 to hold up hairy crabs at import level and take samples for testing of dioxins. There were concerns that the business of the importers concerned would be impeded by the hold-and-test arrangement, as they could make available the hairy crabs for sale in the market only after they were informed by CFS of satisfactory testing results. According to some members, there were hairy crabs from unknown sources available for sale at the retail level. Concern was raised as to whether those hairy crabs could meet the food safety and hygiene requirements.

15. The Administration advised that it had liaised closely with the trade on the import and testing arrangements of hairy crabs. The hold-and-test arrangement was implemented with a view to striking a better balance between food safety protection and business facilitation. Furthermore, CFS and C&ED had been working in collaboration to combat illegal import of hairy crabs. At present, vendors selling hairy crabs had to obtain the Shell Fish (Hairy Crab) Permit or relevant permission granted by FEHD which required that all hairy crabs for sale should be accompanied with health certificates issued by the relevant authorities of the exporting economies. FEHD would conduct regular inspections on those premises issued with the permits to ensure that the permit holders complied with the terms and conditions of the permits.

Anti-epidemic measures targeting at imported frozen foods

16. Some members observed that there were public concerns about the risk of importation and spread of the coronavirus disease 2019 ("COVID-19") virus through imported frozen foods. Enquiry was raised about the measures in place for preventing the virus from spreading to Hong Kong via imported frozen foods.

17. The Administration advised that noting the earlier cases on the Mainland since mid-2020 that the COVID-19 virus was detected on imported frozen foods or their packaging, CFS had immediately stepped up, at the import level, testing of various types of frozen foods and their packaging imported from different countries/regions, which involved taking samples at its Airport Food Inspection Offices and the cold stores of importers. Nucleic acid tests were conducted on frozen foods and their packaging, with special attention given to meat and seafood. As at the end of February 2021, more than 4 700 related samples had been collected for testing. The test results were all negative. For the purpose of enhancing protection for food handlers, CFS, in consultation with the Centre for Health Protection of the Department of Health, issued in November 2020 the "Health Advice for Frozen Food Handlers on the Prevention of COVID-19" to the food trade, reminding frozen food handlers of the potential risks of infection and the need to take precautionary measures. CFS would continue the surveillance on imported frozen foods and their packaging and closely monitor the risk of importation of the virus through imported frozen foods.

Online sale of food

18. Members were concerned about the monitoring work over online food selling activities, particularly those involving direct delivery of food products to customers and conducted through offshore shopping websites.

19. According to the Administration, the existing legislation regulated food safety and food trade operations in different aspects, including food operations

through electronic or other means. Section 54 of PHMSO stipulated that all food traders in Hong Kong had the responsibility to ensure that food sold by them was fit for human consumption, no matter whether the food was sold in traditional shops or online and whether it was locally produced or imported. In view of the increasing popularity of purchasing food via the Internet, mobile applications or social media platforms, CFS had enhanced the monitoring of the safety of food put up for sale online. It would purchase food from online ordering platforms to check whether the food was stored at a safe and proper temperature upon delivery to customers. As the coverage of regulation and consumer protection for food transactions made abroad could be different from those in Hong Kong, CFS had been advising the public through various publicity means that they should pay attention to the potential risks associated with purchasing food products from overseas websites.

Recent development

20. The Administration will brief the Panel on CFS' work in food import control at the meeting on 8 June 2021.

Relevant papers

21. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
2 June 2021

Relevant papers on food import control

Committee	Date of meeting	Paper
Panel on Food Safety and Environmental Hygiene	11.6.2019 (Item IV)	<u>Agenda</u> <u>Minutes</u> Administration's follow-up paper on the Food Surveillance Programme and food safety of food groups of concern (LC Paper No. <u>CB(2)1942/18-19(01)</u>)
	9.6.2020 (Item IV)	<u>Agenda</u> <u>Minutes</u>
Legislative Council	11.11.2020	<u>Official Record of Proceedings</u> <u>Pages 1290 to 1293 (Written question raised by Hon Starry LEE on "Safety issues relating to leanness-enhancing agents")</u>
Panel on Food Safety and Environmental Hygiene	9.3.2021 (Item IV)	<u>Agenda</u> <u>Minutes</u> Administration's follow-up paper on the Food Surveillance Programme (LC Paper No. <u>CB(2)1078/20-21(01)</u>)