

# **立法會**

## ***Legislative Council***

LC Paper No. CB(2)694/2025(05)

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### **Panel on Food Safety and Environmental Hygiene**

**Meeting on 24 April 2025**

#### **Background brief on the Administration's proposal to amend the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)**

#### **Purpose**

This paper provides background information on the Administration's proposal to amend the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V) ("the Regulations"), and summarizes the major views and concerns raised by Members when the Panel on Food Safety and Environmental Hygiene ("the Panel") was consulted on the proposal in October 2024 ("proposed amendments as of October 2024").

#### **Background**

2. Metallic contamination in food in Hong Kong<sup>1</sup> is regulated by the Public Health and Municipal Services Ordinance (Cap. 132) ("the Ordinance") and the Regulations:

- (a) Section 54 of the Ordinance stipulates that all food for sale must be fit for human consumption;
- (b) Section 3AA(1) of the Regulations prohibits the import, consignment, delivery, manufacture or sale, for human consumption, of any food containing any metal in an amount that is dangerous or prejudicial to health; and

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<sup>1</sup> According to the Government, metals are naturally present and ubiquitous in the environment. Metallic contaminants may enter the food supply chain through environmental contamination or during food production process. For ordinary adults, diet is one of the important sources of exposure to these metallic contaminants. The adverse health effects caused by dietary exposure to metallic contaminants depend on the chemical nature, as well as the amount and duration of individual exposure.

- (c) Part 2 of the Schedule to the Regulations stipulates 144 maximum levels (“MLs”) for 14 metallic contaminants<sup>2</sup> (“specified metals”), including copper, cadmium, mercury, etc., in specified foods.<sup>3</sup> Any specified food containing a specified metal in excess of the ML shall not be imported into or sold in Hong Kong.

### Proposed amendments to the Regulations

3. One of the initiatives set out in the Chief Executive’s 2024 Policy Address Supplement is to review food safety standards under the Regulations with reference to international standards and practices, with a view to better protecting public health, facilitating effective regulation and promoting harmonization between local and international food safety standards. With reference to latest standards of the Codex Alimentarius Commission (“Codex”)<sup>4</sup> and major food importing places including Mainland China, the Administration put forward the **proposed amendments as of October 2024**<sup>5</sup> to:

- (a) **add 27 new MLs for lead, cadmium and methylmercury in specified foods** ([Appendix 1](#)); and
- (b) **update 9 MLs for lead in specified foods** ([Appendix 2](#)).

If the proposed amendments are passed, **the total number of MLs will increase from 144 to 171**. The Administration proposed that **a transitional period of 18 months be given** after the enactment of the proposed amendments with a view to allowing a reasonable lead-time for the food trade and the testing and laboratory sector to get prepared.

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<sup>2</sup> Including lead, cadmium, mercury, antimony, arsenic, barium, boron, chromium, copper, manganese, nickel, selenium, tin and uranium.

<sup>3</sup> The Regulations were last amended in 2018 to increase the number of metallic contaminants from 7 to 14, and the number of MLs for metallic contaminants in respect of different foods and food groups from 19 to 144. The relevant amendments took effect for certain types of fresh foods (i.e. fresh fruits and vegetables and their juice, fresh meat and edible offal of animals and poultry, aquatic animals and poultry eggs) on 1 November 2019 first. Given that food types other than those mentioned above normally had a longer shelf/storage life, there was a grace period of 12 months. The relevant amendments took effect for all food types on 1 November 2020.

<sup>4</sup> Codex was established by the Food and Agriculture Organization of the United Nations and the World Health Organization in the 1960s, as an international authority to develop food associated standards for the reference of consumers, food producers, processors, food control agencies and the international trade.

<sup>5</sup> For details, please refer to the Administration’s paper ([LC Paper No. CB\(2\)1168/2024\(05\)](#)).

## Members' concerns and views

### Proposal to add MLs for methylmercury in six fish species

4. Members **generally supported the Administration's proposed amendments to the Regulations**. They noticed that the proposed new MLs for methylmercury (ranging from 0.8 mg/kg to 1.7 mg/kg) in six specified predatory fish species (including tuna, alfonsino, marlin, shark, orange roughy and pink cusk-eel) were higher than the existing ML for methylmercury in "fish" (i.e. 0.5 mg/kg) as set out in the Regulations. Members considered that the proposed amendment might **give rise to a perception that locally caught or cultured fish would contain higher levels of methylmercury than imported fish**, thus undermining the public's confidence in the local fisheries industry. Members were also concerned that **importing into Hong Kong those specified fish species with higher levels yet below the proposed new MLs of methylmercury** might increase food safety risks.

5. The Administration advised that the proposed amendment in question was made with reference to the latest standards set by Codex. In addition, as the dietary exposure to methylmercury of Hong Kong people from the consumption of the six fish species concerned accounted for a relatively low proportion of the total dietary exposure to methylmercury (with a total of 3%), the new MLs would not have any significant impact on the public's exposure to methylmercury. As regards the existing ML for methylmercury in "fish" as set out in the Regulations, it was proposed to be maintained and continue to be applicable to all other fishes (irrespective of their origins) except the six specified fish species. The Administration stressed that the existing ML was comparable to those in the Mainland and other countries and regions.

### Public education and publicity

6. Members called on the Administration to **step up public education and publicity** so that members of the public could gain a better understanding of the overall situation of food safety in Hong Kong, the Administration's efforts in regulating metallic contaminants in food, and the health effects of different metallic contaminants in respect of the chemical natures, as well as the amounts and duration of exposure. Members also expressed concern about **the food safety risks posed by food products purchased online** from places outside Hong Kong.

7. The Administration advised that the safety of food available in Hong Kong was maintained at a high standard. The Centre for Food Safety of the Food and Environmental Hygiene Department would continue to promote food safety and health education through different channels and provide appropriate dietary advice to the public, especially the population sub-groups (e.g. pregnant women and children) that might be more susceptible to the risks from exposure to different metallic contaminants. As regards the regulation of food products purchased online, the Administration emphasized that sale activities online, like in the conventional business mode, were regulated by relevant legislation in Hong Kong, including food safety and food business regulations pertaining to the importation, advertisement and sale of food products. Members suggested the Administration to consider **displaying on food labels information about the levels of metallic contamination in food** in a simple and easy-to-understand manner, so that consumers could make informed choices. The Administration advised that it would follow up the issue in a timely manner.

### **Latest development**

8. The Administration launched a two-month [public consultation](#) on the proposed amendments to the Regulations on 16 December 2024. The Panel will be briefed on the results of the public consultation at its meeting on 24 April 2025.

### **Relevant papers**

9. A list of relevant papers on the LegCo website is in [Appendix 3](#).

Council Business Divisions  
Legislative Council Secretariat  
17 April 2025

## Appendix 1

### The Administration's proposal to add 27 new maximum levels ("MLs") for specified metals in specified foods

Part 1: With reference to Codex				
Food		Hong Kong		Codex ML (mg/kg)
		Existing ML (mg/kg)	Proposed ML (mg/kg)	
Lead				
1	Grape juice	0.05 (Fruit juice exclusively from berries and other small fruits)	0.04	0.04
2	Fresh farmed mushrooms (button mushrooms ( <i>Agaricus bisporous</i> ), shiitake mushrooms ( <i>Lentinula edodes</i> ), and oyster mushrooms ( <i>Pleurotus ostreatus</i> ))	1 (Edible fungi)	0.3	0.3
3	Cereal-based foods for infants and young children	N/A	0.02	0.02
4	Ready-to-eat complementary foods for infants and young children	N/A	0.02	0.02
5	Honey and candies made with food-grade sugar	N/A	0.1	0.1
Cadmium				
6	Cocoa powder (100% total cocoa solids on a dry matter basis) ready for consumption	N/A	2.0	2.0
7	Chocolate containing or claiming to contain ≥ 70% total cocoa solids on a dry matter basis	N/A	0.9	0.9
8	Chocolate containing or claiming to contain ≥ 50% to < 70% total cocoa solids on a dry matter basis	N/A	0.8	0.8
9	Chocolate containing or claiming to contain ≥ 30% to < 50% total cocoa solids on a dry matter basis	N/A	0.7	0.7
10	Chocolate containing or claiming to contain < 30% total cocoa solids on a dry matter basis	N/A	0.3	0.3
Methylmercury*				
11	Tuna	0.5 (Fish)	1.2	1.2
12	Alfonsino	0.5 (Fish)	1.5	1.5
13	Marlin	0.5 (Fish)	1.7	1.7
14	Shark	0.5 (Fish)	1.6	1.6
15	Orange roughy	0.5 (Fish)	0.8	0.8
16	Pink cusk-eel	0.5 (Fish)	1.0	1.0

Part 2: With reference to the Mainland				
Food		Existing ML (mg/kg)	Proposed ML (mg/kg)	Relevant GB 2762- 2022 ML (mg/kg)
<b>Lead</b>				
17	<i>Armillaria mellea</i>	1 (Edible fungi)	0.3	0.3
18	<i>“Boletus bainiugan, Lanmaoa asiatica, Sutorius brunneissimus, Rugiboletus extremiorientalis”, Tricholoma matsutake, Tuber spp., Russula virescens, Termitomyces spp., Cantharellus spp., and Lactarius volemus</i>	1 (Edible fungi)	1.0	1.0
19	<i>“Auricularia cornea, Auricularia heimuer” and Tremella fuciformis</i>	1 (Edible fungi)	1.0 (In dried form)	1.0 (In dried form)
20	White and refined sugars, corn and maple syrups	N/A	0.5	0.5
21	Soft brown, raw, and non-centrifugal sugars	N/A	0.5	0.5
<b>Cadmium</b>				
22	Edible fungi (unless otherwise specified)	0.1 (Vegetables unless otherwise specified)	0.2	0.2
23	Shiitake mushrooms	0.1 (Vegetables unless otherwise specified)	0.5	0.5
24	<i>Morchella importuna, Sarcodon imbricatus, Russula virescens, Cantharellus spp., and Armillaria mellea</i>	0.1 (Vegetables unless otherwise specified)	0.6	0.6
25	<i>Tricholoma matsutake, “Boletus bainiugan, Lanmaoa asiatica, Sutorius brunneissimus, Rugiboletus extremiorientalis”, Termitomyces spp., and Lactarius volemus</i>	0.1 (Vegetables unless otherwise specified)	1	1
26	<i>Tuber spp. and Agaricus blazei</i>	0.1 (Vegetables unless otherwise specified)	2	2
27	<i>“Auricularia cornea, Auricularia heimuer” and Tremella fuciformis</i>	0.1 (Vegetables unless otherwise specified)	0.5 (In dried form)	0.5 (In dried form)

\* In addition to the 27 proposed new MLs for metals, the Administration proposed to group “fish” and “fish balls/fish cakes” together in the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V) by extending the existing ML for methylmercury in “fish” (i.e., 0.5 mg/kg) to cover “fish balls/fish cakes”, with reference to the Mainland’s practice in which the relevant standards for aquatic animals and their products (except carnivorous fishes and their products) also apply to fish products.

Source: Paper entitled “Proposed Amendments to the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)” provided by the Administration in October 2024 (LC Paper No. CB(2)1168/2024(05))

**The Administration's proposal  
to update 9 maximum levels ("MLs") for lead in specified foods**

<b>Part 1: With reference to Codex</b>				
<b>Food</b>		<b>Hong Kong</b>		<b>Codex ML (mg/kg)</b>
		<b>Existing ML (mg/kg)</b>	<b>Proposed ML (mg/kg)</b>	
<b>Lead</b>				
1	Mango chutney	1	0.4	0.4
2	Edible offal of cattle	0.5	0.2	0.2
3	Edible offal of pig	0.5	0.15	0.15
4	Edible offal of poultry	0.5	0.1	0.1
5	Edible fats and oils	0.1	0.08	0.08
6	Salt, food grade (Other than salt from marshes)	2	1	1
<b>Part 2: with reference to the Mainland</b>				
<b>Food</b>		<b>Existing ML (mg/kg)</b>	<b>Proposed ML (mg/kg)</b>	<b>Relevant GB 2762- 2022 ML (mg/kg)</b>
<b>Lead</b>				
7	Fat spreads and blended spreads	0.1	0.08	0.08
8	Lime preserved eggs	0.5	0.2	0.2
9	Edible fungi (unless otherwise specified)	1	0.5	0.5

*Source: Paper entitled "Proposed Amendments to the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)" provided by the Administration in October 2024 (LC Paper No. CB(2)1168/2024(05))*

**Relevant papers on the Administration's proposal to amend the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)**

Committee	Date of meeting	Paper
Panel on Food Safety and Environmental Hygiene	13 June 2017	<a href="#">Agenda</a> Item IV: Public consultation on the proposed regulation of metallic contamination in food <a href="#">Minutes of meeting</a> <a href="#">Follow-up paper</a>
	3 July 2017	<a href="#">Agenda</a> Item I: Proposed amendments to the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V) <a href="#">Minutes of meeting</a> <a href="#">Follow-up paper</a>
	9 January 2018	<a href="#">Agenda</a> Item IV: Result of the public consultation on proposed amendments to the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V) <a href="#">Minutes of meeting</a> <a href="#">Follow-up paper</a>
	8 October 2024	<a href="#">Agenda</a> Item IV: Proposed amendments to the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V) <a href="#">Minutes of meeting</a>
	16 December 2024*	<a href="#">Letter issued by the Administration regarding the public consultation on the proposed amendments to the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)</a> (English version only)

\* Date of issue