

Centre for Food Safety
Food and Environmental Hygiene Department
Notes of the Forty fourth Meeting of the Trade Consultation Forum
held on 29 May 2014 at 2:30 p.m.
in Conference Room at Room 102, 1/F, New Wan Chai Market,
258 Queen's Road East, Wan Chai, Hong Kong

Present

Government Representatives

Dr. Y. Y. HO	Consultant (Community Medicine) (Risk Assessment & Communication)	(Chairman)
Dr. Janet HO	Senior Medical Officer (Risk Communication)	
Dr. Allen CHAN	Senior Medical Officer (Risk Assessment)	
Dr. Stephen CHUNG	Senior Chemist (Food Research Laboratory)	
Ms. Melva CHEN	Scientific Officer (Total Diet Study)	
Mr. Dicky CHAN	Scientific Officer (Veterinary Drugs)	
Mr. HO Kwok-wai	Scientific Officer (Nutrition Labelling)	
Ms. Joey KWOK	Scientific Officer (Food Additives)	
Dr. CHONG Tsz-kit	Scientific Officer (Biotechnology)	
Ms. Barbara CHAN	Chief Health Inspector (Communication and Response)	
Mr. Mickey LAI	Senior Fisheries Officer (Sustainable Fisheries), Agriculture, Fisheries and Conservation Department	
Ms. Virginia LEE	Fisheries Officer (Sustainable Fisheries)2, Agriculture, Fisheries and Conservation Department	
Ms. CHUNG Sau Wai	Superintendent (Risk Communication)	(Secretary)

Trade Representatives

Ms. May LAU	A&W Food Service Ltd.
Mr. Nic CHOW	A-1 Bakery Co., (HK) Ltd
Mr. Bosco HUI	A-1 Bakery Co., (HK) Ltd
Ms. Toby LAI	Abbott Laboratories Limited
Ms. Wendy WONG	Aji-No-Chinmi Co. (HK) Ltd.
Ms. Caroline YUEN	American Consulate General Hong Kong

Ms. Naomi KWOK	Angliss Hong Kong Food Service Ltd.
Ms. Frances CHEUNG	Australian Trade Commission
Mr. LAM Pak Wah	Best Harvest Food Ltd.
Mr. WONG Kai Man	Calbee Four Seas Co. Ltd
Ms. Wing LAU	Campbell Soup Asia Ltd.
Ms. Peggy CHAN	Campbell Soup Asia Ltd.
Ms. Leona WONG	Cerebos (Hong Kong) Ltd.
Ms. May LEUNG	Chemical Laboratory (HK) Pte Ltd.
Ms. Hannah WONG	China Dragon Inspection & Certification (HK) Ltd.
Mr. WONG Chi	China Dragon Inspection & Certification (HK) Ltd.
Mr. Jack TSE	China Resources Ng Fung Limited
Ms. Jenny WONG	China Resources Ng Fung Limited
Ms. Samantha TSANG	China Resources Vanguard (HK) Co Ltd
Ms. LEUNG Wing Shan	City Super Ltd.
Ms. YEE Wei Jiuan	City Super Ltd.
Ms. Elaine WONG	CMA Testing & Certification Laboratories
Mr. Cyrus FUNG	CMA Testing & Certification Laboratories
Ms. May KAN	Coca-Cola China Ltd.
Mr. Houston WONG	Consulate General of Canada
Ms. Susana Munoz Enrique	Consulate General of Mexico in Hong Kong and Macao
Ms. Susana SO	Consulate General of Mexico in Hong Kong and Macao
Mr. CHAN Wing Kai	Consulate General of Switzerland
Ms. TSOI Kit Ying	Danone Nutricia, Early Life Nutrition
Ms. Sandy TSE	Danone Nutricia, Early Life Nutrition
Ms. Anna LAU	East East Food Manufactures Ltd.
Mr. Henry CHENG	Fonterra Brands Hong Kong
Mr. Freddy FONG	Foodscan Analytics Ltd.
Ms. Natalie YUEN	FrieslandCampina (Hong Kong) Limited
Ms. Doris CHAN	FrieslandCampina (Hong Kong) Limited
Mr. TO Yui Nam	Global Wellness Logistics Ltd.
Ms. Sally LEUNG	Godiva Chocolatier (Asia) Ltd.
Ms. KWOK Wing Yee	GSI Hong Kong
Mr. Timothy CHAN	Hago Limited
Mr. Billy MAN	Hai Kang Life Corporation Limited
Mr. Robert LUK	Hai Kang Life Corporation Limited
Mr. TAM Hop Sing	Hong Kong Federation of Restaurants and Related Trades Limited
Ms. Tammy LAM	Hong Kong Food Council
Ms. Anita LAI	Hong Kong Food Council

Mr. Perry SIT	Hong Kong Health Food Association
Ms. Peggie YAU	Hong Kong Health Food Association
Mr. Peter Johnston	Hong Kong Retail Management Association
Mr. Gray LO	Hong Kong Yakult Co., Ltd.
Ms. Corine LIU	Hong Kong Yakult Co., Ltd.
Ms. Yolanda CHOW	Honorary Secretary of International Food Safety Association
Mr. CHAN Chi Ming	Hop Hing Oil Group Ltd.
Ms. Shirley LO	Hop Hing Oil Group Ltd.
Mr. Marco LO	Institution of Dining Art
Mr. Alex SO	Intertek Testing Service H.K. Limited
Ms. HO Tak-po	Kampery Development Limited
Ms. Maria HO	Lam Soon (Hong Kong) Limited
Ms. Alice WONG	Lee Kum Kee International Holdings Ltd.
Mr. Stephen LAM	Mannings
Ms. Faye LEUNG	Mannings
Mr. LUK Jia Shu	Maxim's Caterers Limited
Ms. TSANG Wing Sze	Maxim's Caterers Limited
Ms. Linda YAN	Mead Johnson Nutrition
Ms. Amy CHU	Mead Johnson Nutrition
Mr. WONG Pui Sum	Natural Alliance Co. Ltd.
Ms. Ivy KONG	Nestle Hong Kong Ltd.
Mr. Joseph MA	Nestle Hong Kong Ltd.
Ms. Haymann LAU	New Zealand Consulate-General Hong Kong
Ms. Vien POON	New Zealand Products (Hong Kong) Limited
Mr. Karlus CHEN	New Zealand Products (Hong Kong) Limited
Mr. LAM Tsz Mau	Nissin Foods Co., Ltd.
Mr. Herbert LEE	Nissin Foods Co., Ltd.
Ms. WONG Sin Tung	Nu Skin Enterprises Hong Kong, LLC
Ms. KONG Hai Ying	Orient Europharma Co., Ltd.
Ms. German CHEUNG	Pappagallo Pacific Ltd.
Ms. Yuki WONG	Pappagallo Pacific Ltd.
Ms. Cactus LAI	ParknShop (HK) Ltd.
Ms. Ava WONG	Pizza Hut Hong Kong - Jardine Restaurant Group
Mr. CHAN Chit Ming	SGS Hong Kong Ltd.
Ms. Connie KUNG	Sims Trading Co., Ltd.
Mr. Raymond ON	Sino Group of Hotels
Mr. Nick LEUNG	Snow Brand HK Co., Ltd.
Ms. Antonia Martinez	Spanish Trade Commission
Ms. Jenny KIONG	Sun Yik Food Limited

Mr. LAI Sing Hin	The Association for Hong Kong Catering Services management Ltd.
Ms. May LO	The Dairy Farm Company Ltd.
Mr. NG Chi Ming	The Dairy Farm Company Ltd.
Ms. Lina WONG	The Dairy Farm Group
Ms. Tess WONG	The Garden Co. Ltd.
Ms. Kammy YEUNG	The Hong Kong Standards and Testing Centre Ltd.
Ms. Candy HON	The Hong Kong Standards and Testing Centre Ltd.
Ms. Abby WONG	Tingyi-Asahi Beverages Holding Co., Ltd.
Ms. Wing CHEUNG	Unilever Hong Kong Ltd.
Mr. DOAN Hai	Vietnam Trade Office
Ms. Christina YIP	Vitasoy International Holdings Ltd.
Mr. CHAN Wai Lun	Winner Food Products Ltd.
Mr. Philip KWAN	Wrigley Asia Pacific
Ms. Amy FU	Wyeth (Hong Kong) Holding Co. Ltd.
Mr. Veronica SZE	Wyeth (Hong Kong) Holding Co. Ltd.

In Attendance

Miss Loretta WONG	Assistant Secretary for Food & Health (Food)6/Food and Health Bureau
Mr. Henry LAI	Assistant Secretary for Food & Health (Food)2/Food and Health Bureau

Opening Remarks

The Chairman welcomed all trade representatives to the 44th meeting and introduced government representatives to the meeting.

Confirmation of the Notes of Last Meeting

2. The notes of last meeting were confirmed without amendments.

Agenda Item 1

Proposed Legislation for Implementing the Convention on the Conservation of Antarctic Marine Living Resources in Hong Kong

3. Ms. Virginia LEE of the Agriculture, Fisheries and Conservation Department briefed the meeting about the proposed legislation for implementing the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) in Hong Kong. The CCAMLR came into force in 1982 and now there were 25 members and 11 acceding states. It aimed at conserving Antarctic marine living resources, which covered the populations of fish, molluscs, crustaceans and all other species of living organisms, including birds, found south of the Antarctic Convergence. One major emphasis of the Convention was the protection of toothfish. Due to its characteristics of longevity, large size, slow growth and late maturation, toothfish was vulnerable to overfishing. The fish was highly sought after in the world fish market and was experiencing significant levels of exploitation and illegal, unreported and unregulated (IUU) fishing. The Commission established under the CCAMLR adopted a set of conservation measures (CMs) to achieve the objective of conserving Antarctic marine living resources. A CM entitled “Catch Document Scheme for *Dissostichus* spp.” (CDS) had been adopted in 2000 to protect toothfish from IUU fishing internationally. The Scheme required each landing and transshipment of toothfish to be accompanied by a completed valid catch document; and each shipment of toothfish imported, exported or re-exported to be accompanied by valid export/re-export document; and that all catch, export and re-export documents be available to the CCAMLR Secretariat and any Member who had a role in the completion of the documents. This and some other CMs were relevant to Hong Kong. In this regard, legislation was proposed to be effected in Hong Kong to implement the CCAMLR, with the following key elements:

- (a) Prohibit the landing, importation or transshipment of toothfish without catch

documents;

- (b) Prohibit the export or re-export of toothfish without valid documents;
- (c) Empower the enforcement agency to obtain relevant information for validation of export/re-export documents for toothfish, search vessels, inspect, seize or confiscate consignments without valid catch or export/re-export documents, and dispose of the confiscated items;
- (d) Require fishing vessels carrying Antarctic marine living resources to provide advance notice of entry into Hong Kong, and conducting inspections on these vessels;
- (e) Request for verification of Vessel Monitoring System reports of fishing vessels engaged in fishing in the Convention Area;
- (f) Issue and validate catch and export/re-export documents for toothfish;
- (g) Deny port access of IUU fishing vessels and prohibit the resupplying of these vessels;
- (h) Communicate the information of fishing vessels suspected to be engaged in IUU activities and CDS related information to relevant overseas authorities; and
- (i) Provide the enforcement agency other powers for carrying out their duties effectively.

4. Ms. Virginia LEE supplemented that toothfish obtained in compliance with relevant conservation measures should already have possessed the necessary documents. The additional work required for the trade concerned in meeting the relevant documentation requirements would be minimal.

5. In response to an enquiry of the Chairman, Ms. Virginia LEE said that the food retailers should understand the relevant requirements under the new legislation and to ensure that the

toothfish they purchased were accompanied with the necessary documents.

6. In response to an enquiry of a trade representative, Mr. Mickey LAI supplemented that the proposed legislation would be formulated based on the principles and requirements of relevant conservation measures under the Convention. The food retailers would not be required to keep the said documents in the proposal. Nevertheless, they were encouraged to enquire for such documents from importers when sourcing and purchasing toothfish.

Agenda Item 2

The First Hong Kong Total Diet Study: Organochlorine Pesticide Residues

7. Ms. Melva CHEN briefed the meeting of the First Hong Kong Total Diet Study Report No. 8 on Organochlorine Pesticide Residues. The objectives of the Total Diet Study were to estimate the dietary exposure of the Hong Kong population and various population subgroups to a range of substances, including contaminants and nutrients, and to assess any associated health risks. Pesticides were chemicals used to kill pests that were potentially toxic to other organisms, including humans. Organochlorine Pesticides (OCPs) were used in agriculture and vector-borne disease control, and were banned or restricted in many countries as they contained toxic chemicals and had adverse effects on living organisms and the environment. Continued monitoring of OCP residues in food and assessing the associated risks were warranted because food commodities might still contain low levels of OCP residues. Diet was the main source of exposure of the general population. Higher concentrations were found in fish and meat, while contaminated drinking water and air were the minor sources. Infants could be exposed through breast milk, and the foetus could be exposed in utero via the placenta. In high dose, such as accidental exposure of DDT in humans, acute toxicity would cause vomiting, tremor and seizures. For low dose, while health effects on humans were

unknown, animal studies had shown that chronic exposure to OCPs was linked to elevated rates of liver, thyroid or kidney cancer. Laboratory analysis had shown that 55% of the composite food samples contained low levels of OCP residues. The most commonly detected OCPs were DDT, HCB and endosulfan. Given the low levels of OCPs detected, the findings suggested that dietary exposures to all the OCP residues would unlikely pose unacceptable health risks to the general population in Hong Kong. Farmers were recommended to observe Good Agricultural Practices to use only registered pesticides, apply the minimum quantities, and use the pesticides in accordance with the label requirements. The public was advised to have a balanced and varied diet which includes a wide variety of fruits and vegetables and reduce fat intake.

Agenda Item 3

Progress of the Implementation of the Pesticide Residues in Food Regulation

8. Mr. Dicky CHAN briefed the meeting of the progress of the implementation of the Pesticide Residues in Food Regulation. On 26 April 2012, the Director of Food and Environmental Hygiene (DFEH), in exercise of power under Section 55(1) of the Public Health and Municipal Services Ordinance (Cap. 132), made the Pesticide Residues in Food Regulation (the Regulation) (Cap. 132CM). The Legislative Council (LegCo) completed scrutiny of the Regulation in June 2012 and the Regulation would come into operation on 1 August 2014. The Regulation had 8 Sections and 2 Schedules. Its objectives were to better protect public health, to facilitate effective regulation of pesticide residues in food, and to promote harmonization between local and international standards. The Codex Alimentarius Commission (Codex) formed the backbone of the regulatory framework. The Regulation specified in Schedule 1 a list of maximum residue limits (MRLs) and extraneous maximum residue limits (EMRLs) for certain pesticide-food pairs. It specified in Schedule 2 a list of

exempted pesticides with no MRLs/EMRLs. The general principle was that except for exempted pesticides, import or sale of food containing pesticide residues with no specified MRLs/EMRLs in Schedule 1 would only be allowed if the consumption of the food concerned was not dangerous or prejudicial to health. Based on risk assessment, the Centre for Food Safety (CFS) would decide whether the consumption of the food concerned was dangerous or prejudicial to health. The Schedules would be updated regularly, having regard to the latest international developments on application of pesticides, particularly changes to the Codex standards, and proposals received from the trade. To address the concerns of LegCo Members and the public about the proposed removal of three pesticides, the CFS had re-activated the Working Group under the Expert Committee on Food Safety to examine the proposed amendments to the Regulation, and the work might not be completed before 1 August 2014. In this regard, we would implement the legislation in accordance with the relevant Schedule to the Regulation enacted in June 2012. To facilitate the trade and relevant stakeholders, the CFS had prepared relevant guidelines, conducted briefing sessions, and would provide online searchable database for general use and reference.

9. A trade representative said that according to his experience in the past few months, it was not possible to identify certain pesticide-food pairs even using the food classification system. He wanted to know what action the CFS would take if a food sample was found to have pesticide residue, but there was no corresponding MRL for pesticide-food pair and also failed risk assessment. Mr. Dicky CHAN explained to him the methodology of conducting risk assessment. The Chairman added that if the food product could not pass risk assessment, DFEH would take enforcement action as appropriate to ban the product from coming to Hong Kong. Primarily we would look at those products with MRLs in the Regulation to see whether the food products had complied with the Regulation. But we would also test products without corresponding MRLs in the Regulation if we were made known that there

was abuse or public health concern.

10. A trade representative enquired that if the trade conducted test itself and found that MRLs for certain pesticide-food pairs were not covered under the Regulation but covered under the regulations / standards of foreign countries, would it be possible to apply for exemption from risk assessment. The Chairman replied that the trade was encouraged to make reference to those MRLs that had already been listed in the Regulation. But if they really had to use MRLs for pesticide-food pairs not covered, the product might have to undergo risk assessment. Regulations / standards of foreign countries might not be directly applied locally since the consumption pattern of certain products by local people might be very different from the foreign situation.

11. The Chairman enquired whether the trade had encountered any difficulties in importing food products after the enactment of the Regulation. One trade representative said that her company had to conduct more tests on imported edible oil products and the tests performed by suppliers in Mainland China might not necessarily tie in with the new requirements in Hong Kong. The Chairman advised her to adopt the control-at-source approach. Food traders should understand the origin of the food for sale and the use of pesticide on these food products, choose reputable food suppliers who could provide the necessary documentary evidence, conduct relevant laboratory testing according to their needs, and keep the relevant records. The Regulation covered some 360 pesticides whose residue levels had undergone risk assessment and were considered acceptable to be present in food. Since normally a limited number of pesticides would be applied to individual food crops, the number of residue limits applicable to individual food would be much smaller than the total number of pesticides covered by the Regulation. In general, trade representatives did not indicate that there would be major problems affecting the import of food items to Hong Kong.

12. In response to an enquiry from a trade representative, the Chairman replied that if enforcement action was necessary, it would be taken at the import, wholesale and retail levels. The test results would be published as usual.

Agenda Item 4

Progress on Legislation Relating to Formula Products and Foods Intended for Infants and Young Children under the Age of 36 Months in Hong Kong

13. Mr. HO Kwok-wai introduced to the meeting the progress on legislation relating to Formula Products and Foods Intended for Infants and Young Children under the Age of 36 Months in Hong Kong. To better protect the health of infants and young children, the Administration put forward a package of legislative proposals relating to formula products and foods intended for infants and young children under the age of 36 months in November 2012. The proposals comprise:

- (a) Nutritional composition requirement for infant formula before complimentary feeding is introduced;
- (b) Nutrition labelling requirement for infant formula, follow-up formula and foods intended for infants and young children under the age of 36 months; and
- (c) Commencement of the proposed legislation after a suitable grace period.

14. Mr. HO Kwok-wai supplemented that the two-month consultation exercise was concluded on 21 January 2013. In general, traders and members of the public supported the legislative proposals. The Administration was drafting the amendment regulation and planned to table the amendment at LegCo in 2014. So far four technical meetings and one special meeting with the trade and laboratory service providers had been held to tackle the various technical issues raised. Other relevant issues were also discussed with the trade in

Trade Consultation Forum. Mr. HO Kwok-wai went on to introduce to the meeting details on product definition, nutrient definition, exemption from nutrition labelling, age limit requirement for follow-up formula, product regulation, regulation of fluoride content in infant formula, and tolerance limits of nutrition labelling.

15. In response to an enquiry from a trade representative, the Chairman replied that the CFS had set up a working group to study 'nutrition claims' on these products. A report on the matter would be submitted to the Bureau for consideration within this year.

16. A trade representative asked about the timing for issue of the guidance notes. The Chairman replied that it would be issued after enactment of the legislative proposals. The trade representative also asked about the order of listing the nutrient information. Dr. Allen CHAN replied that while the requirement on order of listing would not be mandated in the legislation, the trade was encouraged to follow the order specified in Codex standard. With regard to the grace period allowed, the Chairman remarked that it had not been decided yet, but it was likely that different grace periods would be allowed for infant formula and follow-up formula.

17. In response to enquiries from trade representatives, Dr. Stephen CHUNG said that the guidance notes to be issued would cover testing methods. Dr. Allen CHAN remarked that Small Volume Exemption would not be applicable to these products.

Agenda Item 5

Legibility of Nutrition Label

18. Mr. HO Kwok-wai briefed the meeting on the topic of legibility of nutrition labels. Provision of nutrition information on food label was an important tool to promote a balanced

diet and protect public health. Legible food label with essential information of product appropriately marked was a bridge for assisting consumers to make informed choices. The CFS issued the Trade Guidelines on Preparation of Legible Food Label (the Guidelines) in May 2012 to assist the trade in providing legible information on food label including nutrition label. Officers would also make reference to the Guidelines in the interpretation of legibility requirements of food label as stipulated in the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W). In general, food labels are recommended to have a suitable font size: English letter with at least 1.2 mm “x-height” and Chinese characters with comparable size to 1.2 mm “x-height”. If the recommended font size was not practically feasible due to various reasons, a minimum font size of at least 0.8 mm x-height for English letters and 1.8 mm total height for Chinese characters should be provided. The food labels should have good contrast, enough spacing, and with suitable printing technology, non-reflective printing surface and appropriate font type. The CFS had conducted a joint study with the Consumer Council to understand whether the trade provided legible nutrition labels in accordance with the Guidelines and to provide advice to the trade for improving the legibility. It was found that many samples with relatively small packing size were not following the suggestions in the Guidelines and improvement on the legibility was needed. Members of the LegCo Panel of Food Safety and Environmental Hygiene were very concerned about the legibility of nutrition labels in food and requested the Administration to introduce relevant legislative amendments to regulate it. CFS would closely monitor the situation and might consider making the requirements in the Guidelines mandatory if the traders did not follow them.

19. The Chairman asked all trade representatives to pay attention to the matter and follow the requirements in the Guidelines. A report would have to be provided to the LegCo Panel in June 2014 on the progress. In case legislative proposal was put forward, there would be proper consultation with the trade.

20. A trade representative remarked that some customers complained that the affixed food label had covered up some useful information on the package such as preparation method. The Chairman replied that the food company concerned should strike a balance on the matter. In fact, before the issue of the current Guidelines, the trade had been consulted and different views had been incorporated and agreed upon.

Agenda Item 6

Brominated Vegetable Oils in Foods

21. Ms. Joey KWOK briefed the meeting of the control on the use of Brominated Vegetable Oils (BVO) in foods. In early May 2014, the media reported two US beverage manufacturing companies' announcement on their plan to stop using BVO in all their drinks in response to consumers' concern. BVO was a bromine addition product of vegetable oils. It was used as cloud producing agent, emulsifier and stabilizer in fruit-flavoured beverages. The Joint FAO/WHO Expert Committee on Food Additives (JECFA) had evaluated the safety of BVO in 1970. It was observed that high doses of BVO could cause degenerative cardiac lesions in experimental animals, and that accumulation of lipid and lipid-bound bromine was shown in adipose tissue and in intracellular fat of various other tissues in human and experimental animals. JECFA concluded that BVO should not be used as food additives in the absence of evidence indicating its safety. Currently, BVO was not on the list of food additives under the Codex, and also not in Mainland China and many other countries. However, it could still be used as food additive in the USA and Canada. In Hong Kong, the Food and Environmental Hygiene Department (FEHD) had adopted JECFA's view that BVO should not be permitted to be used in foods. Moreover, alternatives were available in the market which could achieve the technical functions of BVO in beverages.

22. The chairman said that the Administration was considering the introduction of a legislative amendment to prohibit the use of BVO in foods. The trade should pay special attention not to import foods containing BVO particularly those that come from North America.

Agenda Item 7

Adulteration of Meat

23. Ms. Barbara CHAN informed the meeting of the control on the sale of meat adulterated with water or other fluid in Hong Kong. According to Section 51A of the Public Health and Municipal Services Ordinance (Cap. 132), it is an offence to sell adulterated meat, including injected meat in Hong Kong. Introduction of any water or other liquid by injection or other means into the meat or offal of any animal, bird or reptile sold for human consumption is not allowed in Hong Kong. Examples of adulterated meat included beef which had undergone a unique technique using a highly developed method of inserting soluble oil into lean meat, and poultry meat which had been introduced with brine raw materials by means of injection. The trade was advised not to import and sell adulterated meat even though the practice and substance injected may be acceptable to the exporting country. Import licence would not be issued for importation of adulterated meat even though they were accompanied with valid official health certificates.

24. One trade representative remarked that the practice of injection was quite common in many countries not for the purpose for adulteration but for enhancing the eating quality of the products. The Chairman replied that if the trade representative had some concrete suggestions he could write to CFS for considering why it would be important to amend the

regulation. For the time being, since it was illegal in Hong Kong, we had to enforce the law. The trade representative added that in particular frozen poultry meat was usually chilled in water and it was quite normal that the meat would absorb water from the cooling water around. The Chairman replied that since the law covers introduction of water by ‘any other means’, we would take note and would seek the advice of Department of Justice on the matter.

25. A trade representative enquired whether turkey injected with brine solution but with clear indication on the food label would be acceptable. The Chairman replied that as long as injection of liquid was involved the practice had contravened the law. Ms. Barbara CHAN said that there was no legal definition for the word of “meat” in the Public Health and Municipal Services Ordinance (Cap. 132). In response to a further enquiry from two trade representatives that water had to be added in the processing of bacon and ham, the Chairman noted and would give further consideration to the matter.

Any Other Business

Product Withdrawals and Recalls

26. Ms. Barbara CHAN briefed the meeting about some possible scenarios for product recalls. When a food is considered by the operator as being unsafe or considered by the CFS as unfit for human consumption; the food had left the immediate control of the initial food business operator, food product recall should be initiated and a ‘Food Recall Notification Form’ should be submitted to the CFS. Information to be provided on the Form includes particulars of the company concerned and contact person, detailed food description, nature of problem, investigation findings, distribution, and action proposed or taken.

27. The Chairman invited trade representatives to introduce to the meeting the difference between product withdrawals and recalls. Mr. Peter Johnston of the Hong Kong Retail Management Association shared his experience with the meeting. He said that withdrawal action was usually taken on a precautionary basis. There was no clear fact or proof about the problem of a product yet and a responsible company would withdraw it from sale until getting more information. When eventually found unaffected, the withdrawn item could be put back on sale. Usually, the public would not be alerted of the withdrawal. A recall would be to inform the public not to consume the food for safety reason. Normally a retail company would not recall a product purely based on quality issues unless it is hazardous to health or upon the request of the brand owner. If a customer had reason to be dissatisfied with a products, most retailers would not object to have a refund.

Pre-market Safety Assessment of Genetically Modified Food – Proposed Scope of the Scheme

28. Dr. CHONG Tsz-kit recapped the proposal to introduce a mandatory pre-market safety assessment scheme (PMSAS) for genetically modified (GM) food. Under the proposed scheme, food traders, including importers, retailers and manufacturers should ensure that the products they put on the market contained only approved GM ingredients, if any. Nevertheless, concerns had been raised on practical difficulties to comply with the proposed PMSAS. For example, small vendors might not be aware of selling unauthorised GM food and there might be significant impact to small and medium size retailers. The possibility of applying the PMSAS only to importers was under consideration by the Administration. If the PMSAS was applied to importers only, importers should ensure that the imported products contained only approved GM ingredients, if any. On the other hand, retailers and manufacturers would be required to keep transaction records of the business from which they

acquired the food and to which they supplied the food, for food source tracing, according to the Food Safety Ordinance. The importers could ensure that their imported food products contained approved GM ingredients by requesting suppliers' confirmation in the product specification and laboratory test result. Members were invited to comment on applying the PMSAS to importers only.

29. An attendee enquired on the Administration's views on the contamination with minute amount of GM ingredients during the processing and transportation stage. The Chairman replied that there was currently no international agreement or definition on the matter. The matter would be brought out for discussion in the consultation exercise.

30. In response to an enquiry from a trade representative on identification of GM food, the Chairman said that the current scheme focused on the food safety aspect, while enhancing public knowledge was not in the context of this discussion.

31. Another trade representative enquired on the ways to know whether imported pre-packaged food contained GM ingredients, the Chairman replied that the importer should take appropriate measures such as those mentioned in the slides to ensure that imported food items contained only approved GM ingredients, if any.

32. In response to question from another trade representative on the responsibility, the Chairman replied that the actual importer of the food item concerned should be held responsible. Regarding the claiming of a product as non-GM food, the Chairman said that there was no regulation in Hong Kong forbidding such claims, on condition that there was no false labelling as stipulated under Section 61 of Cap. 132.

Microbiological Guidelines on Ready-to-eat Food

33. The Chairman briefed the meeting of the progress on the publication of the Microbiological Guidelines on Ready-to-eat Food. The draft document had been uploaded to the CFS website and also passed to the World Trade Organization (WTO) for comments by 10 June 2014. A seminar to introduce the relevant contents to the trade would be held at Leighton Hill Community Hall on 26 June 2014, on which date the Guidelines would come into effect.

Date of Next Meeting

34. The next meeting would be held by the end of July 2014.

35. There being no other business, the meeting was adjourned at 5:00 p.m.