

Centre for Food Safety
Food and Environmental Hygiene Department
Notes of the Fifty First Meeting of the Trade Consultation Forum
held on 16 September 2015 at 2:15 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. HO Yuk Yin | Consultant (Community Medicine) (Risk Assessment & Communication) | (Chairman) |
| Dr. Duncan TUNG | Senior Medical Officer (Risk Communication) | |
| Mr. YANG Chi Ming | Chief Health Inspector (Food Safety Promotion) | |
| Mr. WONG Cheuk Ho | Superintendent (Risk Communication) | (Secretary) |

Trade Representatives

| | |
|---------------------|--|
| Mr. Anthony Lee | 3M Hong Kong Limited |
| Mr. Ivan IP | 3M Hong Kong Limited |
| Mr. Andrew WONG | Abbott Laboratories Ltd. |
| Ms. CHAN Nga Li | Amoy Food Limited |
| Mr. Frankie MOY | Bellamy's Organic |
| Mr. LAM Pak Wah | Best Harvest Company Limited |
| Mr. Kenrick CHU | Bureau Veritas Hong Kong LTD |
| Mr. Lawrence WONG | Calbee Four Seas Co., Ltd. |
| Ms. Peggy CHAN | Campbell Soup Asia Ltd |
| Ms. Wendy GAO | Cargill Hong Kong Ltd. |
| Ms. Jessica OU YANG | Catalo Natural Health Foods Ltd. |
| Ms. Peggie YAU | Catalo Natural Health Foods Ltd. |
| Mr. Ryan CHAN | CFSS Co., Ltd. |
| Ms. Hannah WONG | China Dragon Inspection & Certification (HK) Ltd |
| Mr. Chi WONG | China Inspection Co. Ltd |
| Ms. Milk LEUNG | City Super Limited |
| Mr. Y. Y. TSANG | CMA Testing and Certification laboratories |
| Ms. May KAN | Coca-Cola China Ltd. |
| Ms. Yedda CHOU | Coca-Cola China Ltd. |
| Mr. Houston WONG | Consulate General of Canada |

| | |
|----------------------------|---|
| Mr. Le Yan Nghia | Consulate General of The S.R. of Vietnam in Hong Kong and Macau |
| Ms. Sandy TSE | Danone Nutricia Early Life Nutrition Hong Kong Limited |
| Ms. Leona HO | Ecolab Limited |
| Ms. Charlotte LAU | Economic Department, Consulate General of France |
| Mr. Enders WONG | Eurofins Food Testing Hong Kong Ltd |
| Mr. CHENG Chi Yeung, Henry | Fonterra Brands (Hong Kong) Ltd |
| Mr. Freddy FONG | Foodscan Analytics Ltd |
| Ms. Karen CHIU | FrieslandCampina (Hong Kong) Ltd. |
| Ms. Doris CHAN | FrieslandCampina (Hong Kong) Ltd. |
| Ms. Noel HO | Garden Heart Food Ltd. |
| Ms. LING Pui Yee | Golden Resources Development Ltd. |
| Mr. LAM To Ling | Golden Resources Development Ltd. |
| Ms. Poyce CHENG | Hago Limited |
| Mr. CHAN Kim Fei | HKCCM Food Fty Ltd |
| Mr. Billy TANG | Hong Kong Food Science and Technology Association |
| Ms. Frenda WONG | Hong Kong Suppliers Association Ltd. |
| Mr. Albert TANG | Hong Kong Suppliers Association Ltd. |
| Mr. Gary LO | Hong Kong Yakult Co., Ltd. |
| Mr. Victor CHAN | Hop Hing Oil Factory Limited |
| Ms. CHENG Suet Chun | Hop Hing Oil Factory Limited |
| Ms. CHAN Lai Shan | Hutchison China Meditech Ltd. |
| Mr. Thomas MAK | Info Dragon Limited |
| Ms. Yolanda CHOW | International Food Safety Association |
| Mr. TANAKA Hiroyuki | Japan External Trade Organization |
| Mr. CHOW Tin Yam | Japan External Trade Organization |
| Mr. CHAN Kam Hung | Lam Soon (HK) Group |
| Ms. Claudia WONG | Lee Kam Kee Co., Ltd |
| Ms. Alice WONG | Lee Kum Kee International Holdings Ltd. |
| Mr. LAM Wai Tik | Lorence & Company |
| Mr. SIU Wai Lun | M & S Industries Ltd. |
| Ms. Faye LEUNG | Mannings |
| Ms. CHUNG Wai Yin | Maxim's Caterers Limited |
| Ms. Juliana CHAN | Maxim's Food Factory |
| Ms. Debbie CHAU | McDonald's Restaurants (HK) Ltd. |
| Ms. Eva POON | McDonald's Restaurants (HK) Ltd. |
| Mr. WONG Pui Sum | Natural Alliance Co., Ltd. |
| Mr. Joseph MA | Nestle Hong Kong Ltd. |
| Ms. Haymann LAU | New Zealand Consulate-General |

| | |
|-------------------------------|---|
| Mr. LAU Wing Lun | Nine to Five Limited |
| Mr. Herbert LEE | Nissin Foods Co. Ltd |
| Ms. Christine WONG | Nutrifarm Food Trading Co. Ltd. |
| Ms. LO Wai King | Oil Procurement Limited |
| Ms. German CHEUNG | Pappagallo Pacific Limited |
| Ms. Catherine KONG | ParknShop (HK) Limited |
| Mr. NG Kam Hong | Pat Chun International Ltd. |
| Ms. TAN Lay Har | Pat Chun International Ltd. |
| Ms. May LO | Pizza Express (HK) Ltd. |
| Ms. CHAN Siu Ling | Pizza Hut |
| Ms. Emily CHAN | Red Bull Hong Kong Limited |
| Ms. TANG Yee Wah | Regal Hotels International Limited |
| Mr. LAM Ka Yin | Satay King (Holdings) Co. Ltd |
| Ms. Susana Munoz Enriquez | Secretariat of Economy of Mexico |
| Ms. Bonnie LUI | SFB Limited |
| Ms. Kitty LAI | SGS Hong Kong Limited |
| Ms. Au Chung Yee | Sino Group of Hotels |
| Mr. Karlus CHEN | Smileygrowth |
| Mr. Nick LEUNG | Snow Brand HK Co., Ltd. |
| Ms. Antonia Martinez Ferreras | Spanish Trade Commission |
| Mr. WONG Kam Chuen | Swire Coca-Cola HK Ltd |
| Mr. Victor KOK | Tai Pan Bread & Cakes Co., Ltd. |
| Mr. LAI Shing Hin | The Association for Hong Kong Catering Services Management Ltd. |
| Ms. Clara LAM | The Dairy Farm Group |
| Ms. Kammy YEUNG | The Hong Kong Standards and Testing Centre Ltd. |
| Ms. Abby WONG | Tingyi-Asahi Beverages Holding Co., Ltd. |
| Mr. Arthur LI | Tung Shing Oil Dealer Co., Ltd. |
| Ms. Wing CHEUNG | Unilever Hong Kong Limited |
| Mr. Attlee LAU | URC Hong Kong Co., Ltd. |
| Mr. CHAN Chi Kong | Vitasoy International Holdings Ltd |
| Ms. Sheena TAM | Wellcome Fresh Food Centre |
| Mr. Jones LAM | Winner Food Products Ltd. |
| Mr. Tony CHOW | Wyeth (Hong Kong) Holding Co. Ltd |

Opening Remarks

The Chairman welcomed all trade representatives to the 51st 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

Sampling Plan for Nutrition Labelling Compliance Testing

3. Mr. YANG Chi Ming informed the meeting of the sampling plan of the Centre for Food Safety (CFS) for nutrition labelling compliance testing. He first remarked that it was the responsibility of the trade to ensure that the nutrition label and claims were compliant with the Food and Drugs (Composition and Labelling) Regulations, Cap. 132W and that the label values accurately reflected the nutrient content of the product. The CFS would take samples of the food items and conduct chemical analysis for nutrient content of the prepackaged food. The current sampling plan, based on overseas practice, was to take twelve individually prepackaged consumer units randomly from the same food lot in question and then combined to make a composite sample. The composite sample would be divided into three parts, analyzed, and the result of the analysis would be the estimate of the lot nutrient content. The laboratory analysis results of a composite sample would be interpreted according to the standards given in the Technical Guidance Notes on Nutrition Labelling and Nutrition Claims. Nevertheless, for the local situation, difficulty was sometimes encountered in taking twelve individually prepackaged consumer units from the same food lot at a retail outlet. By virtue

of Section 62(1)(b) of the Public Health and Municipal Services Ordinance, Cap. 132 (PH&MS Ord., Cap. 132) where any food was kept for retail sale in unopened packages, no such sample should consist of less than the whole of the contents of any one such package. Hence it would be sufficient to take only one package of food as sample provided that a fair sample of the bulk of the food in question was taken. In this connection, the Expert Committee on Food Safety had recently endorsed an adjustment to the sampling plan. The revised plan required “12 individually prepackaged consumer units to be taken randomly from the same food lot in question as practicable and then combined to make a composite sample”. When twelve individually prepackaged consumer units were not available or when it was not practicable for the requisite number of consumer units to be collected, the CFS might take a minimum amount of sample that would be required for testing.

4. In response to an enquiry from a trade representative on whether guidelines would be provided to frontline staff on the meaning of ‘as practicable’, Mr. YANG Chi Ming replied that all frontline staff were equipped with the knowledge of the minimum quantity of sample that would be required to run the testing. They would adhere to taking 12 consumer units as long as circumstances permit. The Chairman remarked that frontline staff would identify themselves to the stores outlet and requested for the desired number of consumer units. The revised plan would be implemented on 21 September 2015.

Agenda Item 2

Treatment for Killing Parasites as Safety Measures for Fishery Products to be Eaten

Raw

5. Dr. Duncan TUNG informed the meeting that parasites were generally passed to human through the consumption of raw, minimally processed or inadequately cooked products that

contain the infectious parasites. Various physical and chemical treatments could be applied to fishery products to kill or inactivate fishery parasites. Freezing and heat treatments remained the most effective and traditional marinating and cold smoking were not sufficient to kill fishery parasites. Dr. TUNG then introduced the control measures adopted by different food safety authorities for killing parasites in fishery products, including the Codex Alimentarius Commission (Codex), the European Union (EU), USA and Canada. In Hong Kong, the PH&MS Ord., Cap. 132 stipulated that ‘all food available for sale on the market must be fit for human consumption’. The trade was advised that fishery products should be obtained from reliable sources with health certificates issued by relevant authority of the exporting countries, and that selling of fishery products for raw consumption required permission in writing / endorsement from the Director of Food and Environmental Hygiene (DFEH). Dr. TUNG then further illustrated examples of health certificates issued by some countries. The health certificates of Norway and Denmark stated that the standard of EU had to be followed. The health certificates of Chile and France stated that the requirements laid down in Codex Alimentarius Code of Practice for Fish and Fishery Products had to be followed.

6. In response to an enquiry from a trade representative, the Chairman replied that there was no information of control measures adopted by the Japanese authority. The CFS would continue to gather more information on other countries’ control measures.

Agenda Item 3

Maintaining the Cold Chain when Importing Perishable Foods

7. Mr. YANG Chi Ming briefed the meeting of the requirement to maintain the cold chain when importing perishable foods. Recently, the food poisoning outbreak associated with

eating of sandwiches from Taiwan had aroused public concern. Improper temperature and time control during the transportation and storage of food could cause excessive growth of pathogens. Two different families of bacteria can be found on food: pathogenic bacteria would cause food poisoning, and spoilage bacteria would cause food to deteriorate. Perishable foods were any foods that need to be kept refrigerated (4°C) or frozen (-18°C) to minimize or prevent growth of pathogenic bacteria and/or food spoilage. Any ready-to-eat food (cooking or heat treatments not required) that were perishable (supporting the growth of pathogenic bacteria easily) were high-risk. Bacterial growth could be slowed down by refrigeration and stopped by freezing. A cold chain was a temperature-controlled and monitored supply chain. The goal of the cold chain was to keep a sample or material within a certain temperature range during all stages of delivery, processing and storage. The importers were advised to verify that their overseas suppliers had proper controls (e.g. implementing HACCP food safety management system) in place to ensure that the imported perishable foods were fit for human consumption and complied with legal standards. They should ensure that perishable foods were transported and stored at appropriate temperature throughout the whole supply chain, and that the shelf-life (i.e. expiry date) of the food under specific temperature as suggested by suppliers was observed. Section 4 and section 5 of the Food Safety Ordinance, Cap. 612 required any person who carried on a food importation/distribution business to register with DFEH as a food importer / food distributor. The Ordinance exempted some food importers / distributors who had obtained a licence under other Ordinances from complying with the registration requirement. Nevertheless, they were still required to provide supplementary information concerning the business of food importation/distribution. The registration scheme assisted DFEH in identifying and contacting a more defined group of food traders speedily in a food incident. Any person who, without reasonable excuse, carried on a food importation/ distribution business without registered as food importer / food distributor committed an offence and would be liable to a

maximum fine of \$50,000 and to imprisonment for 6 months.

8. One trade representative enquired whether the Chinese translation of the words ‘chilled’ and ‘frozen’ could be unified with the translation of China and Taiwan. He also enquired the storage temperature requirements of different kinds of food. The Chairman remarked that as the Chinese translation of the concerned words had been written in the legislation, it would not be easy to institute changes. Mr. YANG Chi Ming informed that the trade had been provided with ‘Food Hygiene Codes’ under the topic of ‘Good Practices’ on the CFS website to provide them with guidance on the appropriate storage temperature and requirements for different kinds of food.

9. One trade representative enquired whether chilled or frozen food detained by the Customs and Excise Department (C&ED) upon import into Hong Kong would be kept chilled or frozen. Mr. YANG Chi Ming informed that we could not answer on behalf of the C&ED but with regard to the border control points of the Food and Environmental Hygiene Department, we had the necessary freezing equipment to keep detained food in the chilled (below 4°C) or frozen (below -18°C) state. The Chairman added that the importer would be required to convey the food to a proper cold store under their management for detainment.

Agenda Item 4

Legislative Proposals on Regulation of Edible Fats and Oils and Recycling of “Waste Cooking Oils”

10. The Chairman remarked that the public consultation on the proposals would last until 6 October 2015. Further views from the trade were welcome.

11. A trade representative said that as importers of edible fats and oils would be required to provide an official certificate or a certificate issued by a recognized independent testing institution, he wanted to know what kind of certificate would be required and what kinds of food products currently required the provision of import certificates. Mr. YANG Chi Ming informed that currently certificates were required for the import of game meat and poultry, milk and frozen confection. The Chairman remarked that the certificate required for edible fats and oils would be similar in that the products had to be certified as meeting the proposed statutory standards and fit for human consumption. In response to the trade representative's further enquiry, the Chairman added that it would be necessary to liaise and discuss with the consulates of different countries to work out the details of certificates issued by their countries which could meet our legislative requirements.

12. One trade representative remarked that the proposed legislation should not cover seasoning oils which were imported and sold in small quantities and the wide coverage was in effect imposing barrier to trade. The Chairman remarked that the current definition of cooking oils followed the definition of the Codex and all edible oils, including seasoning oils, were included.

13. In response to an enquiry of another trade representative, the Chairman explained that there was currently no explicit definition of what was meant by 'fit for human consumption'. The possibility of providing a definition would be explored in due course.

14. One trade representative enquired whether some guidelines could be issued to the trade to follow before the completion of legislation. The Chairman remarked that as we were now going through the process of legislative proposal, it would not be appropriate to issue guidelines at this stage which would pre-empt the decision of the Legislative Council. The trade representative added that when surrounding regions / countries were not enacting

similar legislations, it would be difficult for Hong Kong to obtain the necessary certificates from them, in particular for the small volume products. Eventually, such products would not be able to be imported and the choice of consumers would be limited.

15. Another trade representative enquired whether the definition of edible fats and oils included synthetic food products which contained vegetable oil and functional food products which contained animal oil. The Chairman replied that conclusion had not been made yet. But the legislative intention was to regulate the import and export of edible fats and oils but not other products which might contain vegetable or animal oils.

16. Another trade representative enquired that if a food premises was found in breach of the requirement to hand over waste cooking oils to a collector, disposer or exporter registered by Environmental Protection Department, would it attract demerit points under the Demerit Points System. The Chairman replied that it would be a breach of licensing condition.

17. One trade representative commented that with respect to some edible oils imported in small quantities, it would be difficult to obtain the required certificates and the process to negotiate with foreign countries would be timely and costly. He suggested the Government to accept a safety report issued by a recognized inspection / testing institute in Hong Kong as an alternative.

18. In response to the enquiry of another trade representative on which institutions were recognized by the Government as a testing institution to certify that sesame oil for export met the proposed statutory standards, the Chairman remarked that the CFS could perform the test and arrange certification subject to payment of a charge. One trade representative further enquired that for the case of imported oil product that was packaged in Hong Kong and then exported, could the certificate provided by the supplier be used for export purpose. The

Chairman replied that according to the proposed regulation, edible oil products for export had to be certified by the Government or a recognized third party institution recognized by the Government.

19. Upon the enquiry of a trade representative, Mr. YANG Chi Ming replied that information on the testing items for certification and the timing required would be provided by relevant officers after the meeting.

20. Upon the enquiry of another trade representative, the Chairman replied that the treatment of edible oils imported in small quantities would be further considered.

21. Another trade representative enquired whether canned food products soaked in oil would be regulated. He also remarked that for import of edible fats and oils, exporting countries might be reluctant to do the certification and hence a lot of products could not be imported. The Chairman remarked that synthetic food products would not be included in the regulation.

Date of Next Meeting

22. The next meeting would be held in November 2015. The date of the meeting was to be determined.

23. There being no other business, the meeting was adjourned at 3:35 p.m.