

Public Consultation on

# Refined Regulatory Framework for **Pesticide Residues in Food** in Hong Kong

July 2011



食物及衞生局  
Food and Health Bureau



食物環境衞生署  
Food and Environmental  
Hygiene Department



食物安全中心  
Centre for Food Safety

## Why do we need to regulate pesticide residues in food?

The use of pesticides and other chemicals has become a common agricultural practice to enhance and stabilise crop yield, protect the nutritional integrity of food, facilitate storage to assure year-round supplies, and provide attractive and appealing food products. The proper use of pesticides is beneficial to public health to protect crops from contamination by natural toxins and harmful microorganisms.

Notwithstanding the beneficial effects, the use of pesticides and its resultant residues requires careful monitoring and regulation. Small amounts of pesticide residues may remain in the crops or animal food. Exposure to pesticide residues in food is an issue that is of considerable concern to consumers, food producers, academics and government agencies.

The adverse health effects of pesticides depend on the nature of the pesticide, as well as the amount and duration of individual exposure. Excessive exposure to some pesticides may cause acute adverse health effects.

Most of the international regulatory authorities and the Mainland authority have already introduced statutory control on pesticide residues in food. To better protect public health, facilitate effective regulation and promote harmonisation between local and international standards, there is a genuine need to introduce a regulatory framework on pesticide residues in food in Hong Kong.

## The refined regulatory framework

The refined regulatory framework aims to strengthen the regulation of pesticide residues in food to achieve the following objectives -

- (a) better protect public health;**
- (b) facilitate effective regulation; and**
- (c) promote harmonisation between local and international standards.**

In striving to achieve the above objectives, the Government is mindful of the need to maintain a stable supply of food in Hong Kong. To achieve the above objectives, we propose that the Director of Food and Environmental Hygiene (DFEH) should make a Regulation on Pesticide Residues in Food (the proposed Regulation) under section 55 of the Public Health and Municipal Services Ordinance (Cap. 132).

**Salient features of the refined regulatory framework are summarised as follows:**

- to define “pesticide” and other related terms in a way consistent with the Codex Alimentarius Commission (Codex)<sup>1</sup>;
- to provide a list of “maximum residue limits” (MRLs)<sup>2</sup>/ “extraneous maximum residue limits” (EMRLs)<sup>3</sup>, to adopt MRLs/EMRLs recommended by Codex as the backbone as well as the Codex’s classification of foods;
- to prohibit the import and sale of the concerned food for which no MRL/EMRL has been specified, unless DFEH is satisfied that the detected level will not be dangerous or prejudicial to health;
- to provide a list of exempted substances<sup>4</sup>;
- to accept applications for adding/revising MRLs and exempted substances;
- to dovetail the proposed Regulation with the registration of pesticides for use on food crops under the Pesticides Ordinance (Cap. 133); and
- to commence the proposed Regulation after a two-year grace period.

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1. Codex, established by the Food and Agriculture Organization and the World Health Organization of the United Nations in 1960s, is the single most important reference point for consumers, food producers, processors, national food control agencies and the international food trade in developing food associated standards.

2. Codex defines “MRL” as the maximum concentration of a pesticide residue (expressed as mg/kg) recommended by the Codex Alimentarius Commission to be legally permitted in or on food and agricultural commodities.

3. Codex defines “EMRL” as referring to a pesticide residue or a contaminant arising from environmental sources (including former agricultural uses) other than the use of a pesticide or contaminant substance directly or indirectly on the commodity. It is the maximum concentration of a pesticide residue or contaminant (expressed as mg/kg) that is recommended by the Codex Alimentarius Commission to be legally permitted or recognized as acceptable in or on food and agricultural commodities.

4. Exempted substances must fall under the definition of pesticide and meet one of the following criteria: (a) the use of the pesticides does not result in residues occurring in food; (b) the residues are identical to or indistinguishable from natural food components; or (c) the residues are of no toxicological significance or will not pose any public health risk.

Details of the refined regulatory framework are set out in the consultation document which may be downloaded from the website of the Food and Health Bureau (<http://www.fhb.gov.hk>) or the Centre for Food Safety (<http://www.cfs.gov.hk>) or obtained from the following locations:

- **Communication Resource Unit**  
8/F Fa Yuen Street Municipal Services Building  
123A Fa Yuen Street, MongKok, Kowloon
- **District Environmental Hygiene Offices**
- **District Offices of Home Affairs Department**

## Views sought

The Government invites you to let us have your views on the refined regulatory framework. Please send your comments by letter, facsimile or e-mail to the Centre for Food Safety before 19 September 2011:

### **Centre for Food Safety**

(Attn.: Consultation on Pesticide Residues in Food)

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**The Government will take the views received into consideration before finalising the proposed Regulation.**

Any person submitting views and comments should be aware that the Government may publish all or part of the views and comments received and disclose the identity of the source in such manner as the Government considers appropriate, unless he/she requests any part of the views and comments and/or his/her identity be treated in confidence.