

Proposed Amendments to the Food Adulteration (Metallic Contamination) Regulations

Proposed Grace Period Arrangement

2 February 2018

Background

- In the public consultation document, we mentioned that we would consider giving a reasonable grace period for the Amendment Regulations to come into effect, so that the trade and the private testing and laboratory sector will have reasonable time to get prepared for the updated standards.



Views received during public consultation

- The trade and the overseas authorities, in general, expressed the need for an ample period of time for the trade to get prepared for the Amendment Regulations.
- The Consumer Council suggested a grace period of 12-18 months.
- An overseas authority suggested a minimum transition period of 12 months.



Responses from the Government

- We agree that we should give sufficient time for traders to adapt to the updated MLs (including identifying alternative sources) and the local testing and laboratory sector to build up testing capacity based on the new MLs.
- Yet, we are mindful that the public would expect to see the proposed amendments, in particular the proposed MLs, to be in place as soon as practicable.



Proposal on grace period

- We propose to provide a grace period of 12 months after the Amendment Regulations were gazetted for fresh foods (i.e. fresh fruits and vegetables, fresh meat and edible offal of animals and poultry, aquatic animals and eggs), given their shorter durability and shelf-life than other food items.
- Also, we propose a grace period of 24 months for other food items given that non-fresh foods may normally have a shelf/storage life up to 24 months.



Definition of “fresh”

- **Food Business Regulation (Cap. 132X)**

“fresh” (新鮮) in relation to beef, fish, game, meat, mutton, offal, pork, a poultry carcass, a reptile or shell fish, means beef, fish, game, meat, mutton, offal, pork, a poultry carcass, a reptile or shell fish which has **not been subjected to a process of preservation**

- **Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK)**

“fresh” (新鮮) in relation to game, meat or poultry means game, meat or poultry which—

(a) has **not been subjected to a process of preservation**; or

(b) has been preserved by **chilling**



Advice sought

- Proposal on grace period



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