

Centre for Food Safety
Food and Environmental Hygiene Department
Notes of the Forty Ninth Meeting of the Trade Consultation Forum
held on 11 June 2015 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. Andrew LAU	Senior Medical Officer (Risk Assessment) ²	
Ms. Joan YAU	Scientific Officer (Risk Management)	
Mr. YANG Chi-ming	Chief Health Inspector (Food Safety Promotion)	
Mr. WONG Cheuk-ho	Superintendent (Risk Communication)	(Secretary)

Trade Representatives

Ms. May LAU	A & W Food Service Ltd.
Mr. LO Lok Sang	A-1 Bakery Co., (HK) Ltd.
Mr. Andrew WONG	Abbott Laboratories Ltd.
Ms. Karen CHAN	ALS Technichem (HK) Pty Ltd.
Ms. Caroline YUEN	American Consulate General - Agricultural Trade Office
Ms. Tess WONG	Amoy Food Ltd.
Ms. Carrie HUI	Asana (Hong Kong) Limited
Ms. Frances CHEUNG	Australian Trade Commission
Ms. LAM Pak Wah	Best Harvest Company Limited
Mr. Albert CHAN	Biostrategy & Consultants
Ms. Joanne LI	Bureau Veritas Hong Kong Limited
Mr. TSANG Wah Him	Calbee Four Seas Co., Ltd.
Ms. Wing LAU	Campbell Soup Asia Ltd.
Mr. WONG Chun Kit	Castco Testing Centre Ltd
Ms. Leona WONG	Cerebos (Hong Kong) Ltd.

Ms. Peggie YAU	Chairlady of Hong Kong Food Science and Technology Association
Mr. Nilesh Dattani	China Business Limited
Ms. Chloe HO	China Resources Vanguard (Hong Kong) Co. Ltd.
Ms. Vienna SUEN	City Super Limited
Mr. Kenneth TO	CMA Testing and Certification Laboratories
Ms. May KAN	Coca-Cola China Ltd.
Ms. Yedda CHOU	Coca-Cola China Ltd.
Mr. Virender Sharma	Consulate General of India
Ms. Charlotte LAU	Consulate General of France
Ms. Kit TSOI	Danone Nutricia Early Life Nutrition (Hong Kong) Limited
Mr. Carlo C Catingan	Dole Hong Kong Ltd.
Ms. Anna LAU	East East Food Manufacturers Ltd.
Mr. James WONG	EDO Trading Co.
Mr. Enders WONG	Eurofins Food Testing HK Ltd.
Mr. Henry CHENG	Fonterra Brands (Hong Kong) Ltd.
Mr. Freddy FONG	Foodscan Analytics Ltd.
Ms. Noel HO	Garden Heart Food Ltd.
Ms. Yvonne CHAN	General Mills Hong Kong Ltd.
Ms. Sally LEUNG	Godiva Chocolatier (Asia) Ltd
Mr. Samuel LEUNG	Gourmet House Ltd.
Mr. Anson POON	GS1 Hong Kong
Mr. CHAN King Lung	Havi Freight Management Limited
Ms. Emily LI	Health Affluence Technology Group Co., Ltd.
Ms. Connie KUNG	Heinz Hong Kong Limited
Ms. Ada WONG	Herbalife
Mr. Clarence CHUNG	HK Suppliers Association Ltd.
Mr. Billy TANG	Hong Kong Food Science And Technology Association
Mr. Peter Johnston	Hong Kong Retail Management Association
Mr. Gary LO	Hong Kong Yakult Co., Ltd.
Ms. YAU Yim Ni	Hop Fat Company
Mr. Ronald CHOW	Hung Fook Tong (Herbal Tea) Co. Ltd.
Ms. Katrina NG	Hutchison China Meditech Ltd.
Ms. Wendy CHAN	Imperial Bird's Nest International Co. Ltd.
Mr. Marco LO	Institution of Dining Art
Ms. WONG Ka Yan	Intercontinental Grand Stanford Hong Kong
Ms. Becky CHEUNG	International Food Safety Association
Mr. Alex SO	Intertek Testing Service Hong Kong Ltd.
Ms. MOU Yee Man	Itochu, Hong Kong Ltd.

Ms. Kennie SIU	Kellogg Asia Marking Inc.
Ms. Maria M. HO	Lam Soon Hong Kong Group
Ms. Alice WONG	Lee Kum Kee International Holdings Ltd.
Mr. CHOW Chun Ho	LH Group
Mr. Wilson SIU	M & S Industries Ltd.
Ms. Kathy KOK	Malaysia External Trade Development Corporation
Ms. Faye LEUNG	Mannings
Mr. Ivan CHUNG	Maxim's Caterers Ltd.
Ms. Juliana CHAN	Maxim's Food Factory
Ms. Eva POON	McDonald's Restaurants (HK) Ltd.
Ms. Amy CHU	Mead Johnson Nutrition (Hong Kong) Ltd.
Mr. Matthew TANG	Mondelez Hong Kong Limited
Ms. LI Marilyn A.	Mushroom Bakery
Mr. Joseph MA	Nestle Hong Kong Ltd.
Ms. Haymann LAU	New Zealand Consulate - General
Mr. Herbert LEE	Nissin Foods(HK) Management Co, Ltd.
Ms. LO Kit Mui	Nu Skin Enterprises Hong Kong LLC.
Mr. Masahiro SATO	Otento Co. Ltd.
Ms. Jessica TONG	Panway Corporation Limited
Ms. German CHEUNG	Pappagallo Pacific Limited
Ms. Cactus LAI	Parkn Shop(HK)Limited
Mr. NG Ho	Pizza Hut Hong Kong Management Limited
Mr. Sunit Dattani	Regency Spices
Mr. Daniel TAI	San Miguel Brewery H. K. Ltd.
Ms. Susana Munoz	Secretariat of Economy of Mexico
Mr. Dennis CHAN	SFB Ltd.
Ms. Suki YAU	SGS Hong Kong Ltd.
Ms. Fanny MOK	Shin Tai Ho (HK) Co., Ltd.
Mr. Vincent LAU	Shin Tai Ho (HK) Co., Ltd.
Mr. Nick LEUNG	Snow Brand HK Co., Ltd.
Ms. Antonia Martinez Ferreras	Spanish Trade Commission
Ms. Carrie CHAN	Swedish Trade and Invest Council (Business Sweden)
Ms. Candy SZETO	The Garden Co., Ltd.
Mr. Thomas NG	The Hong Kong Food Council
Ms. HON Yin	The Hong Kong Standards and Testing Centre Ltd.
Ms. Abby WONG	Tingyi-Asahi Beverages Holding Co., Ltd.
Mr. Jacky WANG	TUV Rheinland HK Ltd.
Ms. Wing CHEUNG	Unilever Hong Kong Limited
Mr. Attlee LAU	URC Hong Kong Co., Ltd.

Ms. Sarah LI	USA Poultry & Egg Export Council
Mr. LE VAN NGHIA	Vietnam Trade Office
Mr. Sidney NG	Vital Production Limited
Mr. CHAN Chi Kong	Vitasoy International Holdings Ltd.
Ms. Jenny KIONG	Wah Fung Sauce Co., Ltd.
Ms. Sheena TAM	Wellcome Fresh Food Centre
Mr. Tony CHOW	Wyeth (Hong Kong) Holding Co. Ltd.
Mr. POON Kuen Fai	香港餐務管理協會 (No english name was provided)
Mr. LAI Sing Hin	香港餐務管理協會 (No english name was provided)

In Attendance

Ms. Regina CHAN	Assistant Secretary for Food & Health (Food)6 / Food and Health Bureau
Dr. Steven YEUNG	Assistant Secretary for Food & Health (Food)SD2 / Food and Health Bureau

Opening Remarks

The Chairman welcomed all trade representatives to the 49th 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

Dietary Exposure to Non-Dioxin-Like Polychlorinated Biphenyls of Hong Kong Adult Population

3. Dr. Andrew LAU briefed the meeting about the result of a study conducted by the

Centre for Food Safety (CFS) on Hong Kong adult population's dietary exposure to Non-Dioxin-Like Polychlorinated Biphenyls (PCBs). He first explained that PCB was originated from man-made environmental contaminants and would cause harm to the environment and human health. The substance was fat soluble and would persist in the environment and bioaccumulate in the food chain. The main route of exposure was through foods of animal origin such as fish, meat, dairy products and eggs. He continued to explain what were Non-Dioxin-Like PCB and its health effects. In the study conducted by CFS, 284 samples of 71 selected food items were tested, among which 225 samples (79%) had no Non-Dioxin-Like PCB detected whereas 59 samples (21%) had the substance detected but the levels were low. Among these 59 samples, 50 belonged to "fish and seafood and their products". Since the existence of Non-Dioxin-Like PCB in the tested food products was far lower than the Health-Based Guidance Values (HBGVs) of 10 ng/kg bw/day set by some European countries, it was concluded that the general population in Hong Kong was unlikely to experience major undesirable health effects of the substance. The public was advised to have a balanced and varied diet including a wide variety of fruit and vegetables so as to avoid excessive exposure to contaminants from a small range of food items. As fish contained many essential nutrients, such as omega-3 fatty acids and high quality proteins, moderate consumption of a variety of fish was recommended. Dr. LAU remarked that international effort had been made to reduce the dietary exposure to PCBs of the population through source control measures.

4. One trade representative enquired why the levels of Non-Dioxin-Like PCB detected in this study were significantly lower than the levels detected in European countries. Dr. LAU replied that it was likely due to the fact that the substance was already banned for use in the 1970s and by that time the local region was still not much industrialized and hence the use of the contaminant was not widespread.

Agenda Item 2

Regulation of Pesticide Residues in Food without Maximum Residue Limit

5. Ms. Joan YAU briefed the meeting about the regulation of pesticide residues in food without maximum residue limit. The Pesticide Residues in Food Regulation, Cap. 132CM (the Regulation) had come into operation since 1 August 2014. Under the Regulation, import and sale of food containing pesticide residues was only allowed if (a) the food and the pesticide residues concerned were specified in Schedule 1 and the amount of the residues did not exceed the limit specified in the Schedule; (b) the pesticide residues concerned were residues of an exempted pesticide set out in Schedule 2; (c) Section 5 or 6 was applicable to the food and the amount of the residues did not exceed the limit applicable to the food; or (d) the consumption of the food was not dangerous or prejudicial to health. The factors for determining the safety of food with pesticide residues were provided in Section 7. For pesticide residues with no specified maximum residue limit (MRL) / extraneous maximum residue limit (EMRL) in Schedule 1, the Regulation stipulated that except for exempted pesticides, import or sale of food containing such pesticide residues was only allowed if the consumption of the food concerned was not dangerous or prejudicial to health based on risk assessment conducted by the CFS. The list of MRLs / EMRLs laid down in Schedule 1 was formulated based primarily on the available standards recommended by Codex, supplemented by the available standards of the Mainland and other major food exporting countries to Hong Kong, taking into account comments received from stakeholders during the public consultation. As such, the list should have covered most of the existing pesticide residue limits relevant to our major food supplying places. Ms. YAU shared with the meeting two recent cases with no MRLs specified in the Regulation. One case involved dichlorvos in salted fish samples and another case involved triazophos in a jasmine floral tea sample.

Though the levels detected would not cause any adverse effects upon normal consumption, the existence of the substances in the foods concerned might have contravened Section 52 of the Public Health and Municipal Services Ordinance (PH&MS Ord.), Cap. 132. CFS would seek legal advice over the cases.

6. In response to an enquiry from one trade representative, the Chairman remarked that there had been no amendment to Schedule 1 since the enactment of the legislation. He said that any amendment to the Regulation would require a process of consultation beforehand and the trade would be informed.

7. One trade representative mentioned that in view of the large number of possible pesticide residues and food combinations in existence, it would not be easy to pair the test results for each and every pesticide-food combination with their corresponding MRLs and MRLs were in fact not specified in the Regulation for many of the cases. He suggested development of guidelines to assist the trade to compare the test result with available MRL of similar food items when there was no specified MRL / EMRL. The Chairman remarked that the situation in Hong Kong was rather unique that Hong Kong relies heavily on imported foods. Though the Administration had considered the standards of the major food exporting countries to Hong Kong during the formulation of the Regulation, the list of standards laid down in Schedule 1 was not exhaustive and we would take into account the risk assessment results to consider whether import or sale of certain food items would be allowed when there was no specified MRL / EMRL. We would also consider the standards established in the exporting country of the product concerned to assess whether the level detected had indicated the compliance of Good Agriculture Practice during pesticide application. In connection with the Regulation, we had already published relevant guidelines for traders. Ms. YAU continued to elaborate on how risk assessment was conducted by the CFS and introduced to

the meeting three sets of guidelines on Pesticide Residues in Food Regulation that had been uploaded to the CFS website.

8. In response to an enquiry from one trade representative regarding the recent Taiwan tea incident, Ms. YAU advised that other than the case of triazophos in a jasmine floral tea sample just mentioned, all other test results available at the moment complied with our regulatory requirements.

Agenda Item 3

Proposed Regulation of Imported Poultry Eggs in Hong Kong

9. Mr. YANG Chi-ming briefed the meeting of the proposed regulation of imported poultry eggs in Hong Kong. In 2014, about 2.2 billion poultry eggs were imported into Hong Kong. The majority of which came from Mainland China (53%) and the USA (23%). With the threat of outbreak of avian influenza, there was need for regulatory control. The World Organization for Animal Health (OIE) recommended that imported poultry eggs had to be accompanied with health certificates. In this connection, consultation forums had been held with the trade for many times since 2006 and the proposal was well received. The proposal was to amend the Imported Game, Meat and Poultry Regulations, Cap. 132AK to regulate the import of eggs of bird belonging to the type of bird sold or offered for sale for human consumption. The scope of regulation would include eggs that were shelled or unshelled; raw or partly cooked; salted, preserved or otherwise processed; in frozen, liquid or dried form; or contained any functional ingredient. Eggs that were fully cooked or constituted one of the ingredients of a compounded food would be excluded. The regulation required that prior written permission had to be sought from FEHD for import of eggs; and that every consignment of eggs had to be accompanied with health certificate issued by relevant

authority of the exporting country or place attesting to their fitness for human consumption. The proposed regulation was published in the Gazette on 5 June 2015 and would be tabled before the Legislative Council on 10 June 2015. Subject to vetting by the Legislative Council, the amendment regulations would come into operation on 5 December 2015.

10. In response to enquiries from some trade representatives whether sanitized egg up to 45 °C, pasteurized egg up to 72°C, and other forms of semi-fluid eggs could be regarded as fully cooked egg, Mr. YANG clarified that all contents of a fully cooked egg should be in a solid state and the examples quoted could not be regarded as fully cooked.

11. In response to an enquiry from a trade representative, the Chairman clarified that if the egg constituted one of the ingredients of a compounded food, as in the cases of cake or omelette, it would be excluded from the regulation. However, if the egg contained any functional ingredient, it would be included.

12. In response to an enquiry from another trade representative, the Chairman remarked that in deriving at the current proposal, a balance had to be struck between the health risk of avian influenza, the feasibility of implementation and the impact on the trade. Hence the compounded food items were excluded. In addition, as it would be difficult to come up with a scientific definition for fully cooked egg, we had to rely on observance of its physical state. The Chairman added that the proposed regulation was not only targeting at reducing the risk of avian influenza, but also reducing the risk of other diseases and veterinary drugs.

13. One trade representative asked whether a separately packaged egg powder for the making of cakes would be regarded as compounded food. The Chairman replied that as the food items were packaged separately, they might not be regarded as a compounded food item.

Agenda Item 4

Import or Sale of Vegetables Supplied from the Mainland to Hong Kong

14. Mr. YANG Chi-ming briefed the meeting of the regulation on the import and sale of vegetables supplied from the Mainland to Hong Kong. The CFS operated a Food Surveillance Programme and based on risk assessment regularly took food samples (including vegetables) at import, wholesale and retail levels for analysis to ensure the food was fit for human consumption and complied with local regulations. Under the existing administrative arrangements between the Hong Kong SAR Government and the Mainland regulatory authorities, all imported vegetables had to be sourced from registered farms and processing plants, and each vegetable consignment should be accompanied with export document such as certificates of vegetables supplied to Hong Kong together with identification tags on the containers showing the source of vegetables. All vegetable consignments from the Mainland via land transport should be imported through the Man Kam To land border and checked by CFS at the Food Control Office. For importers and traders engaged in the import and sale of vegetable supplied from the Mainland, they should import vegetables from farms and processing establishments registered with the State General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China Mainland authority.

15. Mr. YANG further said that with a view to protecting public health, the Pesticide Residues in Food Regulation, Cap. 132CM came into operation on 1 August 2014. Under the Regulation, it would be an offence if the laboratory test result showed that the level of pesticide residues in the vegetables for sale or import exceeded the prescribed limits. Under the Food Safety Ordinance, Cap. 612 (the Ordinance), all food importers and food distributors were required to register with the Director of Food and Environmental Hygiene (DFEH).

For retail traders engaged in sale and also import of vegetables supplied from the Mainland, they were also required to register with DFEH. The Ordinance required any person who, in the course of business, imported, acquired or supplied by wholesale food in Hong Kong to keep transaction records of the business from which it acquired the food and the business to which it supplied the food. The law had also conferred powers to FEHD officers for demanding food importers and distributors to provide food transaction records upon request.

Agenda Item 5

Labelling of Prepackaged Food

16. Mr. YANG Chi-ming informed the meeting of the current regulation on the labelling of prepackaged food. The definition of prepackaged food was introduced. According to the Food and Drugs (Composition and Labelling) Regulations, Cap. 132W, all prepackaged food should be labelled with appropriate food labelling. Food labelling could be categorized into general labelling and nutrition labelling. General labelling would list out the following information: name of the food; list of ingredients; indication of durability; statement of special conditions for storage or instructions for use; name and address of manufacturer or packer; count, weight or volume. Regarding nutrition labelling, the trade was required to provide information of energy plus seven core nutrients of the food (i.e. protein, carbohydrates, total fat, saturated fat, trans fat, sodium, sugars) on the label. Nutrition claims might also be made but the food label and advertisement were subject to control. General exemption for nutrition labelling was granted for practical difficulty (e.g. prepackaged food packed in a container which has a total surface area of less than 100cm²), for food not containing energy or any content of any core nutrient, for certain food which was fresh in nature without any addition of ingredient (e.g., fresh and dried fruits and vegetables), and for prepackaged food with small sales volume (i.e. annual sales volume not exceeding

30,000 units). The rules and application procedures for the Small Volume Exemption Scheme were mentioned.

17. In response to an enquiry from a trade representative, Mr. YANG replied that as stipulated in Food and Drugs (Composition and Labelling) Regulations, Cap. 132W, sodium (but not salt) was one of the core nutrients for nutrition labelling and hence the trade should comply and report the sodium content. In answering another trade representative, the Chairman remarked that the trade could work out the nutrient content either through laboratory test or by calculation.

Any Other Business

Sampling Plan for Nutrition Labelling Compliance Testing

18. Mr. YANG Chi-ming briefed the meeting of CFS' sampling plan 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 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. The Chairman remarked that depending on the practical situation at retail outlets, the CFS would take twelve or less than twelve units of food as sample for analysis.

19. In response to an enquiry from a trade representative, Mr. YANG replied that any sample(s) even if only one sample was taken for analysis but followed the procedures under Section 63 of the PH&MS Ord., Cap. 132 that prosecution action would be taken if incompliance was found since the sample was a “Formal Sample”. The Chairman added that the CFS would take up to twelve samples as far as possible to make the result more representative.

Rapid Alert to Trade

20. A trade representative remarked that it was usually late at night when rapid alerts were received by the trade and it was difficult for the trade to identify the relevant products since the time was out of office hours. Dr. Janet HO provided a detailed explanation of the workflow of CFS from the time the food incident was notified to the time of issue of rapid alert. After receiving information of the test result, CFS staff would need to check whether the product was available in the local market, to identify the importers, distributors as well as the retail outlets, to compare with previous test results if available, to decide the message to be disseminated, and to input the message to various dissemination channels. Often the notification would come late in the afternoon and the process could only start by then. The

Chairman added that since notifications of incidents were usually received from European countries in the afternoon and it took several hours for CFS to do the assessment and checking work, the time of issue of rapid alert was considered normal. Nevertheless, continued efforts would be made to enable the issue of the rapid alert as early as possible.

Notification of Food Incidents

21. In response to an enquiry from a trade representative, the Chairman remarked that the CFS would post the latest development of food incidents on its website and also the Facebook page for general information.

22. In response to an enquiry from another trade representative, Dr. Janet HO provided a detailed differentiation of rapid alerts, press releases and food alerts issued by CFS. Rapid alerts were issued to the trade through email and e-fax to alert them of incidents affecting their products and required them to stop selling them and remove them from product racks. Press releases and food alerts were posted on the CFS website. All major food incidents would be covered by press releases while only some of them would be included in food alerts, because food alerts only covered products that had been released to the local market and would cause concern to the health of the general public. It covered products that could be identified easily by the public such as prepackaged food but excluded loose items which could hardly be identified. Food alerts were only issued to subscribers who chose to receive such information by email or e-fax.

Importation of Puffer Fish into Hong Kong

23. A trade representative from Japan enquired about the possibility of import and sale of

puffer fish in Hong Kong. The Chairman remarked that the CFS was concerned about puffer fish as there had been cases of intoxication after consumption of the fish in Hong Kong in recent years. Mr. YANG Chi-ming explained that all food for sale to the public had to be fit for human consumption. Under the provisions of the PH&MS Ord., Cap. 132 Section 54, it was an offence for any person to sell or offer food unfit for human consumption in Hong Kong. He further explained about the existence of tetrodotoxin in puffer fish and that there was no sampling scheme that could assure a safe lot, since any single fish might contain a lethal dose of the toxin. Being heat-stable, the toxin did not decompose upon cooking, boiling, drying or freezing.

24. The trade representative added that the proposed puffer fish for sale was nurtured artificially and without toxin, and also already gutted. He believed that there was great demand for the food item in Hong Kong. The Chairman replied that the CFS had in last year arranged its staff to visit Japan and studied the nurturing of puffer fish there and had also obtained advice from relevant experts. It was noted that major countries in the world did exercise tight control over the sale and consumption of puffer fish. In view of the occurrence of intoxication cases in Hong Kong, the Government would not be relaxing but was instead contemplating to tighten the control over the import and sale of puffer fish.

Proposed Regulatory Framework on Nutrition and Health Claims on Infant Formula, Follow-up Formula, and Prepackaged Foods for Infants and Young Children under the Age of 36 Months in Hong Kong

25. The Chairman informed that the consultation period of the proposed regulatory framework on nutrition and health claims on infant formula, follow-up formula, and prepackaged foods for infants and young children under the age of 36 months in Hong Kong had ended. The consultation report together with proposed regulatory directions would be

submitted to the Legislative Council on 14 July 2015. A technical meeting would be held with the trade in early July to discuss technical issues of the legislative proposal.

Date of Next Meeting

26. The next meeting would be held by the end of July 2015. The date of the meeting was to be determined.

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