

Centre for Food Safety
Food and Environmental Hygiene Department
Notes of the Twentieth Meeting of the Trade Consultation Forum
held on 19 October 2009 at 2:30 p.m.
in Hall, Training School, Lai Chi Kok Government Offices
19 Lai Wan Road, Lai Chi Kok, Kowloon

Present

Government Representatives

Dr. Y. Y. HO	Consultant (Community Medicine) (Risk Assessment & Communication)	(Chairman)
Dr. Anne FUNG	Principal Medical Officer (Risk Assessment & Communication)	
Mr. Y. K. LAI	Superintendent (Food Surveillance)2	
Mr. K. W. CHUNG	Chief Health Inspector (Food Labelling)	
Dr. N. Pathiraja	Food Safety Officer (Risk Management)	
Mr. C. H. WONG	Chief Health Inspector (Import/Export)5	
Mr. Nicky HO	Scientific Officer (Programme Planning)2	
Dr. Anna TANG	Scientific Officer (Technical Publication)1	
Ms. Melva CHEN	Scientific Officer (Chemical)	
Mr. W. Y. CHAN	Scientific Officer (Standard Setting)	
Mr. H. M. WONG	Superintendent (Risk Communication)	(Notes-taker)

Trade Representatives

Mr. Justin WONG	7-Eleven & Dairy Farm Co. Ltd.
Ms. Nicole LO	7-Eleven & Dairy Farm Co. Ltd.
Mr. Frankie KWAN	A Top Consultants Ltd.
Mr. Eric CHONG	A Top Consultants Ltd.
Ms. LEUNG Ka Yi	AIC Merchandising (Japan) Ltd.
Ms. Michelle HAU	Amoy Food Ltd.
Mr. LEUNG Kin Chiu	Boncafe (FE) Ltd.
Ms. Ming CHEUNG	Campbell Soup Asia Ltd.
Mr. CHAN Chun Kwok	Castco Testing Centre Ltd.
Mr. Isaac SADIQ	China Cereals Ltd.

Mr. LIN Kwok Chau	China Cereals Ltd.
Mr. YUEN Im Sum	China Cereals Ltd.
Mr. Alvin WONG	China Inspection Co. Ltd.
Mr. Bill CHAN	Chinese Cuisine Management Association
Ms. Grace YEE	City Super Ltd.
Mr. Dennis CHAN	City Super Ltd.
Mr. Raymond ON	City Super Ltd.
Mr. CHUNG Chin Ming	Coca-Cola China Ltd.
Ms. Emily LAM	Dah Chong Hong Ltd.
Mr. LO Chi Hong	Dah Chong Hong Ltd.
Mr. Allen HO	The Dairy Farm Co., Ltd. (7-Eleven)
Mr. Stephen CHOI	Food Safety Services International Ltd.
Ms. Grace CHAN	Glaxo Smithkline Ltd.
Mr. WU Chi Yi	Goodbase Trading Ltd.
Mr. CHIM Yun Hung	Gourmet Nippon Food Manufacturing Ltd.
Mr. Jerry CHONG	HK Federation of Restaurants & Related Trades
Ms. KONG Po Yan	HK Federation of Restaurants & Related Trades
Ms. Hidi LI	HK Suppliers Association Ltd.
Mr. LEUNG Yiu Hung	HK Yamazaki Baking Co., Ltd.
Mr. Stanley LEUNG	Hokkaido Marche HK Ltd.
Ms. Kammy YEUNG	Hong Kong Retail Management Association
Mr. Gary LO	Hong Kong Yakult Co Ltd.
Ms. Corine LIU	Hong Kong Yakult Co Ltd.
Mr. Philip KWAN	Lee Kum Kee
Ms. MOK Wai Man	Linka-World Ltd.
Ms. Joey MAK	Lucullus Food & Wines Co Ltd.
Ms. Gloria LIU	Maxim's Caterers Ltd.
Mr. Raymond YAM	Maxim's Caterers Ltd.
Mr. Eugene WONG	McDonald's Restaurants (HK) Ltd.
Ms. Sandy WONG	McDonald's Restaurants (HK) Ltd.
Mr. HUI Yiu Kai	Nissin Foods Co., Ltd
Ms. Emic MA Wan Yee	Pastry Global Food Service Ltd.
Mr. Chris CHAN	Pat Chun International Ltd.
Ms. Zoe LIU	Pepsi Co International - China Beverage Region (Hong Kong)
Ms. Nicole CHAN	SGS Hong Kong Ltd.
Ms. Anita FU	SGS Hong Kong Ltd.
Mr. CHAN Chun Tung	Sun Wah Marine Products (HK) Co. Ltd.
Mr. K.C. WONG	Swire Coca-Cola HK

Mr. James HO	The Asia Provisions Co. Ltd.
Mr. Allen PANG	The Chinese Manufacturers Association of Hong Kong
Mr. TUNG Hing Sun	Tri Star Trading Co.
Ms. Wing CHEUNG	Unilever Hong Kong Ltd.
Ms. CHAN Siu Yi	United Italian Corp (HK) Ltd.
Mr. MAK Chuk Ming	UNY (HK) Co., Ltd.
Mr. CHAN Chi Kong	Vitasoy International Holdings Ltd.
Dr. Priscilla CHOY	Wellab Ltd.
Ms. May LO	Wellcome Fresh Food Centre
Ms. Wendi CHAN	Wellcome Fresh Food Centre
Ms. CHU Yuk King	Wing Tai Co.
Mr. FU Kee Chi	Wintex Development Ltd.
Ms. Yannie CHUNG	Wrigley Asia Pacific Ltd.
Ms. Amelia YEUNG	YHS Hong Kong (2000) PTE Ltd.

Opening Remarks

The Chairman welcomed all trade representatives to the meeting and introduced Government Representatives.

Confirmation of the Notes of Last Meeting

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

Agenda Item 1

Matters Arising from Notes of Last Meeting

Small Volume Exemption Application

3. Mr. Y. K. LAI said that the Small Volume Exemption (SVE) Office at M/F, Middle Road Carpark Building, Tsim Sha Tsui had commenced operation since 1 September 2009. From 1 September until 12 October 2009, about 4,100 applications for SVE were received. Among these applications, about 2,500 had been approved. There were around 70

applications rejected and 2 applications withdrawn. About 55 companies had applied for SVE. Rejected applications were mainly due to the presence of nutrition claims on labels and they accounted for about 2% of the total number of applications. There were about 480 SVE applications involving health food products. Most of these applications were found not complying with the general labelling requirements, e.g. “best before” date was not provided on label. For applications not complying with labelling requirements, warning letter would be issued to the applicant to ask them to rectify irregularities within 90 days. If applicants failed to rectify irregularities, it might cause their applications to be cancelled.

4. Mr. Y. K. LAI pointed out the following common problems observed from SVE applications:

- a) There were too many products and photos covered in a single email application making the size of the email too large. These created difficulties for the staff of SVE Office to open the email and to print out the photos. Traders were advised to use manual form and return application by post or by hand in such cases.
- b) Applicant did not compress the digital photos to reduce the size of email.
- c) Photos or scanned images submitted could not completely show the general outlook of the product causing insufficient information for processing the application.
- d) Food name in application form was expressed in languages other than English or Chinese, e.g. French.
- e) Food name was inaccurate / incomplete and did not tally with the label, e.g. filling in ‘sauce’ instead of ‘tomato sauce’, filling in ‘chocolate’ instead of ‘dark chocolate’, etc. The information on the application should tally with that on the label.

5. Mr. Y. K. LAI advised that a “Guide to Application for Small Volume Exemption” (Guide) was available on the Centre for Food Safety (CFS) website for reference of traders, whereas printing of the Guide was in progress. Both manual and electronic application forms were available on the same website for downloading. In addition, a new set of 26 “Additional Frequently Asked Questions (FAQ) (Part II)” on Nutrition Labelling (NL) was also available from the CFS website for reference. Mr. Y. K. LAI reminded the meeting that traders should submit their applications for SVE before end of October 2009 to allow sufficient time for processing to ensure the results could be notified before 18 December 2009. The Chairman remarked that traders should submit applications for SVE before end of October 2009 if they would like to receive the result before 18 December 2009. They were also suggested to make reference to the FAQ on the CFS website for answers to commonly asked questions on NL.

6. A trade representative noted that traders of prepackaged foods with an annual sales volume exceeding 30,000 units would not be eligible to apply for SVE. In this respect, their only option was to provide nutrition label on the product package. One way to compute the information for the nutrition label was by means of the online Nutrition Label Calculator (NLC) provided on the CFS website. However, he noted that the NLC was not able to compute the value of Trans Fat. When the assistance from CFS was sought by telephone enquiry and by email to resolve the problem, telephone lines were always engaged and emails were not replied. The Chairman said that the online NLC was capable of computing all nutrition values when the required data were inputted. When problems on NL were encountered, they might call the 24 Hour Hotline for assistance or write an email to CFS. Every enquiry would be answered. Mr. H. M. WONG advised that all emails would be

recorded and replied. When making telephone enquiry, traders might call the NL helpdesk number 2381 6096 during office hours to raise their enquiries on the subject. For telephone enquiry made outside office hours, it would be recorded for follow up reply actions. Dr. Anne FUNG assured that the usage of the telephone enquiry service was monitored closely in view of the anticipated heavy demand and all emails must be replied. In case of problem observed from the telephone enquiry service, traders might report the problem by email.

7. Answers to questions of trade representatives were summarised below:

- a) Prepackaged food including sushi which was processed and sold to an ultimate consumer at the same premises; or processed at a place which was adjacent to, or in the immediate vicinity of, the premises where the food was sold to an ultimate consumer was eligible for exemption from NL requirements, and in either case, the food should not be offered for sale in other premises. For sashimi, if it was sold in a raw state; packed in a container which contained no other ingredient; and to which no other ingredient had been added, it would also be eligible for exemption from NL requirements.

[Post-meeting note: For details on the exemption conditions, the trade is advised to refer to item 14 and 10 in Annex I of the "Technical Guidance Notes on Nutrition Labelling and Nutrition Claims" respectively.]

- b) Prepackaged soya sauce pack provided independently and absolutely free of charge to consumers at convenience stores after prepackaged food was sold to them was exempted from NL requirements; and
- c) Food products sold ultimately to consumers at retail outlets should comply with NL requirements and retailers were responsible for the compliance.

Nutrition Labelling Market Survey

8. The Chairman informed that a meeting was held with the Hong Kong Retail Management Association (HKRMA) after the last meeting of the Trade Consultation Forum. With the support of HKRMA, the NL market survey had started. He appealed for the support of all traders to the survey.

Food Safety Charter 2009

9. Mr. Nicky HO reported that a total of 21 food trade associations and 1,700 licensed food premises / supermarkets / convenience stores had signed up to the Food Safety Charter (FSC) 2009. Signatories to the FSC 2009 were provided the FSC certificate, stickers for displaying inside their premises and badges for their staff to wear. They were also sent publicity materials to assist in promoting the Five Keys to Food Safety (5 Keys). Mr. Nicky HO introduced to the meeting the FSC 2009 website for searching signatories to the FSC in each district. During roving exhibitions on 5 Keys, computer would also be provided to visitors to search signatories to the FSC 2009. Mr. Nicky HO said that the FSC 2009 presentation ceremony was held on 17 September 2009 and two food hygiene seminars designated for staff working in kitchens of the signatories were held on 21 September and 5 October 2009.

10. Mr. Nicky HO encouraged trade representatives of food trade associations to remind their members who were signatories to the FSC 2009 to display the FSC certificate and sticker, and to arrange their staff to wear the badge to tie in with the upcoming publicity on

bus bodies to promote and publicize 5 Keys and FSC 2009. The Chairman thanked traders for signing up to the FSC 2009 to promote food safety in a concerted effort.

Guidelines to the Trade on Reducing the Level of Ethyl Carbamate in Alcoholic Beverages during Storage and Transport

11. Dr. Anna TANG said that the “Guidelines to the Trade on Reducing the Level of Ethyl Carbamate (EC) in Alcoholic Beverages during Storage and Transport” were intended to provide recommendations to help the trade to minimise the level of EC in alcoholic beverages during storage and transport (The trade was briefed about the background information on EC at the 18th meeting of the Trade Consultation Forum (TCF) held on 27 August 2009 and details were recorded in the notes of meeting). The guidelines were applicable to importers, distributors, wholesalers and retailers of alcoholic beverages. They were drawn up on the request from trade at a technical meeting with traders of alcoholic beverages held on 14 August 2009. The draft was tabled at the 18th meeting of the TCF and uploaded on the CFS website from 11 to 25 September 2009 for comments of the trade. The finalised guidelines were now available on the CFS website for reference of traders. Dr. Anna TANG encouraged traders to observe the guidelines to minimise the level of EC in alcoholic beverages during storage and transport. The Chairman supplemented that the finalised guidelines would be printed in hardcopies and distributed to traders.

Points to Note when Exporting Foods from Hong Kong

12. Dr. Anne FUNG reported that there were nine new links of overseas regulatory bodies on food safety created on the CFS website. These include the Agri-Food & Veterinary

Authority of Singapore, United Kingdom Food Standard Agency and New Zealand Food Safety Authority. The Chairman remarked that the new links should provide much help to the trade in searching information on food safety requirements when exporting foods from Hong Kong.

Agenda Item 2

Sampling Plans for Suspected Food Lots at Import and Warehouse Levels

13. Mr. C. H. WONG briefed the meeting about sampling plans for chemical and microbiological contaminants for suspected food lots at import and warehouse levels. Under the Public Health and Municipal Services (Amendment) Ordinance 2009, which came into force on 8 May 2009, the Director of Food and Environmental Hygiene was empowered to make an order to prohibit the import and the supply of any food; and any food supplied be recalled. The empowerment was to prevent or reduce a possibility of danger to public health or to mitigate adverse consequence of a danger to public health. A set of guidelines on sampling in case of recall had been formulated to ensure the sampling plans were fair to both consumers and the trade, and were of legality. A fair and internationally comparable sampling plan was designed and used to collect samples for testing. The principles adopted in devising sampling plans had taken reference of sampling plans formulated by Codex Alimentarius Commission (Codex), State General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) and standards of other food authorities.

14. Mr. C. H. WONG continued that under the Food Surveillance Programme, a range of food items are sampled at import, wholesale and retail levels to test for microbiological and chemical hazards. When the test results of a sample collected from a food lot during

surveillance is unsatisfactory or when a food is considered possibly contaminated or adulterated based on information / intelligence gained from reliable sources, the food lot in question is regarded as a 'suspect lot'. Health Inspectors would be responsible for collecting samples in accordance with prescribed sampling procedure and there were 4 types of sampling plans for chemicals as follows:

- a) For Contaminants, Pollutants, Carcinogen, Heavy Metal, 3-MCPD, Benzo(a)pyrene, Dioxins and Dioxin like PCBs – Lots would be divided into sublots for sampling purposes. Incremental samples should be taken from each subplot separately and the minimum no. of incremental samples to be collected ranged from 3 to 10. The incremental sample size would be at least 100 g or 100 ml resulting in a bulk sample of at least 1 kg or 1 litre;
- b) For Aflatoxins in Ready-to-eat Peanuts and Treenuts:
 - i) Aflatoxins Contamination in Peanuts – Lots would be divided into sublots with incremental samples from 10 to 100. A single 20 kg laboratory sample would be collected from the lot. For lots traded in individual packages, an equation following that of Codex would be used to calculate the number of packages that incremental samples were taken (SF) for collecting the 20 kg laboratory sample:
$$SF = (\text{Lot Weight} \times \text{Incremental Sample Weight}) \div (\text{Aggregate Sample Weight} \times \text{Individual Package Weight});$$
 - ii) Aflatoxins Contamination in Treenuts – Similar to that for peanuts, lots would be divided into sublots with incremental samples from 10 to 100. From the lot or subplot, 2 laboratory samples each weighing 10 kg would be collected. The Chairman advised that traders might seek more information on the sampling plan for Aflatoxins in Ready-to eat Peanuts and Treenuts from Codex as the

plan was formulated with reference to that adopted by Codex;

- c) For Pesticide Residues – For ‘meat and poultry’, a minimum number of 11 primary samples would be collected and sent to the laboratory as individual samples for analysis. The number of primary samples required was different from other products, e.g. plant products, milk products and eggs, but they might be combined as a composite sample for testing; and
- d) For Vet Drug Residues – A minimum of 6 to a maximum of 30 primary samples would be randomly collected. The primary samples should not be mixed and would be sent to the laboratory as individual samples for analysis.

15. Mr. C. H. WONG continued that there was a separate sampling plan for microbiological examination. For testing milk and frozen confections for organisms, five samples would be collected from a suspected lot of these products. If any one of the samples was tested unsatisfactory, the whole suspected lot would be considered as unsatisfactory. The Chairman supplemented that high priority would be accorded to laboratory test on suspected lot due to the high risk of such food products. In future, prosecution actions would be considered on the basis of the result of laboratory test on samples collected from these sampling plans.

16. In reply to an enquiry from a trade representative, the Chairman said that the result of laboratory test conducted by the Government Laboratory would be final. Enforcement actions would be based on this result. For test on chemicals or containments, it was difficult to tell in advance what chemicals were to be tested for food products. The need of test on chemicals would depend on the level of contamination, the risk assessment on the potential hazard of individual chemicals to human health and the probability of food products

exposing to a particular chemical. A more proactive approach was for traders to build up a self-regulating system with suppliers and manufacturers in monitoring the contamination of chemicals in the process of producing and manufacturing food products instead of taking actions on end products.

17. Mr. K. W. CHUNG informed the meeting that a separate sampling plan was devised specifically for NL compliance testing in relation to the Food and Drugs (Composition and Labelling) (Amendment: Requirements for NL and Nutrition Claims) Regulation 2008 which regulated two types of nutrition information on food labels, namely NL covering energy plus seven core nutrients and Nutrition Claims on nutrient content, comparative and function claims. Normally the sampling would be carried out at retail level. It will also be carried out at import or distribution level if necessary. In this plan, at least 12 individual prepackaged consumer units would be collected randomly from the same lot to form a composite sample. The composite sample would be sent to the Government Laboratory for analysis with one result produced which would represent the lot nutrient content. This would be taken for comparing with the nutrition label to consider whether NL requirements were complied with. Rounding rules provided in the “Technical Guidance Notes on Nutrition Labelling and Nutrition Claims” would be taken into account for law enforcement purposes.

18. Mr. K. W. CHUNG added that, during routine surveillance on compliance with NL, a random sample would be collected from retail outlet. When this random sample was found not complying, the aforesaid sampling plan would be adopted. In fact, during the sampling action, 3 composite samples each consisted of 12 consumer units would be collected. While one composite sample would be delivered to the Government Laboratory for analysis, the

second one would be given to the vendor selling the food and the remaining one would be kept by the Centre for Food Safety (CFS) for future comparison. If the testing result of this sample was also unsatisfactory, CFS would issue a letter to the trader asking for explanation for the labelling discrepancy within 21 days. If the explanation was acceptable, CFS would issue warning letter requiring the trader to revise the label within 60 days as flexible arrangement during the first year of enforcement after the NL regulation took effect on 1 July 2010. Should the warning letter be unheeded, prosecution action would be taken out. Once the concerned products had been recalled from retail outlets, follow-up actions would be withheld. The Chairman reiterated that traders would normally be warned in writing before prosecution actions would be taken out to allow traders to rectify irregularities related to NL. Prosecution action would certainly be taken out after the grace period for rectifying irregularities had expired and the products were continued to be available for sale.

Agenda Item 3

Food Safety Issue of Disposable Tray Liners

19. Ms. Melva CHEN briefed the meeting about the food safety issue of disposable tray liners. Recently, there was public concern on the practice of patrons at fast food restaurants allowing food, e.g. French fries, or sauce, e.g. ketchup, to come in direct contact with tray liners. This raised concerns over the possible health risk due to the migration of printing inks and chemicals from tray liners to food. Since tray liners were intended to be used for keeping food trays clean and for advertisement and promotion purposes, they should not be regarded as food packaging materials or containers. In this respect, food should not be allowed in direct contact with tray liners. Although there was no specific legislation governing the use of food contact materials, the Public Health and Services Ordinance, Cap

132 stated that all food offered for sale in Hong Kong must be fit for human consumption. Should the food be rendered unfit for human consumption due to problematic food contact materials, such as papers, containers, tableware, utensils, or packaging materials, it would be an offence to offer such food for sale.

20. Ms. Melva CHEN advised that restaurant operators should not put food directly on tray liners. They might consider printing a warning statement on tray liners or displaying conspicuously a warning notice “Please do not put food directly on this tray liner” in the food premises. As an alternative, they might provide containers for sauce dipping. They should source tray liners from reliable sources and maintain proper records to enable source tracing. When tray liners were intended for food contact, they should make sure that constituents would not migrate from tray liners into the food causing food safety or quality concern. The draft “Guidelines on the Use of Disposable Tray Liners” would be available on the CFS website for comments of the trade.

21. In reply to enquiries from a trade representative, Ms. Melva CHEN advised that there were no common international standards and guidelines on the regulation and control of printed ink that might suggest their suitability for human consumption after migrating to food from tray liners. If there was intention for food to come into direct contact with tray liners, Ms. Melva CHEN suggested that restaurant operators should consider seeking information from suppliers on laboratory testing for the printing ink of tray liners to confirm whether it was suitable for the intended use.

22. The Chairman appealed to trade representatives from restaurants to intensify their actions in reminding consumers of and supervising the proper use of tray liners at their eating

places. Trade representatives were welcomed to inform CFS their comments on the draft guidelines.

Agenda Item 4

A Brief of Thirty-Second Session of Codex Alimentarius Commission

23. Mr. W. Y. CHAN briefed the meeting about the 32nd session of the Codex held from 29 June to 4 July 2009 in Rome, Italy. At the 32nd session, about 44 types of standards, Code of Practice (CoP) and Guidelines (GL) were adopted covering pesticides, veterinary drugs, food additives, food contaminants, etc. Examples are:-

- a) New Maximum Residue Limits (MRLs) of Pesticide Residues – adopted about 290 new MRLs of 22 pesticides and revoked about 110 existing MRLs of 25 pesticides.
- b) New MRLs of Veterinary Drug Residues – adopted about 81 new MRLs of 7 veterinary drugs and revoked one temporary MRL.
- c) New Codex General Standard for Food Additive (GSFA) – adopted 25 standards of food additives for the GSFA covering colouring matter, antioxidant, sweetener, flavour enhancer, preservative, etc. In addition, new maximum levels of food additives to specific food categories were added, modified or deleted from the GSFA.
- d) Amendments to International Numbering System (INS) for Food Additives – adopted about 60 amendments to the INS covering addition, deletion and re-naming, of food additives and their technological purposes.
- e) New CoP for the Reduction of Acrylamide in Foods – Acrylamide was formed in carbohydrate-rich foods during high-temperature cooking. The CoP was to provide

guidance to prevent and reduce formation of Acrylamide in potato products and cereal products.

- f) New CoP for the Reduction of Contamination of Food with Polycyclic Aromatic Hydrocarbon (PAH) from Smoking and Direct Drying Processes – PAH was formed due to incomplete combustion of organic matter, during forest fires and volcanic eruptions as well as industrial processes or other human activities, including the processing and preparation of food and in the commercial and domestic preparation of food. The CoP was to provide guidance to prevent and reduce contamination of food with PAH in commercial smoking and direct drying processes.
- g) New CoP for the Prevention and Reduction of Ochratoxin A (OTA) Contamination in Coffee – OTA is a toxic fungal metabolite found in cereal products and coffee. The CoP was to provide guidance to prevent and reduce contamination of coffee with OTA.

24. Answers to questions of trade representatives were summarized below:

- a) The INS provided on the CFS website would be updated at suitable time to follow up on the amendments of Codex. Traders were advised to refer to the Codex website for the most updated information on INS.
- b) The standards, MRLs, CoP and GL newly adopted by Codex might not be adopted in Hong Kong simultaneously. Only those applicable in Hong Kong would be considered for adoption. Law enforcement in Hong Kong on food safety would base primarily on standards stipulated in the local legislations. When there were no relevant standards in the local legislation, the latest ones adopted by Codex

would then be referred to as reference in considering enforcement actions.

- c) On pesticide residues, there were no standards in Hong Kong for regulatory purposes. Hong Kong was in the process of setting thousands of MRLs for regulating pesticide residues locally. The latest standards of Codex would be referred to in setting the local standards. Following consultation last year, we are refining the proposed regulatory framework, and examining the technical details. The Legislative Council would be reported on the progress in future.
- d) On INS for food label, the local food labelling regulation requires food additive constituting one of the ingredients of a food shall be listed by its functional class, and its specific name or INS number.

25. The Chairman said that the CFS would consider adopting the standards of Codex which were applicable in Hong Kong. However, the pace of adopting these new standards in Hong Kong might vary from that of the Codex. Traders should first take note of standards, CoP and GL adopted in Hong Kong. When there were no comparable standards, CoP and GL adopted in Hong Kong, they might then refer to those adopted by the Codex as these would also be referred to in enforcing food safety locally. For the full report of the 32nd session of Codex and complete information on the newly adopted standards, CoP and GL, trade representatives might refer to the Codex website.

Agenda Item 5

Any Other Business

Trade Webzone

26. Dr. Anne FUNG briefed the meeting about the plan of setting up a new dedicated web page for trade, namely Trade Webzone on the CFS website. The purpose was to centralise information relating to the food trade, such as newly enacted or amended legislation, new trade guidelines, new activities on food safety, the meeting dates of TCF, new food safety seminars, etc., with a view to facilitate the trade in searching information from the CFS website. Before setting up this new web page, CFS would like to seek views from the trade on the design and content of the new web page. The trade would be consulted again at the TCF when the draft design was available. Interested trade representatives were welcomed to attend a working group meeting to exchange views on the subject. The Chairman said that the Trade Webzone was planned in response to opinions of the trade that the current CFS website was not user friendly enough and information related to the trade could not be read at a glance. He invited trade representatives to join the working group to exchange views on the new page.

Testing Method at Times of a Food Recall

27. A trade representative opined that there was a need of prior consultation with the trade on the laboratory testing method before testing food products involved in overseas food recalls. In such a situation, when the final action on the result of the laboratory test conducted in Hong Kong would also lead to a food recall locally, it would lead to embarrassment if the testing method adopted in Hong Kong was different from that adopted overseas. Hong Kong might find herself in an embarrassing position as it might be difficult to determine whether a food recall should also be initiated locally in case the testing result was different due to the adoption of different testing method. Prior consultation with the trade would be useful to prevent any embarrassment. The Chairman said that the

Government would adopt the latest testing method available in the Government Laboratory for the testing. He would convey his opinion to the Government Laboratory for reference.

[Posting-meeting Note: There should exist no significant discrepancy between test results produced by competent laboratories using valid analytical methods. However, for some specific nutrients, e.g. dietary fibre, the analytical methods are prescribed in the law, discrepancy between test results would be seen if the prescribed analytical methods are not used.]

Legal Responsibilities of Food Importers

28. A trade representative said that importers should not be held responsible legally for food products that were found not complying with food safety requirements in Hong Kong. He opined that the supplier or manufacturer should be held responsible instead of the importer. The Chairman said that the principle of tripartite collaboration among the Government, food trade and consumers to uphold food safety was observed in Hong Kong. Food trade importers were therefore obliged to ensure food products imported by them for sale in Hong Kong satisfied local safety standards and they were therefore legally responsible for compliance with requirements regulating the safety of food products especially when the law stated such responsibility. In case there was documentary proof or report of laboratory test confirming that food products imported did comply with legal requirements in Hong Kong, it would be useful evidence to prove the greatest efforts had been undertaken by importers in complying with legal requirements and this would be considered by court when proceeding with prosecution actions against importers.

Sales and Test of Food Products

29. A trade representative said that the duration of laboratory test was too long. In one case, the laboratory test on a food product was completed only after three months. By then, the stock of this food product was all sold out in the market. This caused embarrassment to the trader and posed a potential hazard to consumers if the food product was found unsatisfactory for human consumption. Mr. C. H. WONG said that the arrangement of releasing the consignment of imported food products after inspection with samples taken for analyses has been put into practice for a long time. Such an arrangement applied to food products that had passed the hold and test import clearance procedure. Food traders whereby have a benefit in trading and the imported food products were still under legislative control. Prosecution action would still be taken out against the importer in case the result of laboratory test of food sample was unsatisfactory.

Date of Next Meeting

30. Trade representatives would be notified of the date of next meeting.

31. There being no other business, the meeting was adjourned at 5:05 p.m.