Background of Pesticide Residues in Food Regulation (Cap. 132CM)

Centre for Food Safety
8 August 2018
Background

- The Pesticide Residues in Food Regulation (Cap. 132CM, “the Regulation”) came into operation on 1 August 2014 after a two-year grace period

- It aims
  - to strengthen the regulation of pesticide residues in food to better protect public health
  - to promote harmonization between local and international standards
Background

The general principle of the Regulation

The levels of pesticide residues present in food are not permitted to exceed the MRLs/EMRLs* set out in Schedule 1 of the Regulation

For pesticide residues with no specified MRLs/EMRLs in Schedule 1

- except for exempted pesticides, import or sale of food containing pesticide residues with no specified MRLs/EMRLs in Schedule 1 is only allowed if the consumption of the food concerned is not dangerous or prejudicial to health

* MRLs: Maximum Residue Limits
EMRLs: Extraneous Maximum Residue Limits
Any person who imports, manufactures or sells any food not in compliance with the requirements of the Regulation concerning pesticide residues

- commits an offence

- is liable to a maximum fine of $50,000 and to imprisonment for six months upon conviction
The formulation of Schedule 1 to the Regulation was based primarily on the available standards recommended by Codex* in 2011 supplemented by standards of major food exporting places to Hong Kong (including Mainland, the United States and Thailand) available at that time taking into consideration comments received from stakeholders during public consultations.

* Codex: the Codex Alimentarius Commission
The Centre for Food Safety made reference to Codex’s food classification system for consistency.

- the 1993 version of “Codex Classification of Foods and Animal Feeds” (CAC/MISC 4)
- the revised classification for fruits adopted by Codex in 2012

This has the added benefit of adopting the uniform nomenclature used in international trade.
Schedule 1 and 2 to the Regulation

- Schedule 1 specifies a list of MRLs and EMRLs for certain pesticide-food pairs, i.e. the maximum concentration of specified pesticide residues permitted in specific food commodities.

- Schedule 2 specifies a list of exempted pesticides with no specified MRLs/EMRLs.
Mechanism for handling proposal on adding/revising MRLs/EMRLs and exempted pesticides

- Members of the trade may submit proposals, **with sufficient supporting information** to Director of Food and Environmental Hygiene for consideration
  - to **propose revision to existing** MRLs/EMRLs
  - to **propose new** MRLs/EMRLs and exempted pesticides for inclusion in Schedule 1 and 2