

Public Consultation on

# Proposed Regulatory Framework for Pesticide Residues in Food in Hong Kong



November 2007



## **What is pesticide?**

Pesticides generally refer to substances used to kill or control weeds, unwanted insects, fungi, rodents or other pests. Farmers use pesticides to protect crops, e.g. fruits and vegetables, from insects, pests, weeds and fungal diseases whilst they are growing and to protect harvested crops from rats, mice, flies and other insects during storage. Pesticides are also applied to food animals for the control of diseases caused by fleas and lice, etc.

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

Small amounts of pesticide residues may remain in food either resulted from the direct use of pesticides on the crops as mentioned above, farm animal feeding on pesticide treated feed, or environmental contamination.

Excessive exposure to some pesticides may cause adverse health effects to consumers. To protect public health, the Codex Alimentarius Commission<sup>1</sup> (Codex) has established maximum residue limits (MRLs) for individual pesticides in selected food commodities.

For some pesticides that have been banned or are no longer in use (e.g. DDT, lindane) in agriculture, trace amount of their residues and metabolites may be present in food as environmental contaminants because of their persistence in nature. Codex has also established “extraneous maximum residue limits” (EMRLs) for these compounds.

Currently, we do not have a specific legislation to govern pesticide residues in food in Hong Kong, and this poses regulatory and enforcement problems.

<sup>1</sup> The Codex Alimentarius Commission was established in 1963 by the United Nations Food and Agriculture Organization and World Health Organization to develop international food standards, guidelines and related texts.

## The proposed regulatory framework

To better protect public health, facilitate effective regulatory control of pesticide residues in food and promote harmonization between local and international standards, the Administration proposes to introduce a new subsidiary legislation to govern pesticide residues in food in Hong Kong.

The proposed regulatory framework is summarised as follows:

- 1. To adopt the definitions of “pesticide” and other related terms from Codex*

To demarcate the scope of control, it is proposed to follow the Codex definitions of “pesticide” and related terms, e.g. MRLs and EMRLs. This will also facilitate the selection of appropriate MRLs and EMRLs for relevant pesticides to our new legislation.

- 2. To adopt a “positive list” approach*

Under a “positive list” approach, MRLs of pesticides that are allowed to be found in food are clearly specified in the legislation. This approach offers more comprehensive control and also facilitates effective enforcement measures.

- 3. To adopt MRLs developed by Codex as the backbone*

A two-step approach is proposed to determine MRLs and EMRLs for Hong Kong. As a first step, it is proposed to adopt the MRLs and EMRLs of individual pesticides recommended by Codex as the backbone, supplemented by related standards of the Mainland and other major exporting countries, notably Thailand and the USA. An estimated total of some 400 pesticides will be covered. As a second step, risk assessment studies will be conducted using internationally accepted methods to assess whether the proposed MRLs and EMRLs are



adequate to protect public health in the local setting.

**4. *To develop a “default value” for pesticide residues without specified MRLs***

To tie in with the “positive list” approach, it is necessary to deal with pesticide residues for which no MRLs or EMRLs have been specified in the legislation. It is proposed to set a “default value”, i.e. the detection of any such pesticide residue is only considered unacceptable when the residual level exceeds a “default value”.

**5. *To develop a list of “exempted substances”***

In order to facilitate the trade to use pesticides that are natural and the residues of which are identical to or indistinguishable from natural food components, it is proposed to develop a list of “exempted substances”. The principles of developing such a list should be: (i) the substances used fall under the definition of pesticides; (ii) MRLs are considered not necessary by other regulatory authorities; and (iii) the substances will not pose any public health risk.

**6. *To adopt Codex’s classification of foods***

It is proposed to adopt Codex’s classification of foods to ensure uniform nomenclature among international trade and for the purpose of establishing group MRLs for food commodities of similar characteristics and residue potential.

**7. *To implement the new subsidiary legislation with a grace period***

To allow sufficient time for laboratories (both private and government) to develop testing methods for pesticides and the trade in complying with the new regulatory requirement, it is

proposed to grant a two-year grace period for this new piece of subsidiary legislation.

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

- Communication Resource Unit  
Centre for Food Safety  
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 Administration invites your views on the proposed regulatory framework. Please send your comments by letter, facsimile or e-mail to the Centre for Food Safety before 31 January 2008:

Centre for Food Safety  
(Attn.: Risk Assessment Section)  
Food and Environmental Hygiene Department  
43/F, Queensway Government Offices,  
66 Queensway,  
Hong Kong  
Facsimile : (852) 2893 3547  
E-mail address : [pesticide\\_consultation@fehd.gov.hk](mailto:pesticide_consultation@fehd.gov.hk)  
Enquiry tel. no. : (852) 2867 5699

## Public forum

Two public forums for introducing and discussing the proposed regulatory framework for pesticide residues in food will be held during the consultation period:

	1st Forum	2nd Forum
<b>Date</b>	7 December 2007 (Friday)	18 December 2007 (Tuesday)
<b>Time</b>	2:30 p.m. to 4:30 p.m.	10:00 a.m. to 12:00 noon
<b>Venue</b>	Hall, 2/F, Lai Chi Kok Government Offices, 19 Lai Wan Road, Lai Chi Kok, Kowloon	Lecture Theatre, G/F., Hong Kong Central Library, 66 Causeway Road, Causeway Bay, Hong Kong
<b>Registration</b>	Please call the Communication Resource Unit of the Centre for Food Safety at 2381 6096 during office hours for registration. Seats are limited. Acceptance of registration is on a first-come-first-served basis.	
<b>Remarks</b>	The forums will be conducted in Cantonese with simultaneous interpretation in English.	

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.