

Refined Regulatory Framework for Pesticide Residues in Food in Hong Kong – Progress Update

Technical Meeting
30 March 2012



Outline

- ✿ Background
- ✿ Public consultation 2011
- ✿ Finalising the regulatory framework
- ✿ Way forward

Background

Background

- ✿ Refined Regulatory Framework for Pesticide Residues in Food in Hong Kong
 - ✦ **Jul 2011** : LegCo Panel on Food Safety and Environmental Hygiene
 - Panel members indicated support in principle
 - ✦ **Jul – Sep 2011** : 2-month Public Consultation
 - A consultation document was issued

諮詢文件

香港食物中殘餘除害劑的 修訂後規管方案

二零一一年七月



Consultation Document

Refined Regulatory Framework for **Pesticide Residues in Food** in Hong Kong

July 2011



Public Consultation 2011 (1)

- ✿ Received 27 submissions from individuals and organisations:
 - ✦ Mostly trade associations and consulates general

- ✿ Also received views through various other channels:
 - ✦ LegCo Panel on Food Safety and Environmental Hygiene
 - ✦ The Retail Task Force under the Business Facilitation Advisory Committee
 - ✦ The Federation of Vegetable Marketing Co-operatives Societies Ltd.
 - ✦ Regular Trade Consultation Forums organised by CFS
 - ✦ Special technical meetings with the food trade

Public Consultation 2011 (2)

- ✿ The trade and the public expressed support of a regulatory framework for pesticide residues in food, to strengthen food safety
- ✿ Majority of views received:
 - ✦ Comments on specific pesticide residue limits in food in the Preliminary List of MRLs/EMRLs
 - ✦ Sought clarification on the operational details of the framework
- ✿ A summary of opinions and written submissions have been uploaded onto the websites of FHB and CFS

Finalising the Regulatory Framework

Key features of the refined regulatory framework

- ✿ to define “pesticide” and other related terms in a way consistent with Codex;
- ✿ to provide a list of MRLs/EMRLs, to adopt MRLs/EMRLs recommended by Codex as the backbone as well as the Codex’s classification of foods;
- ✿ to only allow the import and sale of food with pesticide residues for which no MRL/EMRL has been specified if consumption of the food concerned will not be dangerous or prejudicial to health;
- ✿ to provide a list of exempted pesticides;
- ✿ to accept proposal of new / revised MRLs/EMRLs and exempted pesticides;
- ✿ to dovetail the proposed Regulation with the registration of pesticides for use on food crops under the Pesticides Ordinance (Cap. 133); and
- ✿ to commence the proposed Regulation after a two-year grace period.

MRLs / EMRLs for Foods in a Dried, Dehydrated or Concentrated Form and for Compounded Food

- ✿ Regulatory control of pesticide residues in foods in dried, dehydrated or concentrated form and in compounded food
 - ✿ Taken reference from practice in other places, e.g., Australia, New Zealand, European Union, and the United States
- ✿ Main factors for consideration –
 - ✿ Change in water content
 - ✿ Proportion of a food ingredient in a multi-ingredient product

Documents and Data Required for Proposal of New / Revised MRLs/EMRLs and Exempted Pesticides

- ✿ Concerns on accessibility by importers/food trade to relevant information (e.g. supervised field trial data) generated and owned by pesticide companies
- ✿ For MRL/EMRL or exempted pesticide adopted by Codex or in force in other places:
 - ✦ May provide evaluation reports (JMPR or other competent authorities) to support the proposal
- ✿ Field trial data desirable but not essential except for establishing a brand new MRL currently not in force anywhere in the world

Dovetailing with Registration of Pesticides for Use on Local Food Crops

- ✿ The Pesticide Ordinance (Cap. 133) requires pesticides for use in Hong Kong be registered by the DAFC
- ✿ To ensure that a newly registered pesticide for use on local food crops under Cap. 133 is properly regulated under the proposed Regulation -
 - ✿ DAFC would require the applicant to provide information about the MRL(s) of the pesticide concerned in Schedule 1 to the proposed Regulation or whether the pesticide concerned is an exempted pesticide in Schedule 2 to the proposed Regulation.
 - ✿ If not available, the applicant should first propose to DFEH for related MRL(s) or exempted pesticides before submitting the application to DAFC under Cap. 133

The Current Proposed Schedules (1)

- ✿ The MRLs/EMRLs list update:
 - ✦ Latest available standards (as of April 2011) of Codex, the Mainland, USA and Thailand
 - ✦ Comments received during the consultation exercise
 - ✦ Pesticide-food pairs of local concern, as advised by DAFC
- ✿ Risk assessment based on local food consumption patterns
 - ✦ To ensure adequate protection of public health in Hong Kong
- ✿ The current list of MRLs / EMRLs consists of 360 pesticides and residue limits for over 7 000 pesticide-food pairs
 - ✦ Covered food items commonly found in the local diet

The Current Proposed Schedules (2)

- ✿ The Exempted Pesticides List update:
 - ✦ latest development in the international communities
 - ✦ views received during the consultation exercise
- ✿ The current list of exempted pesticides consists of 78 pesticides

Way Forward

- ✿ Finalising the proposed Pesticide Residues in Food Regulation
 - ✿ For tabling in LegCo within the current session
- ✿ During the two-year grace period, provide technical support to facilitate the trade in complying with the proposed Regulation
 - ✿ Guidance documents, briefings, or workshops, etc.
- ✿ Guidance documents under preparation
 - ✿ Food classification for applying MRLs/EMRLs
 - ✿ Proposal for adding/revising MRLs/EMRLs and exempted pesticides

End