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
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

خاصية Regulatory control of pesticide residues in foods in dried, dehydrated or concentrated form and in compounded food

خاصية Taken reference from practice in other places, e.g., Australia, New Zealand, European Union, and the United States

خاصية Main factors for consideration –

خاصية Change in water content

خاصية 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