

# 9

## 第九章

### 實現理想

- 人手和架構
- 制訂新的食物安全規管框架
- 改善邊境管制站
- 加強警報系統
- 未來發展

## Chapter 9

### From Vision to Reality

- Manpower and Structure
- Developing a New Food Safety Regulatory Framework
- Upgrading Border Control Points
- Enhancing Information Alert System
- The Future





香港法例  
LAWS  
OF  
HONG KONG

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中心自二零零六年五月成立以來，透過政府、食物業界和消費者三方通力合作，一直在食物鏈中各個重要環節，推行有效的機制，由養殖場審核以至與業界和消費者的溝通，藉以提高香港的食物安全水準。

### 源頭監控和法定規管架構

從源頭開始，中心加強了審核養殖場，並與各主要食品供應地區的有關當局（特別是內地當局）建立更緊密的伙伴關係。除了現有的進口法例外，香港已實施禽蛋進口商自願登記計劃和其他行政措施，包括登記養殖場、檢查衛生證明文件，以監控內地供港蔬菜、禽蛋和淡水魚。為了採用嶄新的方法處理食物安全問題，當務之急是盡快改革法例，好能設立有效的食物追查制度和使食物業須向消費者負責。除了改革食物規管機制外，政府亦繼續檢討現行的食物標準，包括關於防腐劑及獸藥殘餘的標準，以確保這些標準在急劇轉變的環境中仍能切合時宜。在首個全港市民食物消費量調查和總膳食研究完成後，中心以科學方法評估食物風險以制訂食物安全標準和處理食物事故的能力，將可大大提升。

### 食品監察和處理食物事故

食品監察計劃經修訂後，中心抽取食物樣本的目標已從查核是否符合法定要求和以數量為本變為更專項、積極和以消費者為本。在建立食物追查制度後，經修訂的食品監察計劃將更加有效，因為中心可迅速採取適當行動對付有問題的食物，以及在

源頭處理。食物安全事故廣為公眾關注，中心不斷改善回應策略，包括與業界和公眾溝通的方法。中心已採納預防原則，當初步評估顯示食物或會危害健康時便發出公告。擬議的立法追查制度和下令回收食物的權力，將可讓中心有更多方法有效處理食物安全事故。

### 溝通和協作

全球的食物安全機構和專家都認同食物安全是政府、食物業界和消費者共同承擔的責任。中心透過經常交流和協作，與所有持分者建立有建設性和互惠的關係。中心十分注重和所有持分者，包括市民、業界和傳媒的溝通和合作，並採取相關措施，包括設立消費者聯繫小組和業界諮詢論壇，從而建立信任和信心。作為全球化世界下的食物安全機構，中心一直致力拓展國際網絡，以謀求合作機會及盡快得到其他國家和地區的最新資訊。

## 人手 和架構

中心採取各種措施，以致力達成推廣食物安全的使命，人力資源亦須相應增加以配合工作。中心在成立初期有400多名人員。中心經常檢討人手和架構，以確保能配合就所定的目標、使命和承諾而進行的主要工作。中心亦需要完善的配套，以達到目標和體現其價值標準。此外，除了處理現有的工作外，中心還須面對日後發展上的挑戰，以及不斷轉變和出現的食物安全問題。



*From farm audits to exchanges with the trade and the consumers, the CFS has since its establishment in May 2006 been building up important components along the food chain to promote food safety standard in Hong Kong through active tripartite collaboration among the Government, the food trade and the consumers.*

### Control at Source and Legislative Regulatory Framework

Beginning at the source, the CFS has been enhancing its farm audit work and its partnership with relevant authorities of our major food suppliers, in particular those of the Mainland. In addition to the existing legislative import controls, the CFS has put in place a voluntary enrolment scheme for egg importers and various administrative measures. The latter include registered farms system and inspection of health documents for controlling vegetables, eggs and freshwater fish from the Mainland. To realize a new approach in handling food safety issues, high priority has been set to urgently bring about a fundamental change in the legislative regime, to put in place an effective food tracing system and to facilitate the building up of a responsible and accountable food industry. Apart from an overhaul of the food regulatory regime, continuous review of existing food standards are taking place to ensure that they are able to deal with the rapidly changing environment, including standards on preservatives, veterinary drug residues. The capacity of the CFS to scientifically assess food risks in setting food standards and managing food incidents is going to improve significantly

with the completion of the first population-based Food Consumption Survey and the Total Diet Studies.

### Food Surveillance and Food Incidents Response

Under our revised food surveillance strategy, our sampling goals have shifted from being quantity and compliance-focused to being more proactive, targeted and client-oriented. With a food tracing system in place, the improved food surveillance strategy will become even more effective, for the CFS will be able to take quick and appropriate action with regard to the implicated food, and to manage the problem at source. Food incidents have been catching major public attention and the CFS has been refining its response plan, including its communications with the trade and the public. Precautionary principle has been adopted and public announcements are made when initial assessment reveals possible health risk. The proposed legislation-backed tracing system and the power of ordering food recall will also provide more options for effective management of food incidents.

### Communication and Collaboration

Food safety as a joint responsibility of the Government, the food trade and the consumers is now a concept recognised by food safety agencies and experts worldwide. The CFS has been building up a constructive and mutually beneficial relationship among all stakeholders through regular exchanges and collaborations. The CFS values very highly its communications and partnerships with all stakeholders, including the public, the trade, the media, and relevant measures



為此，中心增聘人員擔任多方面的工作，包括加強進口管制、食用動物疾病監察，以至增加對養殖場和加工場的視察次數。中心有由多個界別的專業人員組成的隊伍，包括公共衛生醫生和護士、獸醫、食物化驗師、食物科學主任和其他食物專家，例如營養師、食物生物科技學主任、食物毒理學主任，以及衛生督察職系人員。他們不同的專業知識十分重要，而中心亦會參考其他食物安全當局的做法，確保能掌握所需的專家意見。我們計劃於二零零八年首季把中心的人數增至約560名。此外，為應付日益增加的食物安全工作，政府將認真檢討人手調配的可能性，並在有需要時為所有負責食物安全工作的部門爭取額外的人手和資源。

增聘人員只是為實現目標邁出的其中一步。中心會根據以下目標，以期進一步發展中心的架構和善用資源：

- 為中心制訂可預見和長遠的策略與目標；
- 推行改善效益和效率的措施，即“更精明地管理和執行工作”，務求利用最新科技以最少資源收到最大成效；及
- 經常檢討中心的架構，好能更有效運用現有資源。

為進一步實現目標，政府近月已展開多項重要的計劃。

## 制訂新的 食物安全規管框架

為改善現行規管架構不足的地方，政府已着手制訂法例，以建立一個新的框架。新框架的目的是保障在本港供應的食物可安全食用、授權政府禁止不安全的食物在市場出售，並確保在監察、查找、評估和處理食物安全問題方面，備有奏效和有效率的制度，以保障公眾健康。新框架的其他

have been adopted, including the setting up of the Consumer Liaison Group and the Trade Consultation Forum, for trust and confidence building. As a food safety authority in a globalised world, the CFS has also been cultivating extensive international network, for cooperation opportunities and for prompt access to international updates.

## Manpower and Structure

With the range of initiatives that the CFS has been pursuing to fulfil its mission of promoting food safety, corresponding upgrading of its human resources is essential. The CFS started with some 400 staff and the manpower and structure of the CFS is under constant review to ensure that they are appropriate for the stated goals, mission and key tasks to which the CFS is committed. The CFS must also remain fully equipped to meet its objectives and to fulfil the organisational values it represents. Furthermore, the CFS must not only address existing operational tasks but must face an important development task in the years to come, as food safety problems evolve and emerge.

With this in mind, the CFS has been recruiting new staff to undertake work as varied as strengthening import control, enhancing food animal disease surveillance, and increasing farm and processing plant inspection. Its multi-disciplinary team consists of public health physicians and nurses, veterinarians, food chemists, food scientists and other food experts such as nutritionists, food biotechnologists, food toxicologists, as well as health inspectorate grade officers.

Such cross-disciplinary team is essential and references are made to other food safety authorities to ensure that appropriate expert advice is available. Our plan is to build up a 560-man strong team by the first quarter of 2008. Furthermore, to cope with further increase of work in food safety, the Government will also critically review the redeployment opportunities of resources and, if need be, proceed to solicit additional headcounts and resources for food safety related departments.

However, recruitment of more staff is not an end in itself, but represents just one means to achieve our objectives. Accordingly, the CFS will consider the following objectives in further developing its structure and using its resources:

- **Formulation of foreseeable and long-term strategies and goals for the CFS;**
- **Implementation of measures to enhance effectiveness and efficiency, i.e. “smarter management and enforcement”, utilising the latest technology to allow us to achieve more with less; and**
- **Constant reviews of the CFS structure to better direct available resources.**

To further realise our objectives and goals, the Administration has started a number of major projects in recent months.

## Developing a New Food Safety Regulatory Framework

In order to address the deficiencies of the existing regulatory regime, the Administration has begun work on a new legislation to

目的，是加強追查食物的能力，以及由食物業人士承擔供應安全食物的責任。

我們亦打算在新框架下訂立新規定，強制所有食物進口商和分銷商須向中心登記。最近發生的食物安全事故顯示，供應的食物通常經過不同層面的分銷商，除非中心事先知道食物分銷鏈上所牽涉的有關各方，否則一旦發生食物事故，要有效追查和阻止有問題的食物流入市面有一定困難。

與食物進口商和分銷商登記工作同時推行的，還有為所有高危食物實施食物進口證制度。現時進口的肉類、家禽和野味已設有進口證制度，當局很快亦會立法規管進口禽蛋。我們計劃把進口證制度的適用範圍，伸延至包括其他風險較高的食物，例如海鮮及其他水產、蔬果。我們希望藉着全面的登記和進口證制度，當發生食物事故時，例如發現食物含有違禁物質或過量的准許物質、食物標籤不正確、或當中心從國際新聞機構或食物安全當局方面得悉

食物不安全時，可以迅速、有效率和主動回應，在食物流入市面前回收及禁止其進一步入口。

由於制訂新框架的工作十分繁複需時，我們已就規管進口禽蛋、推行預先包裝食品營養標籤制度、制定食物內的農藥殘留上限等另行立法，這些立法工作相對較為簡單。

## 改善 邊境管制站

在規管、監測和監察進口食物方面，邊境管制站扮演“守門人”的角色。我們一直增加陸路、海路及機場各管制站的人手。目前，從內地運送食物的車輛，可經文錦渡、落馬洲或沙頭角到達香港。活生食用動物和其他新鮮食物，例如蔬菜、活魚、肉、家禽和禽蛋，則只可使用文錦渡邊境管制站。為加強對活生及新鮮食品的監察，我們正計劃於陸路管制站加強硬件及基建設施，特別是正積極計劃改善文錦渡的設施。





bring about a different framework. The new regulatory framework aims at guaranteeing the supply of safe food in Hong Kong, empowering the Administration to prohibit the sale of unsafe food in the market, and ensuring that effective and efficient systems are in place to monitor, identify, assess and respond to food safety problems for the protection of public health. The new regulatory framework also aims at enhancing food traceability and placing the responsibility of the supply of safe food back onto the food traders.

As part of the new regulatory framework, we also intend to impose a new requirement mandating that all food importers and distributors register with the CFS. The experience of recent food safety incidents has shown that the supply of food can often go through different layers of distributors and unless all those involved in the food distribution chain are identified in advance by the CFS, its effectiveness in tracing and containing the spread of problem food in a food incident is hampered.

Going hand in hand with the food importer and distributor registration will be the implementation of a food import permit system for high-risk foods. The import permit system is already in place for meat, poultry and game imports, and legislation will be in place very soon for egg imports. We intend to expand the scope of the permit system to cover other relatively high risk food products such as seafood and other aquatic products, vegetables and fruit. With a comprehensive registration and permit system, we hope to be able to respond quickly, efficiently and proactively

to incidents where, for example, food is found to contain prohibited substances or excessive permitted substances, or where food is labelled incorrectly, or even when the CFS receives information from international news agencies or food safety authorities regarding unsafe food, so that food can be recalled before it reaches the consumers and marketplaces, and further import is not permitted.

As the development of the new regulatory framework is a highly complex task requiring considerable time to complete, the Administration has also embarked on a number of comparatively less complex legislative works, which include regulation on imported poultry eggs, Labelling Scheme on Nutrition Information for pre-packaged foods, standards on pesticide residues in food, etc.

## Upgrading Border Control Points

Our border control points are important “gatekeepers” in the regulation, monitoring and surveillance of imported food. We are strengthening manpower support at various control points via land, sea and air. Presently, vehicles carrying food may enter Hong Kong from the Mainland via Man Kam To (MKT), Lok Ma Chau (LMC) or Sha Tau Kok (STK). Live food animals and other fresh foods like vegetables, live fish, meat, poultry and eggs are restricted to the MKT border control point. To increase emphasis on live and fresh produce, we are planning for major enhancement in the hardware and infrastructure at the land border, in particular, the CFS is actively planning to upgrade the facilities at MKT.



## 加強 警報系統

中心一向致力完善轄下的資訊發放系統，這在發生食物事故或危機時尤為重要。中心正計劃在現有電子資料傳送系統的基礎上，增設一個加強警報系統，以期快速傳送資料。中心會邀請食物業人士和其他有關人士登記為新系統的用戶，接收各種食物安全資訊，例如食物回收、食物事故、食物風險評估報告和食品監察結果等。

## 未來 發展

為應付日趨繁重的工作，中心已加強人手，並且確切檢討是否可以重新分配資源。在未來數年，中心必須不斷檢討人手和架構，才能適應轉變和推行新計劃。所有新發展將會順暢地融入日常工作，而我們在日常工作所得的知識也會用於構思創新的服務。根據在首年所建立的基礎和在運作上所得經驗，中心將會不斷發展和改進，以達致社會的期望，為香港市民提供更好的服務。



## Enhancing Information Alert System

The CFS is constantly looking into means to perfect its information dissemination system. This is particularly important in the event of food incidents or crises. Building upon the existing electronic information delivery platform, the CFS is planning to launch an enhanced alert system for prompt delivery of relevant information. Food traders and other interested parties will be invited to subscribe to the new system for receiving different types of food safety information such as food recalls, food incidents, food risk assessment reports and food surveillance programme results, etc.

## The Future

To cope with the increasing amount of work, the CFS has been strengthening its manpower and critically reviewing any opportunity for redeployment of resources. In the years to come, on-going reviews of the manpower and structure is necessary to allow the CFS to adapt to changing circumstances and to implement new initiatives. Any new developments will be integrated seamlessly into our day-to-day work practices while the knowledge gained in our regular work will be utilized in coming up with innovative ideas. Building on its foundation and experience gained from its first year, the CFS will continue to grow and improve, to live up to the expectations of the community and to better serve the people of Hong Kong.

