

Hong Kong Customs investigates suspected case of supplying surgical masks with false trade descriptions to GLD (with photos)

Hong Kong Customs is currently investigating a case in which surgical masks with suspected false trade descriptions were supplied to the Government Logistics Department (GLD). Four persons, including directors and staff members, of the two suppliers involved in the case were arrested for being in contravention of the Trade Descriptions Ordinance (TDO).

Customs received information from a surgical mask agent last month alleging that surgical masks with a suspected false claim on the manufacturer were being supplied to the GLD.

Customs officers immediately launched an investigation and discovered that the surgical masks involved in the case were imported from the Mainland by a local trading company and were then supplied to the GLD by another local trading company. The surgical masks were packed in boxes of 50 pieces and the information of a mainland manufacturer was printed on the packaging boxes. Customs contacted the manufacturer according to the information. Upon examination by the manufacturer's representative, multiple differences were found between the masks involved and those produced by the manufacturer in terms of the product features and the packaging box design. It was confirmed that the masks involved were not produced by that manufacturer.

It was also found that the trademark, which was printed on the packaging boxes of the masks involved, was not registered in Hong Kong. However, the spelling of the printed trademark is the same as the registered trademark of the manufacturer. It is suspected that consumers would be misled to believe that the masks involved are products of the registered trademark.

Customs later seized a batch of documents from two trading companies involved, which are located in Hung Hom and Kwun Tong. Two men and two women, consisting of two company directors and two staff members, were arrested. The four arrested persons, aged between 36 and 44, have been released on bail pending further investigation.

Samples of the masks involved in the case have also been sent to a laboratory for tests on the bacterial count. The test results confirmed that the samples are in compliance with the relevant standard, without violating the Consumer Goods Safety Ordinance (CGSO). For the sake of safety, Customs appeals to members of the public to stop using that type of surgical mask, even though the bacterial count falls within the standard, since its source is unknown.

An investigation is ongoing and the likelihood of further arrests is not

ruled out.

According to the information provided by the GLD, a total of 3.59 million of the masks concerned have been kept in stock and about 3.12 million were allocated to 11 government departments. The GLD has earlier informed those departments to stop using the masks and arranged to return the masks concerned. A preliminary counting indicated about 1.58 million masks will be returned. Then the GLD will transfer all 5.17 million masks to Customs for further handling.

Customs launched a large-scale territory-wide special operation codenamed "Guardian" since January 27 this year to conduct spot-checks and enforcement operations against common protective items. More than 5 300 officers have been mobilised to conduct over 35 000 inspections at retail spots. Investigations have been conducted against 13 cases of suspected violations of the TD0 and 11 cases of suspected violations of the CGS0. Sixty-one persons have been arrested so far and goods suspected of violating the law including nearly 124 000 surgical masks, 306 bottles of disinfectant alcohol and 23 bottles of normal saline have been seized.

The operation has been running for over five months to date. The following three observations were made regarding the compliance situation of common protective items being sold in the market:

- Masks failed to comply with the bacterial count safety tests have total bacterial counts exceeding the maximum permitted level from 15 per cent to 11.5 times. They have mostly originated from Southeast Asian countries. Moreover, loose-packed surgical masks have a relatively higher risk;
- Disinfectant alcohol violating relevant laws mainly contained methanol with a range from 1.6 per cent to 52 per cent. As well, test results revealed that the content or type of alcohol was different from what had been declared; and
- Basically no violation of relevant ordinances was detected for disinfectant hand sanitisers.

Moreover, Customs has further expanded the scope of the "Guardian" operation since early April through an outreach programme to contact local mask manufacturers and the management of online surgical mask retailers offering bulk presales to carry out compliance promotions. The programme has made good progress since its launch nearly three months ago. To date, Customs has met with over 50 manufacturers and online retailers through the programme and examined the proof of their products' specifications. They have also been given special reminders on strict compliance with relevant laws.

The "Guardian" operation will continue and Customs will carry on its high-profile law enforcement to tie in with the compliance promotion outreach programme in order to combat and prevent violation of relevant ordinances.

Members of the public may report any suspected violation of the TD0 or the CGS0 to Customs' 24-hour hotline 2545 6182 or its dedicated crime-

reporting email account (crimereport@customs.gov.hk).

