

## LCQ16: Control for food safety of fruits and vegetables

Following is a question by the Hon Steven Ho and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (July 11):

Question:

Regarding the Government's control for food safety of fruits and vegetables, will the Government inform this Council:

(1) given that the Centre for Food Safety under the Food and Environmental Hygiene Department (FEHD) conducts sampling checks on fruits and vegetables imported by sea, land and air at its Kwai Chung checkpoint, Man Kam To office (MKT office) and airport office respectively, of the details of the sampling check procedure (including the methods for taking samples of fruits and vegetables for laboratory tests); in respect of each type of imported fruits and vegetables, the current average daily quantity going through each checkpoint as well as the quantity and percentage of such quantity taken for laboratory tests (set out in a table);

(2) of the quantities of fruits and vegetables imported from the Mainland in each of the past five years; the criteria currently adopted at MKT office for conducting sampling checks on fruits and vegetables imported from the Mainland, as well as the quantities and percentages concerned;

(3) whether it will proactively improve the procedure for conducting sampling checks on imported fruits and vegetables, so that checks on fruits and vegetables fully packed in lorries are conducted in a more effective and expeditious manner; if so, of the details; if not, the reasons for that;

(4) given that many lorries carrying imported fruits and vegetables enter Hong Kong through MKT office every day, of the maximum number of lorries per hour in respect of which the sampling checks on the fruits and vegetables carried can be handled by the MKT office's staff, and the approach for handling the situation where the number of lorries that arrive exceeds that number; whether the Government will study (i) how sampling checks on fruits and vegetables can be conducted more flexibly and expeditiously at the MKT office, and (ii) the re-provisioning of the MKT office at a suitable location with a view to developing a centre that combines the functions of conducting sampling checks on fruits and vegetables with wholesale functions; if so, of the details; if not, the reasons for that;

(5) as it has been reported that some traders, after mixing organic vegetables with imported vegetables or other vegetables which have not gone through sampling checks and with unknown places of origins, sell such mixed vegetables as organic vegetables, of the measures to be put in place by the

Government to combat such trade practice and ensure food safety; of the number of prosecutions instituted in the past five years by the Government in this regard, and the penalties imposed on the convicted persons; and

(6) given that the Office of The Ombudsman made eight recommendations in its direct investigation report entitled Food and Environmental Hygiene Department's System of Safety Control for Imported Fruits and Vegetables released in November last year, of the latest progress of FEHD's follow-up work on each of these recommendations?

Reply:

President,

The laws of Hong Kong stipulate that all food for sale must be fit for human consumption. The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department takes food samples at the import, wholesale and retail levels for testing and adopts a risk-based approach in determining the types and the sizes of samples to be collected and the laboratory analyses to be conducted.

The reply to the various parts of the question is as follows:

(1), (2) and (4) On the sampling of vegetables and fruits at the import level for testing, the CFS conducts sampling mainly at its checkpoints or offices at various control points. The majority of imported vegetables and fruits enter Hong Kong by land or air, whereas a limited amount is imported by sea.

All vegetables and fruits entering Hong Kong by land are imported from the Mainland through Man Kam To Control Point (MKTCP). When an inbound goods vehicle carrying vegetables and fruits arrives at the Man Kam To Food Control Office (MKTFCO), CFS staff would check if the seal on the vehicle remains intact, examine the accompanying documents, and adopt a risk-based approach in taking samples for quick tests for pesticide residues and comprehensive chemical analysis.

Regarding vegetables and fruits imported by air, upon arrival of the air cargos in Hong Kong, the importers would follow the instructions of the Customs and Excise Department (C&ED) to submit import documents to CFS' office at the airport. CFS staff would examine the import documents and adopt a risk-based approach to take samples for testing.

As for vegetables and fruits imported by sea, the CFS adopts a risk-based approach to arrange importers to bring the vehicles carrying the relevant consignments of vegetables and fruits to the Food Control Checkpoint at Kwai Chung Customhouse for examining the import documents and taking samples for testing, or to arrange CFS staff to carry out the relevant work on the consignments of vegetables and fruits concerned in the warehouses/cold storages of the importers.

According to the data provided by the Census and Statistics Department,

the amount of vegetables and fruits imported from the Mainland to Hong Kong in the past five years is as below:

	2013 (tonnes)	2014 (tonnes)	2015 (tonnes)	2016 (tonnes)	2017 (tonnes)
Vegetables	761 636	756 685	765 533	789 345	821 781
Fruits	184 105	188 459	203 952	220 106	217 194

The number of goods vehicles carrying imported vegetables through MKTCP, and the number and percentage of the goods vehicles inspected by CFS in the past five years are as below:

	2013	2014	2015	2016	2017
Number of goods vehicles importing vegetables to Hong Kong through MKTCP	84 523	87 583	96 891	99 793	108 536
Number of goods vehicles inspected by CFS	32 721	34 736	33 898	33 643	28 004
Percentage	38.7%	39.7%	35.0%	33.7%	25.8%

CFS has been flexibly deploying manpower to sample and inspect vehicles arriving at MKTFCO at different period of time. The operation is generally smooth. Insofar as taking food samples at the import level is concerned, the most effective venues to conduct the relevant sampling must be places as proximate to the control points as possible. Currently, we do not have plans to relocate the existing MKTFCO.

The CFS does not have breakdown figures of each type of vegetables and fruits imported through each of its checkpoints or offices.

(3) and (6) the CFS reviews its food safety control work from time to time, including the procedures for sampling imported vegetables and fruits for testing. In response to the Investigation Report on Food and Environmental Hygiene Department's System of Safety Control for Imported Fruits and Vegetables (the Investigation Report) published by the Office of The Ombudsman in November 2017, the CFS has taken various follow-up actions, as summarised below:

(i) the CFS has arranged to increase the number of fruit samples taken at MKTFCO;

(ii) the CFS has issued guidelines to frontline staff on the collection of samples of vegetables and fruits in the storage compartments of goods vehicles (including the inner parts). Also, the CFS has enhanced training and on-site guidance to frontline staff, for the effective implementation of the procedures and ensuring the occupational safety of the frontline staff;

(iii) to enhance the surveillance of fruits imported by sea, the CFS has started to take samples from the importers' warehouses for testing, and has increased the number of samples;

(iv) to enhance the surveillance of fruits imported by sea, the CFS has gradually enhanced sampling from wholesale markets for testing, and will continue to increase the number of samples;

(v) the CFS will maintain close contact with the Government Laboratory, making flexible arrangements to minimise the lead time for testing vegetable and fruit samples;

(vi) in view of the classification of the Codex Alimentarius Commission (Codex) on "lotus roots" and "bean sprouts" to which the Investigation Report had made reference, the CFS will keep in view the situation of other economies in adopting Codex's classification, and consider whether and if so how to adopt the standards concerned locally;

(vii) the Food and Health Bureau submitted the Food Adulteration (Metallic Contamination) (Amendment) Regulation 2018 to the Legislative Council on June 13, 2018 for negative vetting. The Amendment Regulation adopts the relevant Codex standard for the maximum level of "lead" in leafy vegetables. The Subcommittee on Food Adulteration (Metallic Contamination) (Amendment) Regulation 2018 of the Legislative Council is scrutinising the Amendment Regulation; and

(viii) the CFS will continue to keep in view international development, including the food safety standards set by Codex and other economies, the dietary habit of Hong Kong people as well as other relevant factors, with a view to reviewing food safety legislation and regulatory regimes as and when appropriate.

(5) Under the Trade Descriptions Ordinance (Cap. 362), any person who, in the course of any trade or business, makes false or misleading statements in respect of the goods (including organic food) he supplies commits an offence. The C&ED may take enforcement actions under the Ordinance. The C&ED has been proactively handling complaints related to false trade description, adopting a risk-based approach in prioritising its enforcement actions, and taking appropriate enforcement actions having regard to the evidence of individual cases. In the past five years, the C&ED had taken prosecution actions against three cases related to organic vegetables. All of them led to successful convictions. The convicted vendors were fined \$2,000 to \$10,000.

The CFS will continue to adopt a risk-based approach to take vegetable and fruit samples at the import, wholesale and retail levels for laboratory analysis, to ensure the safety of the vegetables and fruits for sale on the

market.