

LCQ17: Bringing regulated food into Hong Kong

Following is a question by the Hon Shiu Ka-fai and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (June 12):

Question:

In accordance with the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK), it is an offence to bring any game, meat, poultry or eggs (regulated food) into Hong Kong without health certificate issued by an issuing entity of the place of origin and/or without prior written permission granted by the Food and Environmental Hygiene Department. However, it has been reported that many members of the public have brought regulated food into Hong Kong from the Mainland or overseas in violation of the regulations, and there are even activities of cross-boundary purchase of such food by agents. The Government has pointed out that such food may come from unknown sources and may not be under regulatory control, making it difficult to guarantee the safety of consumption, and also such regulated food is often exposed to environments with unsatisfactory temperatures or hygiene during transportation, largely increasing food safety risks. In this connection, will the Government inform this Council:

(1) of the number of cases of members of the public bringing regulated food into Hong Kong in violation of the regulations and, among them, the number of cases in which prosecutions were instituted in each month of the past two years;

(2) of the maximum, general and minimum penalties imposed on the convicted persons in the prosecution cases mentioned in (1);

(3) as there is a suggestion that officers at various boundary control points can make extensive use of equipment such as X-ray machines to enhance the inspection of items brought by arrivals and on inbound vehicles, whether the authorities will consider the suggestion; if so, of the details; if not, the reasons for that;

(4) of the number of cases in the past two years in which members of the public were found, with the assistance of quarantine detector dogs, to have brought regulated food into Hong Kong in violation of the regulations; whether the authorities have plans to increase the number of quarantine detector dogs and their duty time; if so, of the details; if not, the reasons for that;

(5) in respect of activities of cross-boundary purchase of regulated food by agents (including placing orders using social network groups and then making self-pickup from local retail stores/consolidation points or direct delivery

of the goods), whether the authorities have taken targeted actions to prevent the relevant activities from posing food safety risks to members of the public; if so, of the details; if not, the reasons for that;

(6) as some meat stalls in the Mainland have claimed that their pork can be brought through customs as long as it is vacuum-packed, whether the authorities have followed up in this regard; if so, of the details; if not, the reasons for that;

(7) as there are views pointing out that uncooked seafood and aquatic food are also high-risk food, whether the Government will consider listing them as regulated food; if so, of the details; if not, the reasons for that; and

(8) of the authorities' specific plans or measures in place to reduce the number of cases of members of the public bringing regulated food into Hong Kong in violation of the regulations?

Reply:

President,

Pursuant to the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK), each consignment of imported game, meat, poultry and eggs (regulated food), whether for personal use or not, must be accompanied by a health certificate issued by the issuing entity of the place of origin or written permission from the Food and Environmental Hygiene Department (FEHD). In addition, under the Import and Export Ordinance (Cap. 60), each consignment of imported meat and poultry is required to apply for an import licence from the FEHD.

The reply to the various parts of the question is set out below:

(1) Regarding the bringing of regulated food into Hong Kong by inbound passengers from the Mainland or overseas, the number of cases referred by the Customs and Excise Department (C&ED) to the Centre for Food Safety (CFS) of the FEHD, and the number of prosecutions instituted by the CFS under Cap. 132AK in the past two years are set out below:

Month	2022		2023		2024 (Up to April 30)	
	No. of non-compliance cases	No. of prosecutions	No. of non-compliance cases	No. of prosecutions	No. of non-compliance cases	No. of prosecutions
Jan	20	22	19	23	111	124
Feb	1	1	74	85	79	93
Mar	3	3	85	106	119	141
Apr	9	10	100	118	122	145
May	13	16	98	116		
Jun	19	22	81	89		
Jul	17	22	72	84		

Aug	18	21	81	97		
Sep	11	15	89	104		
Oct	22	29	95	115		
Nov	15	17	91	108		
Dec	13	17	62	72		
Total	161	195	947	1 117	431	503

(2) From 2022 till now, the fines imposed for violation against the regulations under Cap. 132 AK are as follows:

	2022	2023	2024 (Up to April 30)
Maximum fine amount	\$4,500	\$4,000	\$3,000
Minimum fine amount	\$300	\$150	\$200
Average fine amount	\$911	\$1,046	\$933

(3) The C&ED has all along been applying risk management and intelligence exchange and analysis to combat various types of smuggling activities. Such measures include monitoring and inspecting passengers, cargoes and conveyances at various immigration control points. To enhance detection capability and clearance efficiency, the C&ED has been actively introducing and applying various types of advanced inspection equipment, including automatic X-ray detector and computerised scanning system, etc. The C&ED will closely monitor the situation of smuggling activities and continue to strengthen intelligence exchange and joint operations with the Mainland and other law enforcement agencies, so as to adjust its enforcement strategy in the light of the ever-changing smuggling situation.

(4) The existing seven Quarantine Detector Dogs (QDDs) of the CFS are mainly deployed at land boundary control points (BCPs) to assist in enforcing the regulations under Cap. 132AK. In 2022-23, the CFS detected a total of 398 suspected violation cases with the assistance of QDDs. The CFS would timely adjust the QDDs' duty hours to cope with the operational needs.

(5), (6) and (8) The CFS is committed to combating the entry of illegal food into Hong Kong. It has been maintaining close liaison and exchanging intelligence with other law enforcement departments, including the C&ED, and conducting joint blitz operations at various BCPs, as well as arranging QDDs to assist the law enforcement officers at land BCPs in their duties to combat illegal importation of food. The CFS will continue to collect intelligence and evidence through various channels and also deploy law enforcement actions based on the actual situation to crack down on the sales of regulated food through cross-boundary purchase. Regulated foods such as meat, poultry and eggs will not be exempted from the regulations under Cap. 60 and Cap. 132AK

even if they are vacuum-packed.

In addition, the CFS will also continue strengthening the publicity and education at various control points and remind the public through various channels (e.g. websites, posters, leaflets and social media) that unless a health certificate issued by the relevant authorities and import permission are provided, it is illegal to bring regulated foods such as meat, poultry and eggs into Hong Kong from the Mainland or overseas.

(7) All food for sale in Hong Kong must comply with relevant food safety standards, such as those regarding veterinary drug residues and metallic contamination. Besides, according to the Food Business Regulation (Cap. 132X), any person who sells restricted food (including fresh, chilled or frozen shellfish, as well as sashimi and oysters consumed at raw state) as specified in Schedule 2 to the Regulation requires the written permission of the FEHD. We will continue to review various relevant food safety legislations, including considering the need to strengthen regulations on the import of higher-risk aquatic products.