

LCQ9: Chilled or frozen pork being sold as fresh pork

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 (June 24):

Question:

Under the impact of the African Swine Fever epidemic on the Mainland, the number of live pigs supplied to Hong Kong from the Mainland dropped significantly last year, and has not yet returned to its previous level. It has been reported that the situation of unscrupulous traders selling chilled pork as fresh pork is quite rampant due to the persistently high prices of live pigs, members of the public being generally unable to distinguish between fresh and chilled pork, the perfunctory law enforcement by the authorities and the lack of a certification system for fresh pork in Hong Kong. Such situation may cause food safety issues and hit the business of shops selling fresh pork. In this connection, will the Government inform this Council:

- (1) of the respective lists of licensed fresh provision shops and market stalls which are permitted to sell fresh pork or chilled pork or both (collectively referred to as "fresh meat shops");
- (2) of the details of the sampling tests conducted on pork by officers of the Food and Environmental Hygiene Department (FEHD) in their inspections of fresh meat shops (including (i) the manpower for managing the sampling process, (ii) the approach adopted for taking pork samples, (iii) the monthly numbers of samples tested and (iv) the testing equipment and methods used);
- (3) of (i) the number of inspections of fresh meat shops conducted, (ii) the number of reports on traders selling chilled or frozen pork as fresh pork received, and (iii) the respective numbers of prosecutions instituted against operators of fresh meat shops for breaching the Food Business Regulation (Cap. 132X) and the Trade Descriptions Ordinance (Chapter 362), by FEHD in each of the past five years, and the punishments imposed on the convicted persons;
- (4) as some members of the trade have relayed that quite a number of fresh meat shops display and store chilled pork in ways that are non-compliant with the licensing conditions (e.g. failing to keep chilled pork in a chiller maintained at a temperature between 0 and 4 degrees Celsius, and hanging up defrosted pork to pass it off as fresh pork), whether FEHD officers have used thermometers to detect non-fresh pork when inspecting fresh meat shops; if so, of the details; if not, the reasons for that; and
- (5) whether, in the long run, the authorities will adopt a multi-pronged

approach to resolve the problem, including (i) proactively improving the procedures for conducting routine inspections of fresh meat shops (e.g. carrying out large-scale inspection operations in a high-profile manner, randomly checking invoices for purchase of pork by fresh meat shops, or mounting decoy operations), (ii) increasing the sources of imported live pigs, and (iii) establishing a comprehensive certification system for fresh pork; if so, of the details (including the implementation timetable); if not, the reasons for that?

Reply:

President,

My reply to the various parts of the question raised by the Hon Steven Ho is as follows:

(1) As at May 31, 2020, the number of licensed fresh provision shops with permission to sell fresh pork, chilled pork and both is 490, 357 and 592 respectively; the number of stalls in public markets with permission to sell fresh pork, chilled pork and both is 545, 26 and 8 respectively. Lists of the premises concerned are in Annex 1 and Annex 2.

(2) For inspections of fresh provision shops, the Centre of Food Safety (CFS) of the Food and Environmental Hygiene Department (FEHD) adopts a risk-based principle of taking food samples at the import, wholesale and retail levels for testing under its Food Surveillance Programme to ensure that food products comply with the local statutory requirements and are fit for human consumption. As meat testing is part of the food surveillance duties and the responsible staff are also tasked with other duties, the manpower involved in this aspect of work alone cannot be separately computed.

From January 2016 to May 2020, the CFS collected more than 6 100 samples of pork (including fresh, chilled and frozen pork) for chemical and microbiological testing. Except for six fresh pork samples detected to contain a preservative, sulphur dioxide, all samples were found satisfactory. The CFS has announced the unsatisfactory testing results and taken follow-up actions.

The instruments commonly used by the Government Laboratory for testing include the spectrophotometer, the chromatograph and the mass spectrometer, etc. The test methods are validated in accordance with international standards. The testing procedures generally consist of extraction, purification and analysis by instruments, etc.

(3) The number of inspections of fresh provision shops and market meat stalls conducted by FEHD, as well as the number of reports on selling chilled or frozen pork as fresh pork received by FEHD in each of the past five years (from January 2016 to May 2020) are tabulated below.

Year	2016	2017	2018	2019	2020 (Note 3)
Number of inspections of fresh provision shops (note 1) and market stalls with permission to sell various types of meat (note 2)	10 587	10 528	10 394	10 176	4 250
Number of reports on selling chilled or frozen pork as fresh pork received	29	21	29	174	87

Note 1: Fresh provision shops include shops for various kinds of meat, marine products and poultry. FEHD does not keep a separate breakdown on inspection of fresh provision shops selling fresh pork only.

Note 2: Market meat stall does not include marine products and poultry. FEHD does not keep a separate breakdown on inspection of market stalls selling fresh pork only.

Note 3: Up to May 31, 2020.

During the abovementioned period, FEHD prosecuted four fresh provision shops and one market stall under Food Business Regulation for selling fresh pork and un-prepackaged chilled pork in the same premises. Two of the cases were convicted and fined \$2,000 and \$3,000 respectively and the remaining three cases are pending trial in the court. Besides, during the same period, one fresh provision shop breached the licence condition for selling chilled pork as fresh pork and its fresh provision shop licence was cancelled by FEHD.

Besides, in the past five years (from January 2016 to May 2020), the Customs and Excise Department received a total of 73 complaints relating to suspected violations of the Trade Descriptions Ordinance involving the sale of chilled or frozen pork with false claim as fresh pork. Upon completion of investigation, no violation of the Trade Descriptions Ordinance was detected. As such, there is no prosecution or conviction to date.

(4) When inspecting the premises concerned, apart from checking the cleanliness and maintenance conditions of the refrigerators, whether the thermometer is functioning properly as well as the temperature indicated, FEHD staff also check the temperature of the refrigerator by handheld infra-red thermometers to ensure compliance of the relevant licence condition. Besides, premises selling both fresh meat and prepackaged chilled meat or selling chilled meat only are both required to display a notice with specified dimensions at conspicuous place of the shop frontage facing the customers so as to indicate clearly the product types being sold at the premises. The premises shall not display chilled meat as fresh meat or sell it as fresh meat as well.

(5) During the regular inspection of the fresh provision shops and market meat stalls and upon receiving complaints, FEHD will inspect the invoices and source of the relevant pig carcasses. For suspected non-compliances of operations or if there are suspicions over the relevant invoices and source, FEHD will carry out investigations and take appropriate follow up actions, including deploying agent provocateurs to collect relevant evidence and information. If there is sufficient evidence, prosecution and/or follow up action on the breach on licence condition will be carried out. Besides, FEHD will also arrange blitz thematic inspections and enforcement programmes to enhance the monitoring of licensed food premises on a need basis, with a view to ensuring that the hygienic conditions and operations are in compliance with the licence conditions and regulations under the law.

In regard to the proposal from the trade earlier on importing live pigs from other places (such as Thailand, Korea and Malaysia) in order to increase the source of live pig supply, the Government is willing and has been exploring the feasibility with the trade and relevant stakeholders, as well as coordinating accordingly. However, importation of live food animals entails public health and food safety considerations, including the need of a stringent protocol for testing and quarantine in order to prevent the spread of infectious diseases via animals and ensure that animals imported are safe for consumption. In addition, the Government also needs to consider in details the level of surveillance and management of animal health by relevant authorities of exporting places and the transparency of such system. As food animals from various sources may entail different risks, we have to exercise caution.