

Advisory Council on Food and Environmental Hygiene

**Minutes of the Thirty-seventh Meeting
held at 2:30 p.m. on Wednesday, 3 October 2007
at Room 2005, 20/F, Murray Building, Garden Road, Central**

Professor YUEN Kwok-yung, SBS, JP (Chairman)

Professor HO Suk-ching, Sara

Professor HO Wing-shing, John

Professor WU Shiu-sun, Rudolf

Mr. KWOK Chun-wah, Jimmy, MH, JP

Mr. LAU Yiu-fai, Ronald

Mr. FONG Wo, Felix, JP

Miss LAM Chui-lin

Mrs. Elizabeth MOK

Dr. YUE Kwok-to

Dr. LO Chi-kin, JP

Dr. LO King-shun

Dr. Veronica LEONG

Mrs. Stella HUNG, JP

Permanent Secretary for Food and
Health (Food)

Mr. Eddy CHAN, JP

Director of Food and Environmental
Hygiene

Miss CHEUNG Siu-hing, JP

Director of Agriculture, Fisheries and
Conservation

Dr. LEUNG Ting-hung, JP

Department of Health
Head, Surveillance and Epidemiology
Branch

Absent with Apologies

Dr. TANG Shuk-ming, Winnie

Dr. WONG Sin-ying, Lillian
Miss LAM Wai-ling, Leona, JP

In Attendance

Food and Health Bureau

Mr. CHEUK Wing-hing, JP	Deputy Secretary for Food and Health (Food)
Mrs. Angelina CHEUNG	Principal Assistant Secretary for Food and Health (Food)1
Mr. Francis HO	Principal Assistant Secretary for Food and Health (Food)2
Dr. LEUNG Siu-fai	Principal Assistant Secretary for Food and Health (Food)3
Mr. LIU Kim-man	Assistant Secretary for Food and Health (Food) Special Duties 3

Food and Environmental Hygiene Department

Dr. Constance CHAN, JP	Controller, Centre for Food Safety
Dr. HO Yuk-yin, Philip	Consultant (Community Medicine) (Risk Assessment and Communication)
Mr. YEUNG Shun-kui	Assistant Director (Operations)2
Dr. Anne FUNG	Principal Medical Officer (Risk Assessment and Communication)

Agriculture, Fisheries and Conservation Department

Dr. Thomas SIT	Assistant Director (Inspection & Quarantine)
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Opening Remarks

1. The Chairman welcomed Members to the meeting.

Agenda Item 1 : Confirmation of the Minutes of the Last Meeting

2. Members confirmed the minutes of the last meeting without amendments.

Agenda Item 2 : Matters Arising from the Minutes of the Last Meeting

3. There was no matter arising from the minutes of last meeting.

Agenda Item 3 : Confidential Item discussed

- 4.

Agenda Item 4 : Confidential Item discussed

- 5.

Agenda Item 5 : Proposed Amendment to the Colouring Matter in Food Regulations (ACFEH Paper 13/2007)

6. Dr. HO Yuk-yin introduced the paper. A Member asked whether the current Regulations adopted a positive listing approach, i.e., only those colouring matter listed in the Regulations would be allowed to use in food. Besides, there was no detail information to support why the specified colouring matters could be used. She suggested that supplementary notes and permitted quantities as recommended by Codex should be added to the Regulations, drawing reference to the situation in USA that specifications for colours were provided in the relevant laws to avoid confusion as many synthetic colours might have isomers and impurities. She said that such kind of information and requirements should be added to the Regulations with a view to facilitating food manufacturers and traders to comply with the requirements and perform self-monitoring. Dr. HO Yuk-yin replied that the CFS was aware that the current Colouring Matter in Food Regulations adopted a more relaxed approach as

compared to Codex guidelines and planned to review the Regulations after completing the tasks in setting standards and preparing regulations for pesticide and veterinary drug residues in food in accordance with the timetable drawn up in consultation with the Expert Committee on Food Safety.

Agenda Item 6 : Proposed Legislative Framework for Pesticide Residues in Food in Hong Kong (ACFEH Paper 14/2007)

7. Dr. Anne FUNG introduced the paper. A Member said that there was a proposal some years ago regarding the licensing control on pesticide users and asked about the present situation of the proposal. Dr. Thomas SIT replied that AFCD was preparing legislation in conjunction with Department of Justice for the regulatory control on the use of pesticides, including imposing suitable requirements and conditions for the use of pesticides in Hong Kong.

8. A Member asked whether dry weight or wet weight would be adopted in determining the level of pesticide residues in food, and whether different standards would be set for different food items. These parameters should be specified clearly in the regulation to avoid misunderstanding and confusion. Dr. Anne FUNG replied that suitable standards would be adopted with reference to Codex and major countries exporting food to Hong Kong. For example, Maximum Residue Limits (MRLs) would be set for food groups or individual food items wherever possible.

9. In response to the Chairman's request, a Member suggested that the MRL for each pesticide should be set for individual food items as far as possible. Also, the setting of MRLs by wet weight might be inaccurate and misleading if no reference would be made to the solubility of the pesticide in lipid and water and the lipid content of the food concerned. Having said that, he agreed that it might be too much to deal with all these issues at one time as more than 400 pesticides would be included in the new regulation. He suggested that further studies and research should be conducted to help provide the necessary information for setting suitable and accurate standards. Dr. Constance CHAN replied that with reference to the guidelines and calculation methods adopted by Codex, various factors such as the edible part of fruits would be taken into account in setting MRLs. CFS would also prepare and issue guidelines as necessary to inform the trade on technical requirements such as dry/wet weight

and water/lipid solubility issues.

10. A Member said that he had no strong views on the proposed approach at the very beginning of implementation but it might be necessary to set MRLs on both dry and wet weight basis as well as taking into account the water/lipid solubility issue at a later stage. Dr. HO Yuk-yin said that the concentration of pesticides in food would be different before and after processing. The enforcement actions would focus on end-product testing and dehydration factors of the products would be taken into account when comparing their pesticide residues with the MRLs.

11. A Member said that the paper indicated that the proposed legislation would adopt Codex's classification of food. He asked whether fungi like mushroom, meat from mammals other than marine mammals and game animals would be included or had already been included in the proposal. Dr. Anne FUNG replied that basically they made reference to Codex on food classification. She would check whether the mentioned food items would be covered by the proposal and revert. (Post-meeting notes: Codex has established MRLs for pesticide residues in mushrooms, meat from mammals other than marine mammals, and poultry (including guinea-fowl, partridge, pigeon and quail). Regarding game, relevant Codex MRLs are available if the game products are derived from the aforesaid mammals and poultry.)

12. A Member said that the paper mentioned that MRLs had been set for each and every pesticide. He asked how risk should be assessed if more than one pesticides were present in a food item at the same time while the concentration of each pesticide did not exceed the respective MRL. Dr. HO Yuk-yin replied that although some research studies revealed that harmful effect might be increased if different pesticides were present at the same time due to synergistic effect, it would be difficult to set the safety standards for the situation due to limited availability of scientific information. As such, the MRLs for each pesticide would be set on the basis of the toxicological effects of each pesticide.

13. A Member asked why the Government did not take into account of synergistic effect if there was scientific evidence to support that such effect might occur. Dr. HO Yuk-yin replied that CFS would keep a close watch on the latest international development and research on this issue while making reference to Codex at present stage for setting MRLs for pesticide residues in

different food items. A Member agreed that it was hard to assess synergistic effect but calculation of additive effect on major pesticide groups should be achievable. Application factor should be included in risk assessment for most of the pesticides commonly found in Hong Kong.

14. A Member asked if the proposed pesticides in list had included those being regulated in the Mainland. She said that the trade was facing the difficulties of locating suitable testing service for pesticides in Hong Kong even though they intended to check if their products had exceeded the legal limits. The traders had to send samples overseas for analysis, for example, to Australia and EU. She enquired if FEHD would provide assistance to help the trade overcome the problem. Dr. Anne FUNG replied that the proposed list had already included all the pesticides (more than 130 pesticides) being monitored in the Mainland. Dr. Constance CHAN added that they would make reference to other countries on synergistic effect besides Codex. As the synergistic effect would vary with different combination of pesticides, it would be difficult to set the corresponding MRLs and prescribed in the regulation. However, it would be worth noting that the MRLs would usually be set at a level with a wide margin of safety and hence should be adequate to protect public health even though the synergistic effect had not be taken into account. Should there be available information or evidence to indicate that certain pesticides might give rise to significant synergistic effect when mixed together, CFS would assess the risk and advise the trade accordingly.

Agenda Item 7 : Summary of Recent Food Incidents (ACFEH Paper 15/2007)

15. Dr. Constance CHAN introduced the paper. A Member asked whether the problem food concerned would be suspended for sale continuously after verbal warning was given to the importer/manufacturer. Dr. Constance CHAN replied that one of the main objectives of collecting samples from food premises was to deliver a message to importers/manufacturers that they should implement due diligence to ensure the safety of their food products and to take immediate remedial measures if their food was found to be unsatisfactory. For certain controlled food such as ice cream or milk where import permit was required, the concerned importer would not be allowed to import the food item concerned until they had taken remedial actions to the satisfaction of FEHD. Apart from

withdrawing the concerned batch of food from market, follow up samples would be tested for compliance with the legal food safety standards, while close monitoring and more frequent sampling would be conducted on the concerned and related food brands.

16. A Member asked if samples had ever been taken from vehicles selling soft ice-cream for testing and the results of the tests, if any. Dr. Constance CHAN replied that soft ice-cream samples were collected all the year round, including samples from soft ice-cream vehicles. Unsatisfactory samples were found in the past and the problem was usually rectified quickly as revealed from the results of follow-up tests.

Agenda Item 8 : Any Other Business

17. A Member asked whether the Government had noticed the report released by the Baptist University in September 2007 which revealed that marine and freshwater fish samples purchased at local fish markets were found to contain high level of polybrominated diphenyl ethers (PBDEs) which was carcinogenic. Dr. Constance CHAN replied that CFS had studied the report. As PBDEs had been used as a flame retardant in fabrics, furniture and electronics and due to their persistence in the environment, they could be contaminants in food. PBDEs had aroused international concerns recently due to their potential impact to the environment and human health. In 2005, the Joint FAO/WHO Expert Committee on Food Additives evaluated the safety of PBDEs, but no safety reference value was set due to inadequate data. Codex had not established any food safety standard for PBDEs. Although CFS did not monitor the PBDEs levels in food in the past, CFS would conduct a risk assessment on PBDEs next year and keep in view of the development.

18. The Chairman said that a member asked why there was an apparent increase in H9 isolation in chickens at local retail markets. Dr. Constance CHAN replied that FEHD had commissioned the University of Hong Kong (HKU) to collect environmental samples at retail markets, for analysis of Avian Influenza viruses, including H5, H7 and H9 as a monitoring measure. However, it was not uncommon to detect H9 viruses in poultry and the pathogenicity of H9 was much lower as compared with H5 and H7. It is difficult to draw any conclusions

on the reasons for the apparent increase in the isolation rate of H9 as advised by the experts of HKU. FEHD would keep close coordination with HKU and seek their advice as necessary on the need to introduce additional measures in the light of the monitoring results. Besides, FEHD would continue to monitor the cleanliness of poultry business and conduct inspections to ensure strict compliance of the hygiene requirements by all poultry stall operators in public markets.

19. The Chairman thanked the valuable opinion offered by the members. He also welcomed Miss CHEUNG Siu-hing for her first attendance at the meeting and extended his congratulation to Mrs. Stella HUNG and Dr. Constance CHAN on their promotion.

20. There being no other business, the meeting adjourned at 5:10 p.m.

Secretariat
Advisory Council on Food and Environmental Hygiene
Food and Health Bureau
October 2007