

**Advisory Council on Food and Environmental Hygiene**

**Statutory Control on Import of Eggs**

**PURPOSE**

This paper briefs Members on the proposed statutory control for import of eggs into Hong Kong.

**BACKGROUND**

2. According to the World Health Organization, eggs from birds could be contaminated with Avian Influenza (AI), although there is so far no epidemiological information to suggest that highly pathogenic AI can cause infections through the consumption of contaminated eggs or egg products. The World Organization for Animal Health (OIE)<sup>1</sup> recommends that an international veterinary certificate should accompany the import of eggs for human consumption for control of AI. Such import requirement is in place in many jurisdictions including the European Union, the United States of America and Singapore. In 2014 and 2015, there were outbreaks of highly pathogenic AI in Europe, the American continents and different parts of Asia. Such outbreaks are expected to occur from time to time.

3. Over 99% of poultry eggs for human consumption in Hong Kong are imported.<sup>2</sup> There is currently no specific legislation to regulate the import of eggs into Hong Kong. The Centre for Food Safety (CFS) under the Food and Environmental Hygiene Department (FEHD) currently regulates the import of eggs through administrative means. Upon notification of an AI outbreak in an egg exporting country/place, CFS will liaise with the concerned Consulate-General and the relevant authority of the exporting country to seek their cooperation to suspend export of eggs to Hong Kong. In case such eggs find their way into Hong Kong, CFS can seize, seal, remove and destroy such eggs not suitable for human consumption in accordance with section 59 of the

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<sup>1</sup> OIE is the intergovernmental organization responsible for improving animal health worldwide, with a total of 180 Member Countries. OIE was created in 1924 to address the need to fight animal diseases at global level. In May 2003, the Office became the World Organisation for Animal Health but kept its historical acronym.

<sup>2</sup> In 2014, Hong Kong imported about 2.3 billion poultry eggs, with about 1 217 million (53.3%) from the Mainland, 532 million (23.3%) from the USA, 238 million (10.4%) from Thailand, 153 million (6.7%) from Malaysia, 44 million (1.9%) from Ukraine and 22 million (1.0%) from Japan.

Public Health and Municipal Services Ordinance (Chapter 132). Although the above-mentioned administrative measure has been working effectively, this is far from satisfactory.

## **PROPOSED REGULATORY FRAMEWORK**

### *Statutory import control*

4. Currently, import of game, meat and poultry is regulated by the Imported Game, Meat and Poultry Regulations (Chapter 132AK) (IGMPR). We plan to amend the existing IGMPR to introduce statutory control for import of poultry eggs for human consumption. Under the proposed regime, no person may import eggs into Hong Kong (i) without a health certificate issued by an issuing entity from the place of origin recognized by the Director of Food and Environmental Hygiene (DFEH) to certify that the eggs are fit for human consumption<sup>3</sup>; (ii) without having obtained a permission in writing of a health officer; or (iii) without having complied with such conditions as a health officer may impose. In seeking to obtain a permission in writing from a health officer, the importer has to provide information that the health officer considers essential for tracking the actual importation of the poultry eggs into Hong Kong. Such information as may be required by the health officer may include the type and quantity of eggs to be imported, estimated date of arrival of the eggs, means of transport, container number, etc.

### *Scope of import control*

5. The scope of import control covers eggs of any bird which is sold or offered for sale for human consumption or any edible part of such eggs, whether the eggs are shelled or unshelled; raw or partly cooked; salted, preserved or otherwise processed; or in frozen, liquid or dried form. In other words, raw eggs, egg yolks, egg whites, preserved eggs, salted eggs and partly cooked eggs are subject to import control, along with frozen, liquid or dried eggs. On the other hand, fully cooked eggs and egg that constitutes one of the ingredients of a compounded food are excluded from the scope of import control.

### *Nomenclature changes*

6. At present, IGMPR does not provide for import of meat and poultry

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<sup>3</sup> In general, the attestations on the health certificates for eggs should include but not limited to the following – (i) poultry eggs were derived from country, zone or compartment that is free from Notifiable Avian Influenza as stipulated in the OIE Terrestrial Animal Health Code; (ii) the eggs are free from poultry diseases and harmful substances according to Hong Kong laws; (iii) the eggs were handled, processed, packed, stored and transported hygienically in compliance with legislation and directive administrated by the exporting authority; and (iv) the eggs are fit for human consumption.

from places other than a country. IGMPR currently requires import of meat and poultry to be accompanied by an official certificate issued by a competent authority. IGMPR only confers DFEH with the power to recognize competent authority having power under the laws in force in any country to issue such an official certificate.

7. To further diversify and widen the source of food supply, we have taken the opportunity of this exercise to amend IGMPR so that DFEH can allow import of meat, poultry and eggs from a “place of origin” (which does not need to be a country) instead of a “country of origin” into Hong Kong. Besides, there are other related changes in nomenclature to the effect that DFEH may recognize an issuing entity (currently called “competent authority”) from a place of origin for the issue of a health certificate (currently called “official certificate”).

## **PUBLIC CONSULTATION**

8. Since December 2010, we have consulted Consulate Generals, Mainland authorities, and importers of game, poultry and eggs. The latest round of consultation for Consulate Generals and the trade was conducted in April 2015. They generally supported our proposal to introduce statutory import control on eggs. We also consulted the Food Safety and Environmental Hygiene Panel of the Legislative Council (LegCo) on our plan to regulate import of eggs in May 2011 and July 2011. Members were supportive of our plan.

## **LEGISLATIVE TIMETABLE**

9. The above amendments are set out in the Imported Game, Meat and Poultry (Amendment) Regulation 2015 (“the Amendment Regulation”) made by the Secretary for Food and Health under Section 55 of the Public Health and Municipal Services Ordinance. The Amendment Regulation was published in the Gazette on June 5 and tabled before LegCo on June 10. Subject to negative vetting by LegCo, the Amendment Regulation will come into operation on December 5, after a grace period of six months. This will allow sufficient time for the trade to adapt to the new requirements.

## **ADVICE SOUGHT**

10. Members are invited to comment on the proposed statutory control for import of eggs into Hong Kong.

**Food and Health Bureau  
Food and Environmental Hygiene Department  
Centre for Food Safety  
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