

**Advisory Council on Food and Environmental Hygiene**

**Regulation of Aquatic Food Products**

**Purpose**

This paper briefs members on the current arrangement and future plans for regulating aquatic food products.

**Background**

2. In August 2005, we briefed Members via the circulation of an ACFEH Paper on the measures and plans for regulating freshwater fishes, including amendment to the *Harmful Substances in Food Regulations* under the *Public Health and Municipal Services Ordinance* (Cap 132) to incorporate malachite green into the list of prohibited pesticides, to enhance the safety of freshwater fishes supplied to Hong Kong. Under the Regulation, no person may import, consign, deliver, manufacture or sell any food (including freshwater fishes) that contains malachite green. The Food and Environmental Hygiene Department (FEHD) also inspects live freshwater fishes and takes samples for tests at all levels, from import, wholesale to retail level, to ensure that these live fishes are safe for consumption. The FEHD would take appropriate actions, including source tracing and enforcement action, in cases where there is sufficient evidence indicating that the sampled live fishes contain malachite green. The FEHD has found 46 cases of fishery products that contained malachite green over the past 12 months. Since January this year, there have been 76 cases of freshwater fish imports that have not been accompanied by health certificates issued by the Mainland authorities concerned. An inter-departmental task force has been set up to look into the matter.

3. Hong Kong has also reached an agreement with the Mainland authorities in August last year that stipulates that only registered farms approved by the Mainland authorities may export freshwater fishes to Hong Kong and that every consignment of fishery products must be

accompanied with a health certificate issued by the authorities concerned to certify that the products do not contain malachite green or any other harmful substances.

4. Since September 2005, nearly 40 Mainland registered fish farms have been allowed to export freshwater fishes to Hong Kong. After inspecting more than 10 Mainland fish farms that have applied to export their products to Hong Kong recently, the FEHD has asked the Mainland authorities to include these farms in the list of registered farms after simple improvement works are completed to meet the local demand.

5. Moreover, the Customs and Excise Department (CED) also inspects imported fishes at borders on sea, land and air to intercept fishery products that are not accompanied by manifests. Even for fishery products that have manifests, the Customs officers may notify the FEHD to follow up in case of doubts about their origins. The CED also liaises closely with the FEHD and conducts joint operations to stop fishery products that contain malachite green or other harmful substances from entering Hong Kong.

### **Regulatory work for aquatic food products**

6. As noted in our previous briefing, the Administration will study ways to safeguard the safety of aquatic food products and fishery products after the establishment of a Food Safety Centre as part of its long-term policy on food safety. We will also actively consider amending the legislation concerned to further strengthen regulation on aquatic and fishery products. We hope to submit our plan for a regulatory mechanism to the LegCo and consult the trade at the end of this year.

### **ADVICE SOUGHT**

7. Members are requested to note the content of this paper.

**Health, Welfare and Food Bureau**  
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