

ACFEH Information Paper 9

Advisory Council on Food and Environmental Hygiene

Importation of Chilled Pork from the Mainland

PURPOSE

This paper briefs members on the proposals to import chilled pork from the Mainland and to separate the sale of fresh and chilled meat.

BACKGROUND

Importation of Chilled Pork

2. Hong Kong has been importing chilled pork from a number of countries including Thailand, Australia, U.S.A., Canada and Japan. Thailand, in particular, has been our major supplier of chilled pork, accounting for 97% of imported chilled pork in 2005. Chilled pork as a whole accounted for 1.7% of our total pork consumption in 2005.

3. To ensure that chilled pork imports are fit for human consumption, importers who intend to import chilled pork into Hong Kong must obtain import licences from Food and Environmental Hygiene Department (FEHD) and a valid health certificate issued by the exporting country must accompany every shipment of imported chilled pork. Being a staunch supporter of free trade, we welcome chilled pork from all sources as long as they meet the above health requirement.

4. The Mainland has always supplied Hong Kong with frozen pork but not chilled pork. Since early 2004, FEHD has engaged in discussion with the State General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) about the sanitary requirements and mechanism for importation of chilled pork to Hong Kong. FEHD has subsequently conducted a number of inspections to the facilities, operation, production process and the hygiene monitoring system of four chilled pork processing plants and their associated farms in Guangdong and Shenzhen and concluded that we are now ready to accept the supply of chilled pork from selected plants in the Mainland.

Retail Sale of Fresh and Chilled Meat

5. At present, fresh provision shops (FPSs) (including supermarkets) and FEHD market stalls are allowed to sell both fresh meat and imported chilled meat (i.e. pork, mutton or beef) on compliance of a set of licensing requirements and conditions/tenancy clauses. These requirements and conditions/tenancy clauses basically control the source of supply, handling, display and storage of chilled meat. In particular, operators are not allowed to display and sell chilled meat as fresh meat. Operators are also required to display a legible notice at a conspicuous location and on the refrigerator stating that imported chilled meat is available for sale on the premises for information of consumers.

6. To deter the malpractice, since June 2003, FEHD has increased the gravity of sanction against FPS licensees/FEHD market tenants displaying or selling chilled meat as fresh meat. FEHD will cancel the FPS licence/terminate the market tenancy once such malpractice is discovered. Starting from 1 June 2005, control action has been further tightened up by setting down in the licensing requirements and tenancy clauses the required size of the notice and the use of display chiller. It has also been made the standing practice that FEHD will not exercise discretion to suspend the “immediate cancellation/termination” decision to the above breaches, even though the licensee/market tenant lodges an appeal against such decision to the respective appeal tribunals. Despite the strengthened sanction against unscrupulous meat traders, the problem of selling chilled meat as fresh meat still persists, partly due to the enforcement difficulty in detecting such malpractice since the mixing of fresh and chilled meat usually takes place behind doors before the premises are open for business.

7. During past discussions on the importation of chilled pork from the Mainland, the Legislative Council Panel on Food Safety and Environmental Hygiene (LegCo FSEH Panel) raised concern about the malpractice of unscrupulous meat traders selling chilled meat as fresh meat. To avoid proliferation of the problem, the LegCo FSEH Panel proposed that the sale of fresh and chilled meat in the same premises be prohibited (so-called “one licence for one shop” proposal) prior to importation of chilled pork from the Mainland.

LATEST DEVELOPMENTS

8. After discussions with the trade and the LegCo FSEH Panel, we agree to introduce the “one licence for one shop” proposal which would

protect consumers' interest and can enhance food safety as chilled meat may have been mishandled and contaminated when the unscrupulous traders try to cover up to avoid being caught. While we recognise that the "one licence for one shop" proposal could not eradicate the problem that unscrupulous meat traders mix fresh meat with chilled meat in the same premises, it could minimise such chance and could facilitate enforcement action by FEHD.

9. We have consulted the trades representing fresh pork traders, chilled pork importers, local pig farmers and supermarket chains. They have divergent views. Fresh pork traders and local pig farmers emphasised the importance of segregation in order to preserve the cold chain of chilled/frozen pork from import to retail level. On the other hand, supermarket chain representatives objected to the proposal which they regarded would reduce consumer choice and considered that the existing requirements for the retail sale of fresh and chilled pork respectively are adequate to safeguard food hygiene. Chilled pork importers expressed no strong views on the proposal and pledged to do their part to enhance the effectiveness of the source tracing system. They also urged for the import of chilled pork from the Mainland as soon as possible.

10. To effect the implementation of the proposal, we would need to amend the Food Business Regulation (Cap. 132 sub. leg.). We propose to amend the Regulation to prohibit the sale of fresh pork, beef or mutton with any chilled/frozen pork, beef or mutton in the same premises. The same premises will be defined as a unit with walls of full height from the floor to the ceiling and separate access for entry or exit. When the relevant legislative amendment comes into effect upon its passing, the same FPS or the same stall in a public market will only be permitted to sell either fresh or chilled/frozen pork/beef/mutton but not both.

11. The new arrangement will affect those traders who are now endorsed to sell fresh pork/beef/mutton plus either chilled or frozen pork/beef/mutton or both. At present, there are 337 FPSs (of which about 220 are in supermarkets and about 110 are individual retail shops) that are endorsed to sell fresh pork/beef/mutton plus either chilled or frozen pork/beef/mutton or both. There are also 37 stalls in public markets that are endorsed to sell both fresh and chilled pork/beef/mutton.

12. After further deliberation, to strike a balance among ensuring food safety, providing a business-friendly environment and maintaining the existing level of convenience to consumers, we have subsequently proposed that while the "one licence for one shop" policy shall be introduced,

exemption may be granted to those FPSs and market stalls which have the chilled pork, mutton or beef sold prepackaged and properly labelled before distribution to the retail outlets. The label shall contain information of the chilled meat such as name of the product, name and address of the processing plant, date of slaughter, weight, use-by date, and storage conditions.

WAY FORWARD

13. The proposal was discussed at a special meeting of the LegCo FSEH Panel held on 26 May 2006 and will be further discussed at another special meeting on 6 June 2006. Subject to the outcome of discussions, we plan to table the amendment regulation to be made by the Director of Food and Environmental Hygiene under section 56 of Cap. 132 at LegCo by late June 2006. A grace period will be provided to allow all operators (existing and new) to make necessary adjustments/meet the new requirements. Import of chilled pork from the Mainland can commence as early as this summer if there is clear indication that no further amendments are to be made to the amendment legislation.

Health, Welfare and Food Bureau
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