All you should know before exporting to Hong Kong
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Introduction

Hong Kong became the Special Administrative Region of the People’s Republic of China on July 1, 1997. The Basic Law (mini-constitution) provides a constitutional framework for the Hong Kong Special Administrative Region. It institutionalizes the concept of “one country, two systems”. The Basic Law clearly prescribes that the social, economic and political systems in Hong Kong will be different from those in the mainland of China. It protects the rights, freedoms and lifestyle of Hong Kong people until the year 2047. The Basic Law guarantees the independence of Hong Kong’s judiciary and, apart from foreign affairs and defense, gives Hong Kong people full responsibility to manage their own affairs. It allows Hong Kong complete financial autonomy, and the independence of its monetary system. Perhaps most importantly, it establishes Hong Kong as a separate international customs territory, enabling it to work directly with the international community to control trade in strategic commodities, drugs, illegal transshipments, and to protect intellectual property rights. Hong Kong remains a free port, maintaining free trade practices.

The Sino-British Joint Declaration and the Basic Law define Hong Kong as a separate customs territory and allows, using the name “Hong Kong, China”, independent participation in international organizations and international trade agreements. While being a separate member of World Trade Organization (WTO) and Asia-Pacific Economic Cooperation (APEC), Hong Kong participates in Codex as a member of China’s delegation and serves as an observer of the World Organization for Animal Health (OIE). Hong Kong claims that it draws reference from Codex and OIE in the context of food safety standards and animal health standards.

*Hong Kong has its own food and agricultural import regulations, which are different from those in China.*

Government Organizations

Hong Kong’s Center for Food Safety, which operates under the Hong Kong Food and Environmental Hygiene Department (FEHD), is responsible for implementing territory-wide food safety control policies and enforcing food related legislation. It encourages Hong Kong food importers to obtain health certificates issued by health authorities of countries of origin, which should accompany imports certifying the food product concerned is fit for human consumption. The legislation empowers FEHD to take food samples at point of entry to Hong Kong for various kinds of tests, including bacteriological examination and chemical analyses. FEHD, upon request, will pay market prices of any food samples taken.
General Consumer Tastes and Preferences

- There is a growing popularity of frozen foodstuffs because more and more consumers believe that frozen foods are more hygienic. However, Hong Kong consumers in general still prefer fresh foodstuffs, particularly fish and poultry meat.

- Due to the increasing prevalence of dual income families, ready-to-cook food has become more popular. The major supermarket chains in Hong Kong have been putting more emphasis on convenience foods, especially in their pre-prepared sections that are virtually serving ready-to-eat foods.

- There is very high potential for growth in the processed/convenience sectors of Hong Kong’s retail food markets for high value consumer foods such as general grocery items, ingredients for home meal replacement, and health food.

- Hong Kong consumers have become more aware of food safety issues and nutrition values of food products. Clear indications of nutritional value on the package have been a good marketing strategy for health foods.

- The sales of organic products have been increasing steadily. A representative of one of the largest supermarket chains revealed that there were only 200 organic items for sale four years ago compared to over 2000 items currently. The price discrepancy between conventional and organic foods has also narrowed over the years. Currently, organic products are priced between 10-20% higher. The most popular organic products are baby foods, vegetables, fruits, eggs, fresh meats, and fruit juices.

- Health foods continue to grow in popularity in Hong Kong because of consumers’ desire to enhance general health. The latest trend in health foods now is “low Glycemic Index” and “Antioxidants”.

- Foods categorized as natural and having benefits to health are also appealing to Hong Kong consumers. For example, nut suppliers promote nuts as healthy snacks good for the heart, and many cereals are marketed as an effective means of controlling cholesterol.

- Consumption of wine is growing in popularity in Hong Kong. In February 2008, the HKG eliminated its import duty on wine and stimulated a surge in volumes and quantity of wines imports into Hong Kong. Hong Kong’s wine imports for the first 8 months in 2008 reached US$212 million and 15.6 million liters, an increase of 84% in value and 16% in quantity compared with the same period in 2007.
Demand for promotion package and discounts: The Hong Kong market is very price sensitive. Marketing tactics such as selling bundled economy packs or enclosing complimentary samples are usually used to stimulate sales. The most direct and effective marketing tool is to offer discounts.

Due to the limited living space in Hong Kong, it is inconvenient for Hong Kong consumers to store food products. Therefore, bulk-pack food products do not sell well in Hong Kong, and small package food products are preferred.

Since ice-cream is a very popular snack, Hong Kong has witnessed the opening of more and more ice-cream specialty shops such as New Zealand Natural, Kida Garden, Papagallo, iScream, along with the long established Ben & Jerry’s, Double Rainbow and Haagen Daz.
Certification & Import Procedures

FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS

Import Certificates

With the exception of spirits, all food and beverage products can be imported to Hong Kong duty free. Products which require import permits/health certificates include meat, milk and frozen confections. (Eggs are expected to be subject to the health certification requirements later 2008). The HKG accepts import applications from Hong Kong importers. In other words,

Local importers and not Indian exporters are required to apply for import permits.

Indian exporters need to supply their agents/importers with necessary documentation such as health certificates from the Indian government.

Certification Requirements for Seafood Products

The Hong Kong government is in the process of drawing up new certification requirements for all fish and seafood products. Currently, it is not mandatory to provide health certificates for seafood imports to Hong Kong. When a consignment of seafood products arrives at entry points in Hong Kong, it may be subject to inspection or sampling. If the importer concerned is not able to present health certificates during inspection, the Center of Food Safety may take consignment samples for examination before release.

Certification Requirements for Processed Food & Beverages

Processed food and beverages items have to comply with the Hong Kong rule of origin in order to be imported to China tariff free. The rule of origin of individual products is basically determined by the manufacturing or processing operation. For example, milk and cream products are considered as “made in Hong Kong” only when the manufacturing processes of mixing, freezing sterilization and cooling are conducted in Hong Kong. The origin criteria for nuts is that the baking, seasoning, and/coating have to be done in Hong Kong. In the case of ginseng, the principal manufacturing processes of cutting and grinding have to be conducted in Hong Kong.
Certification Requirements for Meat & Meat Products

The Hong Kong government currently recognizes 26 different countries competent authorities in issuing meat export certificates, such as the United States and the People’s Republic of China.

- If an import consignment for meat and poultry products is accompanied by a certificate issued by a recognized competent authority, it can be imported to Hong Kong without any permit issued by the Hong Kong government.
- Ground meat imports, which require an import certificate issued by the Hong Kong government regardless of country-of-origin, are a notable exception to this general practice.
- Effective April 1, 2002, the importation of all chilled meats will also require an import permit.

The rationale for the change is to allow Hong Kong government officials a better system for trace-back and to allow closer monitoring of increasing imports of chilled meats into Hong Kong from China and other Asian suppliers.

According to officials in the Food and Environmental Hygiene Department (FEHD), it will take about 5 working days for a Hong Kong importer to apply for and receive an import permit.

- The application can be processed before the arrival of the consignment in Hong Kong. However, all consignments of chilled meats will have to be inspected by FEHD inspectors before the products can be released.
- For consignments arriving at the air terminal, they can be released immediately because FEHD has facilities at the airport to carry out on-site inspection. Consequently, chilled products arriving by air should not be delayed owing to inspection procedure.

The importation of frozen or chilled beef, mutton and pork, and poultry is subject to import licensing control. The Center for Food Safety of Food and Environmental Hygiene Department (FEHD) is responsible for issuing import licenses for these foods.

The Imported Game, Meat and Poultry Regulations require meat or poultry to be imported to Hong Kong with an official certificate issued by a competent authority recognized by the FEHD. However, the importation of ground meats and chilled meats from all supplying countries requires the importer to obtain a permit in advance.

Due to BSE and Avian Influenza cases, the HKG recommends HK importers to provide sanitary certificates for the following products:

- Preserved/stuffed animal specimen
- Biological products of animal origin
- Hides and skins of cattle origin
Feathers
Pet food/animal feed

A certificate from FSIS is compulsory. Species should be given as part of product description on FSIS certificates. If the species is not covered by FSIS inspection, a certificate issued by APHIS or the state government may be acceptable.

If the shipment is of a game meat product, the certificate has to show the scientific name and the origin.

If the game meat comes from a CITES listed species, the shipment requires to be accompanied by a CITES export permit.

Certificate Requirements for Milk

The Milk Regulation requires any fluid milk or milk beverage to be imported into Hong Kong from a source of manufacture that has been approved by the Director of Food and Environmental Hygiene. Assistant Director of the Center for Food Safety exercises the authority on behalf of the Director of FEHD to make the approval. Before importing these food products into Hong Kong, importers need to apply to the Assistant Director in writing and provide the following information:

- The full name and address of the milk or milk beverage processing plant;
- The law of the country of origin governing the production of milk or milk beverages;
- Empty containers of the milk or milk beverage with labels;
- Information on the heat treatment method of the milk or milk beverage and facilities, including production equipment and water supply, in the processing plant;
- A certificate from an appropriate authority in the country of origin for the purpose of certifying the effectiveness and efficiency of the heat treatment method in pasteurizing or sterilizing the milk or milk beverage and that the products have been handled, processed and packed under hygienic conditions
- showing the chemical and bacteriological quality of the products; and
- A statement from the manufacturer confirming the approximate shelf-life of the products.

After obtaining the approval and satisfying other conditions which may be imposed by the Assistant Director of the Center for Food Safety, importers may import the milk or milk (beverages) products into Hong Kong. Initially, an import permit is valid for six months, after four renewals, an import permit valid for one year may be issued. When a milk or milk beverage consignment arrives before its release, products will be inspected and if necessary, sampled by the Center for Food Safety. Upon the Center’s satisfaction, a “release” letter will be issued to the local importer.

Hong Kong’s milk regulation allows two types of milk registration: pasteurized and sterilized milk.
Certificate Requirements for Frozen Confections

The Frozen Confections Regulation requires any frozen confection to be imported into Hong Kong from a source of manufacture approved by the Director of Food and Environmental Hygiene. Assistant Director of the Center for Food Safety exercises the authority on behalf of the Director of FEHD to make the approval. Before importing these food products into Hong Kong, importers need to apply to the Assistant Director in writing and provide the following information:

- The full name and address of the frozen confection processing plant
- The law of the country of origin governing the production of frozen confections
- Empty containers or wrappers of the frozen confection with labels
- Information on the heat treatment method of the frozen confection and facilities, including production equipment and water supply, in the processing plant
- A certificate from an appropriate authority in the country of origin for the purpose of:
  - Certifying the effectiveness and efficiency of the heat treatment method in sterilizing the frozen confection and that the products have been handled, processed and packed under hygienic conditions
  - Showing the chemical and bacteriological quality of the products; and
- Details of ingredients, including coloring matter, stabilizers and sweetening agents, etc., and their amount in the frozen confection

After obtaining the approval and satisfying other conditions, which may be imposed by the Assistant Director of the Center for Food Safety, importers may import the frozen confections into Hong Kong. Initially, an import permit is valid for six months, after four renewals, an import permit valid for one year may be issued. When a frozen confection consignment arrives and before its release, the products will be inspected and if necessary, sampled by the Center. Upon the satisfaction of the Department, a “release” letter will be issued to the importer.

Certificate Requirements for Plants

Hong Kong government requires plant shipments to be accompanied by Phytosanitary certificates issued by APHIS. If the specie is listed on CITES, a CITES export permit is required as well.

Any plant imported into Hong Kong must be accompanied by a Plant Import License issued by the Agriculture, Fisheries & Conservation Department and a valid Phytosanitary Certificate issued by the competent authority in the country of its origin. No Plant Import License or Phytosanitary Certificate will be required for import of the following items:

- Cut flowers
- Fruit & vegetables for consumption
- Grains, pulses, seeds and spices for human or animal consumption or for industrial use
- Timber and timber products including rattan and bamboo
- Dried tobacco and manufactured articles incorporating dried leaves
- Plants produced in and imported from China

Sample Phytosanitary Certificate

Certificate Requirements for Eggs

The Hong Kong government is amending legislation to require egg imports to Hong Kong to be accompanied by a valid health certificate.
Certificate Requirements for Endangered Species

CITES imposes different export and import controls according to the Appendices in which a species is listed. In general, species listed in Appendix I requires an export license and an import permit, while an export license is adequate for species listed in Appendix II. No import permit is required for species listed in Appendix II. However, Hong Kong’s control measures over endangered species covered by the old ordinance were more stringent than CITES requirements. Species listed on Appendix II of CITES were required to have an import permit before they could be imported to Hong Kong, according to Hong Kong’s old ordinance. This requirement was not in line with CITES’.

The Hong Kong government decided to introduce a new ordinance in order to keep abreast with the changes incorporated by CITES. The salient points of the new ordinance, Protection of Endangered Species Animals and Plants, are as follows:

- The ordinance gives effect to the CITES in Hong Kong.
- Unlike the old ordinance, the new ordinance does not require an import license for the importation of species listed on CITES Appendix II. (Except for live species of wild origin, Export licenses issued by the exporting country are still required.)
- Different from CITES requirements, the importation to Hong Kong of live species of wild origin from CITES Appendix II is required to have an import license in addition to an export license issued by the exporting country.
- The new licensing system covered by the new ordinance will be based on consignment or keeping premises rather than on individual species as in the case of the existing ordinance.
- According to the old ordinance, the importation of wild and cultivated ginseng, regardless for trade or personal use, requires an export license from the exporting country. The importation of wild ginseng also needs to have an import license as well. After the enactment of the new ordinance in December 2006, individuals bringing wild and cultivated ginseng to Hong Kong for personal use will no longer require to produce an export license issued by the exporting country.
- Also, the importation of wild ginseng, both for trade and personal use, no import licenses are required. In short, the importation of both wild and cultivated ginseng only requires an export license issued by the exporting countries. Traders will no longer need to apply for any import licenses.
- For CITES Appendix III listed species, the importation to Hong Kong requires to have export licenses issued by exporting countries. Traders do not need to apply for any import licenses from the Hong Kong government.
Sample CITES Export Permit
Sample certificate for Biological Products of Animal Origin

Circular Letter to Importers of biological products of animal origin

Dear Sir/Madam,

Importation/transhipment of biological products of animal origin to via Hong Kong

We have no objection to the importation/transhipment of biological products to via Hong Kong provided that:

1. The biological products were derived from animals free from infectious diseases and in accordance with the standards as laid down by the World Organisation for Animal Health (OIE).
2. The consignment is accompanied by a veterinary certificate issued/endorsed by the relevant official veterinary authority of the Government in the country of export.
3. For transhipment, prior approval is obtained from the veterinary authority in the country of import for the importation of biological products.
4. The biological products were packed and sealed to prevent leakage in accordance with the International Air Transport Association (IATA) requirements.

The veterinary certificate should be sent to this Department at the following address in person or by post within 2 weeks after the products arrived to Hong Kong. Should the original copy of the certificate is to be retained by the importer, please present the original certificate in person to the following address during office hours for certified copy to be recorded by this office.

5th Floor (Counter 11)
Permit and Certification Unit
Agriculture, Fisheries and Conservation Department
Cheung Sha Wan Government Offices
303 Cheung Sha Wan Road, Kowloon
Hong Kong

You are also reminded of the need to seek the approval of the Port Health Office, Department of Health, Hong Kong for the importation of biological products. (Tel: 2901-6652, 2901-6991, email: enquiries@dh.gov.hk)

Yours faithfully,

Dr. Michelle YEUNG
Veterinary Officer (Import and Export)
for Director of Agriculture, Fisheries and Conservation

(Chinese text on the reverse page)
Sample Certificate for exporting Pet Food

Circular Letter to Importers of pet food/animal feed

Dear Sir/Madam,

Importation/transportation of pet food/animal feed to/via Hong Kong

We have no objection to the importation/transportation of pet food/animal feed to/via Hong Kong. No import permit will be issued by this Department for such purpose. However, if the products contain materials derived from ruminant and/or poultry, it is recommended that a veterinary certificate issued or endorsed by the relevant official veterinary authority of the Government in the country of export is required to accompany with the pet food/animal feed importing into Hong Kong to facilitate trade and re-export. Please find below some relevant certificates for the veterinary certificates for your information:

1. The animals from which the certified materials were derived were subjected to ante-mortem examination (inspection prior to slaughter), and were not found to show any evidence or clinical signs of any disease transmissible by the certified materials. These animals did not show any clinical signs of generalized nervous system disease.
2. The feeding of ruminants with meat and bone meal and greaves derived from ruminants is banned in the country of production, and this ban is effectively enforced.
3. The products of ruminant origin were derived from animals slaughtered at licensed premises.
4. The certified materials of ruminant origin were not derived from poultry.
5. Any component of the certified materials of bovine origin was not derived from the following specified risk materials:
   - Brains from any cow in any Bovine Spongiform Encephalopathy (BSE) affected country;
   - The brain, spinal cord, and meninges;
   - Any other part of the brain, the spinal cord, or the meninges;
   - The tissue of the CNS;
   - The tissue of the thymus and thyroids;
   - The spleen and lymph nodes of the small intestine of any cattle regardless of age.
6. The certified materials of ruminant origin do not include any components of any carcass that was rejected during postmortem examination as unfit for human consumption.
7. If the product includes materials derived from poultry origin, the product has been treated to ensure the destruction of Avian Influenza virus by one of the following methods:
   - 70°C for at least 30 minutes
   - 80°C for at least 5 minutes
   - 90°C for at least 1 minute
8. The packages have been clearly labeled as “for pet food only” or “dog food” or “cat food” or “not for human consumption”.
9. The product does not contain any prohibited chemical. In the case of the product contains with any specified agricultural and veterinary chemical, it is by law that all information must be clearly displayed on the package, such as the amount of each chemical, instruction for use, the withholding period, and the name and address of the importer. (For details, please visit http://www.legislation.gov.hk/eng/home.htm and refer to Sections 12 and 13 of Cap 631 Sub. Leg. (Para 14) (PROHIBITED INGREDIENTS AND ADDITIVES) (LAW OF HONG KONG).)

The veterinary certificate can be sent to this Department at the following address in person or by post within 2 weeks after the products arrived to Hong Kong. Should the original copy of the certificate is to be returned by the importer, please present the original certificate in person to the following address during office hours for certified copy to be recorded by the office.

5th Floor (Counter 11), Permit and Certification Unit, Agriculture, Fisheries and Conservation Department, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon, Hong Kong

Thank you for your attention in this matter. Should you have any further enquiries, please feel free to contact Mr. Lui at telephone 2150-7963.

Yours faithfully,

Dr. Michelle YEUNG
Senior Veterinary Officer (Import and Export)
Director of Agriculture, Fisheries and Conservation

[Chinese text on the reverse page]
License Control

Hong Kong’s importation of meats, milk, frozen confections and plants are subject to licensing control.

- Importers are required to apply for an import license for every shipment except for milk and frozen confections.
- Import licenses for milk and frozen confections are valid for a period of time and there is no limit of import volume within the specified time provided in the license.
- Import licenses for milk and frozen confections are renewed usually on a yearly basis but are valid only for six months for the first four renewals.
- The importation of milk and frozen confections to Hong Kong must have prior approval from FEHD.
- Importers have to provide the full name and address of their frozen confection processing plants, the law of the country of origin governing the production of frozen confections/milk; mock packaging with labels; information of heat treatment method, etc.
Rules of Origin
Rules of Origin

OUTLINE OF NON-PREFERENTIAL RULES OF ORIGIN REGIME

Being a free port, Hong Kong imposes no origin requirement on imported goods except where origin marking is concerned. Hong Kong’s rules of origin are devised and administered to facilitate customs clearance of Hong Kong exports. The origin requirements for marking and trade statistics purposes are equally applied on exports.

BASIC PRINCIPLES OF NON-PREFERENTIAL RULES OF ORIGIN

Goods involving multiple country processing and/or materials are deemed to be substantially transformed in Hong Kong if they have undergone a manufacturing process (es) in Hong Kong which has changed permanently and substantially the shape, nature, form or utility of the basic materials used in the manufacture.

- Processes such as simple diluting, packing bottling, drying, simple assembly, sorting or decorating, etc. are not regarded as genuine manufacturing processes.
- Where the manufacturing process alone does not suffice to express substantial transformation, the Hong Kong cost content attributable to local component parts and labour vis-a-vis the total manufacturing cost will be considered in a supplementary manner (mainly applied to electronic and electrical products).
- The current local cost content requirement is 25 percent for the products concerned.

LEGISLATION AND OTHER RULES/DOCUMENTS - Origin Marking

Origin marking (for imports and exports) is governed by the Trade Description Ordinance, Chapter 362 of the Laws of Hong Kong. It stipulates that in relation to description of goods, goods shall be deemed to have been:

- Manufactured in the country in which they last underwent a treatment or process which changed permanently and substantially the shape, nature, form or utility of the basic materials used in their manufacture except when the Director-General of Trade stipulates otherwise.
- Produced in the country in which they were wholly grown or mined.

Certificate of Origin

The issue of certificate of origin by the Hong Kong Government Trade Department is governed by the Export (Certificates of Origin) Regulations of the Import and Export Ordinance, Chapter 60 of the Laws of Hong Kong.
Other Publicly Available Documents

Interested parties can obtain information on Hong Kong’s rules of origin through Trade Circulars issued by the Hong Kong Government Trade Department or make enquiry to the Trade Department Certification Branch and the five Government Approved Certification Organizations (GACOs).

The Government Approved Certificate-issuing Organizations are:

- The Hong Kong General Chamber of Commerce;
- Federation of Hong Kong Industries;
- The Chinese Manufacturers’ Association of Hong Kong;
- The Indian Chamber of Commerce, Hong Kong; and
- The Chinese General Chamber of Commerce.

RESPONSIBILITY FOR CORRECT DETERMINATION OF ORIGIN

Importers are responsible for lodging the necessary documents for clearance of goods through customs as required by relevant ordinances and regulations. For all imports, since Hong Kong is a free port with no tariffs, there is no need for origin determination except only when an origin marking offence is concerned. The origin of imported goods is required to be indicated on import declarations for trade statistics purposes.

Similarly for all exports, an origin indication is made on the export declaration for statistical purposes. For those exports under a Certificate of Hong Kong Origin (CHKO), origin determination is made by either the Hong Kong Government Trade Department or one of the five GACOs in deciding whether a CHKO is issuable. Application for certificates of origin for exports should be made before exportation of the goods concerned.

RULES OF ORIGIN

The criteria for determining origin are:

- For wholly-obtained goods, they must be natural produce of Hong Kong which have been grown or mined in Hong Kong.
- There is no special provision for definition of "wholly manufactured goods" in Hong Kong.
- For manufactured goods involving multiple country processing and/or materials, they must be the product of a manufacturing process (es) in Hong Kong which has changed permanently and substantially the shape, nature, form or utility of the basic materials used in the manufacture. Where the manufacturing process alone does not suffice to express substantial transformation, the Hong Kong cost content attributable to local component parts and labour \textit{vis-a-vis} the total manufacturing cost will be considered in a supplementary manner. The current local cost content requirement is 25 percent.
Food Safety Standards
Food Safety Standards

Food Additive Regulations

According to Hong Kong food laws, food additives do not include vitamins and minerals used for enriching food nutrients, nor seasoning substances like salt, herbs or spices. Food additives are not allowed in the following circumstances:

- To disguise defective raw materials like those which are bad or rotten
- To enhance the color, odor and flavor or shelf-life of food but consequently leads to substantial damage or reduction of nutrients
- To simplify or facilitate food processing where the desired effect can be obtained by proper processing practices and good hygienic standards
- When the additives used are hazardous to health

According to the Amendment Regulation, “Preservative” means any substance which is capable of inhibiting, retarding or arresting the process of fermentation, acidification or other deterioration of food or of masking any of the evidence of putrefaction but does not include –

- any permitted colouring matter
- common salt (sodium chloride)
- lecithin, sugars or tocopherols
- nicotinic acid or its amide
- vinegar or acetic acid, lactic acid, ascorbic acid, citric acid, malic acid, phosphoric acid, polyphosphoric acid or tartaric acid or the calcium, potassium or sodium salts of any of the acids specified in this paragraph
- glycerol, alcohol or potable spirits, isopropyl alcohol, propylene glycol, monoacetin, diacetin or triacetin
- herbs or hop extract
- spices or essential oils when used for flavouring purposes
- any substance added to food by the process of curing known as smoking
- carbon dioxide, nitrogen or hydrogen when used in the packing of food in hermetically sealed containers
- nitrous oxide when used in the making of whipped cream or
- glucose oxidase derived from *Aspergillus niger* var

According to the Amendment Regulation, “Antioxidant” means any substance that protects food against deterioration caused by oxidation (including fat rancidity and colour changes) but does not include –

- lecithin
ascorbic acid or salts or esters of ascorbic acid
- tocopherols
- erythorbic acid, citric acid, tartaric acid, phosphoric acid, lactic acid or the calcium, potassium or sodium salts of any such acid
- calcium, potassium or sodium salts of gluconic acid
- acetic and fatty acid esters of glycerol, lactic and fatty acid esters of glycerol or citric and fatty acid esters of glycerol
- glucose oxidase derived from *Aspergillus niger* var

After a particular transitional period, all food sold in Hong Kong shall have to comply with the Amendment Regulation. The transitional period begins on 1 July 2008 and ends on 30 June 2010 (both dates inclusive)

There are eleven additional preservatives and antioxidants permitted for food use in the new standards. These are:-

<table>
<thead>
<tr>
<th>Preservative</th>
<th>Antioxidant</th>
</tr>
</thead>
<tbody>
<tr>
<td>guaiac resin</td>
<td>ferrous gluconate</td>
</tr>
<tr>
<td>isopropyl citrates</td>
<td>formic acid</td>
</tr>
<tr>
<td>stannous chloride</td>
<td>hexamethylene tetramine</td>
</tr>
<tr>
<td>tertiary butylhydroquinone (TBHQ)</td>
<td>lysozyme</td>
</tr>
<tr>
<td>thiodipropionic acid</td>
<td>pimaricin</td>
</tr>
<tr>
<td>dimethyl dicarbonate</td>
<td></td>
</tr>
</tbody>
</table>

All these additional preservatives and antioxidants are permitted for food use in the Codex General Standard for Food Additives.

**Permitted Sweeteners**

<table>
<thead>
<tr>
<th>Sweetener</th>
<th>Sweetener</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acesulfame Potassium</td>
<td>Cyclamic Acid (and Sodium, Potassium, Calcium Salts)</td>
</tr>
<tr>
<td>Alitame</td>
<td>Saccharin (and Sodium, Potassium, Calcium Salts)</td>
</tr>
<tr>
<td>Aspartame</td>
<td>Sucralose</td>
</tr>
<tr>
<td>Aspartame-acesulfame Salt</td>
<td>Thaumatin</td>
</tr>
</tbody>
</table>
# Coloring Matter

The table shows the list of coloring matter permitted:

<table>
<thead>
<tr>
<th>Part I – Coal Tar Colors</th>
<th>Scientific Name</th>
<th>Colour Index Number (1982)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Common Name of Colour</strong></td>
<td><strong>Scientific Name</strong></td>
<td><strong>Colour Index Number</strong></td>
</tr>
<tr>
<td>Allura Red AC</td>
<td>disodium salt of 6-hydroxy-5-[(2-methoxy-5-methyl-4-sulphophenyl)-azo]-2-naphthalene-sulphonic acid.</td>
<td>16035</td>
</tr>
<tr>
<td>Amaranth</td>
<td>trisodium salt of 1-(4-sulpho-1-naphthylazo)-2-naphthol-3: 6-disulphonic acid.</td>
<td>16185</td>
</tr>
<tr>
<td>Black PN (Brilliant Black BN)</td>
<td>tetrasodium salt of 8-acetamido-2- (7-sulpho-4-p-sulphophenylazo-1-naphthylazo)-1-naphthol-3: 5-disulphonic acid.</td>
<td>28440</td>
</tr>
<tr>
<td>Brilliant Blue FCF (Brilliant Blue FD &amp; C No. 1)</td>
<td>disodium salt of 4-(4-(N-ethyl-p-sulphobenzylamino)-phenyl) - (2-sulphoniumphenyl)methylene-(1-(N-ethyl-N-p- sulphobenzyl)-2, 5-cyclohexadien-imine).</td>
<td>42090</td>
</tr>
<tr>
<td>Brown FK</td>
<td>a mixture consisting essentially of the disodium salt of 1:3-diamino-4:6-di-(p-sulphophenylazo) benzene and the sodium salt of 2:4-diamino-5-(p-sulphophenylazo) toluene.</td>
<td>---</td>
</tr>
<tr>
<td>Carmoisine</td>
<td>disodium salt of 2-(4-sulpho-1-naphthylazo)-l-naphthol-4: -sulphonic acid.</td>
<td>14720</td>
</tr>
<tr>
<td>Chocolate Brown HT</td>
<td>disodium salt of 2:4-dihydroxy-3:5-di-(4-sulpho-1-naphthylazo) benzyl alcohol.</td>
<td>20285</td>
</tr>
<tr>
<td>Erythrosine (BS)</td>
<td>disodium or dipotassium salt of 2:4:5:7-tetra-iodo-fluorescein.</td>
<td>45430</td>
</tr>
<tr>
<td>Green S</td>
<td>sodium salt of di-(p-dimethylaminophenyl)-2-hydroxy-3:6- disulphonaphthylmethanol andydride.</td>
<td>44090</td>
</tr>
<tr>
<td>Indigotin (Indigo Carmine)</td>
<td>disodium salt of indigotin-5:5'-disulphonic acid.</td>
<td>73015</td>
</tr>
<tr>
<td>Lithol Rubine BK</td>
<td>disodium salt of 3-hydroxy-4-[(2-sulpho-p-tolylazo]]-2- naphthoic acid.</td>
<td>15850</td>
</tr>
<tr>
<td>Patent Blue V</td>
<td>calcium salt of (4-[x-(p-(diethylamino) phenyl)-5-hydroxy-2, 4-disulphobenzylidine]-2, 5-cyclohexadien-1-ylidene) diethyl -ammonium</td>
<td>42051</td>
</tr>
<tr>
<td>Food Safety Standards in Major Export Markets: A Readymade Guide for Agro Exporters</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Colour</th>
<th>Description</th>
<th>Colour Index Number (1982)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ponceau 4R</td>
<td>trisodium salt of 1-(4-sulpho-l-naphthylazo)-2-naphthol-6:8-disulphonic acid.</td>
<td>16255</td>
</tr>
<tr>
<td>Quinoline Yellow</td>
<td>disodium salt of disulphonic acid of 2-(2 quinoyl)-1,3-indandione.</td>
<td>47005</td>
</tr>
<tr>
<td>Sunset Yellow FCF</td>
<td>disodium salt of 1-p-sulphophenylazo-2-naphthol-6-sulphonic acid.</td>
<td>15985</td>
</tr>
<tr>
<td>Tartrazine</td>
<td>trisodium salt of 5-hydroxy-1-p-sulphophenyl-4-p-sulphophenylazo-pyrazole-3-carboxylic acid.</td>
<td>19140</td>
</tr>
</tbody>
</table>

### Part II - Other Colors

<table>
<thead>
<tr>
<th>Colour</th>
<th>Description</th>
<th>Colour Index Number (1982)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caramel</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Cochineal (Carminic acid)</td>
<td></td>
<td>75470</td>
</tr>
<tr>
<td>Colouring matter natural to edible fruits or vegetables or their pure colouring principles whether isolated from such natural colours or produced synthetically and including:</td>
<td></td>
<td>75120</td>
</tr>
<tr>
<td>(a) Annatto</td>
<td></td>
<td>75130</td>
</tr>
<tr>
<td>(b) Vegetable Black</td>
<td></td>
<td>40820</td>
</tr>
<tr>
<td>(c) Carotenes</td>
<td></td>
<td>40825</td>
</tr>
<tr>
<td>(d) Beta-Apo-8'-carotenal</td>
<td></td>
<td>75810</td>
</tr>
<tr>
<td>(e) Beta-Apo-8'-carotenolic acid ethyl ester</td>
<td></td>
<td>75815</td>
</tr>
<tr>
<td>(f) Chlorophylls and Chlorophyllins including Copper complexes</td>
<td></td>
<td>75100</td>
</tr>
<tr>
<td>(g) Saffron</td>
<td></td>
<td>75300</td>
</tr>
<tr>
<td>(h) Tumeric (Curcumin)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iron Oxides</td>
<td></td>
<td>77491</td>
</tr>
<tr>
<td>Titanium dioxide</td>
<td></td>
<td>77891</td>
</tr>
<tr>
<td>Silver, Gold and Aluminium in leaf or powder form solely for external colouring of dragees and decoration of sugar-coated flour confectionery</td>
<td></td>
<td>---</td>
</tr>
<tr>
<td>The Aluminium or Calcium salts (lakes) of any of the scheduled water-soluble colours</td>
<td></td>
<td>---</td>
</tr>
</tbody>
</table>
## Additives in Certain Milk Products

| Additives in sweetened condensed or evaporated milk, sweetened condensed skimmed or separated milk and unsweetened condensed or evaporated milk |
|---|---|---|
| Item | Additive | Maximum Level |
| **Firming Agents** | | |
| 1. | Potassium chloride | 2 grams per kilogram singly or 3 grams per kilogram in combination, expressed as anhydrous substances |
| 2. | Calcium chloride | |
| **Stabilizers** | | |
| 3. | Sodium citrates | 2 grams per kilogram singly or 3 grams per kilogram in combination, expressed as anhydrous substances |
| 4. | Potassium citrates | |
| 5. | Calcium citrates | |
| **Acidity Regulators** | | |
| 6. | Calcium carbonates | 2 grams per kilogram singly or 3 grams per kilogram in combination, expressed as anhydrous substances |
| 7. | Sodium phosphates | |
| 8. | Potassium phosphates | |
| 9. | Calcium phosphates | |
| 10. | Diphosphates | |
| 11. | Triphosphates | |
| 12. | Polyphosphates | |
| 13. | Sodium carbonates | |
| 14. | Potassium carbonates | |
| **Thickener** | | |
| 15. | Carrageenan | 150 milligrams per kilogram |
| **Emulsifier** | | |
| 16. | Lecithins | Limited by good manufacturing practice |

### Division 2

<table>
<thead>
<tr>
<th>Additives in butter</th>
<th>Maximum Level</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Acidity Regulators</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Sodium phosphates</td>
</tr>
<tr>
<td>2.</td>
<td>Sodium carbonate</td>
</tr>
<tr>
<td>3.</td>
<td>Sodium hydrogen carbonate</td>
</tr>
<tr>
<td>4.</td>
<td>Sodium hydroxide</td>
</tr>
<tr>
<td>5.</td>
<td>Calcium hydroxide</td>
</tr>
</tbody>
</table>
### Harmful Substances in Food Regulations

<table>
<thead>
<tr>
<th>A</th>
<th>B Substance</th>
<th>C Description of substance</th>
<th>D Description of food</th>
<th>E Maximum concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Aflatoxin</td>
<td>Group of bis-furanocoumarin compounds and aflatoxicol</td>
<td>Any food other than peanut or its products</td>
<td>15 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td>2.</td>
<td>Amoxycillin</td>
<td>Muscle, liver and kidney of all food animals, milk</td>
<td>Peanuts or peanut products</td>
<td>20 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td>3.</td>
<td>Ampicillin</td>
<td>Muscle, liver and kidney of all food animals, milk</td>
<td>50 micrograms per kilogram of the food.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Bacitracin</td>
<td>Muscle, liver and kidney of bovine, porcine and poultry, milk</td>
<td>4 micrograms per kilogram of the food.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Benzylpenicillin</td>
<td>Muscle, liver and kidney of all food animals, milk</td>
<td>50 micrograms per kilogram of the food.</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Carbadox</td>
<td>Quinoxaline-2-carboxylic acid</td>
<td>Muscle of porcine, liver of porcine</td>
<td>5 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td>7.</td>
<td>Ceftiofur</td>
<td>Desfuroylcefuroxur</td>
<td>Muscle of bovine and porcine, kidney of bovine and porcine, milk</td>
<td>1000 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td>8.</td>
<td>Chlorotetracycline</td>
<td>Sum of the parent drug and its 4-epimers</td>
<td>Muscle of all food animals, liver of all food animals, kidney of all food animals, milk</td>
<td>100 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td>No.</td>
<td>Antibiotic</td>
<td>Parts of Animals</td>
<td>Limits per Kilogram of Food</td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>------------------</td>
<td>------------------</td>
<td>-----------------------------</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Cloxacillin</td>
<td>Muscle, liver and kidney of all food animals, Milk</td>
<td>300 micrograms, 30 micrograms</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Colistin</td>
<td>Muscle and liver of bovine, porcine and poultry, Kidney of bovine, porcine and poultry, Milk</td>
<td>150 micrograms, 200 micrograms, 50 micrograms</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Danofloxacin</td>
<td>Muscle of bovine and poultry, Muscle of porcine, Liver of bovine and poultry, Liver of porcine, Kidney of bovine and poultry, Kidney of porcine</td>
<td>200 micrograms, 100 micrograms, 400 micrograms, 50 micrograms, 400 micrograms, 200 micrograms</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Dicloxacillin</td>
<td>Muscle, liver and kidney of all food animals, Milk</td>
<td>300 micrograms, 30 micrograms</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Dihydrostreptomycin</td>
<td>Sum of dihydrostreptomycin and streptomycin</td>
<td>Muscle and liver of bovine, porcine and poultry, Kidney of bovine, porcine and poultry, Milk</td>
<td>500 micrograms, 1000 micrograms, 200 micrograms</td>
</tr>
<tr>
<td>14.</td>
<td>Dimetridazole</td>
<td>Muscle, liver and kidney of porcine and poultry</td>
<td>5 micrograms</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Doxycycline</td>
<td>Muscle of bovine, porcine and poultry, Liver of bovine, porcine and poultry, Kidney of bovine,</td>
<td>100 micrograms, 300 micrograms, 600 micrograms</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. Enrofloxacin</td>
<td>Sum of enrofloxacin and ciprofloxacin</td>
<td>Muscle of bovine, porcine and poultry Liver of bovine Liver of porcine and poultry Kidney of bovine Kidney of porcine and poultry Milk</td>
<td>100 micrograms per kilogram of the food. 300 micrograms per kilogram of the food. 200 micrograms per kilogram of the food. 200 micrograms per kilogram of the food. 300 micrograms per kilogram of the food. 100 micrograms per kilogram of the food.</td>
<td></td>
</tr>
<tr>
<td>17. Erucic acid</td>
<td>The fatty acid cis-docos-13-enoic acid</td>
<td>Any food to which oil or fat or a mixture thereof has been added Any oil or fat or any mixture thereof</td>
<td>5 per centum by weight of their fatty acid content of all the oils and fats in the food. 5 per centum by weight of their fatty acid content.</td>
<td></td>
</tr>
<tr>
<td>18. Erythromycin</td>
<td></td>
<td>Muscle, liver and kidney of bovine, porcine and poultry Milk</td>
<td>400 micrograms per kilogram of the food. 40 micrograms per kilogram of the food.</td>
<td></td>
</tr>
<tr>
<td>19. Flumequine</td>
<td></td>
<td>Muscle and liver of bovine, porcine and poultry Kidney of bovine, porcine and poultry</td>
<td>500 micrograms per kilogram of the food. 3000 micrograms per kilogram of the food.</td>
<td></td>
</tr>
<tr>
<td>20. Furaladone</td>
<td></td>
<td>Muscle of porcine and poultry</td>
<td>0 microgram per kilogram of the food.</td>
<td></td>
</tr>
<tr>
<td>21. Furazolidone</td>
<td></td>
<td>Muscle, liver and kidney of bovine, porcine and poultry</td>
<td>0 microgram per kilogram of the food.</td>
<td></td>
</tr>
<tr>
<td>22. Gentamicin</td>
<td></td>
<td>Muscle of bovine, porcine and poultry Liver of bovine and porcine Kidney of bovine and porcine Liver and kidney of poultry Milk</td>
<td>100 micrograms per kilogram of the food. 2000 micrograms per kilogram of the food. 5000 micrograms per kilogram of the food. 100 micrograms per kilogram of the food. 200 micrograms per kilogram of the food.</td>
<td></td>
</tr>
</tbody>
</table>
| **23. Ivermectin** | **22, 23-Dihydro-avermectin B1a (H2B1a)** | Liver of bovine | 100 micrograms per kilogram of the food.  
| | | Liver of porcine | 15 micrograms per kilogram of the food.  
| **24. Josamycin** | | Muscle and liver of poultry  
| | | Kidney of poultry | 200 micrograms per kilogram of the food.  
| **25. Kitasamycin** | | Muscle, liver and kidney of porcine and poultry | 200 micrograms per kilogram of the food.  
| **26. Lincomycin** | | Muscle of bovine, porcine and poultry  
| | | Liver of bovine, porcine and poultry  
| | | Kidney of bovine, porcine and poultry  
| | | Milk | 100 micrograms per kilogram of the food.  
| | | 500 micrograms per kilogram of the food.  
| | | 1500 micrograms per kilogram of the food.  
| | | 150 micrograms per kilogram of the food.  
| **26A. Malachite green** | **Sum of malachite green and leucomalachite green** | Any food (including live fish, live reptiles and live poultry) | 0 microgram per kilogram of the food.  
| **27. Metronidazole** | | Muscle, liver and kidney of porcine and poultry | 0 microgram per kilogram of the food.  
| **28. Neomycin** | | Muscle and liver of bovine, porcine and poultry  
| | | Kidney of bovine, porcine and poultry  
| | | Milk | 500 micrograms per kilogram of the food.  
| | | 10000 micrograms per kilogram of the food.  
| | | 500 micrograms per kilogram of the food.  
| **29. Oxolinic acid** | | Muscle of bovine, porcine and poultry  
| | | Liver and kidney of bovine, porcine and poultry | 100 micrograms per kilogram of the food.  
| | | 150 micrograms per kilogram of the food.  
| **30. Oxytetracycline** | **Sum of parent drug and its 4-epimer** | Muscle of all food animals  
| | | Liver of all food animals | 100 micrograms per kilogram of the food.  
| | | 300 micrograms per kilogram of the food.  

---

Page 28
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kidney of all food animals</strong></td>
<td><strong>600 micrograms per kilogram of the food.</strong></td>
<td><strong>100 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td><strong>Milk</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>31. Sarafloxacin</strong></td>
<td><strong>Muscle of poultry</strong></td>
<td><strong>10 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Liver and kidney of poultry</strong></td>
<td><strong>80 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td><strong>Muscle of bovine, porcine and poultry</strong></td>
<td><strong>500 micrograms per kilogram of the food.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Liver of bovine, porcine and poultry</strong></td>
<td><strong>2000 micrograms per kilogram of the food.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Kidney of bovine, porcine and poultry</strong></td>
<td><strong>5000 micrograms per kilogram of the food.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Milk</strong></td>
<td><strong>200 micrograms per kilogram of the food.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>32. Spectinomycin</strong></td>
<td><strong>Sum of dihydrostreptomycin and streptomycin</strong></td>
<td><strong>500 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Muscle and liver of bovine, porcine and poultry</strong></td>
<td><strong>1000 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Kidney of bovine, porcine and poultry</strong></td>
<td><strong>200 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td><strong>Milk</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>33. Streptomycin</strong></td>
<td><strong>Sum of all substances belonging to the sulfonamide group</strong></td>
<td><strong>100 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Muscle, liver and kidney of all food animals</strong></td>
<td><strong>100 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Milk</strong></td>
<td><strong>100 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td><strong>34. Sulfonamides</strong></td>
<td><strong>Sum of parent drug and its 4-epimer</strong></td>
<td><strong>100 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Muscle of all food animals</strong></td>
<td><strong>300 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Liver of all food animals</strong></td>
<td><strong>600 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Kidney of all food animals</strong></td>
<td><strong>100 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Milk</strong></td>
<td><strong>500 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td><strong>35. Tetracycline</strong></td>
<td><strong>Sum of metabolites that may be hydrolysed to 8-alpha-hydroxymutelin</strong></td>
<td><strong>100 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Muscle of porcine and poultry</strong></td>
<td><strong>500 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Liver of porcine</strong></td>
<td><strong>1000 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Liver of poultry</strong></td>
<td></td>
</tr>
<tr>
<td><strong>36. Tiamulin</strong></td>
<td><strong>Muscle, liver and kidney of bovine,</strong></td>
<td><strong>50 micrograms per kilogram of the food.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>50 micrograms per kilogram of the food.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>37. Trimethoprim</strong></td>
<td><strong>50 micrograms per kilogram of the food.</strong></td>
<td></td>
</tr>
<tr>
<td>Antimicrobial</td>
<td>Tissues/Products</td>
<td>Limit</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Tylosin</td>
<td>Muscle, liver and kidney of bovine, porcine and poultry, Milk</td>
<td>200 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td></td>
<td>Milk</td>
<td>50 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td>Virginiamycin</td>
<td>Muscle of porcine</td>
<td>100 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td></td>
<td>Liver of porcine</td>
<td>300 micrograms per kilogram of the food.</td>
</tr>
<tr>
<td></td>
<td>Kidney of porcine</td>
<td>400 micrograms per kilogram of the food.</td>
</tr>
</tbody>
</table>
## Metallic Contamination

### Schedule 1 - Maximum Permitted Concentration of Certain Metals Naturally Present in Specified Foods

<table>
<thead>
<tr>
<th>A</th>
<th>Metal</th>
<th>Description of food</th>
<th>C</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Arsenic</td>
<td>Solids being fish and fish products</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>( \text{AS}_2\text{O}_3 )</td>
<td>Solids being shellfish and shellfish products</td>
<td>10</td>
</tr>
</tbody>
</table>

### Schedule 2 - Maximum Permitted Concentration of Certain Metals Present in Specified Foods

<table>
<thead>
<tr>
<th>A</th>
<th>Metal</th>
<th>Description of food</th>
<th>C</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Antimony</td>
<td>Cereals and vegetables</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>( \text{Sb} )</td>
<td>Fish, crab-meat, oysters, prawns and shrimps</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Meat of animal and poultry</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Arsenic</td>
<td>Solids other than-</td>
<td>1.4</td>
</tr>
<tr>
<td></td>
<td>( \text{AS}_2\text{O}_3 )</td>
<td>(i) fish and fish products; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(ii) shellfish and shellfish products</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>All food in liquid form</td>
<td>0.14</td>
</tr>
<tr>
<td></td>
<td>Cadmium</td>
<td>Cereals and vegetables</td>
<td>0.1</td>
</tr>
<tr>
<td></td>
<td>( \text{Cd} )</td>
<td>Fish, crab-meat, oysters, prawns and shrimps</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Meat of animal and poultry</td>
<td>0.2</td>
</tr>
<tr>
<td></td>
<td>Chromium</td>
<td>Cereals and vegetables</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>( \text{Cr} )</td>
<td>Fish, crab-meat, oysters, prawns and shrimps</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Meat of animal and poultry</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Lead</td>
<td>All food in solid form</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>( \text{Pb} )</td>
<td>All food in liquid form</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Mercury</td>
<td>All food in solid form</td>
<td>0.5</td>
</tr>
<tr>
<td></td>
<td>( \text{Hg} )</td>
<td>All food in liquid form</td>
<td>0.5</td>
</tr>
<tr>
<td></td>
<td>Tin</td>
<td>All food in solid form</td>
<td>230</td>
</tr>
<tr>
<td></td>
<td>( \text{Sn} )</td>
<td>All food in liquid form</td>
<td>230</td>
</tr>
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</table>
Labeling Standards
Labeling

The Food and Drugs (Composition and Labeling) Regulations require food manufacturers and packers to label their products in a prescribed, uniform and legible manner. The following information is required to be marked on the label of all prepackaged food except for ‘exempted items’ as provided in the Regulations.

Prepackaged food means any food packaged in such a way that the contents cannot be altered without opening or changing packaging and the food is ready for presentation to the ultimate consumer or a catering establishment as a single food item.

General Requirements

- **Name of the Food**
  - Prepackaged food shall be legibly marked or labeled with its name or designation.
  - The food name should not be false, misleading or deceptive but should serve to make the nature and type of food known to the purchasers.

- **List of Ingredients**
  - Preceded by an appropriate heading consisting of the words “ingredients”, “composition”, “contents” or words of similar meaning, the ingredients should be listed in descending order of weight or volume determined as at the time of their use when the food was packaged.
  - If a food consists of or contains any of the following substances, the name of the substance shall be specified in the list of ingredients.
    - Cereals containing gluten, (namely wheat, rye, barley, oats, spelt or their hybridized strains and their products);
    - Crustacean and crustacean products;
    - Eggs and egg products;
    - Fish and fish products;
    - Peanuts, soybeans and their products;
    - Milk and milk products (including lactose);
    - Tree nuts and nut products;
  - An additive constituting one of the ingredients of a prepackaged food shall be listed by both its functional class and its specific name or its identification number under the International Numbering System (INS) for Food Additives. The trade is also at liberty to use the prefix “E” or “e” with the INS number as adopted by the European Union under the E-numbering system.
If a food consists of or contains sulphite in a concentration of 10 parts per million or more, the functional class of the sulphite and its name shall be specified in the list of ingredients.

- **Indication of “best before” or “use by” date**

Prepackaged food shall be legibly marked or labeled with the appropriate durability indication as follows:

- A “best before” (in Chinese characters as well) date.
- In the case of a prepackaged food which, from the microbiological point of view, is highly perishable and is likely, after a short period, to constitute an immediate danger to human health, a “use by” (in Chinese characters as well) date.
- The words “use by” and “best before” in English lettering and Chinese characters followed by the date up to which specific properties of the food can be retained, to indicate the shelf life of the food.
- The “use by” or “best before” date should be shown either in Arabic or in both the English and Chinese languages.
- The indication of durability in Arabic numerals is no longer required to be expressed in the strict order of a day, a month and a year. Instead, the day, month and year can appear in any order but the exact sequence has to be clearly declared in both Chinese and English. For specific details refer to the Regulation.
- Deep-frozen food and any food with a shelf life of more than 18 months are also required to mark a “best before” date.

- **Statement of Special Conditions for Storage or Instruction for Use**

If special conditions are required for storage to retain the quality or special instructions are needed for prepackaged food use, a statement should be legibly marked on the label.

- **Name and Address of Manufacturer or Packer**

Prepackaged food shall be legibly marked or labeled with the full name and address of the manufacturer or packer, except under the following situations:

- The package is marked with an indication of the country of origin and the name and address of the distributor or brand owner in Hong Kong, and the address of the manufacturer or packer of the food in its country of origin has been notified in writing to the Director of FEHD.
The package is marked or labeled with an indication of its country of origin and with a code marking identifying the manufacturer or packer in that country and particulars of the code marking and of the manufacturer have been notified in writing to the Director of FEHD.

- **Count, Weight or Volume**

The food label should include the numerical count or net weight or net volume of the food.

- **Appropriate Language**

The marking or labeling of prepackaged food can be in either the English or the Chinese language or in both languages. If both the English and Chinese languages are used in the labeling or marking of prepackaged food, the name of the food and the list of ingredients shall appear in both languages.

- **Exempt from Labeling Regulations**

The following items are to be exempted from all labeling requirements, as they currently are:

- Individually wrapped confectionery products and preserved fruits intended for sale as a single item
- Prepackaged foods for sale at catering establishment for immediate consumption and those containing more than 1.2 percent alcohol by volume.
- Wines, fruit wines and other drinks with an alcoholic strength by volume of 10 percent or more

As regards other alcoholic drinks with an alcoholic strength by volume of more than 1.2 per cent but less than 10 per cent, the durability period will need to be labeled on the drinks. Apart from this, they will be exempted from all other labeling requirements.

The HKG released a Code of Practice regarding the Labeling of Alcoholic Drinks. This labeling guideline is provided to the trade for them to follow on a voluntary basis. (Under the Dutiable Commodities Regulation, every container containing liquor for local consumption is required to be labeled with the alcoholic strength.)

- The HKG accepts stick-on labels as long as they meet local requirements.
- Under the Food and Drugs (Composition and Labeling) Regulations, it is an offense to sell any food after its “use by” date. Furthermore, any person who, not being the food manufacturer or packer or without their written authorization, removes or obliterates any particulars on the label required under these regulations also commits an offense.
• Requirements Specific to Nutritional Labeling

Hong Kong’s Legislative Council on May 28, 2008 passed a nutrition labeling regulation which will take effect July 1, 2010. Hong Kong’s nutrition labeling regulation requires all prepackaged food sold in Hong Kong have to label energy plus seven nutrients namely, protein, carbohydrate, fat, saturated fat, trans fat, sodium and sugars. Products selling less than 30,000 units a year can apply for small volume exemption provided that the products do not carry any nutritional claims.

Traders applying for exemption have to pay HK$345 (US$44) per product variety for the first year and HK$335 (US$43) for annual renewal. Hong Kong’s nutrition labeling regulation is unique; meaning all imported foods making nutrition claims from all sources will have to be re-labeled for the Hong Kong market.

In fact, Hong Kong’s nutrition labeling requirements are stricter than Codex recommendations, and no major food supplying countries have nutrition labeling requirements equivalent to Hong Kong’s new regulation. Thus, all imported foods making nutrition claims from all sources will have to be re-labeled for the Hong Kong market. Hong Kong’s nutrition labeling regulation also covers nutrient function claims, which have to fulfill the following criteria:

• The nutrient function claim is based on scientific substantiation and scientific consensus
• The nutrient function claim must contain information on the physiological role of the claimed nutrient
• The content of the claimed nutrients must meet the relevant condition of nutrient content claim for “source”, if applicable.

Packaging and Container Requirements

*Hong Kong currently has no special requirements for packaging and containers.*

Labeling on Alcohol Products

The Hong Kong Government has released a Code of Practice on the Labeling of Alcoholic Drinks. This labeling guideline is provided to the trade to follow on a voluntary basis.

All prepackaged food shall be legibly marked or labeled with the following information:

- Name or designation
- List of ingredients
- Indication of "best before" or "use by" date
- Statement of special conditions for storage or instructions for use
- Name and address of manufacturer
- Count, weight or volume
Every container containing liquor that is imported into or manufactured in Hong Kong for local consumption is required to be labeled with the alcoholic strength, or the range of alcoholic strength.)

Drinks with an alcoholic strength by volume of more than 1.2 percent and less than 10 percent are also exempted from all labeling requirements except on the indication of durability on label.

**Code of Practice**

**Name of Product**

- In order to facilitate consumers to refer to by the name of an alcoholic drink, all drinks with an alcoholic strength of more than 1.2 percent as determined under section 53 of the Dutiable Commodities Ordinance (Cap. 109) shall be legibly marked or labeled with its name or designation. The name shall be in either Chinese or English or both languages.
- The name or designation shall not be false, misleading or deceptive in any respect as to the nature of the alcoholic drinks.
- If both the English and Chinese languages are used in the labeling or marking of the alcoholic drinks such as the name and address of manufacturer/packer, the name of the alcoholic drinks and the list of ingredients, if any, shall appear in both languages.

**Name and address of manufacturer or packer**

- Drinks with an alcoholic strength by volume of more than 1.2 percent as determined under section 53 of the Dutiable Commodities Ordinance (Cap. 109) shall be legibly marked or labeled in either Chinese, or English or both languages with the full name and full address or details of the registered or principal office of the manufacturer or packer.
- The above regulation shall not apply if -
  - It is marked or labeled with-
    - (i) An indication of its country of origins;
    - (ii) The name of the distributor or brand owner in Hong Kong; and
    - (iii) The address of the registered or principal office of the distributor or brand owner in Hong Kong
- The full address of the manufacturer or packer of the alcoholic drink in its country of origin has been notified in writing to the authority by the distributor or brand owner in Hong Kong.
- The 1st regulation shall not apply if –
  - It is marked or labeled with an indication of its country of origin and with a code marking identifying the manufacturer or packer in that country
  - Particular of the code marking and marking in that of the manufacturer or packer to whom it relates have been notified in writing to the authority by the manufacturer or packer or by the distributor or brand owner in Hong Kong.
Indication of durability

Drinks with an alcoholic strength by volume of more than 1.2 percent and less than 10 percent are required to be labeled with the durability. For wines, liquor wines, sparkling wines, fruit wines, sparkling fruit wines and other drinks with an alcoholic strength by volume of 10 percent or more, they are exempted from this requirement. The date marking shown in Arabic numerals shall be in the following format:

- The day shall be indicated by the words “DD”, “dd”, “D” or “d” in English lettering and in Chinese character
- The month shall be indicated by the words “MM”, “mm”, “M” or “m” in English lettering and in Chinese character
- The year shall be indicated by the words “YY”, “yy”, “Y” or “y” in English lettering and in Chinese character; and the day, month and year can appear in any order.

Labeling of Biotech Foods

The HKG does not have any specific biotechnology regulations with regard to the labeling of biotech food products. The HKG makes no distinction between conventional and biotech foods. All are subject to the same food safety regulation. As a result of its evaluation, the HKG plans to continue to promote voluntary labeling of GMO products as a viable alternative for the trade.

The HKG released a set of guidelines on voluntary labeling for biotech foods in 2006. The guidelines on labeling for biotech foods are advisory in nature and do not have any legal effect. Adoption is entirely voluntary and is not binding. The guidelines apply to prepackaged food. The guidelines are based on the following four principals:

The labeling of biotech food will comply with the existing food legislation.
- The threshold level applied in the guideline for labeling purpose is 5 percent, in respect of individual food ingredient.
- Additional declaration on the food label is recommended when significant modifications of the food, e.g. composition, nutrition value, level of anti-nutritional factors, natural toxicant, presence of allergen, intended use, introduction of an animal gene, etc, have taken place.
- Negative labeling is not recommended. It should be noted that the HKG does not encourage negative labeling particularly for the use of the following terms:
  - GMO free
  - Free from GM ingredients

For products with such definite negative labeling, the HKG may take the initiative to test the products against GM ingredients and zero tolerance will be adopted for testing purposes. If products are found to have misleading labeling, a retailer may be subject to prosecution under
Section 61 – False Labeling and Advertisement of Food or Drugs of Chapter 132 Public Health and Municipal Services Ordinance.

If the trade chooses to apply negative labeling, the government advises to use less definite terms such as “sourced from non-GM sources” (which contains less than 5 percent of GM content) and to have documentation to substantiate such declaration.

In order to better explain the guidelines, the Hong Kong government has prepared a set of “Frequently Asked Questions on the Guidelines”.

**Frequently Asked Questions on the Guidelines on Voluntary Labeling of Genetically Modified (GM) Food**

1. **What is the purpose of developing these guidelines?**

   In order to enhance consumers’ knowledge and right to make an informed choice on GM food, the Centre for Food Safety (CFS) supports the local food trade’s initiative in setting up a voluntary labeling system for GM food. The Guidelines serve as a reference to facilitate the trade to make truthful claims of GM foods.

2. **Why does the Government propose to introduce the voluntary labeling guidelines on GM food, instead of a mandatory labeling scheme?**

   When deciding the regulatory framework on GM food labeling, a number of factors, including trade impact and public concern, have to be taken into account. In the past public consultation exercise, the majority of views collected are in support of mandatory labeling, and the presence of GM content in any ingredient of a food product above a threshold level should be labeled. However, as there was concern about the possible price rise after the introduction of a mandatory labeling system, a regulatory impact assessment (RIA) on the labeling of GM food in Hong Kong was conducted and revealed that there would be additional cost to the trade, in particular the small and medium sized companies, if a mandatory scheme was to be implemented. Moreover, there is at present no international consensus on the labeling of GM food. The Government will need to engage the trade and other stakeholders and consult them before coming to any conclusion on whether there should be mandatory labeling requirement for GM food. In response to consumers’ increasing demand for more product information, the Government considers it a pragmatic move to introduce a voluntary labeling scheme for GM food at this stage.

3. **What are the current international practices on labeling of GM food?**
The international community is working towards a consensual policy on GM food labeling. However, the Codex Alimentarius Commission of the United Nations is unlikely to be able to set internationally agreed standards in the near future. At present, the regulatory approach on GM food labeling varies in different countries and areas, and can be broadly classified as voluntary or mandatory. For the voluntary labeling approach, only GM food that is significantly different from its conventional counterpart, in terms of composition, nutritional value and allergenicity, needs to be labeled. The U.S. and Canada are examples of countries adopting this approach. For the mandatory approach, it can be further classified as two categories, i.e. “pan-labeling” or “labeling for designated products only”. The “pan-labeling” category requires that any food products containing GM materials exceeding a threshold level or food with any significantly different characteristics as a result of genetic modification must be labeled. The EU, Australia and New Zealand are examples of countries adopting this approach. The “labeling for designated products only” category requires that only the designated products which are genetically modified need to be labeled. Countries and areas like Japan, Korea, Taiwan and Mainland China are adopting this approach.

4. How were the guidelines developed?

A Working Group comprising representatives from the food trade, Consumer Council and relevant Government departments was set up by the Food and Environmental Hygiene Department to formulate the Guidelines. After the Centre for Food Safety was established, the Working Group met and finalized the draft Guidelines.

5. Are these guidelines legal binding?

The Guidelines are advisory in nature and have no legal effect. Adoption is entirely voluntary and is not binding. Nevertheless, members of the trade are encouraged to adopt the Guidelines to standardize consumers' information.

6. Are these guidelines applicable to all types of food including loose food items sold in Hong Kong?

These guidelines are only applicable to pre-packaged food sold in Hong Kong and are voluntary in nature.

7. What kind of food products should be labeled under the Guidelines?

Any food items with 5% or more GM materials in their respective food ingredient(s) could be labeled as “genetically modified” in a prescribed manner. Additional declaration on the food label is recommended when significant modifications that have taken place under the following conditions: (a) the composition or nutritional value is significantly different from that
of its conventional counterpart; (b) the level of anti-nutritional factors or natural toxicants is significantly different from that in its conventional counterpart; (c) the presence of an allergen that is not found in its conventional counterpart; (d) the intended use of the food is significantly different from that of its conventional counterpart; or (e) an animal gene has been introduced into food of plant origin.

8. **Why is a threshold level of 5% adopted in the Guidelines?**

In the Guidelines, a threshold level of 5% is adopted in order to address the problem of unintentional adventitious mixing between GM and non-GM food materials during harvest, storage and transportation. This chosen level reflects what the trade can deliver at this stage. Furthermore, the analysis in the Regulatory Impact Assessment on Labeling of GM Food suggested that the cost to the trade could increase significantly if the threshold level becomes more stringent. This threshold level was also adopted by overseas countries or areas including Canada, Japan and Taiwan.

9. **What are the pros and cons of adopting a threshold level of 5% or 1%?**

**Adopting a threshold level of 5%:**

*Pros:*

- At present, there is no international consensus on threshold level for GM food labeling and the adopted threshold levels vary from country to country with levels ranged from 0.9 to 5%. Hence, a threshold level of 5% would impose less technical difficulties on the trade.
- This approach will incur less additional cost on the food production.
- This approach will currently be more practical or achievable among the local food trade.

*Cons:*

- This approach will not fully address the need of consumers who would like to know the presence of a lower content of GM materials, so as to make informed choices.

**Adopting a threshold level of 1%:**

*Pros:*

- This approach will address better the need of consumers who would like to know whether food contains any GM materials at all, so as to make informed choices.

*Cons:*

- This approach will currently be less practical or achievable among the local food trade.
- This approach will limit consumer choice to those foods that have been grown intentionally to meet the non-GM market due to the problem of unintentional adventitious mixing between GM and non-GM food materials in the production of field crops.
10. Do the Guidelines cover the aspect of negative labeling? What is the approach proposed in these guidelines?

To be consistent with the international approach, negative labeling is not recommended for food of which no GM varieties have been produced as it would be misleading to consumers. The trade could browse the webpage of the “GM Food Database” in our website to know more about which foods have GM counterparts. Furthermore, absolute terms such as “GM free” and similar labels (e.g. GMO free, free from GM ingredients, etc.) are not recommended to be used, as such absolute terms may be misleading to consumers. Since there is the possibility of unintentional mixing of GM and non-GM crops, a truly “GM free” status is very difficult to attain.

If the trade would like to use labeling besides the aforesaid absolute terms to describe their products as being made from non-GM source, they need to have documentation to substantiate such declaration. Moreover, if a product contains multiple ingredients, such declaration can only be used when ALL of the ingredients in the product are derived from non-GM sources and documentation are available to substantiate the claim.

11. Will the Guidelines be reviewed in the future?

Subject to further development, in areas like technological advancement, international consensus on the labeling approach, etc., these guidelines may be reviewed and updated.

12. Do the Guidelines require additional declaration if the GM food contains an allergen?

Food allergy is common and a range of food products such as peanuts and eggs, no matter if they are GM or not, may contain allergenic proteins which can cause allergic reaction. Under the current legislation, if a food consists of or contains any of (i) cereals containing gluten; (ii) crustacea and its products; (iii) eggs and its products; (iv) fish and its products; (v) peanuts, soyabean and their products; (vi) milk and its products and (vii) tree nuts and nut products, the name of the substance shall be specified in the list of ingredients. In addition, the voluntary Guidelines on GM food labeling also suggest those GM foods with the presence of an allergen, which is not found in its conventional counterpart to have additional declaration on the food label.

13. How should the trade label food with single ingredient which is genetically modified?

Schedule 4 of the Food and Drugs (Composition and Labeling) Regulations exempts any food consisting of a single ingredient to comply with the labeling requirements imposed under paragraph 2 of Schedule 3 to the Regulations. However, paragraph 3 of Schedule 3 provides that if any prepackaged food which is exempted from paragraph 2 of Schedule 3 is marked or labeled
with a list of ingredients on its own initiative (regardless whether the ingredients are GM or not), such list of labeling shall comply with the labeling requirements imposed under Schedule 3.

Therefore, if traders adopt this voluntary guidelines on GM food labeling, food with single ingredient consisting of 5% or more GM materials is to be labeled as “genetically modified” in parenthesis following the name of the food in the list of ingredients or in a prominently displayed footnote to the list of ingredients. Such labeling should conform in all respects with the requirements of the marking and labeling of prepackaged foods in the said Schedule 3.

14. What are the anti-nutritional factors mentioned in the Guidelines?

Anti-nutritional factors are those compounds that inhibit the normal uptake or utilization of nutrients. The Trypsin inhibitor commonly found in soya bean is one of the examples of anti-nutritional factors. Trypsin inhibitor can inhibit the activities of some digestive enzymes and may affect the process of nutrient absorption from the overall diet.

15. How can the trade get information about those GM food products that have been approved so far?

If the trade would like to obtain a list of GM food products which were approved to be sold in the market, they may visit the “GM Food Database” in our website. The database has included the list of GM food products that have been gone through the safety assessment processes and have been approved in some countries such as the United States, Canada, Australia and New Zealand.