

CONTROLLING OFFICER'S REPLY**FHB(FE)011****(Question Serial No. 0646)**Head: (49) Food and Environmental Hygiene DepartmentSubhead (No. & title): (-) Not specifiedProgramme: (1) Food Safety and Public HealthControlling Officer: Director of Food and Environmental Hygiene (Ms Irene YOUNG)Director of Bureau: Secretary for Food and HealthQuestion:

In this Programme, it is stated that food surveillance is conducted regularly at various points of the food chain.

- I. With respect to “online sale of cooked food (takeaway food)” and “sale of chilled and frozen food”, please provide the number of directly investigated cases, the number of reported cases investigated and the number of incriminated vendors in the past 3 years.
- II. With regard to the above investigated cases, what were the number of prosecutions instituted and the number of convictions? Against which type(s) of cases were prosecution mostly instituted?
- III. Please list the staff establishment for the above work and the expenditure involved in the past 3 years.

Asked by: Hon CHAN Hoi-yan (LegCo internal reference no.: 4)Reply:

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department has been taking food samples at the import, wholesale and retail levels and from online platforms for testing under its routine Food Surveillance Programme to ensure food safety. In the past 3 years, 14 725 samples of food purchased online were collected for testing. The details are as follows:

| Year | 2019 | 2020 | 2021 | Total |
|--|-------------|-------------|-------------|--------------|
| Number of samples of food purchased online | 4 881 | 4 602 | 5 242 | 14 725 |

All the samples, except 32, passed the tests. The failed samples consisted of 14 vegetable, fruit or cereal grain products, 10 aquatic products, 4 meat/meat products and 4 other food products (honey, syrup, candy and spice). They were detected with metallic contaminants, preservatives, pesticide/veterinary drug residues, colouring matters or pathogens exceeding

the relevant safety standards or with undeclared allergens. The CFS has taken appropriate follow-up actions regarding these samples, including instructing the vendors to stop selling the implicated foods and remove them from shelves, requesting the vendors to recall the food items as needed and instituting prosecution against 6 cases. The prosecution cases were concerned with contraventions of the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W), the Preservatives in Food Regulation (Cap. 132BD) or the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V), of which 4 cases were convicted and 2 others are pending a judgement.

In addition, the CFS received 421 complaints about “online sale of cooked food (takeaway food)” and “sale of chilled and frozen food” in the past 3 years. The details are as follows:

| Year | 2019 | 2020 | 2021 | Total |
|---|-------------|-------------|-------------|-----------------|
| Number of complaints about online sale of cooked food (takeaway food) (number of vendors involved) | 9 (8) | 69 (11) | 164 (27) | 242 (46) |
| Number of complaints about sale of chilled and frozen food (number of vendors involved) | 57 (18) | 62 (31) | 60 (38) | 179 (87) |

The CFS has taken follow-up actions regarding these complaints, including taking follow-up samples from the vendors and instituting prosecution against 3 cases based on sufficient evidence. The details are as follows:

- (i) 2 prosecutions were instituted on complaints about “online sale of cooked food (takeaway food)” in relation to “foreign substances in food” and contravention of the Public Health and Municipal Services Ordinance (Cap. 132). The 2 cases were convicted.
- (ii) 1 prosecution was instituted on a complaint about “sale of chilled and frozen food” in relation to “sale of food beyond the expiry date” and contravention of the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W). The case is pending a judgement.

The Food Surveillance and Complaint Section of the CFS is responsible for collecting samples of food (including food purchased online and takeaway food) for testing and handling food complaints. The section has 54 staff members, as they are also tasked with other duties, the staffing and expenditure for different areas of work cannot be separately quantified.

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