

Voluntary Report – Voluntary - Public Distribution

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Report Name: Hong Kong Passed Amendment to Harmful Substances in Food Regulation

Country: Hong Kong

Post: Hong Kong

Report Category: WTO Notifications, Agriculture in the News, Sanitary/Phytosanitary/Food Safety

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Report Highlights:

The Legislative Council passed the Harmful Substances in Food (Amendment) Regulation 2021 on July 14, 2021. The goal of the legislation is to enhance the regulation of harmful substances such as industrially produced trans fats and mycotoxins in food. The provisions stipulating the new/revised maximum levels of harmful substances in food become effective on June 1, 2023 while those prohibiting partially hydrogenated oils (PHO) in food become effective on December 1, 2023. The Food and Drugs (Composition and Labelling) (Amendment) Regulation 2021 was also updated to provide for the marking and labelling requirement for prepackaged foods containing hydrogenated oil; it is effective the same date PHO ban is effective – December 1, 2023.

The Hong Kong government (HKG) recently notified the World Trade Organization (WTO) (G/SPS/N/HKG/45 add.1) that Hong Kong's Harmful Substances in Food (Amendment) Regulation 2021 was passed by the Legislative Council in July 2021. The Amendment Regulation includes provisions stipulating the maximum levels of certain harmful substances and specifies partially hydrogenated oils (PHO) as a prohibited substance in food, which will take effect on June 1, 2023 and December 1, 2023 respectively.

To align with the Amendment Regulation, the HKG also updated the Food and Drugs (Composition and Labelling) Regulation; the Legislative Council passed it in July 2021 as well. The amended labeling regulation stipulates that any prepackaged food containing hydrogenated oils, e.g. fully hydrogenated oil, must indicate it accordingly in the list of ingredients. This labeling requirement change takes effect on December 1, 2023, to coincide with the implementation on the ban of PHO in food.

Before introducing the Amendment Regulation to the Legislative Council, the HKG notified the WTO its intention to amend the Regulation in December 2020 and launched a 3-month public consultation on the proposed changes.

In summary, the Amendment Regulation updates and strengthens the regulatory control of three types of mycotoxins (aflatoxins, deoxynivalenol (also known as vomitoxin) and patulin) in food, and sets or updates the maximum levels for five other harmful substances (i.e. benzo[a]pyrene, glycidyl fatty acid esters, melamine, 3-monochloropropane-1,2-diol and erucic acid) in edible fats and oils, condiments or formula products intended for infants. For maximum residue levels of harmful substances stipulated by the Amendment Regulation, please refer to this [link](#).

Attachments:

No Attachments.