Introduction to Hong Kong, China’s Import Licensing Regimes

Submitted by: Hong Kong, China
Introduction to Hong Kong, China’s Import licensing regimes

Import Licensing Workshop

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Background

Hong Kong: A Gastronomic Melting Pot for 7 Million People
• Free port
• Densely populated international city
• Little local food production
• Over 90% of food consumed is imported
• Large volume and variety of food from around the world

⇒ Promoting food safety in Hong Kong is a unique and complicated task
⇒ In devising the local food safety control regime, the Government is mindful of striking a balance between regulation and the maintenance of the variety and stability of the food supply.

Food Safety in Hong Kong, CHINA

Food Safety Authority in Hong Kong, CHINA
• Centre for Food Safety (CFS) under Food and Environmental Hygiene Department

CFS
• Established on 2 May 2006
• Currently over 600 staff
• Multi-disciplinary team of professionals
• Public health physicians and nurses
• Veterinarians
• Food chemists and scientists (biotechnologists, microbiologists, nutritionists, toxicologists)
• Health inspectors
Food Safety in Hong Kong, CHINA

Vision
- To be a leading food authority that commands the confidence of all stakeholders in protecting the health of the people

Mission
- To ensure food sold in Hong Kong is safe and fit for consumption through tripartite collaboration among the Government, food trade and consumers

Strategies
- Inter-sectoral collaboration
- Community participation
- Outside Government
  - Included WTO, Codex, OIE & IPPC

Legal Authorities
Public Health and Municipal Services Ordinance (Cap 132) and its subsidiary legislations
- To make provision for public health and municipal services
- Included food safety (import control, food safety standards, etc)

Food Safety Ordinance (Cap 612)
- To establish a registration scheme for food importers and food distributors
- To require the keeping of records by persons who acquire, capture, import or supply food
- To enable food import controls to be imposed
Food Safety in Hong Kong, CHINA

Within Government Inter-Departmental Cooperation

Food and Health Bureau

- Department of Health
- Government Laboratory
- Food and Environmental Hygiene Department
- Centre for Food Safety
- Customs and Excise Department
- Agriculture, Fisheries and Conservation Department
- Hong Kong Police Force
- Security Bureau

Local Import Licensing Regimes: Approach and Administration

Authority for Food Import Control
- CFS: The food safety authority for food import control cum issuance of food import licensing/permission
- Responsible section under CFS: Food Import and Export Section (FIES)

Legal Authorities (General)
- Part V (Food and Drugs) of the Public Health and Municipal Services Ordinance (Cap. 132)
  - Covers general protection for food purchasers
  - Offences in connection with sale of unfit food and adulterated food
  - Composition and labelling of food
  - Food hygiene
  - Seizure and destruction of unfit food
  - Control in specific areas provided in subsidiary legislation
Local Import Licensing Regimes: Approach and Administration

Legal Authorities (Specific to Imported Food Licensing)
Licence/permission to specific imported foods
• Milk Regulation (Cap. 132AQ)
• Frozen Confections Regulation (Cap. 132AC)
• Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK)
• Import and Export Ordinance (Cap. 60)

Legal Authorities (Specific to Imported Food Licensing)
General Requirement for importers of food
Food Safety Ordinance (Cap.612)
• Registration scheme for Food importers Food distributors
• Maintain proper records of movements of food
• Enhance food traceability
• Food Safety Orders
• Prohibit import and supply of problem food
• Order recall
Local Import Licensing Regimes: Approach and Administration

General Import Control Approach
Adopts Integrated Approach
• From “Farm to Table” (Control at source)

Adopts Risk Analysis Framework
• Risk Assessment
• Risk Management
• Risk Communication
=> Risk-based

Complies with WTO SPS Agreement
• Science based
• Harmonisation (Based on international standards)

Local Import Licensing Regimes: Approach and Administration

Specific Import Licensing Approach
• Import Requirements Imposed for Public Health Reasons

Importation of High Risk Foods
• Game, meat, poultry, eggs, milk, milk beverages and frozen confections
• Require prior approval (Licence / permission) & valid health certificate

Importation of ALL Foods (High Risk Foods and Other Foods)
• Mandatory Registration Scheme for food importers and distributors

⇒ Enhance regulatory control included risk-profiling and traceability
⇒ Protect public health and facilitate international food trade (Only high risk food requires relevant food import licence / permission)
Local Import Licensing Regimes: Approach and Administration

• Licence/Permission required for Importation of High Risk Food under Local Legislation
• General Requirements under Food Import Licence/Permission:
  ⇒ Health Certificate issued by Health Authority of Place of Origin
  ⇒ Notification prior to arrival, etc.

<table>
<thead>
<tr>
<th>Licence / Permission</th>
<th>Law</th>
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</thead>
<tbody>
<tr>
<td>1. Permission for import of game and prohibited meat</td>
<td>Game and Prohibited Meat: Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132 AK)</td>
</tr>
<tr>
<td>2. Permission for import of milk, cream and milk beverage</td>
<td>Milk Regulation (Cap. 132 AK)</td>
</tr>
<tr>
<td>3. Permission for import of frozen confections</td>
<td>Frozen Confections Regulation (Cap. 132 AC)</td>
</tr>
<tr>
<td>4. Import License for Frozen or Chilled Meat and Poultry</td>
<td>Import licence is issued under the Import and Export Ordinance (Cap. 60). Pursuant to section 3(9) and 4A of Cap 60, Health Inspectorate Officers (“HIOs”) have been appointed and delegated by the Director-General of Trade and Industry (“TDI”) to issue import licence.</td>
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<tr>
<td>5. Permission for import of eggs</td>
<td>Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132 AK)</td>
</tr>
</tbody>
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Administration and Trade Facilitation of Food Import Licensing Regime

• Publicity on CFS websites
Local Import Licensing Regimes: Approach and Administration

Administration and Trade Facilitation of Food Import Licensing Regime

- Specific Guidance for Food Import

Local Import Licensing Regimes: Approach and Administration

Administration and Trade Facilitation of Food Import Licensing Regime

- Easily Accessible Application Form and Specific Contact Means
Local Import Licensing Regimes: Approach and Administration

Administration and Trade Facilitation of Food Import Licensing Regime

- Fees for Licence of Food Import: Only require to purchase the designated form of application but no processing fee charged
- Fees for Permission Application of Food Import: Free of charge
- Processing Time for the Licence/Permission Application

<table>
<thead>
<tr>
<th>Food Safety Concern</th>
<th>Performance Standard</th>
<th>Target</th>
<th>Actual</th>
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</thead>
<tbody>
<tr>
<td>To issue approval for import of live, meat and poultry within 9 working days of application</td>
<td>90%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>To issue approval for import of milk and milk products within 12 working days of application</td>
<td>90%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>To issue approval for import of seafoods within 12 working days of application</td>
<td>90%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>To issue approval for import of seafoods within 24 hours of arrival if the consumption is for human consumption</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>To receive notification within 7 working days of complaints about food labeling</td>
<td>100%</td>
<td>100%</td>
<td></td>
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Local Import Licensing Regimes: Illustration

Egg Import Permission

Why does HK need to regulate the eggs import?

- Over 99% of eggs in HK are imported
- World Organization for Animal Health ("OIE") has recommended that an international veterinary certificate should accompany the import of eggs for human consumption for control of Avian Influenza ("AI") (Public Health reasons and based on international standards)
- Prior to 2015, no specific legislation to regulate the import of eggs into HK
- Upon notification of an AI outbreak in an egg exporting country/place, CFS would liaise with the concerned Consulate General and/or relevant importers for follow-up

⇒ Although the above-mentioned measure has been working effectively, this is far from satisfactory
Local Import Licensing Regimes: Illustration

Egg Import Permission
How to regulate eggs import?

- In 2015, amended the Imported Game, Meat and Poultry Regulations (Cap. 132 sub. leg. AK) ("IGMPR") to introduce a statutory control regime for the import of eggs
- Requires Permission to import eggs from CFS and health certificate from place of origin

Egg Import Permission
How to facilitate trade to comply with eggs import requirements?

- Publicity
- Guidance for application of permission
Local Import Licensing Regimes: Illustration

Egg Import Permission

How to facilitate trade to comply with eggs import requirements?
- Easily accessible form & specific contact means
- Free of charge

Conclusion

Food Import Licensing Regime in Hong Kong, CHINA
- Approach: Control at Source, Risk Based and Harmonised Approach
  ⇒ Protect Public Health and Facilitate International Trade

THANK YOU!