

CONTROLLING OFFICER'S REPLY

EEB(F)155

(Question Serial No. 3398)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (000) Operational expenses

Programme: (1) Food Safety and Public Health

Controlling Officer: Director of Food and Environmental Hygiene (Donald NG)

Director of Bureau: Secretary for Environment and Ecology

Question:

Under the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK), it is an offence to bring raw meat, poultry and egg into Hong Kong without a health certificate issued by the relevant authority of the place of origin or permission in writing of the Food and Environmental Hygiene Department. In this connection, please advise this Committee of the following:

1. In each year since the full resumption of normal travel in 2023, what were the number of cases of such offence, and how many of them were detected by quarantine detector dogs? What were the number of prosecutions instituted, and the highest penalty and the average fine imposed?
2. What are the current number of dogs in the Quarantine Detector Dog Unit and the operational cost involved (such as for procurement, training, food and accommodation)?
3. Due to an insufficient understanding of the above Regulations among members of the public, there have been frequent discussions on, for example, whether lime-preserved eggs and salted eggs are considered fully cooked eggs and whether ham and preserved Chinese sausages can be brought into Hong Kong, will the Department draw up a list clearly setting out food items that can be legally brought into Hong Kong in its publicity work?
4. Currently, for cases of prosecution for contraventions of the relevant Regulations, legal proceedings in court are required. To streamline the complicated legal proceedings involved subsequent to prosecution, will the Department consider dealing with some less serious cases by fixed penalties instead?

Asked by: Hon CHAN Hak-kan (LegCo internal reference no.: 62)

Reply:

1. The numbers of prosecutions against inbound persons illegally bringing raw meat or poultry eggs into Hong Kong instituted by the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department under the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK) in 2023 and 2024 were as follows:

Year	Number of prosecutions	Highest fine imposed upon conviction (HK\$)	Average fine imposed upon conviction (HK\$)
2023	1 117	4,000	1,046
2024	2 048	6,000	1,075

The Quarantine Detector Dog Unit of CFS has referred a total of 1 099 suspected non-compliance cases to the Customs and Excise Department (C&ED) for follow-up. A breakdown by year is set out below:

Year	Number of suspected non-compliance cases referred
2023	383
2024	716

2. The Quarantine Detector Dog Unit of CFS currently has a total of 7 dogs in its establishment. CFS acquired 2 dogs in the past 2 years, involving an expenditure of about \$270,000. As the training work is not the sole duty of the officers in the establishment of CFS, CFS does not keep a separate breakdown of the expenditure involved.
3. CFS reminds the public through various channels (e.g. websites, posters, leaflets and social media) that it is an offence to bring any raw meat or poultry eggs into Hong Kong without a health certificate or an import permission. In addition, publicity and education work is carried out at various boundary control points by displaying banners, easy-mount frames and posters along passenger pathways and at public transport interchanges, and broadcasting audio messages at boundary control points as further reminders to the public. CFS and C&ED also carry out joint publicity activities (including distributing leaflets to educate the public) from time to time at various boundary control points.

To further enhance public awareness of compliance with the relevant legislation, CFS has expanded its publicity channels through placing advertisements in public transport systems connecting to boundary control points, including the bodies and the back of seats of buses and minibuses, railway station concourses and train compartments. CFS and C&ED have also jointly visited the District Councils of districts near the boundary to convey at the community level the message that no regulated food shall be brought into Hong Kong illegally, reminding the public that people who do so will face prosecution.

“Imported Food Control – Frequently Asked Questions” on CFS’s website set out examples to illustrate the scope of application of Cap. 132AK for public reference. Compounded food, such as ham and preserved Chinese sausages, and thoroughly cooked poultry eggs are not regulated under Cap. 132AK, while lime-preserved eggs, which are not fully cooked, are under the regulation of Cap. 132AK.

4. As many of the suspected cases of contraventions of Cap. 132AK are not straightforward and easy to substantiate, a series of evidence collection procedures, including taking a cautioned statement from the suspect, are often required during investigation before evidence can be established for prosecution. Moreover, since the circumstances of each case are different, the court also needs to determine appropriate penalties based on the

gravity of the cases. In previous convictions, the fines imposed could vary significantly, ranging from \$100 to \$6,000. Therefore, cases of contraventions of Cap. 132AK should preferably be handled by way of court summons.

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