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## Hong Kong

### Market Development Reports

# Hong Kong's Response to Melamine Tainted Food 2008

**Approved by:**

Philip Shull

American Consulate General

**Prepared by:**

Caroline Yuen

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**Report Highlights:**

The Hong Kong government (HKG) has set a maximum standard for melamine in food of 2.5 ppm and in infant products of 1 ppm. The September 23 regulatory action was established less than one month after the highly publicized detection of melamine in Chinese milk powder and infant formula. The incident also triggered the HKG to initiate the legislative process to empower the authorities to issue mandatory food recalls. Hong Kong has also launched a vigorous melamine surveillance and testing program on a variety of food products, and posts the government laboratory test results on an official website. Among the products with residues testing above established levels are baby food, milk, biscuits, chocolate, eggs, and fish feed. HKG officials claim all implicated products are withdrawn from the market as soon as they are identified. In addition to government testing, major retailers contracted with certified private labs to test samples from every production lot of virtually all products containing Chinese milk, feed, or eggs. The discovery of melamine in eggs has resulted in a 90 percent reduction in imports from China, and led to a surge in demand for U.S. eggs. Hong Kong is already the largest Asian market for U.S. fresh eggs.

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Trade Report  
Hong Kong [HK1]  
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The Hong Kong government (HKG) started to test Chinese milk products in Hong Kong in September 2008, in the wake of the late August detection of melamine in infant formula produced in China. Test results revealed that melamine was present in some of the samples. It was soon discovered any product containing Chinese milk powder could be contaminated with melamine. A number of countries and international brands with manufacturing facilities in China have been affected. The incident aroused immense public concern over the safety of milk products from China.

Through November 2008, a total of 12 children in Hong Kong were diagnosed with kidney stones attributed to the frequent consumption of melamine tainted products. There has been no fatal casualty in Hong Kong to date.

### **Response from the Hong Kong Government**

The HKG has launched three major initiatives as a result of the melamine outbreak:

#### 1) HKG's quick establishment of a maximum melamine concentration in food

The HKG expeditiously set regulatory standards of melamine in food by amending the Harmful Substances in Food Regulations. The amendment was gazetted on September 23, 2008 and became effective immediately. Taking into account the possibility that traces of melamine may be present in food due to migration of melamine during food processing and environmental contamination, the HKG set the maximum concentration limit of melamine for milk as well as food intended to be consumed by children under the age of 36 months, pregnant and lactating women at 1 ppm. For other food, the maximum concentration limit is set at 2.5 ppm. The government spokesman indicated that they have taken reference of the standards of the United States and European Union in setting the limit.

#### 2) HKG to amend law to protect food safety

The HKG has introduced an amendment to the existing food law to Legislative Council on November 5, 2008 to empower the Director of Food & Environmental Hygiene (FEHD) to direct mandatory food recall when necessary. Mandatory food recall in Hong Kong has been long discussed but triggered off by the recent incidents of melamine in milk and dairy products.

According to the proposed amendment, in cases that only the food products produced by a particular overseas plant or only the food products of a particular batch to be imported from overseas are problematic, the prohibition of import order will apply to that particular plant or that particular batch of food. The Director of FEHD will consider issuing a prohibition of supply order if the problem food has already entered Hong Kong or the food is locally produced or manufactured. Food traders will not be allowed to sell the products concerned for the specified period.

Food traders must recall their food and immediately notify consumers if they receive a food-recall order. The Director may also make an order to require them to impound, isolate, destroy or dispose of the problem food. Any person contravening an order will be subject to a fine of \$100,000 and 12 months in prison.

The proposed amendment is being vetted by the Legislative Council.

### 3) HKG's implementation of a vigorous food surveillance program

The HKG has implemented very vigorous testing surveillance on food against melamine contamination since September 2008. Tested products have spread from milk-related products in the beginning then to chocolate, biscuits, meat, fish, eggs, animal feed, etc. Test results are available on government website (<http://www.cfs.gov.hk>). As of mid October, the HKG has conducted tests on over 2,700 samples, of which over 32 samples were found to contain melamine above the Hong Kong legal limits.

The HKG indicated that all implicated food products have been withdrawn from the market. Should milk products and frozen confections be found with unsatisfactory test results of melamine, future shipments of the same brand will be subject to "hold and test" policy until their test results can continually meet the food safety standard in Hong Kong. For other food categories if found with melamine concentration exceeding Hong Kong standard, the HKG require importers to provide laboratory certificate before importing the same products to Hong Kong again.

#### Milk

Hong Kong has a few local brands of fresh milk and milk beverages. While the milk products are processed in Hong Kong, the raw milk is imported from China. Since the melamine incident, the HKG currently has an interim measure in place to assure the fresh milk supply from China complies with the Hong Kong melamine standard. HK authorities draw and test samples from each consignment of raw milk and milk imported from China, and allows the products to be released to the retail market only after the test results are available. An official indicated their labs are running tests 24 hours a day, and that this interim measure which started on September 25 will continue indefinitely.

#### Eggs

Eggs from China are another category of food that the HKG has discovered with excessive levels of melamine. Following the October confirmation of Chinese origin eggs with high melamine levels, the supply of mainland eggs has been down drastically from October because the Chinese authorities have tightened inspection checks. In October, about 3 million eggs a day were imported from China. Now the figure is about 360,000 a day. HKG officials also indicated that they have strengthened surveillance of egg products at import, wholesale and retail levels. China is typically the largest egg supplier to Hong Kong, accounting for almost 70 percent of the market share. The discovery of melamine in eggs has resulted in a 90 percent reduction in imports from China. The sudden drastic decrease in egg supplies from China therefore has a huge impact on Hong Kong egg market. Hong Kong's demand for egg supplies from other major egg supplying countries including Thailand and United States have surged. Hong Kong is already the largest Asian market for U.S. fresh eggs.

Reportedly, after Hong Kong's finding of melamine contamination in eggs from China in late October, the HKG asked the Chinese government to consider issuing export certificates for eggs that passed melamine tests. Sources revealed that the proposal was unlikely to be realized because the Chinese government does not want other countries or buyers in China to adopt this practice.

Currently, all eggs imported from China must come from farms registered and approved for export, must carry a health certificate that lists the farm, production date, batch number, and certifies the eggs are not from chickens infected with bird flu, and are also free of Sudan IV, a carcinogenic food dye previously found in Chinese eggs.

## Fish Feed

The HKG also found melamine in fish feed which was sourced from China. The level of melamine detected was 6.6 ppm. Subsequently, some live marine fish samples were collected from the fish farms using the feed in question for melamine testing. Results showed that all the fish samples tested were satisfactory.

The HKG announced that they decided to set the detection limit of melamine in animal feed at 2.5 ppm. However, the HKG has no legislative power to stop the importing and selling of melamine contaminated feed in Hong Kong. The HKG have taken recourse to advising the trade to check with their feed suppliers to ascertain that the feed they supply does not contain melamine.

## Response from the Trade

The major retailers in Hong Kong are taking proactive steps in ensuring that the products at their retail outlets comply with Hong Kong's melamine standard. For products containing any milk ingredients and/or milk derivatives sourced from China, they request that suppliers provide them with an independent laboratory report for melamine concentration for every production lot. This measure also applies to eggs exported from China and those products that have been confirmed as exceeding the Hong Kong melamine standard.

Retailers' stringent requirement is to prove to the government that retailers have taken all necessary precautionary measures to ensure the wholesomeness of their products. In the event that any of their products are found by the HKG for violating the melamine standard, retailers may use this standing requirement for laboratory tests as a defense clause.

Food manufacturers have initiated a variety of testing procedures for melamine ranging from analysis of raw materials only to testing the finished product.