

Voluntary Report – Voluntary - Public Distribution

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Report Name: Proposed Amendments to Food Adulteration in Food Regulations - Metallic Contamination

Country: Hong Kong

Post: Hong Kong

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

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Report Highlights:

The Hong Kong government (HKG) has notified proposed amendments to its Food Adulteration (Metallic Contamination) in Food Regulations to the World Trade Organization (WTO) (G/SPS/N/HKG/50) on December 16, 2024. Interested parties are encouraged to submit comments before February 16, 2025. This report provides an overview of the proposed amendments to the regulations. U.S. stakeholders are encouraged to carefully review the proposed changes.

Summary

On December 16, 2024, the Hong Kong government (HKG) notified the World Trade Organization (WTO) ([G/SPS/N/HKG/50](#)) on proposed changes to Food Adulteration (Metallic Contamination) in Food Regulations. Comments should be submitted to the Centre for Food Safety (CFS) on or before February 16, 2025, at metal_consultation@fehd.gov.hk. There is no indicated timeframe for proposed adoption, however, CFS has indicated that a grace period of 18 months will be provided upon adoption to allow for industry adjustment.

Hong Kong's control of the levels of metallic contamination in food is currently regulated by the [Food Adulteration \(Metallic Contamination\) in Food Regulations \(Cap. 132V\)](#), which was first enacted in 1960 and last amended in 2018.

The proposed amendments, which were highlighted in the Chief Executive's 2024 Policy Address, are intended to better align Hong Kong regulations with Codex standards and with the standards of other countries, including the European Union (EU), Korea, and China. U.S. stakeholders are encouraged to carefully review the proposed changes.

Notable changes in the amended regulations include:

- Adding and updating the maximum levels (MLs) for lead, cadmium and methylmercury in specified foods with reference to the latest Codex standards;
- Adding new MLs for methylmercury in fish and fish balls / fish cakes with reference to the latest mainland China standards (GB 2762-2022 "Maximum levels of Contaminants in Foods"); and
- Adding and updating the MLs for lead and cadmium in specified foods with reference to the latest standards of major importing places.

The following is a summary of current number of MLs and the number of MLs being updated.

Number of MLs Under Current Cap. 132V Regulations	144
Number of new MLs for Specified Metals in Specified Foods	27
Number of MLs for Lead Updated in Existing Food Pairs	9
Total Number of MLs in Cap. 132V Regulations After Amendment	171

Detailed information on the proposed amendments is contained in the HKG's [consultation paper](#). Additional details can be found in the [press release](#) and on the CFS [website](#). The tables below, taken from the consultation paper, detail changes in the regulations in comparison to existing levels.

**Proposed Maximum Levels (MLs) with reference to the latest¹
Codex MLs**

	Food items	Existing ML (mg/kg)	Proposed ML (mg/kg)	Proposed Note/Remark
Part I: New MLs				
Cadmium				
1.	#Cocoa powder (100% total cocoa solids on a dry matter basis) ready for consumption	N/A	2.0	--
2.	#Chocolates containing or declaring $\geq 70\%$ total cocoa solids on a dry matter basis	N/A	0.9	--
3.	#Chocolates containing or declaring $\geq 50\%$ to $< 70\%$ total cocoa solids on a dry matter basis	N/A	0.8	--
4.	#Chocolates containing or declaring $\geq 30\%$ to $< 50\%$ total cocoa solids on a dry matter basis	N/A	0.7	--
5.	#Chocolates containing or declaring $< 30\%$ total cocoa solids on a dry matter basis	N/A	0.3	--
Methylmercury				
6.	#Tuna	0.5 Fish (Note 2)	1.2	See Note 2
7.	#Alfonsino	0.5 Fish (Note 2)	1.5	See Note 2
8.	#Marlin	0.5 Fish (Note 2)	1.7	See Note 2
9.	#Shark	0.5 Fish (Note 2)	1.6	See Note 2
10.	#Orange roughy	0.5 Fish (Note 2)	0.8	See Note 2
11.	#Pink cusk-eel	0.5 Fish (Note 2)	1.0	See Note 2
Lead				
12.	Fruit juices, other than fruit juices exclusively from berries and other small fruits	0.03 (Note 8)	0.03	Applies to fruit juices (not concentrated) or products reconstituted to the original juice concentration that are ready to drink. Also applies to nectars that are ready to drink and <u>fruit juices intended to be consumed principally by</u>

¹ Codex's update in 2018-2023 were taken into account in this updating exercise of the Regulations.

	Food items	Existing ML (mg/kg)	Proposed ML (mg/kg)	Proposed Note/Remark
				<u>persons under the age of 36 months.</u>
	Fruit juices exclusively from berries and other small fruits, <u>other than grape juice</u>	0.05 (Note 8)	0.05	See Note 8
	#Grape juice	0.05 (Fruit juices exclusively from berries and other small fruits)	0.04	Applies to fruit juices (not concentrated) or products reconstituted to the original juice concentration that are ready to drink. Also applies to nectars that are ready to drink <u>and fruit juices intended to be consumed principally by persons under the age of 36 months.</u>
13.	#Fresh farmed mushrooms (<i>Agaricus bisporus</i> , <i>Lentinula edodes</i> and <i>Pleurotus ostreatus</i>)	1 (Edible fungi)	0.3	--
14.	#Cereal-based foods intended to be consumed principally by persons under the age of 36 months.	N/A	0.02	Applies to products that are as sold; not reconstituted to be ready to eat.
15.	#Ready-to-eat complementary foods intended to be consumed principally by persons under the age of 36 months. (Other than cereal-based foods intended to be consumed principally by persons under the age of 36 months.)	N/A	0.02	--
16.	#Honey and sugar-based candies	N/A	0.1	--
Part II: Update of MLs				
	Lead			
17.	*Salt from marshes, food grade	2 (Salt, food grade)	2	--
	Salt, food grade (<u>Other than salt from marshes, food grade</u>)	2 (Salt, food grade)	1	--
18.	Mango chutney	1	0.4	--
19.	Edible offal of cattle	0.5	0.2	--
20.	Edible offal of pig	0.5	0.15	--
21.	Edible offal of poultry	0.5	0.1	--
22.	Edible fats and oils	0.1	0.08	--

Note in existing Cap.132V

Note 2: Applies to edible portion after removal of the digestive tract.

Note 8: Applies to fruit juices (not concentrated) or products reconstituted to the original juice concentration that are ready to drink. Also applies to nectars that are ready to drink.

*: New specified food is created to maintain the scope of coverage of salt, food grade.

#: New ML for specified food.

Text in bold and underlined indicate consequential amendments to existing ML for food group in the Regulations.

Codex MLs for lead in wines and fortified/liqueur wines proposed not to adopt

Food items	Existing ML (mg/kg)	Codex ML (mg/kg)	Codex's Note/Remark
Lead			
Wine	0.2 (Wine)	0.1 (Note B)	The ML applies to wine made from grapes harvested after the date of adoption (CAC42, July 2019)
Fortified / Liqueur wine		0.15 (Note B)	The ML applies to wine made from grapes harvested after the date of adoption (CAC42, July 2019)
Wine (wine and fortified / liqueur wine)		0.2 (Note B)	The ML applies to wines and fortified / liqueur wines made from grapes harvested before (CAC42, July 2019)

Note in Codex

Note B: Whole commodity.

Proposed MLs for methylmercury in fish and fish balls/fish cakes

Food items	Proposed ML (mg/kg)	Codex ML (mg/kg), [Year of adoption]	Mainland ML	
			GB 2762-2017 (mg/kg)	GB 2762-2022 (mg/kg)
Methylmercury				
Tuna	1.2 (See Note 2)	1.2 (Note A), [2018]	0.5 (水產動物 及其製品(肉食 性魚類及其製 品除外)) 1.0 (肉食性魚 類及其製品)	1.2 (金槍魚及其製品)
Alfonsino	1.5 (See Note 2)	1.5 (Note A), [2018]		1.5 (金目鯛及其製品)
Marlin	1.7 (See Note 2)	1.7 (Note A), [2018]		1.7 (槍魚及其製品)
Shark	1.6 (See Note 2)	1.6 (Note A), [2018]		1.6 (鯊魚及其製品)
Orange roughy	0.8 (See Note 2)	0.8 (Note A), [2022]		1.0 (肉食性魚類及其 製品 (金槍魚、金目 鯛、槍魚、鯊魚及以 上魚類的製品除外))
Pink cusk-eel	1.0 (See Note 2)	1.0 (Note A), [2022]		1.0 (肉食性魚類及其 製品 (金槍魚、金目 鯛、槍魚、鯊魚及以 上魚類的製品除外))
<u>“Fish balls/fish cakes” and “fish unless otherwise specified”</u>	0.5 (Proposed Note: Applies to edible portion after removal of the digestive tract (if any))	--		1.0 (肉食性魚類及其 製品 (金槍魚、金目 鯛、槍魚、鯊魚及以 上魚類的製品除外)) 0.5 (水產動物及其製 品 (肉食性魚類及其 製品除外))

Note in Codex

Note A: Whole commodity fresh or frozen (in general after removing the digestive tract).

Note in existing Cap.132V

Note 2: Applies to edible portion after removal of the digestive tract.

Text in bold and underlined indicate consequential amendments to existing ML for food group in the Regulations.

**Proposed MLs for cadmium and lead in specified foods with
reference to the latest standards of major importing places**

	Food items	Existing ML (mg/kg)	Proposed ML (mg/kg)	Proposed Note/ Remark	Relevant Mainland ML (GB 2762-2022) (mg/kg)
Lead					
1.	#Soft brown, raw, and non-centrifugal sugars	N/A	0.5	--	*0.5 (食糖及澱粉糖)
2.	#White and refined sugar, corn and maple syrups	N/A	0.5	--	*0.5 (食糖及澱粉糖)
3.	^Fat spreads and blended spreads	0.1	0.08	--	0.08 (油脂及其製品)
4.	# <i>Armillaria mellea</i>	1 (Edible fungi)	0.3	--	0.3 (雙孢菇、平菇、香菇、榛蘑及以上食用菌的製品)
5.	#" <i>Boletus bainiugan</i> , <i>Lanmaoa asiatica</i> , <i>Sutorius brunneissimus</i> , <i>Rugiboletus extremiorientalis</i> ", <i>Tricholoma matsutake</i> , <i>Tuber</i> spp., <i>Russula virescens</i> , <i>Termitomyces</i> spp., <i>Cantharellus</i> spp. and <i>Lactarius volemus</i>	1 (Edible fungi)	1.0	--	1.0 (牛肝菌、松茸、松露、青頭菌、雞樅、雞油菌、多汁乳菇及以上食用菌的製品)
6.	#" <i>Auricularia cornea</i> , <i>Auricularia heimuer</i> " and <i>Tremella fuciformis</i>	1 (Edible fungi)	1.0	In dried form	1.0 (木耳及其製品、銀耳及其製品)(乾重計)
7.	^Edible fungi <u>unless otherwise specified</u>	1	<u>0.5</u>	--	0.5 (食用菌及其製品(雙孢菇、平菇、香菇、榛蘑、牛肝菌、松茸、松露、青頭菌、雞樅、雞油菌、多汁乳菇、木耳、銀耳及以上食用菌的製品除外))

8.	[^] Lime preserved eggs	0.5	0.2	--	0.2 (蛋及蛋製品)
Cadmium					
9.	#Edible fungi unless otherwise specified	0.1 (Vegetables unless otherwise specified)	0.2	--	0.2 (食用菌及其製品 (香菇、羊肚菌、猴頭菌、青頭菌、雞油菌、榛蘑、松茸、牛肝菌、雞樅、多汁乳菇、松露、姬松茸、木耳、銀耳及以上食用菌的製品除外))
10.	# <i>Lentinula edodes</i>	0.1 (Vegetables unless otherwise specified)	0.5	--	0.5 (香菇及其製品)
11.	# <i>Morchella importuna</i> , <i>Sarcodon imbricatus</i> , <i>Russula virescens</i> , <i>Cantharellus</i> spp. and <i>Armillaria mellea</i>	0.1 (Vegetables unless otherwise specified)	0.6	--	0.6 (羊肚菌、猴頭菌、青頭菌、雞油菌、榛蘑及以上食用菌的製品)
12.	# <i>Tricholoma matsutake</i> , " <i>Boletus bainiugan</i> , <i>Lanmaoa asiatica</i> , <i>Sutorius brunneissimus</i> , <i>Rugiboletus extremiorientalis</i> ", <i>Termitomyces</i> spp. and <i>Lactarius volemus</i>	0.1 (Vegetables unless otherwise specified)	1	--	1.0 (松茸、牛肝菌、雞樅、多汁乳菇及以上食用菌的製品)
13.	# <i>Tuber</i> spp. and <i>Agaricus blazei</i>	0.1 (Vegetables unless otherwise specified)	2	--	2.0 (松露、姬松茸及以上食用菌的製品)
14.	#" <i>Auricularia cornea</i> , <i>Auricularia heimuer</i> " and <i>Tremella fuciformis</i>	0.1 (Vegetables unless otherwise specified)	0.5	In dried form	0.5 (木耳及其製品、銀耳及其製品) (乾重計)

#: New ML for specified food.

*: Relevant standard in Korea is also 0.5mg/kg.

[^]: Update of ML in existing specified food.

Text in bold and underlined indicate consequential amendments to existing ML for food group in the Regulations.

Attachments:

No Attachments.