

Consultation Document

Proposed Amendments to the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)

December 2024



**Environment and
Ecology Bureau**

The Government of the
Hong Kong Special Administrative Region
of the People's Republic of China



食物環境衛生署
Food and Environmental
Hygiene Department



食物安全中心
Centre for Food Safety

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List of Abbreviations

1 st HKTDS	The First Hong Kong Total Diet Study
ALARA	As low as reasonably achievable
CFS	Centre for Food Safety
Codex	Codex Alimentarius Commission
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
GAP	Good Agricultural Practice
GMP	Good Manufacturing Practice
HBGV	Health-based guidance value
JECFA	Joint FAO/WHO Expert Committee on Food Additives
ML	Maximum level
The Expert Committee	Expert Committee on Food Safety
The Mainland	The Mainland China
The Ordinance	Public Health and Municipal Services Ordinance (Cap. 132)
The Regulations	Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)
WHO	World Health Organization

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Chapter 1 Introduction

Metallic contaminants in Food

1.1 Metals are naturally present and ubiquitous in the environment. Metals such as mercury, arsenic, and cadmium occur naturally in the earth's crust. They can be released into the environment through various natural processes or human activities. Metallic contaminants are often present in foods in trace amounts. They can enter the food supply through environmental elements, such as air, soil, and water, or during the food production processes. For the general adults population, diet is the main source of exposure to some common metallic contaminants, such as cadmium, lead, and methylmercury.

1.2 Excessive dietary exposure to metallic contaminants may lead to chronic toxicity and cause adverse health effects, since they may accumulate in the body. Acute poisoning from metallic contaminants is rare and happens more likely through non-food route.

1.3 The adverse health effects posed by metallic contaminants in food depend on the nature of the metallic contaminants, as well as the amount and duration of exposure, etc. International food safety authorities such as the Joint Food and Agriculture Organization of the United Nations (FAO)/World Health Organization (WHO) Expert Committee on Food Additives (JECFA)¹ have conducted evaluations on the adverse health effects of various metallic contaminants.

1.4 As these heavy metals get into the soil and water, they are easily taken up by the plants, animals and aquatic life that we consume. This makes the presence of metallic contaminants in our food, in most cases, unavoidable. To protect public health, levels of metallic contaminants in food should be as low as reasonably achievable (ALARA) through best practices such as Good

¹ JECFA is the international food safety authority responsible for evaluating the safety of food additives, contaminants, naturally occurring toxicants and residues of veterinary drugs in food.

Agricultural Practice (GAP) and Good Manufacturing Practice (GMP). In order to reduce the exposure to metallic contaminants from food in the population, regulatory measures such as the establishment of statutory control over the types and levels of metallic contamination in food are adopted in most jurisdictions, including Hong Kong. Also, competent authorities of individual jurisdictions provide dietary advices to their people, particularly to susceptible groups of the population².

The Practices of Codex Alimentarius Commission (Codex)³

1.5 Codex deliberates, adopts, reviews and updates the maximum levels (MLs) for contaminants, including metallic contaminants⁴, for various foods from time to time in view of the advancement of science and the outcome of risk assessment from the JECFA. According to the Codex principles for establishing MLs for contaminants in food, MLs shall only be set for food in which the contaminant may be found in amounts that are significant for the total exposure of the consumers, i.e. the general local population. In other words, it is not necessary to set ML for each and every type of food that contains a contaminant.

1.6 In addition, MLs shall be set in such a way that the consumer is adequately protected based on scientific principles leading to standards which are designed to assure the quality and safety of food. At the same time, the principles of GAP and GMP as defined by Codex, and other legitimate factors⁵

² Taking mercury in fish as an example, while eating fish as part of a balanced diet offers significant health benefits, women planning for pregnancy, together with expectant and lactating mothers should avoid large predatory fish as they may contain high level of methylmercury. The Centre for Food Safety has given advices on fish consumption to consumers, particularly women of childbearing age.

³ Codex, established by FAO and WHO in 1960s, is the single most important international source of reference for consumers, food producers, processors, national food control agencies and the international trade in developing food associated standards.

⁴ Majority of Codex MLs for metallic contaminants are set out in the General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995). Some are set out in the “Codex Standard for Natural Mineral Waters (CODEX STAN 108-1981)” and the “General Standard for Bottled/Packaged Drinking Waters (Other than Natural Mineral Waters) (CODEX STAN 227-2001)”.

⁵ The consideration of legitimate factors, relevant for the health protection of consumers and for the promotion of fair practices in food trade, shall be performed in accordance with the Codex Working Principles for Risk Analysis for Food Safety for Application by Governments (CAC/GL 62-2007) and the Criteria for Consideration of the Other Factors Referred to in the Second Statement of Principles (see “Statements of

need to be considered so that there is no unjustified barrier to international trade.

Existing regulatory control on levels of metallic contamination in food

1.7 The food safety laws of Hong Kong are mainly laid down in Part V of the Public Health and Municipal Services Ordinance (Cap. 132) (the Ordinance). The provisions in the Ordinance cover general protection for food purchasers, offences in connection with the sale of food which are not fit for human consumption and adulterated food, etc. Standards relating to food safety are provided in various subsidiary legislations of the Ordinance. In particular, the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V) (“the Regulations”) focus on regulating metallic contamination in food. The Regulations were first enacted in 1960. Amendments to the First and Second Schedules to the Regulations, which stipulate the maximum permitted concentrations of metallic contaminations, were made in 1983. The latest amendments were made in 2018.

1.8 Specifically, the Ordinance and the Regulations control the levels of metallic contamination in food in the following ways:-

- (a) Section 54 of the Ordinance stipulates that all food for sale must be fit for human consumption;
- (b) Regulation 3AA(1) of the Regulations prohibits the import, consignment, delivery, manufacture or sale, for human consumption, of any food containing any metal in an amount that is dangerous or prejudicial to health; and
- (c) Part 2 of the Schedule to the Regulations stipulates 144 MLs for 14 metallic contaminants, namely antimony, arsenic, barium, boron,

Principle Concerning the Role of Science in the Codex Decision-Making Process and the Extent to which other Factors are Taken into Account”, Appendix of the Codex Procedural Manual (28th edition)). Relevant production, storage and handling practices used throughout the food chain including traditional practices, methods of analysis, sampling and inspection, feasibility of enforcement and compliance, and the prevalence of specific adverse health effects shall be taken into account. In addition, the economic consequences and the feasibility of risk management options shall also be considered.

cadmium, chromium, copper, lead, manganese, mercury, nickel, selenium, tin and uranium in specified food. Any specified food which contains a specified metal in excess of the ML is not allowed to be imported to or sold in Hong Kong.

Chapter 2 Proposed Amendments to the Regulations

2.1 One of the initiatives set out in the Supplement of the Chief Executive's 2024 Policy Address is to review food safety standards regarding metal content in food under the Regulations with reference to international standards and practices, with a view to formulating legislative amendment proposals and launching public consultation.

2.2 The last amendment exercise to the Regulations largely adopted the prevailing Codex standards on metallic contaminants in specified foods in 2017 except for a few cases with justifications taking into account the local situation. Since 2018, Codex has established new/updated certain standards on metallic contamination. Also, various other jurisdictions including the Mainland China (the Mainland) have revised their standards on metallic contamination, taking into account the evolving Codex standards, the occurrence data of metallic contamination in foods and their own food consumption patterns/dietary practices, as well as their risk assessment results, etc.

2.3 To keep abreast of international development, the Environment and Ecology Bureau and the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department conducted a review on the Regulations with a view to identifying aspects in the Regulations which need updating⁶, in consultation with the Expert Committee on Food Safety (the Expert Committee)⁷, to better protecting public health, facilitating effective regulation and promoting harmonisation between local and international standards.

⁶ The last amendment exercise of the Regulations has already identified food/food groups which are of significance to the local population and established relevant MLs for metallic contamination in food. Therefore, the scope of food/food groups which should be covered in the Regulations for protecting public health are sufficient.

⁷ The Expert Committee, set up under CFS, is responsible for advising the Director of Food and Environmental Hygiene in the formulation of food safety measures, review of food safety standards in light of international practices, trends and developments, as well as risk communication strategies. The Expert Committee consists of academics, professionals, food experts, members of the trade and consumer group, and other experts. The current membership includes experts from other places.

2.4 The review keeps the Codex standards as the backbone, supplemented with the standards of major food importing places including the European Union (EU), Korea and the Mainland etc, while local food consumption pattern and their dietary practices, results of risk assessment, and stakeholder concerns were also considered. We propose to amend the Regulations in the following areas:-

- (a) To add or update the MLs for lead, cadmium and methylmercury in specified foods with reference to the latest⁸ Codex standards; and
- (b) To add or update the MLs for lead and cadmium in specified foods with reference to the latest standards of major importing places.

(a) To add or update the MLs for lead, cadmium and methylmercury in specified foods with reference to the latest Codex standards

2.5 Codex has adopted 28 new and/or updated MLs for cadmium (5 MLs), lead (17 MLs) and methylmercury (6 MLs) in certain foods during the period from 2018 to 2023. We propose to add 16 MLs for lead, cadmium and methylmercury in specified foods and update 6 existing MLs for lead in specified foods in the Regulations with reference to Codex standards (**Annex I**)⁹. Keeping the Regulations abreast of the Codex standards will safeguard food safety, bring our regulatory practices in alignment with international standards, and prevent possible trade barriers and disputes.

MLs for methylmercury in fish species

2.6 Codex has adopted 6 new MLs for methylmercury in specified predatory fish species (ranging from 0.8 to 1.7 mg/kg) based on the principle of ALARA from 2018 to 2022 (**Annex II**).

2.7 In line with the latest Codex standards, we propose to add new MLs for

⁸ Codex reviews the types of metallic contaminants on which MLs should be set and the MLs from time to time. Codex's update in 2018-2023 were taken into account in this updating exercise of the Regulations.

⁹ Consequential amendments to existing MLs for food groups in the Regulations are also included in the Annex.

methylmercury in 6 specified fish species. In Hong Kong, the dietary exposure to methylmercury arising from the consumption of the 6 fish species accounts for a relatively low proportion of the population's total dietary exposure to methylmercury (with a total of 3%) and hence we expected that a significant impact on the exposure of the local population to methylmercury is unlikely.

2.8 According to the JECFA, providing advices for targeted population subgroups that might be at risk from methylmercury exposure could provide an effective method for lowering the number of individuals with exposures greater than the health-based guidance values (HBGV)¹⁰ of methylmercury. CFS will continue to provide dietary advices to local population, especially the population sub-groups (e.g. pregnant women) that might be more susceptible to the risk from methylmercury exposure.

2.9 Meanwhile, we will maintain the existing ML for methylmercury in “Fish” at 0.5 mg/kg in the Regulations for fish other than these 6 specified fish species to protect public health. This approach of setting MLs to cover all fish is consistent with the regulatory approach in some places such as the Australia and New Zealand, Canada, EU, Korea, the Mainland, Singapore and the United States.

MLs for methylmercury in fish balls/fish cakes

2.10 According to the latest Mainland standards (GB 2762-2022 “Maximum levels of Contaminants in Foods”), MLs for methylmercury in fish species also apply to its products (**Annex II**). In the Second Hong Kong Population-based Food Consumption Survey conducted by CFS from 2018 to 2020, the consumption of “fish balls/fish cakes” by the local population is the highest amount fish products.

2.11 We propose to add ML for methylmercury in fish balls/fish cakes at 0.5

¹⁰ HBGV is an estimate of the amount of a chemical that can be ingested over a defined time period (e.g. 24 hours) without any appreciable health risks. For example, acute reference dose, acceptable daily intake, provisional tolerable monthly intake, etc.

mg/kg, which is of the same value as existing ML for methylmercury in “Fish” in the Regulations. The amendment would provide better clarity to the trade while protecting public health.

2.12 Since the proposed ML values for methylmercury in “fish balls/fish cakes” and fish other than the 6 fish species specified are the same (0.5 mg/kg), it is suggested combining the two MLs into a single ML with food description **“Fish balls/fish cakes” and “fish unless otherwise specified” (Annex II).**

MLs for cadmium in chocolate products

2.13 Codex has adopted 5 new MLs for cadmium in different chocolate products (ranging from 0.3 to 2 mg/kg). We propose to set MLs for cadmium in chocolate products with reference to Codex standards with a view to better protecting the local population, especially children, from any potential health risks posed by exposure to cadmium from consumption of chocolate products.

MLs for lead in wines and fortified/liqueur wines made from grapes harvested before/after July 2019

2.14 Codex has revoked the prevailing ML for lead in wine at 0.2 mg/kg and set 3 different MLs (ranging from 0.1 to 0.2 mg/kg) for wines and fortified/liqueur depending on whether they were wines made from grapes harvested before or after July 2019. We propose not to adopt these MLs (**Annex III**). “Alcoholic beverages” only contributes 0.7% of the total exposure to lead for an average consumer as shown in the First Hong Kong Total Diet Study (1st HKTDS). The current ML for wine at 0.2 mg/kg is considered appropriate for public health protection. Besides, the harvesting month of the grapes may not be indicated on the label of the wine.

(b) To add or update the MLs for lead and cadmium in specified foods with reference to the latest standards of major importing places

MLs for lead in “White and refined sugar, corn and maple syrups”, and “Soft brown, raw, and non-centrifugal sugars”

2.15 There is currently no ML for lead in sugar in the Regulations. Codex has adopted new MLs for lead in “White and refined sugar, corn and maple syrups, honey” (0.1mg/kg), and “Soft brown, raw, and non-centrifugal sugars” (0.15 mg/kg). To protect public health, we propose to set new MLs for lead in “White and refined sugar, corn and maple syrups” and “Soft brown, raw, and non-centrifugal sugars” at 0.5 mg/kg in the Regulations with reference to the standards of the Mainland and Korea. Since the Mainland and Korea are the major sources of sugar imports for Hong Kong, and both places set the ML for lead in sugar at 0.5 mg/kg, the proposed addition of the new MLs should not affect the supply of sugars in Hong Kong. Nevertheless, we propose to set a stricter ML for lead in honey at 0.1 mg/kg having regard to the Codex ML, the relevant standards of our importing partners such as EU and a relatively higher consumption of honey than syrups in children (**Annex IV**).

ML for lead in “Fat spreads and blended spreads”

2.16 Currently, the MLs for lead in both “Fat spreads and blended spreads” and “Edible fats and oils” are set at the same level at 0.1 mg/kg with reference to the prevailing MLs from Codex. Codex has updated the ML for lead in “Fat spreads and blended spreads” from 0.1 mg/kg to 0.04 mg/kg whereas the ML for lead in “Edible fats and oils” was updated from 0.1 mg/kg to 0.08 mg/kg. However, taking into account that “Fat spreads and blended spreads” is made from the ingredient “Edible fats and oils” up to 90% fat¹¹, and that, currently, the MLs for both “Fat spreads and blended spreads” and “Edible fats and oils” are set at the same level, we propose to update the two existing MLs in the Regulations from 0.1 mg/kg to the same level at 0.08 mg/kg for these two commodities, in line with the relevant standards of the Mainland (**Annex IV**).

MLs for cadmium in certain edible fungi

2.17 The latest Mainland standards, which came into force on 30 June 2023

¹¹ According to the CODEX STAN 256-1999 “Standard for Fat Spreads and Blended Spreads”, fat spreads and blended spreads may contain not less than 10% and not more than 90% fat. Available from URL: https://www.fao.org/fao-who-codexalimentarius/sh-proxy/en/?lnk=1&url=https%253A%252F%252Fworkspace.fao.org%252Fsites%252Fcodex%252FStandard%252FCXS%2B256-1999%252FCXS_256e.pdf

to replace the earlier version of the Mainland standards (GB 2762-2017), established/updated the MLs for cadmium in various kinds of edible fungi (**Annex IV**). Since Codex has no relevant MLs for cadmium in edible fungi and the Mainland is our primary source of edible fungi, we propose to make reference to the MLs in the latest Mainland standards to set 6 MLs for cadmium in various kinds of edible fungi produces.

2.18 According to the results of the 1st HKTDS, the dietary exposures to cadmium of average and high consumers of the local population were 8.3 µg/kg bw/month and 19 µg/kg bw/month respectively. As these levels are below the corresponding HBGV of 25 µg/kg bw/month, normal dietary exposure to cadmium is unlikely to pose health risk to the local population.

MLs for lead in certain edible fungi

2.19 The existing ML for lead in “Edible fungi” at 1 mg/kg in the Regulations was made with reference to GB 2762-2017. Under the latest Mainland standards, the corresponding ML for lead has been replaced by separate MLs for four groups of edible fungi (ranging from 0.3 to 1 mg/kg). We propose to update the ML for lead in edible fungi in the Regulations with reference to the latest Mainland standards¹² (**Annex IV**)¹³.

ML for lead in lime preserved eggs

2.20 Codex had no relevant ML for lead in lime preserved eggs. The existing ML for lead in “Lime preserved eggs” at 0.5 mg/kg in the Regulations was made with reference to GB 2762-2017. Under the latest Mainland standard, the corresponding ML for lead has been changed to 0.2 mg/kg for “Eggs and egg products”. As lime preserved eggs are mainly imported from the Mainland, we propose to update the ML for lead in lime preserved eggs in the Regulations from

¹² Except the ML for 3 specified mushrooms i.e. common mushrooms (*Agaricus bisporus*), shiitake mushrooms (*Lentinula edodes*), and oyster mushrooms (*Pleurotus ostreatus*). It is because Codex has set ML for these specified fresh farmed mushrooms and considered that the ML should be limited to cultivated mushrooms since it would be difficult to establish MLs for wild mushrooms in view of the variability of the levels of lead due to seasonal and other geoclimatic conditions

¹³ Consequential amendments to existing MLs for food groups in the Regulations are also included in the Annex.

0.5 mg/kg to 0.2 mg/kg, in line with the relevant standard of the Mainland (**Annex IV**).

Overview of the proposed amendments to the Regulations

2.21 Under the proposed amendments to the Regulations:-

- (a) The total number of MLs will increase from 144 to 171 in this exercise, with 27 new MLs for specified metals in specified foods (food pairs) and 9 update of MLs for lead in the existing food pairs;
- (b) The increase in the number of MLs is mainly the results of proposed adoption of latest Codex MLs and any necessary update to establish separate MLs for specified foods which are currently covered by existing food groups.

Assessment on implications on food supply

2.22 The proposed amendments, with Codex standards as the backbone, are expected to have no substantive impact to the trade and Hong Kong's food supply, as Codex standards are developed through thorough discussion among its members and adopted by consensus. In addition, in proposing the MLs for foods/food groups in this amendment exercise, we have taken into account Codex's ALARA principle. According to the results of the food surveillance programme and additional baseline studies of CFS, the levels of metallic contamination in foods available in local market can generally comply with the proposed MLs (more than 99% of the food samples can meet the proposed MLs).

Transitional period

2.23 We will take into account the views received during the two-month public consultation exercise before finalising the legislative proposals and tabling the proposed amendments to the Regulations to the Legislative Council for

consideration. We propose that a transitional period of 18 months be given after enactment of the amended legislation. This seeks to strike a balance between protecting public health with standards that are up-to-date with international development and allowing a reasonable lead-time for the trade and the private testing and laboratory sector to get prepared for the updated standards.

2.24 During the transitional period, it would be legal for any single food item to comply wholly with the requirements of either the existing Regulations or the amended Regulations¹⁴. After the end of the transitional period, the trade should fully comply with the requirements of the amended Regulations.

¹⁴ Compliance with some of the requirements under the existing Regulations and the other requirements under the amended Regulations is not allowed.

Chapter 3 Views Sought

3.1 We welcome views from members of the public on the proposed amendments to the Regulations detailed in Chapter 2. Please send your comments by post, facsimile or e-mail to CFS on or before 16 February 2025:-

Centre for Food Safety
Food and Environmental Hygiene Department
43/F, Queensway Government Offices,
66 Queensway, Hong Kong
Facsimile: (852) 2893 3547
E-mail address: metal_consultation@fehd.gov.hk

3.2 The Government may, either in discussion with others or in any subsequent reports, whether privately or publicly, quote the contributing parties and the views they submitted in response to the consultation document, without seeking prior permission of the contributing parties. If any contributing parties do not wish to have their names or affiliations disclosed by the Government, please expressly state so in their written comments.

3.3 Any personal data provided will only be used by the CFS and other government departments/agencies for purposes which are related to this consultation. The parties receiving the data are bound by such purposes in their subsequent use of the data.

3.4 The contributing parties providing personal data to the CFS in their submission will have the right of access and correction with respect to such personal data. Any request for data access or correction of personal data should be made in writing to the CFS.

Annex I

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 <u>and 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.

Annex II

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))	--		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.

Annex III

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.

Annex IV

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、雞枞、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、雞枞、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、獐頭菌、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、獐頭菌、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.

