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HK's Updated MRLs and Exempted List for Pesticides

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Report Highlights:

The Hong Kong government (HKG) has just released on its official website a revised list of proposed Maximum Residue Limits (MRLs) and Extraneous Maximum Residue Limits (EMRLs) together with the Exempted List for pesticides. This revised list is expected to be included in the Pesticide Regulation which is to be submitted to the Legislative Council for vetting before July of this year. The Regulation is expected to be passed in summer and will be fully implemented with a two-year grace period. The proposed Regulation will allow applications for new/revised MRLs/EMRLs and Exempted Pesticides. No application fee is required, which is different from what was previously suggested.

The Updated List

Following a public consultation on Hong Kong's first ever proposed regulation on pesticide residue on food in 2011, the Hong Kong government has incorporated suggestions and released a revised list of proposed MRLs and EMRLs. The revised list consists of 360 pesticides and residue limits for over 7,000 pesticide-food pairs. The list is basically based on MRLs and EMRLs recommended by Codex supplemented by those adopted by China, the U.S. and Thailand.

The revised MRLs/EMRLs list has been made reference to the following standards:

- Codex – updates of July 2011
- China – MRLs & EMRLs (GB2763-2005, GB2763-2005.1, GB26130-2010, GB25193-2010)
- U.S. – MRLs: U.S. code of Federal regulations, 40 CFR Part 180 (as of April 30, 2011)
EMRLs: U.S. FDA's Compliance Policy Guides, Sec. 575.100 Pesticide Residues in Food and Feed

In addition, the HKG indicated that the updated list has incorporated comments received during the consultation exercise and risk assessment results based on local food consumption patterns.

Hong Kong's proposed pesticide regulation also includes a list of 78 exempted pesticides.

This updated MRL/EMRLs and Exemption Lists will be included in the proposed regulation which is to be submitted to the Legislative Council for approval. The lists are now available at the following link: http://www.cfs.gov.hk/english/whatsnew/whatsnew_fstr/files/MRL_Schedule_1_2_e.pdf

The Regulatory Framework

Hong Kong's regulatory framework on pesticide residues follows the pesticide definition of Codex and adopts Codex's classification of foods. It adopts a "modified positive list" approach, i.e., only allows the import and sale of food with pesticide residues for which no MRL/EMRL has been specified if consumption of the food concerned will not be dangerous or prejudicial to health. The Hong Kong Center for Food Safety (CFS) will conduct a risk assessment in order to determine whether the detected MRL/EMRL is safe for public health.

Under the proposed regulation, there exists a mechanism which allows applications for new/revised MRLs/EMRLs and exempted pesticides. Different from previously suggested, the latest announcement by the HKG officials indicated that such applications will be free of charge. However, the HKG has not made any time commitment as to when to provide the result of each application, given that the complexity of each case varies.

Time Frame

The HKG will submit the proposed regulation to the Legislative Council for vetting this summer. Given the general support for government's strengthened regulation on pesticide residue on food, the HKG expects the regulation will be passed in two months time. The new regulation will provide a two-year grace period before full implementation.

Frequently Asked Questions

The Hong Kong government has developed a number of Q & A, which are available at the following link:

http://www.cfs.gov.hk/english/whatsnew/whatsnew_fstr/whatsnew_fstr_21_Pesticide_FAQ.html