

**International Business Committee**

**Food Safety Incident Relating to Melamine in  
Milk Powder and Milk Products  
and  
the Public Health and Municipal Services (Amendment) Bill 2008**

**PURPOSE**

This paper briefs the International Business Committee on actions taken by the Administration following the recent incident of detecting melamine in milk powder and dairy products and the latest legislative proposal in empowering the Authority to prohibit the import and supply of food and order a food recall when public health is at risk.

**BACKGROUND**

2. Earlier in September 2008, melamine was found in the infant formula produced by the Mainland's Sanlu brand and there were infants in the Mainland who suffered from kidney stones and kidney failure after consuming Sanlu infant formula. Melamine is an industrial chemical used in laminates, glues, adhesives, and should not be present in food products. The Administration has been monitoring closely the development of the incident and taken timely and appropriate action to protect public health.

**EXPERT GROUP ON MELAMINE INCIDENT**

3. To assess the health and food safety effects of melamine exposure in the medium to longer term and make recommendations on the appropriate follow up and surveillance of those who have been affected, the Secretary for Food and Health has formed an Expert Group on Melamine Incident to follow up matters arising from the incident. The terms of reference of the Expert Group includes –

- (a) To ensure that the manpower and supporting facilities of the public healthcare system can provide appropriate medical assessment and treatment for those citizens affected by the melamine incident, to formulate effective procedures and methods for medical assessment and treatment and to propose follow-up measures on medical and

health services;

- (b) To assess the impact of the incident and ensure effective monitoring and inspection on dairy products and related food in order to protect the health of citizens;
- (c) To make proposals on the practical and expeditious means to legislate to prohibit import and sale, and order recall of problem food;
- (d) To consider the most effective method, timing and content, etc to disseminate information to the public; and
- (e) To closely monitor the situation and development of the incident, including the situation regarding Hong Kong children residing in the Mainland coming to Hong Kong to seek medical services, and to put in place effective response measures at schools, border control points and private medical service organizations, etc.

Three sub-groups are formed under the Expert Group to look into different issues, namely the Health Services Sub-group, the Treatment Sub-group and the Food Safety, Supply and Control Sub-group.

4. The report of the Expert Group on Melamine Incident was submitted to the Chief Secretary for Administration on 20 October 2008. The report, which summarises the work of the Administration in tackling the incident, is at Annex A for Members' reference.

#### **LEGISLATIVE AMENDMENT ON PROHIBITION OF IMPORT AND SALE OF PROBLEM FOOD AND FOOD RECALL**

5. The Administration is actively working on a Food Safety Bill for introduction into the Legislative Council in the 2008-09 legislative session. The Bill will introduce new food safety control measures including a mandatory registration scheme for food importers and distributors, requirement for food traders to maintain proper records on movement of food so as to enhance traceability, tightened import control measures and power for the Authority to prohibit the import and sale of problem food and make food recall orders.

6. The recent incident of detecting melamine in milk and dairy products has triggered calls for the authorities to have the power to

prohibit the import and supply of food and to order a recall of the food concerned when there is a possibility of a danger to public health. We have therefore expedited work on the part concerning administrative orders to prohibit the import and supply of food and to order a recall of the food concerned in the Food Safety Bill and proposed to urgently amend the Public Health and Municipal Services Ordinance (Cap 132) to introduce such power, ahead of the introduction of the full Food Safety Bill.

7. At its meeting on 21 October 2008, the Executive Council approved that the Public Health and Municipal Services (Amendment) Bill 2008 should be introduced into the Legislative Council on 5 November 2008. At Annex B is the Brief for Legislative Council which sets out the detailed proposals under the Amendment Bill for Members' reference.

8. Members are invited to note the actions taken by the Administration to tackle the incident of milk products being tainted by melamine and to enhance our capability to effectively handle food incidents in future.

Food and Health Bureau  
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