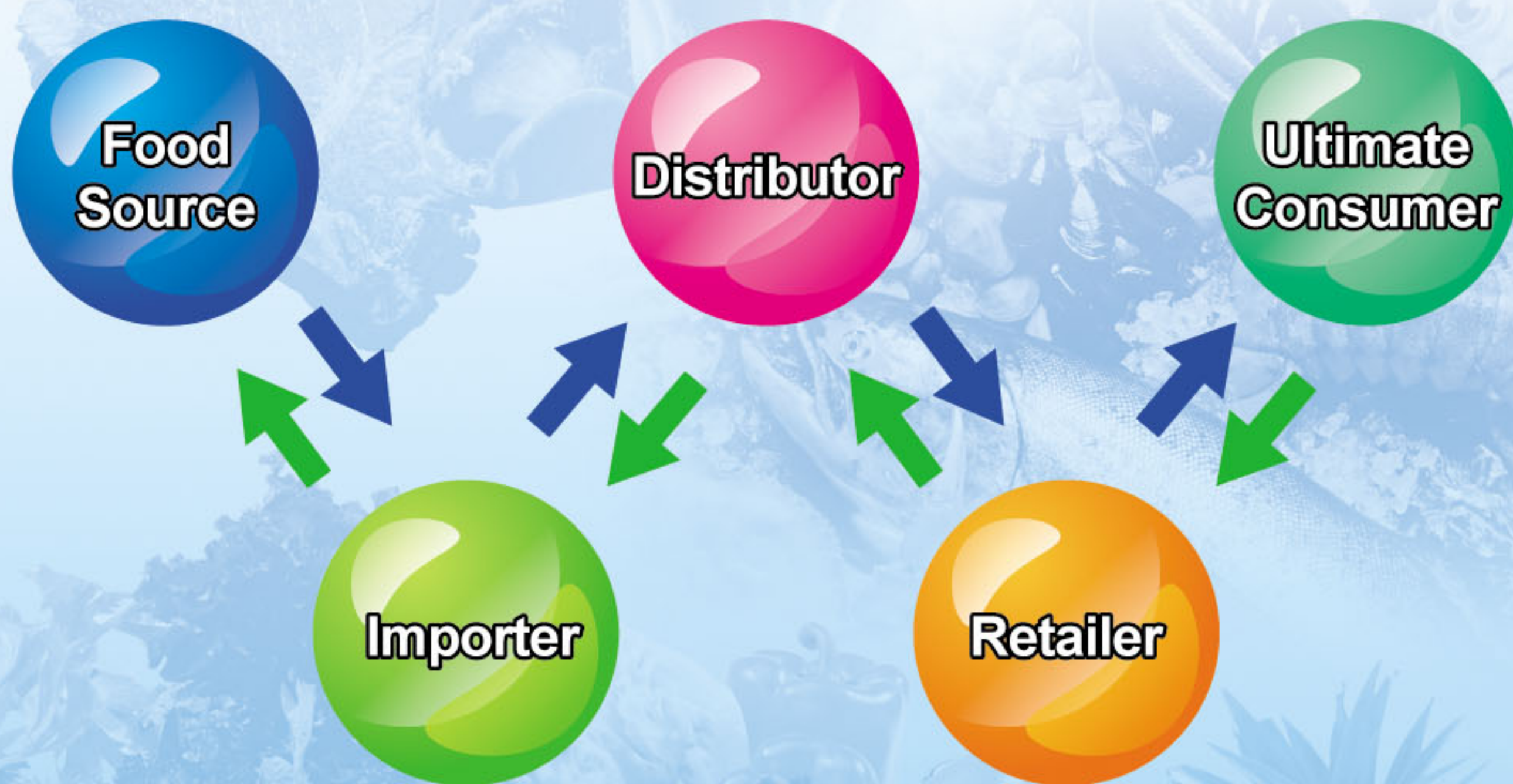


▶ Enhance Food Traceability Strengthen Food Safety ◀

Food Safety Ordinance has taken effect on 1 August 2011

Food Safety Ordinance introduces a food tracing mechanism to strengthen food safety. Food importers and food distributors are required to **register** with the Food and Environmental Hygiene Department (FEHD). Food traders including retailers such as restaurants, food shops, hawkers and market stall lessees selling food are required to **keep food transaction records** properly to enhance food traceability.



Grace period

There is a six-month grace period for the two following requirements, which ends on **31 January 2012**:

- (1) Registration with FEHD by food importers and distributors
- (2) Record-keeping for movement of food by food traders





For details of the Food Safety Ordinance and the relevant information, please browse www.foodsafetyord.gov.hk.

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(I) Registration scheme for food importers and food distributors

Who should register?

All food importers and food distributors in Hong Kong (except those exempted)

Category	Definition	Examples
Food importer	A person who carries on a business which brings or causes to be brought any food into Hong Kong by air, land or sea	<p>Food import company</p> 
Food distributor	A person who carries on a business of which the principal activity is wholesale supply of food in Hong Kong. This also includes in general food producers (like fish/ vegetable farmers and fishermen) and food manufacturers who supply their products by wholesale	<p>Food distribution company</p>  <p>Food manufacturer</p>   <p>Fisherman Farmer Fish farmer</p>

Are food retailers required to register?

Food retailers, such as restaurants, food shops, grocery stores, supermarkets, market stalls and hawkers selling food, whose principal activity is to sell food to ultimate consumers, are not required to register.



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(I) Registration scheme for food importers and food distributors

Who are exempted from registration?

Food importers or distributors who have already registered or have obtained a licence under other ordinances (listed at Schedule 1 of the Food Safety Ordinance) are exempted from the registration requirement. They include:

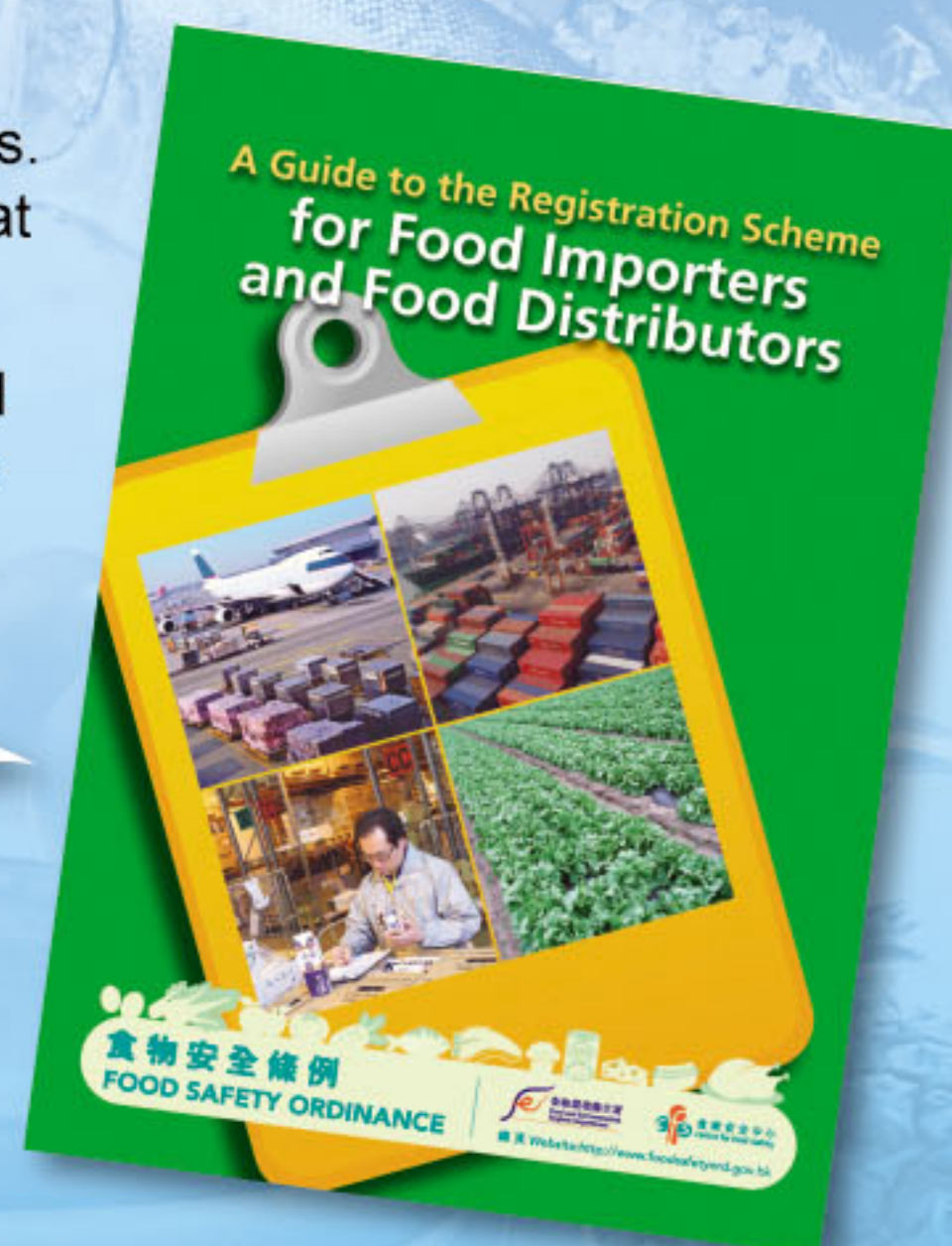
Already obtained a licence or permission from / registered with the following government departments	Exempted persons
Food and Environmental Hygiene Department	Holders of various food-related permits or licences
Agriculture, Fisheries and Conservation Department	Licensed marine fish farmers
Marine Department	Owners of Class III vessels
Trade and Industry Department	Registered stockholders of rice

How to register?

Applications can be submitted by paper or electronic means. Forms can be downloaded from the website at www.foodsafetyord.gov.hk.

The registration fee for a period of three years is \$195 and the fee for subsequent renewal of a three-year term is \$180.

For more details, please read the [Guide to the Registration Scheme for Food Importers and Food Distributors](#) available at the above website.



Penalties

From 1 February 2012, any person who does not register but carries on a food importation or distribution business, without reasonable excuse, commits an offence and is liable to a maximum fine of \$50,000 and imprisonment for six months.

▶ Enhance Food Traceability Strengthen Food Safety ◀

(II) Record-keeping requirement relating to movement of food

The registration scheme alone cannot guarantee food traceability. The Food Safety Ordinance also requires food traders to maintain records of the movements of food with reference to their mode of operation.

Who should keep records?

- ◆ Any person who, in the course of business, imports food must keep “**import records**”
- ◆ Any person who, in the course of business, acquires food in Hong Kong must keep “**local acquisition records**”
- ◆ Any person who, in the course of business, supplies food in Hong Kong by wholesale must keep “**wholesale records**”
- ◆ Any person who captures local aquatic products and who, in the course of business, supplies them in Hong Kong must keep “**capture records**”

Are food retailers required to keep records?

Food retailers are also required to keep acquisition records, but not information on ultimate consumers to whom they sell the food.

Take a typical situation as an example:



Food importer

- ◆ To register as a food importer
- ◆ To keep **import records**
- ◆ To keep **wholesale records**



Food distributor

- ◆ To register as a food distributor
- ◆ To keep **local acquisition records**
- ◆ To keep **wholesale records**



Food retailer

- ◆ No need to register
- ◆ To keep **local acquisition records**
- ◆ No need to keep record of sales to ultimate consumers

▶ Enhance Food Traceability Strengthen Food Safety ◀

(II) Record-keeping requirement relating to movement of food

What should be included in the records?

There is no stipulated format for the records, but those records must cover the information as indicated in the following table:

	Import records	Local acquisition records	Distribution records	Capture records
The date the food was acquired/supplied	✓	✓	✓	X
The name and contact details of the seller	✓	✓	X	X
The place from which the food was imported	✓	X	X	X
The name and contact details of the buyer	X	X	✓	X
The description and total quantity of the food	✓	✓	✓	X
The date/period of the capture	X	X	X	✓
The common name and the total quantity of the local aquatic products	X	X	X	✓
The area of the capture	X	X	X	✓

✓ = applicable X = not applicable

For many traders, the required information can be found on receipts, invoices, or other records they routinely keep. For example, the invoice below can be a record of wholesale supply of food for the seller and a record of local acquisition of food for the buyer.

For buyer's records of local acquisition of food

The name and contact details of the seller

The date the food was acquired

The description and the total quantity of the food

Invoice

Address Telephone No.
Food Company

Customer Name, address, Tel. No. Transaction Date

Description	Quantity	Unit Price
Total		

For seller's records of wholesale supply of food

The name and contact details of the buyer

The date the food was supplied

The description and the total quantity of the food

▶ Enhance Food Traceability Strengthen Food Safety ◀

(II) Record-keeping requirement relating to movement of food

Food importers, distributors and retailers may choose their means for compliance with the legal requirement, for example:

- ◆ keep receipts/ invoices which contain the required information;
- ◆ create their own transaction records (both written or electronic records are acceptable); and
- ◆ use templates of record-keeping provided by FEHD.

For more information or downloading of relevant record templates, please read the [Code of Practice on Keeping Records Relating to Food](#) available at the ordinance website.

Duration of keeping records

Food category	Examples	Record-keeping period
Food with a shelf-life of 3 months or less	Fresh meat, vegetables, fruit, live aquatic products, sashimi	3 months
Food with a shelf-life over 3 months	Canned food, dried seafood and frozen meat	24 months

Penalties

From 1 February 2012, any person who fails to comply with the record-keeping requirement, without reasonable excuse, commits an offence and is liable to a maximum fine of \$10,000 and imprisonment for 3 months.

Enquiries

Food Importer / Distributor Registration and Import Licensing Office
Food Import & Export Section
Centre for Food Safety
Food and Environmental Hygiene Department

Address: Room 119, 1/F, 258 Queen's Road East, Wan Chai, Hong Kong
Office hour hotline: 2156 3017 / 2156 3034
Fax No: 2156 1015
E-mail address: fso_enquiry@fehd.gov.hk