

Circular 8: Food Related Laws and Regulations <IMPORTANT>

To the extent of any conflict and/or discrepancy between the Supplemental Rules on the Special Arrangement relating to COVID-19 (“Supplemental Rules”) and any other rules, regulations and/or conditions of the Fair (including without limitation Sections 3.25.1, 3.25.4, 3.25.5, 3.25.6 and 3.25.10 of this Circular and Fair Rules and Regulations), the Supplemental Rules shall prevail. Any part of this Circular and any rules, regulations and/or conditions of the Fair that do not conflict with these Supplemental Rules shall remain in full force and effect.

1.24 Compliance with Applicable Laws and Regulations

Exhibitors are strongly advised to consult their own legal advisors, relevant government authorities and relevant professional bodies before applying for participation in the Exhibition to ensure that they are able to comply with all applicable laws, regulations, codes of practice and guidelines governing the exhibition, promotion and supply of their products and/or services in Hong Kong, including without limitation, the following legislations:

- Trade Descriptions Ordinance (Cap. 362) and its subsidiary legislations - which imposes, amongst others, prohibitions against application of false trade description to goods or services; possession for sale or for any purpose of trade or manufacture goods with false trade description; prohibitions against supply of goods or services with false trade description; prohibitions against forging trade mark or application of false trade mark to goods; prohibitions against import and export of goods with false trade description or forged trade mark; and prohibitions against unfair trade practices including without limitation misleading omissions, aggressive commercial practices, bait advertising, bait and switch and wrongly accepting payment. Specific requirements relating to trade descriptions for jewelry, precious stones, watches, garments and electronic goods may apply.
- Consumer Goods Safety Ordinance (Cap. 456) - which imposes a duty on manufacturers, importers and suppliers of consumer goods to ensure that the consumer goods supplied are safe. Consumer goods refers to any goods which are ordinarily supplied for private use or consumption (except those specified in the Ordinance) and includes the packaging of the consumer goods.
- Sales of Goods Ordinance (Cap. 26) - which codifies the law relating to the sale of goods, including formation, effects and performance of the sales contract, implied terms of the contract, rights of the parties and consequences of breach of the contract.
- Supply of Services (Implied Terms) Ordinance (Cap. 457) - which consolidates the law with respect to the terms to be implied in contracts for the supply of services, including implied terms as to care, skill, timing of performance and consideration.

- Import and Export Ordinance (Cap.60) - which imposes, amongst other, restrictions on and requirements for import and export of articles to and from Hong Kong and handling and carriage of articles which have been imported into Hong Kong. In particular, the Ordinance provides for articles which are prohibited to be imported into and exported from Hong Kong.
- Prevention of Bribery Ordinance (Cap. 201) - which makes provisions for the prevention of bribery and other related matters.
- Personal Data (Privacy) Ordinance (Cap.486) - which protects the privacy of individuals in relation to personal data by, amongst others, imposing a duty on data users to comply with the data protection principles as listed under the Ordinance and the requirements for use and provision of personal data in direct marketing.
- Copyright Ordinance (Cap.528) - which makes provisions in respect of protection and enforcement of copyright and other related rights.
- Registered Design Ordinance (Cap.522) - which makes provisions in respect of registered design right.
- Trade Marks Ordinance (Cap.559) - which makes provisions in respect of the registration of trade marks and related matters including protection and enforcement of registered trade marks.
- Patents Ordinance (Cap. 514) - which makes provisions in respect of the registration of patents and related matters including protection and enforcement of registered patents.
- Pyramid Schemes Prohibition Ordinance (Cap.617) - which makes provisions to prohibit the promotion of and the knowing participation and inducement of another to participate in pyramid schemes.
- Undesirable Medical Advertisements Ordinance (Cap. 231) - which imposes, amongst others, prohibitions against advertisements likely to lead to the use of any medicine, surgical appliance or treatment for certain diseases as prescribed in the Ordinance. (See 3.25.14 below)
- Electricity Ordinance (Cap.406) - which provides for, amongst others, safety requirements for electrical products, meaning any current-using equipment, lighting fitting or accessory that uses low voltage or high voltage electricity.
- Air Pollution Control Ordinance (Cap. 311) - which makes provision abating, prohibiting and controlling pollution of the atmosphere, including prohibiting the manufacture in or import into Hong Kong certain regulated consumer products (such as hairspray) that contain volatile organic compound content in excess of the prescribed limit.
- Public Health and Municipal Services Ordinance (Cap.132) - which regulates,

amongst others, the preparation and adulteration of food and drugs and provides for protection to purchasers of food and drugs by prohibiting sale of food or drugs unfit for human use and false or misleading labeling or advertising of the same. (See 3.25.18 below)

- Control of Obscene & Indecent Articles Ordinance (Cap.390) - which controls articles which contain material that is obscene or indecent (including material that is violent, depraved or repulsive).
- Toys and Children's Products Safety Ordinance (Cap. 424) - which provides for, amongst others, safety standards for children's toys, specified chattels used in association with children.
- Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) - which regulates the import, export, and possession or control of certain endangered species of animals and plants. (See 3.25.16 below)
- Waste Disposal Ordinance (Cap. 354) - which makes provisions for the control and regulation of the production, storage, collection and disposal including the treatment, reprocessing and recycling of waste.
- Firearms and Ammunitions Ordinance (Cap. 238) - which makes provisions for the control and licensing on the possession and dealing in arms and ammunition.
- Weapons Ordinance (Cap. 217) - which prohibits the possession of certain weapons.
- Product Eco-responsibility Ordinance (Cap 603) - which introduces measures to minimize the environmental impact of certain types of products (such as plastic shopping bags, electrical and electronic equipment, packaging materials and beverage containers); and provides for related matters.
- National Security Law – which criminalises acts of secession, subversion of state power, terrorist activities, and collusion with foreign or external forces to endanger national security to safeguard national security. The law also criminalises secondary acts of assisting the commission of the aforementioned offences, such as assisting in or abetting the commission by other persons of a secession or subversion offence, providing support, assistance or facility such as technologies or venues to a terrorist organization or a terrorist, or for the commission of terrorist activities, and aiding and abetting the commission of a collusion offence under common law.

All of the above mentioned ordinances and regulations can be downloaded from the website <https://www.elegislation.gov.hk/>.

Warranties

Each Exhibitor hereby represents and warrants to the Organiser that all products, services, promotional, advertising and other materials displayed, exhibited, offered, distributed and supplied by the Exhibitor for, in relation to and at the Exhibition and all

other activities of the Exhibitor at the Exhibition:

- (a) shall comply with all laws and regulations applicable to the Exhibitor or the Organiser, including but not limited to the laws of Hong Kong, and any applicable international conventions;
- (b) shall comply with all codes of practice, guidelines or statement issued by the relevant government authorities or professional bodies applicable to the Exhibitor or the Organiser, including but not limited to the government authorities or professional bodies of Hong Kong;
- (c) do not infringe any intellectual property rights or other rights of any third party;
- (d) are not, in the reasonable opinion of the Organiser, unfavorable to the images or reputation of the Organiser or otherwise undesirable.

Each Exhibitor hereby further represents, warrants and undertakes to the Organiser that it shall have duly obtained at its own costs and expenses all necessary and valid exemptions, consents, approvals and licenses for the exhibition, promotion, offer, distribution and supply of all products, services, promotional, advertising and other materials at the Exhibition and all other activities of the Exhibitor at the Exhibition.

Each Exhibitor hereby represents, warrants and undertakes to the Organiser that it shall explain to customers and potential customers the scope, particulars and specification of its products and/or services (as the case may be) and the relevant fees and charges, and that the Organiser are not liable for any liability, losses, damages, costs and expenses arising from or in connection with any dispute between an Exhibitor and any of its customers or potential customers, which shall be the sole responsibility of the Exhibitor concerned.

Indemnity

Each Exhibitor agrees to comply with all rules and regulations of the Exhibition and all applicable laws and regulations, and to exempt the Organiser and the Exhibition Venue from, and indemnify each of them against all liabilities incurred from any complaint lodged or proceedings instituted by any person arising from any offence committed or breach of laws, rules and regulations by the Exhibitor.

1.25 Food Related Laws and Regulations

Exhibitors are requested to read through sections 3.25.1 to 3.25.18 of the Exhibitor's Manual and ensure complete compliance with all the stated laws, regulations and conditions.

The exhibitor agrees to comply with all the laws, regulations and conditions mentioned in sections 3.24 and 3.25, and to exempt the Hong Kong Trade Development Council and Hong Kong Convention and Exhibition Centre (Management) Limited from, and

indemnify them against all liabilities whatsoever incurred from any complaint lodged or proceedings instituted by any person arising from any offence committed under the laws and regulations by the exhibitor.

1.25.1 Free Tasting for Product Demonstration

Exhibitors may offer food or beverage samples to visitors of the Exhibition provided that:

- (a) the samples are prepared in connection with the demonstration of the Exhibitor's products;
- (b) the samples are provided free of charge;
- (c) alcoholic beverages must not be tasted by or supplied or sold to visitors aged below 18;
- (d) the samples are offered in the area of the Exhibitor's Stand (or areas designated by the Organiser, if any);
- (e) the samples and/or the ingredients are well packaged or well covered and are served in small quantity and tasting portion only;
- (f) Exhibitor's staff preparing or dispensing food or beverages must wear face masks, gloves and clean clothing;
- (g) the samples and/or the ingredients must be within the expiry date of consumption and must be in a condition normally expected of or commonly acceptable in relation to that particular kind of food or beverages.

1.24.2 Onsite Inspection

To ensure full compliance with the laws and regulations, the Organisers maintain the right to demand for immediate remedial action by Exhibitors upon request during the Fair period if the Organisers have any suspicion on any non-compliance of the laws and regulations mentioned in sections 3.24 and 3.25. In the incidence that repeated verbal warnings are in vain, the Organisers may terminate the exhibitors' right to continue participating in the Fair with immediate effect. Officials from various government departments and authorities such as Food and Environmental Hygiene Department, Department of Health, Customs & Excise Department, Immigration Department, Chinese Medicine Council of Hong Kong, as well as the Consumer Council, may also conduct inspections onsite during the Fair period.

1.24.3 Food Laws of Hong Kong

The Food and Environmental Hygiene Department (FEHD) of the Government of the Hong Kong Special Administrative Region (HKSAR) have set forth very strict rules and regulations relating to sale of food in Hong Kong. Any food, whether imported or locally produced, intended for sale in Hong Kong shall comply with the local food laws including but not limited

to the list below:

- (1) Public Health and Municipal Services Ordinance (Cap. 132)
 - (a) Part V — (Food and Drugs) of the Public Health and Municipal Services Ordinance (Cap. 132 of Laws of Hong Kong);
 - (b) Abattoirs Regulation (Cap. 132A)
 - (c) Colouring Matter in Food Regulations (Cap.132H);
 - (d) Dried Milk Regulations (Cap.132R);
 - (e) Sweeteners in Food Regulations (Cap.132U);
 - (f) Food Adulteration (Metallic Contamination) Regulations (Cap.132V);
 - (g) Food and Drugs (Composition and Labeling) Regulations (Cap.132W);
 - (h) Food Business Regulation (Cap.132X);
 - (i) Frozen Confections Regulation (Cap.132AC);
 - (j) Harmful Substances in Food Regulations (Cap.132AF);
 - (k) Imported Game, Meat and Poultry Regulations (Cap.132AK);
 - (l) Milk Regulation (Cap.132AQ);
 - (m) Mineral Oil in Food Regulations (Cap.132AR);
 - (n) Preservatives in Food Regulation (Cap.132BD);
 - (o) Slaughterhouses Regulation (Cap.132BU); and
 - (p) Smokeless Tobacco Products (Prohibition) Regulations (Cap.132BW)
 - (q) Pesticide Residues in Food Regulation (Cap.132CM).

The full text of the Public Health and Municipal Services Ordinance and its subsidiary legislations can be downloaded at <https://www.elegislation.gov.hk/>.

(2) Food Safety Ordinance (Cap. 612)

The Food Safety Ordinance provides a tracing mechanism for food safety in Hong Kong, which comprises a registration scheme for food importers and distributors and a record-keeping scheme prescribed for all food importers and distributors in relation to movement of food.

According to the Ordinance, “Food” includes –

- (a) drink;
- (b) ice;
- (c) chewing gum and other products of a similar nature and use;
- (d) smokeless tobacco products; and
- (e) articles and substances used as ingredients in the preparation of food, but does not include –
 - (f) live animals or live birds, other than live aquatic products;
 - (g) fodder or feeding stuffs for animals, birds or aquatic products; or
 - (h) medicine as defined by section 2(1) of the Pharmacy and Poisons Ordinance (Cap. 138) or Chinese herbal medicine or proprietary Chinese medicine as defined by section 2(1) of the Chinese Medicine Ordinance (Cap. 549).

“Food importer” means a person who carries on a business which brings or causes to be brought any food into Hong Kong by air, land or sea.

“Food distributor” means 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/vegetables farmers and fishermen) and food manufacturers who supply their products by wholesale.

Registration scheme

The Ordinance requires any person who carries on a food importation/ distribution business to register with Director of Food and Environmental Hygiene as a food importer/ food distributor. Any person who does not register with FEHD as a food importer/distributor but carries on a food importation or distribution business commits an offence and is liable to a maximum fine of \$50,000 and imprisonment for 6 months.

For details of the registration scheme, exhibitors should refer to the FEHD's publication “A Guide to the Registration Scheme for Food Importers and Food Distributors” available at the website of Centre for Food Safety at www.cfs.gov.hk.

Record-keeping requirements

The Ordinance requires any person who, in the course of business, imports, acquires or supplies by wholesale food in Hong Kong to keep transaction records of the business from which it acquired the food and the business to which it supplied the food. Any person who captures local aquatic products and in the course of business, supplies them in Hong Kong is also required to keep the capture record.

Failure to comply with the record-keeping requirement is an offence under the Ordinance and upon conviction a person is liable to a maximum fine of \$10,000 and imprisonment for 3 months.

There is no stipulated format for the records of each transaction to be maintained but such records should cover the following information as required under Part 3 of the Food Safety Ordinance:

(A) Record of local acquisition of food (Local acquisition record)

A person who, in the course of business, acquires food in Hong Kong must record the following information about the acquisition –

- (a) the date the food was acquired;
- (b) the name and contact details of the seller;
- (c) the total quantity of the food;
- (d) a description of the food.

The record must be made within 72 hours after the time the food was acquired.

(B) Record of acquisition of imported food (Import record)

A person who, in the course of business, imports food acquired outside Hong Kong must record the following information about the acquisition –

- (a) the date the food was acquired;
- (b) the name and contact details of the seller;
- (c) the place from where the food was imported;
- (d) the total quantity of the food;
- (e) a description of the food.

The record must be made at or before the time the food is imported.

(C) Record of capture of local aquatic products (Capture record)

A person who captures local aquatic products and who, in the course of business, supplies them in Hong Kong must record the following information about the capture –

- (a) the date or period of the capture;
- (b) the common name of the local aquatic products;
- (c) the total quantity of the local aquatic products;
- (d) the area of the capture

Exhibitors are required to fulfill their obligation in keeping records of their food products by following the Code of Practice on Keeping Records Relating to Food issued under section 43 of the Ordinance which can be downloaded from the website of Centre for Food Safety at www.cfs.gov.hk

The full text of the Ordinance can be downloaded at <https://www.elegislation.gov.hk/> and Guidelines on the operation of the Ordinance issued by the Centre for Food Safety can be downloaded from the website of Centre for Food Safety at www.cfs.gov.hk

Exhibitors of the Tea Fair must comply with all the laws and regulations relating to food. Exhibitors are deemed to have notice of the latest Food Laws in Hong Kong and have complied with any amended Food Laws once the amended laws have been posted on the website of Centre for Food Safety at www.cfs.gov.hk

1.24.4 Summary on Food Related Regulations

The following is a summary of some of the regulations and conditions for Exhibitors' compliance:

(1) Selling and Dispensing Food or Beverages

Any food or beverages for on-site sale should be seal-packaged. For all on-site retail sale, **exhibitors should offer proper receipts to consumers**. The receipts should clearly indicate the company name of the exhibitor, the transaction date and amount.

All exhibitors should note that no elaborate food preparation processes are allowed at the fairground. **Exhibitors are NOT allowed to cook or reheat any food items for sale,**

unless the items are intended for free tasting without any retail transaction or an Exhibitor has obtained the necessary Temporary Food Factory Licences and food permits from the FEHD and displayed the same at an eye-catching location of the Exhibitor's booth.

Exhibitors who wish to conduct retail sales of restricted items like milk, ice-cream and frozen confections should apply for the necessary food permits from the FEHD.

Exhibitors who will carry out on-site food processing activities must provide Hong Kong Trade Development Council (HKTDC) at least 30 days before the Tea Fair notification in writing with the type of food items to be processed and whether the items are for free tasting or for sale. Where sale of on-site processed food will be conducted, the exhibitor is also required to provide HKTDC a copy of its Temporary Food Factory Licence at the same time; or if such licence is not available 30 days before the commencement of the Tea Fair, Exhibitors shall submit copies of the application for the licence filed with the FEHD and the FEHD's written acknowledgment of the same to HKTDC at least [30] days before the commencement of the Tea Fair for records and shall provide a copy of the licence to HKTDC for records as soon as (and in any event not later than [7] days) the license has been granted by the FEHD.

[For inquiries, please contact FEHD at: (852) 2868 0000 or <http://www.fehd.gov.hk/english/licensing/>]

(2) Fire Regulation

No open fire is allowed at the fairground for any purpose.

[For inquiries, please contact HKTDC (852) 2240 4470].

(3) Food Labelling

All pre-packaged food and beverages exhibited or offered at the Tea Fair must comply with the Food and Drug (Composition and Labelling) Regulations (Cap.132W) to have the prescribed label and nutrition label written in Chinese, English or both.

[For inquiries, please contact Centre for Food Safety at (852) 2868 0000 or visit its website at www.cfs.gov.hk.]

(4) Undesirable Medical Advertisements Ordinance

Any exhibits, which include any kind of medicament, other curative or preventive substance or orally consumed products except those customarily consumed as food or drink, and whether a proprietary medicine, a patent medicine, or purported natural remedy, must conform to the requirements under the Undesirable Medical Advertisements Ordinance (Cap. 231) on labeling and advertisements. Any labeling or advertisement should not contravene the provisions of the Ordinance. [For inquiries, please contact the Department of Health at (852) 2961 8989 or (852) 2961 8991 or visit its website at <http://www.dh.gov.hk/>.]

(5) Registration of Proprietary Chinese Medicines

According to Chinese Medicine Ordinance (Cap 549), all proprietary Chinese medicines must first be registered by the Chinese Medicines Board of the Chinese Medicine Council of Hong Kong before they can be imported, manufactured or sold in Hong Kong. All proprietary Chinese medicines must also carry a prescribed label and be attached with package insert according to the provision of the Ordinance.

[For inquiries, please contact the Secretariat of the Chinese Medicine Council of Hong Kong at (852) 2121 1888 or <http://www.cmchk.org.hk>.]

(6) Product Genuineness & Product Labelling

Please note that the Organisers and Po Sau Tong Ginseng & Antler Association Hong Kong Limited, sponsor of the Tea Fair, have the sole discretion to examine or test any ginseng, antler, dried seafood or Chinese soup ingredients which are suspected to be not genuine.

(7) Retail Sales Activities for Overseas Exhibitors

According to the provisions of the Immigration Ordinance (Cap. 115), all exhibitors who are not ordinary residents of Hong Kong will be required to obtain a "Temporary Work Visa" when they participate in a public fair in Hong Kong involving retail sales activities; unless a local representative is employed to conduct retail sales activities and the handling of proceeds.

[For inquiries, please contact Immigration Department of the HKSAR at (852) 2824 6111, by fax (852) 2877 7711 or through the Internet <http://www.immd.gov.hk/>.]

1.24.5 Conditions on Selling and Dispensing Food or Beverages

To comply with the provisions of the Food Safety Ordinance Cap 612, all exhibitors intending to import or distribute food in the Tea Fair are required to register with or obtain exemption from the FEHD. Application forms and Guidelines on the operation of the Ordinance can be obtained from the Center for Food Safety at 43/F Queensway Government Offices, 66 Queensway, Hong Kong or downloaded at its website at: www.cfs.gov.hk.

[For inquiries, please contact Centre for Food Safety at: (852) 2868 0000 or www.cfs.gov.hk]

In addition to the provisions of the Food Safety Ordinance, the following conditions on selling and dispensing food or beverages must be observed and complied with by all exhibitors:

Food Permits and Licences

1. All food and beverages exhibited at the Tea Fair must be in hygienic condition of the highest standard and must be fit for human consumption. For the sake of public health, the Organisers maintain the right to demand for valid certificates on the food product quality issued by the relevant health and food safety authorities upon request during the

Fair period. If the Organisers have any suspicion on any of the exhibits, given all the circumstantial supportive factors, it may call for immediate removal of the concerned items from display and from sale. In the incidence that repeated verbal warnings are in vain, the Organisers may terminate the exhibitors' right to continue participating in the Fair with immediate effect. Please ensure that there are no fake or unhygienic food products at the fairground.

2. Exhibitors can offer exhibits for tasting by visitors provided that they are free of charge to the visitors and that such tasting takes place within the designated area to which each exhibitor is assigned by the (HKTDC). Exhibitors are strongly recommended that any food or beverages for free tasting should be well packaged or well covered and to be served on one-to-one basis in small quantity. Staff dispensing food or beverages is strongly recommended to wear face masks, gloves and clean clothing.
3. ANY FOOD or BEVERAGES that exhibitors WARM UP or REHEAT at their booth(s) must be for visitors' FREE TASTING ONLY and MUST NOT BE FOR SALE at the fairground unless the Exhibitor concerned has obtained a Temporary Food Factory Licence from the FEHD for sale of food at the fairground. The said Temporary Food Factory Licence must be displayed at an eye-catching location within the Exhibitor's booth with copy provided to HKTDC at least 30 days before the commencement of the Tea Fair; or if such licence is not available 30 days before the commencement of the Tea Fair, Exhibitor shall submit copies of the application for the licence filed with the FEHD and the FEHD's written acknowledgment of the same to HKTDC at least [30] days before the commencement of the Tea Fair for records and shall provide a copy of the licence to HKTDC for records as soon as (and in any event not later than [7] days) the license has been granted by the FEHD. The Organisers reserve the right to discontinue any sale if the exhibitor fails to present the said licence and/or documents by the deadline.
4. Only pre-packaged food samples i.e. samples of any food packaged, whether completely or partially, in such a way that the contents cannot be altered without opening or changing the packaging, the food in which is ready for presentation to the visitors as a single food item, can be sold to the visitors at the exhibition venue.
5. All exhibits, whether sold to or tasted by the visitors, must be within the expiry date of consumption, which must be clearly marked on the containers or packers or otherwise for pre-packaged exhibits. Any other food or beverages supplied to visitors for tasting must be not older than would normally be expected of or commonly acceptable in relation to that particular kind of food or beverages.
6. All sales of beverages must be closed and sealed to prevent spilling.
7. The latest Food Laws in Hong Kong shall become effective immediately upon posting of the same on the website of Centre for Food Safety at www.cfs.gov.hk. Once the amended laws have been posted, exhibitors will be deemed to have notice of the same and have complied with the amended laws.
8. Depending on the nature of the exhibits, exhibitors will be required to apply for food

permits/licences from the FEHD. Any such food permit / licence obtained by the exhibitors must be displayed at an eye-catching location in the booth and have to be copied to HKTDC at least 30 days before the commencement of the Tea Fair; or if such permit / license is not available 30 days before the commencement of the Tea Fair, we shall submit copies of the application for the permit and/or license filed with the FEHD and the FEHD's written acknowledgment of the same to HKTDC at least [30] days before the commencement of the Tea Fair 2022 for records and shall provide a copy of the permit and/or license to HKTDC for records as soon as (and in any event not later than [7] days) the permit and/or license has been granted by the FEHD. The Organisers reserve the right to discontinue any sale if the exhibitor fails to present the said permit / licence and/or documents by the deadline.

On-site Food-processing Activities and Storage

9. No open fire is allowed at the fairground and all exhibitors should note that no elaborate food preparation processes are allowed at the exhibitors' booth(s).
10. The means of food processing (such as cooking, warming or reheating) shall be restricted to steaming, pan-frying, non-charcoal grilling and baking only. Deep-fry or Yakitori-style cooking is not permitted.
11. Any cooking, warming or re-heating of the food products must take place within the stands in the exhibition venue to which each exhibitor is assigned by HKTDC and shall only be done by microwave ovens and electric cooking appliances of good working condition only. HKTDC reserves the right to request exhibitors to remove immediately without notice any appliance that HKTDC regards as defective, dangerous or improper. Each exhibitor is only allowed to install one microwave oven and one other electrical cooking appliance in his/her respective stand regardless of the size of the stand. Exhibitors are also responsible for ordering sufficient power supply to support their electric cooking appliances. Booths with pan-frying, non-charcoal grilling or baking activities must be installed with charcoal-filtered range hood in order to minimise problems of indoor air pollution. HKTDC Exhibition Services can offer officially recognised charcoal-filtered range hoods for rent. Any exhibitor wishing to install any additional microwave ovens or electric cooking appliances must obtain the prior written approval of HKTDC who have an absolute discretion upon whether to give such approval. Notwithstanding that the HKTDC may have given such approval, they have the sole and absolute discretion to subsequently withdraw such approval at any time.
12. Booths with sales or distribution of soft ice-cream must be equipped with piping and drainage.
13. Acceptance of exhibitors which conduct food-processing on-site is subject to the sole decision of HKTDC.
14. Upon signing the Tea Fair Application Form and Declaration the exhibitor agrees to comply with the said conditions, and to exempt HKTDC and Hong Kong Convention and Exhibition Centre (Management) Limited from, and indemnify them against all liabilities

whatsoever incurred from any complaint lodged or proceedings instituted by any person arising from food provided by the exhibitor or any offence committed by the exhibitor.

15. Exhibitors should avoid causing possible nuisance of oil fumes generated from frying and warming of food. As a safety measure, cooking appliances facing the aisles are required to be shielded off by 30cm high panels above the cooking counter on three sides to avoid spillage of cooking oil or hot water.
16. All exhibitors should ensure that storage of food items should be under temperature-controlled conditions in refrigerators, freezers or other appropriate appliances of good and proper working condition. Prior arrangements should be made with HKTDC for the supply of 24-hour electricity throughout the duration of the exhibition. (Please refer to Form 7 in "Additional Facilities and Services Order Form").
17. 70% of the total booth area shall be used to sell and/or display pre-packaged foods and/or beverages. In addition, at least 70% of the items displayed at the booth shall consist of pre-packaged foods or beverages. Any cooking, reheating, displaying and/or selling of unpacked food shall be conducted within the booth and the aggregate area for conducting such activities shall not exceed 30% of the total booth area.

1.24.6 Conditions on Tasting, Supply and/or Sale of Alcoholic Beverages

Below are the rules and conditions governing the tasting and/or sales of alcoholic beverages during the Tea Fair.

- All exhibitors are required to declare if their participation would involve alcoholic beverages.
- The supply and sales of alcoholic beverages by the glass or by open bottle in any catering form without a valid Temporary Liquor Licence within the exhibition venue is strictly prohibited and any breach thereof shall result in the exhibitor concerned being disallowed from continuing to participate in the exhibition. Exhibitor conducting alcoholic beverage promotion within the exhibition venue should comply with the Dutiable Commodities (Liquor) Regulations (Cap. 109B) of the Dutiable Commodities Ordinance, Laws of Hong Kong Cap. 109. According to the Dutiable Commodities Ordinance, "alcoholic liquor" means any liquid which contains more than 1.2% of ethyl alcohol by volume, such as sheung ching, mow toi, ko leung, brandy, whisky, gin, rum, vodka, champagne, still wine, beer, cider, sake and etc.
- Since the legislative amendments to the Dutiable Commodities Ordinance took effect from 6 June 2008, wine/liquor traders are no longer required to apply for any licences or permits for the import or export, manufacture, storage or movement of wine and liquor with an alcoholic strength of not more than 30% by volume measured at a temperature of 20°C. No valuation of the alcoholic beverages concerned for duty purpose will be required. However, the existing licensing/permit controls on liquors with an alcoholic strength of more than 30% by volume measured at a temperature of 20°C remain unchanged. Exhibitors of such liquors should forward a copy of the removal permit for duty-paid goods issued by the Customs & Excise Department to the HKTDC at least 30

days before the commencement of the Tea Fair for records.

- Exhibitors conducting sales and/or tasting of alcoholic beverages during the Tea Fair should observe the following rules and conditions:
- Consumption or tasting of alcoholic beverages must be done in the following ways:
 - 1) for those exhibitors who wish to conduct alcoholic beverages free tasting within the exhibition booth, they must apply for the relevant Temporary Liquor Licence directly from the Hong Kong Police at least 30 days before the commencement of the Tea Fair. Only a person who is already in possession of a full Liquor Licence will be considered to be issued with a Temporary Liquor Licence. Any such Temporary Liquor Licence an exhibitor obtained must be displayed at an eye-catching location in the booth AND have to be copied to HKTDC at least 30 days before the commencement of the Tea Fair.
 - 2) Unless a Temporary Liquor Licence is obtained, all sales of alcoholic products must be bottled or canned, and no sales and/or free-tasting of alcoholic beverages by the glass or open-bottle would be allowed. Exhibitors conducting alcoholic beverage promotion within the exhibition venue should comply with the Dutiable Commodities (Liquor) Regulations (Cap. 109B) of the Dutiable Commodities Ordinance (Cap. 109) wherever appropriate.
- Alcoholic beverages MUST NOT be tasted by or sold to visitors aged below 18. In case of any doubt, please request visitors to show a proof of age, e.g. Hong Kong ID Card.
- Exhibitors must ensure that a sign containing both the Chinese and English versions of the notice below is displayed in a prominent position at the booth:

“Under the law of Hong Kong, Intoxicating liquor must not be sold or supplied to a minor in the course of business. 根據香港法律，不得在業務過程中，向未成年人售賣或供應令人醺醉的酒類。”

The sign must be rectangular in shape with sides of at least 38cm in length and 20cm in width. The notice contained in the sign must be in plain and readily legible characters and letters, and be set out in characters and letters of a colour that contrasts with the background on which they appear. The Organiser may provide such sign to the concerned exhibitors upon request.

For details on the application for a Temporary Liquor Licence, please contact General Licensing Section of the Hong Kong Police at (852) 2860 6524 or email to general-licensing@police.gov.hk.

For compliance with the Dutiable Commodities Ordinance, please contact Customs & Excise Department at (852) 2815 7711 or <http://www.customs.gov.hk>.

1.24.7 Product Genuineness

To protect the welfare of the visitors, products sold, dispensed, promoted or displayed at the Tea Fair must be genuine and conform to the labels affixed to them and their package insert.

Please note that the Organisers and Po Sau Tong Ginseng & Antler Association Hong Kong Limited, sponsor of the Tea Fair, have the sole discretion to examine or test any ginseng, antler, dried seafood or Chinese soup ingredients regarding the product genuineness. The Organisers will take the examination or test results into account when considering whether or not to accept the application of the exhibitor for the upcoming Tea Fair.

Government Officials from FEHD, Department of Health, Customs & Excise Department, Chinese Medicine Council of Hong Kong as well as the Consumer Council, will also conduct regular inspections onsite during the Fair period.

1.24.8 Guidelines on Processing Food & Beverages

For the sake of public hygiene, exhibitors should follow the Food Hygiene Code issued by the FEHD in processing food and beverages and strictly follow the guidelines below.

- Exhibitors should have their body temperature measured daily before entering the fairground. If you do not feel well, especially when you have a fever (body temperature higher than 38°C/100.4°F) and/or respiratory symptoms such as coughing, sneezing, do not attend the function. Consult a doctor promptly.
- Exhibitors are strongly recommended that any food or beverages for free tasting should be well packaged or well covered and to be served on one-to-one basis in small quantity. Staff dispensing food or beverages is strongly recommended to wear face masks, gloves and clean clothing. All food, beverages and tableware must be stored and covered properly.
- Any food or beverages for on-site sale should be sealed packaged.
- Maintain good personal hygiene. Wash your hands with liquid soap, and then dry with a disposable towel or a hand drier before processing food, after going to the toilet, when your hands are contaminated by respiratory droplets or other bodily secretions or after touching rubbish.
- Do not cough or sneeze toward any food and beverages. Do not spit or litter.
- All exhibitors should ensure that exhibits are displayed only in the stands specifically assigned to them and that they keep their stand dry, clean and tidy. All rubbish or packing materials should be disposed of in the garbage bags and placed in the refuse collection area in the exhibition venue at the end of an exhibition day.

- Exhibitors should keep potentially hazardous food at 4°C or below, or at 60°C or higher. If the food items are frozen, they must be stored frozen (preferably stored at -18°C or below). Potentially hazardous food that is intended for immediate consumption may be displayed or held for service at temperatures between 4°C and 60°C for a period of not more than 4 hours, otherwise it should be discarded.

[The Food Hygiene Code issued by the FEHD can be downloaded at https://www.fehd.gov.hk/english/publications/code/code_all.pdf]

1.24.9 Catering Services

According to the regulations of the Hong Kong Convention & Exhibition Centre (HKCEC), no catering items or service provided from outside HKCEC is permitted, and HKCEC security will take action against the delivery of any catering items.

Exhibitors may have food and drinks at the cafeteria inside the exhibition halls or at the restaurants. Should you require in-house delivery service, you may also contact the HKCEC directly at (852) 2582 8888.

1.24.10 Regulations on Sales of Restricted Food

Restricted Foods

According to the provisions of the Food Business Regulation (Subsidiary Legislation X of Chapter 132 of the Laws of Hong Kong), no person shall sell, or offer or expose for sale, or possess for sale the following kinds of food and beverages which are restricted foods in Hong Kong except with the relevant licences or permits issued by the FEHD:

1. (a) Fresh meat;
(b) Chilled meat other than pre-packaged chilled beef, mutton or pork;
(c) Pre-packaged chilled beef, mutton or pork;
(d) Frozen meat;
2. Fresh, chilled or frozen game;
3. Fresh, chilled, frozen or live fish, excluding live fish on a fish farm;
4. (a) Live water birds, excluding live water birds on a poultry farm or in a wholesale market;
(b) Other live poultry, excluding live poultry on a poultry farm or in a wholesale market;
(c) Fresh, chilled or frozen poultry carcass;
5. Fresh, chilled or frozen shell fish, excluding shell fish collected in the Hong Kong Harbour and Harbour in Aberdeen which is prohibited food;
6. Imported cooked or dried meat or imported meat which has been otherwise treated or

prepared, unless such food is to be sold in an unopened hermetically sealed container or, until the time it is about to be used in the preparation of any article of food, such food is contained in an unopened hermetically sealed container;

7. Imported intestines or other parts of any animal which are prepared in the form of sausage casings, unless such food is to be sold in an unopened hermetically sealed container or, until the time it is about to be used in the preparation of any article of food, such food is contained in an unopened hermetically sealed container;
8. Imported pies, sausages or other prepared or manufactured articles of food which contain any meat or cooked or dried meat other than fat, unless such food is to be sold in an unopened hermetically sealed container or, until the time it is about to be used in the preparation of any article of food, such food is contained in an unopened hermetically sealed container;
9. Milk or any milk beverages, being milk or a milk beverage to which the Milk Regulation (Cap 132AQ) applies;
- 10.(a) Soft ice cream;
(b) Other frozen confections;
- 11.Chinese herb tea;
- 12.Non-bottled drinks (which generally mean drinks prepared for immediate consumption but required no storage in sealed bottles, cans or other containers, e.g. fresh fruit juice, diluted drinks prepared from concentrates, soya bean juice and drinks sold from a manual dispensing machine);
13. Siu Mei (燒味) or Lo Mei (滷味);
14. Cut fruit;
15. Leung Fan (涼粉), unless such food is to be sold in an unopened hermetically sealed container or, until the time it is about to be used in the preparation of any article of food, such food is contained in an unopened hermetically sealed container;
16. Man Tau Lo (饅頭籮);
17. Food sold by means of a vending machine;
18. Sashimi;
19. Sushi;
20. Oyster to be eaten in raw state; or
21. Meat to be eaten in raw state.

Note: According to the “Guide to Import of Game, Meat and Poultry into Hong Kong” published by the Food Safety Centre, the word “chilled” can be referred to the pre-chilling process of food with subsequent storage at a temperature between 0°C and 4°C. Similarly, according to the “Food Hygiene Code” issued by the FEHD, the word “frozen” can be referred to the state in which the temperature of a food is reduced below its freezing point and the majority of the water inside the food undergoes a change in state to form ice crystals. To maintain the quality of frozen food, a temperature of –18°C or less is preferred.

In addition to the provisions of the Food Business Regulation, Exhibitors must observe the provisions in the Import and Export Ordinance (Chapter 60 of the Laws of Hong Kong) concerning the import of food and also the provisions of the Imported Game, Meat and Poultry Regulations (Chapter 132AK of the Laws of Hong Kong) concerning the import of game, meat and poultry into Hong Kong.

Sale of Restricted Foods

Exhibitors who intend to conduct sale of any of the above restricted foods in the Tea Fair are required to obtain the necessary Restricted Food Permit and/or a Composite Food Shop Licence from the FEHD. Exhibitors should submit copy of the permits / licences to HKTDC at least 30 days before the commencement of the Tea Fair for records; or if such permit and/or license is not available 30 days before the commencement of the Tea Fair, Exhibitors shall submit copies of the application for the permit and/or license filed with the FEHD and the FEHD’s written acknowledgment of the same to HKTDC at least [30] days before the commencement of the Tea Fair for records and shall provide a copy of the permit and/or license to HKTDC for records as soon as (and in any event not later than [7] days) the permit and/or license has been granted by the FEHD.

A Temporary Food Factory Licence is also required for any Exhibitor who intends to conduct sale of any pre-cooked food or beverages reheated for consumption at the Tea Fair. A copy of the licence should be forwarded to HKTDC at least 30 days before the commencement of the Tea Fair for records; or if such licence is not available 30 days before the commencement of the Tea Fair, the Exhibitors shall submit copies of the application for the licence filed with the FEHD and the FEHD’s written acknowledgment of the same to HKTDC at least [30] days before the commencement of the Tea Fair for records and shall provide a copy of the licence to HKTDC for records as soon as (and in any event not later than [7] days) the license has been granted by the FEHD.

The Form of Application for Restricted Food Permit (FEHB95), Application Form for Composite Food Shop Licence (FEHB244) and the Form of Application for a Temporary Food Factory Licence (FEHB201) can be downloaded from the website of FEHD at https://www.fehd.gov.hk/english/forms/index_forms.html. For enquiries, please call the 24-hour hotline of FEHD at (852) 2868 0000.

1.24.11 Regulations on Importation of Food Products

Food importers, through close liaison with exporting countries, are responsible for

ensuring that food items they procure comply with the local legislation. To help ensure hygienic standards of food, importers are encouraged to obtain health certificates issued by health authorities of countries of origin to accompany their imports certifying that the food products concerned are fit for human consumption.

There are specific legal requirements or administrative arrangements for the import of the following selected food items due to their perishable or high-risk nature:

- (a) game, meat, poultry and eggs;
- (b) milk and milk beverages;
- (c) frozen confections; and
- (d) marine products.

FEHD has prepared individual leaflets advising on the proper procedures for importing the above food items respectively:

- Guide to Import of Mainland Chilled Chickens into Hong Kong
- Guide to Import of Food into Hong Kong
- Guide to Import of Milk and Milk Beverages into Hong Kong
- Guide to Import of Frozen Confections into Hong Kong
- Guide to Import of Game, Meat and Poultry and Eggs into Hong Kong
- Guide to Import of Marine Products into Hong Kong
- Guide to Application for Import Licence for Frozen Meat, Chilled Meat, Frozen Poultry and Chilled Poultry
- Guide to Application for Permission in Writing for Import of Eggs
- Guide to Frozen meat destined for Hong Kong from overseas temporarily stored in Qianhaiwan Bonded Port Area of Shenzhen before its importation into Hong Kong in batches
- Guide to Import of Beef, Pork and Mutton from European Union Member States into Hong Kong
- Guide to import of beef, pork and mutton derived from animals born and raised in the Republic of Ireland (RoI) or the United Kingdom (UK), slaughtered in the RoI or the UK, packed in the UK and exported from the UK to Hong Kong

These leaflets can be collected at the Centre for Food Safety of FEHD at 43/F, Queensway Government Offices, 66 Queensway, Hong Kong or browsed at: the website of Centre for Food Safety at www.cfs.gov.hk

◆ Health Certificate by Local Health Authority on Food Products

- Regardless of the type of food product, exhibitors are required to present a health certificate issued by their respective local health authority for importation into Hong Kong. A copy of the health certificate should be forwarded to HKTDC at least 30 days before the commencement of the Tea Fair for records.

◆ Close Watch on Latest News Regarding Food Safety

- Exhibitors should keep a close watch on the latest news published by the Centre for Food Safety on its website at www.cfs.gov.hk to ensure their display and/or promoted food products are safe for public consumption.

◆ Prior Approval for Importation of Restricted Food Items

- The importations of restricted food items require prior approval for importation from FEHD. These restricted items include frozen confections (including ice cream), milk and milk beverages, etc. A copy of the approval, if applicable, should be forwarded to HKTDC at least 30 days before the commencement of the Tea Fair for records.
- The application forms are downloadable from the website of FEHD at: <http://www.fehd.gov.hk/english/forms/fehb95.pdf>.

◆ Regulated Items

- There are specific legal and administrative requirements under the Public Health and Municipal Services Ordinance (Cap.132) for the import of any food containing regulated items such as added colouring matter, metal, artificial sweeteners, aflatoxins, erucic acid and/or other prohibited substances, preservatives and/or antioxidants and endangered species ingredients. Exhibitors are required to conform with these requirements to ensure that their products are fit for local sale or consumption.
- Further information on importation of regulated items can be found at the websites of Customs & Excise Department at www.customs.gov.hk and the Centre for Food Safety of FEHD at www.cfs.gov.hk.

◆ Freight Forwarder

- Exhibitors may contact any Freight Forwarder for further details regarding importation of food products. The contacts of some Freight Forwarders are listed on the website of Hong Kong Exhibitions and Convention Industry Association (HKECIA) at <https://exhibitions.org.hk/en/membership/member-directory>.

1.24.12 Food & Drugs (Composite and Labelling) Regulations

The Food and Drugs (Composition and Labelling) Regulations (Cap. 132W of the Laws of Hong Kong SAR) make it mandatory for all prepackaged food, infant formula and follow-up formula to carry a prescribed label of prepackaged food and a nutrition label marked or labeled with its energy value and nutrient. Both labels shall be in either the English or the Chinese language or in both languages.

Violation of the Food and Drugs (Composition and Labelling) Regulations is an offence. Offenders found guilty are liable to a fine of up to HK\$50,000 and to imprisonment of up

to 6 months.

Unless the prepackaged food is to be sold at the exhibition for immediate consumption, or unless otherwise exempt under the Regulations, the label of prepackaged food must provide information of

- 1) food name/designation;
- 2) list of ingredients;
- 3) indication of “best before” or “used by” date;
- 4) statement of special condition for storage or instructions for use;
- 5) full name and address of manufacturer or packer;
- 6) count, weight or volume;
- 7) declaration of the presence of substances which are known to cause allergy on food labels;
- 8) energy value and nutrient content.

And, additive constituting one of the ingredients of a prepackaged food shall be listed by both its functional class and its specific name or its identification number under the International Numbering System for Food Additives.

The nutrition label for prepackaged food must contain the following 8 aspects and should also cover the amount of any claimed nutrients:

- energy
- protein
- available carbohydrates
- total fat
- saturated fatty acids
- trans fatty acids
- sodium
- sugars

The nutrition label for infant formula must, unless otherwise exempt under the Regulations, contain the following aspects:

- energy
- protein
- total fat
- total carbohydrates
- vitamin A, D3, E, K, B6, B12, C
- thiamine, riboflavin, niacin, biotin
- pantothenic acid, folic acid
- iron, calcium, phosphorus, magnesium, sodium, chloride, potassium, manganese, iodine, selenium, copper, zinc and choline

If the fluoride content of any infant formula exceeds 100µg per 100kcal or 24µg per

100kJ, the formula must also be labelled with a statement indicating that consumption of the formula may cause dental fluorosis and recommending that such risk be discussed with a medical practitioner or health professional.

The nutritional label for follow-up formula must, unless otherwise exempt under the Regulations, contain the following aspects:

- energy
- protein
- total fat
- available carbohydrates
- vitamin A, D, E, K, B6, B12, C
- thiamine, riboflavin, niacin, biotin
- pantothenic acid, folic acid
- iron, calcium, phosphorus, magnesium, sodium, chloride, potassium, iodine and zinc

The nutritional label for prepackaged food for infants and young children must, unless otherwise exempt under the Regulations, contain the following aspects:

- energy
- protein
- total fat
- available carbohydrates
- sodium
- vitamin A and D (if added)

All **Hong Kong and overseas exhibitors** that intend to conduct selling of prepackaged foods, infant formula and/or follow-up formula at HKTDC Tea Fair should make sure their products carry the required prepackaged food and/or nutrition label.

For exhibitors selling prepackaged foods that have a total sales volume of less than 30,000 units a year in Hong Kong, and the prepackaged foods do not provide any nutrition claims, they are eligible to apply for a Small Volume Exemption (SVE) at the Centre for Food Safety under the FEHD. Upon approval, the Centre will issue to the exhibitor an exemption number per food application for use in the course of its selling at the Fair. SVE should only be applied by Hong Kong manufacturers or Hong Kong importers. Overseas exhibitors are advised to apply for their SVE via their Hong Kong importers/distributors/agents.

Prepackaged food samples that have no required nutrition labels and are not exempted should only be offered for free food tasting or promoted as display items. They are not allowed to be sold at the Tea Fair.

Officials from the FEHD may conduct random inspections onsite during the Fair period. The Organisers may, given all circumstantial supportive factors, call for immediate removals of the alleged food items from sale. In the incidences that repeated warnings are in vain, the Organisers have the discretion to terminate the exhibitors' right to

continue participating in the Fair with immediate effect.

To comply with the requirements of the Regulations, Exhibitors should refer to the Guidelines/Guidance Notes issued by the Centre for Food Safety, available at its website at www.cfs.gov.hk and including, without limitation to, the following:

- Trade Guidelines on Preparation of Legible Food Label
- Trade Guidelines on Serving Size of Prepackaged Food For Nutrition Labelling
- Labelling Guidelines on Food Allergens, Food Additive and Date Format
- Technical Guidance Notes on Nutrition Labelling and Nutrition Claims
- Method Guidance Notes on Nutrition Labelling and Nutrition Claims
- Guide to Application for Small Volume Exemption
- Technical Issues on Nutrition Labelling - Rounding Rules
- Acceptable Nutrient Function Claims under the Nutrition Labelling Scheme in Hong Kong
- Technical Guidance Notes on Nutritional Composition and Nutrition Labelling of Infant Formula, Follow-up Formula and Prepackaged Food for Infants and Young Children
- Method Guidance Notes on Nutritional Composition and Nutrition Labelling of Infant Formula, Follow-up Formula and Prepackaged Food for Infants and Young Children
- Guidelines on Voluntary Labelling of Genetically Modified (GM) Food

For further details regarding the Food and Drugs (Composition and Labelling) Regulations, please contact the Centre for Food Safety at: (852) 2868 0000 or visit its website at <https://www.elegislation.gov.hk/>

IMPORTANT NOTICE

During the Fair period, exhibitors must observe and pay special attention to the following relevant ordinances & rules for Chinese medicine & health products (3.25.13 to 3.25.15):

1.24.13 Chinese Medicine Ordinance and Other Relevant Legislations

Chinese Medicine Ordinance (Cap. 549 of the Laws of Hong Kong)

The Ordinance which was passed by the Legislative Council on 14 July 1999 established a regulatory system for the protection of public health, the accomplishment of a professional status for Chinese medicine practitioners and the enhancement of safety, quality and efficacy of Chinese medicines in Hong Kong. The contents of the Chinese Medicine Ordinance include, without limitation, the composition and functions of the Chinese Medicine Council, Chinese Medicine Practitioners Board, Chinese Medicines Board and the ten committees established under the Chinese Medicine Council; the regulatory system for Chinese medicine practitioners, which includes registration, examination and discipline of Chinese medicine practitioners; the regulatory system for Chinese medicines, which includes licensing and regulation of Chinese medicines traders and registration of proprietary Chinese medicines; and the issuance of Chinese Medicine Safety Orders.

All exhibitors are reminded that they must hold a valid Retailer Licence (Exhibition) in Chinese Herbal Medicines for selling or offering Chinese medicines at the Fair. For details on the application of the Licence, please contact the Chinese Medicine Council of Hong Kong at (852) 2121 1888 or email to info@cmchk.org.hk.

Registration System and Statutory Requirements for Proprietary Chinese Medicines Implemented

In accordance with s.119 of the Chinese Medicine Ordinance (Cap. 549), all proprietary Chinese medicines must be registered under the Ordinance with the Chinese Medicines Board of the Chinese Medicine Council of Hong Kong before they can be imported, possessed or sold in Hong Kong. Any person who sells, or imports, or possesses any unregistered proprietary Chinese medicine shall commit an offence and upon conviction shall be sentenced at maximum for a fine at HK\$100,000 and imprisonment for 2 years.

Sections 143 and 144 of the Ordinance also impose an offence on any person who sells, or has in his possession for the purpose of selling, any proprietary Chinese medicine without a label and a package insert which does not comply with the prescribed requirements and the maximum penalty is a fine of \$100,000 and 2-years' imprisonment.

All Hong Kong and overseas exhibitors are reminded that they must fulfill the obligations imposed by the Chinese Medicine Ordinance before they can possess, sell, market, display, exhibit or deal in any other ways with proprietary Chinese medicines at the Fair(s). Summaries of the operation of the Ordinance in respect of Chinese herbal medicines and proprietary Chinese medicines can be found on the website of the Chinese Medicine Council of Hong Kong at <http://www.cmchk.org.hk/>. For a full text of the Ordinance, please browse the website of the Hong Kong e-Legislation website at <https://www.elegislation.gov.hk/>.

1.24.14 Undesirable Medical Advertisements Ordinance

The Department of Health of the HKSAR Government has set forth very strict rules and regulations relating to drug labelling and advertising. The Undesirable Medical Advertisements Ordinance, Cap.231 of the Laws of Hong Kong, prohibits the advertising of any medicine, surgical appliances or treatment for the prevention or treatment of diseases or conditions specified in the Schedules 1 and 2 of the Ordinance. Advertisements include but are not limited to any notice, poster, pamphlet and label on product and any announcement made orally or by means of producing or transmitting light or sound. It is possible that representatives from relevant government departments would conduct an on-site inspection during the Fair for any misbehaviors or irregularities.

Exhibitors are reminded that sections 2 to 8 and Schedules 1, 2 and 4 of the Undesirable Medical Advertisements Ordinance has taken effect from 1 June 2012 so that the prohibition or restriction on advertisements of six prescribed group of health claims (relating to breast lumps, genitourinary system, endocrine system, body glucose, blood pressure and blood lipids or cholesterol) is extended to all orally consumed products, except those customarily consumed as food or drink.

The maximum penalty for contravention of the Ordinance is also increased to \$50,000 and 6-months' imprisonment for a first offence and \$100,000 and 1-year's imprisonment for a second or subsequent offence.

The full text of the Ordinance can be downloaded from the Hong Kong e-Legislation website at <https://www.elegislation.gov.hk/>.

For compliance with the requirements of the Ordinance, Exhibitors should also consult the Guidelines on Undesirable Medicinal Advertisement Ordinance available at the website of the Drug Office of the Department of Health at www.drugoffice.gov.hk.

The exhibitor agrees to comply with the said conditions, and to exempt HKTDC and Hong Kong Convention and Exhibition Centre (Management) Limited from, and indemnify them against all liabilities whatsoever incurred from any complaint lodged or proceedings instituted by any person arising from any offence committed under the regulations by the exhibitor.

1.24.15 Rules & Regulations for Imports and Exports of Chinese Medicines

The import and export of proprietary Chinese medicines and 36 types Chinese herbal medicines (*including 31 Chinese herbal medicines specified in Schedule 1 and the 5 Chinese herbal medicines specified in Schedule 2 (Flos Campsis (凌霄花); processed Radix Aconiti (製川烏); processed Radix Aconiti Kusnezoffii (製草烏); Radix Clematidis (威靈仙) and Radix Gentianae (龍膽) of the Chinese Medicine Ordinance*) as listed in the First and Second Schedule to the Import and Export (General) Regulations (Chapter 60, sub Leg.A), Laws of Hong Kong, are subject to licensing control. Importation / Exportation of these articles must be covered by an import/export licence issued by the Department of Health.

Please note that importation/exportation of proprietary Chinese medicines and 36 types Chinese herbal medicines without an import/export license may violate the Import and Export (General) Regulations. Such violation constitutes an offence and offenders found guilty are liable to a fine of up to HK\$500,000 and to imprisonment of 2 years. For details of the relevant provisions of the Regulations, please browse the website <https://www.elegislation.gov.hk/>.

- 1) An Import or Export Licence must be applied to cover the consignment before the arrival or departure of the goods. Application should be submitted after completion of Import Licence Form 3 and Export Licence Form 6, by hand to the Chinese Medicine Management Division, Chinese Medicine Regulatory Office of the Department of Health, at 16/F., AIA Kowloon Tower, Landmark East, 100 How Ming Street, Kwun Tong, Kowloon.

Details of the applications for import/export permit for Chinese herbal medicines and proprietary Chinese medicines can be found in the Guidelines issued by the Chinese Medicine Regulatory Office of Department of Health which are available on its website at

www.cmro.gov.hk.

- 2) In the case of an import licence application, the applicant will be given the original and duplicate of licence. The original is to enable the licensee to take delivery of the goods from the carrier (shipping company, airline or transportation company). Please note that under Section 8 of the Import and Export Ordinance (I & E Ordinance), the original must be presented to the carrier within 7 days after importation of the goods, irrespective of whether delivery of the goods is taken. The duplicate is for the licensee's retention.
- 3) Under Sections 6C(1) and 6D(1) of the I & E Ordinance, no person shall import or export pharmaceutical products and medicines except under and in accordance with a licence issued by the Director-General of Trade and Industry. Sections 6C(2) and 6D(3) of the I & E Ordinance stipulate that any person who contravenes Sections 6C(1) and 6D(1) shall be guilty of an offence and shall be liable on conviction to a fine of \$500,000 and to imprisonment for two years.
- 4) For further information, please contact Chinese Medicine Regulatory Office of the Department of Health at (852) 23195119 or visit its website at www.cmro.gov.hk.
- 5) The exhibitor agrees to comply with the said conditions, and to exempt HKTDC and Hong Kong Convention and Exhibition Centre (Management) Limited from, and indemnify them against all liabilities whatsoever incurred from any complaint lodged or proceedings instituted by any person arising from any offence committed under the regulations by the exhibitor.

1.24.16 Protection of Endangered Species of Animals and Plants Ordinance

The Protection of Endangered Species of Animals and Plants Ordinance (the Ordinance), Cap. 586, is the local legislation which gives effect to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in Hong Kong. The Ordinance requires a licence to be issued in advance by the Agriculture, Fisheries and Conservation Department for the import, introduction from the sea, export, re-export or possession of specimens of a scheduled species, whether alive, dead, its parts or derivatives (including medicines). The Ordinance also specifies the circumstances under which no licence is required for trade in endangered species. The control regime follows closely the requirements under CITES.

The Ordinance applies to all parties, including traders, tourists and individuals, who conduct activities involving endangered species. For details of the Ordinance and guidelines for applying necessary licences, please visit the website of the Agriculture, Fisheries and Conservation Department at <https://www.afcd.gov.hk/english/index.html>.

3.25.17 Environmental Levy Scheme on Plastic Shopping Bags

Introduced under the Product Eco-responsibility Ordinance (Cap. 603) ("PERO"), the Environmental Levy Scheme on Plastic Shopping Bags seeks to address the problem of excessive plastic shopping bag use. The Product Eco-responsibility (Amendment) Bill 2013 for the full implementation of the Scheme was introduced into the Legislative Council. It was

approved by the Legislative Council on 19 March 2014 and has come into effect on 1 April 2015. The Product Eco-responsibility Ordinance imposes duty on seller to charge for plastic shopping bags in retail sale of certain goods to a customer. Unless exempted under the Ordinance, a seller must charge the customer an amount not less than 50 cents for each plastic shopping bag or each pre-packaged pack of 10 or more plastic shopping bags. Any person who fails to comply commits an offence and will be liable to a fine at HK\$100,000 on the first occasion and to a fine at \$200,000 on each subsequent occasion.

For further information, please contact the Environmental Protection Department at (852) 31522299 or email psb@epd.gov.hk.

3.25.18 Other Relevant Legislations

Other than the laws and regulations mentioned in the foregoing sub-sections, Exhibitors shall also comply with the provisions of relevant legislations for example:

- (i) Under the Prevention of Bribery Ordinance (Cap.201), any person who, without lawful authority or reasonable excuse, offers any advantage to a public servant as an inducement to or reward for that public servant's exercise of his duties commits an offence;
- (ii) Under the Public Health and Municipal Services Ordinance (Cap. 132), which imposes restrictions on and requirements for, amongst others, preparation and adulteration of drugs; possession for the purpose of sale, exposition and advertising of drugs injuriously affected in their quality, constitution or potency by means of adulteration; prohibitions against sale to the prejudice of purchasers of drugs not of the nature or quality demanded by purchasers; prohibitions against sale, exposition or possession for sale of drugs intended but unfit for use by man; and prohibitions against sale and display of drugs for sale with false or misleading labeling or advertising;
- (iii) Under the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586), restrictions related to the import, introduction and possession or control of endangered species;
- (iv) Under the Undesirable Medical Advertisements Ordinance (Cap.231), which imposes, amongst others, prohibitions against advertisements likely to lead to the use of any medicine, surgical appliance or treatment for certain diseases and all orally consumed products as prescribed in such Ordinance and abortion;
- (v) Under the Waste Disposal Ordinance (Cap. 354), which makes provisions for the control and regulation of the production, storage, collection and disposal including the treatment, reprocessing and recycling of waste of any class or description, the licensing and registration of places and persons connected with any such activity, the protection and safety of the public in relation to any such activity and other related matters;
- (vi) Under the Trade Descriptions Ordinance (Cap. 362), which imposes, amongst

others, prohibitions against application of false trade description to goods or services; possession for sale or for any purpose of trade or manufacture goods with false trade description; prohibitions against supply of goods or services with false trade description; prohibitions against forging trade mark or application of false trade mark to goods; prohibitions against import and export of goods with false trade description or forged trade mark; and prohibitions against unfair trade practices including without limitation misleading omissions, aggressive commercial practices, bait advertising, bait and switch and wrongly accepting payment. Specific requirements relating to trade descriptions for jewelry, precious stones, watches, garments and electronic goods may apply.

- (vii) Under the Pharmacy and Poisons Ordinance (Cap.138), which imposes restrictions on and requirements for, amongst others, possession and sale (both retail and wholesale) of poisons by registered pharmacists; registration of premises where poisons are kept for the purposes of retail sale; the requirement of prescription by a registered medical practitioner, registered dentist or registered veterinary surgeon for sale of certain designated poisons; labeling of and containers for poisons; storage and transport of poisons; and manufacture, import and export for pharmaceutical products. In particular, attention should be drawn to the restrictions relating to the control of medicines containing any western medicine as ingredients, and references should be made to the latest information and news posted on the website of Drug Office, Department of Health: <http://www.drugoffice.gov.hk>.

Please refer to the various ordinances for details. The full text of the ordinances can be downloaded from the website: <https://www.elegislation.gov.hk/>.

Government publications can also be purchased through the following channels:

- visiting the online Government Bookstore at <http://www2.bookstore.gov.hk>;
- calling the Publications Sales Unit of Information Services Department at (852) 2537 1910 or sending an email to puborder@isd.gov.hk; or
- downloading the order form from the ISD website at <http://www.isd.gov.hk> and submit the order online or by fax to (852) 2523 7195.

The exhibitor agrees to comply with the said conditions, and to exempt HKTDC and Hong Kong Convention and Exhibition Centre (Management) Limited from, and indemnify them against all liabilities whatsoever incurred from any complaint lodged or proceedings instituted by any person arising from any offence committed under the regulations by the exhibitor.

Thank you for your kind attention.

Hong Kong Trade Development Council

通告 8: 食品有關法律和規例 <重要通知>

如果2019冠狀病毒病之特別安排的補充規則(“補充規則”)與博覽的任何其他規則、規例及/或條件有任何衝突及/或差異(包括但不限於本通告及博覽規則及規例內第3.25.1、3.25.4、3.25.5、3.25.6和3.25.10項),則以補充規則為準。此通告及博覽的任何規則、規例及/或條件中與補充規則不衝突的任何部分均具有完全的效力。

3.24遵守適用法律及規章

參展商在申請參展前,應先諮詢其法律顧問、有關政府機關及相關專業團體以確保參展商能夠遵守及符合所有管轄且關於其產品及/或服務在香港的展覽、宣傳/促銷及供應的適用法律、規章、專業守則及指引,包括但不限於以下法例:

- 商品說明條例 (第362章) 及其附屬法例 - 該條例其中條文禁止將虛假商品說明應用於貨品或服務; 禁止管有應用了虛假商品說明的貨品作售賣或商業或製造用途; 禁止供應應用了虛假商品說明的貨品或服務; 禁止偽造商標或將虛假商標應用於貨品; 禁止進口或出口應用了虛假商品說明或偽造商標的貨品; 禁止不良營商手法,包括但不限於誤導性遺漏,具威嚇性的營業行為,餌誘式廣告宣傳,先誘後轉銷售行為及不當地接受付款。條例中包括有關珠寶、寶石、手錶、成衣及電子貨品商品說明的特定規定。
- 消費品安全條例 (第456章) - 該條例向製造商、進口商及供應商施加確保所供應的消費品屬安全的責任。消費品是指一般供應予私人使用或耗用(該條例中所指明的貨品除外)的任何貨品,並包括供應該等貨品時所用的包裝。
- 貨品售賣條例 (第26章) - 該條例編纂有關貨品售賣的法律,包括售賣合約的訂立、效力及履行、合約的隱含條款、合約雙方的權利及違約的後果。
- 服務提供(隱含條款)條例 (第457章) - 該條例綜合有關服務供應合約中隱含的條款的法律,包括有關謹慎、技術、履行時間及代價的隱含條款。
- 進出口條例 (第60章) - 該條例其中施加有關在香港輸入及輸出物品以及對已經輸入香港的物品在香港境內的處理及運載的限制及就此作出有關規定。尤其是,該條例規定了在香港禁止進口及出口的物品。
- 防止賄賂條例(第201章) - 就防止賄賂及其他相關事項訂立條文。
- 個人資料(私隱)條例 (第486章) - 該條例藉向資料使用者施加須遵守該條例下所

列的保障資料原則的責任、在直接促銷中使用和提供個人資料的要求及其他條文規定以保障有關個人資料的私隱。

- 版權條例 (第528章) - 該條例就版權及其他相關權利的保護及執行訂立條文。
- 註冊外觀設計條例 (第522章) - 該條例就註冊外觀設計權利訂立條文。
- 商標條例 (第559章) - 該條例就商標註冊及包括註冊商標的保護及執行的相關事項訂立條文。
- 專利條例 (第514章) - 該條例就專利註冊及包括註冊專利的保護及執行的相關事項訂立條文。
- 禁止層壓式計劃條例 (第617章) - 該條例禁止推廣、知情參與及誘使他人參與層壓式計劃。
- 不良廣告(醫藥)條例 (第231章) - 該條例其中條文禁止發佈可能導致他人使用該條例中所訂明的某些疾病的任何藥物、外科用具或療法的廣告。(見下列3.25.14)
- 電力條例 (第406 章) - 該條例其中就電氣產品 (指使用低壓或高壓電力的任何用電器具、照明配件或附件) 的安全規格訂立條文。
- 空氣污染管制條例 (第311章) - 該條例就消滅、禁止與管制大氣污染訂立條文。其中包括禁止在香港製造或進口所含的揮發性有機化合物成分超出所規定限額的若干受規管消費品 (例如髮膠)。
- 公眾衛生及市政條例 (第132章) - 該條例其中就規管食物及藥物的配製及攪雜並就藉禁止售賣不宜供人使用的食物或藥物或該等食物或藥物的虛假或誤導標籤或廣告而對食物及藥物購買人提供保障訂立條文。(見下列3.25.18)
- 淫褻及不雅物品管制條例 (第390章) - [管制內容屬於或含有淫褻或不雅資料\(包括暴力、腐化或可厭的資料\)的物品。](#)
- 玩具及兒童產品安全條例 (第424章) - 該條例其中就兒童玩具及指明的兒童用品的安全標準訂定條文。
- 保護瀕危動植物物種條例 (第586章) - 該條例對一些瀕危的動物和植物物種的進口、出口、擁有或控制作出管制。(見下列3.25.16)
- 廢物處置條例 (第354章) - 該條例規管廢物的處理、儲存、收集及處置，包括廢物處理、再加工和回收。
- 火器及彈藥條例 (第238章) - 該條例規管火器及彈藥的管有和[經營](#)的牌照事宜。
- 武器條例 (第217章) - 該條例禁止持有某些武器。
- 產品環保責任條例 (第603 章) - 該條例引入減少某些類型產品(如塑膠購物袋、電器

及電子設備、包裝物料及飲品容器)對環境影響的措施並提供相關事宜。

- 國家安全法 – 該法例將分裂國家、顛覆國家政權、恐怖活動和勾結外國或境外勢力危害國家安全的行為刑事化以保障國家安全。該法例同時將協助實施上述罪行的從屬行為刑事化，例如協助或教唆他人實施分裂國家或顛覆國家政權罪、為恐怖活動組織、恐怖活動人員或恐怖活動實施提供技術或場所等支持、協助或便利，及在普通法下協助及教唆實施勾結罪行。

閣下可以在以下網頁<https://www.elegislation.gov.hk>下載上述所有條例及規例。

保證

各參展商謹此向主辦機構陳述及保證其有關在展覽會所展示、展覽、出售、分派及供應之產品、服務、宣傳品、廣告物品及其他物品及參展商在展覽會的所有其他活動：

- (a) 必須遵守所有適用於參展商或主辦機構的法律及規章（包括但不限於香港法例）及任何適用的國際公約；
- (b) 必須遵守所有由有關的政府機關及專業團體（包括但不限於香港的政府機關及專業團體）發出適用於參展商或主辦機構的專業守則、指引或聲明；
- (c) 並無侵犯任何第三者的任何知識產權或其他權利；
- (d) 根據主辦機構的合理意見，並非不利於主辦機構的形象、聲譽或有其他不良影響。

各參展商謹此向主辦機構進一步陳述，保證及承諾其必須已經自費妥當取得所有在展覽會展覽、宣傳、出售、分派及供應的一切產品、服務、宣傳品、廣告物品及其他物品及參展商在展覽會所有其他活動的必需及有效的豁免、同意、批准及牌照。

各參展商謹此向主辦機構陳述、保證並承諾其將向客戶及潛在客戶解釋其產品及/或服務的範圍、詳情及規格（視屬何情況而定）以及相關費用及收費，及主辦機構對於因為或者有關參展商與其客戶或潛在客戶之間的任何爭議而產生的任何法律責任、損失、損害賠償、費用及開支不承擔任何責任，而有關參展商須獨自為此承擔責任。

彌償

各參展商同意遵從展覽會所有條例及細則和所有適用的法例及規例，並豁免主辦機構及展覽場地就任何人士就參展商任何罪行、違反法律、違反法規或違反規章作出的投訴或程序帶來的全部法律責任，及就該等法律責任對主辦機構及展覽場地作出彌償。

3.25 食品有關法律和規例

參展商應仔細閱讀「參展商手冊」內第3.25.1至3.25.18項，並確保完全符合所述的有關法律、規例和條件的規定。

參展商同意遵守所有3.24及3.25項內所述的法律、規例和條件之規定，並同意如因違反該等規定而招致任何投訴或訴訟，香港貿易發展局（“香港貿發局”）及香港會議展覽中心（管理）有限公司均不會負上任何責任，亦無須作出任何賠償。

3.25.1 產品示範及免費樣品

參展商可向參觀人士提供食品或飲品樣品作試味，但必須遵守下列規定：

- (a) 樣品是從參展商的產品示範中準備而成的；
- (b) 樣品是免費提供的；
- (c) 參展商不得向十八歲以下人士售賣或提供含酒精飲品試飲服務；
- (d) 樣品在參展商攤位內(或主辦機構指定地區，如適用)提供；
- (e) 樣品及/或其原材料經妥善包裹或蓋掩，並且只屬小量及試味性質；
- (f) 參展商負責準備及派發食品或飲品的員工必須佩戴口罩、手套和穿着潔淨衣物；
- (g) 樣品及/或其原材料必須仍在有效日期內並屬該食品或飲品一般預期或通常被接受的狀態或狀況。

3.25.2. 會場內巡查

為確保有關法律和規例的執行，主辦機構有權在懷疑有任何違反3.24及3.25項所述法律和規例的事情時，要求有關參展商於展覽會場上即時採取補救行為。若屢勸無效，主辦機構有權即時終止該參展商的參展資格。政府部門及機構包括食物環境衛生署、衛生署、海關、入境事務處，香港中醫藥管理委員會及消費者委員會等均會派員於展覽期間到場巡查。

3.25.3. 香港的食物法例

香港特別行政區政府的食物環境衛生署（“食環署”）對於在香港銷售的食品訂有嚴格的規例。任何在香港售賣的食品，不論是從外地進口或在本地製造，均須遵守香港有關食物的法律，包括但不限於下列法規：

- (1) 公眾衛生及市政條例（香港法律第132章）
 - (a) 公眾衛生及市政條例（香港法律第132章）第V部 — 食物及藥物
 - (b) 屠場規例（香港法律第132A章）
 - (c) 食物內染色料規例（香港法律第132H章）
 - (d) 奶粉規例（香港法律第132R章）
 - (e) 食物內甜味劑規例（香港法律第132U章）
 - (f) 食物攪雜（金屬雜質含量）規例（香港法律第132V章）
 - (g) 食物及藥物（成分組合及標籤）規例（香港法律第132W章）

- (h) 食物業規例 (香港法律第132X章)
- (i) 冰凍甜點規例 (香港法律第132AC章)
- (j) 食物內有害物質規例 (香港法律第132AF章)
- (k) 進口野味、肉類及家禽規例 (香港法律第132AK章)
- (l) 奶業規例 (香港法律第132AQ章)
- (m) 食物內礦物油規例 (香港法律第132AR章)
- (n) 食物內防腐劑規例 (香港法律第132BD章)
- (o) 屠房規例 (香港法律第132BU章)
- (p) 無煙煙草產品 (禁止) 規例 (香港法律第132BW章)
- (q) 食物內除害劑殘餘規例 (香港法律第132CM章)

香港法律第132章《公眾衛生及市政條例》及其附屬規例的全文可於網頁 <https://www.elegislation.gov.hk> 下載。

(2) 食物安全條例 (香港法律第612章)

《食物安全條例》為加強香港之食物安全實行食物溯源措施，包括設立食物進口商和分銷商登記制度，以及規定食物商必須備存食物進出紀錄。

根據香港法律第612章《食物安全條例》，“食物”包括：

- (a) 飲品；
- (b) 冰；
- (c) 香口膠及其他具相類性質及用途的產品；
- (d) 無煙煙草產品；及
- (e) 配製食物時用作配料的物品及物質，
但不包括—
- (f) 活的動物或活的禽鳥(活水產除外)；
- (g) 動物、禽鳥或水產的草料或飼料；或
- (h) 《藥劑業及毒藥條例》(香港法律第138章)第2(1)條所界定的藥物或《中醫藥條例》(香港法律第549章)第2(1)條所界定的中藥材或中成藥。

“食物進口商”指經營食物進口業務的人，而其業務是以/安排以空運或循陸/水路將食物運入香港。

“食物分銷商”指經營食物分銷業務的人，而其業務的主要活動是在香港批發供應食物；食物生產者(如養魚戶、菜農、漁民)和食物製造商，如以批發方式出售其產品，亦屬食物分銷商。

登記制度

《食物安全條例》規定任何經營食物進口/分銷業務的人須向食環署署長登記為食物進口商/食物分銷商。任何人如未向食環署署長登記為食物進口商/食物分銷商而經營食物進口/分銷業務，即屬犯罪，最高可被判罰款50,000元及監禁六個月。

有關此登記制度的詳情，請參閱食環署出版的《食物進口商和食物分銷商登記制度指引》，該指引可見於食物安全中心的網頁www.cfs.gov.hk。

備存食物進出紀錄的規定

《食物安全條例》規定任何人如在業務運作中在香港從某地方進口食物、獲取食物或以批發方式供應食物，須就獲取食物及供應食物備存有關商號的交易紀錄。此外，捕撈本地水產並在業務運作中在香港供應該等水產的人士，須備存捕撈紀錄。

任何人如未能遵從備存紀錄的規定，在《食物安全條例》下即屬違法，最高可被判罰款10,000元及監禁三個月。

須備存的每項交易的紀錄並無訂明的格式，但有關紀錄應涵蓋《食物安全條例》第3部規定的以下資料：

(A) 本地獲取食物的紀錄（本地來貨紀錄）

任何人如在業務運作中在香港獲取食物，須就獲取有關食物記錄以下資料：

- (a) 獲取有關食物的日期；
- (b) 賣方的名稱及聯絡詳情；
- (c) 有關食物的總數量；
- (d) 有關食物的描述。

有關紀錄須在獲取有關食物後的72小時內作出。

(B) 獲取進口食物的紀錄（進口紀錄）

任何人如在業務運作中進口在香港以外地方獲取的食物，須就獲取有關食物記錄以下資料：

- (a) 獲取有關食物的日期；
- (b) 賣方的名稱及聯絡詳情；
- (c) 進口有關食物的地方；
- (d) 有關食物的總數量；
- (e) 有關食物的描述。

有關紀錄須在進口有關食物之時或之前作出。

(C) 捕撈本地水產的紀錄（捕撈紀錄）

任何人如捕撈本地水產，並在業務運作中在香港供應該等水產，須就該項捕撈記錄以下資料：

- (a) 該項捕撈的日期或期間；

- (b) 該等本地水產的常用名稱；
- (c) 該等本地水產的總數量；
- (d) 該項捕撈的地區。

參展商必須遵照食環署根據《食物安全條例》第43條發出的「[備存食物紀錄的實務守則](#)」之內容就獲取食物及供應食物備存有關於紀錄。該守則可見於食物安全中心的網頁www.cfs.gov.hk。

香港法律第612章《食物安全條例》的全文可於網頁<https://www.elegislation.gov.hk>下載。食物安全中心有關執行上述條例的指引可於網頁<http://www.cfs.gov.hk>下載。

參展商必須遵守上述法例和規例內所有有關食物的規定並查閱於食物安全中心的網頁https://www.cfs.gov.hk/tc_chi/index.html上公告的最新之香港食物法例。任何有關香港食物法例的立法和修訂一經在該網頁刊登，即表示參展商已知悉並接納遵守該等法例。

3.25.4. 食物規例概覽

參展商必須遵守的一些規例和條件現摘要如下：

(1) 售賣及派發食品或飲料

現場售賣之食品或飲料必須為密封包裝之產品。所有現場零售交易參展商**必須向消費者提供有效之收據**。收據上需列明參展商公司名稱，交易日期及金額。

參展商需注意展場內不得進行繁複的食物加工程序。參展商不得於攤位內煮熟或加熱任何食品以作零售用途，除非被處理的食品只供免費試食，或參展商已領有食環署發出的臨時食物製造廠牌照及有關的食物許可證並將其展示於參展商攤位內顯眼的位置。

參展商如想進行例如奶類、雪糕及其他冰凍甜點之零售交易，須向食環署申請有關食物許可證。參展商如欲於展場內烹調食品，必須在茶展舉行前最少30天以書面通知香港貿發局，將要在展場內烹調的食品之類別及其用途（免費試食或銷售）。如參展商欲烹調食品作銷售用途，則需同時額外提供其臨時食物製造廠牌照的副本予香港貿發局；或如此牌照不能於茶展開始前30天發出，參展商必須於茶展舉行至少[30]天前，將已向食環署提交的牌照申請及食環署的確認書副本交予香港貿發局以作紀錄，並須盡快（在任何情況下不遲於[7]天）於食環署發出牌照後將有關牌照副本交予香港貿發局以作紀錄。

[查 詢 ： 食 環 署 電 話 (852) 2868 0000 或 網 址 http://www.fehd.gov.hk/tc_chi/licensing/index.htm]

(2) 防火規例

在任何情況下，會場內皆不得生火。

[查詢：香港貿發局電話 (852) 2240 4470。]

(3) 食物標籤

根據香港法例第132章《公眾衛生及市政條例》中《食物及藥物（成分組合及標籤）規例》的規定，所有於茶展內展示或提供的預先包裝食品及飲品須附有適當標籤和營養標籤。食物標籤須以中文或英文或中英兩種語文印製。

[查詢：食物安全中心 - 電話 (852) 2868-0000 或網址 www.cfs.gov.hk]

(4) 不良醫藥廣告條例

任何展品包含藥劑或其他治療性或預防性物質，不論是專有藥物、專利藥物、看來是天然藥品的物質或所有口服產品(惟不包括慣常作為食品或飲品食用或飲用的產品)，都必須遵守香港法例第231章《不良醫藥廣告條例》內對標籤和廣告的規定。任何製品標籤或廣告均不得違反該法例的規定。

[查詢：衛生署 - 電話 (852) 2961 8989 或 (852) 2961 8991 或網址 <http://www.dh.gov.hk/>。]

(5) 中成藥的註冊

根據香港法例第549章《中醫藥條例》，所有中成藥必須經香港中醫藥管理委員會轄下中藥組註冊後才可以進口香港、在香港製造或售賣。所有中成藥亦必須附有法例規定的標籤和說明書。

[查詢：香港中醫藥管理委員會秘書處電話 (852) 2121 1888 或網址 <http://www.cmchk.org.hk>。]

(6) 產品真偽

主辦機構有權審核或測試各種參茸海味或中式保健湯包之真偽。

(7) 海外參展商會場零售活動

根據香港法律第115章《入境條例》，所有非香港居民之海外參展商，如欲在展覽會期間向公眾人士作出零售活動，必須申請臨時工作簽證。聘用本地人員操作零售活動及處理收益除外。

[查詢：入境事務處 - 電話 (852) 2824 6111 或傳真 (852) 2877 7711 或網址 <https://www.immd.gov.hk/hkt/>。]

3.25.5. 售賣及派發食品或飲料之條件

為符合香港法律第612章《食物安全條例》的要求，所有會進口或在茶展中分配食物的參展商都必須取得食環署的註冊或豁免證明。有關的申請書和執行該條例的指引可向位於香港金鐘道66號金鐘政府合署43樓的食物安全中心索取，或在其網頁: www.cfs.gov.hk 下載。

[查詢：食物安全中心 - 電話 (852) 2868 0000 或網址: www.cfs.gov.hk。]

除《食物安全條例》的規定外，所有參展商在展場售賣或派發食品或飲料時必須遵守下列條件：

食物牌照/許可證

1. 所有供銷售或試味的食品及飲料，必須符合最嚴格的衛生規定和適合人類食用。為保障市民健康，主辦機構有權要求參展商於展覽會場上即時提交由認可衛生或檢驗檢疫部門發出的食物衛生及安全之證明文件。如果基於環境證據的支持使主辦機構對任何展品產生懷疑，主辦機構可以要求有關參展商立即停止售賣或展示該展品。若屢勸不效，主辦機構亦有權即時終止該參展商的參展資格。主辦機構要求所有參展商能確保所有攤位內之展品沒有任何劣質貨品或不衛生食品。
2. 參展商可提供展品予參觀人士試味，但此等試食必須為免費，並於香港貿發局分配予參展商的攤位範圍內進行。主辦機構強烈建議參展商妥善包裹或蓋掩所有供免費試食之食品或飲料，並且安排專人以小量形式派發。所有負責派發食品或飲料之工作人員應盡量戴上口罩、手套及穿著清潔衣服，以確保衛生。
3. 參展商於攤位內處理或加熱之任何食品或飲料，只可供參觀人士免費試食，不可作現場銷售之用，除非參展商已就展場內之銷售食品領有食環署發出的臨時食物製造廠牌照。有關的牌照必須展示於參展商攤位內顯眼的位置並已於茶展舉行前最少30天提交牌照副本予香港貿發局；或如此類牌照不能於茶展開始前30天發出，參展商必須於茶展舉行至少[30]天前，將已向食環署提交的牌照申請及食環署的確認書副本交予香港貿發局以作紀錄，並須盡快（在任何情況下不遲於[7]天）於食環署發出牌照後將有關牌照副本交予香港貿發局以作紀錄。如參展商於限期前未能提交有關牌照及/或文件，主辦機構有權停止該參展商的銷售服務。
4. 參展商在展場銷售的食品必須預先包裝妥當，而且不論是全部或局部包裝，所採用的方法必須是可以確保內裏的食品不會被人以無需開啟或改變包裝的方式轉換的。同時，所有包裝食品必須以整件形式出售。
5. 所有展品，不論是供參觀人士購買或試食，均須為未超逾食用期限的食物，而有關期限必須清楚標明於展品的容器或包裝上。任何其他供試味的食品或飲料，其儲存期均不得超逾該類產品一般可以接受的期限。
6. 所有飲品必須以密封形式包裝售賣以防濺溢。
7. 最新之香港食物法例在刊登於食物安全中心的網站www.cfs.gov.hk 時生效。經修訂之香港食物法例一經刊登，即表示參展商已知悉該等法例，並接納經修訂之法例條款。
8. 根據展品的不同性質，參展商須向食環署申請有關的食品牌照/許可證。有關的食品牌照/許可證必須張貼於攤位內的顯眼位置。參展商須於茶展舉行前最少30天提交其食品牌照/許可證副本予香港貿發局存檔；或如此類食品牌照/許可證不能於茶展開始前30天發出，參展商必須於茶展

舉行至少[30]天前，將已向食環署提交的食物牌照/許可證申請及食環署的確認書副本交予香港貿發局以作紀錄，並須盡快（在任何情況下不遲於[7]天）於食環署發出食物牌照/許可證後將有關食物牌照/許可證副本交予香港貿發局以作紀錄。如參展商於限期前未能提交有關食物牌照/許可證及/或文件，主辦機構有權停止該參展商的銷售服務。

會場內的食物處理及存放

9. 會場內不得生火，參展商亦須注意：不得在攤位內進行繁複的食物烹調程序。
10. 參展商於展場內的食物處理方式（例如烹調、加熱或保溫）應只限於蒸煮、煎、無碳燒烤、焗。不能進行油炸或以日式燒烤的方式烹調食品。
11. 所有展出的食物或飲料如須烹調、加熱或保溫，必須在香港貿發局分配予各參展商的攤位內進行，並只可採用操作正常的微波爐及電動煮食器。香港貿發局有權著令參展商即時撤換香港貿發局認為危險、有問題或不合適的加熱器具，而無需預先作出通知。同時，每家參展商只許在其攤位裝設微波爐及其他電動煮食器各一具(不管攤位面積的大小)。參展商需安排足夠電力供應予其煮食用具。以煎、無碳燒烤或焗的方式處理食物的參展商必須安裝含**過濾木炭的抽油煙機**以室內減少空氣污染。參展商可向香港貿發局展覽服務部租用合資格的抽油煙機。任何參展商如欲安裝額外的微波爐或電動煮食器，必須事先取得香港貿發局的書面許可。香港貿發局有絕對酌情權決定是否批准這類申請，而即使在作出批准後，仍有絕對酌情權隨時收回所發出的許可。
12. 銷售或供應軟雪糕的展台必須配備水管及排水裝置。
13. 香港貿發局對批准參展商在場內烹調食物有絕對酌情權，亦有權隨時取消已發出的許可。
14. 參展商一經簽署茶展申請表格及聲明書，即表示參展商同意遵守有關條款，並同意如有任何因參展商供應的食物或參展商違反法規而招致的投訴或訴訟，香港貿發局及香港會展中心均不需要負責，亦無需作出賠償。
15. 為避免熱油或熱水濺溢發生意外，所有面向行人通道的烹飪器具必須以30厘米高的三面板遮蔽烹調櫃檯上方，以避免濺出加熱時製造的油或熱水。
16. 所有參展商必須確保食物妥為存放於有溫度調節並操作正常的雪櫃、冷藏庫及其他適當的設備內。參展商如需在展出期間獲得24小時電力供應，必須預先通知香港貿發局，以便作出安排。（詳情請參閱「**額外設施及服務申請表**」內之表格七）。
17. 展位的七成面積必需為售賣及/或展示已預先包裝的食物及/或飲品。此外，於展位展示的物品至少有七成必需為預先包裝的食物或飲品。參展商只可於展位現場烹調、加熱非包裝食物、展示及/或售賣有關非包裝食物，而有關佔位總面積之比例不可多於整個展位面積的三成。

3.25.6. 售賣及/或提供含酒精飲品試飲服務之條件

以下是有關在茶展期間售賣及/或提供含酒精飲品試飲服務之規條：

- 所有參展商必須聲明會否於展覽期間售賣或提供含酒精飲品試飲服務。
- 在展場推廣含酒精飲品的參展商，必須遵守香港法例第109章《應課稅品條例》中《應課稅品(酒類)規例》(第109章附屬法例B)的有關規定。根據該條例，酒類是指任何以量計含多於1.2%乙醇的液體例如雙蒸、茅台、高粱、拔蘭地、威士忌、氈酒、蘭姆酒、伏特加酒、香檳酒、無氣葡萄酒、啤酒、蘋果酒、日本清酒等酒類。
- 未領有臨時酒牌的參展商嚴禁在展覽場地以散裝杯或開瓶式供應及售賣酒精飲品。違反此規例的參展商將被主辦機構取消其繼續參展的資格。根據2008年6月6日生效的《應課稅品條例》的修訂，酒商毋須再就進口或出口、製造、貯存或搬運葡萄酒和在攝氏20度的溫度下量度所得酒精濃度以量計不多於30%的酒類而申請任何牌照或許可證，亦無須就有關的含酒精飲品作稅務評估。不過，對於在攝氏20度的溫度下量度所得酒精濃度以量計多於30%的酒類，原有牌照/許可證的管制措施則維持不變。參展商如果想在茶展中銷售對於在攝氏20度的溫度下量度所得酒精濃度以量計多於30%的酒類飲品，請於茶展舉行30天前，將香港海關發出的已課稅貨品移走許可證之副本交予香港貿發局以作紀錄。
- 在茶展會期間售賣及/或提供含酒精飲品試飲服務的參展商應遵守以下規則和條件：
 - 酒精飲品之飲用或試味必須以下列形式進行：
 - 2) 參展商若有意於所屬攤位內進行酒精飲品之試飲服務，需於茶展舉行前最少30天自行向香港警方申請臨時酒牌。香港警察牌照課只會考慮向持有正式酒牌的人士發給臨時酒牌。臨時酒牌必須張貼於攤位內的顯眼位置，並於茶展舉行前最少30天提交其副本予香港貿發局存檔。
 - 3) 除非已申領臨時酒牌，否則所有含酒精飲品必須以密封式瓶裝或罐裝售賣，不得以杯裝或已開瓶的形式供應(包括免費試飲或銷售)。任何參展商在展場內推廣含酒精飲品，須遵守香港法例第109章《應課稅品條例》內之《應課稅品(酒類)規例》(第109章附屬法例B)的有關規定。
- 參展商不得向十八歲以下人士售賣或提供含酒精飲品試飲服務。若對有興趣購買或試飲含酒精飲品人士之年齡有懷疑，應要求對方出示身份證明。
- 參展商須確保於攤位內的一個當眼處展示載有以下通知的中文版本及英文版本的一項告示：

"Under the law of Hong Kong, intoxicating liquor must not be sold or supplied to a minor in the course of business. 根據香港法律，不得在業務過程中，向未成年人售賣或供應令人醺醉的酒類。"

上述告示須呈長方形，長度最少 38 厘米，闊度最少 20 厘米。上述告示載有的通知須採用字體簡明而清晰可閱的文字及字母，及所採用的文字及字母的顏色，須與其背景顏色形成對比。

主辦機構可在有關參展商的要求下派發該告示予有關參展商。

[查詢臨時酒牌之申請：香港警察牌照科 - 電話：(852) 2860 6524 或 [電郵：general-licensing@police.gov.hk](mailto:general-licensing@police.gov.hk)]。

[查詢《應課稅品條例》：香港海關電話(852) 2815 7711 或網址<http://www.customs.gov.hk>]。

3.25.7. 膺品假貨

為保障消費者之權益，茶展會場內所售賣、派發、推廣及展示之商品必須為真品及附有適當標籤和說明書。

主辦機構及茶展之贊助機構“香港參茸藥材寶壽堂商會有限公司”有絕對權審核或測試各種參茸補品、海味或中式湯料之真偽。主辦機構可參考審測結果作為決定是否接納該參展商參與之後的茶展。

政府部門包括食環署、衛生署、海關、中醫藥委員會與及消費者委員會等均會派員於展覽期間作巡查。

3.25.8. 處理食品及飲料之衛生指引

為確保公眾衛生，參展商應參照食環署編製的《食物衛生守則》處理食品及飲料，並嚴格遵守下列之指引：

- 參展商應該於每天進入場館前自行量度體溫，如有不適，尤其體溫超過攝氏38度(華氏100.4度)，及/或有呼吸道病徵例如咳嗽或打噴嚏，便不應進入場館，並且應該立即求診。
- 本局建議參展商妥善包裹或蓋掩所有供免費試食之食品或飲料，並且安排專人以小量形式派發，確保衛生。而負責派發食品或飲料之工作人員應盡量戴上口罩、手套及穿著清潔衣服。所有食物、飲品或餐具，必須適當貯存和蓋掩。
- 任何作現場銷售的包裝食品或飲料應以密封式包裝。
- 保持個人衛生。接觸食物前、如廁後、接觸過口沫鼻涕或處理垃圾後，必須以肥皂或皂液和清水洗手，並以乾手機或用後即棄的紙巾抹乾。
- 切勿面對食物咳嗽或打噴嚏。不可隨地吐痰或丟棄垃圾。
- 所有參展商必須保證展品只在指定攤位內展出，而攤位必須保持乾淨整潔。所有垃圾或拆開之包裝物料必須放入垃圾袋內，並於每日展覽完畢後放置於展館的垃圾收集區。
- 有潛在危害的食物必須放在攝氏4度或以下，或攝氏60度或以上的環境；如食物應該冷藏，食物必須處於冷藏的狀態(最好是在攝氏零下18度或以下)。參展商可將有潛在危害的即食食物留存在攝氏4度至60度環境下陳列或等候以待食用，但陳列或留存的時間不得超過4小時。

[食環署編製的《食物衛生守則》可以在網址https://www.fehd.gov.hk/tc_chi/publications/code/code_all.pdf下載]。

3.25.9 餐飲服務

根據香港會展中心之規則，會場範圍內不可享用任何非由香港會展中心提供之餐點服務，該中心的保安人員將會阻截任何由非香港會展中心提供之外賣飲食。

參展商如需進餐，可到會場內的飲食部或餐廳。如欲享用香港會展中心的餐飲送遞服務，請致電 (852) 2582 8888。

3.25.10. 限制出售的食物規例

依照香港法律第132X章《食物業規例》之規定，除非有食環署發出的相關牌照或許可證，任何人不得售賣、要約出售或為出售而展示，或管有以供出售下列的在香港受限制出售之食物：

1. (a) 新鮮肉類；
- (b) 冷凍肉類，但不包括經預先包裝的冷凍牛肉、羊肉或豬肉；
- (c) 經預先包裝的冷凍牛肉、羊肉或豬肉；
- (d) 冷藏肉類；
2. 新鮮、冷凍或冷藏野味；
3. 鮮魚、冷凍魚、冷藏魚或活魚，但不包括魚塘的活魚；
4. (a) 活的水禽，但不包括家禽飼養場內或批發市場內的活的水禽；
- (b) 其他活的家禽，但不包括家禽飼養場內或批發市場內的活的家禽；
- (c) 新鮮家禽屠體、冷凍家禽屠體或冷藏家禽屠體；
5. 新鮮、冷凍或冷藏介貝類水產動物，但不包括被列為禁售食物的在香港海港和香港仔海港內收集的介貝類水產動物；
6. 進口的熟肉或乾肉，或經其他方法處理或配製的進口肉類，除非該等食物是盛載於未開口的緊密加封容器內，或直至即將把食物以供配製成供出售用時，該等食物仍盛載於未開口的緊密加封容器內；
7. 進口的腸或配製成腸衣的任何動物的其他部分，除非該等食物是盛載於未開口的緊密加封容器內，或直至即將把食物以供配製成供出售用時，該等食物仍盛載於未開口的緊密加封容器內；
8. 進口的肉餡餅、香腸或其他經配製或製造而含有非肥肉的任何肉類、熟肉或乾肉的食品，除非該等食物是盛載於未開口的緊密加封容器內，或直至即將把食物以供配製成供出售用時，該等食物仍盛載於未開口的緊密加封容器內；
9. 奶類或奶類飲品，即《奶業規例》(第132章AQ) 對其適用的奶類或奶類飲品；
10. (a) 軟雪糕；
- (b) 其他冰凍甜點；
11. 涼茶；
12. 非瓶裝飲料 (一般來說是指那些調製供即時飲用，而毋須盛於密封瓶、罐或其他容器的飲品，例如鮮果汁、以濃縮果汁或糖漿稀釋的飲品、豆漿和由人手操作的調配分售機所出售的飲品)；
13. 燒味或滷味；
14. 切開的水果；

15. 涼粉，除非該等食物是盛載於未開口的緊密加封容器內，或直至即將把食物以供配製成供出售用時，該等食物仍盛載於未開口的緊密加封容器內；
16. 饅頭籮；
17. 以售賣機出售的食物；
18. 刺身；
19. 壽司；
20. 供不經烹煮而食用的蠔；或
21. 供不經烹煮而食用的肉類。

註：按食物安全中心發行的《香港入口野味、肉類及家禽指引》的解釋，上述“冷凍”一詞是指食物經預冷工序處理後再保存於攝氏0度至4度。而根據食環署編製的《食物衛生守則》之理解，“冷藏”一詞是指把食物溫度降低至冰點以下，並最好貯放在氏零下18度或以下，以保持其品質不變。

除《食物業規例》之規定外，參展商在進口上述食物時須遵守香港法律第60章《進出口條例》中有關進口食物之規定，在進口野味、肉類及家禽時，亦須遵守香港法律第132AK章《進口野味、肉類及家禽規例》之規定。

限制出售食物之銷售

參展商如果想在茶展中售賣任何受限制出售食物，必須取得食環署發出的售賣限制出售食物許可證及/或綜合食物店牌照。參展商請於茶展舉行至少30天前，將其許可證及/或牌照副本交予香港貿發局以作紀錄；或如此類許可證及/或牌照不能於茶展開始前30天發出，參展商必須於茶展舉行至少[30]天前，將已向食環署提交的許可證及/或牌照申請及食環署的確認書副本交予香港貿發局以作紀錄，並須盡快（在任何情況下不遲於[7]天）於食環署發出許可證及/或牌照後將有關許可證及/或牌照副本交予香港貿發局以作紀錄。

參展商如果想在茶展中銷售任何需加熱才出售的食物或飲料產品，必須同時取得食環署發出的臨時食物製造廠牌照。參展商請於茶展舉行至少30天前，將該牌照副本交予香港貿發局以作紀錄；或如此類牌照不能於茶展開始前30天發出，參展商必須於茶展舉行至少[30]天前，將已向食環署提交的牌照申請及食環署的確認書副本交予香港貿發局以作紀錄，並須盡快（在任何情況下不遲於[7]天）於食環署發出牌照後將有關牌照副本交予香港貿發局以作紀錄。

受限制食物售賣許可證申請書（表格編號：FEHB95）、[綜合食物店牌照申請書](#)（表格編號：FEHB244）和臨時食物製造廠牌照的申請書（表格編號：FEHB201）可以在食環署的網址http://www.fehd.gov.hk/tc_chi/forms/index_forms.html下載。如有查詢，請致電食環署的24小時熱線：(852) 2868 0000。

如需各種食物牌照/許可證及其申請程序的詳細資料，請參閱食環署印刷的“申請所需牌照類別指引”和“申請牌照指南”（兩者皆可在網頁：http://www.fehd.gov.hk/tc_chi/licensing/index.html下載）或致電食環署的24小時熱線：(852) 2868 0000。

3.25.11. 進口食品之規例

食物入口商有責任與出口當地保持緊密聯繫，確保所入口的食物符合香港法例的規定。確保食物衛生標準，食物入口商應先向來源地衛生當局申領衛生證明書，然後將證明書隨貨附上，以證明所入口的食物適宜供人食用。

下列食物由於屬於“容易變壞”和“高危”性質，入口時必須符合某些特定的法例要求或行政安排：

- (a) 野味、肉類、家禽及蛋類；
- (b) 奶類及奶類飲品；
- (c) 冰凍甜點；及
- (d) 海產。

食環署已分別就入口上述食物的正確程序製備了下列指引單張供入口商參考：

- 《內地冰鮮雞輸入香港指引》
- 《香港入口食物指引》
- 《香港入口奶類及奶類飲品指引》
- 《香港入口冰凍甜點指引》
- 《香港入口野味、肉類、家禽及蛋類指引》
- 《香港入口海產指引》
- 《冷藏肉類、冰鮮肉類、冷藏禽肉和冰鮮禽肉進口許可證申請指引》
- 《申請動物製食品衛生證書指引》
 - ：《[外國進口香港的凍肉經深圳前海灣保稅港區暫存然後分批進口香港指引](#)》
 - ：《從歐洲聯盟成員國進口牛肉、豬肉及羊肉到香港的指引》
 - ：《輸入牛肉、豬肉及羊肉而有關動物在愛爾蘭或英國出生和飼養、在愛爾蘭或英國屠宰、在英國包裝及從英國出口到香港的進口指引》

這些指引單張可在香港金鐘道 66號金鐘政府合署43樓食物安全中心索取或其網站www.cfs.gov.hk瀏覽。

當地衛生局之食物衛生證明書

- 不論任何食品，參展商必須持有出口地區衛生局之食物衛生證明書，方可進口本港。請於茶

展舉行30天前，將該證明書副本交予香港貿發局以作紀錄。

密切注意食物安全之最新資訊

- 參展商應密切注意食物安全中心網站www.cfs.gov.hk上提供之最新資訊，以確保展出/銷售之食品可供公眾安全享用。

進口「限制出售之食物」須獲預先許可

- 所有限制出售之食品必須獲得食環署之預先批核方可進口本港。其中包括冰凍甜點（包括雪糕）、鮮奶及奶類飲料等。請於茶展舉行三十天前，將該證明書副本交予香港貿發局以作紀錄。
- 申請表可於食環署的網頁http://www.fehd.gov.hk/tc_chi/forms/index_forms.html 下載。

受管制的食物

- 根據香港法律第132章《公眾衛生及市政條例》，任何食物內含染色料、金屬雜質、人工甜味劑、致癌物質、芥子酸及/或其他禁止物質、防腐劑及/或抗氧化劑及瀕臨絕種的動物成份等受限制之成份，均需遵照有關法例的管制或特別行政安排，方可進口。參展商須確保其展品符合有關規定而適合在香港銷售或使用。
- 詳細資料可見於香港海關的網站 www.customs.gov.hk 或食物安全中心的網站 www.cfs.gov.hk。

轉運代理人

- 欲知食品進口的更詳盡資料，參展商可與任何轉運代理人聯絡。部份轉運代理公司聯絡資料已刊於香港展覽會議業協會之網站：
https://exhibitions.org.hk/tc_chi/membership/member-directory。

3.25.12. 食物及藥物（成份組合及標籤）規例

根據香港法律第132W章《公眾衛生及市政條例》中《食物及藥物(成份組合及標籤)規例》，所有預先包裝食物、嬰兒配方產品及較大嬰兒及幼兒配方產品須加上規定的預先包裝食物標籤及標明其能量值及營養素含量的營養標籤。有關標籤須以中文或英文或中英兩種語言印製。

違反《食物及藥物(成份組合及標籤)規例》是違法的，可判處最高達港幣50,000元罰款及監禁6個月。

除非預先包裝食物於展覽出售以供即時食用，或規條另有豁免，該食物的營養標籤須提供以下八項資料：

- 1) 食物名稱/稱號；
- 2) 配料/成分；
- 3) 此日期前最佳或此日期前食用日期的標示；
- 4) 特別的貯存方式或使用名稱的陳述；

- 5) 製造商或包裝商的名稱及地址；
- 6) 數量、重量或體積；
- 7) 已知可導致過敏的物質；
- 8) 食物所含能量值及營養素含量。

此外，添加劑如構成預先包裝食物的配料，須列明該添加劑的作用類別及其所用名稱或它在食物添加劑國際編碼系統中的識別編號。

該規例同時規定所有預先包裝食物必須附有標明其能量值或任何營養素含量與及營養聲稱的標籤。

標籤必須包含以下八種資料：

- 能量
- 蛋白質
- 可獲得的碳水化合物
- 總脂肪
- 飽和脂肪酸
- 反式脂肪酸
- 鈉
- 糖

標籤亦必須列明各種涉及聲稱的營養素的含量。

任何嬰兒配方產品的營養標籤必須包含以下資料(除規例另有豁免):

- 能量值
- 蛋白質
- 總脂肪
- 總碳水化合物
- 維他命A、D3、E、K、B6、B12、C
- 硫胺素、核黃素、煙酸、生物素
- 泛酸、葉酸
- 鐵、鈣、磷、鎂、鈉、氯化物、鉀、錳、碘、硒、銅、鋅及膽鹼

如任何嬰兒配方產品的氟化物含量每100千卡超過100微克或每100千焦超過24微克，該產品須在標籤上載有陳述示明食用該產品可導致氟斑牙及建議應與醫生或衛生專業人員討論氟斑牙的風

險。

任何較大嬰兒及幼兒配方產品的營養標籤必須包含以下資料(除規例另有豁免):

- 能量值
- 蛋白質
- 總脂肪
- 可獲得的碳水化合物
- 維他命A、D、E、K、B6、B12、C
- 硫胺素、核黃素、煙酸、生物素
- 泛酸、葉酸
- 鐵、鈣、磷、鎂、鈉、氯化物、鉀、碘及鋅

任何預先包裝嬰幼兒食物的營養標籤必須包含以下資料(除規例另有豁免):

- 能量值
- 蛋白質
- 總脂肪
- 可獲得的碳水化合物
- 鈉
- 維他命A 及D(如加入)

所有參加香港貿發局茶展並擬在現場銷售預先包裝食物、嬰兒配方產品及/或較大嬰兒及幼兒配方產品的**香港及海外參展商**，均須在有關產品加上所規定的預先包裝食物標籤及/或營養標籤。

如任何預先包裝的食品屬相同版本而在香港的每年銷售量不超過30,000件，可向食物環境衛生署轄下的食物安全中心申請《小量豁免》。申請豁免的產品不能在包裝上載有任何營養聲稱。食物安全中心批准后，會就每份申請發給參展商一個豁免號碼以用在展覽會場上的銷售過程中。《小量豁免》的申請必須由於香港註冊的公司提出。海外參展商應透過本地進口商或經銷商提出申請。

如參展商的貨品未能附合上述營養聲稱標籤的規例及未能成功申請《小量豁免》，其貨品則不能在展覽期間出售，只能以宣傳或免費試食形式推廣。

食環署的職員會派員於展覽期間進行巡查。如發現違規情況，主辦機構可以要求有關參展商即時停止售賣有關貨品。若屢勸不效，主辦機構有權即時終止該參展商的參展資格。

任何干犯營養聲稱標籤規例有關罪行的人士可被罰款港幣五萬元及監禁六個月。參展商應參考食物安全中心的網站 www.cfs.gov.hk 上有關的指引，包括但不限于：

《製備可閱的食物標籤業界指引》，
《預先包裝食品營養標籤的食用分量業界指引》，
《有關食物致敏物、食物添加劑及日期格式的標籤指引》，
《營養標籤及營養聲技術指引》，
《營養標籤及營養聲稱檢測方法技術指引》，
《小量豁免申請指引》，
《營養標籤及營養聲稱技術指引 - 數據修整方法》，
《香港營養資料標籤制度容許的營養素功能聲稱》，
《嬰兒配方產品、較大嬰兒及幼兒配方產品及預先包裝嬰幼兒食物的營養成分組合及營養標籤技術指引》，
《嬰兒配方產品、較大嬰兒及幼兒配方產品及預先包裝嬰幼兒食物的營養成分組合及營養標籤檢測方法技術指引》，
《基因改造食物自願標籤指引》。

如有任何查詢，參展商可致電食物安全中心，電話：(852)2868 0000 或瀏覽網頁：
<https://www.elegislation.gov.hk>。

重要通知

在展覽會期間，參展商必須注意並嚴格遵守以下各項有關中醫藥及健康產品的法例及規則(3.2 5.12至3.2 5.14)

3.25.13. 《中醫藥條例》

香港法例第549章《中醫藥條例》

香港法例第549章《中醫藥條例》於1999年7月14日由立法會通過，設立了全面的中醫藥規管制度以保障公共健康、提高中醫的專業地位和增進中藥業的水平。《中醫藥條例》的內容包括但不限於香港中醫藥管理委員會及其轄下中醫組、中藥組和十個小組的組成及職能；中醫規管制度的中醫註冊、考試和紀律；中藥規管制度的中藥商領牌、中藥商監管和中成藥註冊；以及中藥安全令的發出。

參展商必須持有中醫藥管理委員會轄下中藥組發出的「中藥材零售商（展銷）牌照」才可在展場內零售中藥材展品。有關詳情可查詢中醫藥管理委員會（電話：(852) 2121 1888 或電郵：info@cmchk.org.hk）。

中成藥註冊制度和法定要求開始實施

香港法例第549章《中醫藥條例》（下稱“該條例”）第119條規定所有中成藥必須經香港中醫藥管理委員會轄下的中藥組註冊，方可在本港進口、銷售和管有。任何人銷售、進口或管有任何

未經註冊的中成藥即屬違法，定罪後可被判處港幣100,000元罰款及入獄 2 年監禁。

根據該條例第143和144條，任何人銷售或管有用作銷售任何沒有附上指定的標籤和說明書的中成藥亦屬違法，最高刑罰為罰款100,000元及監禁2年。

所有香港和外地的參展商都必須滿足該條例的規定才可在展場內管有、銷售、推廣、展示或以任何方式處理中成藥物品。有關該條例的簡介可參看香港中醫藥管理委員會的網頁：<http://www.cmchk.org.hk/>。參展商亦可於電子版香港法例的網頁：<https://www.elegislation.gov.hk/> 閱讀及列印該條例的全文。

3.25.14. 不良醫藥廣告條例

香港特別行政區政府的衛生署對於藥劑製品標籤及宣傳訂有嚴格的規例。根據香港法例第231章《不良醫藥廣告條例》的規定，任何人不得發布廣告以宣稱任何藥物、外科用具或療法可以治療或預防該條例內列於附表1及附表2內所指定的疾病或病理情況。廣告包括(但不限於)任何公告、海報、單張、廣告外盒標籤及任何以口頭方式或藉產生或傳送光或聲音的方式所出的宣布。有關政府部門有可能於展覽會期間到場巡查所有不當及違規行為。

參展商須注意該條例第2至8及附表1、2及4自2012年6月1日起生效，禁止或限制發布廣告的範圍擴展至包括乳房腫瘤、生殖泌尿系統、內分泌系統、體內糖分、血壓和血脂或膽固醇等6組保健聲稱及將受禁止或限制的聲稱實施於所有口服產品，但不包括慣常作為食品或飲品食用或飲用的產品。

違反該條例的刑罰，亦加重至初犯者罰款50,000元及監禁6個月和重犯者罰款100,000元及監禁1年。

有關條例的全文可在於電子版香港法例的網頁：<https://www.elegislation.gov.hk/>下載。參展商亦應參閱衛生署在藥物辦公室網站<http://www.drugoffice.gov.hk>發出的《不良廣告（醫藥）條例指引》。

參展商當清楚知道並同意遵守有關條款，任何參展商因違反上述有關或相關條例而招致的投訴或訴訟，香港貿易發展局及香港會議展覽中心概不負責，亦無須作出賠償。

3.25.15. 關於輸入或輸出香港的中藥材和中成藥須知

根據法例規定，進/出口載列於香港法例第60章附屬法例A《進出口（一般）規例》附表一及二內的中成藥及36種中藥材（包括《中醫藥條例》訂明的31種附表1中藥材及5種附表2的中藥材（凌霄花（*Flos Campsis*）；製川烏（*processed Radix Aconiti*）；製草烏（*processed Radix Aconiti Kusnezoffii*）；威靈仙（*Radix Clematidis*）和龍膽（*Radix Gentianae*）），須受簽證管制。凡進/出口此等物品，必須事先向衛生署申領相關的進口許可證/出口許可證。

請注意，在未有進口許可證和出口許可證的情況下進口及出口有關36種中藥材及中成藥，可能會

觸犯《進出口（一般）規例》，一經定罪，最高可處罰款港幣500,000元及監禁2年。有關法例條文的詳細內容，可於<https://www.elegislation.gov.hk/>網頁瀏覽。

一) 申請中藥材和中成藥的進出口許可證，申請人於貨品進出口前，應遞交下列資料至「香港九龍觀塘巧明街100號Landmark East 友邦九龍大樓16樓衛生署中醫藥規管辦公室中藥事務管理科」申請簽證。

有關申請中藥材和中成藥的進出口的詳情，請參閱見於衛生署中醫藥規管辦公室網站：www.cmro.gov.hk的「中藥材進/出口許可證申請指南」和「中成藥進出口申請指南」。

二) 如申請進口證，申請人將會獲發給正本及第一副本。持證人可憑正本向運載商（船務公司、航空公司或運輸公司）提取證上所述貨物。請注意，根據《進出口條例》第8條，不論提取貨物與否，正本必須於貨物進口後七天內交給運載商。第一副本則由持證人保存。

三) 根據《進出口條例》第6C(1)條及第6D(1)條，任何人士必須已獲有效的進出口證，並遵行證上所述規定，方可輸入或輸出藥劑產品及藥物。上述條例第6C(2)條及第6D(3)條訂明，凡違反第6C(1)條及第6D(1)條即屬犯罪，一經定罪，可被判罰款五十萬元及監禁兩年。

四) 如需進一步查詢關於藥劑產品及藥物的進出口簽證手續，請瀏覽衛生署中醫藥規管辦公室網址www.cmro.gov.hk 或致電(852) 2319 5119。

五) 參展商一經簽署申請表格，即表示參展商同意遵守有關條款，任何參展商因違反上述條例而招致的投訴或訴訟，香港貿發局及香港會議展覽中心概不負責，亦無需作出賠償。

3.25.16. 保護瀕危動植物物種條例

香港法例第586章《保護瀕危動植物物種條例》是香港為履行《瀕危野生動植物種國際貿易公約》（該公約）的規定而制定的法律。該條例規定：凡進口、從公海引進、出口、轉口或管有列明物種的標本，不論屬活體的、死體的、其部分或衍生物（包括藥物），均須事先申領漁農自然護理署發出的許可證。該法例亦指明在某些情況下准予進行列明物種的交易，而無需申領許可證。有關的管制制度大致上參照該公約的規定。

該條例適用於所有進行牽涉瀕危物種的活動的人士，包括貿易商、旅客及個別人士。有關該法例及申領有關許可證的詳情，請瀏覽漁農自然護理署的網站上有關自然護理的網頁https://www.afcd.gov.hk/tc_chi/index.html。

3.25.17 塑膠購物袋環保徵費計劃

產品環保責任條例（香港法例第603章）引進的塑膠購物袋環保徵費計劃是為解決過度使用塑料購物袋的問題。向立法會提交審議的2013年產品環保責任(修訂)條例草案將全面實施該計劃。該草案在2014年3月19日被立法會批准，並已於2015年4月1日生效。產品環保責任條例規定如有

某些貨品以零售方式出售予顧客，賣方有義務向顧客就塑料購物袋收取訂明的款額。除非獲該條例豁免，賣方就直接或間接向顧客提供的每個塑膠購物袋或經預先包裝的每份為數10個或以上的塑膠購物袋，向顧客收取不少於5角的款額。任何人如未能遵從即屬犯法，首度被裁定犯該罪行時可被判處港幣100,000元罰款，而在其後每次被裁定犯該罪行時可處罰款港幣200,000元。有關詳情可查詢環境保護署（電話：(852) 3152 2299或電郵：psb@epd.gov.hk）

3.25.18. 其他相關法律

除了上述各項法律和規例之外，參展商亦須遵守其他相關的法例，如：

- (i) 《防止賄賂條例》(香港法例第201章)訂明，任何人士無合法權限或合理辯解向公職人員提供任何利益，作為其執行職務的誘因或報酬，均屬犯法；
- (ii) 《公眾衛生及市政條例》(香港法例第132章) - 對於藥物的配製及攙雜；將經攙雜程序而導致品質、成分或效力受損的藥物售賣或為將該等藥物出售而將其展出、宣傳及管有；禁止售賣其性質或品質與購買人所要求不符的藥物以致對購買人不利；禁止售賣、展出或管有以供出售擬供人使用但不宜作該用途的藥物；及禁止出售及為出售而展出含虛假或誤導性標籤或宣傳的藥物及其他事項施加管制與規定；
- (iii) [《保護瀕危動植物物種條例》](#) (香港法例第586章) 就有關瀕危動植物物種的進口、引進、管有或控制之管制；
- (iv) 《不良醫藥廣告條例》(香港法例第231章) 就藥物(包括中藥材、中成藥、外科用具或療法及不包括慣常作為食品或飲品的所有口服產品)的廣告宣傳作出的管制；
- (v) 《廢物處置條例》(香港法例第354章) - 對任何類別或種類的廢物的產生、貯存、收集及處置(包括處理、再加工、循環再造)；對任何有關該等活動的地方及人士的發牌及登記；以及對涉及該等活動的公眾的保護及其他有關事宜施加管制與規定；
- (vi) 《商品說明條例》(香港法例第362章) - 該條例其中條文禁止將虛假商品說明應用於貨品或服務；禁止管有應用了虛假商品說明的貨品作售賣或商業或製造用途；禁止供應應用了虛假商品說明的貨品或服務；禁止偽造商標或將虛假商標應用於貨品；禁止進口或出口應用了虛假商品說明或偽造商標的貨品；禁止不良營商手法，包括但不限於誤導性遺漏，具威嚇性的營業行為，餌誘式廣告宣傳，先誘後轉銷售行為及不當地接

受付款。條例中包括有關珠寶、寶石、手錶、成衣及電子貨品商品說明的特定規定。

- (vii) 《藥劑業及毒藥條例》(香港法例第138章) - 對於註冊藥劑師管有及銷售(包括零售及批發)毒藥;用作存放毒藥以供零售的處所的註冊;由註冊醫生、註冊牙醫或註冊獸醫開出某些指定毒藥的處方的規定;毒藥的標籤及盛載容器;毒藥的存放及運送、及藥劑的製造、進口及出口施加管制及規定與其他事項施加管制與規定。參展商須特別注意有關對含有西藥成分的藥物管制,並留意衛生署藥物辦公室在其網頁:
<http://www.drugoffice.gov.hk/eps/do/index.html>上通告的最新資料和更新。

詳情請參閱各有關條例。條例的全文可以從網址<https://www.elegislation.gov.hk/>下載。

香港政府的刊物可以下列方法購買:

- 進入網上「政府書店」選購,網址為 <http://www2.bookstore.gov.hk>;
- 致電 (852) 2537 1910或電郵puborder@isd.gov.hk 致政府新聞處刊物銷售組; 或
- 於政府新聞處的網址 <http://www.isd.gov.hk> 下載並於網上遞交訂購表格,或將表格傳真至刊物銷售組的傳真號碼:(852) 2523 7195。

參展商一經簽署申請表格,即表示參展商同意遵守有關條款,任何參展商因違反上述條例而招致的投訴或訴訟,香港貿發局及香港會議展覽中心概不負責,亦無需作出賠償。

香港貿易發展局