

Circular 8 Food Related Laws and Regulations <IMPORTANT>**Food Safety 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:

- Public Health and Municipal Services Ordinance (Cap. 132)
- Abattoirs Regulation (Cap. 132A)
- Colouring Matter in Food Regulations (Cap. 132H)
- Dried Milk Regulations (Cap. 132R)
- Sweeteners in Food Regulations (Cap. 132U)
- Food Adulteration (Metallic Contamination) Regulations (Cap. 132V)
- Food and Drugs (Composition and Labelling) Regulations (Cap. 132W)
- Food Business Regulation (Cap. 132X)
- Frozen Confections Regulation (Cap. 132AC)
- Harmful Substances in Food Regulations (Cap. 132AF)
- Imported Game, Meat and Poultry Regulations (Cap. 132AK)
- Milk Regulation (Cap. 132AQ)
- Mineral Oil in Food Regulations (Cap. 132AR)
- Preservatives in Food Regulation (Cap. 132BD)
- Slaughterhouses Regulation (Cap. 132BU)
- Smokeless Tobacco Products (Prohibition) Regulations (Cap. 132BW)
- Pesticide Residues in Food Regulation (Cap. 132CM)
- Food Safety Ordinance (Cap. 612)

Exhibitors should continue to update the knowledge (through, including without limitation, the websites of the Bilingual Laws Information System at <https://www.elegislation.gov.hk/>, the Food and Environmental Hygiene Department (FEHD) at www.fehd.gov.hk and the Centre for Food Safety at www.cfs.gov.hk)

- 1) all the food and/or beverage products exhibitors offer and/or expose for sale or supply, sell, supply, distribute, dispense, display, market at the HKTDC Hong Kong International Wine & Spirits Fair (HKIWSF) are safe for public consumption;
- 2) where any license, permit, authorization or the like including without limitation import licenses, production licenses, prior inspections by the Centre for Food Safety and/or health certificates issued by public health authorities are required under the applicable laws and regulations, exhibitors shall make available at the HKIWSF2024 all the official licenses/inspection records/certificates issued by the relevant authorities for immediate inspection by the HKTDC and/or other public health authorities;
- 3) where the food and/or beverage products exhibitors offer and/or expose for sale or supply, supply, sell, distribute, dispense, display, market at the HKIWSF are imported, exhibitors will abide by the latest Food Alerts/advice/instructions of the Centre for Food Safety (published

on its website: www.cfs.gov.hk) and present the imported food and/or beverage products for prior inspection by the Customs & Excise Department and/or the Centre for Food Safety and/or other prescribed public health authorities;

- 4) where specific imported food and/or beverage products are subjected to health concern as reported or advised by the Centre for Food Safety or other public health authorities, exhibitors will present such food and/or beverage products for inspection on consumption safety by the Centre for Food and/or other prescribed public health authorities. Exhibitors will display the certificates issued by the respective public health authorities in relation to such food and beverage products at the HKIWSF;
- 5) all the imported food and/or beverage products exhibitors offer and/or expose for sale or supply, supply, sell, distribute, dispense, display, market at the HKIWSF are safe for human consumption and free from harmful substances;
- 6) in accordance with the food tracing mechanism under the Food Safety Ordinance: -
 - i. Exhibitors have registered with the FEHD as a food importer/ food distributor or obtained exemption from the FEHD if exhibitors import or distribute food in Hong Kong; and
 - ii. Exhibitors shall conform with the Code of Practice on Keeping Records Relating to Food issued by the FEHD in keeping transaction records of the business from which exhibitors acquire the food products and the business to which exhibitors supply the food products if exhibitors, in the course of business, import, acquire or supply by wholesale food products in Hong Kong. Besides, exhibitors shall keep the capture record if exhibitors capture local aquatic products and in the course of business, supply them in Hong Kong.
- 7) in accordance with the requirements under the Food Business Regulation (Cap. 132X):
 - i. **Restricted Food Permit and/or Composite Food Shop Licence**

should exhibitors sell, offer or expose for sale, or possess for sale or use in the preparation of any article of food for sale, any or all of the following kinds of restricted foods and/or beverages, exhibitors shall obtain the necessary permit and/or licence (such as the Restricted Food Permit and/or Composite Food Shop Licence, whichever is applicable) from the FEHD. exhibitors shall submit a copy of such permit and/or license obtained to HKTDC at least 30 days before the commencement of the HKIWSF 2024 for records; or if such permit and/or license is not available 30 days before the commencement of the HKIWSF 2024, 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 HKIWSF 2024 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 30 days) the permit and/or license has been granted 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.

Exhibitors understand that HKTDC reserves the right to discontinue any sale if exhibitors fail to present the said permit and/or license and/or documents by the deadline.

ii. Temporary Food Factory Licence

Exhibitors shall obtain a Temporary Food Factory Licence from the FEHD if exhibitors intend to sell any pre-cooked food or beverages or other restricted food or beverages reheated for consumption at the HKIWSF. A copy of the licence shall be submitted to HKTDC at least 30 days before the commencement of the HKIWSF for records; or if such licence is not available 30 days before the commencement of the HKIWSF, 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 HKIWSF for records and shall provide a copy of the licence to HKTDC for records as soon as (and in any event not later than 30 days) the license has been granted by the FEHD.

Onsite Cooking and Air Quality Control

1. 70% of the total booth area shall be used to sell and/or display pre-packaged foods 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 only and the aggregate area for conducting such activities shall not exceed 30% of the total booth area;
2. the types of cooking appliances to be installed in the booth for cooking, reheating or warming shall be limited to microwave oven and electric cooking appliance only. Exhibitors understand that exhibitors are only allowed to install one microwave oven and one other electrical cooking appliance per booth regardless of the size of the booth, and exhibitors shall obtain HKTDC's prior written approval if exhibitors wish to install any additional microwave ovens or electric cooking appliances. Exhibitors understand that HKTDC has the sole and absolute discretion on whether or not to grant such approval and that HKTDC is at liberty to withdraw such approval at any time notwithstanding that the approval has been granted;
3. the means of cooking or reheating shall be restricted to steaming, pan-frying, non-charcoal grilling and baking only. Deep-frying or Yakitori-style cooking is not permitted;
4. booths with pan-frying, non-charcoal grilling or baking activities must be installed with charcoal-filtered range hood (which exhibitors understand is available for rent through HKTDC's exhibition services) in order to minimise indoor air pollution;
5. open-flame cooking is strictly prohibited; and
6. all 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.

Trade Descriptions, Product Genuineness and Labelling

- Import and Export Ordinance (Cap. 60)
- Public Health and Municipal Services Ordinance (Cap. 132)
- Food and Drugs (Composition and Labelling) Regulations (Cap. 132W)
- Trade Descriptions Ordinance (Cap. 362)
- Consumer Goods Safety Ordinance (Cap. 456).

- 1) all the goods and produce exhibitors offer and/or expose for sale or supply, sell, supply, distribute, dispense, display, market at the HKIWSF2019 are genuine products of merchantable quality and fit for human consumption and do not infringe the proprietary and/or intellectual property rights of any third party/person;

- 2) exhibitors acknowledge that it is an offence under the Trade Descriptions Ordinance for any trader or businessman to
 - (i) apply a false trade description to any goods (or service to be supplied to a consumer);
 - (ii) supply/offer any goods (or service to be supplied to a consumer) bearing a false trade description;
 - (iii) to possess for sale or for any purpose of trade or manufacture any goods to which a false trade description is applied;
 - (iv) forges any trade mark on goods, falsely applies to any goods any deceiving trade mark, sells or exposes or has in possession such goods for any purpose of trade or manufacture;or
 - (v) engages in the unfair trade practices of misleading omission, aggressive commercial practices, bait advertising, bait and switch or wrongly accepting payment.
- 3) all the imported goods and produce exhibitors offer and/or expose for sale, sell, supply, distribute, dispense, display, market at the HKIWSF2024 are imported into Hong Kong with proper clearance with the Hong Kong Customs and Excise Department;
- 4) all the pre-packaged food and/or beverage products offer and/or expose for sale or supply, sell, supply, distribute, dispense, display, market by exhibitors at the HKIWSF2024 comply with Regulation 4A of the Food and Drug (Composition and Labelling) Regulations (Cap 132W) (“the Regulations”) and have the prescribed food label written in Chinese, English or both as required under the Regulations;
- 5) all pre-packaged food and/or beverage products to be offered and/or exposed for sale or supply, sold, supplied, distributed, dispensed, displayed and/or marketed by exhibitors at the HKIWSF2024 shall comply with Regulation 4B of the Regulations as follows:-
 - (i) to carry either:
 - a. the prescribed nutrition label setting out the energy value and seven core nutrients and other nutrients, listing the amounts of any claimed nutrients in the food in compliance with Part 1 Schedule 5 of the Regulations; or
 - b. a label indicating the exemption from labelling granted under the Small Volume Exemption Scheme under Part 2, Schedule 6 of the Regulations, unless the food and/or beverage products concerned are exempted from nutrition labelling under Part 1, Schedule 6 of the Regulations; and
 - (ii) any nutrition claim made on the label of or in any advertisement for a pre-packaged food shall conform to Part 2 of Schedule 5 of the Regulations,unless such pre-packaged food and/or beverage products are food for special dietary uses. Exhibitors further undertake and confirm that all information on the nutrition label and the nutrition claim are accurate, adequate, current and reliable;
- 6) all infant formula, follow-up formula and pre-packaged food for infants and young children to be offered and/or exposed for sale or supply, sold, supplied, distributed, dispensed, displayed and/or marketed by exhibitors at the HKIWSF2024 shall comply with Regulation 4C of the Regulations by carrying a prescribed nutrition label setting out the energy value and nutrient content in compliance with Schedule 6A of the Regulations, unless exempted under Schedule 6B of the Regulations; and



- 7) if exhibitors, officers, employees, servants, agents, subsidiaries or entities under exhibitors control offers and/or exposes for sale or supply, sells, supplies, distributes, dispenses, displays, markets or manufactures for sale any pre-packaged food and/or beverage products and/or any infant formula, follow-up formula or pre-packaged food for infants and young children which are not marked or labelled in compliance with the Regulations or has on its label any nutrition claim that does not conform to the Regulations commits an offence and is liable to a fine at HK\$50,000 and imprisonment for 6 months.

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>**食品安全法律及規章**

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：

- 公眾衛生及市政條例 (法例第 132 章)
- 屠場規例 (法例第 132A 章)
- 食物內染色料規例 (法例第 132H 章)
- 奶粉規例 (法例第 132R 章)
- 食物內甜味劑規例 (法例第 132U 章)
- 食物攪雜(金屬雜質含量)規例(法例第 132V 章)
- 食物及藥物(成分組合及標籤)規例 (法例第 132W 章)
- 食物業規例 (法例第 132X 章)
- 冰凍甜點規例 (法例第 132AC 章)
- 食物內有害物質規例 (法例第 132AF 章)
- 進口野味、肉類及家禽規例 (法例第 132AK 章)
- 奶業規例 (法例第 132AQ 章)
- 食物內礦物油規例 (法例第 132AR 章)
- 食物內防腐劑規例 (法例第 132BD 章)
- 屠房規例 (法例第 132BU 章)
- 無煙煙草產品 (禁止) 規例 (香港法律第 132BW 章)
- 食物內除害劑殘餘規例 (法例第 132CM 章)
- 食物安全條例 (法例第 612 章)。

參展商必須完全瞭解並承諾遵守香港有關食品安全之法律規範，並會繼續(包括但不限於透過瀏覽網址位於 <https://www.elegislation.gov.hk/> 的雙語法例資料系統、位於 www.fehd.gov.hk 的食物環境衛生署(“食環署”)和位於 www.cfs.gov.hk 的食物安全中心)更新相關的知識

- 1) 參展商在香港貿發局香港國際美酒展 (美酒展) 中提供及/或展出以供售賣或供應、售賣、供應、分派、配發、展示、推廣的食物及/或飲料產品，都是可以供公眾安全食用的；
- 2) 在適用的法規規定展品需要的任何特許牌照、批准或其他類似許可包括但不限於進口許可證、生產牌照、食物安全中心的事前檢驗及/或由公共衛生主管單位發出的衛生證明書的情況下，參展商在美酒展保存所有正式的許可證、牌照及證明書以供香港貿發局及/或其他公眾衛生主管單位作即場檢查。
- 3) 參展商在美酒展中提供及/或展出以供售賣或供應、供應、售賣、分派、配發、展示、推廣進口的食物及/或飲料產品，必須遵照食物安全中心最新發佈的食物警報/通告/指引 (可見於網頁：

www.cfs.gov.hk)，及如需的話，將有關的進口食物及/或飲料產品送交香港海關及/或食物安全中心及/或指定的公眾衛生主管單位進行事先檢驗。

- 4) 當食物安全中心或其他公眾衛生主管單位指示或建議對某些進口食物及/或飲料產品之健康食用需要關注時，參展商將提交在美酒展參展的該等食物及/或飲料產品，給予食物安全中心或其他指定的公眾衛生主管單位進行食用安全驗證。參展商將在美酒展展示各個公眾衛生主管單位就該等食物及飲料產品所發出的檢驗證明書。
- 5) 參展商在美酒展中提供及/或展出以供售賣或供應、供應、售賣、分派、配發、展示、推廣的進口食物及/或飲料產品可供人類安全食用且不含有害物質；
- 6) 根據《食物安全條例》所引入的食物追蹤機制：-
 - i. 參展商在香港經營食物進口/分銷業務，參展商已向食環署署長登記為食物進口商/食物分銷商或已獲食環署署長豁免遵從以上登記規定；及
 - ii. 參展商在業務運作中在香港從某地方進口、獲取或以批發方式供應食物產品，參展商會遵照食環署發出的《備存食物紀錄的實務守則》就獲取食物產品及供應食物產品備存有相關商號的交易紀錄。此外，如參展商捕撈本地水產並在業務運作中在香港供應該等水產，參展商會備存捕撈紀錄。
- 7) 根據香港法律第 132X 章《食物業規例》之規定：
 - i. **售賣限制出售食物許可證及/或綜合食物店牌照**

參展商在美酒展中售賣、要約出售或為出售而展示，或管有以供出售或以供配製成供出售用任何受限制出售食物或飲料產品，必須取得食環署發出的所有必需的許可證或牌照（例如售賣限制出售食物許可證及/或綜合食物店牌照(如適用)），並於美酒展舉行至少 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/或牌照不能於美酒展年開始前 30 天發出，參展商必須於美酒展舉行至少 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 30 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。當中包括：

 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 132AQ 章）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
 21. 供不經烹煮而食用的肉類

如參展商於限期前未能提交有關許可證及/或牌照及/或文件，香港貿發局有權停止參展商的銷售服務。

ii. 臨時食物製造廠牌照

參展商在美酒展中銷售任何需加熱才出售的食物或飲料產品或限制出售食物或飲料產品，必須取得食環署發出的臨時食物製造廠牌照，並於美酒展舉行至少 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美酒展年開始前 30 天發出，參展商必須於美酒展舉行至少 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 30 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。

現場烹調食品及空氣質素管制

1. 展位的七成面積必需為售賣及/或展示已預先包裝的食品或飲品。此外，於展位展示的物品必需至少七成為預先包裝的食品或飲品。參展商只可於展位現場烹調、加熱非包裝食品、展示及/或售賣有關非包裝食品，而有關佔位總面積之比例不可多於整個展位面積的三成；
2. 每家參展商在其攤位安裝用作烹調、加熱或保溫食品的器具類型將限於微波爐及電動煮食器。

參展商明白只可於每一展位(不論展位面積)安裝一具微波爐及一具電動煮食器。如參展商欲安裝額外的微波爐或電動煮食器，必須事先獲得香港貿發局的書面許可。參展商明白香港貿發局有絕對酌情權決定是否予以有關書面許可，及即使在作出許可後，香港貿發局仍可全權隨時撤回有關許可；

3. 食品烹調或加熱方式應只限於蒸煮、燒烤、焗。不能進行油炸或日式燒烤的方式烹調食品；
4. 如加熱食品屬煎、炒、燒烤、焗方式處理，展商必須於攤位內安裝含過濾木炭的抽油煙機(參展商知悉可透過香港貿發局展覽服務部租用抽油煙機)，以盡量減少室內空氣污染；
5. 嚴格禁止開放式明火煮食；及
6. 面向通道的所有灶具必須以 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。

商品說明、產品真偽和標籤

- 進出口條例 (法例第 60 章)
 - 公眾衛生及市政條例 (法例第 132 章)
 - 食物及藥物(成分組合及標籤)規例 (法例第 132W 章)
 - 商品說明條例 (法例第 362 章)
 - 消費品安全條例 (法例第 456 章)。
- 1) 參展商在美酒展中提供及/或展出以供售賣或供應、售賣、供應、分派、配發、展示和推廣的所有貨品和產物都具可商售品質且適合人類食用，並且不會侵犯任何第三方/人士的所有權及/或知識產權。
 - 2) 參展商認知任何商販或貿易者如進行以下任何活動即屬觸犯《商品說明條例》的罪行:-
 - (i) 將虛假商品說明應用於任何貨品(或向消費者提供的服務)；
 - (ii) 供應或要約供應已應用虛假商品說明的貨品(或向消費者提供的服務)；
 - (iii) 管有任何已應用虛假商品說明的貨品作售賣或任何商業或製造用途；
 - (iv) 偽造任何商標應用於貨品上；或將任何與某一商標極為相似而相當可能會使人受欺騙的標記以虛假方式應用於任何貨品，出售或展示，或為售賣或任何商業或製造用途而管有該等貨品；或
 - (v) 行使不良營商手法，則作出屬誤導性遺漏的營業行為，作出具威嚇性的營業行為，作出構成餌誘式廣告宣傳的營業行為，作出構成先誘後轉銷售行為的營業行為，作出先誘後轉銷售行為，或作出構成不當地就產品接受付款的營業行為。
 - 3) 所有參展商在美酒展中提供及/或展出以供售賣、售賣、供應、分派、配發、展示和推廣的進口貨品和產物，都是經香港海關正式清關進口香港的；
 - 4) 所有參展商在美酒展中提供及/或展出以供售賣或供應、售賣、供應、分派、配發、展示和推廣的預先包裝食物及/或飲料產品均符合《食物及藥物(成分組合及標籤)規例》(法例第 132W 章)(“規例”)第 4A 條規定並有按規例下以中文、英文或中英雙語寫的法定食物標籤；
 - 5) 所有參展商在美酒展中要約及/或展出以供售賣或供應、售賣、供應、分派、配發、展示及/或推廣的預先包裝食物及/或飲料產品均須遵守規例第 4B 條的規定如下：

(i) 附有：





(a) 指定的標示其能量值及 7 種主要營養素及其他營養素含量的營養標籤，以符合規例附表 5 第 1 部的規定；或

(b) 顯示按該規例附表 6 第 2 部分的小量豁免系統獲得豁免加上營養標籤的標記。

除非相關的食物及/或飲料產品按規例附表 6 第 1 部分獲得豁免；

(ii) 在預先包裝食物的標籤上或宣傳品中作出的任何營養聲稱，均須符合規例附表 5 第 2 部分的規定，

除非該等預先包裝食物及或飲品是供特殊膳食之用。參展商承諾及保證在該等營養標籤上的資料和營養素含量都是準確、足夠、適時和可靠的；

6) 所有參展商在美酒展中要約及/或展出以供售賣或供應、售賣、供應、分派、配發、展示及/或推廣的嬰兒配方產品、較大嬰兒及幼兒配方產品及預先包裝嬰幼兒食物均須遵守規例第 4C 條的規定，加上列出符合規例附表 6A 的能量值及營養素含量之營養標籤(除非根據規例附表 6B 獲得豁免)；及

7) 如果參展商、高級人員、員工、僱工、代理人、附屬公司或參展商所掌控的實體提供及/或展出以供售賣或供應、售賣、供應、分派、配發、展示、推廣或供出售而製造任何預先包裝食物及/或飲料產品及/或嬰兒配方產品、較大嬰兒及幼兒配方產品或預先包裝嬰幼兒食物，而該等預先包裝食物並無符合法規的標記或標籤；或在其標籤上有任何不合法規的營養聲稱，即屬犯法，可被判處港幣 50,000 元罰款及監禁 6 個月。

香港貿易發展局

通告 8 食品有关法律和规例 <重要通知>**食品安全法律及规章**

参展商在申请参展前，应先咨询其法律顾问、有关政府机关及相关专业团体以确保参展商能够遵守及符合所有管辖且关于其产品及/或服务在香港的展览、宣传/促销及供应的适用法律、规章、专业守则及指引，包括但不限于以下法例：

- 公众卫生及市政条例 (法例第 132 章)
- 屠场规例 (法例第 132A 章)
- 食物内染色料规例 (法例第 132H 章)
- 奶粉规例 (法例第 132R 章)
- 食物内甜味剂规例 (法例第 132U 章)
- 食物搀杂(金属杂质含量)规例 (法例第 132V 章)
- 食物及药物(成分组合及标签)规例 (法例第 132W 章)
- 食物业规例 (法例第 132X 章)
- 冰冻甜点规例 (法例第 132AC 章)
- 食物内有害物质规例 (法例第 132AF 章)
- 进口野味、肉类及家禽规例 (法例第 132AK 章)
- 奶业规例 (法例第 132AQ 章)
- 食物内矿物油规例 (法例第 132AR 章)
- 食物内防腐剂规例 (法例第 132BD 章)
- 屠房规例 (法例第 132BU 章)
- 无烟烟草产品（禁止）规例（香港法律第 132BW 章）
- 食物内除害剂残余规例 (法例第 132CM 章)
- 食物安全条例 (法例第 612 章)。

参展商必须完全了解并承诺遵守香港有关食品安全之法律规范，并会继续(包括但不限于透过浏览网址位于 <https://www.elegislation.gov.hk/> 的双语法例资料系统、位于 www.fehd.gov.hk 的食物环境卫生署(“食环署”)和位于 www.cfs.gov.hk 的食物安全中心)更新相关的知识

- 1) 参展商在香港贸发局香港国际美酒展(美酒展) 中提供及/或展出以供售卖或供应、售卖、供应、分派、配发、展示、推广的食物及/或饮料产品，都是可以供公众安全食用的；
- 2) 在适用的法规规定展品需要的任何特许牌照、批准或其他类似许可包括但不限于进口许可证、生产牌照、食物安全中心的事前检验及/或由公共卫生主管单位发出的卫生证明书的情况下，参展商在美酒展保存所有正式的许可证、牌照及证明书以供香港贸发局及/或其他公共卫生主管单位作即场检查。
- 3) 参展商在美酒展中提供及/或展出以供售卖或供应、供应、售卖、分派、配发、展示、推广进口的食物及/或饮料产品，必须遵照食物安全中心最新发布的食物警报/通告/指引(可见于网页：www.cfs.gov.hk)，及如需的话，将有关的进口食物及/或饮料产品送交香港海关及/或食物安全

中心及/或指定的公众卫生主管单位进行事先检验。

- 4) 当食物安全中心或其他公众卫生主管单位指示或建议对某些进口食物及/或饮料产品之健康食用需要关注时，参展商将提交在美酒展参展的该等食物及/或饮料产品，给予食物安全中心或其他指定的公众卫生主管单位进行食用安全验证。参展商将在美酒展展示各个公众卫生主管单位就该等食物及饮料产品所发出的检验证明书。
- 5) 参展商在美酒展中提供及/或展出以供售卖或供应、供应、售卖、分派、配发、展示、推广的进口食物及/或饮料产品可供人类安全食用且不含有害物质；
- 6) 根据《食物安全条例》所引入的食物追踪机制：-
 - I. 展商在香港经营食物进口/分销业务，参展商已向食环署署长登记为食物进口商/食物分销商或已获食环署署长豁免遵从以上登记规定；及
 - II. 参展商在业务运作中在香港从某地方进口、获取或以批发方式供应食物产品，参展商会遵照食环署发出的《备存食物纪录的实务守则》就获取食物产品及供应食物产品备存有有关商号的交易纪录。此外，如参展商捕捞本地水产并在业务运作中在香港供应该等水产，参展商会备存捕捞纪录。
- 7) 根据香港法律第 132X 章《食物业规例》之规定：
 - i. **售卖限制出售食物许可证及/或综合食物店牌照**

参展商在美酒展中售卖、要约出售或为出售而展示，或管有以供出售或以供配制成供出售用任何受限制出售食物或饮料产品，必须取得食环署发出的所有必需的许可证或牌照（例如售卖限制出售食物许可证及/或综合食物店牌照(如适用)），并于美酒展举行至少 30 天前，将其许可证及/或牌照副本交予香港贸发局以作纪录；或如此类许可证及/或牌照不能于美酒展年开始前 30 天发出，参展商必须于美酒展举行至少 30 天前，将已向食环署提交的许可证及/或牌照申请及食环署的确认书副本交予香港贸发局以作纪录，并须尽快（在任何情况下不迟于 30 天）于食环署发出许可证及/或牌照后将有关许可证及/或牌照副本交予香港贸发局以作纪录。当中包括：

 1. a) 新鲜肉类
 - b) 冷冻肉类，但不包括经预先包装的冷冻牛肉、羊肉或猪肉
 - c) 经预先包装的冷冻牛肉、羊肉或猪肉
 - d) 冷藏肉类
 2. 新鲜、冷冻或冷藏野味
 3. 鲜鱼、冷冻鱼、冷藏鱼或活鱼，但不包括鱼塘的活鱼
 4. a) 活的水禽，但不包括家禽饲养场内或批发市场内的活的水禽
 - b) 其他活的家禽，但不包括家禽饲养场内或批发市场内的活的家禽
 - c) 新鲜家禽屠体、冷冻家禽屠体或冷藏家禽屠体
 5. 新鲜、冷冻或冷藏介贝类水产动物，但不包括被列为禁售食物的在香港海港和香港仔海港内收集的介贝类水产动物
 6. 进口的熟肉或干肉，或经其他方法处理或配制的进口肉类，除非该等食物是盛载未开口的紧密加封容器内，或直至即将把食物以供配制成供出售用时，该等食物

仍盛載于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于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,該等食物仍盛載于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、熟肉或干肉的食品,除非該等食物是盛載于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,該等食物仍盛載于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 132AQ 章)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,而毋須盛于密封瓶、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于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,該等食物仍盛載于未開口的緊密加封容器內；
16. 饅頭筲
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蚌
21. 供不經烹煮而食用的肉類

如參展商于限期前未能提交有關許可證及/或牌照及/或文件,香港貿發局有權停止參展商的銷售服務。

ii. 臨時食物製造廠牌照

參展商在美酒展中銷售任何需加熱才出售的食物或飲料產品或限制出售食物或飲料產品,必須取得食環署發出的臨時食物製造廠牌照,并于美酒展舉行至少 30 天前,將該牌照副本交予香港貿發局以作紀錄; 或如此類牌照不能于美酒展年開始前 30 天發出,參展商必須于美酒展舉行至少 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,并須盡快(在任何情況下不遲于 30 天)于食環署發出牌照后將有關牌照副本交予香港貿發局以作紀錄。

現場烹調食品及空氣質素管制

1. 展位的七成面積必需為售賣及/或展示已預先包裝的食品或飲品。此外,于展位展示的物品必需至少七成為預先包裝的食品或飲品。參展商只可于展位現場烹調、加熱非包裝食品、展示及/或售賣有關非包裝食品,而有關占位總面積之比例不可多於整個展位面積的三成;
2. 每家參展商在其攤位安裝用作烹調、加熱或保溫食品的器具類型將限于微波爐及電動煮食器。參展商明白只可于每一展位(不論展位面積)安裝一具微波爐及一具電動煮食器。如參展商欲安

装额外的微波炉或电动煮食器，必须事先获得香港贸发局的书面许可。参展商明白香港贸发局有绝对酌情权决定是否予以有关书面许可，及即使在作出许可后，香港贸发局仍可全权随时撤回有关许可；

3. 食品烹调或加热方式应只限于蒸煮、烧烤、焗。不能进行油炸或日式烧烤的方式烹调食品；
4. 如加热食品属煎、炒、烧烤、焗方式处理，展商必须于摊位内安装含过滤木炭的抽油烟机(参展商知悉可透过香港贸发局展览服务部租用抽油烟机)，以尽量减少室内空气污染；
5. 严格禁止开放式明火煮食；及
6. 面向通道的所有灶具必须以 30 厘米高的三面板遮蔽烹调柜台上方，以避免溅出加热时制造的油或热水。

商品说明、产品真伪和标签

- 进出口条例 (法例第 60 章)
 - 公共卫生及市政条例 (法例第 132 章)
 - 食物及药物(成分组合及标签)规例 (法例第 132W 章)
 - 商品说明条例 (法例第 362 章)
 - 消费品安全条例 (法例第 456 章)。
- 1) 参展商在美酒展中提供及/或展出以供售卖或供应、售卖、供应、分派、配发、展示和推广的所有货品和产物都具可商售品质且适合人类食用，并且不会侵犯任何第三方/人士的所有权及/或知识产权。
 - 2) 参展商认知任何商贩或贸易者如进行以下任何活动即属触犯《商品说明条例》的罪行:-
 - (i) 将虚假商品说明应用于任何货品(或向消费者提供的服务)；
 - (ii) 供应或要约供应已应用虚假商品说明的货品(或向消费者提供的服务)；
 - (iii) 管有任何已应用虚假商品说明的货品作售卖或任何商业或制造用途；
 - (iv) 伪造任何商标应用于货品上；或将任何与某一商标极为相似而相当可能会使人受欺骗的标记以虚假方式应用于任何货品，出售或展示，或为售卖或任何商业或制造用途而管有该等货品；或
 - (v) 行使不良营商手法，则作出属误导性遗漏的营业行为，作出具威吓性的营业行为，作出构成饵诱式广告宣传的营业行为，作出构成先诱后转销售行为的营业行为，作出先诱后转销售行为，或作出构成不当地就产品接受付款的营业行为。
 - 3) 所有参展商在美酒展中提供及/或展出以供售卖、售卖、供应、分派、配发、展示和推广的进口货品和产物，都是经香港海关正式清关进口香港的；
 - 4) 所有参展商在美酒展中提供及/或展出以供售卖或供应、售卖、供应、分派、配发、展示和推广的预先包装食物及/或饮料产品均符合《食物及药物(成分组合及标签)规例》(法例第 132W 章) (“规例”)第 4A 条规定并有按规例下以中文、英文或中英双语写的法定食物标签；
 - 5) 所有参展商在美酒展中要约及/或展出以供售卖或供应、售卖、供应、分派、配发、展示及/或推广的预先包装食物及/或饮料产品均须遵守规例第 4B 条的规定如下：
 - (i) 附有：
 - (a) 指定的标示其能量值及 7 种主要营养素及其他营养素含量的营养标签，以符合规例附表

5 第 1 部的规定；或

(b) 显示按该规例附表 6 第 2 部分的小量豁免系统获得豁免加上营养标签的标记。

除非相关的食物及/或饮料产品按规例附表 6 第 1 部分获得豁免；

- (ii) 在预先包装食物的标签上或宣传品中作出的任何营养声称，均须符合规例附表 5 第 2 部分的规定，

除非该等预先包装食物及或饮品是供特殊膳食之用。参展商承诺及保证在该等营养标签上的资料和营养素含量都是准确、足够、适时和可靠的；

- (i) 所有参展商在美酒展中要约及/或展出以供售卖或供应、售卖、供应、分派、配发、展示及/或推广的婴儿配方产品、较大婴儿及幼儿配方产品及预先包装婴幼儿食物均须遵守规例第 4C 条的规定，加上列出符合规例附表 6A 的能量值及营养素含量之营养标签(除非根据规例附表 6B 获得豁免)；及

- (ii) 如果参展商、高级人员、员工、雇工、代理人、附属公司或参展商所掌控的实体提供及/或展出以供售卖或供应、售卖、供应、分派、配发、展示、推广或供出售而制造任何预先包装食物及/或饮料产品及/或婴儿配方产品、较大婴儿及幼儿配方产品或预先包装婴幼儿食物，而该等预先包装食物并无符合法规的标记或标签；或在其标签上有任何不符合法规的营养声称，即属犯法，可被判处港币 50,000 元罚款及监禁 6 个月。

香港贸易发展局