

1. China State Administration for Market Regulation Issued the “Guidelines on Strengthening the Supervision of Live Streaming Marketing Activities”

“Live Streaming Sales” has become one of the most popular channels for e-commerce with an overwhelming endorsement from Chinese and Hong Kong celebrities since 2020. Unfortunately, a series of issues, such as



counterfeit and false advertising, were reported. Since Live Streaming Marketing involves a new business model and complex legal issues, participants from each part of the “Live Streaming Sales” take a different array of legal liabilities and responsibilities. Therefore, the new “Guidelines” were issued to identify the legal responsibility of various parties involved, especially for the live streaming platforms and the live streamers.

The third part of the “Guidelines” strictly stipulated the Live Streaming Marketing activities, which include the formation and implementation of a product inspection system, selling prohibited products and services, placing prohibited commercial advertisements, and the regulations on advertising censorship and publications. On the other hand, there are also requirements for publishing related competency, providing general business information, and online platforms technical support, to further protect consumers’ rights to information and choice.

Since the live streaming platforms and the live streamers have limited knowledge regarding product safety and quality compliance, there is a higher chance for them to violate those regulations. Hence, the practitioners should consult comprehensive inspection institutes to

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conduct inclusive product assessments.

STC was established in 1963 as Hong Kong's first independent and not-for-profit testing, inspection and certification organization. With laboratories in Mainland China and overseas, STC has exceptional experience in testing and certifying consumer goods, food and pharmaceutical products, industrial products, and more. For inquiries, please email hkstc@stc.group

Source: http://gkml.samr.gov.cn/nsjg/xwxc/202011/t20201109_323221.html

国家市场监督管理总局制定出台《市场监管总局关于加强网络直播营销活动的指导意见》

近一年来，“直播带货”的模式，在中港艺人的夹持下，成为商家电子商务的重要销售最畅旺的渠道。但网络直播营销活动也爆出不少假冒伪劣产品、虚假宣传等一系列问题出现。因网络直播营销活动中涉及模式新、主体多和法律关系复杂，“直播带货”每一个环节的参与者在不同模式下所需要承担的法律责任和遵守的法律行为各不相同。《意见》出台，明确网络直播营销活动中相关主体的法律责任，特别是明确直播营销活动中网络平台和网络直播者的法律责任和义务。

在《意见》中第三部分为严格规范网络直播营销行为。要求建立并执行商品进货检查验收制度、禁止销售的商品或服务、禁止发布的商业广告、规范广告审查发布等方面作了规定。同时，针对保障消费者知情权和选择权，从公示有关资质、提供基本经营信息和网络平台提供技术支持等方面提出明确要求。

在产品安全和质量控制方面，因平台和带货者专业有限，不能有效专业评估产品合规和回避

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经营被罚风险，所以建议平台和带货艺人事前，委托综合检验机构，对产品做一个合规评估审查，以便降低因触犯法规所带来的负面影响。STC 成立于 1963 年，是香港历史最悠久从事产品检测、检验和认证的非牟利实验室，在香港、内地、越南和欧美设有实验室，拥有丰富的消费品、食品、中西药和工业产品的检测和认证经验。如需任何查询，可电邮 hkstc@stc.group。

资料来源 http://gkml.samr.gov.cn/nsjg/xwxc/202011/t20201109_323221.html

2. Hong Kong Government Public Consultation on Proposed Updates to Safety Standards for Toys and Children's Products Launched



On December 1, 2020, the Hong Kong Government launched a public consultation on the proposed updates to Schedules 1 and 2 to the “Toys and Children's Products Safety Ordinance” (Cap. 424) to implement up-to-date safety standards promulgated by the relevant standards institutions for toys and children's products listed in Schedule 2 to the Ordinance (Schedule 2 products). The public is welcome to send their views on the proposals to the Commerce and Economic Development Bureau by mail, email, or fax. The “Toys and Children's Products Safety Ordinance” stipulates that a person must not manufacture, import or supply a toy or a Schedule 2 product unless it complies with all the applicable requirements contained in any one of the safety standards respectively specified in Schedules 1 and 2 to the Ordinance. The standards specified are international standards or

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standards adopted by major economies. The Government keeps in view any changes to the standards to apply up-to-date and operative versions of the standards to products supplied in Hong Kong.

As the safety standards specified for toys and three classes of Schedule 2 products, namely (i) bunk beds for domestic use, (ii) children's high chairs and multi-purpose high chairs for domestic use, and (iii) children's paints have been updated, the Government proposes to adopt the up-to-date versions of those safety standards under the Ordinance. Details of the proposals are available on the website of the Commerce, Industry and Tourism Branch of the Commerce and Economic Development Bureau at www.cedb.gov.hk/citb.

STC is accredited by HOKLAS in providing a full spectrum of toy testing, as well as providing ST Mark of Japan, reports recognized by CCC of China, and CSPC of U.S.A. For more information, please contact hkstc@stc.group.

Source: <https://www.wenweipo.com/s/202012/01/AP5fc5aa1fe4b0a67335829954.html>

香港特区政府就更新玩具及儿童产品安全标准建议咨询公众

香港特区政府建议更新《玩具及儿童产品安全条例》(第424章)(《条例》)附表1及2,以实施相关标准检定机构就玩具和《条例》附表2所载列的儿童产品(附表2产品)所公布的最新版本的安全标准,并就有关建议咨询公众。公众如对建议有任何意见,可将意见书邮寄、电邮至港府商务及经济发展局。

《玩具及儿童产品安全条例》订明,任何人不得制造、进口或供应任何玩具或附表2产品,

以上提供的资料是由香港标准及检定中心及其成员机构从其认为准确的资料来源取得。该资料的发布并没有附载任何保证、声明、促使或许可。香港标准及检定中心及其成员机构不会就任何因使用或依赖该资料而产生的后果承担任何法律责任。

除非该产品符合《条例》附表 1 (适用于玩具) 或附表 2 (适用于附表 2 产品) 所指明的其中一套安全标准的全部适用规定。该等标准为国际标准或主要经济体采用的标准。政府一直密切留意各项标准有否变更, 确保适用于供应本港的产品的安全标准均属于最新有效的版本。由于适用于玩具的指明安全标准, 以及适用于三类附表 2 产品, 即 (一) 家用双格床; (二) 家用儿童高脚椅及多种用途高脚椅; 及 (三) 儿童绘画颜料的指明安全标准已经更新, 政府建议在条例中采用最新版本的安全标准。详情请参阅商务及经济发展局工商及旅游科网页 (www.cedb.gov.hk/citb)。

STC 实验室获得 HOKLAS 认可, 提供全套玩具测试, 并可提供日本 ST 标志、中国 CCC 认证和美国 CSPC 认可报告。如有兴趣, 可电邮 hkstc@stc.group 与 STC 实验室联系。

资料来源 <https://www.wenweipo.com/s/202012/01/AP5fc5aa1fe4b0a67335829954.html>

3. Shanghai Announced the 47th Provincial Food Safety Inspection Results

On December 16, 2020, the Shanghai Municipal Administration for Market Regulation announced the result of the 47th Provincial Food Safety Inspection in 2020. The inspection involved 935 batches of samples from 8 categories including oil, fat and related products, canned food, frozen food, potatoes and puffed food, and tea and related products. As a result, 931 batches of samples were qualified while 4 batches failed to pass the inspection.



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Unqualified Total Bacterial Counts were found in 3 batches of fresh watermelon juice, cantaloupe, and watermelon. Excessive aluminium residues were detected in a batch of instant jellyfish. Potassium aluminium sulfate (also known as potassium alum) and aluminium ammonium sulfate (also known as ammonium alum) are commonly used as leavening agents and stabilizers in food processing. However, aluminium residues are produced after used. The “National Food Safety Standard for the Use of Food Additives” (GB 2760-2014) stipulated that the residual amount of aluminium in jellyfish (calculated as Al) should not exceed 500mg.

In response to the unqualified samples found, the Shanghai Municipal Administration for Market Regulation has instructed the relevant district market supervisors to promptly investigate on the unqualified food items and their manufacturers, and prosecute the offenders under the law.

STC laboratories are accredited by CMA of China, providing government-approved reports and certification services. To learn more, please email hkstc@stc.group.

Source: <http://news.foodmate.net/2020/12/580241.html>

上海公布第 47 期省级食品安全抽检信息，海蜇头、西瓜汁等 4 批次检出不合格

12 月 16 日，上海市市场监督管理局公布了 2020 年第 47 期省级食品安全抽检信息。本次抽检信息涉及食用油、油脂及其制品，罐头，速冻食品，薯类和膨化食品，茶叶及相关制品等 8 大类食品 935 批次样品，其中合格 931 批次、不合格 4 批次。

不合格样品中，有 3 批次鲜榨西瓜汁、西瓜、及哈密瓜检出菌落总数不合格，另 1 批次酱麻油海蜇头检出铝的残留量超标。硫酸铝钾（又名钾明矾）、硫酸铝铵（又名铵明矾）是食品加

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工中常用的膨松剂和稳定剂，使用后产生铝残留。《食品安全国家标准食品添加剂使用标准》（GB 2760-2014）中规定，海蜇中铝的残留量（以即食海蜇中 Al 计）不得超过 500mg。

对抽检中发现的不合格产品，上海市市场监督管理局已要求相关区市场监督管理局及时对不合格食品及其生产经营者进行调查处理，依法查处。

STC 实验室获得中国 CMA 资质认定和进出口商品检验鉴定资格证书，提供政府认可的食品测试报告和认证服务。如需进一步了解有关测试和认证资料，可电邮 hkstc@stc.group。

资料来源 <http://news.foodmate.net/2020/12/580241.html>

4. Notice of CNCA on Implementation Rules of the China Compulsory Certification (CCC) for Fire-Fighting Equipment

According to the deployment requirements of the CPC Central Committee and the State Council on strengthening the reformation of the Fire Protection Law, and the results of the adjustment of the



fire-fighting products catalogue from the "Notice of the State Administration for Market Supervision on Optimizing the Compulsory Product Certification Catalogue" (CNCA Announcement 2020, No. 18), the

"Compulsory Product Certification Implementation Rules for Fire Alarm Products" (CNCA-C18-01: 2020), "Compulsory Product Certification Implementation Rules for Fire Extinguishers Products" (CNCA-C18-02: 2020), "Compulsory Product Certification Implementation Rules for Evacuation Products" (CNCA- C18-03: 2020), were implemented on December 1, 2020. The CNCA "Notice on

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the Implementation Rules for Compulsory Certification of Fire-Fighting Equipment" (CNCA Announcement 2014, No. 15) was abolished simultaneously.

Designated certification institutes should update the certification implementation rules correspondingly, and do the necessary registration with the CNCA.

Starting from December 1, 2020, the designated certification institutes should issue certifications comply with the new implementation rules. Those compulsory product certifications issued from before that are still valid and can still be used. The conversion of certificates process will be completed by a natural transition, such as renewal, change of product, and change of standard version.

STC is an accredited laboratory that can cooperate with the designated institute in China to conduct CCC product testing. For more information, please contact hkstc@stc.group.

Source: http://www.cnca.gov.cn/zw/gg/gg2020/202012/t20201201_64196.shtml

认监委关于发布消防产品强制性产品认证实施规则的公告

根据党中央、国务院关于深化消防执法改革的决策部署和《市场监管总局关于优化强制性产品认证目录的公告》(2020年第18号)有关消防产品目录调整的结果,现发布《强制性产品认证实施规则 火灾报警产品》(CNCA-C18-01:2020)、《强制性产品认证实施规则 灭火器产品》(CNCA-C18-02:2020)、《强制性产品认证实施规则 避难逃生产品》(CNCA-C18-03:2020)(以下简称新版规则),自发布之日起(2020年12月1日)实施。此前,认监委《关于发布消防产品强制性认证实施规则的公告》(认监委公告2014年第15号)同时废止。

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相关指定认证机构应依据新版规则和已发布的强制性产品认证通用实施规则要求，制定对应的认证实施细则并向认监委备案。

自本公告发布之日起（2020年12月1日）起，指定认证机构应按照新版规则实施认证及颁发证书。此前已经颁发的有效强制性产品认证证书可继续使用，认证证书转换工作采取到期换证、产品变更、标准换版等自然过渡的方式完成。

STC 国内实验室为中国指定承担 CCC 检测实验室，有多年检验经验，如有意咨询，欢迎电邮 hkstc@stc.group 查询。

资料来源 http://www.cnca.gov.cn/zw/gg/gg2020/202012/t20201201_64196.shtml

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