

## **Response to the Submission from Saving International (Holdings) Limited on the Dangerous Goods (Amendment) Bill 2000**

We note the concerns raised and have the following comments-

- (a) In accordance with the existing Dangerous Goods (Application and Exemption) Regulations, Cap. 295 sub. leg., para-Dichlorobenzene (PDCB) and Naphthalene (crude or refined) are classified as dangerous goods under Category 4 Class 1 and Category 8 respectively. Any person who stores or conveys the substances in excess of their exempted quantities (i.e. 25 kilogrammes and 50 kilogrammes respectively) is required to obtain a licence from the Fire Services Department. Otherwise, the person commits an offence punishable by a maximum fine of \$25,000 and imprisonment for 6 months. On the other hand, Camphor is not classified as dangerous goods under the existing legislation.
- (b) In our proposed amendments to the Dangerous Goods (Application and Exemption) Regulations, all these three types of substances will be classified as dangerous goods in accordance with the International Maritime Dangerous Goods Code.
- (c) As part of the review of the existing Dangerous Goods Ordinance and its subsidiary legislation, the Dangerous Goods Standing Committee has suggested that the exempted quantities for PDCB, Naphthalene and Camphor should be revised as follows-

	<u>Industrial premises</u>	<u>Non-industrial premises</u>
PDCB	1000 kg	100 kg
Naphthalene	200 kg	50 kg
Camphor	50 kg	50 kg

The Fire Services Department has initiated discussion with the trade affected and is prepared to revisit the appropriate levels of exempted quantities that should be provided for and consult the Dangerous Goods Standing Committee again if necessary (see sub-para. (e) below). The revised levels of exempted quantities will then be incorporated in the proposed amendments to the subsidiary legislation under the Dangerous Goods Ordinance.

- (d) We have sought clarification from the Tokyo Fire Department and were advised that PDCB, Naphtahlene and camphor are not classified as hazardous materials under the Fire Services Law in Japan. However, these substances are classified as designated flammables (i.e. objects which, if ignited, will cause a rapid fire spread, and it will be highly difficult to put out such a fire) under the Municipal Ordinance, which specifies that any person storing or handling 3,000 kilogrammes or more of these substances is required to report to a fire station chief or his equivalent.
  
- (e) The Fire Services Department met the representatives of the Hong Kong Retail Management Association, the operators of two large supermarket chains and the Saving International (Holdings) Limited on 29 December 2000 to discuss the concerns of the wholesale and retail trades over the proposed exempted quantities for dangerous goods. The meeting agreed that it would be necessary to first find out the composition of the product concerned in order to determine the application of the Dangerous Goods Ordinance or otherwise and, if so, the proper classification. The Fire Services Department is now working with the trades to identify the importers and suppliers of such products and to seek their assistance in providing relevant information. The consultations will continue to address the concerns and the needs of the trade.