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the Administration)

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LegCo Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Tuesday, 17 July 2001 at 2:30 pm
in Conference Room A of the Legislative Council Building

Members Present : Hon Fred LI Wah-ming, JP (Chairman)
Hon Tommy CHEUNG Yu-yan, JP (Deputy Chairman)
Hon David CHU Yu-lin, JP
Hon James TO Kun-sun
Hon YEUNG Yiu-chung, BBS
Hon SZETO Wah
Hon Abraham SHEK Lai-him, JP
Dr Hon LO Wing-lok
Hon WONG Sing-chi

Members Attending : Hon LEE Cheuk-yan

Members Absent : Hon Albert HO Chun-yan
Hon CHAN Yuen-han, JP
Hon SIN Chung-kai
Hon WONG Yung-kan
Hon Jasper TSANG Yok-sing, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah
Hon LAW Chi-kwong, JP
Hon TAM Yiu-chung, GBS, JP
Hon Michael MAK Kwok-fung
Hon IP Kwok-him, JP

Public Officers : Item II

Attending

Mrs Stella HUNG
Deputy Secretary for the Environment and Food (A)

Mr David LAU
Principal Assistant Secretary for the Environment and Food (A) 2

Mrs Rita LAU
Director of Food and Environmental Hygiene

Mrs Marion LAI
Deputy Director (Administration and Development)
Food and Environmental Hygiene Department

Mr W H CHEUK
Deputy Director (Environmental Hygiene)
Food and Environmental Hygiene Department

Mr LO Fu-wai
Assistant Director (Grade Management & Development)
Food and Environmental Hygiene Department

Mr K K LEE
Assistant Director (Operations)2
Food and Environmental Hygiene Department

Ms Rhonda LO
Assistant Director (Operations) 3
Food and Environmental Hygiene Department

Mr LAI Ip-cheung
Assistant Director of Housing (Management)
Housing Department

Item III

Mrs Stella HUNG
Deputy Secretary for the Environment and Food (A)

Mr David LAU
Principal Assistant Secretary for the Environment and Food (A) 2

Mrs Rita LAU
Director of Food and Environmental Hygiene

Dr S P MAK
Deputy Director (Food and Public Health)
Food and Environmental Hygiene Department

Dr Gloria TAM
Assistant Director (Food Surveillance and Control)
Food and Environmental Hygiene Department

Ms Rhonda LO
Assistant Director (Operations) 3
Food and Environmental Hygiene Department

Item IV

Mrs Stella HUNG
Deputy Secretary for the Environment and Food (A)

Mr David LAU
Principal Assistant Secretary for the Environment and Food (A) 2

Mrs Rita LAU
Director of Food and Environmental Hygiene

Dr S P MAK
Deputy Director (Food and Public Health)
Food and Environmental Hygiene Department

Dr Gloria TAM
Assistant Director (Food Surveillance and Control)
Food and Environmental Hygiene Department

Ms Rhonda LO
Assistant Director (Operations) 3
Food and Environmental Hygiene Department

Dr L Y TSE
Consultant (Community Medicine)
Department of Health

Item V

Mrs Stella HUNG
Deputy Secretary for the Environment and Food (A)

Mr David LAU
Principal Assistant Secretary for the Environment and Food (A) 2

Mrs Rita LAU
Director of Food and Environmental Hygiene

Dr S P MAK
Deputy Director (Food and Public Health)
Food and Environmental Hygiene Department

Dr Y Y HO
Consultant (CM)(RAC)
Food and Environmental Hygiene Department

Clerk in Attendance : Mrs Constance LI
Chief Assistant Secretary (2)5

Staff in Attendance : Miss Irene MAN
Senior Assistant Secretary (2)9

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I. Date of next meeting and items for discussion
(LC Paper Nos. CB(2) 2097/00-01(01) and (02))

Members agreed that the next meeting of the Panel should be held on 5 October 2001 at 10:45 am to discuss the following items-

- (a) the proposed alignment of market rental adjustment mechanism ; and
- (b) the food surveillance programme.

(Post-meeting note: At the request of the Administration and with the concurrence of the Chairman, item (b) was replaced by a new item on Anti-mosquito and anti-rodent campaign.)

II. Management of Hawker Control Teams and control of hawking activities
(LC Paper Nos. CB(2) 2097/00-01(03) and (04))

2. At the invitation of the Chairman, Deputy Director (Administration and Development) of Food and Environmental Hygiene Department (DD(A&D)) briefed members on the Administration's paper (LC Paper Nos. CB(2) 2097/00-01(03)). She

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said that in May 2000, the Food and Environmental Hygiene Department (FEHD) informed the Panel that a comprehensive review of hawker control operations would be conducted. The review had now been completed with recommendations to improve different aspects of hawker control management and operations, such as-

- (a) the organisational structure and establishment of sector patrol squads, raiding teams and support services (paragraphs 11-23 in the paper);
- (b) the mode of operation of the Hawker Control Teams (HCT) including arrest, seizure and prosecution procedures as well as the provision of vehicles (paragraphs 24-39 in the paper); and
- (c) the human resources management of the Hawker Control Officer (HCO) grade including staff training and discipline.

DD(A&D) said that implementation of the recommendations would result in deletion of some 600 posts, and that the deletion of the posts in the HCO grade should be in phases and most probably be achieved by natural wastage. She added that any surplus staff would be considered for redeployment to other duties.

3. Mr LEE Cheuk-yan expressed concern that it might not be possible to re-deploy some surplus staff to other duties, and this would lead to more unemployment. He queried whether the recommendations could really improve the efficiency of the HCTs. For example, the proposed segregation of duties for the sector patrol squads and raiding teams so that they would be responsible respectively for licensed and unlicensed hawkers would result in the need for more staff resources. Mr LEE also asked whether there was any arrangement for leave replacement if the three raiding teams in each district were to operate on a three-shift system seven days a week.

4. Director of Food and Environmental Hygiene (DFEH) clarified that the purpose of the review was not to reduce staff establishment but to enhance the operational efficiency and cost effectiveness of hawker control operations in response to public concerns. She said that previously LegCo Members had raised concern about the substantial resources put into hawker control and management. As over \$1 billion was spent on hawker control annually, the Administration had the responsibility to ensure that resources were used in a cost-effective manner. She pointed out that one important aspect of the review was to classify the different patrol and enforcement duties and to devise objective standards for such duties in order to facilitate staff deployment to deal with different situations.

5. Referring to paragraph 12 of the paper, DFEH said that the structure of HCT patrol squads in urban and NT areas was different. To ensure effective control of hawkers in different parts of the territory, it was proposed that in future, all sector patrol routes should be classified according to the nature and seriousness of the problem and the patrol frequency required. She said that there would be some

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adjustment in manpower for the different patrol routes based on objective criteria, for example, more resources would be deployed to hawker blackspots reported by District Councils or the public.

6. With regard to the duties of the sector patrol squad, Assistant Director (Operations)2 of the Food and Environmental Hygiene Department (AD(Ops)2) clarified that the patrol squads would not only patrol the area but would also disperse the unlicensed hawkers along the route. The squad would inform the raiding teams if there was persistent obstruction caused by unlicensed hawkers. If the patrol squads were successful in dispersing the unlicensed hawkers, they would concentrate on taking enforcement actions against obstructions caused by the licensed hawkers and shops. AD(Ops)2 pointed out that it was a waste of resources in the past for the HCT to undertake arrest duties as the whole patrol squad would have to leave its patrol area to complete the charging procedures at the police station. For more cost-effective use of staff resources, the enforcement strategy would be revised in that prosecution against obstruction would be made by summons if the warning was not heeded. Only if obstruction persisted after summons action would the raiding team be called upon to take arrest action. The revised arrangement would enable FEHD to obtain more accurate information on the district conditions and make better use of staff resources as the raiding teams could cover a wider enforcement area.

7. Mr LEE Cheuk-yan said that if the patrol teams were effective in dispersing the unlicensed hawkers, there was no need for the raiding teams. He asked whether it would be more cost-effective to retain the existing all-purpose team to deal with obstructions caused by licensed and unlicensed hawkers, instead of creating separate raiding teams. He pointed out that the review would actually lead to a reduction of posts even though DFEH had said that this was not the purpose of the review. He also sought clarification on the leave arrangements as he noted that an extra team had been created as leave reserve in Tsuen Wan District.

8. DFEH explained that it was necessary to retain flexibility in the deployment of enforcement staff depending on the conditions and extent of problems in different areas. For example, if a district had very serious hawking problems at a particular time of the day, more than one squad/team might have to be deployed for carrying out enforcement in that area during such time. Moreover, as it was necessary to keep the enforcement strategy such as the raiding timetable confidential, it was not practicable to lay down rigid staff deployment plans in all situations.

9. DFEH further said that dispersing unlicensed hawkers by sector patrol squads could also reduce conflicts which were common during arrest actions. The leader of a patrol squad would have to assess the problem of hawker obstruction in the area, from the angle of public health and environmental hygiene, to determine what enforcement actions should be taken. She said that the experience and judgement of the squad leader were important in deciding the appropriate enforcement strategy and staff deployment on the spot, and the role of patrol squad leaders and enforcement

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strategies were also part of the review. DFEH stressed that the whole review was conducted in a highly transparent manner and FEHD had consulted the frontline staff during the review. FEHD would further discuss with the staff and carefully consider their views on the recommendations.

10. Assistant Director (Operations)3 of the Food and Environmental Hygiene Department (AD(Ops)3) advised that in the proposed staffing structure, FEHD had already taken into account the leave arrangement for sector patrol squads and raiding teams. For instance, there would be three raiding teams in each district with at least one team for each shift plus one team to provide for leave. Similar leave arrangements were also provided for sector patrol squads. She said that the proposed staffing structure was based on objective standards and professional calculations on the time required for each job. The same methodology was adopted for calculating the number of sector patrol teams.

11. Mr LEE Cheuk-yan maintained the view that the proposed segregation of duties between the patrol squads and raiding teams would reduce the flexibility in enforcement actions against illegal hawking and obstructions. He preferred the existing arrangement of having an all-purpose patrol team to perform both patrol and arrest functions.

12. The Chairman asked whether the Working Group had reviewed the existing arrangement that the whole HCT would need to go to the police station to lay charges, leaving the patrol area unsupervised. He considered such practice an ineffective use of manpower resources.

13. DFEH agreed with the Chairman that the current practice in making arrest and laying charges were not satisfactory. She said that the Working Group had reviewed the arrangements and recommended that only one or two officers responsible for the arrest should bring the arrested hawkers to the police station while the rest of the raiding teams should remain in the district and continue to perform their duties.

14. Mr Tommy CHEUNG expressed support for the proposal of segregation of duties between the sector patrol squads and raiding teams, for reasons given in the Administration's paper. He noted that the proposal would bring about a net saving of about \$90 million per annum. However, in view of the recent economic downturn, he asked whether the Working Group had considered the following in recommending the structure and staffing of HCTs-

- (a) whether there was an increase in the number of unlicensed hawkers since the financial crisis in 1998;
- (b) whether the surplus posts identified could be absorbed by the Voluntary Retirement Scheme (VRS) and natural wastage; and

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- (c) whether the HCT staff or labour unions would agree to the proposal of flexible staff deployment and flexible shift patterns.

15. Referring to paragraph 41 of the paper, DFEH advised that the reduction of posts would affect only three grades in HCTs, i.e. Driver, Workman I (WmI) and Assistant HCO (AHCO). The Driver and WmI grades were subject to VRS and a number of applications to join the VRS had been received from these two grades. It was expected that the VRS could absorb the excess of manpower of the Driver and WmI grades upon implementation of the Working Group recommendations. As regards the HCO grade which was not subject to VRS, the excess manpower would be dealt with by natural wastage and FEHD would not force any AHCO to leave.

16. On the flexible shifts system, DFEH explained that more flexible staff deployment was necessary to cope with changes in the mode of hawking activities, and to curb illegal activities such as the sale of illegal meat and the operation of illegal meat roasting factories and slaughterhouses. She said that as enforcement actions against such illegal activities would not be confined to certain hours of a day, it was necessary to have flexible shift patterns for effective enforcement. She said that HCT staff were already accustomed to work irregular hours and even overnight. She assured members that FEHD would further consult the staff on the detailed arrangements.

17. As regards whether AHCOs could be included in VRS, DFEH said that VRS was applicable to the affected grades in the whole civil service, while the HCO grade only existed in FEHD. She said that there was no proposal to include AHCO in VRS at this stage but individual staff members could give views in this regard.

18. Mr LEE Cheuk-yan considered that even with VRS and the creation of 28 posts, it was unlikely that the 211 WmI surplus posts could be absorbed. Moreover, it would take a very long time to delete the 323 AHCO surplus posts through natural wastage. As FEHD intended to implement the Working Group recommendations by stages, he asked about the deployment arrangements for WmIs and AHCOs.

19. DFEH explained that WmI was a common grade which existed in many government departments, and she did not envisage much difficulty in their re-deployment. As for the HCO grade, she said that the name of the grade did not adequately reflect their duties which included prosecution of minor littering offences and obstructions caused by illegal shop extensions. She said that FEHD might consider enhancing their responsibilities in areas other than hawker control. She believed there was room for the AHCOs' job development.

20. Mr LEE Cheuk-yan doubted the feasibility of deleting the 300 surplus AHCO posts by natural wastage. He said that as the annual wastage rate was only 30 AHCOs on average, it would probably take 10 years to have all surplus posts deleted. He

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suggested that the Administration should consider providing more patrol teams to strengthen hawker control instead of deleting the posts.

21. DFEH reiterated that the recommendations would be implemented by phases, and that the implementation plan was subject to discussion with the staff. DD(A&D) added that there were about 70 vacancies in the HCO grade, hence the actual number of surplus staff would be around 220 only.

22. The Chairman raised the following questions-

- (a) the rationale for the proposal of creating 96 raiding teams which represented some 40% of the HCO grade;
- (b) the measures taken by FEHD to prevent leakage of information on raiding operations;
- (c) the reasons for creating senior posts after deleting the AHCO posts; and
- (d) whether Housing Department (HD) would be requested to complement the measures to be taken by FEHD.

23. DFEH advised that FEHD had found raiding very effective in the past 18 months. She clarified that although there were some aborted operations, it was not caused by the leakage of information. She said that the hawker control operations and the procedures were subject to regular review by the Corruption Prevention Department (CPD) of the Independent Commission Against Corruption. FEHD had already adopted the recommendations of the CPD including measures to prevent leakage of confidential information on raiding and special operations. For example, the operation details would remain secret until the day of operation and only the team leader would know the time and destination(s) beforehand. She said that allegations of information leakage were groundless. She also assured members that FEHD would keep the secrecy measures under review.

24. As regard the proposed creation and deletion of posts in the HCO grade, DD(A&D) advised that the proposed structure aimed to make the enforcement work more effective and smooth. She explained that a Chief HCO post was proposed to oversee and better manage the HCO grade including improving staff training and development. Moreover, there were other management and support duties which were currently performed by HCO grade staff deployed from other streams. FEHD intended to regularise the arrangement by formally creating some senior posts within the HCO grade to take over such duties. She stressed that strategic planning and support services were essential to effective enforcement actions.

25. Assistant Director of Housing (Management) advised that HD currently had a wastage rate of about 20% as a result of the Staff Voluntary Departure Scheme (VDS).

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At present, the hawker control establishment included Senior Foreman, Foreman and Workman II, and there were about 466 staff in total, divided into eight teams each responsible for a region. He said that HD would also review the establishment for hawker control in each region and would continue to work closely with FEHD in tackling the hawker problem. He said that over 900 joint actions had been carried out by HD and FEHD from 1 April 2000 to 31 March 2001 to disperse hawkers.

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26. In reply to the Chairman, DD(A&D) said that FEHD had started consultation on the recommendations from 13 July 2001 and hoped that implementation could commence before the end of the year. The Chairman requested the Administration to report the consultation outcome to the Panel, before a decision was taken on the implementation. The Administration agreed.

III. Contamination of meat with the E. coli O-157 bacteria
(LC Paper No. CB(2) 2097/00-01(05))

27. At the invitation of the Chairman, Assistant Director (Food Surveillance and Control) (AD(FSC)) briefed members on the paper. She said that E-coli O-157:H7 was a bacterium commonly found in the intestines of cattle. The toxin produced by the bacterium might affect human health seriously. Children, the elderly and the chronically ill were especially prone to be infected. There were also reports in overseas countries of death cases arising from infection of the bacteria. She stressed, however, that the bacteria could be killed at a temperature of 75°C for two to three minutes through normal cooking procedures.

28. AD(FSC) advised that from April 1997 onwards, the Administration had introduced an E. coli O-157:H7 surveillance programme at the slaughterhouse to ensure a hygienic slaughtering process. Among the 200 samples taken in the past few years, none was found containing the bacterium, and this showed that the hygienic conditions of the slaughterhouse had been maintained at a high level. On 16 June 2001, FEHD was informed that E. coli O-157 H7 was found in a sample taken from a cattle carcass on 12 June 2001. FEHD had immediately taken actions including thorough cleansing of the slaughter lines and disinfection of all equipment in Sheung Shui Slaughterhouse (SSSH). Environmental swabs were also collected for analysis to ascertain that SSSH was cleared of E. coli O-157 H7. The analysis showed that none of the swabs contained E. coli O-157 H7, and the record showed that the intestines of the cattle had not been pierced during the slaughtering process.

29. On the reasons for the contamination of the beef, AD(FSC) said that it was possible that the body of the animal was not thoroughly washed, the slaughtering equipment not thoroughly sterilized or the personal hygiene of the staff was unsatisfactory. FEHD had followed up on the incident with the management of the slaughterhouse and strengthened health education. Apart from thorough cleansing and

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disinfection, FEHD also traced the outlet where the contaminated beef had been sold. After identifying the outlet, FEHD staff were sent to supervise the person in charge of the outlet in cleansing and disinfecting the equipment and brief the workers of the outlet about hygiene matters. AD(FSC) emphasized that since E-coli O-157:H7 was commonly found in the intestines of cattle, members of the public should pay attention to the cleansing of beef and cook it thoroughly before serving.

30. Mr Tommy CHEUNG asked whether the record of the slaughterhouse was inaccurate or incomplete. He also asked whether it was possible to speed up the laboratory analysis so that the result could be available before the beef was sold.

31. AD(FSC) advised that the technology currently adopted for analysis by the Department of Health was the best in accuracy at present. She said that the Administration would consider introducing new forms of tests if they could reach an acceptable standard of reliability. As regards the record kept by SSSH, AD(Ops)3 said that it was reliable because slaughtered cattle were eviscerated in the presence of Health Inspector (HI) who was responsible for inspecting the offal. It was therefore not possible for HI not to have noticed any piercing of the offal during the process.

32. In reply to Mr Tommy CHEUNG, AD(FSC) said that the Administration was experimenting various types of test or analysis but the results produced by such technology were not yet up to an acceptable standard. The Administration would continue to monitor the development of new technology and its reliability before introducing new methods. She stressed that any new form of analysis introduced had to be recognised internationally. As regards the time taken for laboratory analysis, AD(FSC) said that it normally took five days to know the result using the technology currently adopted by DH.

33. The Chairman expressed concern that the Administration had not immediately disclosed the discovery of contamination of beef to the public. He said that in this incident, the contaminated beef was already taken to the retail outlet, and since beef was often served rare, the authorities concerned should have alerted the public immediately of the contamination so that people could take necessary actions such as cooking the food thoroughly. He also queried the purpose of conducting the analysis if the result could only be available after five days.

34. AD(FSC) advised that beef should be thoroughly cooked. She said that the technology currently adopted by Hong Kong was recognised internationally. She advised that only Hong Kong and the United States had included E-coli O-157:H7 bacterium as a surveillance target, but other places such as Canada, Australia and Europe did not conduct such tests. She advised that the test was only used to reflect the hygiene conditions of the slaughtering process as well as the health conditions of the cattle imported. The test result would be reflected to the import farms for improvements. In the past four years, the bacterium was only discovered in this incident among the 200 samples taken.

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35. AD(FSC) further advised that over the past years, FEHD had been educating the public that cattle were natural carriers of E-coli O-157:H7. She said that FEHD had taken immediate follow-up action in this incident according to internal guidelines when informed of the test result. In view of the public concern, FEHD would consider strengthening the release of information to the public. The Chairman stressed that the public had the right to know and that FEHD should release any such information to the public in future. Mr Tommy CHEUNG agreed with the Chairman.

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36. Mr Tommy CHEUNG added that in the United States, the meat would be frozen immediately after slaughtering, and that even after it was sold to the consumer, it would not be eaten until after several days. This was different from the situation in Hong Kong where the beef was sold and consumed within one or two days. Therefore, while the United States might accept five days as a reasonable period for the availability of bacterial test result, Hong Kong would need a quicker method to know whether the beef was contaminated before it was sold or consumed. He suggested that the Administration might discuss with the universities and experts in this regard to further protect public health. The Administration noted the suggestion.

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IV. Clenbuterol food poisoning incidents (LC Paper No. CB(2) 2097/00-01(06))

37. At the invitation of the Chairman, Consultant (Community Medicine) of the Department of Health (C(CM)) briefed members on the recent clenbuterol food poisoning incidents. She said that clenbuterol food poisoning was among the 27 infectious diseases required to be reported by law. The purpose of reporting the diseases was to facilitate investigations by Department of Health (DH) and other departments concerned so that appropriate measures could be taken to protect public health. DH also regularly published information on food poisoning cases through its homepage and publications. Whenever necessary, DH would also make immediate announcements on the cases.

38. C(CM) advised that on 21 June 2001, DH received a food poisoning report of two persons suspected of being affected by consumption of clenbuterol-tainted pig kidney. Joint investigation was carried out with FEHD and food samples of pig offal and pork were taken for testing of clenbuterol. The pig offal and pork remained in the retail outlets were also surrendered for disposal. Between 23 and 28 June 2001, DH received four more reports of suspected clenbuterol food poisoning affecting 10 persons.

39. As there were five reports within eight days and that presence of clenbuterol were confirmed in the urine samples from three cases, C(CM) said that DH released the information on 30 June 2001 and reminded the public to make their purchase from reputable food stores. From July 2001 onwards, DH would also regularly update its

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homepage regarding statistics on confirmed cases of food poisoning due to clenbuterol. She further said that the food surveillance and control measures taken by DH and FEHD were described in paragraphs 6 and 7 of the Administration's paper.

40. Deputy Secretary for the Environment and Food (A) added that a subcommittee had been set up by LegCo to examine the Public Health (Animals and Birds)(Chemical Residues) Regulation and the Harmful Substances in Food (Amendment) Regulation 2001. The Administration expected that the problem of food poisoning by clenbuterol would be more effectively controlled and prevented at source after these two regulations had come into force.

41. The Chairman asked why the Administration believed that the contaminated pork came from illegal sources. AD(Ops)3 advised that all food livestock should come from either Tsuen Wan Slaughterhouse or Sheung Shui Slaughterhouse. Slaughtered pigs and cattle were sent to the retail outlets under delivery orders. Since last year, FEHD had started to require the slaughterhouses to indicate on the delivery orders the tattoo number allotted to each carcass to facilitate inspections by Health Inspectors at the retail outlets. AD(Ops)3 added that FEHD had discovered the sale of illegally slaughtered pigs and smuggled meat at retail outlets through surprise inspections. Between January and June 2001, FEHD had taken vigorous enforcement action against illegal slaughtering and smashed 11 illegal slaughterhouses. FEHD would continue to conduct operations and surprise inspections to combat illegal smuggling and sale of illegally slaughtered meat at retail outlets.

42. In reply to the Chairman, AD(Ops)3 said that while Health Inspectors could match the number on the delivery order with that on the carcass, it would be difficult to trace the source if the carcasses had been cut up into pieces for sale at the retail outlets. In the recent cases, the Administration did not rule out the possibility that meat from illegal source were sold at the retail outlets concerned.

43. The Chairman asked whether it was possible for the illegally slaughtered pigs and smuggled meat sold at the retail outlets to bear a fake number which was the same as that of the legally slaughtered ones, so that the Health Inspectors could not detect that they were from illegal sources. AD(Ops)3 said that she could not rule out such possibility, therefore members of the public were advised to purchase meat from reputable food stores.

44. Mr Tommy CHEUNG enquired whether the retailers deliberately purchased from illegal sources, or whether the wholesalers mixed meat from illegal sources with that from legal sources so that even the retailers might not know about it. DFEH said that both scenarios were possible. She agreed with the Chairman that there were practical difficulties to entirely tramp down such illegal activities. However, there were other surveillance and control measures to protect public health. For example, before pigs were slaughtered, urine samples were taken for laboratory analysis on

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clenbuterol residues, and meat samples were also taken from retail outlets for analysis. Retailers found to be selling contaminated food were prosecuted.

45. DFEH stressed that the most effective means was to tackle the problem at source. Therefore, vigorous actions had been taken to smash illegal slaughterhouses and to combat smuggling activities, in order to prevent contaminated meat from being sold at retail outlets.

46. Mr YEUNG Yiu-chung asked how members of the public could know which were the reputable food stores. DFEH said that it was not appropriate for the enforcement agency to offer quality ratings on food stores, but she would welcome a quality assurance system to be developed by the trade itself. She said that under the present enforcement system, retail outlets convicted of selling meat from illegal sources would attract demerit points and might even have their licences suspended. These were indicators to the public regarding the hygiene standard of the food sold at these retail stores. She advised that the public should be cautious if the price of pork sold at a particular store was much lower than the other stores.

47. Mr YEUNG Yiu-chung asked whether FEHD would consider actively encouraging the trade to adopt a quality assurance system for meat stalls to enhance consumer information. DFEH said that she welcomed any suggestion from the trade in this connection.

48. Mr Tommy CHEUNG considered it necessary to review the current tattoo system for pigs because the number could no longer be seen if the carcass was cut into pieces. The Chairman requested the Administration to consider the suggestion.

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V. Monitoring of chemical levels in sauces and other food products
(LC Paper No. CB(2) 2097/00-01(07))

49. At the invitation of the Chairman, Consultant (CM)(RAC) of the Food and Environmental Hygiene Department (C(CM)(RAC)) briefed members on the paper. He said that following the UK publication of reports on soy sauces in June 2001, concerns had been raised about the possible public health implications. On the monitoring of 3-MCPD and 1,3-DCP in soy sauces and other savoury products, C(CM)(RAC) said that both chemicals belonged to a chemical group called chloropropanols. Since 1,3-DCP was generated from 3-MCPD, food containing 3-MCPD would also have 1,3-DCP. 3-MCPD might be generated as by-products in manufacturing soy sauce. The safety of the two chemicals were evaluated by the Joint FAO/WHO Expert Committee on Food Additives, which concluded that the two chemicals were undesirable contaminants in food and that their levels should be reduced as far as was technically possible.

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50. As to whether these two chemicals were carcinogenic, C(CM)(RAC) advised that the European Union Scientific Committee on Food opined that 3-MCPD was carcinogenic in rats, and 1,3-DCP was also considered carcinogenic. However, it was only a preliminary conclusion and it had not been established that they would cause cancer in human. Up to present, no international consensus had been reached on the limit of the two chemicals in food. The Codex Alimentarius Commission (CAC) had discussed the issue in early 2001 but was not able to propose a control limit. Different countries had adopted different approaches in tackling the presence of the two chemicals in food. The United States (US) and Canada suggested compliance to a guideline level of 1 mg/kg for 3-MCPD, whereas the European Commission stipulated a control limit of 0.02mg/kg in law for implementation in early 2002.

51. C(CM)(RAC) said that although there was no prescribed limit for the two chemicals in local laws, the trade was advised since late 1999 to reduce the levels of the chemicals in food. If the sauces were to be exported, the limit for the chemicals should comply with the requirements of the designated countries. So far, results of 72 samples indicated that 3-MCPD was not detected in 57 of them. Of the remaining 15 samples containing 3-MCPD, seven samples were found to contain 3-MCPD above the US guideline level. FEHD had been following up with the manufacturers and importers and would keep in view of developments.

52. Mr Tommy CHEUNG asked about the level of exceedence above the US guideline in the seven samples. C(CM)(RAC) said that he did not have the exact figures in hand; however, the other eight samples except one were found to contain 3-MCPD at a level lower than the US guideline level but above the European control limit.

53. Referring to paragraph 12 of the paper, the Chairman asked why the US guideline level was adopted instead of the European control limit in testing the 3-MCPD level in food samples. He expressed concern that Hong Kong could not prohibit the import of food which exceeded the US guideline level as there was no legislation governing the control limit of 3-MCPD in Hong Kong. The Chairman sought the Administration's view on the safety of the soy sauces available in the local market.

54. Deputy Director (Food and Public Health) of the Food and Environmental Hygiene Department said that while both 3-MCPD and 1,3-DCP were carcinogenic in rats, it had not been established that they would cause cancer in human. C(CM)(RAC) added that the trade could actually reduce the level of 3-MCPD in food by methods such as natural fermentation or using enzyme hydrolysis instead of acid hydrolysis in soy sauce manufacturing.

55. Mr YEUNG Yiu-chung asked whether there were any incentives for the manufacturers to change their manufacturing method, for example, whether the changes were costly or whether there were penalties for not doing so. C(CM)(RAC)

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said that although the change might add costs to the manufacturing process, the trade had reacted positively towards the methods suggested and they had taken appropriate measures to reduce 3-MCPD.

56. The Chairman was of the view that since overseas countries had been taking steps to regulate the level of chemicals used in food, the Administration should consider establishing a prescribed level on the usage of chemicals used in food to safeguard public health. DFEH advised that if there was concrete scientific evidence concerning the carcinogenicity of the chemicals and subject to the availability of an internationally agreed regulatory standard, the Administration would consider establishing a prescribed limit for Hong Kong. She said that at present there was no international consensus in this respect apart from discouragement on the use of such chemicals in food. She added that as a member of the World Trade Organization, any new standards imposed by Hong Kong had to be based on concrete scientific evidence or else they would be seen as barriers to free trade.

57. DFEH said that the Administration would actively participate in the CAC, and a local regulatory structure would be considered once there was an agreed regulatory standard. Regarding the safety of the soy sauces available in the market, DFEH pointed out that since the existing scientific evidence did not indicate the carcinogenicity of the chemicals to human, FEHD should not impart any misleading information to the public. FEHD would continue to monitor the situation and keep in view of international developments.

VI. Any other business

58. There being no other business, the meeting ended at 4:20 p.m.

Legislative Council Secretariat

23 November 2001