

Chapter XI : Environment and Food

11.1 At the Chairman's invitation, Mrs Lily YAM, the Secretary for the Environment and Food (SEF), briefed members on the main initiatives of the programmes under her policy area (Appendix V-10).

Food safety

11.2 While accepting that priorities for food sampling should be based on risk assessment given the limited provision of \$35.5 million, Dr LO Wing-lok asked if the said provision had allowed for the Food Surveillance and Labeling Unit to carry out regular and proactive food surveillance programmes to prevent recurrence of food safety problems such as the recent revelation on the use of stevioside, a banned artificial sweetener. SEF stressed that she was aware of public aspiration that the Administration should ensure the safety of imported food items. However, it was not easy for the Food and Environmental Hygiene Department (FEHD) to keep up with the many new food items emerging daily to meet the ever changing taste and needs of consumers. She pointed out as Hong Kong was a free economy with no restriction on the import and sale of food items, the problem of sale of food items containing banned ingredients could only be eradicated with the full cooperation of the food industry and consumers. To this end, FEHD would step up communication with food importers and retailers so that they would be made aware of their responsibility to ensure that food imported or sold would meet the safety standards in Hong Kong. At the same time, FEHD would endeavour to enhance the flexibility and sensitivity of the food surveillance programme to prevent similar recurrence of the stevioside incident. It would maintain close watch on imports from countries which supplied most of food items consumed in Hong Kong and had different food safety standards from ours. More information on food legislation would be provided to the public to facilitate a better understanding of the subject so that they might assist in monitoring the sale of prohibited items.

11.3 As regards Dr LO's enquiry on the risk assessment studies on high risk and popular foods, the Director of Food and Environmental Hygiene (DFEH) said that studies on artificial sweeteners, salads as well as dietary intake of dioxin and heavy metals by secondary students would be conducted in 2002-03. To enhance the Department's food control and surveillance capabilities, a food research laboratory was being set up under FEHD. Research on soy sauce and caffeine in beverages would be given priority upon the establishment of the

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laboratory. DFEH also confirmed in response to Mr WONG Yung-kan that it was the Administration's intention to continue with risk assessment studies on specific food items on an ongoing basis.

11.4 Regarding the reduction in the taking of food samples in 2002-03, DFEH explained that the number of food samples to be taken was based on a sampling ratio of 8 samples per 1 000 population per year while priorities for sampling was based on risk assessment. The number of samples to be taken in 2002-03 was in line with the ratio. She assured members that FEHD would continue to maintain a vigilant programme on food surveillance.

11.5 Given that only 20 out of the 800 registered livestock and poultry farms in the Mainland which were qualified to supply food animals to Hong Kong would be inspected in 2002-03, Mr Fred LI queried how long it would take to complete inspection for all of them. He also asked if mariculture farms in the Mainland which supplied seafood to Hong Kong would be inspected. DFEH emphasized that the purpose of the inspections to livestock and poultry farms was not a replacement for the work of the Mainland authorities in ensuring that livestock and poultry farms met with their required standards. Very stringent health standards and quarantine control were in place governing the husbandry industry in the Mainland, and in respect of farms registered and qualified to supply food animals to Hong Kong, they had veterinary officers stationed in the farms. She noted Mr LI's concern about the need to exercise more vigilance in ensuring compliance with the legal requirements prescribed in the Public Health (Animals and Birds) (Chemical Residues) Regulation and the Harmful Substances in Food (Amendment) Regulation 2001 recently implemented to control the use of antibiotics in food animals. Within suitable deployment of its existing resources, FEHD had been able to complete inspection of 30 livestock and poultry farms in 2001-02. With the new funding in 2002-03, two additional inspection teams would be set up. While the exact number of farms to be inspected was not available at this stage as some of them might require follow-up inspections, DFEH expected to be able to exceed the proposed target of 20. She added that inspection teams would have the flexibility to inspect different farms, including mariculture farms where necessary.

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11.6 As the number of inspections to food premises in 2001-02 had decreased as compared to that in the previous year, Mr Tommy CHEUNG enquired about the minimum number of inspections which was considered adequate without compromising on food safety. He pointed out that the frequency of inspection in Hong Kong was extremely high as compared to that in Canada and the United States, and that there might be a need to review the frequency. DFEH said that with the adoption of a risk-based approach and the conduct of more comprehensive and thorough inspections as recommended in the consultation paper on “The Inspection and Categorization of Food Establishments”, the number of inspections was expected to be reduced. The number could be further reduced with the increased awareness of the trade to comply with food regulations. The savings in resources as a result of the reduction could be more effectively deployed in other areas of work.

11.7 Regarding Mr CHEUNG’s further enquiry on the decrease in number of prosecutions against licensed and unlicensed food premises, DFEH said that this was mainly due to the trade displaying a higher level of compliance with the food regulations and the shorter lead time for restaurateurs to apply for a provisional licence to start their business. The redeployment of Health Inspectors responsible for restaurant inspections to handle urgent food incidents such as the outbreak of Cholera and avian flu also attributed to the lower prosecution figures. At members’ request, DFEH agreed to provide a breakdown on the number and nature of successful prosecutions against licensed and unlicensed food premises.

Avian flu

11.8 Noting that \$33.1 and \$39.7 million had been spent in 2001-02 and 2002-03 respectively to implement the avian flu surveillance system, Ms Emily LAU enquired about the total expenditure incurred in combating avian flu since its first outbreak in 1997. She also enquired about the Administration’s plan to resolve the problem as it was undesirable to invest substantial resources in the surveillance system, particularly when the provision of monetary compensation to chicken farmers and stall holders for slaughtering of chickens had in fact discouraged them from taking necessary precautionary measures against recurrence of the disease.

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11.9 SEF advised that the total compensation and ex gratia allowance paid out to chicken farmers and stall holders amounted to \$90.4 million in 1997, \$88.6 million in May 2001 and \$25 million for the recent outbreak in 25 local farms. She pointed out that although the poultry trade had indicated that it would take action such as setting up of a compensation fund to combat avian flu, there had not been much progress so far. She agreed that the Administration would need to work out a policy to combat avian flu in the long run. An investigation team had been set up with the Director of Agriculture, Fisheries and Conservation (DAFC) in the chair to establish the causes of the recent outbreak and to recommend measures to reduce the likelihood of similar incidents in future. The Administration would take into account the recommendations which the team was expected to finalize in April 2002 and consult the trade and the relevant Legislative Council (LegCo) Panel in determining the way forward. She went on to say that in determining the way forward, the first and foremost consideration would be the protection of public health. Care had also to be taken to minimize the impact on the poultry trade, particularly in the current economic situation. At the same time, the Administration would have to consider the substantial resources incurred in preventing and managing any avian flu outbreak.

11.10 Referring to the proposed creation of one Senior Veterinary Officer post and one Veterinary Officer post under the Agriculture, Fisheries and Conservation Department (AFCD) for local livestock farm inspection in 2002-03, Dr LO Wing-lok asked if consideration would be given to assessing applicants' experience in livestock diseases. DAFC said that there were actual difficulties in recruiting these veterinary officers given the limited supply of suitable candidates in the job market. Notwithstanding, AFCD would try its best to recruit veterinary officers from both Hong Kong and overseas, preferably with livestock experience.

Management of markets

11.11 Mr TAM Yiu-chung expressed concern about the high vacancy rate of market stalls managed by FEHD. He enquired if this was attributed to unfair competition from superstores and whether efforts would be made to improve the competitiveness of market stalls. DFEH explained that of the 2 968 vacant stalls, over 1 600 were reserved for specified purposes such as resiting commitments or improvement works. Discounting these, vacancy rate was only 8.6% and was

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consistent with that of past years. She added that while efforts, such as retrofitting markets with air-conditioning system, stepping up cleansing services and provision of toilet attendants, would be made to improve the service standards of markets managed by FEHD, there were some older markets which had lost their competitiveness due to their poor locations and below standard facilities. Mr TAM however queried the need to reserve market stalls having regard to the high vacancy rate. DFEH said that a certain number of market stalls had to be reserved to meet the needs of stall operators and therefore could not be put out for tender.

Outsourcing programme

11.12 Miss CHAN Yuen-han noted with concern that the programme for outsourcing of cleansing services in 2002-03 would result in the deletion of 1 130 posts, a majority of which would include Workman I and II. She enquired about FEHD's plans to absorb the staff who had been made redundant as a result of the outsourcing programme. DFEH said that the outsourcing programme was carefully planned and conducted through an open and fair tendering system. It had increased productivity and enhanced cost-effectiveness. FEHD would take into account the deployment of existing staff in implementing the programme. A voluntary retirement scheme had been introduced last year to tie in with the outsourcing programme and so far no staff had been made redundant as a result.

11.13 Referring to the Financial Secretary (FS)'s plan to promote the development of local community economy, Miss CHAN Yuen-han asked if consideration would be given to forming mutual assistance groups to enable displaced workers to take up outsourced contracts. This would not only create job opportunities but also ensure that workers would be reasonably paid. DFEH said that all outsourcing work had to go through open tender procedures and the programme covered a range of other services apart from cleansing. There were practical difficulties in identifying an organized group of workers who were capable of participating in an open tender for the outsourced work. As regards the development of local community economy, DFEH said that while she was a member of Task Force chaired by the FS, she was not in a position to disclose details on the plans of the working group. She added however that recent initiatives had been well received by the community.

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Environmental awareness

11.14 While appreciating the Administration's efforts in promoting environmental awareness, Mr Martin LEE considered that more should be done in this respect. He opined that as leaders of the community, the Chief Executive, LegCo Members and key Government officials should also be included in the target groups of the Green Leader Programme so that they could take a leading role in promoting environmental awareness within the community. SEF said that as LegCo Members were all conscious of the need for environmental protection, the Administration considered that the limited resources for the promotion of environmental awareness under the Green Leader Programme should be spent on other targets. For the same reason, the Chief Executive and key Government officials were not included in the target group as they had incorporated environmental considerations in public policies. Notwithstanding, SEF undertook to review the strategies for promoting environmental awareness taking into account Mr LEE's views.

Air quality

11.15 Referring to the Administration's proposal to strengthen the emission inspection system for petrol and liquefied petroleum gas (LPG) vehicles through the development of a scheme to spot vehicles emitting excessive emissions, Ms Miriam LAU enquired how the scheme would be carried out given the different nature of emissions between petrol and LPG vehicles. She also asked if consultation on the proposed scheme would be conducted and whether assistance would be given in upgrading the services provided by the vehicle maintenance and repair industry to tie in with the scheme. The Director of Environmental Protection said that the Administration was proposing to develop test methods to detect vehicles which were emitting excessive pollutants other than black smoke. Consideration was being given to placing remote sensing devices at the roadside to detect emissions from vehicles passing by and to conduct quick analysis on the emissions. While these devices were used in the United States and Taiwan and had been adopted in the background survey of emissions from the overall vehicle fleet in Hong Kong in 1993, there were difficulties in applying these devices to vehicles on the roads in view of the heavy traffic in Hong Kong since emissions would likely be added on by other vehicles nearby. An alternative was to use the devices in the annual inspections of

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vehicles. At present, the Administration was only looking at the practicability of the scheme, which was meant to achieve maximum gains from the new policy. Extensive consultation with both the trade and the wider community would be conducted before introducing the scheme.

11.16 On upgrading of services provided by the vehicle maintenance and repair industry, the Deputy Secretary for the Environment and Food (C) (DS(EF)C) advised that this fell under the purview of the Transport Bureau (TB) which was looking into the feasibility of establishing licence control over the industry and more details on the subject could be provided where necessary. Ms LAU however pointed out that as the upgrading of vehicle maintenance and repair services would reduce emissions and improve air quality, the Environment and Food Bureau (EFB) should play a leading role in the process. DS(EF)C confirmed that while TB was taking a lead in upgrading vehicle maintenance and repair services, EFB would be involved with the concerted effort.

11.17 Miss CHOY So-yuk was disappointed at the lack of progress on indoor air quality control and considered that more resources should be earmarked for the provision of education and publicity programmes in this respect. SEF agreed to follow up on Miss CHOY's request.

Waste management

11.18 Ms Emily LAU expressed dissatisfaction that there was yet no decision on the way forward for the Landfill Charging Scheme which had been discussed for years. She said that Members of the Frontier were in support of the polluter-pays principle and the need for a direct settlement system to address waste haulers' concerns about up-front payments. SEF said that the present position of the Landfill Charging Scheme had been set out in a discussion paper presented to the meeting of the Environmental Affairs Panel on 25 February 2002. She stressed that the Administration would not falter in its support for the polluter-pays principle but there were practical difficulties which had to be overcome before implementing the Scheme. While a direct settlement system could be established for major construction and demolition (C&D) waste producers who were responsible for generating 70% of the waste, there were no effective means to extend such a system to cover the remaining small C&D waste producers. Waste haulers' concerns about up-front payments and bad debt problems in the recovery

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of landfill charges from small C&D waste producers would need to be addressed. In the meantime, the Administration would provide the additional information sought by Panel members.

11.19 On Miss CHAN Yuen-han's enquiry about the progress of the voluntary waste recycling scheme, SEF advised that while the Administration had been promoting waste segregation and recycling, it was not until September 2001 that a full scale comprehensive waste recycling programme was launched. The response from the community had been very encouraging and the recovery rate for municipal solid waste had increased by 10% over 2000. She added that the Administration would closely monitor the latest developments of waste recycling and keep members informed.

Nuclear safety

11.20 Referring to the pledge made by the Electrical and Mechanical Services Department (EMSD) on continued improvement in responding to initial alert and in providing technical advice on nuclear incidents, Mr Henry WU enquired about the progress in this respect and the number of staff engaged in the provision of such services. The Director of Electrical and Mechanical Services explained that EMSD had been participating regularly in large-scale mock nuclear exercises organized by the Security Bureau every other year. There had not been any nuclear incidents of public concern since the commissioning of the Daya Bay Nuclear Power Plant (DBNPP). Nonetheless, EMSD would co-ordinate with the Hong Kong Observatory in conducting risk assessments on any occurrence at DBNPP. He added that over the past years, four key staff members of EMSD had been sent to attend a six-month training programme in a nuclear plant in South Africa, which also adopted the same French system. EMSD would constantly keep up with the latest nuclear developments.

Nature conservation and marine parks

11.21 Mr WONG Yung-kan expressed concern about unauthorized fishing and trespassing upon marine parks and reserves by Mainland fishermen. To this end, AFCD might need to consider introducing licence control on fishing in Hong Kong and to consult the fishing industry on the measures which should be taken to protect marine and ecological resources in Hong Kong. DAFC said that while

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funding had been earmarked in 2002-03 for the provision of two additional patrol launches to enhance protection and management of marine parks and reserves, it would be difficult to prevent illegal entry by Mainland fishermen given the extensive coastline in Hong Kong. Nevertheless, joint operations would be conducted with the Marine Police where necessary.

11.22 Mr IP Kwok-him opined that AFCD should enlist assistance from community organizations in the enforcement against unauthorized fishing in and trespassing upon Hong Kong waters. He also requested for a more detailed breakdown of the respective staff cost and recurrent expenses of \$8.8 and \$6 million for the management and protection of marine parks and reserves in 2002-03. DAFC advised that apart from the existing 35 staff members, three additional staff would be recruited in 2002-03 for the management and protection of marine parks and reserves. All of them were required to perform both day and night patrols and to take enforcement actions as necessary. They also took part in the promotion of public awareness of nature conservation. Consideration was being given to providing more effective measures within the limited resources available and enlisting assistance from community organizations in the enforcement against unauthorized fishing in and trespassing upon Hong Kong waters.