

**立法會**  
**Legislative Council**

LC Paper No. CB(2) 809/01-02

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Administration)

Ref : CB2/PL/FE

**LegCo Panel on Food Safety and Environmental Hygiene**

**Minutes of Special Meeting**  
**held on Monday, 5 November 2001 at 8:30 am**  
**in Conference Room B of the Legislative Council Building**

**Members Present** : Hon Fred LI Wah-ming, JP (Chairman)  
Hon Tommy CHEUNG Yu-yan, JP (Deputy Chairman)  
Dr Hon David CHU Yu-lin, JP  
Hon James TO Kun-sun  
Hon CHEUNG Man-kwong  
Hon WONG Yung-kan  
Hon Andrew CHENG Kar-foo  
Hon Michael MAK Kwok-fung  
Dr Hon LO Wing-lok  
Hon WONG Sing-chi

**Members Absent** : Hon Jasper TSANG Yok-sing, JP  
Dr Hon YEUNG Sum  
Hon CHOY So-yuk  
Hon LEUNG Fu-wah, MH, JP

**Public Officers Attending** : Dr S P MAK  
Deputy Director (Food & Public Health)  
Food and Environmental Hygiene Department  
  
Dr Gloria TAM  
Assistant Director (Food Surveillance & Control)  
Food and Environmental Hygiene Department

Ms Priscilla TO  
Acting Principal Assistant Secretary (A)1  
Environment and Food Bureau

Dr Les Sims  
Assistant Director (Inspection & Quarantine)  
Agriculture, Fisheries and Conservation Department

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

**Staff in Attendance** : Miss Yvonne YU  
Senior Assistant Secretary (2)7

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**I. Use of chemicals in hairy crabs**  
(LC Paper No. CB(2) 272/01-02(01))

The Chairman said that the special meeting was convened because there had been much public concern about the recent press reports on the use of chemicals, such as antibiotics, in hairy crabs. He invited the Administration to brief members on the investigation findings and the extent of the problem.

2. Assistant Director (Food Surveillance & Control) of Food and Environmental Hygiene Department (AD(FS&C)) briefed members on the salient points of the Administration's paper. She said that the Food and Environmental Hygiene Department (FEHD) had taken more than 30 hairy crab samples at the import, wholesale and retail levels for chemical analyses. She expected that the results of the first batch of samples would be available by the end of the week, and all results would be ready in three weeks. If the level of chemicals in the first batch of samples was found to be within acceptable limits, FEHD would wait for the results of all other samples to see what appropriate follow-up actions should be taken. She added that FEHD had also taken 15 samples of other seafood such as eels and fresh water fishes for chemical analyses. Special arrangements had been made with the Government Laboratory to accord priority to these tests and the results would be available in about three weeks.

3. In response to the Chairman on why the chemical analyses needed to take three weeks, AD(FS&C) explained that it would normally take only five days to have the results of just one sample, but this time FEHD wanted to have an analysis of the

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findings of samples taken from different provinces and cities of the Mainland, and more time would be required.

4. Mr CHEUNG Man-kwong expressed concern that as the test result would only be available in three weeks, the public would not know whether the consumption of hairy crabs was harmful to human health. He asked what interim measures would be taken by the Administration. Mr CHEUNG also asked whether the Administration would prohibit the import of hairy crabs from certain cities or provinces, if the analyses showed that the exceedence level of antibiotics in those samples was particularly high.

5. AD(FS&C) said that in deciding whether immediate actions would need to be taken pending the test results, FEHD would look at the past record of the regular sample test of hairy crabs. She said that in the past three years, more than a thousand food samples were taken for the testing of antibiotics and no excessive amount of antibiotics was found in any of the seafood samples tested. She added that FEHD had in fact contacted the State General Administration of the People's Republic of China for Quality Supervision and Inspection and Quarantine (AQSIQ), immediately after the press reports on the use of antibiotics in hairy crabs. She advised that the Chinese Authorities were also very concerned about the matter, and had required the Jiangsu authorities to take samples of the hairy crab for investigation. It was expected that the initial test results of these samples would be available by the end of the week.

6. AD(FS&C) added that the Director of Food and Environmental Hygiene had also undertaken to issue safety guidelines on the consumption of hairy crabs. She said that the guidelines would be ready within a few days for reference by the public and the trade.

7. As regards Mr CHEUNG Man-kwong's second question, AD(FS&C) said that if excessive amount of antibiotics or prohibited drugs was found in the samples of the hairy crabs, FEHD would suspend the importation of hairy crabs from those places and request the Mainland authorities to conduct thorough investigation into the causes of the problem. She said that importation of hairy crabs from these places could only resume when the exporting authorities had identified and rectified the problem to the satisfaction of FEHD.

8. Mr CHEUNG Man-kwong asked about the problem of the use of chemicals in other seafood such as eels and fresh water shrimps. He expressed concern that farmers would tend to use chemicals to boost the yield of seasonal food. Mr CHEUNG asked whether the Administration had introduced a preventive or health assurance system to ensure that all imported food was safe for human consumption and that no prohibited chemicals were used in the farming/production process. The Chairman also asked whether the existing health certification system of AQSIQ was adequate and foolproof.

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9. AD(FS&C) said that both the Mainland and Hong Kong authorities attached great importance to the safety of food, particularly seafood, which was imported from the Mainland. Due to the recent opening up of export markets for different provinces in the Mainland, a greater variety of seafood was being imported to Hong Kong and it had become more complicated to trace the origin of such imported food. Nevertheless, she emphasised that there were specific legislative requirements in the Mainland to control the safety of seafood for export, and seafood from lawful sources would require official health certificates issued by AQSIQ for export to Hong Kong. She said that FEHD was satisfied with the Mainland's regulatory regime, and FEHD officers had actually paid site visits to observe how the requirements were enforced in the places of export. She added that the authorities in Hong Kong and the Mainland had also organised joint seminars on the safety of seafood. AD(FS&C) assured members that FEHD officers verified the health certificates accompanying each consignment arriving at Hong Kong, and samples were taken for testing under the food surveillance system.

10. Dr David CHU said that the immediate concern of the people in Hong Kong was whether it was safe to eat hairy crabs. He stressed that the trade was also very concerned because there had been a drastic reduction in business since the press reports. He asked what advice the Administration would give to the public and the trade.

11. AD(FS&C) advised that based on past records and the information available, there was no evidence of unacceptable risk in the consumption of hairy crabs. She said that the Administration had already enhanced the sampling tests and taken steps to investigate the truthfulness of press reports. She considered that members of the public needed not worry too much about the safety of hairy crabs and they could choose to eat the food they like.

12. Dr LO Wing-lok sought clarification on the basis for the Administration's advice that according to past records, there was no unacceptable risk in eating hairy crabs. He also asked when the Public Health (Animals and Birds) (Chemical Residues) Regulation and Harmful Substances in Food (Amendment) Regulation 2001 would come into operation, and what additional safeguards would be provided by these Regulations. Dr LO pointed out that hairy crabs might not be suitable for consumption by pregnant women, young children whose teeth and bone were not fully grown, and persons who were allergic to antibiotics and seafood such as crabs.

13. In response to Dr LO, AD(FS&C) clarified that her advice was grounded on the regulatory regime on food safety in the Mainland, and the food surveillance and control measures in Hong Kong. She said that in the past three years, some 1 200 food samples were taken for the testing of natural toxins and contaminants, pesticides, heavy metals and four kinds of antibiotics. She further said that with the implementation of the two new Regulations recently passed, a wider range of

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antibiotics would be covered in the sampling tests, and that all those antibiotics normally used by crab farmers would be included for testing.

14. As regards when the Public Health (Animals and Birds) (Chemical Residues) Regulation and Harmful Substances in Food (Amendment) Regulation 2001 would come into operation, Acting Principal Assistant Secretary (A) for the Environment and Food advised that the Administration was working on the implementation details. She said that it would need time to provide training and explain the Regulations to the farmers, and she expected that all preparatory work could be completed within this year.

15. Deputy Director (Food & Public Health) of Food and Environmental Hygiene Department (DD(F&PH)) agreed with Dr LO's views that young children, pregnant women and persons who were allergic to antibiotics such as chloramphenicol or oxytetracycline should be careful about the food and drug they took. She said that FEHD had provided similar advice to the public on the safety of hairy crabs. As a general principle, people should not take in an excessive amount of one kind of food in order to reduce food risks and to maintain a balanced diet.

16. Dr LO Wing-lok asked which four kinds of antibiotics were tested by the Administration in the chemical analyses. AD(FS&C) said that the antibiotics tests included tests of chloramphenicol, penicillin, sulphonamides and tetracycline.

17. Mr WONG Yun-kan commented that as the test results of hairy crabs were still awaited, it was not appropriate for FEHD to have advised the public that there was low risk in the consumption of hairy crabs because the amount of antibiotics in 900 hairy crabs would only be equivalent to one tablet. He said that following the opening up of export markets for different places in Jiangsu Province, it had become more important for FEHD to be vigilant of the safety standard of seafood imported from these places. He remarked that it was not practicable to rely on the temporary measure of suspension of imports when problems were found, and FEHD should adopt a proactive approach in ensuring the safety of imported food. In this regard, he asked about the selection of samples for antibiotic test and whether FEHD would pay site visits to the rearing grounds.

18. DD(F&PH) clarified that FEHD definitely would not ask people to eat as much as 900 hairy crabs. The number was used to illustrate the level of risks that the consumer would be exposed to if the crabs contained the amount of antibiotic as reported. She reiterated that FEHD had always reminded the public not to eat an excessive amount of one particular kind of food in order to reduce food risks.

19. In response to Mr WONG Yun-kan, AD(FS&C) said that samples were taken from all food items which might involve the use of antibiotics, such as seafood, food animals and poultry. AD(FS&C) added that that in recent years, FEHD had held

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regular meetings and paid site visits to the rearing grounds of seafood. More site visits would be paid to the Mainland, if necessary.

20. As regards the time required for test results to be available, AD(FS&C) said that the current test method adopted by the Administration was internationally recognised. She explained that as the test results might be challenged in court, it was important that the test method and technology employed were of international standard. She added that given the current constraints in technology, there was no speedy method for antibiotic test which could provide reliable results in just half a day as in the case of vegetable tests. She assured members that the Government Laboratory had been working very hard to conduct tests on hairy crabs. She added that although individual sample test results would be available in about two days, the overall analyses of all sample results would take a few more days.

21. Mr WONG Yun-kan commented that the Administration might not have the full picture of the rapid developments in food industry, particularly the recent boom in the rearing and production of seasonal food in the Mainland. He considered that the Administration should increase communication with the Mainland on ways to further improve the existing food surveillance system. He also asked the Administration to provide a breakdown of the distribution of the 1,000 food samples taken for antibiotic test in the past three years. AD(FS&C) agreed to provide the information after the meeting.

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22. Mr Michael MAK said that the Administration's paper was evasive and did not explain the criteria for sampling tests. He added that according to the media, less than 10 hairy crab samples were taken for testing this year. He asked whether the Administration only acted after complaint or press reports. He considered that the Administration should inform the public what the Administration had done in the past and its future work to restore public confidence on the safety of imported food. Mr Michael MAK also agreed with other members that the Administration might need to conduct site visits to understand each stage of the rearing process of hairy crabs in different places in the Mainland.

23. AD(FS&C) responded that prior to the press report, five hairy crab samples had been taken for chemical analyses and no excessive amount of antibiotics was found in any of the samples tested. She pointed out that food safety depended not only on sampling test, and it was more important for the exporting countries to put in place a satisfactory regulatory regime. As regards the enhanced sampling tests of hairy crabs after the press reports, she said that it was a normal practice for FEHD to adjust the frequency or amount of sampling tests on high-risk food or food items of wide public concern.

24. AD(FS&C) explained that the use of antibiotics in seafood farming was not prohibited and the concern was really whether there was excessive use of antibiotics. She said that both Hong Kong and the Mainland would carry out investigations if

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excessive amounts for antibiotics were found to have been used in the rearing of hairy crabs.

25. Mr WONG Sing-chi asked whether the Administration had a comprehensive mechanism to evaluate the risks in the use of antibiotics in food animals and seafood, in order to safeguard public health.

26. AD(FS&C) responded that FEHD staff conducted regular risk assessment tests on food in Hong Kong, and the test of antibiotics in food had always been part of the food surveillance system. She said that excessive use of antibiotics was a world phenomenon, but there was so far no evidence in Hong Kong of excessive use of antibiotics in the food samples tested in the past years. She added that the Public Health (Animals and Birds) (Chemical Residues) Regulation made under Cap. 139 and the Harmful Substances in Food (Amendment) Regulation 2001 made under Cap.132 prohibited the use of certain chemicals in food animals and farming. The two Regulations were expected to come into operation by the end of this year. She assured members that FEHD would maintain vigilance in monitoring the veterinary chemicals in food and ensuring compliance with the stringent food hygiene standard in Hong Kong.

27. In response to the Chairman and Mr WONG sing-chi, AD(FS&C) clarified that the 30 hairy crab samples being tested by the Administration included the 12 locations which press reports claimed to have problems. She said that she could not rule out the possibility that some hairy crabs might have been imported via illegal means. The Administration would definitely follow up with the Mainland authorities and investigate the matter if there was evidence of illegal importation.

28. Mr CHEUNG Man-kwong referred to the press reports that hormones were used to feed snakes which were used for food. He asked whether this was harmful to people such as pregnant women. He also asked whether the Administration would investigate and take snake samples for chemical analyses.

29. AD(FS&C) said that the Mainland had put in place a monitoring and certification system for all food items exported to Hong Kong. She said that the use of hormones were prohibited in the Mainland for the rearing of snakes. In Hong Kong, the Harmful Substances in Food Regulation under Cap. 132 prohibited the use of hormones in food animals. Such hormones could cause breast cancer and malignant changes to the reproductive organs of women, and might also affect the male foetus in pregnant women. She said that the Administration was seeking clarification from the Shenzhen authorities on the press report, and investigations were being conducted by the Mainland authorities.

30. Dr David CHU said that as more and more provinces in the Mainland exported their products to Hong Kong, it would be important for Hong Kong to step up its surveillance measures to ensure that all imported food met Hong Kong's food safety

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requirements. In this connection, he suggested that FEHD should increase the number of sample tests on imported food.

31. DD(F&PH) pointed out that while more tests could be conducted, this would have resource implications. She said that each year FEHD took 50,000 to 60,000 samples for testing, which was roughly eight samples per thousand population, while the international standard was three samples per thousand population.

32. Dr David CHU said that Hong Kong might need an even higher standard than the international standard, because the situation in Hong Kong was very much different from that of developed countries. He pointed out that Hong Kong relied heavily on imported food from the Mainland which was a fast developing country. DD(F&PH) responded that the rate of food sampling tests in Hong Kong was already much higher than the international standard. She added that in the overall food safety control strategy, apart from sampling tests, FEHD also exercised import control and placed emphasis along the whole food production process, as advocated by the World Health Organisation. She stressed that to prevent food incidents, food hygiene control by the trade and by consumers at home were equally important.

33. Mr WONG Yun-kan suggested that the Administration should make reference to the control measures in other countries, e.g. Japan, on the use of antibiotics and veterinary chemicals in food animals and seafood. He asked whether there was any time limit for the detection of residues of antibiotics in animals or seafood. He was worried that such residues might have been absorbed by the animal or fish and could no longer be detected after a period of time, but such food, if consumed, would still be harmful to human health.

34. Assistant Director (Inspection & Quarantine) of the Agriculture, Fisheries and Conservation Department responded that the safe holding period varied from drug to drug and had to be assessed on a case-by-case basis. Generally speaking, it ranged from 0-7 days (for livestock) to 0-30 days (for seafood) for the residues of antibiotics to disappear or reduce to an acceptable level. He pointed out that the use of antibiotics was legitimate provided that it was used properly. He added that there was no safe holding period for hormones which were prohibited for use in feeding food animals and seafood. He stressed that the most important concern was to ensure that the food animals or seafood imported into Hong Kong did not contain chemicals at a level that was potentially harmful to human health.

35. Dr LO Wing-lok referred to a press report that some crab farmers fed the hairy crabs with carcasses of dogs and chicken. He asked whether this was acceptable and hygienic according to international standards. AD(FS&C) responded that the feeding method as reported by the press was not a good husbandry practice. If there was evidence that such practice was adopted for feeding hairy crabs which were exported to Hong Kong, the Administration would definitely follow up the matter with the Mainland authorities.



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36. Dr LO Wing-lok asked whether hairy crab samples were taken for testing of quinolones which was a kind of antibiotics commonly abused in other countries. AD(FS&C) said that the testing of quinolones was not covered in the first stage of implementation of the Public Health (Animals and Birds) (Chemical Residues) Regulation and the Harmful Substances in Food (Amendment) Regulation 2001. However, it would be included in the second stage of implementation by the end of 2002.

37. The Chairman pointed out that many hairy crabs in fact did not come from the Jiangsu Province, but were reared in other provinces such as Chaozhou or Hunan. He asked whether the Administration had only approached the authorities in Jiangsu but not other places where the control and monitoring standard was less stringent. He also asked what follow-up actions would be taken by the Administration if the test result revealed an excessive amount of antibiotics or prohibited drugs in the hairy crab samples.

38. AD(FS&C) advised that the Administration mainly liaised with AQSIQ's Head Office in Beijing which was the authority for the food surveillance standards in different provinces or cities in the Mainland. She said that all hairy crabs in different provinces had to go through the same inspection and surveillance system in the Mainland for export to Hong Kong. She added that if the sample test results revealed that the exceedence level of chemicals was unacceptably high, the Administration would suspend the import of hairy crabs from the places concerned. She reiterated that the import would only be allowed to resume after the authorities in the exporting places had identified and rectified the problem to the satisfaction of FEHD.

39. The Chairman expressed concern that it was misleading for the advertisement signs at some retail outlets to show that their hairy crabs came from Yangcheng Lake, but in fact they came from other provinces. He asked whether the Customs and Excise Department would investigate and take action against the traders concerned.

40. AD(FS&C) responded that FEHD had the power to take action against inaccurate information on food labels. However, according to site inspection, most hairy crab retailers only put up a big sign that there were hairy crabs for sale from Yangcheng Lake, but the smaller signs put on the crabs did not actually indicate the places of origin. It was therefore difficult to gather evidence that the retailers had in fact provided misleading information to customers.

41. The Chairman was not satisfied with the Administration's response. He considered that the Administration had the responsibility to rectify any misleading advertisement or food label. AD(FS&C) noted the Chairman's views.

**II. Any other business**

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Regular of meeting in December 2001

42. Members agreed to re-schedule the regular meeting in December to 18 December 2001 at 2:30 pm.

43. There being no further business, the meeting closed at 9:40 am.

Council Business Division 2  
Legislative Council Secretariat  
4 January 2002