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Panel on Food Safety and Environmental Hygiene

**Minutes of special meeting
held on Monday, 13 January 2003 at 4 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)
Dr Hon David CHU Yu-lin, JP
Hon CHAN Yuen-han, JP
Hon Andrew CHENG Kar-foo
Hon Michael MAK Kwok-fung
Dr Hon LO Wing-lok

Member attending : Hon Henry WU King-cheong, BBS, JP

Members absent : Hon James TO Kun-sun
Hon WONG Yung-kan
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi

Public Officers Attending : Dr YEOH Eng-kiong, JP
Secretary for Health, Welfare and Food

Mr Thomas CHAN
Director of Agriculture, Fisheries and Conservation

Mrs Marion LAI
Acting Director of Food and Environmental Hygiene

Mr Eddy CHAN
Deputy Secretary for Health, Welfare and Food
(Food and Environmental Hygiene)

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

Staff in Attendance : Ms Joanne MAK
Senior Assistant Secretary (2)2

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I. Briefing by the Secretary for Health, Welfare and Food on the Policy Address 2003

The Chairman invited the Secretary for Health, Welfare and Food (SHWF) to brief Members on his policy objectives and the new initiatives for the coming 18 months.

2. SHWE explained that there were two new initiatives for food safety, environmental hygiene and agriculture and fisheries, as set out in the section entitled "Caring and Just Society" in the Policy Agenda.

3. On food safety, SHWE said that the strategy of the Health, Welfare and Food Bureau (HWFB) was to deploy the limited resources available to enhance inspections and regulation in areas where the risk was high. It also aimed at strengthening cooperation with the food trade and enhancing public awareness of food hygiene through public education.

4. As regards the control of avian influenza outbreaks, SHWE explained that as avian influenza had become endemic in Hong Kong, it was necessary to adopt a different approach for tackling the disease and depopulation was no longer the only option in dealing with an outbreak situation. He said that the present strategy was to minimise the risk of outbreaks at all levels. In enhancing preventive capability, the Administration sought the trade's co-operation to upgrade the biosecurity of farms, introduce stricter hygiene measures and additional rest days at the retail markets/farms. He added that the Administration had also piloted a trial vaccination programme. At present, the vaccination programme covered about 60% of poultry farms, and the vaccine was also used in farms where there were outbreaks of avian influenza. The Administration would review the results of the trial programme to determine its role in the control of avian influenza in Hong Kong. SHWE stressed that like many other countries, vaccination was just a supplementary measure to control the spread of the disease.

5. On the work plan for the next 18 months, SHWE informed members that -

- (a) the Administration would introduce legislative changes to the food labelling legislation to require labelling of allergens and food additives;

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- (b) the Administration had recently completed a feasibility study on nutrition labelling and was examining the various options;
 - (c) the Administration was working out the details of a fishing vessel licensing system to regulate commercial fishing with a view to tackling the problem of depletion of fisheries resources;
 - (d) the Administration would enhance cost-effectiveness and quality of the services by increasing outsourcing and strengthening the contract administration system of the Food and Environmental Hygiene Department (FEHD);
 - (e) the Administration would enhance the business environment of existing markets by improving their facilities and management, and would explore a new design/mode of operation for new public markets; and
 - (f) the Administration would continue to strengthen public education and its communication and cooperation with the trade to enhance food safety and environmental cleanliness.
6. SHWF undertook to provide a paper, before 16 January 2003, setting out details of the policy initiatives for food safety, environmental hygiene and agriculture and fisheries in the next 18 months for members' reference.

(Post-meeting note: the Administration's paper was tabled at the Council meeting on 15 January 2003 and issued to members vide LC Paper No. CB(2)938/02-03(01) dated 16 January 2003.)

Discussion

Measures to control avian influenza

7. Mr Tommy CHEUNG said that poultry farm owners as well as retailers hoped that the vaccine which was being tried out in Hong Kong could apply to all local chickens and all live chickens imported from the Mainland.
8. SHWF explained that there were actually different strains of avian influenza viruses. He said that although so far the vaccine being used in Hong Kong had been able to prevent vaccinated chickens from being infected by the virus, the protection might not be absolute. The Administration had to gather more data to evaluate the long-term effectiveness of the vaccine against local strains of avian influenza viruses. He reiterated that vaccination was just a supplementary measure to control avian influenza and there was no 100% guarantee against infection. Therefore, the Administration had implemented a comprehensive and sensitive surveillance system to enable early detection of avian influenza viruses at all levels. He agreed, however, that the Administration should make a decision as soon as possible as to whether the vaccination programme should be extended to all farms. As regards live chickens

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imported from the Mainland, SHWF said that the Administration was liaising with the Mainland authorities on the necessary control measures.

9. Mr Tommy CHEUNG said that in many existing markets, such as the Yeung Uk Road Market and Tai Shing Street Market, a large number of small poultry stalls were located close together. He suggested that the Administration should improve the crowded conditions of live poultry stalls in these markets, and that the design of new markets should provide more space and separate ventilation systems for poultry stalls as far as possible.

10. SHWF agreed that it was necessary to improve the environment of some existing markets and FEHD was examining what improvements should be made. Acting Director of Food and Environmental Hygiene (DFEH(Atg)) added that general improvement works would be carried out by phases in some 50 existing markets in the next few years. The works would include re-paving of floor finishes in common area, and segregation of poultry section with separate ventilation system, etc. The actual works to be implemented would depend on the condition of the market.

11. Dr LO Wing-lok expressed support for the Administration's new strategy for tackling the problem of avian influenza, as the strategy would put more emphasis on the responsibility of the poultry trade to ensure the hygiene conditions of their farms or stalls. He agreed that the Government and the community should not be responsible for paying compensation to the trade for outbreaks of avian flu if the outbreaks were caused by non-compliance of the hygiene requirements. Nevertheless, Dr LO expressed concern whether there would be any manpower implications if the Administration had to closely monitor all poultry farms, stalls and fresh provision shops with infected chickens and also farms and stalls in the vicinity.

12. Director of Agriculture, Fisheries and Conservation (DAFC) responded that it did not require much additional manpower for implementing the new strategy, because a computerised database had been developed by AFCD in the past 12 months on the conditions of all poultry farms, including their facilities and layouts of the chicken sheds. As to the monitoring of poultry stalls and fresh provision shops, DFEH(Atg) said that inspections were conducted to all live poultry stalls in FEHD markets everyday. In periods where FEHD considered it necessary to step up inspection of poultry stalls, the Housing Department would be alerted to take corresponding action in respect of poultry stalls managed by them.

13. In response to Dr LO Wing-lok's enquiry about the legal basis for the Administration's decision not to compensate farmers whose chickens had been slaughtered by the Administration in the recent outbreak, DAFC said that the law provided for a variety of powers to tackle situations such as this. His authority under section 6 of the Public Health (Animals and Birds) Ordinance (Cap. 139) to confiscate and slaughter and then compensate was only one such means. There were other methods he could lawfully employ without having to compensate.

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14. Dr LO Wing-lok asked what actions the Administration would take to deal with those poultry farms where avian influenza had repeatedly occurred but the operators lacked the means to upgrade the facilities of their farms to meet the hygiene requirements.

15. DAFC said that the Administration was also very concerned about these farms which were mostly small ones and the owners did not have the means to make investments for upgrading the farms. He said that nine such farms had their licences revoked in the past few months. The Chairman asked whether the Administration would also revoke the licences in respect of poultry stalls where avian influenza had repeatedly occurred. DFEH(Atg) replied that termination of tenancy or revocation of licence would be considered based on the merits of each case.

Enhancing competitiveness of public markets

16. Mr Andrew CHENG asked what actions the Administration would take to narrow the gap between FEHD markets and megastores in their standards of facilities and environment. He said that it was necessary to improve the facilities of some FEHD markets which were in poor conditions.

17. SHWF explained that resources had been earmarked for general improvement works to be carried out in some markets, and for retro-fitting of air-conditioning to certain markets subject to their meeting the criteria. He added that FEHD had also conducted a review and identified room for improvement to the existing markets. He said that measures would be introduced on a trial basis with a view to enhancing the business environment of some selected markets.

Streamlining of licensing regime for food businesses

18. Mr Tommy CHEUNG said that the catering industry had been discussing with the Administration for a long time the relaxation of restrictions on the types of food to be sold under the Light Refreshment Restaurant Licence. He asked how the Administration would take this matter forward in the next 18 months.

19. SHWF responded that FEHD had implemented a number of measures to simplify the licensing requirements and streamline licensing procedures. DFEH(Atg) said that to expedite the process for restaurant licensing, FEHD had introduced a case manager scheme and considerably shortened the time for issuing a Letter of Requirements for a food business licence. FEHD was now able to issue a provisional licence very quickly upon production of compliance certificate. She said that FEHD would continue to streamline the licensing procedures taking into account the views of the trade.

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20. On the Light Refreshment Restaurant Licence, DFEH(Atg) said that the Administration had held regular meetings with the trade to address their concerns. She further said that a major review would be carried out in 2003 on the licensing systems and procedures for food businesses. If the trade had any views on how the Light Refreshment Restaurant Licence could be improved, the Administration would consider them.

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21. Miss CHAN Yuen-han agreed that the Administration should review and improve existing licensing requirements and conditions, such as those for the issue of licence for siu mei and lou mei shops, because some of these requirements were outdated. At the request of the Chairman, DFEH(Atg) agreed to consider providing a preliminary progress report on the review to the Panel around April 2003. The Chairman said that the subject would be included in the list of outstanding issues for discussion by the Panel.

Measures to cope with reduced Government allocations to Bureaux

22. Mr Andrew CHENG asked how HWFB would cope with the anticipated reduction in Government allocations to the Bureau in the coming financial year, and whether there were any merger plans for the departments under HWFB in the next 18 months. The Chairman further asked whether there was any room for merging some of the functions of FEHD with those of Agriculture, Fisheries and Conservation Department (AFCD).

23. SHWF responded that the Administration had been reviewing the responsibilities and functions of bureaux and departments to explore if there was room for reorganisation. He said that at present, there was no plan for merger between FEHD and AFCD as each of them had a wide range of responsibilities. Nevertheless, the Bureau would seek to improve the coordination between AFCD and FEHD in their work. SHWF further said that there was also no plan for merger between HWFB with any departments under its purview.

Measures to prevent and control diseases

24. Mr Michael MAK asked whether the Administration had estimated the trend of infections of diseases, such as cholera, dengue fever and infectious gastro-intestinal diseases, in the year ahead. He further asked whether SHWF had set any targets or performance indicators for the control of the spread of these infectious diseases, and what control measures were put in place.

25. SHWF responded that performance indicators were generally not provided in the Policy Agenda, but he would consider providing appropriate performance indicators in the draft Estimates. SHWF said that the Administration would make sustained efforts to prevent diseases, such as dengue fever, and launch anti-mosquito campaigns. However, it was not expected that the disease would be eliminated in Hong Kong since the number of dengue fever cases found in our neighbouring places was large.

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26. SHWF further said that the Administration would continue to enhance measures for ensuring food safety and for controlling the spread of infectious diseases. He said that HWFB, AFCD, FEHD and the Department of Health (DH) had held regular meetings to review and strengthen their coordination in the prevention and control of infectious diseases. In the recent outbreaks of avian influenza and dengue fever in Hong Kong, the three departments had worked closely in the surveillance and control of the spread of the diseases. He added that DH would further review the adequacy of existing measures for the prevention of infectious diseases and make improvements where necessary.

Training for staff

27. Mr Michael MAK asked about the training provided by FEHD to its staff for prevention of corruption and injury on duty.

28. DFEH(Atg) said that the Administration noted the concern expressed by the public about the minor assault cases during the implementation of the fixed penalty system for public cleanliness offences. She said that before the implementation of the fixed penalty system, FEHD had already provided training to enforcement staff on how to deal with possible difficult situations. The training covered emotional control and the way to deal with resistance when issuing fixed penalty notices for public cleanliness offences. She said that the enforcement staff were conversant with their responsibilities and the procedures to enforce the law. In addition, FEHD had provided basic self-defence training to the enforcement staff, and held regular meetings with the staff associations to understand their difficulties and the support required.

29. DFEH(Atg) further said that since the implementation of the fixed penalty system in June 2002, FEHD had issued some 9 000 fixed penalty notices and there were only a few minor assault cases. She believed that the implementation of the fixed penalty system would become smoother as people gradually accepted the system.

30. DFEH(Atg) said that FEHD had more cases of duty-related injuries as compared with other departments because a large proportion of its staff were engaged in manual work. She said that a committee chaired by a directorate officer of FEHD had been set up to examine ways to enhance safety at work. She pointed out that as more services were outsourced, the number of duty-related injuries would decrease. She further said that all such cases had been dealt with in accordance with established procedures, and prolonged sick leave had been granted in some cases on medical advice.

31. On prevention of corruption, DFEH(Atg) said that the Corruption Prevention Department of the Independent Commission Against Corruption had studied different areas of work of FEHD, such as licensing and hawker management, and had put forward recommendations on prevention of corruption in these areas. Most of the recommendations had been implemented, and the management of FEHD also

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reminded its staff from time to time to strictly observe the guidelines on prevention of corruption.

Environmental cleanliness

32. Mr Michael MAK asked what measures would be introduced to enhance environmental cleanliness as there was still much room for improvement despite the implementation of the fixed penalty system. SHWE responded that implementation of the fixed penalty system had brought some improvement to the cleanliness of Hong Kong. He said that sustained efforts would be made to enhance public awareness about the need to maintain environmental hygiene. The Administration would further study ways to strengthen civic education and improve the Clean Hong Kong Programme.

Food labelling and food recall

33. Referring to the Progress Report on Policy Objectives 2001, the Chairman asked why the Administration had not yet implemented the following initiatives -

- (a) to formulate a framework for the labelling of genetically modified food;
- (b) to update the existing food labelling legislation; and
- (c) to set up a framework for mandatory food recall.

34. The Chairman requested the Administration to undertake that it would implement these initiatives and introduce the necessary legislation within the next 18 months.

35. SHWE responded that HWFB would accord high priority to ensuring food safety, and food labelling was one of the measures to be taken. He said that the Administration would submit the legislative proposals on labelling of food additives and allergic food ingredients to the Panel as soon as possible.

36. The Chairman asked whether the timetable for implementing these initiatives would be included in the paper on the policy initiatives of HWFB to be provided to the Panel before 16 January 2003. SHWE responded that the paper would provide more details on the policy initiatives of HWFB, and the Administration would further discuss with the Panel at future meetings the progress of work and the implementation details.

37. There being no other business, the meeting ended at 5 pm.