

**立法會**  
**Legislative Council**

Ref : CB2/PL/FE

LC Paper No. CB(2)1386/03-04  
(These minutes have been seen  
by the Administration)

**Panel on Food Safety and Environmental Hygiene**

**Minutes of Meeting**  
**held on Friday, 9 January 2004 at 4:40 pm**  
**in the Chamber of the Legislative Council Building**

**Members present** : Hon Fred LI Wah-ming, JP (Chairman)  
Hon Tommy CHEUNG Yu-yan, JP (Deputy Chairman)  
Hon WONG Yung-kan  
Hon YEUNG Yiu-chung, BBS  
Hon Andrew CHENG Kar-foo  
Hon Michael MAK Kwok-fung  
Hon LEUNG Fu-wah, MH, JP  
Dr Hon LO Wing-lok, JP

**Member attending** : Hon CHAN Yuen-han, JP

**Public officers attending** : Item IV

Dr YEOH Eng-kiong, JP  
Secretary for Health, Welfare and Food

Mrs Carrie YAU  
Permanent Secretary for Health, Welfare and Food

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

Mr Gregory LEUNG  
Director of Food and Environmental Hygiene  
Mr Thomas CHAN

Director of Agriculture, Fisheries and Conservation

Items V & VI

Mrs Carrie YAU  
Permanent Secretary for Health, Welfare and Food

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

Miss Shirley KWAN  
Assistant Secretary (Food & Environmental Hygiene) 4  
Health, Welfare and Food Bureau

Mr Gregory LEUNG  
Director of Food and Environmental Hygiene

Ms Annette LEE  
Deputy Director of Food and Environmental Hygiene  
(Environmental Hygiene)

Mr HUNG Chi-pai  
Assistant Director (Operations) 1  
Food and Environmental Hygiene Department

Dr Y Y HO  
Consultant (Community Medicine)  
(Risk Assessment and Communication)  
Food and Environmental Hygiene Department  
(*Agenda item VI only*)

**Clerk in attendance** : Mrs Constance LI  
Chief Council Secretary (2)5

**Staff in attendance** : Ms Amy WONG  
Senior Council Secretary (2)1

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**I Confirmation of minutes of meeting**  
[LC Paper No. CB(2) 888/03-04]

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The minutes of the meeting on 25 November 2003 were confirmed.

**II Date of next meeting and items for discussion**

[LC Paper Nos. CB(2) 903/03-04(01) & (02)]

2. The Chairman reminded members that a special meeting would be held on 2 February 2004 from 4 pm to 7 pm to listen to the views of the trade, the medical and nutrition sectors, and other concerned parties, on the Administration's proposed labelling scheme on nutrition information. The special meeting would also discuss the control of importation and sale of chilled meat and chicken, as well as the recent case of sale of illegal pork at a supermarket chain store.

3. Members agreed to discuss the following items proposed by the Administration at the next regular meeting scheduled for 24 February 2004 -

- (a) Dengue fever and other mosquito-transmitted diseases; and
- (b) Outcome of public consultation on proposed new penalties for repeat cleanliness offenders.

**III Information paper(s) issued since last meeting**

4. Members noted that no information paper had been received since the last meeting.

**IV Briefing by the Secretary for Health, Welfare and Food on the Policy Address 2004**

[LC Paper Nos. CB(2) 903/03-04(03)]

5. Secretary for Health, Welfare and Food (SHWF) briefed Members on the Administration's paper on the policy initiatives in 2004 concerning food safety, environmental hygiene and agriculture and fisheries. He said that there would be four new initiatives in these areas in 2004 -

- (a) Regularise the wholesaling of live fish by implementing a permit scheme for wholesale fish stalls;
- (b) Introduce a closed season for fishing and fisheries protection areas to conserve local fisheries resources;

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- (c) Review the regulatory framework for animals, birds and fish for the purpose of enhancing health and food safety; and
- (d) Evaluate the implementation of the concept of “From-feed-to-table” to ensure food safety.

Permit system for wholesale fish stalls

6. Mr WONG Yung-kan asked whether the Government had plans to extend the permit system for wholesale fish stalls to other seafood wholesale markets such as those in Kwun Tong and Lau Fau Shan. As some live seafood was imported from other places by air, he asked how the Government would ensure safety of such seafood.

7. SHWF responded that it was the Government's objective to bring wholesaling of live seafood under regulatory control. This would involve legislative amendments which would hopefully be introduced into the Legislative Council in the 2004-05 session.

8. Director of Food and Environmental Hygiene (DFEH) supplemented that the permit system for the wholesale fish stalls had already been introduced for the 18 fish stalls at the Aberdeen Promenade. Discussions were being held with other wholesale live fish traders including those operating at Lau Fau Shan. Many of them had already submitted applications for the permits. DFEH said that FEHD would also look into the situation of other wholesale live fish markets in Kowloon and the New Territories at a later stage.

Closed season for fishing and fisheries protection areas to conserve local fisheries resources

9. Mr WONG Yung-kan asked whether the closed season for fishing and fisheries protection areas to conserve local fisheries resources would be implemented in 2004. He pointed out that a consultancy study had been conducted as early as 1998 but the Government did not seem to be taking any concrete action to conserve local fisheries resources. SHWF responded that the Government was now drafting detailed legislative proposals.

10. Mr LEUNG Fu-wah said that the Mainland had already introduced a closed season for fishing. He asked whether the proposed closed season for fishing in Hong Kong waters would synchronise with that of the Mainland and whether the Government had consulted local fishermen on its proposals.

11. SHWF responded that the trade had been consulted on the closed season and fisheries protection areas. Deputy Secretary (Food and Environmental Hygiene) (DS(FEH)) supplemented that there had been adequate consultation with local

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fishermen and their views had been taken into account in formulating the proposals. Based on previous feedback from the fishermen, the east and the south of Hong Kong Island were considered suitable for designation as fisheries protection areas. Since Hong Kong waters were very close to the Mainland waters, the Government of Hong Kong Special Administrative Region would coordinate with the Mainland authorities in the implementation of the closed season for fishing.

Implementation of the concept of "From-feed-to-table"

12. Mr LEUNG Fu-wah asked whether the implementation of the "From-feed-to-table" concept had any impact on the employment in the relevant industries. He was concerned that some jobs would disappear with the cancellation of certain operations in the food chain in Hong Kong.

13. SHWF responded that FEHD would conduct studies on the implementation of the concept which was mainly concerned with the food surveillance and monitoring systems.

14. Miss CHAN Yuen-han expressed support for the concept. She asked whether the concept would apply only to food produced in Hong Kong.

15. SHWF said that the "From-feed-to-table" concept was a global idea and this would also apply to food imported from the Mainland and other parts of the world.

16. Miss CHAN Yuen-han urged the Government to continue to support the local agricultural and fishing industries, for example, by providing more incentives and assistance to local farmers producing brand foods such as "Ka-mei" chicken.

17. SHWF said that the Agriculture, Fisheries and Conservation Department (AFCD) provided technical assistance and loans to local farmers in developing and promoting local agricultural produce. DS(FEH) added that AFCD, local farms and restaurants had made concerted efforts to promote local agricultural and fisheries products, and the recent "Pun Choi Mega Feast" was one example.

18. Director of Agriculture, Fisheries and Conservation (DAFC) supplemented that AFCD had made much effort in the past 12 months in promoting local brand produce. The "Pun Choi Mega Feast" was one of the promotional activities organised, which was attended by about 10,000 participants and recorded in the Guinness Book. DAFC said that more promotional activities would be organised in the coming months, including students' visits to farms. He further said that AFCD would continue to provide technical assistance and marketing support to the agricultural and fishing industries.

19. Regarding measures to ensure food safety, Mr Tommy CHEUNG urged the Government to listen to the views of the relevant trades in introducing improvements

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to the regulatory framework. He commented that there were already many constraints on the catering industry, which was not conducive to the business environment.

Development of agricultural industry and organic farming

20. In response to Miss CHAN Yuen-han, SHWF said that the Government had been in discussion with the agricultural and fishing sectors on promoting development of these industries.

21. Mr WONG Yung-kan pointed out that the Mainland had adopted a clear-cut policy to support the agricultural industries and the farmers. Mr WONG said that he would be pleased to assist the Government in enhancing its communication with the agricultural and fishing sectors.

22. Permanent Secretary for Health, Welfare and Food (PS(HWF)) said that AFCD had been actively promoting organic farming. Since January 2003, 36 villages and 15 hectares of land had joined the organic farming transformation scheme. As a result of AFCD's promotional efforts in the past two years, consumers could now buy organic vegetables at supermarkets. To raise the standard of organic farming produce, AFCD funded the establishment of the Hong Kong Organic Resource Centre and worked in partnership with the Baptist University, the Produce Green Foundation and the Hong Kong Organic Farming Association. PS(HWF) believed that with the growing affluence of the society, organic products would become even more popular.

23. Miss CHAN Yuen-han expressed support for the development of organic farming as it would create job opportunities. She commented that the Government had been too slow in promoting organic farming.

24. Mr Tommy CHEUNG asked whether the Government would allocate abandoned farmland to interested parties for organic farming. Mr CHEUNG said that the Vegetable Marketing Organization (VMO) had in many years ago rented unused farmland to farmers. He suggested that the Government should take the initiative to identify unused farmland and encourage people to engage in organic farming, given that the employment situation was not good in recent years. On the regulatory framework for farms, Mr CHEUNG said that there should be better coordination between AFCD and FEHD to avoid over-regulation as this would stifle the development of agricultural industry.

25. DAFC responded that there were more unused land 10 years ago. In recent years, landowners were more willing to rent out their land for farming purposes. He said that more people were now interested in organic farming, and more than 200 people attended AFCD training courses on organic farming. After the training courses, over 20 participants expressed interest in finding land for organic farming. AFCD had taken the initiative to search for suitable farmland for these people. With the assistance of AFCD, some applicants had been able to find land for organic

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farming. The volume of organic vegetable produced in Hong Kong had increased from 1 ton in 2002 to 1.8 ton in 2003.

Prevention of avian flu

26. Mr WONG Yung-kan asked if the Government planned to conduct any virus test or study on migratory birds to prevent them from transmitting avian flu viruses to live poultry at local farms.

27. Referring to the recent bird flu pandemic in Vietnam and Korea, SHWF said that the Government was aware that wild birds could transmit avian flu virus. He further said that biosecurity measures had been introduced in local farms to prevent intrusion of migratory birds. He added that the Government and local farms would remain vigilant to prevent avian flu outbreaks, and there were on-going tests on H5 and H9 viruses in migratory birds.

Regulatory framework for animals, birds and fish

28. SHWF said that the Government was reviewing the Public Health (Animal and Birds) Ordinance (Cap.139) which was enacted 60 years ago, in order to improve its provisions to cope with present day situations. He further said that the regulatory framework would only be effective with the co-operation of the trades concerned. The Government would encourage the trades to comply with the regulatory requirements instead of relying on Government's monitoring efforts. He added that the Government would strike a balance between the need to ensure food safety and the costs on the trade and the community in complying with any extra requirements. The trades would be consulted before changes were proposed to the existing framework.

29. Mr Andrew CHENG asked whether the objective of the review was only to strengthen monitoring of the importation and trading of animals, birds and fish, and not to change the existing mode of operation. Mr CHENG said that during the recent hearing of the Select Committee to inquire into the handling of the SARS outbreak, Professor YUEN Kwok-yung, Head of Department of Microbiology and Chair of Infectious Diseases of Hong Kong University, had raised concern about the risk of cross-infection among poultry. Mr CHENG further said that the additional rest day introduced for poultry stalls to allow for thorough cleansing and disinfection in markets also had adverse impact on the business of the poultry stalls. He urged the Government to take a decision as soon as possible on how to tackle the problem of livestock.

30. SHWF said that he would consult the relevant trades on the various issues involved in the review of Cap. 139. He further said that the review was very complicated, and the Government would focus on issues posing higher risks from the food safety and public health points of view.

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31. The Chairman sought clarification on paragraph 22 of the Administration's paper which mentioned that to upgrade the existing preventive measures against human infection by avian influenza viruses, the Government planned to start a public consultation exercise on the various options to reduce contacts between humans and live poultry in 2004.

32. SHWF clarified that the review of Cap. 139 referred to the present regulatory framework governing the various aspects of trading, import control and surveillance, and licensing of animals, birds and fish. It was a separate exercise and was not related to the public consultation exercise referred to in paragraph 22 of the paper. In response to the Chairman's further enquiry, SHWF said that the review of Cap. 139 would include game and wild animals like civet cats.

Public markets

33. Miss CHAN Yuen-han asked how Government would improve the business environment of public markets. Mr YEUNG Yiu-chung shared similar concerns. He said that the growth in the number of supermarkets had posed threat to the traditional wet markets which had gradually lost their competitiveness.

34. SHWF said that he was aware of the keen competition between supermarkets and traditional markets and that some public markets might have to be closed. He further said that as some people still preferred to shop at traditional markets, the Government would look into ways to improve the facilities and operation of public markets so as to enhance their competitiveness. He added that proposals to carry out improvement works to public markets would be put to the Finance Committee later this year.

35. DFEH added that studies were being carried out to improve the business and customer flow in public markets, and he hoped that the high stall vacancy rate in some markets would improve gradually.

36. The Chairman asked whether FEHD was conducting detailed studies on the viability and future direction of those wet markets under its management.

37. DFEH said that the viability and future direction of public markets were under review. He further said that a market would not be closed solely on grounds of viability, as the needs of the local community and the arrangements for stall tenants concerned would have to be considered.

38. In response to the Chairman, DFEH elaborated on the ways to improve the competitiveness of public markets, as follows -

- (a) improving the cleanliness of the public market;



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(b) re-arranging the market stalls and merging several small stalls into a larger stall; and

(c) providing customer service training to stall operators.

39. DFEH said that he would pay visits to the market management committees of some major markets after the Chinese New Year to find out what other measures could help the public markets improve their business.

40. Mr Tommy CHEUNG considered that FEHD should first deal with the problem of those markets which had too many poultry stalls, in order to reduce competition among these stalls and also to reduce the risk of avian flu outbreaks. He suggested that FEHD could consider buying back the licence from the stall operators, or encourage them to move to new markets or transfer to other businesses.

41. Mr LEUNG Fu-wah commented that although FEHD had decided not to issue new licences for selling live poultry, some markets still had more chicken stalls than needed. He acknowledged that there were also problems in convincing the stall operators to move to other markets.

42. In concluding the discussion, the Chairman said that the review of the regulatory framework for animals, birds and fish should be completed as soon as possible, and it should cover also the regulation of exotic animals such as civet cats as they were found to be possible carriers of SARS virus. On combating the problem of illegal chilled meat, the Chairman expressed concern about the sustainability of the "Early Bird Campaign" which were raids conducted on the illegal/chilled pork sale outlets. He suggested that FEHD should compile statistics on imported meat and the sale volume at retail outlets, and find out the causes for any discrepancies between the import and sale figures. He said that the Administration should report to the Panel its findings on the review of Cap. 139.

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**V Incentive scheme for hygiene improvement in licensed food premises**  
[LC Paper No. CB(2) 903/03-04(04)]

43. Mr Tommy CHEUNG expressed support for the proposed incentive scheme to assist licensed food premises to improve their hygiene conditions. He asked whether the scheme would include fresh provision shops and sashimi/sushi/siu mei shops. He also asked whether the scope of alteration works included removal of water cooling tower or outdoor ventilation unit.

44. DFEH said that the scheme was targetted at food premises which provided food ready to eat, because such food would pose higher health risks than those requiring

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cooking at home. The Japanese eateries, food factories, restaurants and cooked food stalls would be eligible for financial assistance under the scheme. DFEH clarified that the alteration works covered by the scheme only referred to those which were directly related to the improvement of hygiene conditions of the food premises. There was another loan scheme administered by the Buildings Department providing financial assistance to other types of building works.

45. Mr Tommy CHEUNG asked about the timeframe for the submission and approval of loan applications, i.e. whether the operator should submit the application before or after Buildings Department had given approval for the alteration works. DFEH said that operators could first submit their loan application to FEHD which would give approval-in-principle for the application pending Buildings Department's approval of the modification plan. There would be a time limit for the drawing of the loan.

46. Mr Tommy CHEUNG suggested that the scheme should cover sashimi/sushi shops and poultry stalls to help them improve their hygiene conditions. Mr CHEUNG pointed out that normally April to September was the low season of the catering trade, and alteration works could be carried out during these months. He hoped the Administration could give approvals for the loans and alteration works before April to enable works to be carried out in the low season.

47. Dr LO Wing-lok said that while he agreed that the hygiene conditions of some food premises required improvements, it was the responsibility of the food operators to ensure that their food premises met the hygiene requirements stipulated for the relevant food licence. He considered that the proposed incentive scheme would give the impression that the Government was rewarding those sub-standard eateries/restaurants. In view of the budget deficits, he questioned the rationale for offering cash subsidy in addition to the low-interest loan to applicants.

48. DFEH said that prosecution would be taken against those food premises where the hygiene conditions were poor. At the same time, the Administration would also like to assist food businesses to improve their hygiene standards as soon as possible. He said that the cash subsidy was not a reward but an incentive for food operators to make improvements as soon as possible. The cash subsidy, which would be 8% of the total refurbishment cost or \$10,000, whichever was lower, would only be available to the first-round applicants.

49. Dr LO Wing-lok expressed reservations about the proposed incentive scheme. He said that the Government should be prudent in spending public money.

50. The Chairman agreed with Dr LO that it was the responsibility of food operators to ensure that their food premises were hygienic. Referring to paragraph 2 of the paper, the Chairman said that it was unsatisfactory that 80% of the food premises were in the medium and high risk categories having regard to the hygiene

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standard of the premises and the type of food sold. The Chairman further said that the Government had all along been upholding the principle that Government should not subsidise commercial operations. He pointed out that the Government only provided low-interest loans to the affected trades after the massive cull of live poultry following avian flu outbreaks in previous years. Similarly, only low-interest loans were made available to private building owners for carrying out building maintenance and repair works. He queried the rationale for offering cash subsidies only to food businesses but not other trades. He stressed that there should be prudent use of public money.

51. The Chairman said that he would only support low-interest loans to assist food businesses to improve their hygiene conditions but not the proposal of awarding cash subsidy to the first-round applicants.

**VI Anti-rodent campaign 2004**

[LC Paper No. CB(2) 903/03-04(05)]

52. Consultant (Community Medicine) (Risk Assessment and Communication) C(CM)) of the Food and Environmental Hygiene Department highlighted the salient points in the Administration's paper. He said that the rodent infestation rates in the territory had decreased from 16% in 2000 to 5.9% in the first 11 months of 2003. The pest control staff of FEHD and relevant staff of other departments would continue to monitor rodent infestation particularly in problematic cargo-handling sites and other blackspots.

53. The Chairman asked about the reason for the sharp increase of the rodent-borne disease scrub typhus (ST), as there were 12 cases in the first 11 months of 2003 as compared to only two cases in 2000.

54. C(CM) responded that ST was an endemic disease in Hong Kong. In the past one or two decades, ST cases were found every year. C(CM) advised that ST was transmitted by Trombiculid mites which grew in the countryside. As the mites were very small, they could hardly be detected by human eye. Symptoms of ST included fever, headache, eschar and skin rash. The disease could be treated with antibiotics. However, without proper treatment, the mortality rate could be as high as 60%. To avoid contracting the disease, FEHD and the Department of Health had advised people visiting the countryside to apply insect repellent to their bodies and wear long-sleeved shirts and trousers.

55. The Chairman said that some cargo handling areas were close to residential development such as Cha Kwo Ling. He urged FEHD to give priority to these and other areas which were in close proximity to residential development.

56. C(CM) said that rodents normally would not venture far away from where they stayed unless the environment became unsuitable for their survival. In the Anti-

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rodent Campaign 2004, FEHD would continue to target at cargo handling areas and warehouses, and strengthen the monitoring and enforcement efforts in these areas.

57. The Chairman informed members that a medical doctor, Dr Stephen NG, had conducted some research into the causes of the SARS outbreak at Amoy Gardens last year and found that rodent could be a possible vector of the disease. The Select Committee inquiring into the handling of the SARS outbreak had referred Dr NG's findings to this Panel for follow-up discussion.

58. Dr LO Wing-lok suggested that the Panel could consider whether Dr NG should be invited to provide information to this Panel after the Select Committee had completed its inquiry into the SARS outbreak at Amoy Gardens. Members agreed.

59. Dr LO Wing-lok pointed out that the Administration should also conduct virus tests on rodent to prevent the spread of diseases by rodent.

60. C(CM) said that at present, rodent caught would be dissected to see if there was any sign of plague. Blood test would be taken to check if there was any hantaviral disease. During the SARS outbreak last year, rodent had also been tested for the SARS virus. However, there was no conclusive evidence that rodent was responsible for spreading the SARS disease. The Administration would keep close watch on the findings in other countries.

61. PS(HWF) said that the Administration was very concerned about the source(s) of the SARS outbreak. She clarified that while tests conducted in 2003 did not rule out the possibility that rodent could be a mechanical carrier of the SARS virus, there was no evidence that rodent was a cause of the outbreak.

62. In response to Dr LO Wing-lok, C(CM) said that routine tests were carried out on the rodent for plague and hantaviral disease.

63. Dr LO Wing-lok said that the Administration should consider introducing routine tests on rodent to find out whether it carried other viruses such as the SARS virus.

64. C(CM) responded that he would discuss Dr LO's suggestion with the Department of Health to see if it was justified to perform the test at this time when there was no SARS disease.

65. Dr LO Wing-lok stressed that the test was worthy as scientists were trying to find out the source of the SARS disease and were wondering why the virus seemed to have disappeared after the outbreak. The Administration noted Dr LO's suggestion.

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**VII Any other business**

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66. There being no other business, the meeting ended at 6:25 pm.

Council Business Division 2  
Legislative Council Secretariat  
19 February 2004