

立法會
Legislative Council

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by the Administration)

Panel on Food Safety and Environmental Hygiene

Minutes of special meeting
held on Wednesday, 10 March 2004 at 8:30 am
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

Members attending : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon Albert CHAN Wai-yip

Public officers Attending : 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 & Environmental Hygiene

Dr Thomas CHUNG
Assistant Director (Food Surveillance and Control)
Food and Environmental Hygiene Department

Mr LAU Sin-pang
Deputy Director of Agriculture, Fisheries and Conservation
(Acting)

Mr C W LAI
Assistant Director (Inspection and Quarantine)
Agriculture, Fisheries and Conservation Department

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

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

Action

I Follow-up discussion on measures against avian influenza

[LC Paper No. CB(2) 1382/03-04(05)]

[LC Paper No. CB(2) 1493/03-04(01)]

The Chairman expressed disappointment that the Administration had not provided an updated paper for discussion at this meeting despite that notice of the meeting had been issued two weeks ago. Mr Andrew CHENG and Mr LEUNG Fu-wah also expressed regret that the Administration did not provide any paper for the meeting.

2. Permanent Secretary for Health, Welfare and Food (PS(HWF)) apologized for not having prepared a paper for the meeting. She explained that as discussions had been held with the Mainland authorities on a host of issues until the last minute, it had not been possible to prepare a paper in time for the meeting. However, she undertook to provide a progress report after the meeting.

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Importation of fertilized eggs

3. PS(HWF) said that discussions had been held with the Guangdong authorities on the importation of fertilized eggs for producing day-old chicken locally, in order to replenish the existing stock of day-old chicken.

4. Assistant Director (Inspection and Quarantine) of Agriculture, Fisheries and Conservation Department (AD(AFC)) supplemented that initial discussions had been held with poultry farmers, and their response was favorable. The first batch of loan application for the development of the hatching operation was being processed. It was expected that incubators would be available in about a month's time.

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5. The Chairman asked when the first batch of fertilized eggs would arrive. AD(AFC) responded that the fertilized eggs could be imported once the incubators were ready. He said that discussions were being held with the parties concerned about the inspection and certification arrangements. It was envisaged that the details would be worked out very soon.

6. Mrs Selina CHOW asked whether importation of fertilized eggs could start earlier if the trade could source the eggs. AD(AFC) said that the fertilized eggs would mainly come from China, and other sources such as Malaysia were also being explored. He said that the timing for importation would depend on the availability of the incubators which would take about one month to set up.

7. Mr WONG Yung-kan expressed concern about the safety of fertilized eggs and the cost-effectiveness of having local hatching operations. He said that as people in Hong Kong preferred to eat hens, half of the fertilized eggs might be wasted. He also asked whether the Government had any long-term policy in this respect and whether this was only a stop-gap measure.

8. PS(HWF) said that the idea of developing a local hatching industry was to ensure a stable supply of local chickens, should there be a need to cease importation of chickens again due to recurrence of avian influenza in neighbouring places. It was necessary to establish a system for providing locally hatched chickens, but this would take some time to materialise. As regards the preference for hens, AD(AFD) said that poultry farmers would take this into account in calculating the costing of hatching operations.

9. Mrs Selina CHOW said that importation of fertilised eggs was only one of the interim measures to address the problem of avian influenza outbreak in neighbouring places. She agreed with Mr WONG Yung-kan that the Administration should work out a long-term policy and continue discussion with the trade in addressing the problem. She also urged the Administration to provide the procedure and timetable for the importation of fertilized eggs.

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Clerk 10. The Chairman requested the Administration to provide a paper on the progress made in the importation of fertilized eggs. He suggested that the Panel would conduct visits to some of the local poultry farms in due course.

Importation of frozen and chilled poultry

11. Director of Food and Environmental Hygiene (DFEH) said that as the avian influenza outbreaks in the Mainland had stabilised, processing of applications for importation of chilled and frozen poultry to Hong Kong would resume from the next day. There would be stringent measures to ensure the safety standard of the imported poultry. It was expected that the first batch of chilled/frozen chickens could arrive in Hong Kong in the week of 22 March 2004.

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12. DFEH further explained that the viscera of all chilled/frozen poultry from the Mainland would continue to be banned until further notice because of concern about its safety. In addition, the following measures would be taken to ensure the safety and hygiene standard of imported chilled and frozen poultry -

- (a) the Mainland authorities would monitor the process for the export of chilled/frozen poultry, for which a security band system would continue to apply. The poultry which passed the inspection would be issued a health certificate, and the truck would be locked and sealed, with a security number set out in the health certificate. Upon arrival at the control points in Hong Kong, the consignment and the health certificate would be inspected and the seals broken by the Hong Kong authorities before distribution to the retail outlets; and
- (b) the first three consignments of chilled/frozen poultry from each processing plant in Guangdong Province would be held and tested by Hong Kong authorities to ensure that they did not contain any avian influenza virus before they were released for sale. If the consignments proved to be satisfactory, subsequent consignments would be subject to the usual surveillance programme.

13. The Chairman asked whether chickens intended for export as frozen poultry would also have to be segregated for five days in farms, and kept under -18°C after slaughtering and processing. DFEH replied in the affirmative.

14. Mr LEUNG Fu-wah asked whether there was a mechanism to ensure that the chickens slaughtered were healthy and free from the virus, if the monitoring process in the Mainland only started from the processing plants.

15. DFEH explained that the farms and plants which supplied poultry to Hong Kong must be registered with the Mainland authorities. It had been agreed with the Mainland authorities that such chicken farms should be free from avian Influenza in the last 180 days, and the chickens should be segregated or quarantined for five days before slaughtering. A veterinarian would inspect the chickens, and issue a health certificate if the chickens were healthy. The chickens certified healthy would then be taken to the slaughtering houses/processing plants within three days after certification. It was also required that the delivery trucks should not pass through any areas infected by avian influenza. All chickens would be inspected again by a veterinarian at the processing plant before they were passed for processing.

16. Mr LEUNG Fu-wah said that while various provinces and places in the Mainland could supply chilled and frozen poultry to Hong Kong, only designated farms in Guangdong could supply live chickens to Hong Kong. He asked why importation of live chickens could not be resumed as chilled/frozen poultry.

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17. PS(HWF) explained that live chickens carrying H5 virus could spread the virus through their droppings and such virus could also multiply among live chickens. However, such risks would not exist in chilled/frozen chickens.

18. Mr WONG Yung-kan also urged the Administration to make it clear when importation of live chicken could resume. He said that as the quarantine and health certificate requirements applied to both live chicken and chilled/frozen chicken, there should not be different timetables for the resumption of importation of live chicken and chilled/frozen chicken. He asked whether the Administration intended to replace live chicken with chilled/frozen chicken. He also queried that some food premises were still serving chilled chickens and goose viscera although import of these items had been banned, and whether these came from illegal sources.

19. PS(HWF) said that the Administration did not intend to change the present policy on importation of live chickens. She explained that as chilled/frozen chickens posed relatively lower risk in spreading the virus, importation of these items could resume at an earlier time. However, the importation of live chicken would depend on the avian influenza situation in the region and discussions with the Mainland authorities on the hygiene standards of the chicken farms and monitoring measures. As regards the smuggling activities, stepped-up measures, such as enhanced intelligence and joint operations with the Customs, had been taken to combat smuggling of unapproved poultry.

20. Mr WONG Yung-kan said that it was impracticable to eradicate the problem of avian influenza as the virus could also be spread by migratory birds and crows. He further said that the poultry trade wanted to have legal supplies of chickens and poultry. He urged the Administration to state clearly when importation of live chicken could resume. PS(HWF) agreed to consider Mr WONG's views. She said that discussions would be held with the trade to work out the plan for resumption of importation.

21. Mr Tommy CHEUNG urged the Administration to make it clear its long-term policy on live poultry so that the industry could decide whether to invest on the local hatcheries. Mr CHEUNG said that it was unrealistic for the Administration to aim at eliminating the risks of avian influenza, and it was only pragmatic to formulate strategies to manage such risks. He said that unlike other countries, all chickens coming from the Mainland and local farms were vaccinated against the H5 virus. Moreover, the Mainland chicken farms supplying chickens to Hong Kong were open to inspection by Hong Kong authorities, to ensure that Hong Kong hygiene standards were met.

22. Mr CHEUNG asked whether the plan for resuming importation of chilled and frozen poultry included goose and duck. He also asked about the procedures and waiting time for the consignment checks at the control points. He was concerned about the time for the chilled poultry to be available for sale in the markets.

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23. DFEH responded that the importation plan included chilled goose and duck, but not their viscera for the time being. The consignment check at the control points could be completed within half a day. If the consignment could arrive at the control point before noon, it could be released in the afternoon if it passed the inspection. DFEH added that there was no plan for the resumption of live geese and ducks for the time being.

24. PS(HWF) said that given the recent widespread of avian influenza outbreaks in the region, it was necessary to adopt additional precautionary measures to prevent the spread of the infection in Hong Kong. She further said that World Health Organization (WHO) had also warned against possible resurgence of the infection. She pointed out that it was less than two months since the first case of avian influenza in Guangdong, and some areas in China were still infected. She added that the importation of live chickens could resume only when there were obvious signs that the infection was over.

25. Mr YEUNG Yiu-chung considered that the Administration had been over cautious in not resuming importation of live poultry from areas with no further infection cases. He said that the Administration should rely on scientific evidence in determining when to resume import of live poultry.

26. PS(HWF) said that the decision to resume import of chilled/frozen chicken was based on scientific evidence that chilled/frozen poultry had lower risks in carrying and spreading the H5 virus than live chicken. While live chickens were vaccinated against the H5 virus, the virus could mutate with other strains that might affect humans. PS(HWF) warned that if there was a recurrence of avian influenza outbreak in Hong Kong, it would bring about serious adverse impact on the economy and tourism of Hong Kong. She added that Hong Kong was actively promoting itself as a city free from avian influenza, and that serious efforts should be made to prevent Hong Kong from being affected by the infection in the region.

27. Mr YEUNG Yiu-chung further asked about the scientific basis for resuming import of live chicken. DFEH said that the Administration would rely on risk assessments in determining when to resume imports. He explained that there was scientific evidence that the H5 virus was mostly found in the viscera, and therefore the viscera of poultry was not allowed to be imported until further notice. He added that the Administration would need to observe the situation in the Mainland for some time, as there were still two provinces infected by H5N1.

28. The Chairman said that members were concerned whether there was any scientific basis for the Administration to "observe" the situation in the Mainland, and whether the Administration would discuss with experts in assessing the risks of resuming the import of live chicken. PS(HWF) responded that the Administration would continue to discuss with experts in preventing Hong Kong from being infected with avian influenza.

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29. Mr Michael MAK urged the Administration to formulate clear guidelines, based on scientific evidence, for resuming import of live poultry. Mr MAK said that at its last meeting, the Council had passed a motion moved by Mr Tommy CHEUNG on restoring public confidence in the consumption of live chicken. He also requested the Administration to provide some pictures or videos on its inspection of the poultry farms in the Mainland, to enable members to have a better understanding of the hygiene conditions there.

Admin

30. PS(HWF) agreed to provide more information on the control measures, surveillance and hygiene conditions of the Mainland farms for members' reference. She hoped that through the stringent measures taken to ensure the safe consumption of poultry, public confidence in consuming live chicken would be restored. She stressed the Administration did not have a policy to cease importation of live chicken. If there were new measures to further reduce the risks of avian influenza, the Administration would definitely consult members and all affected parties.

31. Mr Michael MAK asked whether it would require the approval of the Executive Council to resume the importation of live chicken. PS(HWF) responded that Executive Council approval was not necessary because importation of live poultry was an existing policy, and there was no change in the policy.

32. Mrs Selina CHOW said that the trade would welcome members' visits to the Mainland poultry farms. Mrs CHOW further said that the poultry trade had made much effort to ensure the safety of chickens (such as voluntary introduction of H5N1 vaccination for chickens), and to enhance the hygiene conditions of farms and markets. She added that the trade was concerned about what the Administration had planned to do, so that they could make early preparation to cooperate. Given that it was not possible to eradicate all risks in reality, the issue was how to reduce the risk to an acceptable level. She stressed that the trade was worried because there were still no conclusions on the outbreaks in the region, and the Administration had not discussed with them the plans for resuming imports and other measures.

33. Mrs Selina CHOW further said that the Hong Kong Tourism Board had been monitoring the feedback of tourists on avian influenza. The Board found that the tourists were more concerned about not having fresh chicken in restaurants than having an avian influenza outbreak in Hong Kong. She said that Hong Kong had implemented many control measures to prevent the recurrence of avian influenza. For example, all local chickens and those imported from the Mainland had to be vaccinated against the H5N1 virus since 2003, and there was no avian influenza infection since then. She urged the Administration to formulate a comprehensive plan and a timetable for resuming import of live chicken.

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34. PS(HWF) said that the Administration had been maintaining close contact with the trade. However, it was not possible for the Administration to provide a timetable on the importation of live chicken at the present stage. She explained that although the Administration had confidence in the control and hygiene measures taken in the Mainland farms, there were other factors, such as the source of the virus in the recent outbreaks in the region, that remained to be unknown. As some areas in the Mainland were still on the list of infected areas, it would be necessary to monitor the situation for some time before deciding on the timing for importation of live chicken.

35. The Chairman sought clarification on whether it was the Administration's decision to resume import of live chicken in six months, as reported by the media. PS(HWF) responded that she did not recall that the Secretary of Health, Welfare and Food (SHWF) had mentioned this at any of the Panel meetings.

36. Mr Andrew CHENG said that while the Democratic Party supported suspending the import of live chicken, the suspension should not last indefinitely. He urged the Administration to strike a balance between safeguarding public health and protecting the interest of the industry, and formulate a concrete policy to address the avian influenza problem. He asked whether there was consensus within the Administration about upholding the import ban of live chickens for six months. He further said that he had been requesting the Administration to provide a policy paper for two weeks but to no avail. He urged that the Administration should provide a paper to explain the basis for lifting or continuing the import ban on live chicken, for example, whether Hong Kong would follow the guidelines of WHO in this respect. He considered it a waste of time for the Panel to discuss the subject if the Administration did not provide any paper for the meeting.

37. Mr Tommy CHEUNG said that he recalled that SHWF had mentioned at one of the Panel meetings that live chickens would not be imported in the coming six months. He further said that it was only at this meeting that the Administration had announced that import of chilled/frozen chicken would be resumed from 22 March 2004. He added that the trade would put on strike to protest against the import ban. He urged the Administration to make early preparation so that the importation and sale of live chickens could resume as soon as possible.

38. Dr LO Wing-lok expressed support for continuing the import ban on live chicken. He agreed that it would be difficult to determine the timetable for lifting the ban at the present stage. He explained that avian influenza was a serious problem. If a chicken was infected with the virus, the virus could multiply rapidly in the chicken and also infect other chickens. Therefore it was correct for the Administration to take measures to reduce the density of poultry population in the market, restrict the movement of live poultry and reduce their contacts with humans. However, as the virus would not multiply in slaughtered poultry, there was little risk of spreading the virus through chilled/frozen poultry, as long as the viscera of poultry was not imported.

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39. Dr LO further said that given the severity of the avian influenza problem, the Administration would need to take a cautious approach. If the Administration did not take stringent measures, it would be criticised for being too lax if Hong Kong was subsequently infected. However, as the Administration's measures would affect the poultry trade, the Administration should discuss with the trade and provide assistance to them as far as possible. Dr LO added that he also recalled that SHWF had mentioned at a Panel meeting that the import ban on live chicken would likely last for six months.

40. Mr Albert CHAN said that he had received feedback from some poultry stalls in markets that the Administration had been over-worried and inflexible in dealing with the avian influenza problem. Mr CHAN asked whether the decision to continue the import ban on live chicken was based on any scientific ground. He also asked whether the import ban had affected the daily life of the public and the livelihood of the trade. Referring to a recent suicide case in Tin Shui Wai, Mr CHAN said that he did not hope to see more tragedies of this kind. He considered that the Administration should adopt a holistic approach in addressing the problem before deciding on the necessary remedial measures. He said that importation of live chicken should resume if the Administration could ensure that reasonable hygiene standards would be complied with by the exporting farms and the trade.

41. Mr LEUNG Fu-wah expressed disappointment that the Administration had not provided any paper or concrete measures for discussion. He said that the Administration should give some direction in addressing the problem, and also indication on the duration of import ban. He further said that as the import ban had adversely affected the industry, the Administration should provide relief measures for the industry.

42. Mr WONG Yung-kan said that he had assisted in maintaining a dialogue between the Administration and the trade on measures to improve the hygiene standards and operation of the trade. He further said that he had previously raised the concern that wild birds could spread the H5 virus, and now this possibility was confirmed by the recent outbreaks in the region. He hoped that the Administration would adopt a scientific approach in dealing with the problem of avian influenza, and should not over-exaggerate the risks of the disease based only on assumptions. He urged that the Administration should discuss with experts, including those from the Mainland, to work out an action plan for resuming the import of live chicken. He also urged the Administration to actively explore ways to improve the transportation process of live chicken, to ensure that it would not spread any H5 virus during the process.

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43. PS(HWF) said that the recent outbreak of avian influenza in the region was unprecedented. Unlike previous outbreaks, the epidemic this time was widespread and serious with many countries/places infected, and there had been a high death rate in case that had affected human (22 deaths out of some 30 cases). While the virus was usually more active in cold weather, the disease this time started in a warm region. Therefore, many experts abroad and in the Mainland had shown immense concern about the spread of the infection. PS(HWF) pointed out that avian influenza was not only a livestock disease as it could affect human and had significant impact on the economy. The Administration therefore had to adopt a prudent and responsible approach in addressing the problem.

44. PS(HWF) further said that the Administration had devised short-term and longer term measures to address the problem, while maintaining supply of live chickens (from local farms) in the meantime. Now that the outbreak situation in the Mainland had stabilised, import of chilled and frozen chicken could resume on 22 March 2004. As there might be a short supply of live chickens from local farms due to the import ban on day-old chicken, arrangements were being worked out to import fertilized eggs as a short-term measure. She said that the Administration would further discuss with Members, the trade and the community on any further measures, including the proposals on segregation of poultry from customers. A public consultation on the latter proposal would be issued in two months' time.

45. As regards the timetable for resuming import of live chicken, PS(HWF) explained that it would depend on the developments in the region. Currently, World Organization for Animal Health (OIE) and the international community were reviewing their policy on lifting the restriction on the importation of poultry from the avian influenza affected places. OIE was also considering revising the period to remove a place from the list infected with avian influenza, and the issue would be further discussed at their coming meeting later this year.

46. On the relief measures for the trade, PS(HWF) said that a paper setting out the measures had been discussed at the Panel meeting on 25 February 2004. SHWF would further meet with the trade again this week to discuss measures to help the trade to tide over this difficult period.

47. Concerning the control measures at the border control points, PS(HWF) said that stringent measures had been put in place to ensure the safety of imported poultry. This was one of the reasons why Hong Kong did not have an outbreak this time. PS(HWF) hoped that the trade could be patient, as it would take time to restore public confidence in the consumption of chicken. PS(HWF) added that the Administration would continue to communicate with the trade. She pointed out that avian influenza was a kind of natural disaster, and it would need the cooperation of all parties to overcome the problem. She said that the Administration would welcome suggestions to further shorten the time for resuming the import of chilled and frozen poultry.

Action

48. Mr WONG Yung-kan asked whether the Administration would also consult the Mainland experts on avian influenza on the measures to expedite the import of live chicken into Hong Kong. PS(HWF) said that SHWF was responsible for coordinating the actions against avian influenza. She added that the Administration would continue to discuss with the Mainland, and expert advice would be sought where appropriate.

49. The Chairman advised that the Administration should report further development on the issue to the Panel.

Relief measures

50. The Chairman said that at the Panel meeting on 25 February 2004, Members had requested to include chilled and frozen poultry traders, the transport workers and the poultry workers in the package. The Chairman also asked when the relief measures, such as the rent exemption, would take place.

51. Mr LEUNG Fu-wah expressed disappointment that the Administration had not provided a further paper or proposals to address Members' concerns.

52. Mr WONG Yung-kan said that SHWF's previous meeting with the trade on the relief measures had not achieved any fruitful results. He said that the proposed ex-gratia payment of \$5,000 per month to fresh provision shops was not sufficient to cover the shop rental and employees' salaries. As the poultry trade was already affected by the import ban in February 2004, he did not understand why the rent exemption would only start from March 2004. He added that the trade was the victim of the import ban and the community should have sympathy on them.

53. Mr Tommy CHEUNG also expressed disappointment that the Administration did not provide a further paper on the relief measures, for example, measures to assist the poultry workers, after the last meeting which was held on 25 February 2004. He said that the Administration had not made any compensation to the poultry trade since 2001, and this time Hong Kong was the victim of the outbreaks in the region. He further said that the proposals on rent exemption was only one step to help the trade to tide over the difficult period.

54. Mr Albert CHAN expressed disappointment that the Administration had not accorded priority to providing relief measures to the trade. He urged the Administration to expedite actions as the poultry trade was in financial hardship.

55. PS(HWF) responded that she was aware of the difficulties of the poultry trade. She added that the ex-gratia payment would be paid to the shop/stall owners by phases. While she agreed that the ex-gratia payment alone might not be adequate, the Administration would need to strike a balance between prudent use of public money and the interest of the trade.

Action

56. The Chairman urged the Administration to take care of the interests of the poultry trade in view of their present difficulties. He also urged the Administration to expedite actions to provide relief measures to the trade as they had been affected by the import ban since 30 January 2004. The Chairman suggested that the financial proposal on the relief measures should be forwarded to the Finance Committee directly without having to route through the Panel again.

Admin

57. In response to Mr Albert CHAN, PS(HWF) said that poultry stalls in markets managed by the Housing Authority would also be included in the proposed package.

II Any other business

58. There being no other business, the meeting ended at 10:30 am.

Council Business Division 2
Legislative Council Secretariat
30 April 2004