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Legislative Council

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LC Paper No. CB(2) 2114/03-04
(These minutes have been seen by
the Administration)

Panel on Food Safety and Environmental Hygiene

Minutes of Meeting
held on Friday, 19 March 2004 at 10:45 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
Dr Hon LO Wing-lok, JP

Members attending : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHAN Kwok-keung, JP

Member absent : Hon LEUNG Fu-wah, MH, JP

Public officers attending : Item IV

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

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

Miss Vivian KO
Principal Assistant Secretary (Food & Environmental Hygiene) 1
Health, Welfare and Food Bureau

Mr Gregory LEUNG
Director of Food and Environmental Hygiene

Mr Thomas CHAN
Director of Agriculture, Fisheries and Conservation

Item V

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

Miss Vivian KO
Principal Assistant Secretary (Food & Environmental Hygiene) 1
Health, Welfare and Food Bureau

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

Ms Rhonda LO
Assistant Director (Operations) 3
Food and Environmental Hygiene Department

Item VI

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

Mr Vincent LIU
Principal Assistant Secretary (Food & Environmental Hygiene) 2
Health, Welfare and Food Bureau

Mr Donald TONG
Deputy Director (Administration and Development)
Food and Environmental Hygiene Department

Mr YEUNG Shun-kui
Assistant Director (Operations) 2
Food and Environmental Hygiene Department

Mrs Christine FUNG
Chief Executive Officer (Planning)
Food and Environmental Hygiene Department

Mr LEE Yuk-shing
Chief Project Manager
Architectural Services Department

Mr S H MAK
Senior Building Services Engineer
Architectural Services Department

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

Staff in attendance : Miss Lolita SHEK
Senior Council Secretary (2)7

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I Confirmation of minutes of meeting
[LC Paper No. CB(2) 1761/03-04]

The minutes of the special meeting held on 30 January 2004 were confirmed.

II Date of next meeting and items for discussion
[LC Paper Nos. CB(2) 1708/03-04(01) and (02)]

2. Members agreed to discuss the following items, as requested by the Administration, at the next regular meeting scheduled for 27 April 2004 at 10:45 am -

- (a) Control of ice-making plants; and
- (b) Control of live fish wholesalers and fish tank water quality.

III Information paper(s) issued since last meeting

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

IV Follow-up discussion on measures against avian influenza

Proposed measures to address the problem of avian influenza

4. Secretary for Health, Welfare and Food (SHWF) briefed members on the latest developments in respect of the resumption of import of live chickens from the Mainland, as well as the interim and longer term measures, such as segregation of live poultry from customers at retail level, to address the problem of avian influenza.

Guidelines of World Organisation for Animal Health (OIE)

5. SHWF stressed that safeguarding the public health was the prime consideration in deciding when to resume the importation of live poultry. SHWF said that in making the decision, Hong Kong would make reference to OIE's latest proposed guidelines which provided new concepts relating to farm management. Based on the latest conditions set by OIE, Hong Kong would hold initial discussions with Guangdong officials next week on the arrangements for the resumption of import. Site visits would also be paid to the Mainland farms. If it was satisfied that the farms had implemented suitable arrangements, Hong Kong might consider early resumption of import of live poultry from individual farms in the Mainland. Smaller quantities of live chickens would be imported at the beginning, and the volume of import would resume to normal afterwards.

6. Director of Agriculture, Fisheries and Conservation (DAFC) explained that according to the Terrestrial Animal Health Code of OIE, a country might be considered to be free from highly pathogenic avian influenza six months after the slaughter of the last affected animal, if a stamping-out policy was practised in that country. Recently, OIE had developed a new chapter on avian influenza and introduced new concepts such as notifiable avian influenza free country or zone or compartment. A zone or compartment (as defined by OIE) in a country could be considered free from avian influenza three months after the slaughter of the last affected poultry and disinfection of all affected establishments.

7. DAFC further explained that under the new concept, a zone (or compartment) referred to a part of a country (or one or more establishments) under a common biosecurity management system containing an animal sub-population with a distinct health status with respect to a specific disease for which required surveillance, control and biosecurity measures had been applied for the purpose of international trade.

8. DAFC informed members that in line with the new chapter developed by OIE, the Mainland was establishing special areas/compartments which would be required to comply with the following health and trade requirements –

- (a) there was no poultry or pig farm within a radius of three kilometres from the farm exporting chickens;

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- (b) acceptable and auditable biosecurity measures and monitoring systems were implemented on the farms, e.g. to prevent entry of wild birds;
- (c) acceptable vaccination programme was implemented on the farm;
- (d) sample tests were conducted at a 95% confidence level to detect avian influenza infection in live poultry;
- (e) trucks and cages used for transportation of poultry were subject to stringent control;
- (f) four comprehensive virus tests were conducted on poultry each year;
- (g) health certificates were issued by competent veterinary authority providing also the history of any past diseases and avian influenza infections; and
- (h) there was sufficient transparency on the report of avian influenza cases.

DAFC said that subject to the farms complying with all these conditions, they could resume exporting live chickens to Hong Kong after three months.

Resumption of imports and measures to segregate live poultry from humans

9. SHWF said that to reduce the risk of avian influenza infection, it was necessary to improve the over-crowded situation in retail markets, and reduce the total number of live poultry in the markets. SHWF explained that both interim and longer term measures would be introduced to improve the market conditions, reduce the population/density of live poultry, and minimize as far as possible the contact between the public and live poultry. Proposals to implement the segregation of poultry from humans throughout the supply chain, i.e. from farms to retail outlets, were being formulated, and a public consultation paper would be issued in about two weeks' time.

10. SHWF said that to implement segregation of live poultry from customers at the retail level, the number of poultry stalls and fresh provision shops would be reduced by 50%. The Administration would discuss with the trade on buying back the licences for retail, and the quantity of live chickens to be imported might also be adjusted in future.

11. Director of Food and Environmental Hygiene (DFEH) said that in the past few weeks, officers of Food and Environmental Hygiene Department (FEHD) had conducted site visits in Shenzhen and Guangdong to inspect the farms previously exporting live chickens to Hong Kong, and the monitoring measures in place. Discussions would be held with the Mainland authorities on the arrangements and measures for resuming import of live poultry from the Mainland. DFEH said that

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vaccination against H5 avian influenza infection would continue to be required of all chickens for export to Hong Kong, and relevant sampling tests would be conducted on every batch of chickens consigned for Hong Kong.

12. DFEH further said that discussions would be held with the trade on the introduction of the following immediate measures to reduce contact between live poultry and customers at retail level –

- (a) the hygienic conditions of lorries used for the transportation of live poultry should be improved;
- (b) live chickens should not be loaded during market peak hours;
- (c) acrylic panels should be installed in front of cages holding live poultry to separate chickens from customers;
- (d) the number of market rest days would be increased; and
- (e) the number of chickens kept in the stalls should be reduced to avoid overcrowding.

13. DFEH said that the Government would implement a scheme to reduce the number of poultry stalls in markets by encouraging operators to opt for larger stalls in markets through buying back the retail licences. After the poultry stalls had been enlarged, the slaughtering, storage and selling of chickens would be carried out in three separate compartments in the market.

14. DFEH said that longer-term measures including central or regional slaughtering would be explored, and the trade would be consulted through a public consultation paper on the longer-term proposals.

15. SHWF added that the trade would also be consulted on other proposals such as provision of separate wholesale markets for the Mainland and local chickens, importation of fertilized eggs and day-old chickens, and strengthening of biosecurity in local farms.

Ex-gratia payments for live poultry operators

16. SHWF informed members that the Government fully understood the financial difficulties faced by the trade and would offer one-off ex-gratia payments to poultry operators affected by the outbreak of avian influenza in the region, in order to assist them to tide over the present difficult period.

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17. Deputy Secretary (Food & Environmental Hygiene) (DS(FEH)) added that the payment proposals had been formulated following discussions with the live poultry trade. The proposed ex-gratia payments, which were modelled on the package for the poultry trade during the avian influenza outbreak in 2001, were as follows –

- (a) \$40,000 for each live poultry stall in the wholesale markets under the management of Agriculture, Fisheries and Conservation Department (AFCD);
- (b) \$30,000 for each live poultry stall in the wet markets under the management of FEHD, Housing Authority (HA) or Housing Society (HS);
- (c) \$60,000 for each fresh provision shop selling live poultry in private premises (less \$10,000 which was already paid under the relief measures announced on 25 February 2004); and
- (d) \$24,000 for each lorry regularly transporting live poultry from the Mainland/local farms and between AFCD's poultry wholesale markets and the retail outlets.

18. DS(FEH) said that the total amounts required would be in the region of \$42 million, and the Administration would seek funding approval from the Finance Committee (FC) of the Legislative Council shortly. As regards the concern about workers in the live poultry trade, DS(FEH) advised that the Administration considered that, as a matter of principle, it was an employer's responsibility to meet his obligations to his workers. To encourage employers to fulfil their obligations to their employees, part of the ex-gratia payments would be retained until the employers had discharged their responsibilities towards the employees.

19. DS(FEH) added that a portion of the funds sought would be reserved for providing financial assistance to affected local chicken farmers.

Discussion

Guidelines of OIE

20. Dr LO Wing-lok expressed support for the measures proposed by the Administration. He also agreed that Hong Kong should make reference to the OIE guidelines in deciding on the resumption of import of live chickens.

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21. Mr Tommy CHEUNG expressed reservation about strictly adhering to the OIE guidelines. He pointed out that special arrangements had been made with the Mainland that the Hong Kong authorities could inspect the Mainland farms, and all chickens for export to Hong Kong were vaccinated against H5N1. He added that he had confidence in SHWF, DAFC and DFEH that they would take effective measures to ensure the health conditions of chickens imported into Hong Kong. He therefore urged the Administration to make early announcement on the resumption of live chickens from the Mainland.

22. Mr Tommy CHEUNG further said that the trade was more concerned about early resumption of import of live chickens rather than the ex-gratia payments. He pointed out that the ban on the import of live chickens this time was much longer than that in the previous outbreaks, and therefore had greater impact on the live poultry trade.

23. Mr WONG Yung-kan expressed support for the measures proposed by the Administration. Mr WONG also urged the Administration to make early announcement on the resumption of import of day-old chickens.

24. Mr Andrew CHENG supported the adoption of the OIE guidelines in the resumption of import of live chickens. He said that the Administration should provide a paper on the objective criteria used to determine resumption of live poultry, and also the number of Mainland farms which could meet the standard set by the proposed OIE guidelines.

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25. SHWF responded that Hong Kong would take reference from the OIE guidelines in determining when to resume the import of live poultry. He envisaged that the import of live poultry from Guangdong could resume by 12 May 2004, i.e. three months after the last reported avian influenza case in Guangdong on 12 February 2004. SHWF agreed that the arrangements made with the Mainland on exporting live chickens to Hong Kong were quite different from those in other countries. The Administration would discuss with the Mainland authorities the criteria for resuming imports to Hong Kong shortly. In taking a decision on resuming the import of live chickens, Hong Kong would also look at the conditions in individual farms in the Mainland, to ensure that they could meet the standards and requirements set by OIE. Consideration would be given to resuming the import of live chickens before 12 May 2004 from individual farms which had been verified to meet Hong Kong standard and requirements. The conditions in the wholesale and retail markets in Hong Kong would also be taken into consideration in determining the quantity of imports.

26. Mrs Selina CHOW expressed support for the measures proposed by the Administration. She also expressed appreciation of the prompt responses of the Administration to address the concerns raised by Members and the trade. Mrs CHOW added that both the public and Members supported early resumption of import of live chickens, and she urged the Administration to continue discussion with the trade on the arrangements.

Measures to segregate live poultry from humans

27. Dr LO Wing-lok agreed with the Administration that segregating live poultry from humans was crucial in preventing human infection. However, he pointed out that central slaughtering was not the only option for achieving this objective. He said that he was glad that the Administration had accepted his suggestion of installing plastic sheets to separate live poultry from customers at retail level, and reducing the number of poultry stalls in markets. He further said that buying back licences from poultry operators would be more effective than the provision of air conditioning in improving the hygienic conditions of wet markets. He urged the Administration to maintain dialogue with the trade to ensure smooth implementation of these measures.

28. Mrs Selina CHOW said that Hong Kong could devise its own methods and needed not resort to central slaughtering in achieving the objective of segregating live poultry from humans. She urged the Administration to consult the trade on the different options. Mr WONG Yung-kan shared similar views and said that the Administration should bear the interest of the trade in mind when formulating the proposals.

29. Mr Tommy CHEUNG said that he had advocated the installation of plastic sheets to separate humans from live chickens a long time ago, and he was glad that the Administration would adopt this measure. However, he expressed concern that the Administration would reduce the number of live poultry stalls by 50% in all wet markets. Mr CHEUNG pointed out that there were not many poultry stalls in HA and HS markets, and it might not be necessary to reduce the number of these stalls by half. Moreover, the Administration had already ceased issuing new licences for fresh provision shops since last year. He suggested that priority should be given to those over-crowded markets such as Tai Shing Market and Yeung Uk Street Market where there were over 20 poultry stalls.

30. DS(FEH) said that it would be the long term target of the Government to reduce the number of live poultry stalls and fresh provision shops, and the 50% reduction would not be applied across the board. He said that the reduction of stalls would start with those FEHD markets which had many poultry stalls and did not have space for the segregation arrangements. For HA and HS markets which were more spacious, it might not be necessary to reduce the number of poultry stalls therein by 50%. As for fresh provision shops, the segregation arrangements could be made by way of revised layout which could be specified as a licensing condition.

31. Mr Tommy CHEUNG said that he had previously suggested that separate wholesale markets should be provided for the Mainland and local chickens. He said that these wholesale markets should be made available before resuming the import of live chickens. He also urged the Administration to improve the hygienic conditions and facilities in existing wholesale markets.

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32. DS(FEH) responded that discussions would be held with the departments concerned as soon as possible on the provision of separate wholesale markets for chickens from the Mainland and the local farms. The conditions in existing markets would also be improved where necessary. However, it would take a much longer time if the existing wholesale markets would require re-development.

33. The Chairman expressed concern that the resumption of import of live chickens might be delayed if the Government intended to implement all the measures proposed for segregating poultry from humans before resumption of import.

34. DS(FEH) clarified that resumption of import of live chickens could resume before the implementation of the longer term measures. However, the installation of acrylic panels at poultry stalls in markets could be implemented immediately.

35. The Chairman requested the Administration to brief the Panel on the details of the proposed measures to segregate live poultry from customers at the retail level before releasing the consultation paper for public consultation. The Administration agreed.

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Resumption of supply of live chickens from local farms

36. The Chairman referred to the recent incident in which DAFC had exercised his discretion by allowing local farms to release their chickens directly to certain retail outlets bypassing the wholesalers who were still on strike. He said that such exceptional arrangement should not be made frequently, as it had deviated from the established quarantine procedures for releasing chickens from local farms for sale. He asked the Administration to avoid resorting to such discretion in future.

37. DS(FEH) explained that on that particular occasion, DAFC had exercised his discretion in order to convey a clear message to the public that the Administration would adopt exceptional measures to protect public interest in an emergency situation. He hoped that the Administration would not need to resort to such exceptional arrangements in future.

38. The Chairman expressed concern about the high retail price of live chickens recently and asked whether there was market manipulation. DS(FEH) explained that the price was determined by supply and demand in the free market. As there had been a reduction in the supply of chickens, their price might have gone up. He further explained that the Government did not participate directly in the poultry market. However, the Government would be very concerned if there was monopoly in the poultry market. At the request of the Chairman, DS(FEH) undertook to look into the causes for the high retail price of live chickens.

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Ex-gratia payments for poultry operators

39. Mr WONG Yung-kan asked whether any compensation package would be offered to stall operators in the Bird Garden as their business was also affected by the recent avian influenza outbreaks in the region. He pointed out that the Bird Garden was built after 2001 and therefore not covered by the package offered to the poultry trade in 2001.

40. DS(FEH) said that the impact of the import ban on the operators in the Bird Garden was not comparable to that on the live poultry trade, as the Bird Garden could still sell bird feed and other commodities. He added that import of live birds from avian influenza free places would be resumed shortly. Therefore, these stall operators would not be covered in the proposed ex-gratia payment package.

41. The Chairman concluded that the Panel supported the proposed ex-gratia payment package. Noting that the next FC meeting was scheduled for 30 April 2004, the Chairman suggested that the Administration should seek urgent funding approval at a special FC meeting.

Way forward

42. Members agreed that the Panel should hold a special meeting on Friday, 2 April 2004 at 10:45 am to receive a progress report on the interim and longer term measures to address the avian influenza problem, and to discuss the consultation paper on segregation of poultry from customers at the retail level. The Administration undertook to provide the papers and additional information requested by members as soon as possible.

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V Follow-up discussion on the control of importation and sale of chilled meat and poultry

[LC Paper Nos. CB(2) 1164/03-04(07) and CB(2)1438/03-04(01)]

43. The Chairman said that the Administration had briefed the Panel on strengthening the control of importation and sale of chilled meat and poultry at the meeting on 2 February 2004. The Administration had proposed that stricter punishment should be imposed towards food business licensees/tenants of market stalls convicted for selling meat obtained from an unapproved source, and that FEHD would cancel the licence or terminate the market stall tenancy on conviction immediately, despite the offender had lodged an appeal to the Licensing Appeals Board (LIAB) or the Municipal Services Appeals Board (MSAB).

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44. The Chairman further said that at the meeting on 2 February 2004, members had expressed different views on the proposal and requested the Administration to provide further information on the prosecution and appeal cases. The Chairman added that the Administration had provided the requested information [LC Paper No. CB(2) 1438/03-04(01)], and would like to ascertain members' views on the proposal at this meeting.

45. Mr Tommy CHEUNG said that he objected to the proposal. He opined that the proposed punishment was too harsh, and the licensees or market stall tenants should be allowed to continue their business until the legal proceedings of their appeals had completed.

46. DS(FEH) clarified that the legal proceedings had already completed after prosecution and conviction of the offenders. DS(FEH) explained that in committing an offence of selling meat obtained from an unapproved source, the licensees or market stall tenants concerned had also contravened the conditions of their food business licences/tenancy agreements. As the licensing authority, FEHD had the power to cancel their licences or terminate their tenancy agreements. DS(FEH) stressed that to safeguard the health of consumers, the offenders should not be allowed to continue their business even if they had lodged appeals against FEHD's decision.

47. Mr Tommy CHEUNG considered that since the licensees and tenants were allowed to lodge appeals, and the waiting time for arrangements of hearings by LIAB and MSAB was not long, FEHD should allow these appellants to continue their business pending the outcome of the appeals. Mr CHEUNG added that there would be confusion if their appeals were subsequently allowed but they had already been evicted from the market stalls.

48. Referring to the prosecution and appeals statistics provided to the Panel, Deputy Director of Food and Environmental Hygiene (Environmental Hygiene) (DD(EH)) said that of the five successful prosecutions in the past three years, only one lodged an appeal to MSAB against FEHD's decision on termination of the tenancy agreement, but the appeal was dismissed.

49. Mr WONG Yung-kan asked whether the prosecution and conviction cases had provided deterrence against the sale of meat from unapproved sources. He pointed out that there were still such cases despite the enforcement actions and conviction cases. He considered that the Administration should assess the effectiveness of the proposed measure in combating the problem.

50. Referring to the concerns expressed by Mr Tommy CHEUNG, Mr WONG Yung-kan enquired about the time required for processing appeals by LIAB and MSAB. He suggested that if the appeals could be heard within a short period of time, the licensees/market stall tenants concerned might be allowed to continue with their business while awaiting the outcome of their appeals.

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51. DD(EH) advised that generally speaking the processing time for appeals lodged to LIAB and MSAB could range from about two months to six months. She explained that there were statutory procedures and time limits for the processing of appeals and the preparation of documents also required time. There was therefore a limit as to shortening of the process.

52. Regarding Mr WONG Yung-kan's suggestion, Assistant Director of Food and Environmental Hygiene (Operations)3 (AD(O)3) explained that under the existing practice, licensees and tenants were allowed to continue with their business after conviction if they had lodged appeals. To give stronger deterrence to the sale of illegal meat, the Administration now proposed that upon conviction in court, the tenancy agreements for stalls in markets managed by FEHD would be terminated, and the licence for fresh provision shops in private premises would be cancelled at once without awaiting the result of appeals, if any. AD(O)3 stressed that selling meat obtained from unapproved sources was a serious offence, and stricter measures were proposed to combat the problem.

53. Mr WONG Yung-kan agreed that stringent measures should be taken to tackle the problem of meat smuggling, in order to restore public confidence in the quality and safety of the meat sold in the market and to safeguard public health. He said that both he and the agriculture trade supported the Administration's proposed measure.

54. Mr Andrew CHENG and Dr LO Wing-lok expressed support for the Administration's proposed measure. They considered that since the licensees and tenants had been convicted of selling smuggled meat, they should not be allowed to continue such business in order to uphold the spirit of the law. Mr Andrew CHENG said that it was necessary to impose stricter measure(s) to combat the problem of meat smuggling in order to safeguard public health.

55. Dr LO Wing-lok said that the appeals system for licensing and tenancy matters was an administrative measure, and the outcome of appeals would not affect the court verdict. Dr LO considered that safeguarding public health was of primary importance and this should not be compromised.

56. Dr LO Wing-lok suggested that fresh provision shops and market stalls selling chilled meat should be required, as a licensing or tenancy condition, to display noticeable signs indicating that chilled meat was available for sale at these premises.

57. Referring to Annex II to the Administration's paper [LC Paper No. CB(2) 1164/03-04(07)] for the meeting on 2 February 2004, Dr LO Wing-lok asked whether the increase in the quantity of smuggled chilled or frozen poultry and fresh meat seized in 2003 was a result of the strengthened enforcement actions or increase in smuggling activities. DD(EH) replied that the quantity of illegally imported meat seized by the Administration during the period from January to March 2004 was about 28 000

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kilograms. It was not apparent that there was an increase in seizure compared to 2003. She said that the Administration had all along taken strict enforcement actions against meat smuggling, and it was difficult to ascertain from seizure figures alone whether that was a result of strengthened enforcement actions or increase in smuggling activities.

58. Dr LO Wing-lok said that he hoped that the enforcement actions would have more effective results. He suggested that in bringing the cases to court, the Administration should highlight the impact of the offence on public health so that heavier penalty would be imposed on the offenders.

59. The Chairman concluded that except Mr Tommy CHEUNG, the majority of Panel members supported the proposed measure as described in paragraph 6 of the Administration's paper.

VI Reprovisioning of cremators at Diamond Hill Crematorium

[LC Paper Nos. CB(2) 1708/03-04(04), CB(2)1784/03-04(01) and CB(2)1815/03-04(01)]

60. At the invitation of the Chairman, DS(FEH) briefed members on the Administration's paper [LC Paper No. CB(2) 1708/03-04(04)].

61. The Chairman said that a joint submission from three members of Wong Tai Sin District Council requesting that the existing cremators at Diamond Hill Crematorium should immediately cease operation was tabled at the meeting [LC Paper No. CB(2)1815/03-04(01)].

62. Mr YEUNG Yiu-chung asked whether the proposed replacement cremators would have any adverse impact on the environment. Deputy Director (Administration and Development (DD(A&D)) of FEHD explained that latest cremation technology would be adopted for the replacement cremators, to ensure that they would fully meet all relevant environmental protection criteria during their operation. The cremators would be equipped with high temperature secondary combustion chambers to ensure complete combustion during the cremation process, and a flue gas filtering system to filter away particles and waste gases in the emission from the cremators. These were advanced features which had been adopted in the replacement cremators at Kwai Chung Crematorium commissioned in 2003, and these had proven effective in preventing the emission of particles/waste gases and dark smoke and meeting the statutory environmental standards. The new cremators would therefore afford better protection to the environment than the existing cremators.

63. Chief Project Manager (CPM) of Architectural Services Department (ASD) supplemented that ASD had commissioned a consultant to conduct an environmental impact assessment (EIA) study on the impact of odour, noise and emissions of the proposed replacement cremators, and a detailed EIA report was produced in 2003. The

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environmental impact on the surroundings including the nearest schools and residential area within 200 metres of Diamond Hill Crematorium was studied, based on the estimated handling capacity of the new cremators and the performance of those at Kwai Chung Crematorium. A higher standard, i.e. not exceeding five odour units, was adopted in assessing the odour that would be emitted by the new cremators.

64. CPM further said that the EIA report concluded that the environmental impact arising from the proposed project could be mitigated to an acceptable level. To ensure that the required mitigation measures would be properly implemented, the report recommended a regular environmental monitoring and audit programme, and also an environmental management plan, for FEHD and ASD to follow during operation and construction phases. Check points would be set up at various locations in the neighbourhood of the Crematorium, and periodic reports would be made to EPD to facilitate early detection of problems and early repairs of the cremators.

65. Principal Assistant Secretary (Food & Environmental Hygiene)² (PAS(FEH)²) added that existing cremators which had been operated for a long time might possibly cause air pollution problems like dark smoke and odour. However, new cremators such as those at Kwai Chung Crematorium had proven effective in preventing the emission of smoke and odour. He assured members that the new cremators would afford better protection to the environment.

66. The Chairman said that the principals of the schools in the school village near Diamond Hill Crematorium had been complaining about the odour generated from the cremators. He asked whether the Administration had taken any measurements on the odour generated from the cremators.

67. CPM explained that the odour standard recommended by EPD was only a guideline and not a statutory requirement. ASD would follow the EIA study in implementing odour assessments in meeting the objective standards.

68. Noting that there were views against the in-situ reprovisioning of the Crematorium, Mr YEUNG Yiu-chung asked how the Administration would deal with these objections. DD(A&D) explained that during the public exhibition stage of the EIA report, two objections to the project were received by EPD. The Advisory Council on Environment had considered all the views received before it endorsed the EIA report in March 2004. EPD's decision on the approval of the report would be available in the next few weeks.

69. DD(A&D) added that in January 2003, a group of parents of students studying in the school village near Diamond Hill Crematorium had sought the assistance of LegCo Members in expediting the reprovisioning project and making improvements to the existing cremators in the interim.

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70. PAS(FEH)2 supplemented that the former Wong Tai Sin District Council (WTSDC) supported early replacement of six existing cremators, but objected to the provision of six additional cremators. The Administration had subsequently revised the scope of the project to include only the replacement of six cremators and reprovisioning of ancillary facilities. He added that the new cremators would give better protection to the environment while meeting the increasing public demand for cremation service.

71. The Chairman asked whether the operation of existing cremators at Diamond Hill Crematorium could be discontinued in the meantime, since the handling capacity of the cremators at Kwai Chung Crematorium and Fu Shan Crematorium had been expanded after reprovisioning.

72. DD(D&A) said that if Diamond Hill Crematorium was to cease operation, there would be a shortfall of around 3 000 sessions in 2004 and 6 000 sessions by 2006. The remaining five crematoria managed by FEHD, including Kwai Chung Crematorium and Fu Shan Crematorium, would not be able to meet the increasing public demand for cremation service. DD(D&A) further said that 34% and 81% of the total cremation bookings in 2002 and 2003 respectively had to wait for 11 to 15 days. The waiting time would become even longer if Diamond Hill Crematorium would not provide service.

73. Mr Tommy CHEUNG enquired about the increase in waiting time if Diamond Hill Crematorium was to cease operation. PAS(FEH)2 said that since the Crematorium handled 22% of total cremations in Hong Kong, the waiting time for cremation would definitely be longer should the Diamond Hill Crematorium cease operation. DD(A&D) said that the Administration could try to provide an estimation of the increase in waiting time. However, the waiting time for different crematoria would vary, because those in the urban area were more popular and there was a longer waiting time. Experience also revealed that there would be greater demand for cremation service in the period around Lunar New Year. DS(FEH) supplemented that the mortuaries would also be affected if the waiting time for cremation was prolonged.

(Post-meeting note : FEHD subsequently advised that there would be an increase of about 3 days in waiting time if the existing Diamond Hill Crematorium were to cease operation.)

74. In response to Mr Tommy CHEUNG, DD(A&D) explained that only one corpse could be incinerated in each cremation session. The output time was 2½ hours for existing cremators, and it would be reduced to 1¼ hours for replacement cremators. While three sessions could be arranged for an existing cremator operating from 9:30 am to 5:30 pm, five sessions could be arranged for a replacement cremator because of the shortened output time. For the new cremators at Kwai Chung Crematorium and Diamond Hill Crematorium, a maximum of six sessions could be provided daily.

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75. The Chairman asked whether Kwai Chung Crematorium and Fu Shan Crematorium could provide additional cremation sessions to make up for the shortfall, if the existing cremators at Diamond Hill Crematorium were to cease operation.

76. DD(A&D) responded that it was unlikely that more sessions could be provided because there would be objections from residents in the vicinity of the Crematoria (particularly Fu Shan Crematorium). In fact, the cremators at Kwai Chung Crematorium had already been operating for 10 hours daily to 7:30 pm. Even if the residents did not raise objection to the increase in cremation sessions or even 24-hour operation of cremators, there would be faster wear and tear of the cremators, and the life span of cremators would be shortened. An increase in sessions was therefore not recommended in view of the high repair and replacement costs, and the disruption to cremation service caused by deteriorating performance and frequent repairs.

77. Mr Tommy CHEUNG asked whether Diamond Hill Crematorium could shift to night operation to reduce the environmental impact on the neighbourhood. PAS(FEH)2 said that this would affect the operation of ancillary services and the bereaved families, for example, arrangements for holding of funerals and transportation of the corpse to the Crematorium. Besides, it was the trade practice that the funeral and cremation services were conducted during daytime.

78. Dr LO Wing-lok said that he supported the proposed project which was necessary to meet the increasing demand for cremation service due to an ageing population in Hong Kong. Dr LO asked whether mitigating measures could be adopted in the meantime to reduce the emissions from existing cremators before replacement.

79. CPM replied that re-provisioning of existing cremators was the most cost effective way to improve the performance of cremators and the local environment. Other large-scale improvement works to bring the existing cremators to present-day environmental standards would be costly and time consuming. Therefore, it might not be worthwhile to incur substantial expenditure to modify the existing cremators. Nevertheless, ASD could discuss with EPD/FEHD the feasibility and cost effectiveness of such improvement works.

80. PAS(FEH)2 informed members that since 2001, ultra low sulphur diesel had been used for the cremators, and this had greatly mitigated the impact on the environment. However, the cremators would need to be replaced if further improvements were to be made. DD(A&D) added that the dark smoke emitted by cremators was caused by incomplete combustion in the cremation process. To mitigate the problem, the Administration had installed temperature monitoring device to the cremators to ensure complete combustion. Moreover, only three cremation sessions were provided daily at Diamond Hill Crematorium, since the new cremators at Kwai Chung Crematorium had come into operation. There had been less complaints on the odour and emission problems recently. The Administration would continue to explore other interim measures to reduce the environmental impact.

Action

81. The Chairman concluded that the Panel supported the proposed reprovisioning project. Noting that the Administration planned to submit the proposal to the Public Works Subcommittee (PWSC) and seek funding approval from Finance Committee (FC) around May 2004, the Chairman asked the Administration to submit the proposal to PWSC and FC earlier in order to expedite the project.

82. PAS(FEH)2 said that EPD's decision on the EIA report would likely be available in early/mid April. The Administration would seek early approval of PWSC and FC where possible.

VII Any other business

83. There being no other business, the meeting ended at 12:35 pm.

Council Business Division 2
Legislative Council Secretariat
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