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Panel on Food Safety and Environmental Hygiene

Minutes of Special Meeting
held on Friday, 19 August 2005 at 9 am
in the Chamber of the Legislative Council Building

Members Present : Hon Fred LI Wah-ming, JP (Chairman)
Hon WONG Yung-kan, JP (Deputy Chairman)
Hon TAM Yiu-chung, GBS, JP
Hon Vincent FANG Kang, JP
Dr Hon KWOK Ka-ki

Member Attending : Hon Emily LAU Wai-hing, JP

Members Absent : Hon Bernard CHAN, JP
Hon Andrew CHENG Kar-foo
Hon Tommy CHEUNG Yu-yan, JP
Hon WONG Kwok-hing, MH
Dr Hon Joseph LEE Kok-long

Public Officers Attending : Dr York CHOW
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

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

Mr Gregory LEUNG
Director of Food and Environmental Hygiene

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

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

Dr LEUNG Siu-fai
Assistant Director (Fisheries)
Agriculture, Fisheries and Conservation Department

Dr Thomas TSANG
Consultant Community Medicine (Communicable Disease)
Department of Health

Clerk in Attendance : Mrs Justina LAM
Assistant Secretary General 2

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

Ms Anna CHEUNG
Legislative Assistant (2)5

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I Suspension of import of frozen pork from Henan and Shenzhen
[LC Paper No. CB(2) 2464/04-05(01)]

The Chairman said that the Administration's paper on the recent food incidents relating to pork and eel was tabled at the meeting.

(Post-meeting note : The Administration's paper tabled at the meeting was issued to members vide LC Paper No. CB(2) 2464/04-05(01) on 22 August 2005.)

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2. Secretary for Health, Welfare and Food (SHWF) said that the overall objective of Hong Kong's food safety control was to ensure that food products were hygienic, safe and fit for human consumption. Hong Kong's food safety regulatory regime was based on international practices and risk analysis assessment. SHWF further said that the Administration had observed consistent international principles and standards in determining the measures taken in the recent incidents related to food.

3. Deputy Secretary for Health, Welfare and Food (Food and Environmental Hygiene) (DS(FEH)) explained to members the reasons for the Administration's decisions not to suspend the importation of pork from Sichuan, but to suspend processing applications for the importation of frozen pork from Shenzhen and Henan, as detailed in paragraphs 4 to 6 of the paper.

4. DS(FEH) also informed members that it was not until 18 August 2005 that the Administration received detailed information from Shenzhen with regard to the recall of pork by the Shenzhen Authority. It was also confirmed on the same day that the recalled pork was fit for human consumption.

Communication and notification mechanism between Hong Kong and the Mainland

5. Mr WONG Yung-kan expressed support for the Administration's decision that in the absence of detailed information from Shenzhen on the reasons for the recall, applications for the importation of frozen pork from Shenzhen and Henan would not be processed for the time being. Mr WONG said that under the existing communication and notification mechanism between Hong Kong and the Mainland, Hong Kong should be notified of major incidents in relation to export of food by the State General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ), instead of being notified directly by the relevant authorities of the provinces or cities where the incidents took place. Mr WONG considered that to further enhance the notification system, the Administration should establish direct contact with the relevant authorities of the provinces and cities. Mr WONG supported the establishment of a Food Safety Centre, and pointed out that Members belonging to the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) had in fact made such suggestion to the Chief Executive earlier.

6. SHWF said that the Administration shared Mr WONG Yung-kan's view regarding the establishment of direct contact with the relevant authorities of the provinces and cities. SHWF added that the Administration would discuss with the Mainland authorities to enhance the communication and notification system.

7. Ms Emily LAU said that food safety was an issue of great concern to the community, and she had written to SHWF about the recent food incidents. Ms LAU fully supported the actions taken so far by the Administration in respect of the recall of pork by Shenzhen, given that the Administration had not been notified of the

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specific reasons for the recall of pork by Shenzhen. Ms LAU said that SHWF should continue to exercise his judgement in making decisions which would meet public sentiments, as in the case of the recall of pork by Shenzhen. Ms LAU added that it was necessary to enhance communication with the Mainland authorities, as the recent food incidents had shown that the notification system between the Mainland and Hong Kong was not effective.

8. SHWF said that importation of meat into Hong Kong was subject to monitoring under the regular food surveillance system. As the Administration was not informed of the specific reasons for the recall of pork by the Shenzhen Authority, the Administration therefore sent officials to Henan and Shenzhen to inspect the facilities, operation, production process and hygiene conditions of the pig farms and the processing plants.

9. Mr Vincent FANG said that given that *Streptococcus suis* was commonly found in pigs, the Administration should find out the reasons why such sudden outbreaks occurred recently, and not in the past. Mr FANG considered that to safeguard public health, the Administration should enhance the communication system with its counterparts in Guangdong and Shenzhen which were the major food suppliers for Hong Kong, with a view to devising a comprehensive mechanism.

10. SHWF stressed that the Administration attached great importance to establishing an effective communication and monitoring system of imported food from the Mainland. SHWF agreed that the present notification mechanism between Hong Kong and the Mainland placed more emphasis on outbreak of infectious diseases. For instance, in the case of *Streptococcus suis* outbreak in Sichuan, the Sichuan authorities had invited health officials from Hong Kong to Sichuan to exchange views on the disease. In the light of recent food incidents, he hoped that the existing mechanism could be enhanced and extended to food incidents.

Safety of pork imported from the Mainland

11. Ms Emily LAU said that the Administration should accord priority to food safety issues and restore public confidence that imported pork from the Mainland was fit for consumption. Ms LAU asked whether there was sufficient manpower to undertake the necessary follow-up actions, and whether SHWF would bid for additional resources for the proposed Food Safety Centre. To her knowledge, the Administration would allocate additional resources under the Operating Expenditure envelope for funding new initiatives. Dr KWOK Ka-ki also asked about the manpower for the proposed Food Safety Centre.

12. SHWF said that in the recent food incidents, the Administration had deployed additional manpower to trace the sources of the food products that were unfit for consumption. Additional manpower would inevitably be required for stepping up surveillance of food products, in particular after the establishment of the Food Safety

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Centre. The Health, Welfare and Food Bureau would bid for additional resources for new initiatives. He hoped that Members would support the relevant funding proposal for the establishment of the Food Safety Centre when it was submitted to the Legislative Council (LegCo) for approval.

13. Ms Emily LAU asked about the sources of pork for sale in local market. Ms LAU considered that if pork was imported from various places, the competition would help improve the quality of pork for sale in Hong Kong.

14. SHWF responded that live pigs were imported from the Mainland or supplied by local pig farmers, while frozen and chilled pork were imported from various countries. Director of Food and Environmental Hygiene (DFEH) added that frozen and chilled meat represented 60% of total pork consumption. Frozen pork was imported to Hong Kong from the Mainland (40%), Brazil (20%), Germany (10%) and other countries (30%), while chilled pork was mainly imported from Thailand. DFEH pointed out that Hong Kong practised free trade, and there was no barrier for entry into the market of freshly slaughtered/frozen/chilled meat. In considering applications for importation of meat, the imported meat must satisfy the prescribed standards including the facilities and hygiene standards of farms. As far as live pigs were concerned, places other than the Mainland were not interested in exporting live pigs to Hong Kong, probably due to the transportation costs.

15. Mr TAM Yiu-chung said that the recent food incidents had given rise to great public concern about food safety. Members belonging to DAB had proposed establishing a Food Safety Centre during their recent meeting with the Chief Executive. Mr TAM urged SHWF to consider the proposal in detail. Mr TAM further said that apart from deploying sufficient manpower to tackle the food incidents, the Administration should step up food sampling and laboratory testing as well as enhance communication with the Mainland.

16. Mr TAM pointed out that *Streptococcus suis* was included in the list of occupational diseases. Mr TAM suggested that the Administration should enhance occupational safety education on the appropriate precaution measures for those working in the relevant trades, such as workers in slaughterhouses and meat stalls. Mr TAM asked whether the Administration would organise such educational or publicity programmes.

17. SHWF said that the Administration's initial thinking about the Food Safety Centre was that it would carry out the surveillance and inspection work currently performed by the Food and Environmental Hygiene Department (FEHD). It would also collate information on international standards on food safety and major food incidents in the food exporting countries or cities in order to ensure food safety at sources. In addition, the Food Safety Centre would be responsible for enhancing the existing food sampling and laboratory testing work. SHWF pointed out that FEHD had collected more than 60 000 food samples for testing every year, and only 0.2% of

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the samples required follow-up actions. SHWF further said that the Administration faced difficulties in recruiting veterinary surgeons as no professional training for veterinary surgeons was available in Hong Kong. The Administration would continue to recruit more veterinary surgeons to strengthen its professional support.

18. DFEH said that slaughterhouse workers were briefed on the proper practices for handling slaughtered meat and preventive measures from being infected with the *Streptococcus suis*. DFEH added that workers were required by law to properly treat their wounds and cuts before handling raw meat.

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19. Mr TAM Yiu-chung said that the Administration should consider extending the educational programmes for slaughterhouse workers to those who worked at meat stalls. DFEH agreed to consider.

20. Mr TAM Yiu-chung expressed support for recruiting more veterinary surgeons to enable surveillance of food safety to be stepped up at source. Mr TAM also urged that veterinary surgeons from the Agriculture, Fisheries and Conservation Department (AFCD) should play a more active role in food safety matters. SHWF responded that veterinary surgeons from FEHD and AFCD would work together on food safety matters in the proposed Food Safety Centre.

21. Ms Emily LAU asked about the overseas practice as compared to the taking of 60 000 food samples for testing in Hong Kong. DFEH responded that there was no international standard on the sample size for food testing. The total number of samples taken in fact doubled that taken in most overseas countries, probably because there were more food products available in Hong Kong.

22. Mr Vincent FANG expressed full support for the prompt actions taken by the Administration with regard to the recall of pork by Shenzhen and the establishment of a Food Safety Centre as soon as possible. Mr FANG said that SHWF should bid for additional resources for setting up the Centre, and he would support the relevant funding proposal.

23. Mr Vincent FANG further said that to safeguard public health, the meat traders had no complaint about the suspension of processing applications for the importation of frozen pork from Shenzhen and Henan. Mr FANG suggested that to ensure the safety of meat imported from the Mainland, the Administration should consider sending officials from Hong Kong to the Mainland to inspect the pork processing plants and their associated farms. Ms Emily LAU expressed support for Mr Vincent FANG's proposal of sending FEHD staff to the Mainland. She asked about the viability of the proposal.

24. SHWF said that it was Government responsibility to ensure that food in Hong Kong was fit for human consumption. If the amount of imported food from the proper

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channels was reduced, he envisaged that illegal importation of food would increase. In this connection, the Administration would strive to lift the suspension of frozen pork to be imported from Henan and Shenzhen as soon as possible, so as to ensure a stable supply of pork for local consumption. Regarding Mr FANG's proposal of sending FEHD staff to the Mainland, SHWF said that the primary consideration would be whether FEHD staff could conduct on-site inspection and obtain the relevant information on the food incidents affecting Hong Kong.

25. The Chairman asked whether the Administration would send FEHD staff to Henan to carry out inspection to ensure that the frozen pork exported to Hong Kong was safe for human consumption before lifting the suspension. The Chairman also asked whether the Administration would take measures to ensure that food products, such as meat balls and dumplings, were safe and fit for human consumption, as samples taken from dumplings under the food surveillance programme did not include the testing of *Streptococcus suis*.

26. SHWF said that FEHD staff from Hong Kong would inspect the pig farms supplying pork to Hong Kong in Henan to ascertain whether the farms were in normal operation, whether the hygiene conditions were satisfactory, and whether the feeding methods met the import requirements of Hong Kong. If all these aspects were satisfactory, Hong Kong would resume processing the applications for pork importation from Henan.

27. DFEH added that FEHD staff would visit pig farms in Henan on 22 August 2005. The visit to Shenzhen pig farms was being arranged and would take place either before or after the FEHD staff returned from Henan. On the safety of food products such as meat balls and dumplings for consumption, DFEH said that only importation of raw meat required prior approval from FEHD. Processed meat or secondary products were subject to the food surveillance programme under which samples would be taken periodically from the market for testing. DFEH further said that meat balls and dumplings were safe and fit for consumption, if they were thoroughly cooked.

28. The Chairman concluded that members expressed support for the establishment of a Food Safety Centre.

II Suspension of export of eel products from Guangdong [LC Paper No. CB(2) 2464/04-05(01)]

29. DS(FEH) briefed members on the latest development of the identification of malachite green in eels and eel products and the follow-up actions taken by the Administration, as detailed in paragraphs 7 to 20 of the Administration's paper.

30. DFEH added that as at the morning of 19 August 2005, the Administration had collected 27 samples of live eels and eel products for sale in local markets and food outlets for testing. Based on the results available so far on 14 samples, malachite green was found to be present in 11 samples. Results on the remaining samples were expected to be available later in that day. DFEH stressed that FEHD would follow up these cases, and destroy the contaminated products.

31. DFEH urged the Panel to support the following actions to be taken by the Administration to strengthen the control of malachite green in food and food fish –

- (a) the Administration would introduce an amendment to the Harmful Substances in Food Regulations (Cap 132 sub leg AF) to prohibit the presence of malachite green in all food sold in Hong Kong by adding a new item for malachite green in the First Schedule to the Regulations. The Amendment Regulation would be gazetted on 26 August 2005;
- (b) discussion would be held with the Mainland to require all live eels and eel products imported from the Mainland in future to be accompanied by a health certificate testifying that the concerned consignments did not contain malachite green. Consideration would also be given to designating a number of landing points for imported eels and eel products;
- (c) traders would be informed that FEHD had stepped up the surveillance of food fish and their products. Traders would be encouraged to surrender any suspected contaminated products to FEHD for testing. Where malachite green was found in the samples, the same batch of live eels or eel products would be seized and destroyed; and
- (d) the notification mechanism between Hong Kong and the Mainland regarding control on food related matters would be enhanced by establishing a Food Safety Centre. Members would be provided with details of the concrete proposals by the end of 2005.

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32. Responding to the Chairman's question about the place of origin of the samples in which malachite green was found, DFEH said that the products concerned were claimed to have been imported from the Mainland. FEHD would follow up and trace the sources of these live eels and eel products.

Communication mechanism on food related matters

33. Mr TAM Yiu-chung considered that the Administration should make reference to international standards in determining whether food products contained harmful substances. Mr TAM asked whether the Administration had put in place any communication mechanism with the relevant international organisations for obtaining up-to-date information in this respect.

34. DFEH said that the Administration was able to obtain up-to-date information through the Internet and attending the relevant international conferences. AD/FEHD added that FEHD also maintained direct dialogues with its overseas counterparts.

35. Mr WONG Yung-kan pointed out that as advised by AFCD, local fish farmers had ceased using malachite green over 10 years ago. He was surprised to learn that the use of malachite green in fish was not banned in Hong Kong. Moreover, the Administration had not taken any follow-up action when the use of malachite green in food animals was banned in the Mainland in 2002. Mr WONG considered that the Administration should enhance communication with the Mainland authorities on food related matters, in particular the Ministry of Agriculture.

36. Mr Vincent FANG said that Japan had banned the importation of eels and eel products from the Mainland since 20 July 2005 when malachite green was found in eel products. Mr FANG asked whether the Administration would make reference to the actions taken overseas in relation to food safety, so that the control of harmful substances in food could be strengthened at an early stage.

37. DS(FEH) said that to his knowledge, Japan had not banned the importation of eels and eel products from the Mainland. Only those batches of eel products where malachite green was found had been recalled.

Surveillance and safety of eels and eel products

38. Mr WONG Yung-kan said that there was presently no prohibition of the importation of food in Hong Kong, and only a few food products required import permits. To his knowledge, the importation of live eels did not require health certificates nor import permits. Mr WONG further said that health certificates were issued by the authorities in the place of origin. To ensure that imported food met the local hygiene standards and was fit for consumption, the Administration should not simply rely on the health certificates attached to imported food products. It was difficult, if not impossible, for AQSIQ to fully control the standards of all food

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products in the Mainland. The Administration should enhance inspections and take food samples for testing.

39. Mr WONG Yung-kan held the view that the present monitoring system for imported fish was totally unacceptable. Mr WONG pointed out that a tracking system in respect of fish had been put in place in most overseas countries, e.g. countries belonging to the European Union and Japan, under which imported fish should comply with the local hygiene standards and sample tests on the imported fish were conducted prior to importation. Mr WONG commented that the Administration's response in the recent case of identification of malachite green in eels was too slow. As the importation of live eels from the Mainland represented 15% of the total consumption in Hong Kong, FEHD should take more samples from eels imported from different sources for testing. He hoped that after the establishment of the Food Safety Centre, all imported fish would meet Hong Kong's hygiene and safety standards.

40. Mr WONG added that fish supplied from local fish farms was safe for consumption, and the Administration should consider developing local fish farming. To enhance the knowledge of local fish farmers on fish farming, the Administration should discuss with the local universities to organise the relevant professional courses and short term courses for the fishing industry.

41. SHWF said that Hong Kong and ACSIQ were discussing the proposal of requiring all live eels and eel products imported from the Mainland to be accompanied by a health certificate confirming that the concerned consignments did not contain malachite green. SHWF further said that to ensure food safety and protect public health, the Administration would amend the Harmful Substances in Food Regulations to prohibit the presence of malachite green in all food sold in Hong Kong. The Amendment Regulation would have the effect to control live fish as food with regard to the use of malachite green. SHWF assured members that samples would be taken from eels imported from different sources for testing, and the tests for the presence of malachite green would also cover freshwater fish including those from local fish farms. DFEH added that FEHD had taken samples from live eels and eel products to test for the presence of hormones and preservative in the past two years.

42. DS(FEH) said that the establishment of a Food Safety Centre would mean an overhaul of the existing food surveillance system. DS(FEH) pointed out that members of World Trade Organisation were required to impose the same standards for imported and local products. In this connection, the Government should not impose discriminatory import control measures against certain food products. For instance, the requirement of a health certificate for certain imported food should also be applied to locally produced food of the same kind.

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43. Mr Vincent FANG said that of the 27 samples of live eels and eel products collected for testing, 11 out of 14 available results were found to contain malachite green. Judging from the results, the proportion of contaminated samples was alarming. He urged the Administration to critically examine the causes of the phenomenon and identify the sources of these eels and eel products.

44. Ms Emily LAU noted from paragraph 13 of the Administration's paper that it would explore the possibility to require all live eels and eel products imported from the Mainland in future to be accompanied by a health certificate testifying that the concerned consignments did not contain malachite green. Ms LAU said that in the course of discussion with the Mainland, the requirement for meeting local standards for imported food should not be compromised. Ms LAU expressed concern whether the Administration had other measures to ensure the safety of eels and eel products if the response from the Mainland was negative. Ms LAU reiterated that the best way to restore public confidence on the safety of eels and eel products was to send officials from Hong Kong to the Mainland to conduct inspection at source.

45. SHWF said that the Administration had commenced the discussion with the Mainland authorities since 18 August 2005, and it would strive to obtain a response as soon as possible.

Amendment to the Harmful Substances in Food Regulations

46. The Chairman asked what courses of action the Administration could take to tackle the problem of presence of malachite green in live fish, given that a health certificate was not a requirement for importation of live fish.

47. SHWF responded that with the Amendment Regulation coming into force, the Administration could take enforcement actions against food fish importers if the fish concerned contained malachite green. SHWF said that the Administration would consider bringing live fish under the regulatory mechanism for food in the long term, and would further discuss the proposal with the trade.

48. Mr Vincent FANG said that the use of malachite green had already been prohibited in countries belonging to the European Union and the United States. Mr FANG asked why Hong Kong had not imposed similar prohibition. Mr FANG further asked whether the Administration would consider adding other harmful substances to the Harmful Substances in Food Regulations at one go to avoid the need to introduce a fresh legislative proposal every time a certain harmful substance needed to be included.

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49. DS(FEH) said that under the existing Harmful Substances in Food Regulations, the sale of food containing any of the seven prohibited chemicals, and food containing any of the 37 restricted chemicals exceeding the prescribed limit was not allowed. The Amendment Regulation to be gazetted sought to add malachite green to the list of restricted chemicals in Hong Kong. DS(FEH) further said that it was not feasible to include all chemicals used in food animals in the restricted list of chemicals, as chemicals had been used in farming as parasiticide, fungicide and for treatment of certain diseases in fish and vegetables. DS(FEH) assured members that the Administration would take samples of food animals for testing of the presence of harmful substances in accordance with the international practices and standards. If harmful substances were found in the samples, the Administration was empowered to seize and destroy the food products concerned.

50. Mr Vincent FANG said that while he supported the introduction of the Amendment Regulation, he was concerned whether an importer would have committed an offence if the imported eels or eel products were found to contain malachite green, even though the concerned consignments were accompanied by health certificates testifying that the products did not contain malachite green. He suggested that clear guidelines should be issued to the fish importers.

51. DS(FEH) said that major agricultural economies had prohibited the use of malachite green in food fish. He believed that fish importers should have sufficient knowledge about the chemicals that were prohibited from using in food animals. DS(FEH) further said that the Administration would inform the fish importers of the addition of malachite green to the list of restricted chemicals.

52. DFEH added that the importers/traders could defend themselves by proving that they had made endeavours to confirm whether the product contained malachite green. For instance, the production of health certificates from the places of origin testifying that the concerned consignments were free from prohibited chemicals could be produced by the importer as evidence. He believed that the prosecution would fully consider the circumstances of each case in determining whether enforcement action should be taken.

53. Ms Emily LAU said that while she supported the Amendment Regulation, she would like to know why it was necessary to introduce the amendment, given that FEHD was already empowered to seize and destroy the contaminated eels and eel products. Ms LAU also asked whether the Amendment Regulation would be subject to the scrutiny of LegCo and whether the trade had been consulted.

54. DFEH explained that under section 59 of Cap 132, DFEH was empowered to authorise any public officer to seize and remove any food, if it appeared to him that the food concerned was unfit for human consumption. There was presently no definite control over live fish, as the seizure of fish on the ground that it was unfit for human consumption could be subject to dispute as live fish could be served as food fish as

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well as pet fish. The Amendment Regulation would remove the ambiguity to effect the control of live fish as food with regard to the use of malachite green.

55. SHWF said that the Amendment Regulation would come into operation on the date of gazettal on 26 August 2005, and would be subject to the negative vetting procedure. Permanent Secretary for Health, Welfare and Food (PS(HWF)) added that the Amendment Regulation would be tabled in LegCo on 12 October 2005. Should members repeal the amendment, malachite green would be removed from the list of restricted chemicals.

56. Ms Emily LAU expressed concern that the traders would suffer substantial financial loss if their fish was seized and destroyed on food safety ground. Ms LAU urged that the Administration should listen to the views of the trade and understand their difficulties, and provide assistance where necessary.

57. PS(HWF) said that the Administration would further consult the trade on the Amendment Regulation. PS(HWF) stressed that the amendment did not introduce something new as DFEH was empowered under Cap 132 to seize and destroy any food that was unfit for consumption. She hoped members would appreciate that it was necessary for the Administration to take prompt actions on matters affecting food safety and public health.

58. Dr KWOK Kwok-ki expressed support for the Amendment Regulation and the establishment of a Food Safety Centre. Dr KWOK said that in the absence of a mandatory food recall system in Hong Kong, he was concerned about the effectiveness of the Amendment Regulation.

59. DS(FEH) said that the Panel was consulted a few months ago on the proposal of setting up a framework for mandatory food recall in Hong Kong, and members expressed support in principle for the proposal. Under the proposal, the concerned food products would be recalled and would not be put on sale until the safety of the food products was ascertained. After taking into account members' views, the Administration was working on the details of the proposed regulatory framework for mandatory food recall in Hong Kong. The Panel and the trade would be consulted on the operational details of the regulatory framework before the relevant legislative proposal was submitted to LegCo.

60. Dr KWOK Ka-ki urged the Administration to expedite introduction of the mandatory food recall system. SHWF reiterated that DFEH was empowered to seize and destroy food products that posed a health hazard to the public. As a large-scale recall action would have great impact on the trade, the food traders should be fully consulted before the proposal was taken forward.

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61. Dr KWOK Ka-ki said that the Administration did not collect samples from eels and eel products for testing until 16 August 2005, i.e. when the Mainland decided to recall eel products destined for exports. Dr KWOK questioned why the Administration had not taken action earlier, given that it was reported in the media that Japan, Korea and the European Union had already found the presence of malachite green in eels and eel products from the Mainland in the end of July. Dr KWOK further asked how the Administration would ensure that prompt action would be taken in future food incidents.

62. SHWF responded that the Administration was aware of the need to collect samples of live eels and eel products for sale in local markets for testing two weeks ago. The Government Laboratory had immediately proceeded with the necessary preparatory work, including developing a rapid test of malachite green in food. As a result, the Administration was able to make public the test results within such a short period of time.

63. DFEH said that the Administration learnt about the media reports on 26 July 2005. FEHD immediately looked for updated information about malachite green and the Government Laboratory developed the rapid test which met international standards. DFEH further said that the action taken by the Administration was independent of the recall action in the Mainland.

64. Ms Emily LAU and Mr WONG Yung-kan said that to restore public confidence on the consumption of eels and eel products, the Administration should take appropriate measures to ensure that the health certificates attached to the imported eels and eel products were not fake ones.

65. Mr WONG Yung-kan said that local fish farmers had raised no objection to the introduction of the Amendment Regulation. Mr WONG urged the Administration to ensure that the hygiene standards imposed on locally produced food would not be more stringent than the imported food.

66. The Chairman said that if a mandatory food recall system had already been put in place, there was no need for SHWF to advise the public not to eat eels pending the test results on malachite green. The Chairman considered that it was not appropriate for SHWF to make such an advice to the public when some test results on malachite green were not yet available. SHWF stressed that his advice was made on the basis of all available information.

67. The Chairman expressed concern that malachite green was likely to be found in some of the remaining 13 samples. The Chairman said that Members belonging to the Democratic Party considered that the Administration should deploy sufficient resources and manpower for food surveillance and sample testing work to ensure food safety.

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Admin 68. In concluding the discussion, the Chairman requested the Administration to inform the Panel of the test results of the remaining samples of live eels and eel products, and that for those samples where malachite green was found to be present, the Administration should provide information on the respective sources of these products. SHWF said that the Administration would make public the testing results.

69. The meeting ended at 10:55 am.

Council Business Division 2
Legislative Council Secretariat
27 March 2006