

Panel on Food Safety and Environmental Hygiene

List of issues suggested to be considered
(Position as at 11 October 2004)

- | Subject | Proposed timing for discussion |
|--|---------------------------------------|
| 1. Nutrition information labelling | |
| <p>Further to the Panel's discussions in 2003, the Administration briefed the Panel on the consultation document on the labelling scheme on nutrition information on 25 November 2003. A special Panel meeting was held on 2 February 2004 to gauge the views of the trade, the medical associations and the Consumer Council.</p> <p>The Administration has agreed to revert to the Panel, before introducing the legislative proposal into LegCo in the 2004-05 session.</p> | |
| 2. Regulation of genetically modified food | |
| <p>The Panel discussed the Administration's proposal on 20 March 2003 and invited deputations to give views on 29 April 2003. At the meeting on 20 March 2003, the Panel passed a motion urging the Government to draw reference from the experience of the European Union countries and expeditiously introduce legislation to set up a mandatory genetically modified food labelling system.</p> <p>The Administration has agreed to revert to the Panel, before introducing the legislative proposal into LegCo in the 2004-05 session.</p> | |
| 3. Control of avian influenza
(Paragraphs 4.38-4.62 of Team Clean's final report) | |
| <p>The Administration released a public consultation paper on "Prevention of Avian Influenza : consultation on long term direction to minimise the risk of human infection"</p> | |

on 2 April 2004. The Panel gauged the views of experts and the trades on the proposals in the consultation paper on 4 June 2004.

The Administration has agreed to revert to the Panel on the outcome of the public consultation and the discussion with the relevant trades.

4. Control of importation, landing and sale of live fish

In the last term, the Panel urged the Administration to regulate the importation, landing and sale of live fish in Hong Kong. The Administration advised that it would consider how live fish should be brought under regulatory control.

The Administration advised the Panel on 13 July 2004 that it would consult the fish traders and develop a voluntary Code of Practice requiring fish traders to provide information on each lot of fish catch. The Administration has agreed to report to the Panel one year after the implementation of the Code of Practice.

5. Control of drugs and chemicals for fish

The Subcommittee on Public Health (Animals and Birds) (Chemical Residues) Regulation and Harmful Substances in Food (Amendment) Regulation 2001 recommended the Panel to follow up, among other things, that the control under the Public Health (Animals and Birds) (Chemical Residues) Regulation should be extended to cover fish.

The Administration advised that the issue was included in the overall review of the Public Health (Animals and Birds) Ordinance (Cap. 139) and proposed to brief the Panel in the 2004-05 session.

6. Seawater used for keeping live seafood

The Panel has expressed concerns about the quality of seawater for keeping live seafood. The Administration has advised that it will consider amending the legislation to prohibit abstracting seawater from specified areas.

Members of Southern District Council expressed concern, during a meeting with LegCo Members in April 2004, about the spillover of sea water from the marine produce transportation vehicles. They recommended that the Administration should formulate legislation to monitor the problem.

7. Licensed food premises

(a) Team Clean's recommendations

At its meeting on 26 September 2003, the Panel agreed to follow up Team Clean's recommended measures to improve the environmental hygiene of licensed food premises (paragraphs 4.18-4.37 of Team Clean's final report) -

- (i) Open Categorisation Scheme; and
- (ii) Revamp of Demerit Points System, announcement of recalcitrant licensees and hygiene-related misconduct of employees.

(b) Streamlining of licensing framework

The Administration has undertaken to cover the following in its review of the licensing systems and procedures for food premises -

- (i) the Light Refreshment Restaurant Licence; and
- (ii) the licence for siu mei and lou mei shops.

The Administration has also proposed to brief the Panel on the licensing requirements for food factories in the 2004-05 session.

8. Public markets and cooked food centres

(a) Policy on markets and cooked food centres

At the meeting on 15 July 2002, Panel members

suggested that the Administration should conduct an overall review of the design and operation of wet public markets in order to improve their environment and hygiene conditions.

The Subcommittee to follow up the outstanding capital works projects of the former municipal councils has recommended that the policy and design of public markets should be reviewed to see whether they can still meet market demands and community expectations. Moreover, the viability of certain public markets and cooked food centres should also be critically reviewed to see if any of them should be closed.

The Public Accounts Committee discussed the Director of Audit's report No. 41 on public markets managed by the Food and Environmental Hygiene Department (FEHD) in 2004.

(b) Demerit Points System

The Administration proposed to discuss with the Panel the outcome of consultation with Market Management Consultative Committees on the proposed Demerit Points System for markets managed by FEHD (paragraphs 4.1-4.17 of Team Clean's final report).

9. Proposed new penalties for repeat cleanliness offenders

The Administration advised in March 2004 that it intended to introduce a legislative proposal in the 2004-05 session to impose a community service order and heavier penalty for repeat cleanliness offenders. The Administration will consult the Panel again on the detailed proposal before introducing the legislation into LegCo.

10. Water seepage, excessive rubbish and smelly village toilets

The Panel agreed at its meeting on 26 September 2003 to follow up the streamlining of procedures for dealing with

nuisances relating to water seepage, excessive rubbish, smelly village toilet, etc. (paragraphs 4.81-4.104 of Team Clean's final report).

11. Alignment of fees and charges under the purview of the Food and Environmental Hygiene Department (FEHD) and public market rental adjustment mechanisms

Following the dissolution of the former Provisional Municipal Councils in 2000, the Administration planned to align the fees and charges of the former Provisional Urban Council and Provisional Regional Council.

On 24 February 2003, the Administration informed the Panel that it would need more time to work out an alignment proposal for the various FEHD fees and charges as well as the public market rental adjustment mechanisms.

The Administration also advised the Panel that according to Section 9 of the Provision of Municipal Services (Re-organisation) Ordinance (Cap. 552), FEHD fees/charges would remain unchanged until the Secretary for Health, Welfare and Food made a regulation to amend them.

At the LegCo Members' meeting with Kwun Tong District Council (KTDC) on 4 July 2002, KTDC members has also expressed concern over the differences in the fee level and validity period of the Places of Public Entertainment licences in the urban areas and in the New Territories.

12. Mainland fisherman deckhands and Fishermen Claims Appeal Board

This item was referred to the Panel in 2003 by the Complaints Division which had dealt with a complaint from the Hong Kong Fishery Alliance on the Mainland fisherman deckhand scheme and ex-gratia allowance for fishermen. Members handling the case requested the Panel to follow up the following issues -

- (a) the policy of linking the number of Mainland fisherman deckhands employed with the volume of fish catch; and
- (b) the suggestion of appointing only non-official members to the Fishermen Claims Appeal Board to enhance its independence.

13. Overall review of the Public Health and Municipal Services Ordinance (Cap. 132) and the Public Health (Animals and Birds) Ordinance (Cap. 139)

The Subcommittee on Public Health (Animals and Birds) (Amendment) Regulation 2001, Public Health (Animals and Birds) (Animal Traders) (Amendment) Regulation 2001 and Food Business (Amendment) Regulation 2001 recommended that the Administration should conduct an overall review on the levels of penalties in Cap.132 and Cap. 139, to ensure that the penalties were appropriate having regard to those imposed on similar offences in other legislation. The proposal was referred to the Panel for follow-up discussion.

The Administration has also undertaken to consider the views of the Society of Prevention of Cruelty to Animals regarding the need to tighten up control of import, sale and breeding of animals.

The Panel may wish to follow up the above subject matters when the Administration has completed the review.

14. Liquor licensing policy and legislation

At the meeting held between LegCo Members and Yau Tsim Mong District Council (YTMDC) members on 13 February 2003, it was considered that the Administration should conduct a comprehensive review of the existing liquor licensing policy and legislation. YTMDC members suggested that the Administration should restrict the number and the business hours of bars operating in the vicinity of residential areas.