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the Administration)

**Panel on Food Safety and Environmental Hygiene and
Panel on Environmental Affairs**

**Minutes of Joint Meeting
held on Friday, 6 January 2006 at 3:40 pm
in the Chamber of the Legislative Council Building**

Members present : Panel on Food Safety and Environmental Hygiene

Hon Fred LI Wah-ming, JP (Chairman)
* Hon WONG Yung-kan, JP (Deputy Chairman)
Hon Bernard CHAN, JP
Hon Andrew CHENG Kar-foo
Hon Tommy CHEUNG Yu-yan, JP
Hon Vincent FANG Kang, JP
Dr Hon Joseph LEE Kok-long
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki

Members of the Panel on Environmental Affairs

Hon Emily LAU Wai-hing, JP (Deputy Chairman)
Hon Martin LEE Chu-ming, SC, JP
Hon CHEUNG Man-kwong
Hon SIN Chung-kai, JP
Hon LAU Kong-wah, JP
Hon Albert CHAN Wai-yip
Hon Audrey EU Yuet-mee, SC, JP
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP

(* Also member of the Panel on Environmental Affairs)

Members attending : Hon LI Fung-ying, BBS, JP
Hon WONG Kwok-hing, MH

Members absent : Panel on Food Safety and Environmental Hygiene

Hon TAM Yiu-chung, GBS, JP

Members of the Panel on Environmental Affairs

Hon CHOY So-yuk, JP (Chairman)

Hon Miriam LAU Kin-yee, GBS, JP

Public Officers Attending : Mrs Carrie YAU
Permanent Secretary for Health, Welfare and Food

Mr Gregory LEUNG

Director of Food and Environmental Hygiene

Mr LAU Sin-pang

Deputy Director of Agriculture, Fisheries and Conservation

Mr Roy TANG

Deputy Director of Environmental Protection (3)

Attendance by invitation : Hong Kong Medical Association

Dr SHIH Tai-cho

Vice President

Hong Kong Dietitians Association

Miss Flavia U

Chairman

Hong Kong Nutrition Association

Mrs Veronica HO

Honorary Treasurer

Hong Kong College of Community Medicine

Dr Gabriel Matthew LEUNG

Council Member

Hong Kong Veterinary Association

Dr Veronica LEONG
President

Dr NG Lip-tet
Executive Committee Member

Professor Thomas Y K CHAN
Department of Medicine and Therapeutics
The Chinese University of Hong Kong

Professor KWAN Hoi-shan
Director of Studies
Food and Nutritional Sciences Programme
The Chinese University of Hong Kong

Professor LAM Tai-hing
Head, Department of Community Medicine
Faculty of Medicine
The University of Hong Kong

Dr Frederick LEUNG
Associate Professor, Department of Zoology
The University of Hong Kong

Hong Kong Food Council

Mr Ronald LAU Yiu-fai
Vice President and Chairman

Dr Leslie P Y WONG
Executive Committee Member

Hong Kong Retail Management Association

Mr Philippe GIARD
Member of Government Regulation Sub-Committee
Hong Kong Retail Management Association

Mr Peter JOHNSTON
A S Watson & Co Ltd – PARKnSHOP
Quality Assurance Manager

Hong Kong Suppliers Association Limited

Mr Albert TANG
Vice Chairman

Ms Frenda WONG
Committee Member

Hong Kong Food Science and Technology Association Limited

Mr Brian LEUNG Ka-yun
Chairman

Mrs Becky CHEUNG
Advisor

Hong Kong Foodstuff Five Guilds Concern Group

Mr HUI Hon-man
Convenor

Mr KEUNG Wing-hong
Member

Hong Kong Federation of Restaurants and Related Trades

Mr Simon WONG Ka-wo
President

Mr CHAN Wing-on
Chairman

The Association for Hong Kong Catering Services Management Limited

Mr YEUNG Wai-sing
Chairman

Hong Kong and Kowloon Fresh Fish Trade General Association

Mr WONG Tin-hung
Chairman

Mr MAK Shee-wah
Vice Chairman

Hong Kong Vegetable Wholesaler Community

Mr HO Chuen-kai
Chairman

Hong Kong Egg Merchants Association

Mr YEUNG Kam-yim
Chairman

Mr WONG Leung-wun
Representative

The Hong Kong Kowloon Fruit & Vegetable Employees & Employers Guild

Mr FUNG Kum-hoi
Vice Chairman

Mr CHIEN Po-ming
Secretary

Overseas Imported Fruits and Vegetables Association

Mr NG Wing-yan
Chairman

Mr HO Hoi-wai
Secretary

Federation of Hong Kong Kowloon New Territories Hawker Associations

Mr LAM Kwai-cheong
Chairman

Mr WONG Yin-wa
Secretary General

Hong Kong Poultry Wholesalers Association

Mr TSUI Ming-tuen
Chairman

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

Staff in Attendance : Miss Betty MA
Senior Council Secretary (2)1

Miss Josephine SO
Council Secretary (2)1

Ms Anna CHEUNG
Legislative Assistant (2)5

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I Election of Chairman

Mr Fred LI was elected Chairman of the joint meeting.

II Follow-up discussion on the reorganisation plan for the food safety regulatory framework

2. The Chairman said that at the joint Panel meeting on 15 December 2005, members agreed to hold a further meeting to gauge the views of the academics/experts and representatives of the relevant trades on the Administration's proposed food safety regulatory framework.

Views of deputations

3. The Chairman welcomed representatives of deputations to the meeting. The views of deputations were summarised below.

Hong Kong Medical Association

4. Dr SHIH Tai-cho said that Hong Kong Medical Association strongly supported the formation of a Centre for Food Safety (CFS) to regulate all matters related to food safety and the proposal to separate food safety regulatory from trade facilitation functions. Dr SHIH further said that consultative committee(s) of CFS should comprise representatives from agriculture and fisheries trade, food trade, academics/experts and consumers.

Hong Kong Dietitians Association

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5. Miss Flavia U said that Hong Kong Dietitians Association fully supported the Administration's proposal to enhance the food safety regulatory framework. The Association also expressed support for the reorganisation plan and the establishment of CFS. Miss U further said that the Administration should provide more resources and work with experts and professionals in enhancing food safety. She also urged the Administration to implement the food labelling requirements.

Hong Kong Nutrition Association

6. Mrs Veronica HO said that Hong Kong Nutrition Association fully supported the proposed formation of the new Department of Food Safety, Inspection and Quarantine (DFSIQ) and the Department of Agriculture and Environmental Hygiene (DAEH) in order to make the food safety control and inspection work more focused. Mrs HO further said that the Administration should allocate more resources for enhancing food safety of manufactured and processed products, and stepping up public education on food safety issues.

*Hong Kong College of Community Medicine and Hong Kong Academy of Medicine
[LC Paper No. CB(2) 790/05-06(02)]*

7. Dr Gabriel Matthew LEUNG presented the views of Hong Kong College of Community Medicine and Hong Kong Academy of Medicine as detailed in their joint submission. Dr LEUNG said that both organisations fully supported the Administration's proposal to strengthen the food safety regulatory framework, in particular separating the regulatory and facilitation functions to avoid conflicting roles of the departments concerned. He pointed out that similar arrangements were adopted in the United Kingdom and United States (US). The reorganisation proposal would also facilitate the implementation of the "From Feed to Table" concept, as there would be one dedicated department (i.e. DFSIQ) with primary responsibility for food safety throughout the food chain.

*Hong Kong Veterinary Association
[LC Paper Nos. CB(2) 790/05-06(03) and CB(2) 826/05-06(02)]*

8. Dr Veronica LEONG presented the views of Hong Kong Veterinary Association as detailed in its submissions. Dr LEONG said that the Association supported the formation of DFSIQ, but considered that the new DFSIQ should be headed by a "Chief Veterinary Officer".

9. Dr LEONG further said that based on the experience of some overseas countries which adopted food chain management, such as US, European Union countries, Japan and Korea, these countries had been able to keep the risk level of food scares at the lowest. Such successful experience showed that veterinarians played an important role in the food safety regulatory infrastructure. According to World Organization for Animal Health, 65% of countries/places in the world had

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adopted food chain management. She urged that more veterinary professionals should be involved in the policy-making process for food safety and public health matters.

*Professor Thomas Y K CHAN, Department of Medicine and Therapeutics, The Chinese University of Hong Kong
[LC Paper No. CB(2) 790/05-06(04)]*

10. Professor Thomas CHAN presented his views as detailed in his submission. Professor CHAN said that the following merits were recognised in the reorganisation plan –

- (a) there would be one dedicated department, i.e. DFSIQ, with its primary responsibility for food safety throughout the food chain;
- (b) the responsibilities and infrastructure of DFSIQ and its five branches as well as CFS were well defined, which would avoid overlapping of responsibilities among departments/units and conflict in the regulation and facilitation roles; and
- (c) the reorganisation would enable the Administration to pool the manpower and resources in promoting food safety.

11. Professor CHAN further said that the Administration should establish excellent communication and cooperation with the Mainland regarding managing food safety at source, since the Mainland was the major supplier of poultry, livestock, aquaculture produce and other foods for Hong Kong. Professor CHAN added that to enhance the food regulatory functions, there should be greater participation of the relevant trades, consumers, academics and experts in the various committees on food safety matters.

Professor KWAN Hoi-shan, Director of Studies, Food and Nutritional Sciences Programme, The Chinese University of Hong Kong

12. Professor KWAN Ho-shan expressed support for the Administration's reorganisation proposal. Professor KWAN said that as Hong Kong relied heavily on imported food, it was very important to put in place an effective food regulatory mechanism. It was in the right direction to have one dedicated department with primary responsibility for food safety in Hong Kong. As the functions of regulation and facilitation would be performed by two separate departments under the proposal, communication on agriculture and fisheries matters should be strengthened between the departments concerned.

13. Professor KWAN further said that the Administration should also engage more food science experts and enhance cooperation with experts and professionals to strengthen the food safety control system.

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*Professor LAM Tai-hing, Head of Department, Department of Community Medicine, Faculty of Medicine, The University of Hong Kong
[LC Paper No. CB(2) 807/05-06(01)]*

14. Professor LAM Tai-hing presented the views of the Department of Community Medicine, Faculty of Medicine, The University of Hong Kong as detailed in its submission. Professor LAM said that the Department of Community Medicine strongly welcomed the reorganisation proposal to enhance food safety and protect public health, and agreed to the proposed separation of food safety regulatory functions from facilitation functions. The formation of CFS would also enable a more focussed approach to be taken in respect of food safety control and regulation.

15. Professor LAM further said that the Department welcomed the emphasis on a multi-disciplinary approach for food safety control, and the emphasis on risk assessment and communication. He considered that the Administration should involve professional and academic organisations in providing research and development support on food safety matters.

16. Professor LAM urged the Administration to provide more funding for academic institutions to pursue training and research programmes on food safety matters and food risk assessment studies.

*Dr Frederick LEUNG, Associate Professor, Department of Zoology, The University of Hong Kong
[LC Paper No. CB(2) 790/05-06(05)]*

17. Dr Frederick LEUNG said that he gave his views in his personal capacity. Dr LEUNG said that food safety control was a complex issue and required expertise in many areas including medical and veterinary knowledge. While it was a good idea to set up DFSIQ and step up the regulation and inspection work related to food safety, he considered that the existing departments responsible for food safety and public health had been effective in their work since the number of food incidents in Hong Kong was rather low when compared with other developed countries. As shown from the US experience, the implementation of the “From Feed to Table” concept did not necessarily mean that the food safety regulatory functions should be assumed by one single department. Dr LEUNG stressed that it was not possible to solve all problems relating to food safety simply by realignment of sections/departments and redeployment of staff and resources among different departments.

18. Dr LEUNG added that in view of the grave concerns expressed by the Government Veterinary Officers, the Administration should fully consult the stakeholders before finalising the reorganisation plan.

*The Hong Kong Food Council Limited
[LC Paper No. CB(2) 790/05-06(06)]*

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19. Mr Ronald LAU presented the views of the Hong Kong Food Council Limited as detailed in its submission. Mr LAU said that the Council supported the proposals of forming a dedicated department to provide “one-stop” service for food safety issues, and creating one additional Permanent Secretary post within the Health, Welfare and Food Bureau (HWFB).

20. Mr LAU further said that the food safety regulatory framework should be premised on the “From Feed to Table” concept. The new DFSIQ, which would be responsible for food safety control and regulation, should be led by professionals, including veterinarians, botanists, medical doctors and health inspectors. Appropriate training and retraining on food safety should be provided to members of the relevant trades. Mr LAU added the Administration should provide more details on the staffing requirements for the food safety regulatory framework.

*Hong Kong Retail Management Association
[LC Paper No. CB(2) 807/05-06(02)]*

21. Mr Philippe GIARD presented the views of Hong Kong Retail Management Association (HKRMA) as detailed in its submission. Mr GIARD said that HKRMA supported the proposals to reorganise the food safety functions and to create a Permanent Secretary post within HWFB. The new DFSIQ would focus its work on risk assessment, improve communication with the Mainland, and provide “one-stop” service on all food safety matters. Separating regulatory enforcement from the management and development of agriculture and fisheries policy could also avoid conflict of roles of the relevant departments.

22. Mr GIARD further said that CFS should not only consist of medical doctors, but also experienced food scientists, microbiologists, toxicologists and nutritionist from within the government and from the food industry and academia. Mr GIARD added that the proposal to establish a Food Standards Committee (FSC) was a significant step forward, and a member of HKRMA should be appointed to FSC. A Food Safety Task Force should also be set up in conjunction with HKRMA and other stakeholders to better handle food crisis in future.

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Hong Kong Suppliers Association Ltd
[LC Paper No. CB(2) 807/05-06(03)]

23. Mr Albert TANG presented the views of Hong Kong Suppliers Association Ltd as detailed in its submission. Mr TANG said that the Association supported the Administration's initiative in improving food safety and veterinary public health control. It also supported in principle the plan to exercise control at source, improve communication with the Mainland, establish CFS, DFSIQ and a FSC, and merge AFCD's Country/Marine Parks and Conservation Branch with the Environmental Protection Department (EPD). However, it had reservations in supporting the reorganisation plan fully, given that the reorganisation plan would incur an additional expenditure of \$150 million annually. Moreover, the reorganisation plan did not adequately identify the existing problems and explain how the problems could be resolved.

24. Mr TANG further said that the Administration should have a balanced allocation of resources for the purposes of setting up the food safety regulatory framework, educating the public on food safety and helping the trade to comply with the food safety requirements. He added that representatives from the related trades should be appointed to FSC.

Hong Kong Food Science & Technology Association Ltd
[LC Paper No. CB(2) 826/05-06(01)]

25. Mrs Becky CHEUNG presented the views of Hong Kong Food Science & Technology Association Ltd as detailed in its submission which was tabled at the meeting. Mrs CHEUNG said that the Association was in full support of the reorganisation plan for the food safety regulatory framework and the merging of AFCD's Country/Marine Parks and Conservation Branch with EPD. Mrs CHEUNG further said that more experts and professionals from the food business industry should be encouraged to participate in food safety management.

Hong Kong Foodstuff Five Guilds Concern Group

26. Mr HUI Hon-man said that while Hong Kong Foodstuff Five Guilds Concern Group expressed reservations about the reorganisation proposal because of the additional recurrent cost, the Concern Group supported the proposal of setting up a CFS. Mr HUI further said that the Administration should step up educational programmes for the food trades and the public to facilitate their better understanding of the food safety regulatory framework.

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The Hong Kong Federation of Restaurants & Related Trades

27. Mr Simon WONG said that the Hong Kong Federation of Restaurants & Related Trades welcomed the reorganisation plan and the proposal of forming one dedicated department for food safety regulation and control, in order to pool existing resources for more effective use. The Federation considered that the proposed transfer of the nature conservation and country/marine parks functions of AFCD to EPD was appropriate.

28. Mr WONG further said that the future food regulatory departments should reduce red tape and expedite the processing of food business licence applications, and consider the establishment of an independent food business licensing authority. It was also necessary to establish an effective communication and notification system on food safety matters with the Mainland. He added that FSC should include representatives from the food business industry.

The Association for Hong Kong Catering Services Management Limited

29. Mr YEUNG Wai-sing said that the Association for Hong Kong Catering Services Management Limited supported the proposal of establishing DFSIQ to provide “one-stop” service to the food business industry. He hoped that the Administration would streamline the structure and simplify the operational procedures on food safety regulation and control. He also urged the Administration to review the need for inspection of food premises, as food business operators had closely followed the food safety and hygiene standards. Mr YEUNG further said that FSC should comprise members from different sectors in the community.

Hong Kong and Kowloon Fresh Fish Trade General Association

30. Mr WONG Tin-hung said that Hong Kong and Kowloon Fresh Fish Trade General Association supported the implementation of the “From Feed to Table” concept and regulation at source for protection of public health. He hoped the new DFSIQ would improve dissemination of information on food safety matters to avoid causing adverse impact on the trades.

Hong Kong Vegetable Wholesaler Community

31. Mr HO Chuen-kai of Hong Kong Vegetable Wholesaler Community said that as a lot of vegetable sold at retail markets was not supplied by the wholesale markets managed by AFCD, it was difficult to trace the sources of these vegetables if they were found to be problematic. The Administration should strengthen cooperation with the trade to exercise more effective control at source and at the wholesale level.

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Hong Kong Egg Merchants Association

32. Mr YEUNG Kam-yim said that Hong Kong Egg Merchants Association supported the Administration's proposal to reorganise the existing departments and regulatory functions concerning food safety. Mr YEUNG further said that the Administration should continue to provide a business friendly environment, and facilitate development of the food trades. Mr YEUNG also expressed concern that some eggs were not supplied by the wholesale markets and it would be difficult to trace their sources.

The Hong Kong Kowloon Fruit and Vegetable Employees and Employers Guild

33. Mr CHIEN Po-ming said that the Hong Kong Kowloon Fruit and Vegetable Employees and Employers Guild welcomed the reorganisation plan as this could better ensure food safety and public health.

Overseas Imported Fruits and Vegetables Association

34. Mr HO Hoi-wai said that the Overseas Imported Fruits and Vegetables Association supported the initiative to enhance food safety for the protection of public health and the establishment of a CFS. However, the Association had reservations about the disintegration of AFCD as AFCD maintained close working relationship with the fruits and vegetables wholesalers. The Association considered that regulation of food wholesaling should continue to be carried out by AFCD, even after the formation of new DSFIQ.

Federation of Hong Kong Kowloon New Territories Hawker Associations

35. Mr LAM Kwai-cheong said that the Federation of Hong Kong Kowloon New Territories Hawker Associations supported the proposal to strengthen regulatory control of food products by one central authority.

Hong Kong Poultry Wholesalers Association

36. Mr TSUI Ming-tuen said that Hong Kong Poultry Wholesalers Association supported in principle the Administration's proposal to improve food safety and enhance regulatory control. It also supported the implementation of the "From Feed to Table" concept. Mr TSUI strongly urged that experts and representatives from the food trade should be appointed to FSC. Mr TSUI also urged the Administration to be mindful of the interests of the trade and not to impose suspension or recall of food in a casual manner.

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Other submissions received

37. Members noted that six other organisations/individuals had provided written submissions but had not sent representatives to the meeting.

Discussion

38. Permanent Secretary for Health, Welfare and Food (PS(HWF)) made the following responses to deputations' views and concerns –

- (a) the aim of putting forward the reorganisation proposal was to enhance food safety and protect public health given the increase of food incidents in 2005. The Administration would work closely with academics, professionals, food experts and the food trade on the formulation of food safety measures and review of food safety standards;
- (b) the Administration would engage experts across disciplines to conduct more risk assessment studies and disseminate information to the public and the food trade more rapidly and frequently to address public concerns about food safety; and
- (c) the Administration would enhance communication with the Mainland authorities for more effective exchange of information on food safety matters.

39. PS(HWF) noted that there was general support for the speedy establishment of CFS but a lack of consensus on whether the regulatory and facilitation functions should be performed by two government departments. The Administration was inclined to take forward the less controversial proposals first, i.e. establishing the CFS to meet the growing public expectation for safer foods and creating an additional Permanent Secretary post in HWFB. PS(HWF) stressed that the Administration would fully consider all the views expressed by the relevant stakeholders before taking a decision on the longer term direction.

40. Mr WONG Kwok-hing said that although the deputations expressed different views on the reorganisation plans, they were in support of food chain management and control at source with a view to enhancing food safety. Referring to the newspaper reports that the Administration had decided to establish a CFS, without making any change to the organisation structure of AFCD and FEHD, Mr WONG asked whether the report was true. He commented that the proposal reported by the newspaper was less controversial as it would not split up AFCD into three parts.

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41. PS(HWF) responded that as there were divided views on whether the regulatory and facilitation functions should be performed by two separate departments, the Administration planned to implement those proposals which had obtained general support first, i.e. establishment of the CFS. Referring to the submission from the Hong Kong College of Community Medicine [LC Paper No. CB(2) 790/05-05(02)], PS(HWF) said that she agreed that the implementation of “farm-to-table” approach did not necessarily mean that all control work throughout the food supply chain had to be carried out by one department. PS(HWF) pointed out that most of the food products consumed in Hong Kong were imported (about 96%) and FEHD was responsible for carrying out the regulatory functions on imported food, both live and processed, which constituted most of the overall supply of food products. Local agriculture and fisheries products constituted only 4% of total food consumption, and facilitation and promotion of local agriculture and fisheries activities were carried out by AFCD. In order to establish the CFS expeditiously, the Administration proposed to establish it within FEHD. PS(HWF) stressed that the Administration was open-minded on the proposal and would further discuss with Members.

42. Mr Vincent FANG welcomed the Administration’s revised proposal as the organisational structure of AFCD would remain unchanged. Mr FANG said that the recent food incidents were mainly related to imported vegetables and fish. As AFCD was responsible for inspection and quarantine of imported plants and food animals, the establishment of CFS within AFCD would enable better food safety control.

43. PS(HWF) said that if CFS was formed under AFCD, it would give rise to the conflict in roles as AFCD would have to perform food safety regulatory functions and trade facilitation functions. The Administration’s proposal of setting up CFS under FEHD would enable the separation of regulatory and facilitation functions, which was in line with food safety control systems in the Mainland and other countries, such as US and Australia. PS(HWF) further said that the Administration would consider the views expressed and revert to the Panel.

44. Mr WONG Yung-kan thanked the deputations for attending the meeting. Mr WONG said that if the Administration continued to regard food safety regulatory functions and trade facilitation functions as conflicting roles, it would cause problems in the future management and development of agriculture and fisheries industry. Mr WONG considered that food safety regulatory functions and trade facilitation functions were related and there would be more effective management of agriculture and fisheries industry with its cooperation, as in the case of prevention of avian influenza. Mr WONG further said that the deputations did not object to the implementation of the “From Farm To Feed” concept. As most effective way to enhance food safety was to ensure that the food produce would meet the required safety standards, Mr WONG considered that CFS should be established under AFCD. Mr WONG added that he welcomed the Administration’s proposal to set up FSC which would include representatives of the food trade. He hoped that when the

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Research and Library Service Division of the Legislative Council (LegCo) Secretariat had provided information on the overseas food safety regulatory authorities, members would further consider whether the food safety regulatory functions and trade facilitation functions should be performed by two separate departments. The Chairman said that the Research and Library Service Division would provide the information note the following week.

45. PS(HWF) stressed that the Administration attached equal importance to the food safety regulatory functions and trade facilitation functions. The Administration's proposal to separate the regulatory and facilitation functions was made with reference to the international practice for food safety control systems.

46. Ms Emily LAU thanked the deputations for attending the meeting. Ms LAU said that the public had urged for the speedy establishment of CFS to enhance food safety and protect public health. She strongly urged that the Administration to fully consult all stakeholders and carefully consider their views in formulating the future food safety regulatory framework.

47. The Chairman said that at the joint Panel meeting on 15 December 2005, representatives of the agriculture and fisheries trade and affected staff raised objection to the proposed split-up of AFCD, while academics and representatives of professional organisations attending this meeting were generally in support of separating the food safety regulatory functions from the trade facilitation functions. The Chairman invited views from the deputations as to whether the food safety regulatory functions and trade facilitation functions, which were currently performed by separate teams within AFCD, must be separated and performed by two different departments. The Chairman also sought the deputations' views how the Administration could make use of existing resources, and how to strengthen communication and exchanges with academic institutions, professional bodies and trade organisations on formulating food safety measures and standards.

48. Professor Thomas CHAN of the Chinese University of Hong Kong said that in the past, food incidents were mainly caused by food poisoning. However, with the emergence and recurrence of infectious and zoonotic diseases, the current need was to strengthen management at source in order to enhance food safety. In his view, the food safety regulatory agency should not have a conflicting role by performing also the trade facilitation functions. He considered it necessary for the food safety regulatory functions and facilitation functions to be performed by two separate departments. It did not mean that the Administration would not provide necessary support to the agriculture and fisheries trade in future.

49. Professor LAM Tai-hing of the University of Hong Kong said that it was most important for the food safety regulatory framework to safeguard public health. He was in support of separating the food safety regulatory functions from the trade facilitation functions so that each department would have its own specific functions.

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He believed that the department responsible for agriculture and fisheries development and promotion would be able to provide more support and allocate more resources for the development of agriculture and fisheries activities.

50. Professor KWAN Hoi-shan of the Chinese University of Hong Kong said that the food safety regulatory functions currently undertaken by AFCD were to ensure the local agriculture and fisheries produce was safe for consumption. However, the regulatory functions to be undertaken by CFS would not be confined to the safety of local food produce and it had an important function of management at source. To achieve this objective, CFS have to establish effective communication and cooperation with the Mainland authorities and overseas places to ensure that food imported met Hong Kong's requirement. In this connection, he held the view that the food safety regulatory functions and trade facilitation functions should be performed by two separate departments.

51. Dr Gabriel LEUNG of Hong Kong College of Community Medicine said that food safety regulation and trade facilitation were not necessarily contradictory, it was inevitable that there would be conflicts in roles for the same department to carry out both functions. It was similar to asking tobacco company to promote anti-smoking campaigns. He considered it necessary for the regulatory staff to keep distance from the trade facilitation functions. Dr LEUNG added that the organisation structure of CFS should model on the Centre for Health Protection which comprised various scientific committees with members from government departments, professionals, academics and trade associations.

52. Mrs Becky CHEUNG of Hong Kong Food Science and Technology Association Limited said that CFS should comprise experts from overseas in promoting the HACCP concepts. CFS could also provide assistance to food manufacturers in Hong Kong and the Mainland to improve their food safety standards.

53. The Chairman asked the Administration whether AFCD staff responsible for nature conservation and country/marine parks would be transferred to EPD under the revised proposal. Deputy Director/EPD responded that the Environment, Transport and Works Bureau (ETWB) had assumed the policy responsibilities on country parks and marine conservation since 1 April 2005, although AFCD still continued with the executive functions in these areas. On the assumption that AFCD would be split up following reorganisation, it was logical to place both the policy and executive functions together under ETWB. However, if no organisation change was to be made to AFCD, the existing mode of operation would continue.

54. Mr WONG Yung-kan said that to enhance food safety, the Administration should set food safety standards for all imported food. Mr WONG invited Dr Frederick LEUNG to give his views on the impact of the proposed splitting up of AFCD on food safety.

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55. Dr Frederick LEUNG of Department of Zoology, The University of Hong Kong said that food safety was a complicated issue. While he supported the establishment of the CFS, he considered that the Administration's proposal underestimated the complexity of the issue by simply realigning and recombining various sections within FEHD and AFCD, without introducing management auditing in the food safety regulatory framework. Dr LEUNG pointed out that in most overseas countries, the food safety regulatory authorities would set the safety standards, and it was the responsibility of food producers to ensure the food safety of their products. The importing countries would not allow the import of those food products which could not meet the food safety standards. As Hong Kong practised free trade, and parallel imports of food products were allowed, the Administration should explore ways to close the loopholes and ensure the safety of all imported food under the new structure.

56. Mr Simon WONG of Hong Kong Federation of Restaurants and Related Trades said that the food trade had no objection to enhancing food safety. The Administration should set up CFS as soon as possible. However, he considered that the Administration should clearly set out the objectives of the proposed reorganisation and review whether it was really necessary in view of the substantial additional recurrent cost involved.

57. The Chairman said that as reorganisation proposal would require the approval of the Finance Committee, members would examine the cost-effectiveness of the proposal after listening to views of stakeholders.

58. Dr Veronica LEONG of Hong Kong Veterinary Association said that there was no conflict in roles for AFCD to perform both the food safety regulatory functions and trade facilitation functions. The crux of the problem was to put in place a comprehensive food safety regulatory framework to ensure food safety across the entire food chain.

59. Ms Emily LAU said that the public had urged for the speedy establishment of the CFS. The proposal would be more acceptable if the Administration had fully consulted the affected parties. Ms LAU asked whether the Panels would have to invite views from deputations again when the Administration presented its revised proposal.

60. Mr WONG Kwok-hing said that the Administration should consult the parties concerned on the revised proposal, before reverting to the Panels.

61. PS(HWF) said that the Administration would fully consider the various views expressed and revert to the Panels.

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Admin 62. The Chairman said that a further joint Panel meeting would be held on 17 January 2006 to discuss the Administration's revised reorganisation plan. Mr WONG Yung-kan requested the Administration to provide members with details of the staffing requirement of CFS before the next meeting on 17 January 2006.

63. There being no other business, the meeting ended at 5:50 pm.

Council Business Division 2
Legislative Council Secretariat
22 May 2006