

**For discussion on
17 January 2006**

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

Reorganization Plan for Food Safety Framework

PURPOSE

This paper briefs Members on the setting up of the Centre for Food Safety under the Food and Environmental Hygiene Department (FEHD).

VIEWS ON THE ADMINISTRATION'S PROPOSAL

2. The Legislative Council (LegCo) Panel on Food Safety and Environmental Hygiene and the Panel on Environmental Affairs held two joint meetings on 15 December 2005 and 6 January 2006 respectively to listen to deputations from staff of the affected departments, academic institutions, professional organizations and the relevant trade associations on the Administration's reorganization proposal. Views were divided on the Administration's proposal and on the issue regarding the separation of regulatory and facilitation functions.

3. At the Joint Panel Meeting held on 15 December 2005, representatives of the agriculture and fisheries trade and staff of the Agriculture, Fisheries and Conservation Department (AFCD) expressed objection to the Administration's proposal. They objected to breaking up the AFCD into three departments as they considered that the food safety regulatory functions and the functions on facilitating and promoting the development of the agriculture and fisheries industries should be placed under the same department.

4. At the Joint Panel Meeting held on 6 January 2006, there was general support from academics, professional organizations and trade associations for the early establishment of the Centre for Food Safety to enhance our existing work on food safety. Most academics and professional organizations and some trade associations also expressed strong support to separate the food safety regulatory functions from the trade facilitation functions. They considered that the Administration's proposal which would separate the regulatory and facilitation functions was in line with the organization structure of food safety

control systems in other countries. They also considered that the interests of both the consumers and the primary producers could be best served by having two separate organizations to take up the regulation and facilitation functions respectively.

NEXT STEP FOR ENHANCING FOOD SAFETY

Establishment of the Centre for Food Safety

5. At present, Hong Kong produces just a small fraction of the food consumed everyday and most of the food products consumed in Hong Kong are imported. Local agriculture and fisheries products constitute only a very small portion (about 4%) of total food consumption and facilitation and promotion work currently falls under AFCD. The bulk of the regulatory functions on imported food (about 96%), both live and processed, which constitutes most of the overall supply of food products currently falls within the remit of the FEHD. In view of the imminent need to enhance our existing food safety control functions, the general support for the speedy establishment of a Centre for Food Safety and the lack of consensus among stakeholders on whether the regulatory and facilitation functions should be performed by two separate government departments, we plan to take forward the part where there is consensus among the stakeholders, namely, the establishment of this Centre for Food Safety initially within the FEHD as our next step for enhancing food safety. We would create a Controller, Centre for Food Safety (“the Controller”) post in FEHD to be responsible for the overall management of the Centre; making day-to-day management, professional and operational decisions; identify objectives and formulate strategies to implement food safety measures; and lead high level negotiations and liaison with Mainland and overseas food authorities on food safety matters that have cross-border implications. The Controller will also take up the responsibility for overseeing the management of the local slaughterhouses to ensure the slaughtering methods and procedure and meat hygiene at the slaughterhouses meet the required standards. He/she will continue to plan and direct the implementation of policies on the control of pests of public health significance.

6. In view of the prominent role the Controller has to play in fulfilling the missions of the Centre, his/her duty to lead high level negotiations and liaison work with the Mainland and overseas food authorities, and the wide range of activities carried by the Centre, we propose that the new Controller post be pitched at D4 level, which is on par with the ranking of the Controller, Centre for Health Protection post and senior consultants of medical specialties. The post should be filled by selection of Medical and Health Officers and

Consultants with the relevant specialist qualifications and experience in food safety control, public health and contacts with the Mainland and overseas food authorities. The Controller post would be created by upgrading the existing Deputy Director (Food and Public Health) (DD/FPH) (D3) post in FEHD to D4 level. The organization chart of the existing FEHD and the organization chart of the FEHD upon the establishment of the new Centre for Food Safety are at **Annexes 1 and 2**.

7. The Centre will consist of the Food Surveillance and Control Branch and the Risk Assessment and Communication Branch now in FEHD. FEHD is by far the largest civilian department within the Government of the Hong Kong Special Administrative Region (HKSARG) with a staff size of about 11,000. The portfolio covers a wide range of livelihood issues ranging from food safety, licensing of food premises, waste collection, littering offences, issuing places of public entertainment licenses, hawkers control and street management, market management, cremation and cemetery services, dealing with water seepage to pest control etc, and its corporate responsibility also covers the management of a large number of outsourcing contract work. The upgrading of the DD/FPH (D3) post to the Controller (D4) post is justified on the ground that a more senior officer would relieve some of the burden on the Director (D6) to undertake the negotiation and liaison functions relating to food safety matter with the Mainland and overseas government counterparts on a more independent basis.

8. To strengthen the existing consultative framework, we will set up a Food Safety Committee within the Centre for Food Safety. The Committee will consist of academics, professionals, food experts and trade representatives and be responsible for the formulation of food safety measures and review of food safety standards in light of international practices, trends and developments. Under this Committee, there will be several specialist sub-committees to address different issues, such as food standards and risk communication strategy. We would also strengthen our communication and exchanges with relevant stakeholders including academic institutions, professional bodies and trade organizations through various channels such as seminars/talks, meetings, newsletters, websites, etc. We will also conduct more food related researches.

9. As the Mainland is our major supplier of poultry, livestock, aquaculture produce and other foodstuffs, we will strengthen our contact and cooperation with all the relevant Mainland authorities, including the State General Administration of Quality Supervision, Inspection and Quarantine, Ministry of Agriculture, Ministry of Commerce, local Entry-Exit Inspection and Quarantine Bureaux, the Guangdong Provincial Government and the Shenzhen Municipal Government, to enhance communication on major food incidents and to deal with any food safety matters that may have cross-border implications. We would

also seek to increase the contacts and communication with other countries and places that export food stuff to Hong Kong. These efforts will help ensure all imported food from the Mainland and other places will comply with our food standards. We would also strengthen food surveillance work at the import, wholesale and retail levels as well as more effectively handle food incidents and the increasing number of food complaints, and to enhance capability in the work of risk assessment.

10. To carry out the additional work, we would establish two new Principal Medical Officer (PMO) (D1) posts in the Centre for Food Safety to provide the necessary public health support. The two PMOs will be responsible, inter alia, for formulating risk management and communication strategies to address the concerns of the community over food safety; handling food incidents and crises; overseeing the conduct of risk assessment studies and the development of food standards; and helping to build up the capacity of the trade in meeting the required standards. In addition to these two posts, we will also increase the manpower resources within FEHD initially by a total of 69 non-directorate posts for professional and technical staff. Additional resources will be provided for laboratory work. The annual number of sampling that will be dealt with under the regular food surveillance programme and arising from food complaints are expected to increase by some 3,000 per annum.

Creating a new post of Permanent Secretary in Health, Welfare and Food Bureau

11. We have reviewed the organizational structure at the bureau level to explore ways to better meet the operational needs and improve the effectiveness and efficiency in achieving the policy objectives. At present, the HWFB has only one Permanent Secretary at AOSGA1 (D8) level to assist the Secretary for Health, Welfare and Food (SHWF) in overseeing a vast portfolio consisting of policy areas of very different natures (including medical and health, social welfare, food safety, environmental hygiene and women affairs etc). The issues under these policy areas are all livelihood-related, crises-prone and of great concern to the community. Apart from being responsible for formulating, coordinating and implementing policies for the these policy areas, the Permanent Secretary needs to coordinate with the relevant executive departments/agencies to ensure smooth and timely delivery of the agreed policies and programmes and to address public concerns under these policy areas. As the Permanent Secretary for these policy areas and being the Controlling Officer of HWFB including the Hospital Authority, she has to assist SHWF in managing a huge budget of about \$70 billion which takes up over one-third of the total recurrent government budget. The existing organization chart of HWFB is at **Annex 3**.

12. Since the establishment of HWFB in July 2002, there has been a significant increase in the responsibilities of the Permanent Secretary on various fronts. With the emergence and recurrence of infectious and zoonotic diseases, ageing population and increasing food safety incidents, new long-term policy initiatives have been added to the Permanent Secretary's duty list. Examples of major long-term policy initiatives being formulated or implemented include: strengthening our infectious disease emergency responsiveness and enhancing preparedness for influenza pandemic; reviewing strategies on health care services development and health care financing options under the auspices of the revamped Health and Medical Development Advisory Committee; further improving the model of residential care for frail elders and strengthening home-based services for elders in the community to face up to the challenges of population ageing; developing a proactive and comprehensive regulatory system to strengthen food safety; examining the feasibility of developing a medium-sized poultry slaughtering plant to reduce the risk of human infection of avian influenza etc.

13. The wide spectrum of policy responsibilities and the sheer volume and complexity of work of such a vast portfolio is clearly beyond the reasonable demand on one Permanent Secretary. Given that each of HWFB's policy areas deals with important livelihood issues of public concern, and the need to tackle the increasing and complex food safety issues both locally, cross-border and overseas, it is necessary to strengthen support at the top policy making level. We propose to create an additional post of Permanent Secretary at the rank of AOSGA1 (D8) to focus on food safety and environmental hygiene matters, and to support SHWF in risk communication matters including public education strategies and dissemination of information, leading and coordinating government response to major food incidents and veterinary public health incidents. The additional Permanent Secretary will also oversee the operations of AFCD, FEHD and the Government Laboratory. The new post will be designated as Permanent Secretary (Food and Environmental Hygiene). The existing Permanent Secretary, to be designated as Permanent Secretary (Health and Welfare), will focus on policy portfolios in respect of medical and health, social welfare and women's affairs. Three additional non-directorate posts will also be created in HWFB to support the work of the new Permanent Secretary. The proposed organization chart of the HWFB upon the creation of an additional Permanent Secretary post is at **Annex 4**. The new Permanent Secretary post, if approved, will put HWFB on par with other multi-department type of bureaux with two Permanent Secretary posts at D8 level, namely the Commerce, Industry and Technology Bureau; Economic Development and Labour Bureau;

Environment, Transport and Works Bureau¹; Financial Services and the Treasury Bureau; and Housing, Planning and Lands Bureau.

14. The four new directorate posts, namely the Permanent Secretary (D8) post, the Controller (D4) post and the two PMO (D1) posts are to be created to serve genuine functional needs. LegCo Members were informed of the Administration's plan to create these posts in the Note for Establishment Subcommittee of Finance Committee on "Overall Directorate Establishment Position" (LegCo Paper ECI(2005-06)6) in November 2005. HWFB and departments under its purview have complied with Government's overall direction in enhancing the efficiency and cost effectiveness of their operations through controlling the establishment of civil servants and resource usage. In the past two years, we have deleted two directorate posts, namely one Senior Principal Executive Officer post at D2 level in HWFB and one Consultant post at D4/D3/D2 level in the Department of Health. We will also delete one Chief Chemist (D1) post. Also the creation of the Controller (D4) post will be offset by the deletion of the DD/FPH (D3) post. The draft job descriptions of the proposed posts are at **Annex 5**.

15. Separately, we are vetting the non-directorate posts to be created to support the enhanced food safety functions. To date, we have completed the vetting of a total of 72 new non-directorate posts (69 in FEHD and 3 in HWFB). The breakdown of these posts is at **Annex 6**. These posts will be created first to support the enhanced food safety functions at the working level. Apart from these 72 non-directorate posts, we are also planning to create some 140 non-directorate posts (including veterinary related professionals, fisheries related professionals, chemists, laboratory technicians, field officers and other support staff etc.) after further vetting by the relevant bureaux and departments according to the established procedures. Meanwhile, recruitment is in progress to fill five existing veterinary officer grade posts.

16. The proposed setting up of the Centre for Food Safety will not involve the reorganization of AFCD as previously proposed. In the circumstances, the possible merger of the Marine/Country Parks and Conservation Branches of AFCD will be held in abeyance. In the meantime, we will develop ways to enhance the policy formulation and execution relationship between the Environmental Protection Department and AFCD on marine/country parks and nature conservation under the existing arrangement.

¹ There are three Permanent Secretaries in Environment, Transport and Works Bureau, two at D8 level and one at D6 level.

Financial Implications

17. Subject to endorsement of the above proposal, the total additional recurrent expenditure required will be about \$60 million per annum.

WAY FORWARD

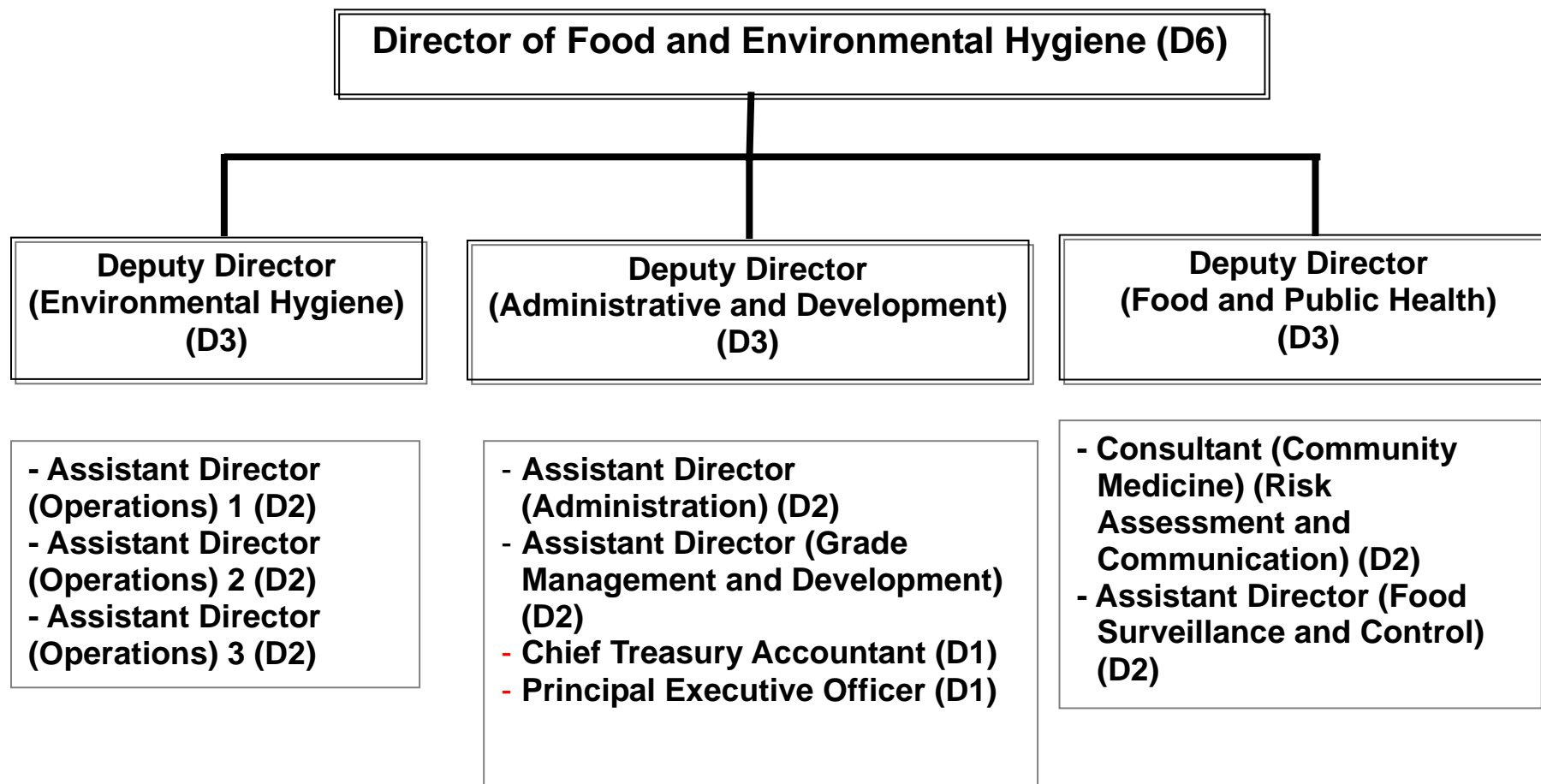
18. The proposed reorganization plan for the food safety regulatory framework is a very important re-alignment exercise in the HKSARG for streamlining the existing food safety control functions currently performed by FEHD and the AFCD with a view to enhancing food safety and protecting public health. Given the general support for the speedy establishment of a Centre for Food Safety and the lack of consensus among stakeholders on whether the regulatory and facilitation functions should be performed by two separate government departments, we need more time to engage the stakeholders in further discussion on the reorganization plan. The arrangement described in paragraphs 5 to 15 above is proposed as the next step to meet the growing public expectation for better food quality and safety standards. In the longer term, it is still our intention to establish a dedicated department responsible for food safety control. We will carefully consider the views expressed by LegCo Members, affected staff, academics, relevant professional and trade associations, the media and the public, and continue our discussion with the stakeholders on the best way forward. The Centre for Food Safety under FEHD will be subsumed under the new department when it is formed.

VIEWS SOUGHT

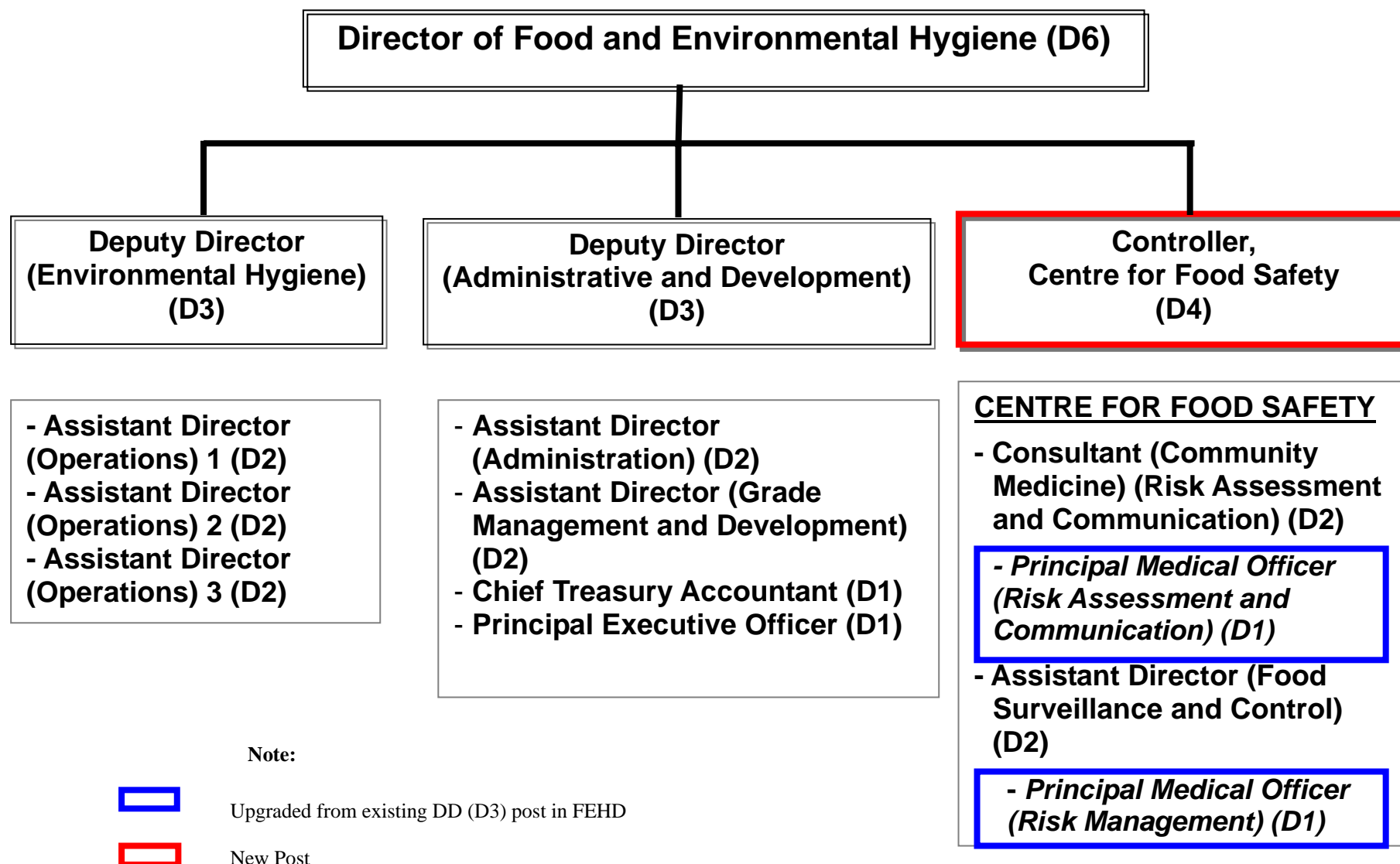
19. Members are requested to note and comment on our proposed next step. Subject to Members' views, we would submit the relevant proposal to the LegCo Establishment Sub-committee and Finance Committee for approval.

Health, Welfare and Food Bureau
Environmental, Transport and Works Bureau
January 2006

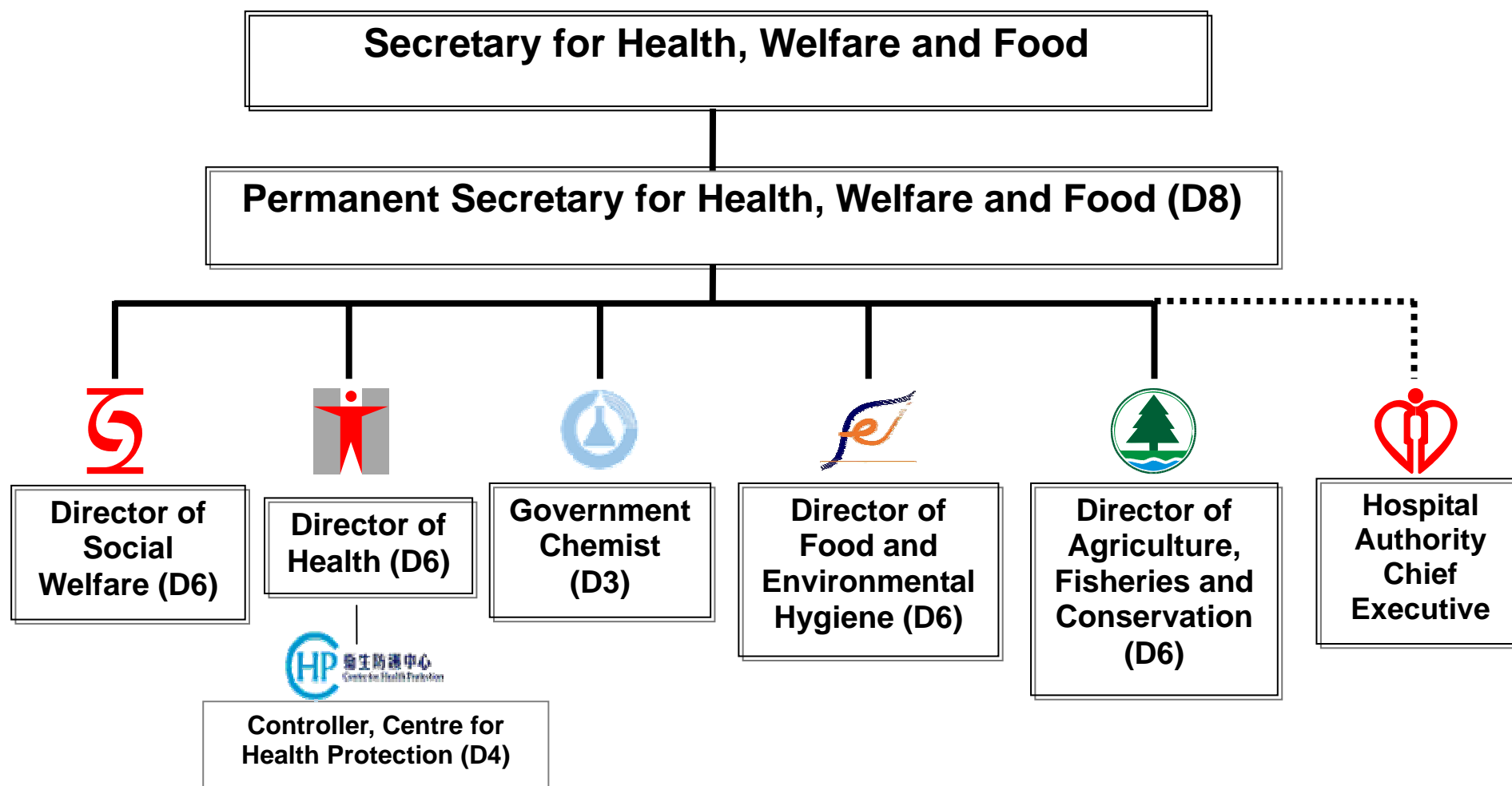
Existing Organisation Structure of Food and Environmental Hygiene Department



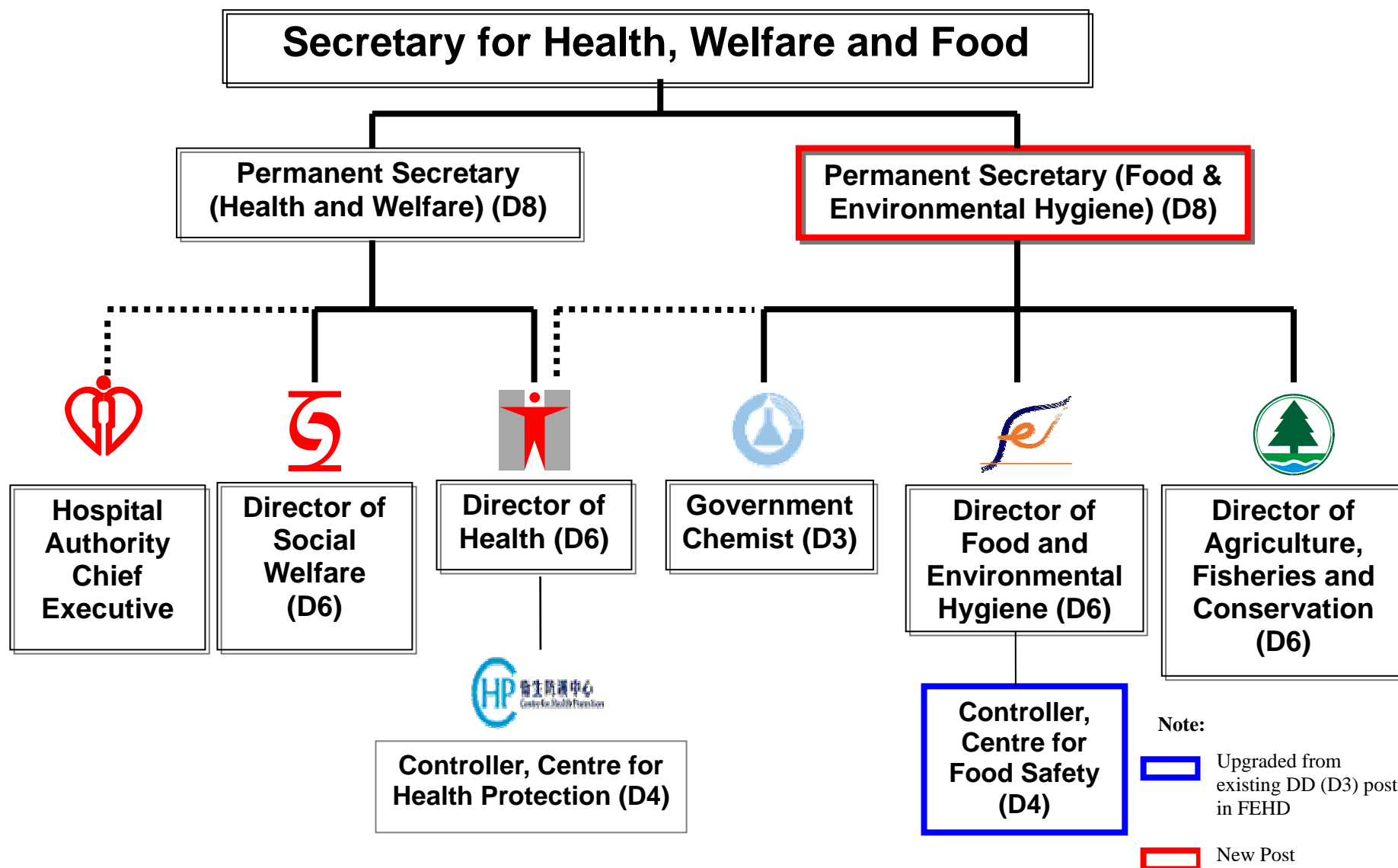
Organisation Structure of Food and Environmental Hygiene Department after Establishment of Centre for Food Safety



Existing Organisation Structure of Health, Welfare and Food Bureau (HWFB)



Organization of HWFB after Establishment of Additional Permanent Secretary Post



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**Proposed Job Description for
Permanent Secretary for Health, Welfare and Food
(Food and Environmental Hygiene)**

Post title : Permanent Secretary for Health, Welfare and Food
(Food and Environmental Hygiene) (D8)
Rank : Administrative Officer Staff Grade A1 (D8)
Responsible to : Secretary for Health, Welfare and Food (SHWF)

Main Duties and Responsibilities –

1. To assist SHWF in formulating, co-ordinating and implementing policies on agriculture, fisheries, food safety, veterinary public health and environmental hygiene;
2. To support SHWF in explaining policies, in securing support of the public and Legislative Council (LegCo), and in dealing with LegCo business;
3. To support SHWF in ensuring ongoing and new initiatives under Chief Executive's Policy Address are taken forward and completed within specified timeframes;
4. To support SHWF in risk communication matters including public education strategies and dissemination of information;
5. To support SHWF in networking and liaison work with the Mainland and overseas food authorities to keep abreast of food safety development;
6. To ensure the development of a proactive and comprehensive regulatory system to strengthen food safety; and to lead and coordinate Government response to major food incidents and veterinary public health incidents;
7. To steer and co-ordinate with the executive departments/agency including the Agriculture, Fisheries and Conservation Department, Food and Environmental Hygiene Department, Centre for Health Protection and Government Laboratory, and liaise with other concerned bureaux to achieve smooth, timely and effective implementation of the agreed policies and programmes;

8. To assist SHWF in acquiring and deploying resources to support the implementation of policies and delivery of services;
9. To monitor the needs and aspirations of the community and having regard to the fundings, to undertake timely review and to develop proposals for necessary changes to the established policies and services;
10. To review policies related to the provision of markets, cemeteries, columbaria and crematoria facilities to meet future demand;
11. To uphold the reliability and professional standards in the delivery of services by the executive departments/agencies;
12. To be the Controlling Officer for the expenditure head of the Food and Environmental Hygiene Branch, and to ensure proper use of the financial and human resources;
13. To co-ordinate overall budgetary requirement of Health, Welfare and Food Bureau (HWFB) and to advise on the overall priorities of policy agenda and initiatives; and
14. To manage civil servants and other staff in the Food and Environmental Hygiene Branch of HWFB.

(DRAFT)

**Proposed Job Description for
Controller, Centre for Food Safety**

Post title : Controller, Centre for Food Safety
Rank : Controller, Centre for Food Safety (D4)
Responsible to : Director of Food and Environmental Hygiene

Major Duties and Responsibilities –

1. To advise the Director of Food and Environmental Hygiene in the formulation, development and review of policies and strategies for effective food safety control in Hong Kong;
2. To plan and direct the implementation of policies on food safety control, veterinary public health and control of pests of public health significance;
3. To be responsible for the overall management of the Centre for Food Safety;
4. To oversee all regulatory functions over food, imported live food animals and poultry, vegetables, fish/seafood, and the management of slaughterhouse;
5. To oversee and develop regular inspection and audit programmes to live food animal and fish farms as well as meat and food processing plants in the Mainland.
6. To lead high level negotiation and liaison with the Mainland and overseas food authorities on food safety matters that have cross-border implications;
7. To establish and maintain an active network with local stakeholders, Mainland and international food safety and public health organizations as well as academics, medical professionals and experts in the field in promoting effective food safety control;
8. To oversee the assessment of health risks on the food safety front and development of food standards and communication strategies for dissemination to the industry and the community;
9. To oversee surveillance and control at various points of the food supply chain to ensure food are fit for human consumption; and

10. To provide professional input to public health education programmes on food safety.
11. To attend meetings of the Legislative Council Panels and Advisory Council on Food and Environmental Hygiene as needed.

(DRAFT)

**Proposed Job Description for
Principal Medical Officer (Risk Management)
(Food Surveillance and Control Branch)**

Post Title : Principal Medical Officer (Risk Management)
Rank : Principal Medical and Health Officer (D1)
Responsible to : Assistant Director (Food Surveillance and Control)

Major Duties and Responsibilities –

1. To devise and coordinate the implementation of risk management strategies and public health measures for effective food safety control;
2. To assist Assistant Director (Food Surveillance and Control) in the formulation and review of food safety control measures, guidelines and programmes using local epidemiological information as well as other sources of data and intelligence;
3. To plan and coordinate departmental initiatives on the investigation, control and management of food incidents;
4. To plan and oversee the implementation and coordination of contingency plans and emergency response related to food incidents within and outside the department;
5. To collaborate with the Mainland and overseas food regulatory authorities, the local food trade and other government departments and agencies to ensure effective management of food incidents;
6. To work with the Risk Assessment and Communication Branch to devise, implement and coordinate risk communication strategy in the management of food incidents and crisis;
7. To represent the Department in meetings related to food incidents and food safety crisis; and
8. To assist and support Assistant Director (Food Surveillance and Control) in the administration of the Food Surveillance and Control Branch.

(DRAFT)

**Proposed Job Description for
Principal Medical Officer (Risk Assessment and Communication)
(Risk Assessment and Communication Branch)**

Post Title : Principal Medical Officer (Risk Assessment and Communication)
Rank : Principal Medical and Health Officer (D1)
Responsible to : Consultant (Community Medicine) (Risk Assessment and Communication)

Major Duties and Responsibilities –

1. To formulate risk communication strategies to address the concerns of the community over food safety, working together with the risk managers in the event of food incidents and crises;
2. To develop proactive and effective risk communication partnership with major stakeholders and the media;
3. To map out and prioritize risk assessment plans to meet the needs of the risk managers in addressing food safety problems in the local and international arenas;
4. To oversee the conduct of newly introduced risk communication programmes and activities such as the monthly Risk Communication Digest, risk perception of food-related hazards seminars, etc.;
5. To oversee the conduct of risk assessment studies and to ensure that they are carried out in a coordinated manner;
6. To provide professional and logistic support to new programmes including food consumption database, exposure assessment computer system, total diet studies, nutrition risk assessment studies;
7. To provide and co-ordinate professional support to the Food Safety Committee;
8. To provide professional input to other government bureaus and departments regarding food safety issues in meeting international obligations and addressing local public health concerns;

9. To build up the capacity of the Centre for Food Safety and stakeholders with respect to risk assessment and risk communication;
10. To liaise with national and international counterparts in relation to his duties; and
11. To assist and support Consultant (Community Medicine) (Risk Assessment and Communication) in the administration of the Risk Assessment and Communication Branch

Annex 6

Distribution of the 72 non-directorate posts to be created

Grade	Number of posts
Medical and Health Officer	4
Health Inspector	44
Chemist	2
Government Laboratory Technician	7
Scientific Officer	6
Administrative Support (3 posts are to be created in Health, Welfare and Food Bureau)	9
Total	72