

立法會
Legislative Council

Ref : CB2/PL/FE

LC Paper No. CB(2)2088/06-07
(These minutes have been seen by
the Administration)

Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Tuesday, 8 May 2007, at 2:00 pm
in Conference Room A of the Legislative Council Building

- Members present** : Hon Tommy CHEUNG Yu-yan, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon WONG Yung-kan, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Vincent FANG Kang, JP
Hon WONG Kwok-hing, MH
Dr Hon Joseph LEE Kok-long, JP
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
- Members attending** : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
- Public officers attending** : Items IV & V

Mr CHEUK Wing-hing
Deputy Secretary for Health, Welfare and Food
(Food and Environmental Hygiene)
- Item IV

Miss Kay KWOK Kar Bo
Principal Assistant Secretary for Health, Welfare and Food
(Food and Environmental Hygiene)¹ (Acting)

Dr Constance CHAN Hon Yee
Assistant Director (Food Surveillance & Control)
Centre for Food Safety, Food and Environmental Hygiene
Department

Item V

Mr Johnson TANG Yuk Kuen
Principal Assistant Secretary for Health, Welfare and Food
(Food and Environmental Hygiene)¹ (Acting)

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

Mr LEE Yuk Shing
Chief Project Manager 301
Architectural Services Department

Attendance by invitation : Consumer Council

Ms Connie LAU Yin-hing
Chief Executive

Ms Rosa WONG
Head, Research & Trade Practices

Clerk in attendance : Miss Flora TAI
Chief Council Secretary (2)²

Staff in attendance : Ms Alice LEUNG
Senior Council Secretary (2)¹

Miss Kiwi NG
Legislative Assistant (2)²

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I. Confirmation of minutes

Members noted that the minutes of the meeting held on 10 April 2007 [LC Paper No. CB(2)1747/06-07] would be circulated to them for comment and confirmation after the meeting.

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(Post-meeting note: The minutes of the meeting on 10 April 2007 were issued to members vide LC Paper No. CB(2) 1748/06-07 on 11 May 2007.)

II. Information paper(s) issued since last meeting

2. Members noted that the following papers had been issued to members since the last meeting -

- (a) a referral from the Complaints Division of the Legislative Council (LegCo) Secretariat regarding the mistake of mixing up the sampling locations of noodle fish samples [LC Paper No. CB(2)1566/06-07(01)] (Chinese version only);
- (b) a letter from a member of the public on sea burials in the waters near The Brothers [LC Paper No. CB(2)1597/06-07(01)] (English version only); and
- (c) information provided by the Administration on the regulation for preservatives and antioxidants in food in the Mainland [LC Paper No. CB(2)1670/06-07(01)].

III. Items for discussion at the next meeting

[Appendices I and II to LC Paper No. CB(2)1749/06-07]

3. Members agreed to discuss the following two items proposed by the Administration at the next regular meeting scheduled for 12 June 2007 -

- (a) report on the operation of the Centre for Food Safety: May 2006 - May 2007; and
- (b) issues related to the scattering of human ashes at sea.

4. Mr WONG Kwok-hing expressed concern about the response by the Chief Executive at the Chief Executive's Question and Answer Session of the Legislative Council meeting on 3 May 2007 that there were no adequate resources to inspect every vehicle transporting vegetables and fruits supplied by the Mainland at Man Kam To (MKT) Control Point. In the light of the Chief Executive's response, he considered that the Administration should brief the Panel on the deployment of staff and resources for the inspection of vegetables and fruits at MKT Control Point and the number of inspections being carried out. He suggested the Panel to discuss the issue at the next meeting and to invite representatives of the Centre for Food Safety (CFS)

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of the Food and Environmental Hygiene Department (FEHD) and the Customs and Excise Department (C&ED) to attend the meeting.

5. The Deputy Chairman said that the Chief Executive's remark was made in response to his question on the food safety of vegetables and fruits. In view that the Mainland authorities had imposed a number of new requirements such as label identification and lead-seal control to vegetables supplied to Hong Kong with effect from 1 April 2007, he considered that the Administration should brief the Panel on the measures that it had drawn up to complement the requirements imposed by the Mainland authorities. He further said that FEHD did not have the necessary statutory power to carry out inspections of vegetables and fruits at MKT Control Point and had to rely on the power of the C&ED at present.

6. Mr WONG Yung-kan also shared the view that the Panel should discuss this issue at the next meeting. He said that the Mainland authorities would introduce a series of measures to strengthen its inspection and quarantine management system for food supplied to Hong Kong. For example, the same requirements presently imposed on vegetables would be extended to fruits and melons on 1 July 2007 and 1 October 2007 respectively. He added that quarantine and seal identification measures for vessels carrying freshwater fish from Guangdong Province to Hong Kong had also been implemented. He considered that the issue of monitoring the food safety of aquatic products was also important.

7. Members noted that the proposed timing for discussion of the issue of "Control of importation, landing and sale of live fish" was in the third quarter of 2007, as shown in the list of outstanding items for discussion [Appendix I to LC Paper No. CB(2)1749/06-07]. At the suggestion of the Chairman, members agreed that an additional item of the "Regulation of vegetables and fruits" be included in the agenda of the next meeting.

IV. Regulation of the level of arsenic in dried food products

Views of the Consumer Council

8. Chief Executive of the Consumer Council (CE/CC) presented the views of CC on the regulation of the level of arsenic in dried food products as detailed in its submission [LC Paper No. CB(2)1749/06-07(01)]. Members noted that CC conducted a test on 65 samples of dried meat products including shredded squid and dried fish. Of the 23 samples of shredded squid and dried fish products tested, eight samples of shredded squid were detected with arsenic ranging from 12.7 mg/kg to 35.3 mg/kg, and one dried fish with arsenic at 7.7 mg/kg. The levels of arsenic found in these nine dried food samples exceeded the statutory permitted levels of arsenic in shellfish (including squid) and fish, which were 10 mg/kg and 6 mg/kg respectively.

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9. CE/CC said that CC had referred the findings of arsenic in dried food products to CFS for suspected breach of the Food Adulteration (Metallic Contamination) Regulations (the "Regulations") (Cap.132V). CFS advised that, since shredded squid and dried fish were dried products, their water content would have been greatly reduced and thus affected their original arsenic ratios. When determining the permitted level of arsenic in the dried food products, dehydration during the production process might have to be taken into account. She added that CC had not received any further information from CFS on what the permitted level of arsenic in these dried food products should be after dehydration had been taken into account.

10. In view of the great variation in the arsenic levels among different samples, CC warned consumers that, according to the Provisional Tolerable Weekly Intakes (PTWI) of inorganic arsenic of the Joint Food and Agriculture Organisation (FAO)/World Health Organisation (WHO) Expert Committee on Food Additives (JECFA), an adult consuming a few or more packages of the shredded squid sample found with the highest level of arsenic per week might have exceeded the PTWI of JECFA. CE/CC further said that CC was of the view that there should be clear definition and guideline on the arsenic level of dried food products in the Regulation. Consumers' health and safety should be the first priority when setting the statutory permitted limit.

Presentation by the Administration

11. Assistant Director (Food Surveillance & Control) of CFS (AD(FSC)/CFS) briefed members on the Administration's paper on the regulation of level of arsenic in dried food products and the safety assessment process adopted by CFS [LC Paper No. CB(2)1746/06-07(01)]. She pointed out that heavy metals including arsenic might be found in food naturally due to environmental contamination and their presence in food did not necessarily imply abuse in the manufacturing process.

12. Referring to the levels of arsenic found in the samples of dried food products tested by CC, AD(FSC)/CFS advised that, according to international practice such as European Union countries and Australia, the degree of dehydration should be taken into account before determining whether the level of arsenic detected in the dried food sample had exceeded the statutory limit. She explained that, since dried food products had undergone a drying process, their water contents had been greatly reduced and the levels of arsenic would become more concentrated.

13. AD(FSC)/CFS said that, in determining whether the levels of arsenic found in food had exceeded the maximum permitted limit as stipulated under the Regulations and if enforcement actions should be taken, CFS also assessed the overall safety of the sample and the associated health effects of the metals detected. She stressed that occasional excursions above the PTWI would not pose health consequences as the concept of PTWI referred to lifelong exposure .

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Issues discussed

Levels of arsenic in dried food products

14. Noting that the factor of dehydration had to be taken account of when determining the permitted levels of heavy metals in dried food products, the Deputy Chairman asked whether there were any safety reference values/standards established by international food safety authorities in this respect.

15. AD(FSC)/CFS explained that the maximum permitted levels of certain heavy metals in food as stipulated in the Regulations were the maximum permitted concentrations of these heavy metals naturally present in food. In the case of dried food products, the levels of arsenic would become more concentrated as they had undergone a process of drying. In line with international practice, the degree of dehydration would be taken into consideration and a conversion factor would be applied before determining whether the level of arsenic detected in the food sample had exceeded the maximum permitted limit under the laws. In the absence of international standards of permitted levels of heavy metals in dried food products, CFS would make reference to international databases and relevant literature on the subject in converting the concentration level of arsenic in dried food products before dehydration.

16. Dr KWOK Ka-ki said that if the factor of water reduction would affect the level of arsenic concentration in dried food products, he wondered why the concentration level had been made as reference for setting the permitted limit of arsenic in dried food products.

17. AD(FSC)/CFS explained that the permitted levels of heavy metals set under the laws were to provide standards for the food trade to comply with, thereby ensuring the food produced was wholesome and fit for human consumption.

18. Mr Alan LEONG said that, in the absence of concrete data and details of the manufacturing process, he cast doubt about the method adopted by CFS in calculating the arsenic levels of dried squid samples before dehydration. He commented that, if the conversion formula was not worked out on scientific grounds, CFS should not have refuted CC's findings.

19. The Chairman commented that every food sample of dried squid had undergone different degree of dehydration during its manufacturing process. He wondered how CFS could obtain information on the exact degree of dehydration in determining the level of arsenic in dried squid.

20. DS(FEH) clarified that CFS did not refute the findings of CC. He stressed that CFS shared the same view with CC that an adult consuming a few or more packages of the samples found with the highest level of arsenic a week on a prolonged basis might have exceeded the PTWI. However, in determining whether the concentration

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level of arsenic detected in the dried squid samples had exceeded the statutory limit, CFS had to take into account the degree of dehydration of dried squid. He said that, as explained by AD(FSC)/CFS, the levels of arsenic would become more concentrated for dried food products which had undergone a drying process.

21. On the question raised by Mr Alan LEONG and the Chairman, AD(FSC)/CFS responded that detailed information including the manufacturing process and data of the ingredients e.g. weight and volume of food was needed in order to work out the conversion formula accurately. In this respect, CFS was following up with the manufacturers of the dried squid products concerned to obtain such information. She added that, in the event that detailed data and information on the manufacturing process were not available, reference would be made to international databases as well as literatures in working out the factor of water reduction.

22. Mr WONG Yung-kan pointed out that the size and weight of squid in different regions were different, say squid from Argentina could weight, on average, over 20 kg whereas squid from South China less than two kg. The water quality also varied in different regions which might have effect on the levels of arsenic contained in the squid. He wondered whether CFS had taken into account these factors in determining the level of arsenic level in food.

23. AD(FSC)/CFS said that the size and weight of squid would not affect the value of the level of arsenic as the limit was expressed in units of mg per kg of the weight of the food.

Health risk and risk communication

24. The Deputy Chairman was of the view that the consumption pattern of fresh squid and shredded dried squid was different. While it might be rare for members of the public to eat more than one fresh squid in a meal, it was not unusual for them to consume several packages of shredded dried squid as snacks. In view of the findings of the test by CC, he questioned why the Administration would state in paragraph 5 of its paper that adverse health effects due to inorganic arsenic as a result of normal consumption of dried squid products were not expected.

25. AD(FSC)/CFS explained that FEHD conducted a risk assessment study on "Dietary exposure to heavy metals of secondary school students" in 2002. The study found that dietary exposure to arsenic for both average and high consumers of secondary school students fell well below the safety reference value established by JECFA. On the basis of the past risk assessment study and the consumption pattern for dried squid products, it was expected that a normal consumption of dried squid products would not pose adverse health risk due to inorganic arsenic. AD(FSC)/CFS stressed that CFS would assess the overall safety of the sample and the associated health effects of the metals detected. In conducting the health risk assessment, CFS would take into account the level of the contaminant in the food, the quantity of the

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food consumed and the duration of consumption. She said that CFS shared the view of CC that consuming three packages a week of the dried squid sample detected with the highest level of total arsenic (both organic and inorganic) on a prolonged basis might already have exceeded the PTWI.

26. On the Chairman's enquiry, AD(FSC)/CFS explained that the PTWI was an estimate of the amount of a contaminant that could be ingested per week over a lifetime without appreciable risk. People with normal dietary habit were unlikely to experience adverse health effects of arsenic due to occasional consumption of food in excess of the PTWI provided that the average long-term intake did not exceed the PTWI.

27. The Chairman asked whether CFS could use some examples as illustrations to the public to show the estimated risk of health hazard due to arsenic e.g. the maximum number of packages of shredded dried squid for consumption per week.

28. Mr Vincent FANG and Dr KWOK Ka-ki shared similar view that the public might have difficulty in understanding the term of the PTWI. CFS should use layman terms in communicating with the public, in particular information on food safety and health risk.

29. Mr WONG Kwok-hing expressed dissatisfaction with the Administration's response and commented that the explanation given by the Administration in respect of the concentration level of arsenic in dried squid products would give a misleading message to consumers. He said that consumers might consider it safe to consume dried squid products as their arsenic levels did not exceed the statutory permitted level. Referring to paragraph 9 of CC's submission that consumers' health and safety should be the first priority when setting the statutory permitted level, Mr WONG Kwok-hing asked what follow-up actions had been or would be taken by the Administration in response to CC's test findings.

30. In response to members' views, AD(FSC)/CFS explained that, as a law enforcing department, CFS's focus would be put on whether the arsenic contained in the food samples exceeded the statutory permitted level. Notwithstanding this, CFS was also concerned about hazards in food which might be regularly consumed even though the levels of a contaminant detected therein were within the legal limits. CFS had attached importance to the monitoring of heavy metals in food and risk communication as well as public health education. In this respect, CFS had conducted testing of heavy metals in dried aquatic products in 2006 and the testing of heavy metals in food samples was included under the regular food surveillance programme. In the light of the findings of previous studies, CFS had issued health advice to special high-risk groups, such as pregnant women and children, advising them to limit their intake of some big predatory fish like tuna, due to the relative higher levels of mercury in these specific types of fish. AD(FSC)/CFS said that, in the case of the food samples of dried squid products found with the highest level of arsenic, health

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advice was given to advise the public of the health risk of consuming the samples of dried food products found with the highest level of arsenic.

31. Mr Alan LEONG asked what measures would be taken by the Administration to ease the concern of the public about the health risk of consuming dried food products.

32. AD(FSC)/CFS stressed that CFS would step up its publicity efforts on risk communication including dissemination of information on health hazards in food which might be regularly consumed and contain heavy metals.

Other issues

33. Mr Alan LEONG said that, according to CC's test report, of the 23 samples of shredded squid and dried fish products tested, eight samples of shredded squid and one dried fish were detected with arsenic level exceeding the statutory limit of 10 mg/kg and 6 mg/kg respectively. He asked whether prosecution would be instituted against the food manufacturers concerned.

34. AD(FSC)/CFS responded that CFS was following up the cases on whether the food samples had exceeded the statutory permitted level of arsenic. Food samples had been given to the Government Laboratory for testing. Investigation and analysis to determine the dehydration level was on-going. She stressed that law enforcement actions would be taken, subject to the investigation results, as appropriate.

35. Dr KWOK Ka-ki said that, to safeguard public health and safety, the Administration should enact the legislation on food labelling requirements expeditiously. He enquired whether there was a legislative timetable for setting statutory permitted levels of heavy metals including arsenic in dried food products. Referring to the enactment of the Harmful Substances in Food (Amendment) Regulations (the "Amendment Regulations") (Cap.132AF) in 2005, he criticised that the Administration adopted double standards in considering the need to regulate the presence of malachite green in freshwater fish and heavy metals in dried food.

36. AD(FSC)/CFS explained that, given that malachite green was a harmful chemical substance which was not present in fish naturally, the Administration considered it appropriate and necessary to enact the Amendment Regulations to prohibit the use of malachite green in fish farming for the protection of public health. However, the case of heavy metals in food was different as heavy metals might be present in food naturally due to environmental contamination. In view of this, maximum permitted limits of heavy metals in food were set under the laws to provide standards for the food trade to comply with, thereby safeguarding public health.

37. As regards food labelling requirements, AD(FSC)/CFS said that, under Food and Drugs (Composition and Labelling) Regulations (Cap.132W), prepackaged food

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should be legibly marked or labelled with a list of ingredients/composition/contents of food when the food was packaged.

38. Referring to the recent food poisoning incidents of scallop, Mr WONG Yung-kan said that he was worried that scallops contained with Paralytic Shellfish Poisoning (PSP) toxin were manufactured into dried scallop for sale by some unscrupulous food traders. He considered that certificates of food origins should be provided to prevent the occurrence of food poisoning incidents of consuming dried scallop from contaminated source. CFS should also step up its efforts in sampling and inspections to safeguard food safety and to protect public health.

39. In response, AD(FSC)/CFS said that inspection and testing of shellfish including scallop was under the routine food surveillance programme. CFS would continue to closely monitor the situation and take actions as appropriate. She added that PSP toxin was a natural toxin which could be found in bi-valve shellfish. In view that PSP toxin was concentrated in the viscera instead of the muscle part, sampling was focused on fresh, chilled or frozen scallops instead of dried scallops.

Motion passed by the Panel

40. Mr Wong Kwok-hing proposed that a motion should be moved at the meeting to urge the Administration to respond to CC's test results of arsenic in dried food products and suggestions as set out in its submission. The wording of the motion, which was seconded by Mr WONG Yung-kan, was as follows -

"促請政府就消費者委員會對乾食物內砷含量的測試結果及建議作出相應的改善行動，以確保市民的健康安全。"

[English translation

"That this Panel urges the Government to take corresponding improvement measures pursuant to the Consumer Council's test results and recommendations on the level of arsenic in dried food in order to safeguard public health and safety."]

41. All members unanimously agreed to the motion. The Chairman declared that Mr WONG Kwok-hing's motion was carried. The Administration was asked to provide a response on its follow-up actions in this respect to the Panel.

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V. Control of environmental nuisances caused by the operation of Tsuen Wan Slaughterhouse

42. The Chairman said that the issue was referred to the Panel for follow-up by Members attending the meeting with Tsuen Wan District Council (TWDC) on 9

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November 2006. Members noted that a background brief entitled "Nuisances caused by the Tsuen Wan Slaughterhouse" prepared by the LegCo Secretariat had been issued to members [LC Paper No. CB(2)1749/06-07(03)].

Presentation by the Administration

43. Assistant Director (Operations)3 of FEHD (AD(Operations)3/FEHD) briefed members on the control measures taken to address environmental nuisances caused by the operation of Tsuen Wan Slaughterhouse (TWSH) and the results of the architectural study on the feasibility of centralising pig slaughtering in Hong Kong, as detailed in the Administration's paper [LC Paper No. CB(2) 1749/06-07(02)]. She advised that, to address TWDC's concerns about the environmental nuisances caused by the operation of TWSH, FEHD had required the TWSH management to implement a number of improvement measures to further upgrade the present slaughterhouse facilities and provisions. FEHD would consider stipulating these improvement measures, which was set out in the Annex to the Administration's paper, as additional licensing conditions when TWSH licence was due for annual renewal.

44. AD(Operations)3/FEHD said that the consultancy study, commissioned by the Architectural Services Department, on examining the feasibility of modifying the Sheung Shui Slaughterhouse (SSSH) and increasing its slaughtering throughput of pigs to enable centralisation of slaughtering operation of pigs at SSSH was completed. The findings of the study pointed out that, while the existing installations on slaughter lines, solid and liquid waste processing and electrical and mechanical services could accommodate an increase in the slaughtering throughput with minor modifications, there was no spare lairage capacity and supporting facilities in the existing SSSH. AD(Operations)3/FEHD further said that, among the three options proposed by the consultant, the first two options would pose serious technical difficulties in overcoming the entailed ventilation problem to the existing and the enlarged lairage areas and cause disruption to daily operation during construction. The third option was technically viable provided that additional land adjacent to the eastern side of SSSH could be acquired for the construction of the proposed supporting buildings. In the light of this, the Administration would proceed to the next stage of study and look into a number of other factors to further assess the feasibility of this option.

Relocation of TWSH and centralisation of slaughtering operation of livestock at SSSH

45. The Chairman commented that the Administration's paper did not provide any information on the slaughtering throughput at TWSH and SSSH. He enquired about the daily number of pigs slaughtered at these two slaughterhouses. Pointing out that import of chilled pork from the Mainland had already commenced last year, he asked whether the consultancy study on examining the feasibility of centralising slaughtering operation of livestock at SSSH had taken account of this factor.

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46. AD(Operations)3/FEHD responded that the consultancy study commissioned by ASD had taken into account the findings of the study commissioned by FEHD study to forecast the slaughtering throughput of livestock in Hong Kong. On the Chairman's enquiry, DS(FEH) supplemented that the average daily slaughtering throughput of pigs at TWSH was around 1600.

47. Mrs Selina CHOW said that the discussion on TWSH should not focus solely on the abatement measures to reduce environmental nuisances caused by TWSH and the improvement measures as listed out in the Annex to the Administration's paper were only short-term mitigation measures. Mrs CHOW was strongly of the view that land use planning was the key issue of the discussion. Considering the issue from this perspective, she opined that entirely different views on granting the land, where TWSH currently situated, for the development of a slaughterhouse would be formed nowadays. She asked whether the Administration would consider any long term solution to solve the environmental nuisances caused by TWSH e.g. relocation of TWSH to another site.

48. DS(FEH) responded that, according to the findings of EPD, the levels of odour and noise generated from the operation of TWSH were within the statutory limits. He stressed that, to address the concerns of residents in the neighbourhood, a number of improvement measures had already been implemented to mitigate the environmental nuisances caused by TWSH early this year. Some of the improvement measures implemented included installing noise absorptive materials and acoustic curtain and appointing a pest control contractor to implement a comprehensive weekly inspection programme for mosquito prevention and control.

49. On the relocation of TWSH, DS(FEH) said that considerations would be given to the findings of the feasibility study of centralising slaughtering of livestock in SSSH and some other factors including the likely financial requirements arising from the closure of TWSH before its land lease expired in 2047 and the construction costs of building an additional new lairage building and supporting building in SSSH. He pointed out that TWSH was owned and operated by a private company and the lease did not provide for its early termination by the Administration. If the removal or closure of TWSH was required for other public purposes before expiry of the lease, the operator would be entitled to statutory compensation under the relevant ordinance.

50. Notwithstanding the Administration's response, Mrs Selina CHOW said that she remained of the view that the Administration should consider re-zoning the site of TWSH for a better land use planning and a long-term solution to solve the problem. She urged the Administration to consider seriously the relocation of TWSH as a long term solution to solve the problem.

51. The Deputy Chairman said that the proposal for relocating TWSH had been fully deliberated by the two former municipal councils which held the view that there was a need to retain a second slaughterhouse in order to safeguard against unforeseen

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situations and to ensure stable supply of fresh meat. He asked whether the Administration maintained the same position on this issue. If there was a case to retain two slaughterhouses in the territory, he considered that the Administration should identify alternative site for the operation of a second slaughterhouse or convert TWSH into a fully enclosed operation.

52. DS(FEH) responded that the Administration did not have a plan to change the existing policy of using more than one slaughterhouse to supply fresh meat in Hong Kong at this stage. However, the Administration would take into account the outcome of the study of assessing the feasibility of centralising slaughtering livestock in SSSH in considering whether there was a need to review this policy. As regards the suggestion of converting the design of TWSH, he said that considerations on a number of factors had to be taken into account before a decision could be made e.g. the construction costs and the party responsible for paying the costs.

53. On the suggestion of converting TWSH into an enclosed operation to reduce environmental nuisances to the nearby residents, AD(Operation)3/FEHD supplemented that all windows facing Rivera Gardens were closed during slaughtering hours. Moreover, the management of TWSH had already implemented a number of improvement measures to reduce the noise nuisance caused by the operation of TWSH in this year e.g. items (a), (b), (c) and (f) relating to installation of noise absorptive materials and acoustic curtain and replacement of wall tiles in the passageway between the waiting lairage and the stunning area as listed out in the Annex to the Administration's paper. She added that there was no statutory requirement for lairages and slaughterhall to be a "closed" type of design.

54. On the Administration's response, Mrs Selina CHOW said that she hoped that the Administration would be mindful of the interests of the residents and give due consideration to better land use planning in considering long term solution to the problem of environmental nuisances caused by TWSH. She urged the Health, Welfare and Food Bureau (HWFB) to coordinate with other relevant bureaux and departments to solve the problem.

55. Mr WONG Kwok-hing commented that the Administration had made a wrong town planning decision when approving the development of Rivera Gardens as TWSH was already in operation at that time. As the problems associated with the environmental nuisances from the operation of TWSH were caused by the Government, he considered that the Administration should undertake the responsibility for paying the costs of converting TWSH into an enclosed operation. Regarding the assessment of the feasibility of the third option of constructing additional new lairage building and supporting building outside the site of SSSH boundary, he asked how long it would take to conduct this study.

56. Mr WONG Yung-kan said that he considered that the Administration should look into the issue of the compensation to TWSH operator in the event that

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centralisation of the slaughtering operation of livestock at SSSH was considered feasible.

57. DS(FEH) reiterated that, in assessing the feasibility of the option of centralising the slaughtering operation of livestock at SSSH, the Administration would look into a number of factors such as the likely financial requirements arising from the closure of TWSH before its land lease expired in 2047, the construction costs of building an additional new lairage building and supporting building in SSSH and the strategic risk of using a single slaughterhouse to supply fresh meat in Hong Kong. The Administration would consult the Panel when a policy view was taken. He added that it would take at least several months' time before the Administration would come to a view.

Improvement measures to reduce nuisances caused by TWSH

58. The Deputy Chairman said that he wondered how EPD staff could determine the levels of odour nuisance generated from the operation of TWSH were within the statutory limits. He further said that, as far as he was aware, no permitted levels of odour had been set under the laws.

59. AD(Operation)3/FEHD said that, in view of the concerns of the residents at Rivera Gardens, EPD had dispatched staff to inspect TWSH and its surrounding areas regularly, not less than six times in every month. She further said that, according to her understanding, EPD staff would carry out investigations at the locations affected on the basis of the information provided by the complainants. Investigation of community odour complaints was mainly based on the smell as judged by EPD staff.

60. On the Administration's response, the Chairman sought clarification whether EPD staff had conducted inspections at Riveria Gardens. He said that, in investigating the odour nuisance complaints, considerations should be given to the wind direction as well as topographical factors. The problem of odour nuisance might be more serious in Rivera Gardens than in the areas adjacent to TWSH.

61. AD(Operation)3/FEHD clarified that EPD staff conducted regular inspection at the vicinity of TWSH, its surrounding areas and Rivera Gardens. She added that regular reports on the findings of the inspections were provided to TWDC.

62. Referring to the Annex to the Administration's paper, Mr WONG Kwok-hing commented that the Administration did not provide any information on the timetable of the implementation of the improvement measures as listed under items (i) to (p) in the Annex.

63. AD(Operation)3/FEHD advised that the replacing of bumper guards in the meat dispatch area (i.e. item (i)) had been implemented. On items (j) and (k) of the measures relating to the use of odour neutralising agent, tests had been completed and

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they would be implemented by the end of May. As regards items (m) and (n) on using automatic dispensing facilities for releasing odour neutralising agent spray to air extracted from lairage extraction fans at ground floor and installing mosquito traps inside TWSH and in the compound outside the slaughterhouse respectively, the TWSH management would discuss with its consultant on the types of odour neutralising agent and mosquito traps appropriate and suitable for installation at TWSH. In view that there would be implications on the slaughter line when implementing the measures under items (o) and (p), TWSH management would need to consult with its consultant on how such measures could be implemented. This notwithstanding, it would not take too long for the management of TWSH to implement these improvement measures. She reiterated that FEHD would consider stipulating the improvement measures as additional licensing conditions when TWSH licence was due for annual renewal.

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64. At Mr WONG Kwok-hing's request, DS(FEH) agreed to provide information on the timetable of the implementation of improvement measures as listed out in the Annex to the Administration's paper after the meeting.

65. In regard to the 23 complaints received by FEHD and EPD in the past 12 months, Mr WONG Yung-kan asked how many cases were related to odour nuisance. Noting that odour neutralising agent would be used to mitigate odour generated from the operation of TWSH, he asked what other measures would be put in place if the odour mitigation measures were found ineffective. He further asked whether the Administration would consider installing higher shielding and screening structures.

66. DS(FEH) said that, of the 23 complaints, 17 were related to odour nuisance and six noise nuisance. He stressed that, even if the number of complaints was decreasing, the Administration would continue to keep watch on the matter and would consider the need of introducing other improvement measures as circumstances required. He added that the Administration would consider members' suggestions in its planning of the measures to further mitigate the nuisances as necessary.

V. Any other business

67. There being no other business, the meeting ended at 3:36 pm.