

立法會

Legislative Council

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Report of the Panel on Food Safety and Environmental Hygiene for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Food Safety and Environmental Hygiene in the 2006-2007 session. It will be tabled at the meeting of the Legislative Council (LegCo) on 11 July 2007 in accordance with Rule 77(14) of the Rules of Procedure of LegCo.

The Panel

2. The Panel was formed by a resolution passed by the Council on 20 December 2000, as amended on 9 October 2002, for the purpose of monitoring and examining Government policies and issues of public concern relating to food safety, environmental hygiene and agriculture and fisheries. The terms of reference of the Panel are in **Appendix I**.

3. Hon Tommy CHEUNG Yu-yan and Hon Fred LI Wah-ming were elected Chairman and Deputy Chairman of the Panel respectively. The membership list of the Panel is in **Appendix II**.

Major work

Food safety

Poultry eggs

4. The discovery of Sudan Red in hen and duck eggs sparked off a public outcry over the import of unsafe food products from the Mainland. The Panel held a special meeting in November 2006 to discuss with the Administration the measures and plans to be taken to prevent the recurrence of incidents. The Administration advised that it had reached an agreement with the State General Administration for Quality Supervision, Inspection and Quarantine to strengthen control on the production, inspection and quarantine of poultry eggs

supplied to Hong Kong. The relevant Mainland authorities would issue health certificates for poultry eggs and egg products exported to Hong Kong with effect from 1 January 2007.

5. The Panel welcomed the Mainland's measures to strengthen control for poultry eggs supplied to Hong Kong. Members were of the view that the Administration should put in place complementary measures. To ensure food safety "from farm to table", the Administration should conduct more inspections to registered poultry egg farms in the Mainland and carry out more sample testing of poultry eggs. Some members expressed concern over the difficulty for consumers to differentiate between poultry eggs imported from registered egg farms from those smuggled from unauthorised sources in the Mainland. Some members suggested that the Administration should consider extending the same control measures to other food products such as vegetables and fruits.

6. The Administration advised that, as the Public Health and Municipal Services Ordinance (PHMSO) (Cap.132) only empowered the Administration to act on food that was unfit for consumption, it was considering a legislative proposal to empower the Government to order all wholesalers and retailers to stop selling problematic food when there was occurrence of serious food incidents with grave impact. Under the proposal, the wholesalers and retailers would be ordered to remove the food from the shelves when necessary. While the Panel supported the legislative proposal to prohibit the sale of problematic or unsafe food, some members stressed the need to strike a balance between the interests of the public and small traders in drafting the legislative details of the food recall mechanism.

7. As regards an incident in which the Government failed to alert the public immediately of the sale of harmful "Shendan" duck eggs in Hong Kong, the Panel criticised the Centre for Food Safety (CFS) for having failed to perform effectively its work in risk communication and in monitoring food safety in Hong Kong. The Panel passed a motion at its meeting in November 2006 to reprimand the Food and Environmental Hygiene Department (FEHD) for its serious blunder in handling the incident, especially for not immediately informing the public about the sale of the problematic products in Hong Kong notwithstanding its being aware of the situation. The Panel urged the Administration to review and improve the relevant legal framework comprehensively, and to improve CFS's announcement mechanism so that it would be obliged to disclose the cases and inform the public as soon as possible when problematic products were found to be on sale in Hong Kong.

8. In January 2007, the Administration briefed members on the administrative measures implemented to tighten up the import control of poultry eggs and the legislative proposal of regulating imported poultry eggs. The Administration planned to amend the Imported Game, Meat and Poultry

Regulations (Cap. 132AK) and the Import and Export (General) Regulations (Cap. 60A) to require all importers of poultry eggs to register with CFS and obtain import permits for the eggs they imported.

9. Members in general welcomed the legislative proposal and urged the Administration to introduce expeditiously the legislative amendments to LegCo. Some members held the view that the Administration should also bring the wholesalers, distributors and retailers under regulatory control. A view was expressed that, as game, meat and poultry were of a higher food safety risk, it was not appropriate to make reference to the level of penalties under the Imported Game, Meat and Poultry Regulations when determining the penalties for retailers.

10. The Administration explained that its proposal to amend the Imported Game, Meat and Poultry Regulations and the Import and Export (General) Regulations was to expedite the process of regulating importers of poultry eggs. The Administration was considering introducing a more comprehensive regulatory framework to regulate all levels of supply chain of poultry eggs by the end of 2007.

Live fish and aquatic products

11. Following a series of food incidents related to the consumption of raw oysters as well as the discovery of malachite green in aquatic products and the detection of veterinarian drug residues in turbot in the Mainland, the Panel held two meetings in November 2006 to discuss with the Administration the ways to enhance the food safety of fish and aquatic products.

12. Members expressed dissatisfaction at the slow progress in improving the regulatory framework for aquatic food products. Some members were of the view that the Administration should enhance the source management to prevent the recurrence of food incidents and accord high priority to food surveillance and inspection of aquatic products imported, particularly shellfish. Some members also expressed the view that the smuggling of freshwater fish from unregistered fish farms in the Mainland was attributable to insufficient supply of fish by registered fish farms in the Mainland.

13. The Administration advised that FEHD, Agriculture, Fisheries and Conservation Department and Customs and Excise Department (C&ED) would step up joint enforcement actions against the illegal importation of aquatic food products. To address members' concerns, the Administration planned to apply the same regulatory model proposed for regulating imported poultry eggs to control farmed aquatic products and to introduce the legislative proposal to LegCo in 2007. While the Panel expressed support for the Administration's legislative plan, some members suggested that the Administration should consider affixing seals to conveyance vessels to ensure the food safety of fish

during delivery. The Administration agreed to discuss with the Mainland authorities the feasibility of implementing such a measure.

Oilfish labelled as codfish for sale

14. Pursuant to a spate of food complaints relating to the consumption of oilfish marketed as codfish, the Panel held two meetings in February 2007 to discuss with the Administration and representatives of two major supermarket chain stores the follow-up actions to safeguard public health. The Administration informed the Panel that, after making public the incident of the sale of oilfish as cod fish on 23 January 2007, a consensus was reached with the trade to suspend the import and sale of oilfish and to stop using oilfish for catering purpose. CFS and C&ED were following up the cases and would institute prosecution, subject to sufficient evidence, if there were contraventions of the food-related provisions under PHMSO or provisions related to trade descriptions under the Trade Descriptions Ordinance (Cap. 362). Subsequently, prosecution actions were taken against one of the major supermarket chain stores concerned for contravening the provisions of PHMSO.

15. The PARKnSHOP explained to the Panel that the issue was not about food hygiene but the mis-identification of species, and there was an urgent need for clear guidelines to bring consistency to facilitate the trade in the area of species identification. The company had taken initiative to start creating a database on frozen fish products including information on class names, existing common names in the market, recommended common names and scientific names and photos of fish products. The Wellcome Company informed the Panel that it had not received any customer complaints related to oilfish prior to CFS's public announcement of the incident, and was conducting a comprehensive review of its food safety as well as labelling processes and seeking advice from experts on fish species identification.

16. The Panel was of the view that the oilfish incident had revealed the deficiencies of CFS's regulatory power in handling food incidents. In the absence of any regulatory provisions empowering the Administration to order the importers, wholesalers and retailers to suspend the importation and sale of oilfish, it was not possible to put in place an effective control at the origins of food products. Some members raised concern over the quality assurance and food-safety monitoring systems in place in these supermarket chain stores. The Administration reiterated its plans to introduce a new legislation to empower the Administration to make an order to prohibit the sale of a particular food item in circumstances where the distribution and sale of that particular food item in the local market was prejudicial or posed a potential risk to public health. It would also put in place a regulatory regime for aquatic products by drawing reference from the proposed regulatory control of imported poultry eggs.

17. To prevent the recurrence of oilfish incidents, the Panel suggested that CFS should produce a comprehensive list of food products in the market that had been labelled in different names or were unfit for consumption. The Administration advised that, to prevent recurrence of confusion about the names of fish products, CFS and the trade would review the labels and names of cod fish and oilfish products. CFS would also set up a working group to prepare guidelines on the identification and naming of cod fish and oilfish.

Fresh vegetables and fruits

18. As the Mainland authorities had implemented enhanced inspection and quarantine measures for leafy vegetables supplied to Hong Kong on 1 April 2007, the Panel discussed with the Administration the measures for the regulation of imported vegetables and fruits. The Administration advised that there was presently no legislation regulating the import of vegetables and fruits. However, the Administration was working on a new Food Safety Bill, to be introduced by the end of 2008, to regulate gradually food items such as vegetables and fruits which had a higher food safety risk or of wide public concern. Once the law was enacted, all imported food must be imported via registered importers. Moreover, to better safeguard the safety of imported vegetables and fruits, CFS was preparing a new piece of legislation on the regulation of pesticide levels in food. The legislative proposal would be finalised and introduced into LegCo within 2007.

19. The Panel expressed great disappointment that the new Food Safety Bill would not be introduced into LegCo until the end of 2008. In the interest of food safety and public health and considering that this piece of legislation was long overdue, the Panel passed a motion urging the Administration to expedite the drafting of the new Bill and submit it for scrutiny within the current LegCo term.

20. Members also criticised the absence of complementary measures to strengthen the control of the importation of vegetables and fruits. They expressed concern over the "smuggling" of vegetables from unregistered farms and unknown sources. They pointed out that the facilities at Man Kam To Boundary Control Point could not cope with the increasing volume of the Mainland food supplied to Hong Kong, and there were loopholes in the current inspection control of imported fruits and vegetables via land. The Administration advised that it was exploring ways to expand the facilities for inspecting imported food, including extending the space and facilities, to cope with different types of transport vehicles.

Dried food products

21. Given that the findings of arsenic in dried squid and dried fish products by the Consumer Council (CC) had aroused much public concern, the Panel raised the issue with the Administration and sought clarification on the regulation of the level of arsenic in dried food products. The Administration advised that it was an international practice to take into account the degree of dehydration before determining whether the level of arsenic detected in dried food sample had exceeded the statutory limit, as the levels of arsenic would become more concentrated for dried food products.

22. The Panel shared the view of CC that there should be clear definition and guidelines on the arsenic level of dried food products in the Food Adulteration (Metallic Contamination) Regulations (Cap.132V). In the absence of concrete data and details of the manufacturing process, members queried whether the method adopted by CFS in determining the arsenic level of dried food samples before dehydration was scientifically sound. They also commented that CFS should enhance its risk communication by using laymen terms and/or examples as illustrations in its risk/health advice to facilitate easy understanding by members of the public.

23. The Panel passed a motion urging the Administration to take corresponding improvement measures pursuant to CC's test results and make recommendations on the level of arsenic in dried food in order to protect public health and safety.

Control of Avian influenza

24. In December 2006, the Panel held a joint meeting with the Panel on Health Services to discuss with the Administration its plan for preparing for the upcoming peak season of avian influenza outbreak. According to the Administration, the risk of avian influenza in poultry and migratory birds remained high and a comprehensive action plan was necessary.

25. To achieve its long-term objective of segregating humans from live poultry to minimise the risk of avian influenza, the Administration reiterated its plan to develop a poultry slaughtering and processing plant ("the Plant") in Sheung Shui. Members expressed grave concern about the unemployment problem of live poultry workers if the sale of live poultry in retail outlets was prohibited after the coming into operation of the Plant in 2009-2010. They urged the Administration to consult the affected trades and to consider the compensation proposals before inviting tenders for the Plant. Some members pointed out that the retailers of live chickens had already implemented improvement measures as advocated by the Administration at retail markets and fresh provision shops. As such, the Administration should allow them to continue their business.

26. At the request of the Panel, the Administration briefed members in March 2007 on the outcome of the Invitation for Expression of Interest exercise for the Plant. The Administration informed the Panel that six submissions had been received from local and overseas prospective operators. Invitations for open tenders from the private sector to develop the Plant would be conducted towards the end of 2007 after the introduction of the legislation on the Plant and the completion of the Environmental Impact Assessment (EIA).

27. Members reiterated their serious concern about the livelihood of the live poultry workers and expressed strong disappointment with the Administration's failure to provide a timetable on consultation with the affected trades about the compensation proposals. They were strongly of the view that the Administration should fully consult the affected trades about the proposals for ex-gratia payment/financial assistance before introducing legislative proposal. Some members expressed worries that the development of the Plant would wipe out the entire poultry industry in Hong Kong.

28. Members queried the financial viability of the Plant given that there was no ban on the import of chilled chickens from other places and the price of chilled chickens supplied by Mainland was much cheaper. Some members stressed that the supply of freshly slaughtered chickens to the food trade must be continued; otherwise it would impact adversely on Hong Kong's reputation as a "gourmet paradise". As regards the submissions by prospective operators, members expressed concern that the Plant might operate the business of higher-value added products and service e.g. the processing of cooked poultry and semi-finished products. They were worried that a monopolistic situation of the future operator of the Plant might arise if it were to provide slaughtering, dressing, chilling as well as food processing business.

29. Members also expressed other areas of concern including: the findings of Prof GUAN Yi's research on H5N1 virus, efficacy of the current vaccines used in live chickens, and the effectiveness of the existing notification mechanism between the Hong Kong Government and the Mainland authorities in respect of H5N1 infections in birds/live poultry. On Prof GUAN's research findings, the Administration explained that, according to the World Health Organisation, the confusion was due to the naming of the strain H5N1 variants.

New composite licence for ready-to-eat food

30. The Subcommittee to Study the Streamlining of Food Business Licensing formed previously by the Panel recommended that a new class of food business licence should be introduced to cover generic categorisation of food for businesses that operated multiple product lines in order to reduce the number of licences for selling a variety of food. In January 2007, the Administration consulted the Panel on the proposal to issue a new composite

licence/permit for ready-to-eat food for retail business. The proposed new composite licence/permit was categorised into three groups (i.e. Group A, B and C) specifying different number of food items allowed to be manufactured/prepared and sold. To effect the introduction of the new composite licence/permit, the Administration would introduce the legislative proposals into LegCo in the 2007-2008 session.

31. The Panel supported the Administration's proposal to reduce the number of licences required for selling a variety of food. The Panel also welcomed the proposal to simplify and modernise the licensing requirements of food business licences. Some members suggested that the Administration could relax the licensing requirement in respect of the colour of ceilings and walls of the premises. The Administration agreed to consider whether the licensing requirement in this respect should be further revised.

32. On the categorisation of food items under the three different groups of composite licence/permit, members requested the Administration to further review the food items on the approved lists under each respective group. They put forward a number of suggestions e.g. inclusion of "the sale of non-bottled drinks", "the sale of Chinese herb tea" and "sale of food by vending machine" into the approved list of food items under Group C licence. The Panel also held the view that, given that the purpose of introducing the new composite licence/permit was to facilitate business operators, the operators should not be required to pay more for the same type/number of food items sold under the existing licensing regime.

Preservatives in Food Regulations

33. The Administration briefed the Panel on the review of the Preservatives in Food Regulations (Cap.132BD) ("the Regulations"). The Administration proposed to amend the Regulations in several respects. These included amending the definitions of preservatives and antioxidants, developing a food category system based upon the food category system adopted by the Codex Alimentarius Commission (Codex), combining Part I and Part II of the First Schedule to the Regulations to combine the lists of preservatives and antioxidants and incorporating those preservatives and antioxidants, as well as their permitted levels of use, that are listed in Codex standards into the Regulations.

34. Members were supportive of the legislative proposal and urged the Administration to expedite the process of drafting the amendments. Some members, however, expressed concerns over the difficulty of consumers in comprehending the names of preservatives and antioxidants which appeared on the food labels, the application of carbon monoxide and food colour to conceal staleness of food products in the Mainland, and the non-application of labelling requirements to food that was not pre-packaged at retail level.

35. The Administration updated the Panel on the results of the public consultation exercise on the proposed amendments to the Regulations in April 2007. As most views collected during the public consultation exercise were supportive of the direction and scope of the legislative amendments, members urged the Administration to consider providing a grace period of not more than 12 months so that the amendments would come into operation as early as possible for the sake of protecting public health.

36. Members had diverse views on whether the food standards put in place in Hong Kong should follow fully the Codex standards. Some members considered that Hong Kong's food standards should follow the Codex standards which were the prevailing international standards. They pointed out that, given that over 90% of food products in Hong Kong were imported from other countries/places, the food industry would have practical difficulties in sourcing and importing food products from the Mainland and other countries/places if Hong Kong developed its own food standards. Some other members, however, held the view that the Administration should not adopt fully the Codex standards in formulating its food standards and regulations regardless of the local situation and the public's concern and their needs for health and nutritional diet.

Review of the Pesticides Ordinance

37. The Panel discussed the proposed legislative amendments to the Pesticides Ordinance (Cap. 133) and its subsidiary regulations to improve the control of pesticides. The Administration explained that the current "active ingredient" approach would be replaced by a "product" approach and the existing Pesticide Register re-structured into four parts to reflect differences in toxicity, persistence, use pattern, and potential environmental and health hazards of pesticide products. To ensure the safe use of pesticides, a licensing system for pesticide application service provider and a registration system for pesticide applicators would be introduced. There would be a transitional period of six months for re-registration of pesticides, and a two-year grace period to license pesticide application service providers, to register pesticide applicators and to authorise individuals for getting access to restricted pesticides.

38. While expressing support for the legislative proposals, members stressed the need for the Administration to conduct a comprehensive and thorough consultation exercise. Some members were concerned whether there would be sufficient time for the trade to fulfill the labelling requirements prior to the coming into operation of the amendment legislation. They urged the Administration to strike a balance between the interests of the public and the trade in finalising the legislative proposals.

Food surveillance programme

39. The Administration consulted the Panel in April 2007 on the strategy for the food surveillance programme to be adopted by CFS. The Administration advised that CFS proposed to adopt a three-tier approach to food surveillance (i.e. routine food surveillance, targeted food surveillance and seasonal food surveillance) in line with the international trend of putting more focus on target-based surveillance.

40. Given that there was presently no control over food products imported from unauthorised sources in the Mainland, the Panel was of the view that the Administration should continue to collect food samples at import, wholesale and retail levels as a food safety control measure. The Panel also considered that CFS should enhance its work in monitoring food safety in Hong Kong through enhanced source management and implementation of "from farm to table" approach by conducting regular inspections to registered farms in the Mainland.

41. On the presentation of the findings of food samples, the Panel suggested that information on food origins, sampling locations and the permitted levels of the chemical substances under international standards levels should be provided. With regard to targeted food surveillance, some members expressed concern about the factors which CFS would take into account in deciding on the priority of food items under targeted food surveillance. Some members suggested that CFS should conduct a study on the subject of trans-fat. The Administration confirmed that CFS had the plan to conduct seven major risk assessment studies and trans-fat was one of the studies.

42. As regards the Administration's plan to outsource part of the Government Laboratory's analytical work that was not related to prosecution action to private laboratories, members reminded the Administration that an appropriate mechanism should be put in place to monitor the quality of work undertaken by private laboratories. There were also concerns over the cost of the testing work outsourced to private laboratories and the deployment of the resources saved.

43. The Panel requested the Administration to brief members on the review on CFS's work and its future direction of work at the Panel's meeting in July 2007.

Environmental hygiene

Crematorium and columbarium facilities

44. In January 2007, the Administration briefed the Panel on the progress of crematorium and columbarium (C&C) projects and the new designs for

columbarium blocks. The Panel was informed that the columbarium projects to increase the number of niches were not proceeding as well as planned because of transport and other physical constraints and/or strong local/District Council objections. In view of this, some members suggested that the Administration should consider developing C&C facilities in remote areas or outlying islands which were far away from residential developments.

45. Most members had reservations about the Administration's proposal to alleviate the problem of insufficient niches by a time-limited lease of niches. They considered that the Administration should provide incentives to bereaved families to return vacated urns. Some members also queried the feasibility of the Administration's proposal to invite the non-Government sector to participate in the development of C&C facilities. They were of the view that, with the lack of sufficient resources, the non-Government sector would have great difficulties in conducting studies on the development proposals regarding transport facilities, support services and environmental impact.

Scattering of human ashes at sea

46. During the discussion on the Administration's proposal for the development of C&C facilities, some members requested the Administration to explore the option of promoting sea burials as an alternative means for disposing cremated ashes. The Administration consulted the Panel in March 2007 on its proposal to streamline the procedures for the application of scattering human ashes at sea.

47. Members generally had no objection to the Administration's proposal to promote the wider use of scattering of human ashes at sea. Nevertheless, concern was expressed over the proposed locations for scattering cremated ashes, in particular the designated areas in the southeastern of Lamma Channel and east of the Brothers Islands given that the scattering of human ashes in the vicinity of these areas might cause inconvenience to sea travelers. It was also suggested that a registration system should be put in place to control the vessels providing ash scattering services.

48. As regards the approving conditions for the scattering of cremated ashes at sea, the Panel held the view that the prohibition of dumping of flowers should be relaxed or lifted as flowers could degrade and it was also a common practice for the bereaved families to throw flowers into sea as a final tribute to the deceased. The Administration agreed to study the feasibility of allowing flower petals to be scattered into the sea. Members, however, had diverse views as to whether the dumping of offerings, joss paper and incense at sea should be allowed.

49. In view of the concerns expressed by Members and the relevant District Councils about the proposal, the Administration subsequently revised its

proposal. In the revised proposal presented to the Panel in June 2007, one of the selected areas for scattering human ashes (i.e. the waters near the Brothers Islands) had been withheld. Regarding the approving conditions, while the scattering of a handful of flower petals (i.e. about 250ml) would be allowed in each ceremony, the conditions prohibiting the throwing of food and ritual offerings remained unchanged.

50. While the Panel supported the revised proposal, some members considered that the Administration should be more flexible in the quantity of flower petals which could be thrown into the sea. However, members held diverse views as to whether there was a need to specify the period of time when the ceremony could be held and whether locations that were further away from populated areas should be identified. The Administration explained that the proposal was to facilitate the public's application for scattering of human ashes. Approval would be granted by FEHD within five working days if the proposed location for the scattering of human ashes was within one of the designated areas and the conditions were satisfied.

Tsuen Wan Slaughterhouse

51. Having regard to the fact that the problem of odour and noise nuisances generated by the Tsuen Wan Slaughterhouse (TWSH) had been a subject of complaint for a long time, the Panel discussed with the Administration the control measures taken to address environmental nuisances caused by the operation of TWSH and the results of an architectural study on the feasibility of centralising pig slaughtering in the Sheung Shui Slaughterhouse (SSSH). Most members were of the view that the problem of environmental nuisances was caused by the Administration's wrong decision in town planning. They considered that the Administration should consider seriously the relocation of TWSH as a long-term solution to solve the problem. Some members also queried why the Administration did not consider converting the design of TWSH into an "enclosed" type of operation or installing higher shielding and screening structures to reduce environmental nuisances to the nearby residents.

52. Regarding the consultancy study to examine the feasibility of centralising slaughtering operation of livestock at SSSH, some members commented that the study should take into account the importation of chilled pork from the Mainland since August 2006. The Administration advised that, in assessing the feasibility of the option of centralising the slaughtering operation of livestock at SSSH, it would look into a number of factors including the likely financial requirements arising from the closure of TWSH before expiry of the land lease 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 revert to the Panel when a policy view on the issue was taken.

Wholesale Fish Market in Area 44, Tuen Mun

53. In May 2007, the Panel held a joint meeting with the Panel on Home Affairs to discuss with the Administration the financial proposal for the development of a joint-user complex and Wholesale Fish Market (WFM) in Area 44, Tuen Mun for reprovisioning the temporary Castle Peak WFM and providing community facilities in Tuen Mun District.

54. Most members of the two Panels had no objection to the Administration's proposal. In view of the concerns of the local residents in Area 44, Tuen Mun, members urged the Administration to implement effective measures to monitor noise nuisance caused by the operation of WFM, loudhailers and horns from fishing vessels to alleviate local residents' concerns and to finalise the routing arrangement as early as possible. The Administration agreed to provide information on routing arrangement in its submission to the Finance Committee.

55. A few members pointed out that the proposal of accommodating the community hall and the reprovisioned WFM in the same building would bring about problems of environmental nuisances and environmental hygiene. They criticised that the community hall and the proposed WFM should not be housed in the same complex given that they were of different uses. The Administration stressed that it would implement all the environmental measures as recommended in the EIA report. To address local residents' concern about the noise nuisance associated with marine traffic, the Administration would also consider requiring fishing vessels using the Eastern entrance to the proposed WFM at Area 44 and imposing this requirement as an additional condition for fishing vessels using the proposed market.

Procedures and practices of FEHD for handling cases for prosecution

56. In view of the public's concern over The Ombudsman's Direct Investigation Report ("the Report") on the monitoring of cases with statutory time limit for prosecution by FEHD, the Panel discussed with the Administration the improvement measures and the follow-up actions taken by FEHD. The Administration advised that it had taken a number of improvement measures immediately to address the problems with the working procedures for handling and monitoring of prosecution cases. These included enhancing the manual monitoring mechanism through a computerised platform for on-line updating and sharing of summons details and training courses for staff, and strengthening communication with the Government Laboratory.

57. Members pointed out that the credibility of FEHD had been undermined after the release of the Report. They stressed that the management of FEHD must restore the value of integrity in the department and the public's confidence

in FEHD. On the improvement measures taken by FEHD, members doubted if these could ensure that action on the prosecution cases could be taken within the time-bar, in the absence of an effective mechanism to monitor the case progress and the performance of action officers. A view was expressed that FEHD should develop a partner relationship with the licensed food premises, instead of taking prosecution actions, in order to effectively promote and enhance food safety in Hong Kong.

Other issues

58. The Panel also received briefings from the Administration on other issues, including the Chief Executive's Policy Address 2006-2007, control of stray cattle and buffaloes, and issues related to the Kwai Chung Crematorium and the Fu Shan Crematorium.

59. Between October 2006 and June 2007, the Panel held a total of 14 meetings, including a joint meeting with the Panel on Health Services and another one with the Panel on Home Affairs.

Council Business Division 2
Legislative Council Secretariat
4 July 2007

**Legislative Council
Panel on Food Safety and Environmental Hygiene**

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to food safety, environmental hygiene and agriculture and fisheries.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

**Legislative Council
Panel on Food Safety and Environmental Hygiene**

Membership list for 2006-2007 session

Chairman	Hon Tommy CHEUNG Yu-yan, SBS, JP
Deputy Chairman	Hon Fred LI Wah-ming, JP
Members	Hon WONG Yung-kan, SBS, 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 (Total : 10 members)
Clerk	Miss Flora TAI
Legal adviser	Mr Stephen LAM
Date	July 2007