

立法會
Legislative Council

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Paper for the House Committee meeting on 14 December 2007

**Proposed overseas duty visit
by the Panel on Food Safety and Environmental Hygiene**

Purpose

This paper seeks the permission of the House Committee under rule 22(v) of the House Rules (HR) for the Panel on Food Safety and Environmental Hygiene (the Panel) to conduct an overseas duty visit to France and the United Kingdom (the UK) on the regulatory frameworks of food safety, food labelling requirements as well as relevant consumer protection measures in these places.

Background

2. Currently, most food safety related rules and regulations in Hong Kong are contained in the Public Health and Municipal Services Ordinance (Cap. 132). However, the Ordinance only empowers the Government to seize and remove food that is suspected to be unfit for human consumption but does not empower the Government to prohibit the sale of problematic food items.

3. In the light of a series of food safety incidents relating to poultry eggs, live fish and aquatic products in the 2006-2007 session, the Panel held several meetings to discuss with the Administration policies and measures to better safeguard food safety in Hong Kong. The Panel was of the view that the Administration should review and improve comprehensively the food safety regulatory framework to ensure food safety "from farm to fork" and to bring wholesalers, distributors and retailers under the regulatory framework. At the Panel meetings in June and July 2007, members were advised that the Administration would enact a new Food Safety Ordinance to safeguard food safety in Hong Kong and planned to submit the legislative proposal to the Legislative Council (LegCo) for scrutiny by the end of 2008. According to the Administration, the management of every part in the whole food supply chain would be strengthened through a new regulatory approach under the new Food Safety Ordinance, including the imposition of a registration scheme on food importers and distributors. Complemented by other regulatory measures such as mandatory recall of problematic food and the requirement of health certificates for the import of certain food items, the new law would provide a more comprehensive food safety regime for imported food.

4. Apart from food safety regulatory framework, the imposition of food labelling requirements is another major area of concern of the Panel. The Panel held several meetings in the 2004-2005 session to discuss the proposed labelling scheme on nutrition information of pre-packaged food. In April 2005, the Administration advised the Panel that the mandatory nutrition labelling scheme would be implemented in two phases. Most members were supportive of the early introduction of mandatory labelling scheme. Some members, however, expressed concern about the proposed requirement of labelling energy and nine core nutrients (namely protein, carbohydrate, total fat, saturated fat, sodium, cholesterol, sugars, dietary fibre and calcium) in Phase II of the scheme, particularly its adverse impact on the food industry. These members queried whether it was necessary for Hong Kong to impose more stringent nutrition labelling requirements than those proposed in the Mainland and those required by the European Union (EU), given that it is a basic requirement under the Codex Alimentarius Commission's guidelines for the nutrition label to include only declaration of energy, protein, carbohydrate and fat, and the proposed labelling requirements in the Mainland do not cover saturated fat and dietary fibre.

5. At the Panel meeting on 13 November 2007, members agreed that the Panel should conduct an overseas duty visit to better understand the regulatory frameworks of food safety, food labelling requirements and relevant measures for enhancing consumer protection in France and the UK, with a view to facilitating future discussion with the Administration on the subjects. Members note that a Food Standards Agency has been set up in the UK since 2000 to protect public health as well as consumer interests in relation to food products, and the French Food Safety Agency has been established since 1999 responsible for risk assessment in relation to food products based on a scientific approach.

6. To provide the Panel with background information for undertaking the duty visit, the Research and Library Services Division of Legislative Council Secretariat (RLSD) has been requested to conduct a research on the food safety mechanism and food labelling requirements in the EU, France and the UK. RLSD has also conducted a research on the policy of genetically modified food labelling in the EU, the UK, Denmark and France.

Details of the proposed visit

Objectives of the visit

7. The objectives of the proposed visit are as follows -

- (a) to obtain first-hand information on the policies and regulatory frameworks of food safety, food labelling requirements and relevant measures for enhancing consumer protection;

- (b) to study the experience in the formulation, implementation and monitoring of the policies relating to food safety regulatory framework and food labelling requirements; and
- (c) to exchange views with the relevant parties involved in the formulation, implementation and monitoring of food safety policies, food labelling requirements and consumer protection, and food processing plant operators and food manufacturers.

Visit programme

8. The Panel has agreed that the visit will be conducted from 23 March 2008 (Sunday) to 30 March 2008 (Sunday).

9. The Hong Kong Economic and Trade Offices in London and Brussels, the British Consulate General and the French Consulate General in Hong Kong are providing assistance in drawing up the visit programme and making preparation for the visit.

Members of the delegation

10. Four members of the Panel have indicated interest in joining the visit. The Panel has agreed that the proposed visit will also be open to non-Panel Members. A circular has been issued to invite their participation. A tentative list of participants is in **the Appendix**.

Funding arrangements

11. As approved by The Legislative Council Commission, each Member is provided with an overseas duty visit account of \$55,000 for the purpose of duty visits outside Hong Kong organized by committees of the Council. The fund in the account is for use by the Member in a four-year term. Any expenditure incurred in excess of the available balance in a four-year term has to be paid by the Member personally.

12. A rough estimate of the expenditure (including airfare, travelling expenses, hotel accommodation and overseas subsistence allowance, etc.) to be incurred by each participating Member for the proposed eight-day visit is about HK\$36,350 (economy class air passage), \$40,900 (premium economy class air passage) or HK\$74,780 (business class air passage). The estimate is based on normal airfare quotation, and the expenditure will be reduced if promotion airfare is available.

Advice sought

13. HR 22(v) provides that should any Panel consider it necessary to undertake any activities outside Hong Kong under the name of the Panel of the Council, the prior permission of the House Committee shall be sought.

14. The House Committee's permission is sought for the Panel to conduct the overseas duty visit as proposed.

Council Business Division 2
Legislative Council Secretariat
13 December 2007

Panel on Food Safety and Environmental Hygiene

**Overseas duty visit to France and the United Kingdom
from 23 March to 30 March 2008**

**List of participants
(as at 5 December 2007)**

Panel members

Hon Fred LI Wah-ming, JP (Deputy Chairman)

Hon WONG Yung-kan, SBS, JP

Dr Hon Joseph LEE Kok-long, JP

Hon Alan LEONG Kah-kit, SC

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