

立法會
Legislative Council

LC Paper No. CB(2)1851/07-
08

(These minutes have been seen
by the Administration)

Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Tuesday, 8 April 2008, at 2:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
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

Public officers attending : Item IV

Food and Health Bureau

Mrs Stella HUNG
Permanent Secretary for Food & Health (Food)

Food and Environmental Hygiene Department

Dr Constance CHAN Hon-ye
Controller, Centre for Food Safety

Agriculture, Fisheries and Conservation Department

Dr Thomas SIT Hon-chung
Assistant Director (Inspection & Quarantine)

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Department of Health

Dr Thomas TSANG Ho-fai
Controller, Centre for Health Protection

Item IV, V and VI

Food and Health Bureau

Ms Olivia NIP
Deputy Secretary for Food and Health (Food)

Item IV and VI

Food and Health Bureau

Ms Rhonda LO Yuet-yee
Principal Assistant Secretary for Food and Health (Food)3

Item V

Food and Health Bureau

Mr Francis HO
Principal Assistant Secretary for Food and Health (Food)2

Food and Environmental Hygiene Department

Dr Philip HO Yuk-yin
Consultant (Community Medicine) (Risk
Assessment and Communication)

Mr YUEN Ming Chi
Pest Control Officer-in-charge

Item VI

Agriculture, Fisheries and Conservation Department

Mr LAU Sin-pang
Deputy Director of Agriculture, Fisheries and Conservation

Dr LIU Kwei-kin
Assistant Director (Agriculture)

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Environmental Protection Department

Mr Michael PANG Kin-hing
Principal Environmental Protection Officer (Acting)

Mr John CHUNG Kwok-on
Environmental Protection Officer

Attendance by : Item VI
Invitation

The Federation of Pig Raising Co-operative Societies Hong Kong, Kowloon & N.T. Ltd

Mr LEUNG Chick
Chairman

Mr FOK Wui-ko
Deputy Chairman

The World's Poultry Science Association
(Hong Kong Branch)

Mr Peter C K Wong
Chairman

Hong Kong Livestock Industry Association

Mr TAM Kwok-chu
Vice Chairman

Mr LAM Wing-yuen
Committee Member

Hong Kong Pig Raising Development Federation

Mr CHAN Kin-yip
Chairman

New Territories Association of Societies

Mr WAN Chung-ping
Officer-in-charge, Fisheries District Committee

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Mr SHEK Chung-sang
Deputy Officer-in-charge, Fisheries District Committee

Hong Kong Grazers Union

Mr LO Yam-keung
Committee Member

Mr TAO Kai-ching

Ms WAN Yuk-ying

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

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

Ms Anna CHEUNG
Legislative Assistant (2)2

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I. Confirmation of minutes
[LC Paper No. CB(2)1486/07-08]

The minutes of the meeting held on 11 March 2008 were confirmed.

II. Information paper(s) issued since the last meeting

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

- (a) a letter dated 17 March 2008 from the Hong Kong Retail Management Association and the Hong Kong Suppliers Association on the proposed nutrition labelling scheme [LC Paper No. CB(2)1418/07-08(01)] (English version only);
- (b) a letter dated 25 March 2008 from the Administration in response to the issues raised by Dr KWOK Ka-ki relating to the closure of Mai Po Nature Reserve Area [LC Paper No. CB(2)1466/07-08(01)];
- (c) a letter dated 28 March 2008 from Mr YU Pang-chun, Convenor of

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the Retail Task Force of the Business Facilitation Advisory Committee on the proposed nutrition labelling scheme [LC Paper No. CB(2)1474/07-08(01)] (English version only); and

- (d) a letter dated 29 February 2008 from the Hong Kong Federation of Restaurants & Related Trades (HKFORT) regarding the Administration's proposal to introduce a composite licence for the manufacture and sale of various types of ready-to-eat food item and the written replies by the Food and Environmental Hygiene Department (FEHD) to HKFORT on the proposed composite licence and the rationalization of the time limit for prosecutions against unauthorized building works in premises licensed by FEHD.

III. Items for discussion at the next meeting

[Appendices I and II to LC Paper No. CB(2)1488/07-08]

Next regular meeting on 13 May 2008

3. The Chairman informed members that the Administration proposed to discuss the following items at the next regular meeting scheduled for 13 May 2008

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- (a) review on the provision of public markets; and
- (b) liquor licensing policy and legislation.

4. Mr WONG Kwok-hing expressed concern about recent media reports on rodent infestation and suggested that the Administration should be requested to brief the Panel on its actions taken to control and prevent rodent problem at the next meeting.

5. Noting the letter dated 8 April 2008 from Mrs Selina CHOW, which was tabled at the meeting, in which she relayed the concern of the animal breeding farm operators over the Administration's proposal to amend the licensing conditions for animal traders and the Administration's timetable for implementing the new licensing conditions for animal traders, members agreed to discuss the issue relating to the regulation of animal breeding farms at the next regular meeting in May 2008. Members also agreed to invite deputations to present their views on the subject at the meeting.

(Post-meeting note: Mrs Selina CHOW's letter dated 8 April 2008 tabled at the meeting was issued to members vide LC Paper CB(2)1559/07-08(01) on 10 April 2008.)

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6. To allow sufficient time for discussion, members further agreed to discuss the following three items at the next regular meeting scheduled for 13 May 2008 from 2:30 pm to 5:30 pm at the Chamber of the Legislative Council Building –

- (a) review on the provision of public markets;
- (b) anti-rodent campaign 2008; and
- (c) amendments to the licensing conditions of animal traders.

7. As regards the proposed item on "liquor licensing policy and legislation" referred to in paragraph 3(b), members further agreed that the item would be deferred to the regular meeting scheduled for June.

IV. Zonal approach policy on control of highly pathogenic Avian Influenza

Presentation by the Administration

8. Permanent Secretary for Food & Health (Food) (PS(FH)(Food)) briefly introduced the background against which the zonal approach policy on control of Highly Pathogenic Avian Influenza (HPAI) was developed. She said that the zonal approach policy provided a guideline setting out various import suspension measures to control the import of live poultry and poultry products (chilled and frozen poultry, and fresh poultry eggs) into Hong Kong during an outbreak of HPAI in Guangdong Province.

9. With the aid of powerpoint, Assistant Director (Inspection & Quarantine) of Agriculture, Fisheries and Conservation Department (AD(I&Q)/AFCD) briefed members on the 'import control zone' arrangement which consisted of 'infected area', 'restricted area' and 'control area', as detailed in the Administration's paper [LC Paper No. CB(2)1488/07-08(01)]. He highlighted the preventive measures to reduce the risk brought by HPAI virus that had been adopted by the Administration over the past years, the details of which were set out at the Annex to the Administration's paper.

'Import control zone' arrangement

10. Referring to paragraph 18 of the Administration's paper, Mr WONG Kwok-hing pointed out that, in most cases, there was always a time lapse between the patient's disease onset and notification on confirmed human cases of HPAI infection from the Mainland relevant authorities. He doubted the effectiveness of the imposition of a suspension of the import of live poultry and poultry products from the 'import control zone' for 21 days when a human case of HPAI infection within Guangdong province was confirmed.

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11. Controller, the Centre for Health Protection (Controller/CHP) responded that it was true that it would take some time before the results for clinical diagnosis and laboratory tests could become available. There were cases where patients, in particular those living in rural areas, only sought medical consultation several days after the onset of disease. He advised that, in accordance with the established procedures on the Mainland, the initial laboratory test results of the infected patients were required to be sent to the microbiological laboratory at the Ministry of Health, China for further testing and confirmation. Controller/CHP, however, stressed that the relevant Mainland authority would give instant notification to the Administration once it was confirmed that there was a human case of HPAI. According to past experience, such notification mechanism between the China Ministry of Health and the Administration had worked well. He pointed out that it was important to obtain information on the contact history of the patient during the 14 days before the onset of disease.

12. PS(FH)(Food) supplemented that, for the sake of protecting public health, the Administration needed to ascertain whether there were any live poultry farms near the residence of the patient and the places where he had visited. It was a precautionary measure for the Administration to suspend the import of live poultry and poultry products from the 'restricted area' (i.e. the area within a radius of 3 km from the 'infected area') for a period of 90 days and the 'control area' (i.e. the area within a radius of 10 km from the 'restricted area') for 21 days.

13. Dr KWOK Ka-ki said that he was supportive of the Administration's zonal approach policy. However, he requested the Administration to provide information on the past notification records of human avian influenza cases on the Mainland in respect the date of the onset of symptoms, the date of receipt of notification of suspected cases and the date of notification of the confirmation of the cases. Dr KWOK further said that there had been a suggestion of establishing an electronic platform for avian influenza surveillance on the internet to facilitate exchange of avian influenza data and outbreak information among health authorities on the Mainland and Hong Kong. He enquired whether the electronic notification had been implemented.

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14. Controller/CHP responded that the Administration would provide information as requested by Dr KWOK Ka-ki to the Panel after the meeting. As regards the suggestion of establishing the electronic notification platform, Controller/CHP explained that, given the notification system on the Mainland was a one-way system, an electronic notification platform might not be appropriate for application in this respect. While the Mainland cities/provinces were required to notify the National Centre for Disease Control and Public Health (NCDCPH), they had no access to information on the notifications made by other cities/provinces to NCDCPH through the electronic platform. He advised that notifications between the Mainland and Hong Kong were usually made by telephones or facsimiles and there were contact persons assigned for communications round the clock to ensure prompt notifications.

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15. On the notification mechanism on live poultry infection of HPAI, PS(FH)(Food) supplemented that the Administration maintained close liaison with the Ministry of Agriculture and the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ). When there was a HPAI outbreak in live poultry farms on the Mainland, they would notify the Administration by telephone.

16. Referring to paragraph 16 of the Administration's paper, both Dr KWOK Ka-ki and Mr Alan LEONG asked about the considerations or factors that the Administration would take into account in deciding whether a suspension for import of poultry and poultry products from the whole Guangdong Province for 21 days.

17. PS(FH)(Food) explained that the Administration would take into consideration whether there was outbreak in more than one live poultry farms within the 'import control zone', the number of live poultry being infected and whether there was signs of spreading of the virus when making a decision on suspending the import of live poultry and poultry products as necessary from the whole Guangdong Province for a period up to 21 days.

18. Referring to paragraphs 13 and 14 of the Administration's paper on the measures to be taken when there was an outbreak in registered poultry farms on the Mainland, the Deputy Chairman sought clarification from the Administration about the length of suspension period for the import of live poultry and poultry products from the whole Guangdong Province.

19. AD(I&Q)/AFCD responded that the suspension period of up to 21 days referred to the whole Guangdong Province. The actual length of suspension period would depend on the outbreak information provided by the Mainland authorities. The suspension period might be shorter than 21 days if there was sufficient evidence that there was no outbreak in other live poultry farms in Guangdong Province. However, a suspension period of 90 days would be imposed for live poultry and poultry products from the 'restricted area' (i.e. the area within a radius of 3 km from the 'infected area') and a suspension period of 21 days for the 'control area' (i.e. the area within a radius of 10 km from the 'restricted area').

20. In response to Dr KWOK Ka-ki's enquiry about the timetable for reviewing the zonal approach policy, PS(FH)(Food) said that the policy had just been put in place, there was no review timetable at this stage.

21. The Deputy Chairman expressed concern over the recent poultry HPAI case occurred in a wholesale food market in Guangzhou in March 2008. In response to his enquiry about the vaccination programme for live chickens in Guangdong Province, AD(I&Q)/AFCD advised that, in accordance with the policy of the Ministry of Agriculture, all live chickens in licensed/registered farms were required to receive vaccination. He, however, pointed out that backyard poultry keeping

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activities were practised on the Mainland. He also advised that it was not uncommon for vaccines to provide less than 100% effectiveness against diseases. However, even vaccines caused only 80% antibody protection level in a live population chicken that could contain an HPAI outbreak. Under certain circumstances when chickens had been infected with other diseases or vaccines were not stored properly or vaccination had applied to chicks while they still had maternal antibodies, vaccine efficacy would be reduced.

22. Mr WONG Yung-kan said that, to his understanding, the wholesale market concerned was not a licensed market. He enquired whether the Administration had liaised with the relevant Mainland authorities to obtain information on this incident.

23. PS(FH)(Food) assured members that the Administration had liaised with the relevant Mainland authorities and had confirmed that no live chickens had been exported to Hong Kong from the wholesale market concerned nor the public market in Guangzhou. However, to safeguard the health of the public, the Administration had imposed a suspension period of 90 days for live poultry and poultry products from 'restricted area' (i.e. the area within a radius of 3km from the 'infected area') and a suspension period of 21 days for the 'control area' (i.e. the area within a radius of 10 km from the 'restricted area').

24. On the Administration's response, the Chairman asked whether the Mainland had provided any information on the source of chickens on sale at the wholesale market concerned. In response, AD(I&Q)/AFCD said that only registered chicken farms on the Mainland were allowed to export chickens to Hong Kong. PS(FH)(Food) supplemented that that live poultry sold in that market was for internal consumption only.

25. Noting that the Administration would arrange staff to conduct inspections to registered chicken farms in Guangdong Province, Dr KWOK Ka-ki asked about the number of inspections carried out in a year. Controller/CFS advised that there were 92 registered chicken farms and 24 registered chilled poultry products processing plants in Guangdong Province. However, out of the 92 registered farms, only 34 farms were active in exporting chickens to Hong Kong. She said that it was CFS's target to inspect about 80 registered chicken farms and poultry processing plants in the Mainland in 2008. In 2007, CFS staff had carried out 67 inspections to the registered farms and chilled poultry products processing plants in Guangdong Province. Controller/CFS said that, during their inspections, CFS staff would focus on the whole management system of the registered farms and processing plants and the inspection and quarantine situation. She further said that the routine inspections were conducted by the relevant Mainland authorities.

Quarantine detector dogs

26. Mr WONG Kwok-hing expressed concern over the smuggling of live poultry and poultry meat (e.g. live chickens and ducks) into Hong Kong from

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across the border. He asked whether the Administration would deploy quarantine detector dogs to carry out screening duties for the detection of smuggled live poultry and poultry meat by vehicles that came through Man Kam TO Border Control Point everyday.

27. PS(FH)(Food) responded that the Customs and Excise Department (C&ED) had already set up a special task force to deal with the problem of illegal importation of live poultry and poultry meat. C&ED had stepped up its inspections on suspicious vehicles and passengers at boundary control points. AD(I&Q)/AFCD supplemented that AFCD had deployed three quarantine detector dogs to carry out screening duties for the detection of smuggled animals and birds at control points and seaports. From February to March 2008, quarantine detector dogs had carried out some 20 000 to 30 000 inspections, and had detected a total of 14 cases of illegal importation of meat, which had been referred to C&ED for follow up. Controller/CFS added that FEHD also had two quarantine detector dogs which were trained to help combat illegal importation of game, meat and poultry carried by travellers at border control points. FEHD planned to train another three quarantine detector dogs later this year. These three new quarantine detector dogs would be trained and deployed to deter smuggling of game, meat and poultry into Hong Kong by vehicles through Man Kam To Border Control Point.

28. On the Administration's response, Mr WONG Kwok-hing asked whether the Administration had any target number for quarantine detector dogs to be deployed at various control points and seaports. PS(FH)(Food) responded that the introduction of quarantine detector dogs programme was a pilot scheme. Having regard to the effectiveness of the programme so far since its introduction, the Administration was actively considering the need to increase the number of quarantine detector dogs. However, should there be a need to expand the programme, additional resources would be required to recruit new staff to perform the duties of dog handlers and train new quarantine detector dogs.

Mai Po Nature Reserve

29. Dr KWOK Ka-ki said that, unlike poultry, wild birds posed a low risk of human infection of avian influenza infection. However, the World Wild Fund (WWF) would be required to close Mai Po Nature Reserve (the Reserve) for 21 days if a dead bird was found infected with avian influenza virus within 3 km in radius of the Reserve and did not receive any compensation from the Administration. He asked whether the Administration would review the guidelines for the closure of the Reserve and consider giving compensation to WWF when the Administration required WWF to close the Reserve.

30. In response, PS(FH)(Food) explained that AFCD had been working with WWF in managing the Reserve and there was a subvention to WWF. AD(I&Q)/AFCD further explained that overseas studies had shown that migratory water birds could be a natural reservoir of HPAI virus. These birds might infect

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poultry along their migration routes and spread the virus to other birds when congregating. Under the current guidelines, if any dead bird was found to harbour HPAI within 3 km in radius of the Reserve, the Administration would recommend the Reserve be closed to public access for a period of 21 days. AD(I&Q)/AFCD said that the Administration's guidelines for the closure of the Reserve had taken into account guidelines of the World Health Organization of Animal Health and the circumstances in Hong Kong, and the purpose of the guidelines were to minimize public contact with wild birds, especially water birds, or their droppings. He added that 20 dead wild birds were found to harbour HPAI in 2007.

Local chicken farms

31. Mr WONG Yung-kan recalled that the Administration had adopted the mass culling approach when one chicken be found to be infected with avian influenza, and commented that it would create great hardship to the trade. He further said that sentinel chickens (unvaccinated chickens) were no longer in use on the Mainland. He asked whether the Administration would regard the infection of the sentinel chicken as a local avian influenza outbreak and cull all live chickens; and if so, whether the Administration would review and change its mass culling approach.

32. PS(FH)(Food) responded that the Administration kept its control measure for preventing HPAI outbreak in local live poultry farms under constant review. She pointed out that it was an international practice that, when there was an outbreak in any single live poultry farm, all live poultry in the farm concerned would have to be killed. The Administration had reviewed constantly the policy on local live poultry farms since its introduction in the year 2004-2005. She advised that the Administration would consider taking into account various factors e.g. whether there were more than one chicken farms had the outbreak, whether there was any human infection case and whether there was a large number of live poultry being affected, before making a decision to cull all live poultry in local farms.

33. AD(I&Q)/AFCD supplemented that the purpose of sentinel chickens was to detect the presence of avian influenza virus, so that appropriate measures could be taken to prevent or contain an outbreak of avian influenza. The Administration would keep watch of the development of technologies in this area and would consider the feasibility and appropriateness of adopting any new methods in Hong Kong.

34. The Chairman remarked that the issue of control measures of avian influenza at local chicken farms was not relevant to the present agenda item. He suggested that, should members wish to discuss this subject matter at a future meeting, they could suggest including it into the list of outstanding items for discussion.

V. Anti-Mosquito Campaign 2008

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Presentation by the Administration

35. Deputy Secretary for Food and Health (Food) (DS(FH)(Food)) said that, since 2000, FEHD had put in place a dengue vector surveillance programme by using ovitraps to monitor the distribution of *Aedes albopictus* at selected locations and provide surveillance information for making timely adjustments to the mosquito control strategies and measures. The Administration had launched the 2008 Anti-mosquito Campaign in collaboration with other government departments to maintain the momentum of effective mosquito control work.

36. Pest Control Officer-in-charge of FEHD (PCO/FEHD) briefed members on the Anti-mosquito campaign 2008, as detailed in the Administration's paper [LC Paper No. CB(2)1488/07-08(02)]. He said that the campaign would be implemented in three phases. The first phase of the campaign had already been commenced on 25 February 2008 and completed on 20 March 2008. The second phase of the campaign would be from 28 April 2008 to 4 July 2008 and the third phase of the campaign from 11 August to 3 October 2008. He further said that FEHD would put on its website a book with illustrations on potential breeding places of *Aedes albopictus* and methods to eliminate them. FEHD would also develop posters, leaflets, Announcements of Public Interests and VCDs and send letters to community groups to encourage public participation in the campaign.

37. Members noted that a background brief entitled "Mosquito control work" prepared by the LegCo Secretariat was issued to members for reference [LC Paper No. CB(2)1488/07-08(03)].

Area ovitrap indexes

38. Mr WONG Kwok-hing commented that the Administration's paper failed to provide information on the allocation of ovitraps in the 19 districts and the Area Ovitrap Indexes (AOIs) in these districts, and requested the Administration to provide such information after the meeting. He asked which four districts had the highest AOIs and what measures had been taken by the Administration to alleviate the mosquito breeding problem.

39. PCO/FEHD responded that AOI recorded in Lai King was 1.8% AOI and AOIs recorded in all other districts were 0% in 2008. Consultant (Community Medicine) (Risk Assessment and Communication) of FEHD (Consultant(CM)(RAC)/FEHD) supplemented that, according to the record of AOIs in July 2007, the four highest AOI figures were recorded in Diamond Hill (70.9%), Sheung Shui (68.5%), Tai Po (61.8%) and Fanling (54.5%). He also advised that there were about 55 ovitraps placed in each district and the monthly AIOs were made available on the FEHD's website. He said that the Administration would provide the information on the monthly AOIs in the 19 districts after the meeting.

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(Post-meeting note: The Administration's response providing information on the monthly AOIs in the 19 districts was circulated to members vide [LC Paper No. CB(2)1738/07-08(01) issued on 28 April 2008.]

40. Regarding AOI recorded in Diamond Hill, the Deputy Chairman asked whether the Administration would conduct a case study to identify the reasons for the infestation of mosquitoes and about the measures that the Administration had been taken to alleviate the problem. PCO/FEHD responded that mosquitoes were found in surface drainage channels and drainage sandpit in the housing estates there. FEHD staff had liaised with the property management companies of the building estates in this district and enhanced its promotion and education programme in anti-mosquito work there. He advised that the enactment of the Public Health and Municipal Services (Amendment) Ordinance in May 2006 had helped raising the awareness of property owners and property management companies about mosquito prevention and control as well as the need for swift actions against mosquito breeding.

41. Dr KWOK Ka-ki expressed concern about the mosquito problem in the rural areas as many live poultry farms and pig farms were located there. He enquired about the measures that had been taken by the Administration to control and prevent the breeding of mosquitoes in rural areas. He further asked whether the Food and Health Bureau (FHB) would review whether there was any loophole in the present outsourcing system of mosquito control work.

42. DS(FH)(Food) responded that, after the occurrence of the ovitrap tampering case in 2006, FEHD had stepped up its efforts in monitoring the work of contractor. FHB also chaired a steering committee to coordinate the mosquito control work carried out by various government departments and to provide the necessary policy steer. She said that the steering committee would keep in view the measures taken by departments to alleviate the mosquito problem and monitor the mosquito control work. Consultant(CM)(RAC)/FEHD supplemented that FEHD had two different teams of staff responsible for mosquito control operation work and monitoring of mosquito control work. These two teams were headed by two Deputy Directors of FEHD.

43. As regards the mosquito control work in pig farms, Consultant(CM)(RAC)/FEHD explained that the existing ovitraps were not designed to monitor the distribution of Culex mosquitoes, vector of Japanese Encephalitis (JE) and other surveillance methods had to be used. According to the past figures of AOIs, there was no causal relationship between the indexes of ovitraps and their proximity to pig farms.

Anti-mosquito campaign

44. Noting that the first phase of the campaign had already been commenced on 25 February 2008, the Deputy Chairman asked why the first phase had to be started

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so early in February. PCO/FEHD explained that *Aedes albopictus* laid their eggs in damp area eg. flower pots, gutters and drainage pipes in winter (i.e. around November to December each year). When rainy season came in March and April, their eggs laid in these areas that would be flooded by water would be hatched. As such, it was necessary for FEHD to start the first phase of anti-mosquito campaign in February to remind the public to take precautionary measures to prevent and combat mosquito breeding before the start of rainy season.

45. In response to the Chairman's question on the work of the first phase of anti-mosquito campaign, PCO/FEHD said that the first phase of campaign was to ensure that preventive measures had been done properly e.g. cleaning and removing deris in gutters so that they drained properly. FEHD had pest control teams in all the 19 districts and they would inspect each individual district. Apart from carrying out their regular mosquito control work, the teams would also visit residential building estates, schools and construction sites to promote anti-mosquito work and organize lectures on anti-mosquito work. FEHD would publish leaflets for distribution to public. He further said that, after the end of the first phase, FEHD staff would continue to conduct their regular mosquito work. During the second phase of campaign, FEHD would issue warnings to or institute prosecutions against, where appropriate, persons responsible for the premises concerned, e.g. building management companies, to take actions for preventing the breeding of mosquitoes.

Incident of tampering of ovitraps

46. Mr WONG Kwok-hing asked about the measures that the Administration had taken to rectify the problem of suspect cases that AOI had been tampered with by FEHD staff. The Deputy Chairman also asked whether the Administration had taken any measures to prevent the reoccurrence of ovitrap tampering case.

47. As regards the tampering of ovitrap case occurred in 2006, Consultant(CM)(RAC)/FEHD advised that the case had been referred to the Police for investigation. The Police's investigation report did not find any evidence that FEHD staff had been involved in the tampering of ovitraps. PCO/FEHD supplemented that the design of ovitraps had been improved and caps had been added to cover the ovitraps so as to avoid inadvertent spilling of mosquito control pesticides into the ovitraps when the anti-mosquito operations were carried out. Ovitrap would also be sealed and, if the seals were found to be broken or tampered with, FEHD staff would change the ovitraps concerned and the figures of ovitrap indexes would not be used. If there were suspect cases of tampering with ovitraps, FEHD staff would refer the suspect cases to the Police for investigation. He pointed out that, since the implementation of these measures, no more new cases of tampering of ovitraps were reported.

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48. At Mr WONG Kwok-hing's suggestion, the Chairman requested the Administration to follow up with the Police and revert to the Panel on the

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investigation result of the tampering case occurred in 2006.

(Post-meeting note: The Administration's response providing information on the findings of the police investigation into the alleged interference with ovitraps in 2006 was circulated to members vide [LC Paper No. CB(2)1738/07-08(01) issued on 28 April 2008.]

VI. Follow-up discussion on Code of practice for pig farming

[LC Paper No. CB(2)1273/07-08(02)]

The Federation of Pig Raising Co-operative Societies Hong Kong, Kowloon & N.T. Ltd [LC Paper No. CB(2) 1488/07-08(04)]

49. Mr LEUNG Chick presented the views of the organization as detailed in its submission. He said that the "47-rules" set by AFCD were too stringent and called on AFCD to arrange staff to assist pig farmers in coping with the new requirements of the "47-rules". Mr FOK Wui-ko also doubted how the penalty in the form of a reduction in the licensed rearing capacity could be implemented. He explained that the gestation period of a pig was about 115 days and it took about 50 to 60 days from buying seed piglets to selling them to meat pig raisers.

*The World's Poultry Science Association (Hong Kong Branch)
[LC Paper No. CB(2) 1488/07-08(05)]*

50. Mr Peter C K WONG presented the views of the organization as detailed in its submission. He pointed out that there was presently no veterinary services available to pig farmers in the market and urged the Administration to provide more veterinary clinical and medical services to pig farmers. In his view, the Administration should simplify the procedures and shorten the time for the registration of veterinary drugs and vaccines. The Administration should consider giving AFCD the power of approving the registration of veterinary drugs and vaccines. On the Administration's proposal to impose the penalty of licence revocation/rejection of renewal of licence, he considered that there were relevant provisions in ordinances regulating pig farms. For any breaches of the requirements as stipulated in the laws, the cases should be referred to the court for decision.

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Hong Kong Grazers Union

51. Mr LO Yam-keung said that the imposition of the penalty of revocation of licence was unfair to pig farmers. Revocation of licence would threaten the livelihood of pig farmers as they would be forced to cease their operations. He further said that the remaining 43 pig farms were established some time ago and, due to geographical and environmental limitations, many pig farms had practical difficulties in complying with the new requirements.

Hong Kong Livestock Industry Association

52. Mr TAM Kwok-chu said that local pig farms could help stabilize the supply of live pigs and the prices of fresh pork in the market. He criticized the Administration for trying to wipe out all remaining pig farms by implementing the Code of Practice for pig farming (COP). Regarding the proposed penalty for breaches causing major threats to public health and rural environment (e.g. discharge of untreated liquid waste from farms, unauthorized alteration of drain pipes, and improper disposal of pig carcasses), he said that the breaches might be committed by the staff of the pig farms without the pig farm licensee's knowledge. It would be unfair to pig farm owners if they had to bear the responsibility for the acts that were not committed by them.

Hong Kong Pig Raising Development Federation
[LC Paper No. CB(2) 1488/07-08(06)]

53. Mr CHAN Kin-yip said that he shared similar views with other deputations. He questioned why the Administration had to implement COP given there were presently relevant ordinances for the regulation of pig farms. He said that, if the objective of the implementation of COP was to help pig farms further enhance their management and hygienic standards, the Administration should provide relevant training courses for pig farmers to improve their skills and knowledge. Mr CHAN urged the Administration to reconsider the proposal for imposing the penalty of revocation of licence for breaching the requirements of COP.

New Territories Association of Societies
[LC Paper No. CB(2) 2443/06-07(01)]

54. Mr WAN Chung-ping presented the views of the organization as detailed in its submission. He pointed out that the Administration's proposed COP would increase the operation cost for pig farmers and hit the pig farming industry hard. He commented that the penalties for non-compliance with the requirements in COP were too harsh, in particular, revocation of licence or rejection of licence renewal. Mr WAN further said that, even if pig farmers had contravened the requirements in COP, AFCD should assist them to improve their standards of farm management instead of revoking their licence.

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55. Mr SHEK Chung-sang added that the Administration should assist pig farmers in enhancing their farming management standards rather than tightening the licensing conditions to regulate pig farming industry.

Mr TAO Kai-ching

[LC Paper No. CB(2) 1514/07-08(02)]

56. Mr TAO Kai-ching said that he was one of the remaining 43 pig farmers who did not apply for the voluntary surrender scheme. He criticized the Administration for implementing COP to wipe out the pig farming industry. Mr TAO stressed that he was a responsible pig farmer and always reminded his staff of the importance to maintain high standards of hygiene and sanitation in pig farms. The hygienic and environmental standards of local pig farms had been improved and it was rather rare to find cases of detection of chemical residues in local pigs.

Ms WAN Yuk-ying

[LC Paper No. CB(2) 1514/07-08(02)]

57. Ms WAN Yuk-ying said that AFCD did not listen to the pig farmers' concerns about and views on the implementation of COP despite that they had raised their concerns at various meetings with AFCD. She considered that the "47-rules" should only be applied to new licensees.

The Administration's responses

58. DS(FH)(Food) gave the following responses to the views given by the deputations –

- (a) when the Administration launched the voluntary surrender scheme in 2006, the Administration had made it clear that it would tighten the licensing conditions for licensed pig farms with a view to improving public health and rural environment;
- (b) AFCD had always provided technical assistance to pig farmers. Over the past year, AFCD had maintained close liaison with pig farmers when working out the requirements of COP. Taking into consideration the concerns of pig farmers, the Administration had revised COP by reducing the number of items from 63 to 47;
- (c) as regards the concern of pig farmers over their responsibility for the unlawful acts committed by their workers (e.g. improper disposal of pig carcasses and discharge of untreated liquid waste from farms), AFCD would continue its communication with pig farmers to address their concern; and

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- (d) the penalties of revocating the licence would only be imposed after adequate notifications and warnings were given and the farmers concerned would have the right to make representations.

Penalties

59. The Chairman expressed doubt whether it was necessary to impose the penalty of revocation of licence to regulate effectively pig farms. He asked the Administration whether there were other measures which would achieve the same deterrent effect as the penalty of reducing licensed rearing capacity of pig farms.

60. In response, Assistant Director (Agriculture) of AFCD (AD(A)/AFCD) explained that the objective of COP was to enhance management efficiency of pig farms and reduce the risk of disease outbreaks. He pointed out that the problems associated with pig farming were related generally to the rearing capacity of the licensed pig farms, such as pollution load caused by the discharge of livestock waste. In the light of this, the proposed reduction in licensed rearing capacity was considered an effective measure to address the problem. He stressed that the original licensed rearing capacity would be restored when all breaches had been duly rectified. On the implementation of the penalty of reducing licensed rearing capacity, AD(A)/AFCD explained that it was the normal practice for pig farms to rear pigs, at various age levels, at the farms. Should a penalty of a reduction in the rearing capacity be imposed on a licensed pig farm which failed to comply with the requirements of COP, the pig farm concerned would be given time to sell their mature pigs to the market. However, the pig farm concerned would need to cease mating adult pigs to reduce the rearing capacity gradually.

61. Mr TAM Yiu-chung urged the Administration to review its plan for implementing COP. He considered that the Administration should issue adequate warnings prior to the imposition of penalties for breaching the requirements of COP and provide a redress system under which pig farmers could appeal and make representations on the decisions of the Director of AFC. He suggested the Administration to invite public figures in society to sit on the appeal panel.

62. Deputy Director of Agriculture, Fisheries and Conservation (DD/AFC) responded that the Administration would consider carefully Mr TAM's suggestion. He reiterated that the objectives of COP were to improve public health and rural environment which sought to provide a set of objective standards for pig farmers to comply with. He reiterated that AFCD had all along provided technical assistance to pig farmers and would continue to do so.

63. The Chairman said that members of the Liberal Party had reservations about the proposed penalties for breaches of requirements in COP (i.e. the reduction in licensed rearing capacity and revocation of licence). He urged the Administration to reconsider the implementation of COP. The Chairman reiterated his view that the Administration should make reference to the appeal mechanism in respect of

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the decision of the Liquor Licensing Board (LLB) in granting a liquor licence. Applicant for liquor licence had the right to lodge an appeal to the Municipal Services Appeals Board (MSAB) against the decision of LLB. Under the relevant legislation, a District Judge would be appointed as the Chairman of MSAB and there was specific time period where LLB must give notice of the refusal in writing, together with grounds for the decision, to the appellant. The appellant might appeal to MSAB against the refusal within a specified period of time upon receipt of the notice.

Assistance to pig farmers

64. TAM Yiu-chung said that he considered that the Administration should assist the remaining 43 pig farms to enhance their farming management standards through education. The Chairman also shared similar view with Mr TAM Yiu-chung. He asked whether the Administration would arrange AFCD staff to assist pig farmers to comply with the "47-rules".

65. In response to members' views, AD(A)/AFCD stressed that AFCD had all along provided technical assistance to pig farmers. During the process of consultation for the implementation of COP, AFCD staff had visited individual pig farms and given advice to pig farmers on how to comply with the requirements of COP on the basis of their geographical and environmental factors. AFCD would continue its communication with pig farmers and provide assistance and advice to them where necessary and appropriate. He pointed out that there would be a 12-months grace period prior to the implementation of COP so that pig farmers would have sufficient time to familiarize themselves with the rules. During the grace period, AFCD would only issue warnings to pig farmers should there be any contraventions of COP. AD(A)/AFCD further explained that the existing legislation had already given power to the Director of Agriculture, Fisheries and Conservation (DFAC) to revoke licences of those farmers who had violated the relevant provisions. DFAC had all along exercised the power responsibly and in a very prudent manner. The power would only be exercised after adequate notification and warnings were given, and the farmers concerned would have the right to make representations.

66. Mr WONG Yung-kan pointed out that the Mainland authority had provided free vaccination programme to Mainland pig farmers. He asked how and in what ways the Administration would assist the pig farmers. AD(A)/AFCD responded that AFCD staff would visit individual farms and give advice to farmers on how to comply with COP. The government veterinary laboratory in Tai Lung also provided laboratory service to pig farmers and farmers could contact AFCD for assistance where necessary. As regards the registration of vaccines, AD(A)/AFCD explained that the power of approving the registration of veterinary drugs and vaccines was given to the Director of Health (DH) who would consult AFCD in the process of registration. According to past experience, delays in registration were often due to insufficient product information provided by the applicants. Should

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there be a need or in cases of emergency as considered by a registered veterinarian, DH would consider issuing an one-off import permit for the drug or vaccine required.

67. The Chairman said that, given that there were only 43 pig farms remaining in the industry, it would not be possible for them to order vaccines in large quantity. He asked whether AFCD could consider providing any assistance to them in this regard e.g. free vaccination programme. AD(A)/AFCD responded that pig farming industry was same as other industries in Hong Kong and the Administration would not provide any form of subsidy to operators. He reiterated that AFCD had all along provided technical assistance to pig farmers including laboratory testing and analysis. As regards the supply of vaccines, he said that vaccines to protect pigs against common infectious diseases are available in the local market. AFCD had assisted pig farmers in arranging bulk purchase of vaccines in the past and pig farmers could consider organizing bulk purchase of vaccines as an option to avoid unexpected or sudden shortage in supply. AD(A)/AFCD also advised that the requirement of keeping records of drugs and vaccines usage in COP would help AFCD staff to identify underlying husbandry problems and formulate solutions as appropriate. The purpose of keeping such records was similar to that of patient clinical records.

68. Mr WONG Yung-kan asked whether the Administration would re-issue new pig farm licences to operators who undertook to operate new pig farms that would comply with the "47-rules". The Chairman also asked whether the Administration would approve the remaining pig farmers to relocate their farms to other locations for compliance with the "47-rules".

69. DD/AFC responded that, given that Hong Kong was a highly urbanized and densely populated city, it would be extremely difficult if not impossible, to identify a suitable place for operating pig farms. In the light of this, the Administration would not consider re-issuing new licences. DD/AFC stressed that there was no new requirements on the discharge of liquid livestock waste and penalties of revocation of licences would only be imposed on pig farmers if they did not rectify the conditions after repetitive advice and warnings.

IV. Any other business

70. There being no other business, the meeting ended at 5:30 pm.