

**For discussion
on 12 October 2007**

LegCo Panel on Food Safety and Environmental Hygiene

**Policy Initiatives of
Food and Health Bureau for 2008**

Purpose

This paper elaborates on the new initiatives set out in the 2008 Policy Agenda in relation to the work of this bureau on food safety and environmental hygiene, and gives a brief account on the progress of implementing the on-going initiatives covered in past Policy Agenda.

2008 Policy Agenda

Quality City, Quality Life

Mission and Vision

2. The Food and Health Bureau (FHB) is committed to formulating relevant policies to build a healthy society in Hong Kong. On the food safety and environmental hygiene fronts, we will continue to ensure the safety and quality of our food and provide a clean and hygienic environment to promote public health and raise the living standard of our citizens.

Strategy

3. Our strategy is to adopt a comprehensive and integrated approach in food chain management (i.e. the implementation of the “From Feed to Table” concept) by putting in place a coherent, effective and dynamic food safety policy, and to ensure food safety through law enforcement and food tracing.

Initiatives

4. In achieving the above objectives, we aim to implement the following new initiatives in 2008 and beyond.

(a) *Formulate the Food Safety Ordinance to further enhance the regulatory framework on food in Hong Kong*

5. In light of growing public concern over food safety and new concepts and practices being developed and adopted by overseas jurisdictions in recent years to ensure food safety, we are working on the formulation of a new Food Safety Ordinance with a view to enhancing our food safety control and bringing our food law in line with the best international practice. The new Food Safety Ordinance will introduce new concepts and principles, which include defining clearly the food safety requirements and responsibilities of food business operators, enhancing the capability of food traceability through registration of food business operators and mandatory record keeping of food movement, and empowering the authority concerned to prohibit the sale of problem food. The formulation of the new legislation involves the review, update and consolidation of the existing food legislation. We intend to submit the relevant proposals to the LegCo Panel on Food Safety and Environmental Hygiene (the Panel) for discussion in December 2007.

(b) *Establishing a set of comprehensive registration system for food importers and distributors to enhance food tracing*

6. The new Food Safety Ordinance will include a mandatory requirement for food importers and distributors in Hong Kong to register with the Government, so that in the event of a food incident, the Government can more readily identify the importers and distributors concerned along the food supply chain, trace the source of the problem food and take necessary actions. Before the passage of the Food Safety Ordinance, we have already launched the Pre-Statutory Voluntary Registration Scheme for Food Importers and Distributors to familiarize the trade with the future mandatory requirement; and enable the Government to enhance the design and management of the mandatory registration scheme through practical experience. So far, we have implemented the scheme in phases for poultry eggs, game/meat/poultry carcasses, live food animals/poultry, as well as milk/milk beverage/cream/frozen confection.

(c) *Formulate a set of comprehensive and clear food safety standards that fits Hong Kong's specific situation*

7. We will formulate a set of comprehensive and clear food safety standards that fits Hong Kong's specific situation. A set of subsidiary legislations under the existing Public Health and Municipal Services Ordinance (Cap.132) has set out the standards for substances allowed in specific food

products, such as heavy metals, veterinary drug residues, natural toxins, food additives/preservatives, colouring matters and sweeteners, etc. As the global food safety control regime continues to evolve, we are mindful that there is always a need to review these standards in order to be consistent with the latest international practice and development. In so doing, consideration is given to whether public health is adequately protected and stakeholders' concern sufficiently addressed. Among the different international standards for food safety, Codex Alimentarius Commission¹ is the major international mechanism for encouraging fair international trade in food while protecting the health of consumers.

8. We are now undertaking the exercise to set safety standards for pesticide residues and conducting a review on the existing regulation on veterinary drug residues in food under the Harmful Substances in Food Regulations (Cap. 132AF). We intend to adopt the "positive list" approach, i.e., only permitting the use in food of pesticides and veterinary drugs named in the legislation, which is the prevailing international development to strengthen enforcement (pesticides and veterinary drugs found in food which are not included in the positive lists would contravene the law), and facilitate better understanding by the trade and the public. We aim to submit the relevant proposals to the Panel for discussion by the end of 2007 and early 2008 respectively.

(d) Convert all aqua privies into flushing toilets in phases by 2012-13

9. Aqua privies (APs) are not desirable public toilet facilities. Those APs at locations with high usage rates, scenic spots or tourist attractions frequented by visitors in particular need improvements. To meet the expectations of the community, we aim to convert all APs into flushing toilets wherever resources and circumstances permit. Since the former Team Clean proposed to convert 100 APs which were close to sightseeing spots or at locations with relatively higher usage rates into flushing toilets in 2003, a total of 89 APs have been converted so far and the remaining conversion work is expected to complete by the end of this year.

¹ The Codex Alimentarius Commission was created in 1963 by the World Health Organization (WHO) and the UN Food and Agriculture Organization (FAO) to develop food standards, guidelines and related texts such as codes of practice under the Joint FAO/WHO Food Standards Programme. The main purposes of this Programme are protecting the health of consumers and ensuring fair trade practices in the food trade, and promoting coordination of all food standards work undertaken by international governmental and non-governmental organizations.

10. In July this year, the LegCo Finance Committee approved the extension of the conversion work of the APs, upgrading the project of converting another 50 APs of relatively higher usage rates or located near scenic spots and tourist attractions to Category A. The conversion work is expected to be completed by the end of 2008 or early 2009. We will expedite the conversion of the remaining 376 APs into flushing toilets for completion in 2012-13.

(e) Facilitate the operation of the food business by Introducing a composite licence / permit scheme for the manufacture and sale of various types of ready-to-eat food items

11. We have been streamlining food business licensing procedures, with a view to expanding the scope for operation of the food business without affecting food safety and environmental hygiene. To facilitate the diversified operation of the food business, we briefed the Panel on the proposed composite licence/permit scheme for the manufacture/sale of various types of ready-to-eat food items in January this year. We have subsequently revised our proposals based on the views of the Panel, and consulted the trade in mid July. Trade representatives generally supported our idea and expressed their views on the details of implementation. We are considering their views and will continue to discuss with the trade. We plan to consult the Panel again in early next year. Meanwhile, we will study the details of implementation and prepare for the legislative work.

Progress Report on Implementation of 2007 Policy Initiatives

(a) Tightening up the regulatory framework for poultry and animals for the purpose of enhancing public health and food safety

12. To address the problems of public health and environmental pollution caused by local pig farms, we launched the Voluntary Surrender Scheme for local live pig farmers in June 2006. The Scheme was closed for application by the end of May this year. Over 80% of all the 265 live pig farms in the territory have surrendered or applied to surrender their licences to the Administration. When the Scheme was launched last year, the Government had indicated clearly to the LegCo that the existing licensing conditions would be re-examined to ensure that those pig farms which chose to remain in business would improve their practices to minimize their impact on public health and the rural environment. To support this policy objective, the Agriculture, Fisheries and Conservation Department (AFCD) is planning to impose a new code of practice for pig farming in the licensing conditions next

year. The code covers livestock and farm management, control on movement of livestock, disease monitoring and prevention, waste disposal and hygiene. Breaching any provisions in the code will be subject to the corresponding penalty. The AFCD has preliminarily consulted the trade on the content of the code and the corresponding penalty levels, and is making further review and revision in collaboration with the Food and Health Bureau. The trade will be consulted again when necessary to facilitate implementation.

(b) Developing a multi-pronged strategy to minimize the risk of avian influenza outbreaks, including the development of a poultry slaughtering and processing plant

13. We have put in place a comprehensive avian influenza preventive and surveillance programme in Hong Kong since 1998. Most of the measures to further reduce the risks of avian influenza outbreaks have been implemented, including the introduction of a voluntary surrender scheme for live poultry farmers, wholesalers and retailers, which has brought the current maximum licensing capacity of local poultry farms to below two million; the reduction of the density of live poultry in wholesale and retail markets; as well as the total ban on backyard poultry keeping in Hong Kong.

14. To attain the long-term objective of separating human from poultry, we are pressing ahead with the development of a poultry slaughtering and processing plant in Hong Kong. The Food and Environmental Hygiene (FEHD) has recently conducted a study, and study result revealed that slaughtered chickens without chilling would be suitable for consumption for up to 24 hours if stored at or below 7^oc. In this connection, we will allow the poultry slaughtering and processing plant to produce “freshly slaughtered chicken” for the market. We believe this will help enhance the viability of the poultry slaughtering and processing plant, accommodate people’s eating habits, and reduce the impact of central slaughtering to poultry wholesalers and retailers.

15. We are currently working on the relevant bill, which will be submitted to the LegCo for examination by the end of 2007 or early 2008. Besides, the consultant commissioned by the Government is drawing up a full suite of tendering documentation by making reference to information solicited through the Expression of Interest exercise and other relevant information. Following the introduction of the bill and the completion of the Environmental Impact Assessment, we will invite open tenders from the private sector to develop the Plant. We intend to invite open tenders in 2008 and to have the Plant coming into operation in 2011 at the earliest.

(c) *Exploring how to co-operate with the Mainland authorities on using latest information technology application to ensure effective tracing of food along the production chain and achieve better food safety management through control at source*

16. To further strengthen the mechanism for tracing the origins of Mainland food supplied to Hong Kong, we have formed an inter-departmental working group, represented by the Food and Health Bureau, the FEHD, the AFCD, the Customs and Excise Department and the Office of the Government Chief Information Officer, etc. We are working with the Mainland authorities through the working group to explore the feasibility of applying Radio Frequency Identification (RFID) technique in tracking Mainland food and food animals supplied to Hong Kong.

17. In 2007, the working group and the Mainland authorities conducted a pilot scheme to explore the feasibility of tracing live pigs using electronic ear tags with RFID functions. Under the scheme, live pigs supplied to Hong Kong were tagged in Mainland farms. When they arrive in Hong Kong, the inspecting officer will check the unique identification number assigned to each individual pig and the registered farm number etc., with readers to verify the information with that on the documents attached to the consignment, and for tracing the pigs in case of food incidents. The working group and the Mainland authorities have conducted two trials within the year and are following up on the technical and operational problems identified and exploring the improvement measures to facilitate the next phase of trial. If the pilot scheme proves to be successful, we will examine ways to implement the application of electronic tags to trace live pigs supplied to Hong Kong in collaboration with the Mainland authorities and the trade.

(d) *Introducing legislation to control the abstraction of seawater from the coastal waters for keeping live seafood to enhance food safety*

18. Having consulted and secured the support of the Panel, the seafood trade and the relevant district councils in 2006, we are now working on the legislative amendments to the Food Business Regulation to regulate the abstraction of seawater from the coastal waters for keeping live seafood. The amendment regulation is in the final stage of drafting. We intend to submit the amendment regulation to the LegCo by the end of 2007.

(e) Reviewing proposals on the regulation of restricted dining places to safeguard public health

19. We have briefed the Panel on the major provisions proposed to regulate restricted dining places. After the proposed regulation was put forward, we have been liaising with the trade to solicit their views and preparing for the legislative amendments for introduction of the new licensing regime. Meanwhile, we have been closely monitoring and taking enforcement actions against restricted dining places operating without a licence. Unauthorized operation has now been reduced significantly. Many operators have already been granted valid food business licences or club licences. We will continue to closely monitor the situation and review the proposals to regulate restricted dining places based on actual circumstances.

(f) Formulating measures to streamline food business licensing

20. We will continue our efforts in streamlining food business licensing procedures. A number of improvement measures have been implemented, such as the relaxation of certain licensing requirements which do not pose food hygiene problems and the streamlining of the procedures of the food business licensing regime. As mentioned in paragraph 11 above, we are currently discussing with the trade on the introduction of a composite licence for the manufacture and sale of various types of ready-to-eat food items. In addition, under the Government's Be the Smart Regulator Programme, FEHD, in association with the Efficiency Unit, Office of the Government Chief Information Officer, Liquor Licensing Board and relevant departments, are examining the development of an e-licensing system for Liquor Licences. We will explore the feasibility of other streamlining measures and consult the trade and the Panel at the appropriate juncture.

(g) Formulating measures to promote sustainable development of the fishing industry and to conserve fisheries resources in Hong Kong waters.

21. We formed the Committee on Sustainable Fisheries in 2006 to study the long-term policy for fisheries development that can maintain a viable balance between conservation of fisheries resources and development of the industry. The Committee is studying the long-term direction and goals for the development of the territory's fishing industry and the viable strategies and proposals to promote its sustainable development, which include the management and conservation measures for Hong Kong's fisheries resources. In addition to holding meetings and a workshop, the Committee also conducted

a study tour to the Mainland. The Committee expects to submit the study report to the Government in mid-2008.

22. In addition, we have increased the approved commitment of loan capital of the Fisheries Development Loan Fund from \$100 million to \$290 million to provide loans for fishermen to switch to sustainable fisheries or related operations, and for mariculturists and pond fish farmers to develop sustainable aquaculture business so as to conserve fisheries resources.

(h) Reviewing the policies related to the provision of columbaria and crematoria facilities and striving to provide more facilities to meet future demand

23. To meet public demand for more columbaria and cremation facilities, we provided an additional 1 000 niches at Cheung Chau Columbarium early this year. It is also expected that by the end of 2008, 3 200 and 18 500 new niches will be available at the existing Kwai Chung Columbarium and Diamond Hill Columbarium respectively. Besides, after Diamond Hill Crematorium was re-provisioned in June this year, the annual cremation capacity available to the public has been increased from 34 400 sessions to 37 000 sessions. We are also planning to re-provision all the existing cremators at Wo Hop Shek Crematorium and Cape Collinson Crematorium in phases in the coming years, so as to increase the total annual capacity of public cremators in the territory to 54 000 sessions.

24. The support of the LegCo, local residents and relevant district councils is essential to the Government in the provision of columbaria, cremation facilities and other burial service plans. With the support of the Panel and relevant District Councils, we implemented the streamlined procedures for application for scattering human ashes at sea in July this year. Since then, over 20 applications have been approved.

25. To encourage the public to more actively consider adopting options for ash disposal other than traditional ones, the new Garden of Remembrance at Cape Collinson is scheduled for commissioning next month. With public acceptance, more gardens of remembrance will be built at other appropriate sites to provide an additional option for the public.

Food and Health Bureau
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