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Panel on Food Safety and Environmental Hygiene

**Paper prepared by the Legislative Council Secretariat
for the meeting on 13 November 2007**

Proposed duty visit to France and the United Kingdom

Purpose

This paper invites members to consider a proposal 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, 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 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 10 July 2007, members supported Hon Fred LI Wah-ming's suggestion for the Panel to 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.

6. To provide the Panel with background information for undertaking the duty visit, the Research and Library Services Division of LegCo 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.

Proposed timing

8. Taking into account the schedule of the Council meetings and the Panel meeting in February 2008, it is suggested that the proposed visit lasts eight days, tentatively from 9 to 16 February 2008 (i.e. two nights in Paris and three nights in London). The exact dates will, however, be subject to consultation with the host organizations.

Proposed budget

9. 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.

10. A rough estimate of the expenditure to be incurred by each participating Member for the proposed duty visit is about HK\$35,480 (economy class air passage) or HK\$81,150 (business class air passage).

Size and composition of the delegation

11. The broad guidelines are that members of the Panel should have priority in participating in the visit, and the delegation should be of a manageable size in order not to create difficulties in logistical arrangements. Non-Panel Members may join the visit with the consent of the Panel.

Advice sought

12. Members are invited to consider -
- (a) whether the Panel should conduct an overseas duty visit to France and the UK as proposed in paragraphs 7 and 8 above; and
 - (b) whether non-Panel Members should be invited to join the proposed duty visit.

13. Subject to members' decision, the Secretariat will proceed with the preparatory work. The Secretariat will issue a circular to invite Panel members to indicate interest in joining the duty visit and liaise with relevant Consulates-General and Economic and Trade Offices. The House Committee's permission will also be sought, in accordance with House Rule 22(v), for the Panel to undertake the visit.

Council Business Division 2
Legislative Council Secretariat
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