

**For discussion
on 11 December 2007**

LegCo Panel on Food Safety and Environmental Hygiene

**Proposal to Create One Permanent Post of
Administrative Officer Staff Grade C
in the Food and Health Bureau**

Purpose

This paper invites Members' views on the proposal to create a permanent post of Administrative Officer Staff Grade C (AOSGC) (D2) in the Food Branch of the Food and Health Bureau (FHB) with effect from 20 February 2008. The creation of the proposed AOSGC post will strengthen the directorate support in the Food Branch to cope with the ever increasing workload and to strengthen the work on enhancing food safety.

Present Situation

2. The Food Branch of the FHB oversees the food safety and environmental hygiene portfolios and is responsible for the related policy formulation, monitoring and legislative work. It is headed by an Administrative Officer Staff Grade A1 (D8) officer, designated as the Permanent Secretary for Food and Health (Food), who is supported by a Deputy Secretary ranked at Administrative Officer Staff Grade B1 (D4) level and two Principal Assistant Secretaries (PASs) ranked at AOSGC (D2) level, viz. PAS(Food)1 and PAS(Food)2. PAS(Food)1 is responsible for food safety matters and PAS(Food)2 for environmental hygiene matters. The job descriptions of the two PASs are at **Annexes I and II**.

Food Safety Portfolio

3. On the food safety portfolio, FHB is responsible for all policy matters related to food safety, the prevention of the outbreak and spread of zoonotic diseases and diseases in animal and plants and the sustainable development of the agricultural industry.

4. Food safety covers a wide scope of work as highlighted below –

- (a) to control the import and export of all kinds of food, including animals and animal products, aquatic products, food of plant origin and processed food as well as their inspection arrangements at border control points. This involves frequent discussion and meetings with the Mainland and other overseas food authorities, like the General Administration of Quality Supervision, Inspection and Quarantine and its local Entry-Exit Inspection and Quarantine Bureaux, Ministry of Health, Ministry of Commerce and Ministry of Agriculture. At present, the top work priority is to formulate a new Food Safety Bill, including a mandatory registration scheme for food importers and distributors, to enhance food traceability in case of food incidents and strengthen the power of the Food Safety Authority (i.e. the Director of Food and Environmental Hygiene) to prohibit import/sale and order a recall of problem food;
- (b) to ensure that food available for human consumption is safe. The major duties include the development of a nutrition labelling scheme for prepackaged food, studying of issues related to genetically modified food, review of food safety standards (such as preservatives, pesticide residues, veterinary drug residues) and the introduction of legislation to prohibit the abstraction of seawater from certain areas in Hong Kong for keeping live seafood for human consumption;
- (c) to ensure a steady supply of food. This involves frequent discussion and meetings with Mainland authorities. The present work priority is to review the operation mode of the Sheung Shui Slaughterhouse and prepare for the forthcoming tendering exercise for the contract of the operation of the slaughterhouse from 2009 to 2014 (tentative) as well as the opening up of the live pig market and the addition of live pig agents; and
- (d) to respond effectively to food incidents and food supply problems like active discussion with the Mainland and overseas authorities and liaison with the food traders with a view to ensuring a stable supply of safe food to the public.

5. On the prevention of the outbreak and spread of zoonotic diseases and diseases in animal and plants, the Food Branch is now working on the legal framework and tendering matters for a poultry slaughtering and processing plant as a fundamental and long-term measure for preventing Avian Influenza

and implementing the policy to separate humans from live poultry after the plant comes into operation.

6. On the sustainable agriculture development front, the Food Branch is now actively promoting the extension of Good Agricultural Practice and organic farming to all farms in Hong Kong.

Environmental Hygiene Portfolio

7. On the environmental hygiene portfolio, the Food Branch is responsible for all policy matters related to environmental hygiene, regulatory control over food premises, sustainable fisheries development and animal welfare/management.

8. The work on environmental hygiene includes matters relating to public markets and hawkers policies; cemeteries, columbaria and crematoria, wholesale food markets, pest control and pesticides. The on-going initiatives include: review of the hawkers licensing policy, review of the provision of public markets, monitoring of the progress of constructing a new wholesale fish market at Tuen Mun by the Fish Marketing Organisation, formulating policies to increase the provision of cemeteries, columbaria and crematoria facilities, and encouraging the public to consider adopting options for ash disposal other than traditional ones, monitoring the anti-mosquito efforts of various departments to prevent the outbreak of dengue fever and Japanese encephalitis, converting all aqua privies into flushing toilets, and amendment of the Pesticides Ordinance to strengthen regulation of the import and export as well as the use of pesticides.

9. On licensing of the food business, the Food Branch is responsible for the regulation of food premises, liquor licensing policy, secretariat work of the Licensing Appeals Board and Appeal Board on Closure Orders (Immediate Health Hazard). Other work includes legislative amendments for the introduction of a composite license/permit scheme for the manufacture and sale of various types of ready-to-eat food items to facilitate the operation of food business, review the demerit point system for the food industry, follow-up on the recommendations of The Ombudsman on Food and Environmental Hygiene Department (FEHD)'s procedures for prosecuting food premises which contravene the law, review of the liquor licensing policy etc.

10. On development of the fisheries industries, the Food Branch is responsible for assisting in the formulation of strategies on the sustainable development of the fisheries industries and examining the views of industry members. As regards matters relating to animal welfare and management, the

Food Branch is responsible for reviewing the legislation on the prevention of cruelty to animals and the promotion of animal welfare.

11. Apart from the above responsibilities, the Food Branch is also responsible for reviewing FEHD's fees and charges, and co-ordination with various departments and organisations the inspection and quarantine policies for the 2008 Olympic and Paralympic Equestrian Events.

Justifications

Increase in policy responsibilities of Food Branch

12. Ensuring food safety is one of the major policy objectives of FHB. The food incidents in recent years have raised the public concerns over food safety. Given the increasing public concerns, food safety has now been established as one of the Government's top priority agenda items and there is an urgent need to enhance our food safety control functions to meet rising public expectations. The Chief Executive's annual Policy Address has repeatedly reinforced the Government's commitment in safeguarding people in Hong Kong against unsafe foods.

13. Hong Kong imports over 90% of its food, and with the sheer diversity of food that comes from around the world, promoting food safety in Hong Kong is a unique and complicated task. The Food Branch is required to formulate and oversee implementation of policies to tackle the increasing and complex food safety issues both locally, cross-border and overseas. These include strengthening the networking and liaison with Mainland authorities on issues relating to imported foods, reviewing and developing proactive and comprehensive regulatory systems to enhance food safety and implementing effective measures on the food front to reduce the risk of human infection of zoonotic diseases such as Avian Influenza, which are serious public health threats that must be addressed to promptly and properly. In addition, food supply problems have emerged and are expected to recur in the future.

14. Apart from the above heavy workload on food matters, environmental hygiene issues, such as those related to mosquito-transmitted diseases, have also a growing impact on the daily lives of our citizens. In short, there has indeed been a significant and drastic increase in the workload and responsibilities of the Food Branch on all fronts in terms of volume and complexity over the past few years.

Need for additional directorate support

15. There is at present only one permanent PAS post, i.e. PAS(Food)1, responsible for food safety, agriculture and zoonotic diseases. The workload is very heavy, and becomes even more onerous when food incidents/supply problems occur, as experienced in past issues on malachite green in fishes, pesticide residues in vegetables, sale of oil fish, and shortage in supply of live pigs and cattle, etc. Given the increasingly heavy workload within the food portfolio, it is clearly beyond the capacity of one D2 officer, currently PAS(Food)1, to effectively tackle all the issues relating to the food safety portfolio.

16. To strengthen the directorate support in the Food Branch, FHB has arranged an Assistant Director of Agriculture, Fisheries and Conservation (D2), designated as PAS(Food)3, on temporary attachment from the Agriculture, Fisheries and Conservation Department to the Food Branch for six months from 20 August 2007 to 19 February 2008 to help cope with the heavy workload on the food safety side. The organisation chart of the Food Branch as at 1 December 2007 is at **Annex III**.

17. Having reviewed the efficacy of the existing short-term deployment arrangement, we have concluded that the arrangement is not viable in the long term. It would not be desirable to continue with the temporary directorate attachment arrangement with departments under FHB because these departments cannot spare extra directorate resources on a long-term basis and their departmental operation may be adversely affected. We consider the most effective way to meet the operational needs is to create an additional permanent AOSGC post in the Food Branch of FHB. The proposed permanent AOSGC post will take up the duties of PAS(Food)3 when the officer filling the latter post completes his attachment tenure.

18. With the strengthening of directorate support, there will be three permanent posts of PAS in the Food Branch to focus on the food safety and environmental hygiene portfolios and respond to unexpected events, such as food incidents and food supply problems. To even out the distribution of workload, the duties and responsibilities of the three PASs will be re-shuffled as set out in **Annexes IV to VI**. The proposed organisation structure of the Food Branch of FHB is shown in **Annex VII**.

Alternatives Considered

19. The workload in respect of food safety and environmental hygiene portfolios has surged since 2002 and has far outstripped the capacity of the two permanent posts of PAS in the Food Branch. With a heavy environmental hygiene portfolio, PAS(Food)2 is already overstretched and cannot take up additional responsibilities in the food safety portfolio.

20. We have also explored whether other directorate staff in FHB can share out some of the workload in the food safety portfolio. As all the other PASs are fully engaged in their own schedule of duties relating to health policy areas, it is operationally not possible for them to take up the tasks without adversely affecting the discharge of their current duties.

Financial Implications

21. The proposal will bring about an additional notional annual salary cost at mid-point of \$1,428,000. The full annual average staff cost, including salaries and staff on-cost, is \$2,038,000. We have included the necessary provision in the 2007-08 Estimates to meet the cost of this proposal.

Advice Sought

22. Members are invited to note and comment on the proposed creation of the permanent AOSGC post. Subject to Members' views, we will submit the proposal to the Establishment Subcommittee of the Finance Committee for consideration at its meeting on 16 January 2008.

Job Description
Principal Assistant Secretary for Food and Health (Food) 1

Rank : Administrative Officer Staff Grade C (D2)
Responsible to : Deputy Secretary for Food and Health (Food)

Main Duties and Responsibilities –

1. To formulate and review policies on import and export control of food animal and animal products.
2. To manage food incidents relating to animals and animal products.
3. To formulate and review policies on import and export control of aquatic products, food of plant origin and processed food.
4. To manage food incidents relating to aquatic products, food of plant origin and processed food.
5. To introduce the Food Safety Bill (including the Food Importers and Distributors Notification Scheme and mandatory food recall) and examine initiatives for stepping up surveillance on food supply chain in Hong Kong.
6. To oversee food safety policies and review the food safety regime and harmonize the operation of various departments, including Centre for Food Safety, Agriculture, Fisheries and Conservation Department and Government Laboratory.
7. To formulate local agriculture policies and monitor the operation of local livestock industry.
8. To formulate policies for monitoring veterinary health in order to prevent and control zoonotic diseases.
9. To take forward work related to food labelling to ensure that our local standards conform to those of the international community.
10. To review standards in and propose amendments to the regulation on preservatives.

11. To review the food inspection arrangements at border control points.
12. To liaise with our trading partners and the Mainland authorities on issues relating to imported foods.
13. To develop guidelines on labelling of genetically modified food.
14. To examine initiatives including the use of technology for tracing the source of food.
15. To review measures to control water quality for keeping aquatic and fisheries products with a view to promoting seafood safety.
16. To serve as secretary to the Advisory Council on Food and Environmental Hygiene.
17. To oversee the housekeeping for Agriculture, Fisheries and Conservation Department (on agriculture and fisheries sides) and the Government Laboratory.

Job Description
Principal Assistant Secretary for Food and Health (Food) 2

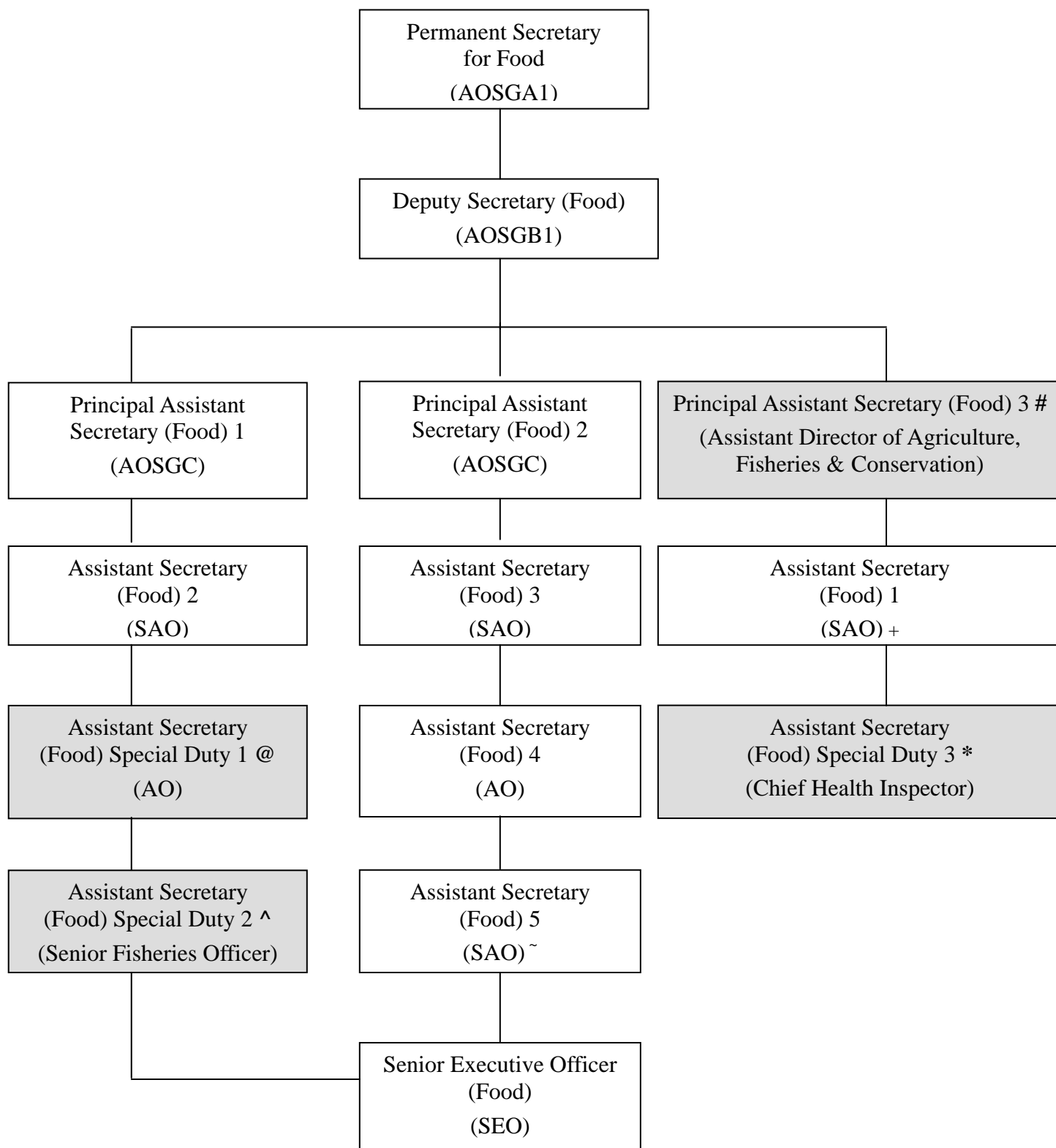
Rank : Administrative Officer Staff Grade C (D2)
Responsible to : Deputy Secretary for Food and Health (Food)

Main Duties and Responsibilities –

1. To formulate and review policies for hawkers and public market management.
2. To formulate and review polices and regulation standards for food premises.
3. To formulate and review liquor licensing policy.
4. To formulate and review policies related to cemeteries, columbaria and crematoria facilities.
5. To develop proposals and related legislation for a poultry slaughtering and processing plant.
6. To formulate and review polices and legislation on regulating pesticide, veterinary drugs and colouring matter in food and food animals.
7. To steer the Food and Environmental Hygiene Department in pest control; and formulate and review policies related to pesticide regulation.
8. To formulate and review regimes for fees and charges for venues under the Food and Environmental Hygiene Department.
9. To oversee the policies for wholesale food markets.
10. To oversee the inspection and quarantine policies for 2008 Olympic and Paralympic Equestrian Events.
11. To formulate and review policies for promoting sustainable development of fisheries industries.

12. To formulate and review policies and legislation related to animal welfare.
13. To serve as secretary to the Licensing Appeal Board and Appeal Board On Closure Orders (Immediate Health Hazard).
14. To oversee the housekeeping for Food and Environmental Hygiene Department.

**Organisation Chart of Food Branch
Food and Health Bureau
(as at 1 December 2007)**



Legend :

- Temporary posts
- AOSGA1: Administrative Officer Staff Grade A1
- AOSGB1: Administrative Officer Staff Grade B1
- AOSGC: Administrative Officer Staff Grade C
- SAO: Senior Administrative Officer
- AO: Administrative Officer

Notes :

- # On loan from Agriculture, Fisheries & Conservation Department (from 20.8.2007 to 19.2.2008).
- + The post is being filled by a Principal Trade Officer on cross-posting.
- @ On loan from Civil Service Bureau (from 4.9.2007 to 31.3.2008).
- * On loan from Food & Environmental Hygiene Department (from 4.9.2007 to 2.9.2008).
- ^ On loan from Agriculture, Fisheries & Conservation Department (from 1.8.2007 to 31.7.2008).
- ~ The post is being frozen and held against by a supernumerary AO post from 19.11.2007 to 18.11.2008.

Job Description
Principal Assistant Secretary for Food and Health (Food) 1

Rank : Administrative Officer Staff Grade C (D2)
Responsible to : Deputy Secretary for Food and Health (Food)

Main Duties and Responsibilities –

1. To formulate and review policies on import and export control of aquatic products, food of plant origin and processed food.
2. To manage food incidents relating to aquatic products, food of plant origin and processed food.
3. To introduce the Food Safety Bill (including the Food Importers and Distributors Notification Scheme and mandatory food recall) and examine initiatives for stepping up surveillance on food supply chain in Hong Kong.
4. To oversee food safety policies and review the food safety regime and harmonise the operation of various departments, including Centre for Food Safety, Agriculture, Fisheries and Conservation Department and Government Laboratory.
5. To take forward work related to food labelling to ensure that our local standards conform to those of the international community.
6. To review standards in and propose amendments to the regulation on preservatives.
7. To review the food inspection arrangements at border control points.
8. To liaise with our trading partners and the Mainland authorities on issues relating to imported foods (aquatic products, food of plant origin and processed food).
9. To oversee the housekeeping for Agriculture, Fisheries and Conservation Department (on agriculture and fisheries sides) and the Government Laboratory.

Job Description
Principal Assistant Secretary for Food and Health (Food) 2

Rank : Administrative Officer Staff Grade C (D2)
Responsible to : Deputy Secretary for Food and Health (Food)

Main Duties and Responsibilities –

1. To formulate and review policies for hawkers and public market management.
2. To formulate and review policies and regulation standards for food premises.
3. To formulate and review liquor licensing policy.
4. To formulate and review policies related to cemeteries, columbaria and crematoria facilities.
5. To steer the Food and Environmental Hygiene Department in pest control; and formulate and review policies related to pesticide regulation.
6. To formulate and review regimes for fees and charges for venues under the Food and Environmental Hygiene Department.
7. To oversee the policies for wholesale food markets.
8. To oversee the inspection and quarantine policies for 2008 Olympic and Paralympic Equestrian Events.
9. To formulate and review policies for promoting sustainable development of fisheries industries.
10. To formulate and review policies and legislation related to animal welfare.
11. To serve as secretary to the Licensing Appeal Board and Appeal Board On Closure Orders (Immediate Health Hazard).
12. To oversee the housekeeping for Food and Environmental Hygiene Department.

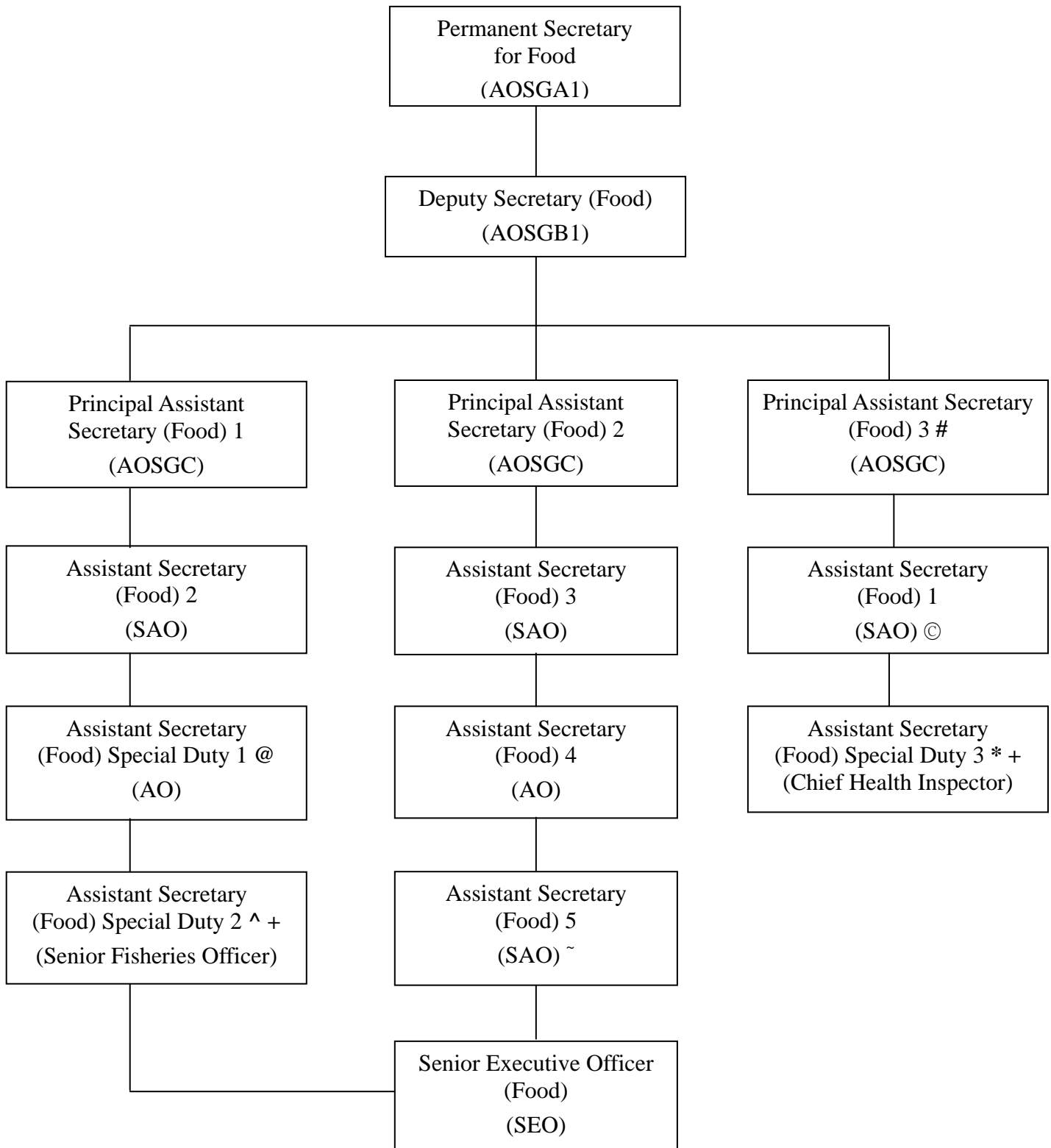
Job Description
Principal Assistant Secretary for Food and Health (Food) 3

Rank : Administrative Officer Staff Grade C (D2)
Responsible to : Deputy Secretary for Food and Health (Food)

Main Duties and Responsibilities –

1. To formulate and review policies on import and export control of food animal and animal products.
2. To manage food incidents relating to animals and animal products.
3. To formulate local agriculture policies and monitor the operation of local livestock industry.
4. To formulate policies for monitoring veterinary health in order to prevent and control zoonotic diseases.
5. To develop proposals and related legislation for a poultry slaughtering and processing plant.
6. To formulate and review policies and legislation on regulating pesticide, veterinary drugs and colouring matter in food and food animals.
7. To develop guidelines on labelling of genetically modified food.
8. To examine initiatives including the use of technology for tracing the source of food.
9. To review measures to control water quality for keeping aquatic and fisheries products with a view to promoting seafood safety.
10. To liaise with our trading partners and the Mainland authorities on issues relating to imported foods (food animal and animal products).
11. To serve as secretary to the Advisory Council on Food and Environmental Hygiene.

**Proposed Organisation Chart of Food Branch
Food and Health Bureau**



Legend :

- AOSGA1: Administrative Officer Staff Grade A1
- AOSGB1: Administrative Officer Staff Grade B1
- AOSGC: Administrative Officer Staff Grade C
- SAO: Senior Administrative Officer
- AO: Administrative Officer

Notes :

- # Proposed new post
- © The post is being filled by a Principal Trade Officer on cross-posting.
- @ On loan from Civil Service Bureau (from 4.9.2007 to 31.3.2008). An AO post will be created on 1.4.2008.
- * On loan from Food & Environmental Hygiene Department (from 4.9.2007 to 2.9.2008).
- ^ On loan from Agriculture, Fisheries & Conservation Department (from 1.8.2007 to 31.7.2008).
- + To continue with the work, an AO post will be created in 2008-09. If necessary, extension of on loan arrangement will also be considered.
- ~ The post is being frozen and held against by a supernumerary AO post from 19.11.2007 to 18.11.2008.