

立法會
Legislative Council

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LC Paper No. CB(2)1446/08-09

(These minutes have been seen
by the Administration)

Panel on Food Safety and Environmental Hygiene

**Minutes of special meeting
held on Friday, 9 January 2009, at 5:00 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon Fred LI Wah-ming, JP (Chairman)

Hon Andrew CHENG Kar-foo

Hon WONG Kwok-hing, MH

Dr Hon Joseph LEE Kok-long, JP

Hon Alan LEONG Kah-kit, SC

Hon KAM Nai-wai, MH

Hon Cyd HO Sau-lan

Hon WONG Yuk-man

Members attending : Hon LEUNG Yiu-chung

Hon Starry LEE Wai-king

Hon CHAN Hak-kan

Dr Hon Priscilla LEUNG Mei-fun

Members absent : Hon WONG Yung-kan, SBS, JP (Deputy Chairman)

Hon TAM Yiu-chung, GBS, JP

Hon Tommy CHEUNG Yu-yan, SBS, JP

Hon Vincent FANG Kang, SBS, JP

Dr Hon LEUNG Ka-lau

Public Officers attending : Item I

Prof Gabriel M LEUNG, JP

Under Secretary for Food and Health

Mrs Angelina CHEUNG FUNG Wing-ping
Principal Assistant Secretary for Food & Health (Food) 1

Dr Constance CHAN Hon-yee, JP
Controller, Centre for Food Safety
Food and Environmental Hygiene Department

Dr LEE Siu-yuen
Assistant Director (Food Surveillance & Control)
Food and Environmental Hygiene Department

Dr LIU Kwei-kin
Deputy Director of Agriculture, Fisheries and Conservation
(Acting)

Mr Ben LEUNG Lun-cheung, C.M.S.M.
Head of Land Boundary Command (Acting)
Customs and Excise Department

Attendance :
by invitation

Item I

Hong Kong Vegetable Union

Mr WONG Cheung-hon
Chairman

Mr WONG Ching-keung
Vice Chairman

五行副食品關注組

Mr HUI Hon-man
Convenor

Mr CHAN Ngan-leung

Hong Kong Imported Vegetable Wholesale Merchants
Association

Mr YUEN Cheong
Chairman

Mr HUNG Hon-choi

中港食物安全關注組

Mr LAU Kwok-fan
Convenor

Mr CHAN Lik-wai

Hong Kong Food Council

Mr Simon WONG Ka-wo
President

Hong Kong Federation of Restaurants & Related Trades

Mr David NG

Clerk in attendance : Miss Mary SO
Chief Council Secretary (2) 5

Staff in attendance : Ms Alice LEUNG
Senior Council Secretary (2) 6

Ms Sandy HAU
Legislative Assistant (2) 5

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I. Control on vegetables imported from the Mainland
(LC Paper Nos. CB(2)358/08-09 (01) and CB(2)605/08-09(01))

The Chairman invited deputations to give their views on control of vegetables imported from the Mainland.

Views of deputations

2. Representatives from Hong Kong Vegetable Union, 五行副食品關注組, Hong Kong Imported Vegetable Wholesale Merchants Association and 中港食物安全關注組 criticised the Administration for failing to take effective measures to eradicate the problem of unscrupulous people using genuine labels of vegetable source to import vegetables from unregistered farms in the Mainland into Hong Kong, and sometimes hiding chilled chickens and other foodstuffs in these vegetables, despite repeated calls from the trade and numerous media reporting on the matter. They pointed out that vegetables supplied to Hong Kong coming from improper sources had risen from an

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average of some 50 tonnes a day in the past to some 500 tonnes a day recently. This had not only put public health at risk, and had also undermined the interests of bona fide vegetable traders. They also urged the Administration to refrain from smearing the trade by implying that the motive behind the trade for bringing out the aforesaid problem in protest was to make it mandatory for all vegetables imported from the Mainland to be distributed through wholesalers in the wholesale markets on the grounds of enhancing food safety.

3. Representatives from Hong Kong Food Council and Hong Kong Federation of Restaurants & Related Trades urged the Administration to strengthen its collaboration with the Mainland authorities concerned and enhance co-operation between the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department and the Customs and Excise Department (C&ED) to ensure that Mainland vegetables supplied to Hong Kong were fit for human consumption.

The Administration's response

4. Under Secretary for Food and Health (USFH) said that -

- (a) the Administration accorded high priority to ensure food safety. Since 1 July 2002, vegetables supplied to Hong Kong must come from registered farms or registered collection stations in accordance with the requirements set out in the 《供港澳蔬菜檢驗檢疫管理辦法》(Administrative Measures on the Quarantine of the Vegetables Supplied to Hong Kong and Macao). Each consignment must also be accompanied with "供港澳蔬菜檢驗檢疫監管卡" (inspection card of vegetables supplied to Hong Kong and Macao) and "供港澳蔬菜農藥使用報告單"(certificate of pesticide usage for vegetables supplied to Hong Kong and Macao) and affixed with label with information on the source of the vegetables on the packaging (e.g. basket and carton);
- (b) the Mainland had further stepped up control measures on vegetables supplied to Hong Kong in April 2007. These included the management of vegetable farms and collection stations which supplied vegetables to Hong Kong, labelling requirements, supervision of the whole loading process, marking of vegetable consignments and sealing of the vegetable vehicles;
- (c) in view of the recent reports on the import into Hong Kong vegetables from non-registered farms bearing illegally obtained labels of vegetable sources and smuggling of chilled chickens and other foodstuffs into Hong Kong by mixing them with these vegetables, CFS had enhanced collaboration with C&ED to

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- conduct joint inspections on vegetable vehicles at the Man Kam To Control Point (MKTCP);
- (d) when inbound vegetable vehicles arrived at MKTCP, the vehicle drivers were required to hand over the “inspection card of vegetables supplied to Hong Kong and Macao”, the “certificate of pesticide usage for vegetables supplied to Hong Kong and Macao” and the import manifests to C&ED for checking before these vehicles were allowed to enter into Hong Kong. Thereafter, about 15% of the vehicles would be inspected by C&ED, and among which 70% would go through X-ray scanning examination, with the remaining 30% subject to examination by unpacking the consignments by CFS to check whether the vegetable consignment tallied with the accompanying documents, inspect vegetables and take samples for quick tests for pesticide residues and comprehensive chemical analysis;
- (e) apart from taking samples of vegetables supplied to Hong Kong for tests at the point of import, CFS also took samples of vegetables at wholesale and retail levels for tests under its routine food surveillance programme. The passing rate of test results of over 37 000 vegetable samples collected at import, wholesale and retail levels from 2007 till now was 99.9%. In fact, in more than a decade, food poisoning incidents caused by vegetables were rare. According to the Department of Health, no food poisoning caused by the consumption of vegetables had been reported since June 2005; and
- (f) imported vegetables could be distributed through direct sale or wholesalers, both were operated on commercial basis in a free market environment. Whether to distribute vegetables through wholesalers had nothing to do with the enhancement on protection of food safety. Under the free market policy, the distribution arrangement of imported vegetables after entering Hong Kong should depend on the supply and demand forces of the market.

Discussion

5. Dr Priscilla LEUNG expressed concern that in his replies to an oral question on "Smuggling of food into Hong Kong" raised by Hon LEUNG Yiu-chung at the Council meeting on 7 January 2009, the Secretary for Food and Health (SFH) admitted that there was no guarantee that Mainland vegetables exported for Hong Kong were fit for human consumption even if the vegetables were accompanied with labels issued by the Mainland authorities.

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6. USFH responded that what SFH meant were labels affixed on the packages of the vegetables showing information on the source of the vegetables, and were not the accompanying documents referred to in paragraph 4(a) above. USFH further said that with the existing control measures taken at source and at import, wholesale and retail levels, the Administration believed that vegetables imported from the Mainland were fit for human consumption, unless some one deliberately set out to export vegetables from improper sources in the Mainland for Hong Kong.

7. Mr CHAN Hak-kan said that the risk of different food types might change, for instance, milk was considered low-risk food until the melamine incident. Hence, even though vegetables were not high-risk foods, the Administration should not be complacent just because the passing rate of test results of over 37 000 vegetable samples collected at import, wholesale and retail levels from 2007 till now was 99.9%. Mr CHAN urged CFS to increase the number of vegetable vehicles to be inspected and vegetable samples to be taken for testing. To prevent people from buying labels from registered vegetable farms to export vegetables from improper sources to Hong Kong, Mr CHAN suggested that registered vegetable farms found doing so should be banned from supplying vegetables to Hong Kong.

8. USFH responded that milk had never been regarded as low-risk food and import permit was required. At the request of Ms Starry LEE, USFH agreed to provide information on (a) the quantity of vegetables imported from the Mainland and the number of vegetable samples taken for testing in 2007 and 2008; and (b) the number of food samples taken for testing in Hong Kong and other overseas jurisdictions after the meeting.

(*Post-meeting note:* the Administration's response was issued to members on 19 February 2009 vide LC paper no. CB(2)924/08-09(01)).

9. Mr WONG Yuk-man said that the Administration's responses so far could not allay the trade's concern. Mr WONG urged the Administration to look squarely into the trade's concern, so as to come up with appropriate measures to combat the problem of people importing into Hong Kong vegetables from non-registered farms bearing illegally obtained labels of vegetable source. Ms Starry LEE also urged the Administration to continue to keep in contact with the trade with a view to tackling the problem of vegetable smuggling.

10. Mr WONG Kwok-hing and Ms Starry LEE asked the Administration whether it had relayed the claims made by the trade that some vegetables imported from the Mainland came from improper sources.

11. USFH responded that the Administration had brought the claims to the attention of the State General Administration of Quality Supervision, Inspection

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and Quarantine, the Guangdong Entry-Exit Inspection and Quarantine Bureau and the Shenzhen Entry-Exit Inspection and Quarantine Bureau for their follow-up actions in the latter half of 2008. The Mainland side had replied that after thorough investigation, there was no evidence to support any occurrence or existence of the problem. USFH further appealed to the trade to provide information so that appropriate follow-up actions could be taken.

12. Pointing to a detailed coverage of illegal dealings in the Nanshan Centre for processing and distribution of agricultural products to Hong Kong in Shenzhen by a local magazine tabled at the meeting, Mr Alan LEONG asked the Administration whether it had requested the Mainland side to give reasons why it considered the problem of people importing into Hong Kong vegetables from non-registered farms bearing illegally obtained labels of vegetable source was unfounded.

13. USFH responded that Hong Kong had to rely on the Mainland side to carry out investigation at their ends. The Administration would continue to strengthen liaison with the Mainland authorities to ensure the safety of vegetables supplied to Hong Kong. USFH reiterated that even all imported vegetables from the Mainland were accompanied with the relevant documents, CFS would still conduct random inspection to check whether the seals on the vehicles remained intact and whether the consignments tallied with the accompanying documents, inspect the vegetables and take samples for quick tests for pesticide residues and comprehensive chemical analysis.

14. Mr LEUNG Yiu-chung said that the Administration should not turn a blind eye to the problem of people obtaining labels of vegetable source illegally to export vegetables from unregistered farms in the Mainland to Hong Kong. If the Administration considered the media reporting on the problem unsubstantiated, it should intervene to avoid causing public panic.

15. USFH responded that the Administration would carefully study each and every allegation made by the trade or the media that some vegetables imported from the Mainland might come from improper sources and would also refer each of these allegations to the Mainland authorities for their follow-up actions.

16. Mr KAM Nai-wai asked whether SFH and/or USFH would resign upon the occurrence of a food poisoning case due to pesticides in vegetables. Mr KAM further asked for more details on the enhanced measures taken by CFS and C&ED to combat smuggling of vegetables into Hong Kong.

17. USFH responded that being appointed under the accountability system for principal officials, SFH would be responsible for policies under FHB's purview.

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18. As regards Mr KAM's second question, Controller, CFS said that CFS had stepped up cooperation with C&ED in conducting joint inspections on vegetable vehicles importing at MKTCP. Targeted inspections on vegetable vehicles at the import level and targeted surveillance at the wholesale and retail levels would also be conducted by CFS upon receipt of information provided by the trade or media. Regarding the samples with unsatisfactory results, CFS would take follow-up actions which included tracing the sources of the vegetables, putting on record the information of the farms concerned and informing the respective Entry-Exit Inspection and Quarantine Bureau for follow-up actions. For future vegetable consignments from the relevant farms, they would be detained for testing and would be released only when satisfactory results were obtained. Head of Land Boundary Command (Acting), C&ED also said that apart from stepping up joint inspections with CFS to combat smuggling of vegetables and other foodstuffs using the vegetable vehicles, the number of inspections to the vegetable vehicles conducted by C&ED alone had also increased. C&ED had also strengthened liaison with Wenjindu Customs to conduct parallel operations to tackle the problem.

19. The Chairman urged the Administration to thoroughly look into the claims made by the trade and media that some vegetables imported from the Mainland came from improper sources by using authentic labels of vegetable source, as the problem, if existed, would seriously undermine the existing control measures on imported vegetables from the Mainland.

20. USFH responded that no vegetables at MKTCP had so far been found to be problematic. USFH, however, pointed out that it could not be ruled out that there would be isolated occurrences of such illegal act. In the light of this, the Administration would continue to strengthen liaison with the Mainland authorities and step up inspection and surveillance works in Hong Kong.

21. Mr WONG Kwok-hing asked about the Administration's plan to expand the food inspection facilities adjacent to MKTCP, as the existing MKT Food Control Office was not suitable for inspection of modern large vegetable vehicles.

22. USFH responded that the Administration was actively planning to expand the food inspection facilities at MKTCP. Under the plan, an additional 23 inspection points, including 17 inspection platforms/bays and six vehicle holding areas, which could accommodate large trucks that were of 30 to 48 tonnes, would be built.

23. In response to the Chairman's enquiry on the interim measures to enable CFS to conduct inspections to large vegetable vehicles at MKTCP, Controller, CFS said that arrangements had been made with C&ED to allow CFS to conduct inspection to large vegetable vehicles at C&ED cargo examination platform.

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24. Mr CHAN Hak-kan asked whether consideration would be given to allowing vegetables supplied to Hong Kong by land to import via the future Liantang/Heung Yuen Wai Border Control Point. USFH responded that the Administration had no plan to do so, having regard to the fact that the customs and food inspections at MKT on the Mainland and Hong Kong sides were well developed.

25. In concluding the discussion, the Chairman said that Members were concerned over the problem of illegal trading of labels of vegetable source and urged the Administration to strengthen its communication with the relevant Mainland authorities to combat smuggling of food from improper sources to safeguard food safety in Hong Kong.

II. Any other business

Visit to MKTCP

26. Members agreed to conduct a visit to MKTCP to obtain a better understanding of the inspection of vegetable vehicles and taking of vegetable samples for testing. Members further agreed to invite non-Panel Members to join the visit.

27. There being no other business, the meeting ended at 6:35 pm.

Council Business Division 2
Legislative Council Secretariat
30 April 2009