

立法會
Legislative Council

Ref : CB2/PL/FE

LC Paper No. CB(2)1701/08-09
(These minutes have been seen
by the Administration)

Panel on Food Safety and Environmental Hygiene

**Minutes of special meeting
held on Friday, 3 April 2009, at 4:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Fred LI Wah-ming, JP (Chairman)
Hon WONG Yung-kan, SBS, JP (Deputy Chairman)
Hon TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Dr Hon LEUNG Ka-lau
- Members attending** : Hon Audrey EU Yuet-mee, SC, JP
Hon CHAN Hak-kan
Hon WONG Sing-chi
- Members absent** : Hon Andrew CHENG Kar-foo
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, MH
Dr Hon Joseph LEE Kok-long, JP
Hon WONG Yuk-man
- 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-ye, JP
Controller, Centre for Food Safety
Food and Environmental Hygiene Department

Mr LIU Kwei-kin
Assistant Director (Agriculture)
Agriculture, Fisheries and Conservation Department

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

**Attendance by
invitation** : Item I

Mr WONG Hon-ming

Hong Kong Imported Vegetable Wholesale Merchants Association

Mr YUEN Cheong
Chairman

五行副食品關注組

Mr HUI Hon-man
Convenor

Hong Kong Vegetable Union

Mr CHAN Lik-wai

Mr WONG Ching-keung
Vice Chairman

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

**Staff in
attendance** : Miss Karen LAI
Council Secretary (2) 2

Ms Sandy HAU
Legislative Assistant (2) 5

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- I. Further discussion on control on vegetables imported from the Mainland**
(LC Paper Nos. CB(2)1237/08-09(01) & (02))

The Chairman said that to find out whether the reports and claims from vegetable traders that some Mainland vegetables supplied to Hong Kong came

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from non-registered vegetable farm under the disguise of a proper label from a registered vegetable collection and processing plant were true, his assistant, Mr WONG Hon-ming, went to Shenzhen on 9 March 2009 to purchase vegetables from non-registered farms for export to Hong Kong. The Chairman further said that the investigation had nothing to do with safeguarding the trade's interest or sabotaging the Nanshan Centre for Processing and Distribution of Agricultural Products to Hong Kong (南山供港農產品加工配送中心) (the Nanshan Centre) in Shenzhen, but to find out whether the source management in the Mainland could ensure the safety of vegetables exported for Hong Kong.

Views of deputations

2. Mr WONG Hon-ming told the meeting, with the aid of a power point, that he had been to Shenzhen on 9 March 2009 with a vegetable trader from Hong Kong and purchased vegetables from non-registered vegetable farms. However, after a label issued by a collection and processing plant for export to Hong Kong had been attached to the consignment, the vegetables were allowed to be supplied to Hong Kong through the Nanshan Centre following the inspection and quarantine procedures.

3. Representatives from Hong Kong Imported Vegetable Wholesale Merchants Association, 五行副食品關注組 and Hong Kong Vegetable Union urged the Administration to take active steps to eradicate the import of vegetables from improper sources, which had not only undermined public health and had adversely affected the livelihood of vegetable traders. The Administration should not cast aside the problem just because the Mainland side replied that no such problem existed.

The Administration's response

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

- (a) the Administration had informed each and every report made by the trade or the media that some vegetables imported from the Mainland into Hong Kong came from improper sources to the State General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) and the Shenzhen Entry-Exit Inspection and Quarantine Bureau (SZCIQ) and had requested the Mainland authorities for their follow-up actions. The AQSIQ attached great importance to the matter and had instructed the relevant inspection and quarantine authorities to conduct investigation on these reports. During his visit to Beijing last week, the Secretary for Food and Health had again brought the matter to the attention of AQSIQ and requested for investigation. The Administration received a reply from the SZCIQ earlier today that it had commenced investigation

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on the recent reports and would inform the Hong Kong side of the findings once they became available;

- (b) the SZCIQ had set up an investigation team to follow up on the claims that some vegetables exported to Hong Kong came from improper sources. The SZCIQ had met with operators of the registered vegetable collection and processing plants to enlist their cooperation in its investigation and reminded them to adhere to 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). Any registered vegetable collection and processing plant found supplying vegetables from non-registered vegetable farms to Hong Kong would be strictly dealt with in accordance with the relevant rules and regulations in the Mainland. For instance, any registered vegetable collection and processing plant found supplying vegetables from non-registered vegetable farms to Hong Kong/Macau would not be issued the "供港澳蔬菜檢驗檢疫監管卡" (inspection card of vegetables supplied to Hong Kong and Macao) for 30 days. Repeated offenders might have their registration status as a collection and processing plant for export to Hong Kong cancelled. The SZCIQ had also appealed to people who had inside information to come forward to facilitate its investigation;
- (c) since late 2008, the Customs and Excise Department (C&ED) had increased the number of inspections to vehicles carrying vegetables and the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department had increased the taking of vegetable samples for pesticide residues at Man Kam To Control Point (MKTCP). In response to recent reports on possible food safety concerns involving vegetables imported from the Mainland which were not distributed through Government vegetable wholesale markets or the Vegetable Marketing Organisation, CFS and C&ED conducted a month-long joint operation at MKTCP in mid January 2009 in order to enhance the efficiency of inspecting vegetable vehicles, targeting in particular vehicles carrying vegetables for direct sale. All the vegetable samples tested for pesticide residues were also found to be satisfactory;
- (d) the Administration had all along been maintaining close liaison with the vegetable traders and had held seven meetings with them in the past two years to discuss suggestions on control of vegetables imported from the Mainland. The Administration was willing to meet with them again to discuss issues of their concern and try to help resolve their problems; and

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- (e) the Administration would not rule out the import of vegetables from improper sources, or the prevalence of the problem, subject to investigation by the Mainland authorities.

5. Controller, CFS briefed members on the administrative arrangements with the Mainland authorities on the export of Mainland vegetables to Hong Kong and the work of CFS in ensuring the safety of vegetables, details of which were set out in the power point presentation materials tabled at the meeting.

Discussion

6. Mr WONG Sing-chi expressed concern that despite repeated calls by the trade since December 2007 that the Administration should follow up with the Mainland authorities to eradicate the import of vegetables from improper sources into Hong Kong, the problem continued unabated. Mr Alan LEONG raised similar concern.

7. USFH reiterated that CFS had all along been maintaining close liaison with the Mainland authorities with regard to the control of vegetables supplied to Hong Kong through various means such as email, facsimile, telephone and meetings. It should, however, be pointed out that the Administration had to rely on the Mainland side to carry out investigation on the reports that some Mainland vegetables supplied to Hong Kong came from improper sources at their ends, as Hong Kong did not have the authority to carry out investigative work in the Mainland. Upon the completion of the investigation by the SZCIQ on the recent reports made in March 2009 on the import into Hong Kong vegetables from non-registered farms bearing illegally obtained labels of vegetables, the Administration would discuss with the SZCIQ on whether, and if so, how the existing control measures on safeguarding the safety of Mainland vegetables supplied to Hong Kong should be enhanced. The Administration would report to the Panel the improvement measure(s) to enhance the existing control measures on safeguarding the safety of Mainland vegetables supplied to Hong Kong, if any.

8. Mr WONG Yung-kan said that the Administration should strengthen its communication and cooperation with the Mainland authorities by discussing with the Mainland side on, say, allowing CFS to send staff to registered vegetable farms and registered vegetable collection and processing plants for inspection and organising site visits in the Mainland for CFS staff to familiarise them with the monitoring system on the supply of vegetables in the Mainland to Hong Kong. Mr TAM Yiu-chung expressed a similar view.

9. Mr Alan LEONG requested the Administration to provide an answer before the closing of the meeting as to whether the labels attached to the consignments of vegetables purchased by Mr WONG Hon-ming in Shenzhen on 9 March 2009 were issued by a registered vegetable collection and processing

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plant. After checking with CFS staff at the Man Kam To Food Control Office, Controller, CSF replied in the affirmative.

10. Mr WONG Sing-chi suggested closing down the Nanshan Centre. In response, USFH said that that it would be imprudent to do so in the absence of sufficient evidence.

11. Mr KAM Nai-wai suggested that Hong Kong should ban the import of vegetables from the Nanshan Centre. USFH responded that it would be difficult for the Administration to raise such a proposal with the Mainland authorities in the absence of sufficient evidence that the vegetables processed by the Nanshan Centre for export to Hong Kong came from improper sources. Controller, CFS supplemented that under Hong Kong's administrative arrangements with the AQSIQ, all vegetables from the Mainland could be imported to Hong Kong via MKTCP, so long as these vegetables were accompanied by the inspection cards and certificates of pesticide usage issued by the relevant Mainland entry-exit inspection and quarantine bureaux in respect of the vegetable consignments. However, vegetables failing the pesticide residues test at MKTCP would be detained and destroyed.

12. Mr KAM further suggested that vegetables supplied for Hong Kong be also accompanied by a certificate issued by CFS. In response, USFH said that this was not 100% foolproof if there were individuals bent on creating troubles. Mr KAM remarked that to prevent such, the Administration could send CFS staff to conduct unannounced visits to registered vegetable farms and registered vegetable collection and processing plants.

13. The Chairman suggested sending CFS staff to station at the Nanshan Centre as observers to better ensure that vegetables exported for Hong Kong came from registered vegetable farms. Controller, CFS advised that there were 15 registered vegetable collection and processing plants in Shenzhen, including the Nanshan Centre, albeit the Nanshan Centre accounted for some 70% of the vegetables exported via the processing plants in Shenzhen to Hong Kong. Controller, CFS further advised that, in addition to the 15 registered vegetable collection and processing plants in Shenzhen, there were over 200 such plants in the Mainland.

14. Mr WONG Yung-kan expressed reservation about the proposal that Mainland vegetables imported into Hong Kong must also be accompanied by a certificate issued by CFS. To better ensure food safety, Mr WONG suggested installing CCTV at selected registered vegetable collection and processing plants, such as the Nanshan Centre, for monitoring by the Hong Kong side and using Global Positioning System to track the routing of vegetable vehicles bound for Hong Kong. Mr Alan LEONG considered Mr WONG's suggestions worth pursuing by the Administration.

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15. Mr WONG Sing-chi requested the Administration to provide a timeframe in coming up with concrete measures to eradicate the import of vegetables from improper sources to Hong Kong. USFH responded that this was not possible, as the resolution of the problem hinged on the collaborative efforts from the Mainland authorities, the vegetable trade and the Administration. Mr KAM Nai-wai asked whether the Administration had raised with the Mainland authorities on the timeframe to eradicate the problem. USFH responded that the Administration had conveyed to the Mainland authorities of the need to expedite investigation on the reports that some vegetables exported for Hong Kong came from improper sources. As more evidence was needed to be gathered, it would not be possible nor reasonable to request the Mainland side to eradicate the problem, if any, within a certain time period.

Motion

16. Members noted the following motion proposed by Mr KAM Nai-wai and seconded by Mr Alan LEONG -

"本委員會強烈譴責食衛局沒有明確時間表及方案解決輸港蔬菜「假產地、真標籤」問題。"

(Translation)

"That this Panel strongly reprimands the Food and Health Bureau for failing to lay down a timetable and come up with measures to solve the problem of import of vegetables from improper sources into Hong Kong under the disguise of a proper label."

Conclusion

Admin

17. In closing, the Chairman requested the Administration to consider the suggestions made by members at the meeting and to revert to the Panel once the results of the investigation on the export of vegetables from improper sources to Hong Kong conducted by the Mainland authorities became available.

(Post-meeting note: The Administration has replied to the Panel on 11 May 2009 (LC Paper No. CB(2)1554/08-09(01)))

18. There being no other business, the meeting ended at 6:40 pm.