

立法會
Legislative Council

Ref : CB2/PL/FE

LC Paper No. CB(2)1697/09-10
(These minutes have been seen
by the Administration)

Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Tuesday, 11 May 2010, at 2:30 pm
in Conference Room A of the Legislative Council Building

- Members present** : Hon Fred LI Wah-ming, SBS, JP (Chairman)
Hon WONG Yung-kan, SBS, JP (Deputy Chairman)
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, MH
Dr Hon Joseph LEE Kok-long, SBS, JP
Hon KAM Nai-wai, MH
Dr Hon LEUNG Ka-lau
- Public Officers attending** : Items V and VI
- Prof Gabriel M LEUNG, JP
Under Secretary for Food and Health
- Item V only
- Mr Francis HO
Principal Assistant Secretary for Food and Health (Food) 2
- Dr LEUNG Siu-fai
Deputy Director of Agriculture, Fisheries and Conservation
- Dr SO Ping-man
Assistant Director (Fisheries)
Agriculture, Fisheries and Conservation Department
- Item VI only
- Mrs Angelina CHEUNG FUNG Wing-ping
Principal Assistant Secretary for Food and Health (Food) 1

Dr Philip HO Yuk-yin
Consultant (Community Medicine)
(Risk Assessment and Communication)
Food and Environmental Hygiene Department

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

Staff in attendance : Miss Josephine SO
Senior Council Secretary (2) 1

Ms Maisie LAM
Senior Council Secretary (2) 6

Ms Camy YOONG
Clerical Assistant (2) 1

Action

I. Confirmation of minutes
(LC Paper No. CB(2)1468/09-10)

The minutes of the meeting held on 13 April 2010 were confirmed.

II. Information paper(s) issued since the last meeting
(LC Paper No. CB(2)1309/09-10(01))

2. Members did not raise any queries on the Administration's paper on further extension of public market rental freeze issued on 14 April 2010.

III. Matters arising

3. The Chairman asked the Administration about the progress made in response to members' requests raised at the special meeting held on 3 May 2010 about adding a preamble to recognise the historical background and social functions of public markets into the new public market tenancy agreement and excluding more common areas of markets from the amount of air-conditioning charges payable by stall tenants.

4. Under Secretary for Food and Health ("USFH") advised that the Administration had started reviewing whether the existing air-conditioning charging mechanism could be fine-tuned in response to members' suggestions. On the issue of adding a preamble to the new public market tenancy agreement,

Action

USFH advised that the Administration immediately sought the legal opinions of the Department of Justice on 4 May 2010 about adding a preamble to recognise the historical background and social functions of public markets into the new public market tenancy agreement. USFH said that more time was needed to study the legal viability of doing so, as no similar arrangements had ever been adopted in the contracts which the Government entered with the other parties.

Admin

5. The Chairman urged the Administration to expedite the inclusion of the preamble into the new public market tenancy agreement for signing by stall tenants whose tenancies were due to expire on 30 June 2010. USFH responded that the Administration would strive to do so. It should however be pointed out that the Administration only came to know of such a request at the special meeting of the Panel on 3 May 2010. At the request of the Chairman, USFH agreed to provide a paper on the Administration's response on the matter before the next regular meeting of the Panel on 8 June 2010.

IV. Items for discussion at the next meeting

(LC Paper Nos. CB(2)1472/09-10(01) and (02) and CB(2)1398/09-10(01))

6. Members agreed to discuss the following items at the next regular meeting scheduled for 8 June 2010 at 2:30 pm -

- (a) Poultry slaughtering centre; and
- (b) Issues related to Food Safety and Fisheries under the Framework Agreement on Hong Kong/Guangdong Co-operation.

7. Members noted that the Administration planned to revert to members progress of columbarium development before the regular meeting scheduled for 13 July 2010.

V. Report of the Committee on Sustainable Fisheries

(LC Paper Nos. CB(2)1472/09-10(03) to (04), CB(2)1535/09-10(01) and CB(2)1536/09-10(01))

8. Assistant Director of Agriculture, Fisheries and Conservation (Fisheries) conducted a powerpoint presentation on the Report of the Committee on Sustainable Fisheries ("the Report") (Annex to LC Paper No. CB(2) 1472/09-10(03)) which had just been submitted to the Government, details of which were set out in the powerpoint materials ((LC Paper No. CB(2)1536/09-10(01)) tabled at the meeting.

9. USFH said that the Government was studying the Report and its recommendations in detail. The Government had already actively taken forward certain proposals which were worthy of support and which could be

Action

implemented immediately. For example, the Agriculture, Fisheries and Conservation Department ("AFCD") would provide training programmes for fishermen during the fishing moratorium this year and introduce a pilot hatchery scheme. The Government would conduct further studies on individual proposed measures to evaluate whether the recommendations should be supported and were feasible, implications for stakeholders and requisite resources. The fishing trade and relevant stakeholders would be consulted if necessary.

10. Members noted the submission from the World Wide Fund for Hong Kong (LC Paper No. CB(2)1535/09-10(01)) tabled at the meeting.

11. Mr WONG Kwok-hing expressed dissatisfaction about the long time taken for the Committee on Sustainable Fisheries ("the Committee"), which was established in late 2006, to come up with recommendations for promoting the sustainable development of fisheries in Hong Kong. Mr WONG then asked -

- (a) what was the Government's timetable for implementing the recommendations of the Committee;
- (b) whether, and if so, how much resources would be provided by the Government to implement the recommendations of the Committee; and
- (c) what measures would be taken by the Administration to assist fishermen to maintain their livelihood and attract young people to join the fisheries industry.

12. USFH responded as follows -

- (a) it was not unreasonable for the Committee to take some three and a half years to come up with the Report. In mapping out the long term goals and directions for the sustainable development of Hong Kong fisheries and formulating the implementation strategy, the Committee needed time to carefully appraise the local and international trends in fisheries, fisheries resources and trade; the ecological sustainability and economic viability of the Hong Kong capture and aquaculture fisheries; and other relevant factors including financial implications and social impacts;
- (b) it was not possible to provide a concrete timetable for implementing the recommendations of the Committee at this stage, as the Government had just received the Report in April 2010. As mentioned earlier at the meeting, the Government had already actively taken forward certain proposals which were worthy of support and which could be implemented immediately. Active consideration was being given to individual proposals

Action

recommended by the Committee. Where necessary, funding support from the Finance Committee ("FC") of the Legislative Council would be sought; and

- (c) to assist fishermen to maintain their livelihood and attract young people to join the fisheries industry, active measures would continue to be taken by the Administration to protect, conserve and rehabilitate the marine ecosystem and fisheries resources and assist fishermen to develop or switch to modernised and sustainable practices, including aquaculture and recreational fisheries.

13. Mr WONG Yung-kan urged the Administration not to drag its feet in implementing the proposals of the Committee and seek funding support from FC where required. In particular, the Administration should step up efforts in reducing the adverse impact of the marine development projects (such as reclamation, sand dredging and mud dumping) on the marine environment and provide financial assistance, training and technical support to the affected fishermen. Suitable sites should be identified to assist fish farmers or their cooperative enterprises in developing local aquaculture and fish hatcheries.

14. Whilst welcoming the Report, Mr TAM Yiu-chung urged the Administration to strike a proper balance in protecting the marine ecosystem and fisheries resources on the one hand and safeguarding the livelihood of fishermen on the other in taking forward the proposals of the Committee. A case in point was the proposal to ban all trawlers (including pair trawlers, stern trawlers, shrimp trawlers and hang trawlers) from operation in local waters through amending the existing legislation, in order to step up the protection of fisheries resources in spawning and nursery grounds and reduce fishing effort in Hong Kong waters.

15. The Chairman said that the Democratic Party was in support of the proposals of the Committee to ban all trawlers from operation in Hong Kong waters and prohibit commercial fishing in marine parks to control overfishing for the sustainable development of the fisheries industry, having regard to the fact that at present the catch and fishing effort of capture fisheries had far exceeded experts' estimates of the maximum sustainable yield and optimum fishing effort. To ban trawling in Hong Kong waters, the Administration should at the same time provide assistance to inshore trawler fishermen who were expected to be affected by this measure by assisting them to switch to other operations, such as recreational fisheries, or leave the industry through the introduction of a fishing vessel buyout scheme. To his understanding, about 550 of the some 1 200 trawlers in Hong Kong operated partly or wholly in Hong Kong waters.

16. Mr WONG Yung-kan was of the view that to promote the sustainable development of the local fisheries industry, focus should be made on assisting fisherman to develop or switch to modernised and sustainable practices, rather

Action

than introducing a fishing vessel buyout scheme to lure them to leave the industry. Mr WONG further said that the Administration should follow the practice of the Mainland authorities by providing fuel subsidy to Hong Kong fishermen fishing in the South China Sea.

17. USFH reiterated that the Government was actively studying the proposals of the Committee to evaluate whether they should be supported and were feasible, their implications for stakeholders and requisite resources. It was the Administration's intention to consult the Panel before taking forward any proposal of the Committee which had funding implication and/or impact on stakeholders.

18. The Chairman said that the Government should at least expedite the proposal of the Committee to enact legislation to prohibit fishing by non-local vessels in Hong Kong waters.

19. Mr Tommy CHEUNG concurred with Mr WONG Yung-kan that buying out vessels from fishermen was not the best way to promote sustainable development of the fisheries industry. Mr CHEUNG then asked whether Mainland fishing vessels would be prohibited from fishing in Hong Kong waters should the law to prohibit fishing by non-local vessels in Hong Kong waters come into force.

20. Deputy Director of Agriculture, Fisheries and Conservation replied in the positive. Under the existing laws, Hong Kong could refuse entry of non-local vessels into Hong Kong waters if these vessels did not obtain the requisite permission. Similarly, Hong Kong fishing vessels were required to possess the necessary permit/certificate for fishing in Mainland waters.

21. In closing, the Chairman said that the Panel would include the progress of the implementation of the recommendations of the Committee in the list of outstanding items for discussion by the Panel.

VI. Total Diet Study

(LC Paper No. CB(2)1472/09-10(05))

22. USFH briefed members on the progress of the first Total Diet Study ("TDS") in Hong Kong conducted by the Centre for Food Safety ("CFS") of FEHD, details of which were set out in the Administration's paper. Consultant (Community Medicine) (Risk Assessment and Communication), FEHD then conducted a powerpoint presentation on the TDS.

23. Mr WONG Kwok-hing asked -

- (a) how would CFS use the findings of the TDS to safeguard public health; and

Action

- (b) whether CFS had any plan to conduct a study on assessing the health risks of the eating habits of the Hong Kong population, such as skipping breakfast and having late-night dinner.

24. USFH responded as follows -

- (a) TDS was internationally recognised as the most cost-effective way to estimate the dietary exposures to food chemicals or nutrients of various population groups and to assess their associated health risks. It provided the scientific basis for assessing food safety risks and regulating food supply, and also helped risk managers focus their resources on the food chemicals or nutrients that posed the greatest risks to public health. Various countries, such as the United Kingdom, the United States of America, Canada, Australia, New Zealand and Mainland China, had conducted their own TDS and were regularly updating the results;
- (b) foods commonly consumed were purchased, and prepared as they would normally be consumed, i.e. table-ready, in a manner consistent with cultural habits, and then analysed for a range of substances. The analytical results on the concentration of substances in food were combined with the food consumption data to obtain the dietary exposure. The dietary exposure estimated was then compared to the relevant safety reference values for the food chemical of concern or the nutritional reference values for the nutrient of concern;
- (c) the first TDS in Hong Kong aimed to estimate the dietary exposures of the Hong Kong population and various population sub-groups to a range of substances, including contaminants and nutrients. With accurate information on the population's total dietary exposure to toxic chemicals and nutrients, appropriate risk management actions could be formulated to protect public health; and
- (d) in 2004, FEHD commissioned the Chinese University of Hong Kong ("CUHK") to conduct the Hong Kong population-based Food Consumption Survey ("FCS") to obtain up-to-date food consumption information (e.g. the types and amounts of food consumed) among individuals in Hong Kong; to collect weight measurements among individuals in Hong Kong; to identify dishes consumed among individuals in Hong Kong; and to develop recipes for the dishes identified. Dietary practices, amongst others, were collected in the FCS. The FCS was a prerequisite for the conduct of a TDS.

Action

25. Mr WONG Yung-kan considered that the Administration should intensify its promotion efforts to raise the public awareness of the effects of their diets on their health, and make recommendations on how the agricultural and fisheries industries in Hong Kong could be developed to help people achieve a balanced diet.

26. Dr Joseph LEE expressed concern that findings of the TDS would become out-dated, having regard to the fact that the whole exercise would span 10 years from 2004 to 2014. Dr LEE further asked whether CFS would inform the public of the health risks of the dietary exposure to certain substances in a food item detected during the conduct of the TDS.

27. USFH and Consultant (Community Medicine) (Risk Assessment and Communication), FEHD responded as follows -

- (a) similar to many places overseas, it was CFS' plan to conduct TDS every five to 10 years to obtain up-to-date dietary exposure estimation of the Hong Kong population; and
- (b) CFS would alert the public of the health risks of the dietary exposures to certain substances in a food item detected during the conduct of the TDS in the first instance if the risks concerned were significant.

28. In response to Dr LEUNG Ka-lau's enquiry about the cost involved in conducting the TDS, USFH said that apart from the commissioning fees of \$4 million and \$1.4 million to CUHK to conduct the FCS from 2005 to 2007 and to carry out sampling and food preparation of the TDS from March 2010 to February 2011 respectively, no addition cost would be incurred by CFS for the TDS as laboratory analysis of the 600 composite food samples would be performed by the Food Research Laboratory of CFS or the Government Laboratory using existing resources.

VII. Proposal to undertake an overseas duty visit to study columbarium facilities and fisheries industry in Japan

(LC Paper No. CB(2)1472/09-10(06))

29. Members agreed to undertake an overseas duty visit to study columbarium facilities and fisheries industry in Japan in early September 2010. The Secretariat would proceed with the preparatory work and consult the Panel on further progress as appropriate.

30. There being no other business, the meeting ended at 4:30 pm.