

**For discussion  
on 16 October 2009**

**LegCo Panel on Food Safety and Environmental Hygiene**

**Policy Initiatives of  
Food and Health Bureau for 2010**

**Purpose**

This paper elaborates on the new initiatives set out in the 2010 Policy Agenda in relation to the work of this bureau on food safety and environmental hygiene, and gives an account of the implementation of the on-going initiatives in past Policy Agendas.

**2010 Policy Agenda**

***Quality City and Quality Life***

*Mission and Vision*

2. The Food and Health Bureau (FHB) is committed to formulating relevant policies to build a healthy society in Hong Kong. On the food safety and environmental hygiene fronts, we will continue to ensure food safety and provide a clean and hygienic environment to promote public health and raise the living standard of our citizens.

***New Initiatives***

(a) *Relax the statutory food room requirements for licensed restaurants and factory canteens through legislative amendments.*

3. To ensure that licensed restaurants and factory canteens have sufficient space for handling and preparing food to safeguard food safety and environmental hygiene, the Food Business Regulation (Cap132X) specifies the minimum food room area of these premises. Under the Regulation, “food room” refers to the space for handling of food or cleaning of equipment in a food premises, including the kitchen, other food preparation areas (such as a bar counter) and space used for cleansing of utensils. The existing area bands of licensed restaurants and factory canteens, as well as their corresponding minimum food room requirements, have been in place for a long time. Over the years, there have been significant changes in the operation of food business, and the food trade has also put forward suggestions for relaxing the ratio of food room area to floor area.

4. After reviewing the existing requirements in respect of food room area ratio for licensed restaurants and factory canteens in different area bands, we considered that the requirements can be reasonably relaxed without compromising food safety and environmental hygiene. We briefed the LegCo Panel on Food Safety and Environmental Hygiene (the Panel) on the relevant proposals in June 2009 and obtained its support. We are now working on the legislative amendments, which are expected to be tabled in the 2009-10 legislative session.

*(b) Follow up on the recommendations of the review on hawker licensing, including the issuing of fixed-pitch hawker licences after consultation with the relevant District Councils.*

5. Since the early 1970's, the Administration has stopped issuing new hawker licences under normal circumstances. Succession to and transfer of all types of hawker licences already issued are also subject to stringent restrictions. As the number of hawkers has dropped significantly in recent years, and there are views from the community to retain and revitalise the hawking trade because of its traditional characteristics, we have reviewed the existing hawker licensing policy and proposed to re-issue a certain number of Fixed Pitch Hawker Licences and Itinerant (Frozen Confectionery) Hawker Licences, as well as to relax the requirements for succession to and transfer of "Dai Pai Tong" licences. Besides, as District Councils (DCs) can effectively advise the Government on hawker issues in their districts having regard to the local situation and residents' aspirations, we have also proposed to strengthen the role of DCs in issues related to hawker licensing. Our proposals received support from the Panel at its meeting in April 2009.

6. We are currently following up on the implementation of various proposals of the hawker licensing policy review, including issuing new Itinerant (Frozen Confectionery) Hawker Licences and allowing fixed pitch hawkers in the front row to take up vacant fixed pitches in the back row. The Food and Environmental Hygiene Department (FEHD) has consulted the relevant DCs on the remaining vacant fixed pitches. If the DCs agree to the issuing of new hawker licences in respect of the vacant fixed pitches in their districts, the FEHD will allow anyone interested in the hawking trade to apply for hawker licences in an open and fair manner. Selection priority of pitches will be decided by balloting.

### ***Progress Report on Implementation of On-going Initiatives***

*(a) Introduce a Food Safety Bill to provide for new food safety control tools. The Bill will include a mandatory registration scheme for food importers and distributors, enhanced food traceability measures and tightened controls for imported food.*

7. We planned to introduce a Food Safety Bill into the LegCo in 2009-10. The proposed food safety regulatory tools include a mandatory registration scheme for food importers and distributors, requirement for food traders to maintain proper records on the movement of food to enhance traceability, tightened import control on food items, as well as empowerment of the Government to make orders to prohibit the import and supply of problem food and to order a recall of such food items.

8. In the wake of last year's melamine incident, there have been public calls for the Government to possess the power to prohibit the import and supply of problem food and to order a recall of the food concerned when there is the possibility of a threat to public health. The Public Health and Municipal Services (Amendment) Ordinance 2009 was therefore enacted in April this year in advance, empowering the Government to make orders to prohibit the import and supply of problem food and to order a recall of such food items.

9. We are pressing ahead with the preparatory work on the Food Safety Bill, dealing with the remaining proposals, i.e. a mandatory registration scheme for food importers and distributors and requirement for food traders to maintain proper records on the movement of food, etc. During the public consultation, we noted that different food trades have their specific needs and trade practices for ensuring food safety. We will listen to views from the trade so that the proposed control tools in the Food Safety Bill will take into account their trade practices. To assess the implications of the proposals on the trade, in particular SMEs, we have appointed a consultant to conduct a Business Impact Assessment of the Bill.

*(b) Introduce legislation to provide for a set of comprehensive and clear food safety standards for pesticide residues and veterinary drug residues in food that meet Hong Kong's needs.*

10. The FEHD conducted a consultation exercise on the proposed regulatory framework for pesticide residues in food in 2007-08 and is now further amending and refining the proposed regulatory framework, and setting up nearly 10 000 statutory maximum residue limits for different kinds of food connected with about 400 pesticides in the initial stage. The timetable for the next stages of work will be drawn up after the proposed regulatory framework has been revised. As for veterinary drug residues in food, we are working out a comprehensive and clear regulatory framework by making reference to the proposed regulatory framework of pesticide residues in food.

*(c) Continue the programme to convert all aqua privies into flushing toilets in phases by 2012-13.*

11. We have been implementing the programme to convert aqua privies by phases since 2005 and so far, the conversion of 147 aqua privies has been completed under the first four phases of works. The conversion of another 80 aqua privies under phase 5 is in progress and due for completion in mid 2010.

12. We have reviewed the works programme for about 290 remaining aqua privies. To expedite the conversion, we have decided to re-schedule the conversion works in two phases instead of three (phases 6, 7 and 8) as originally planned. In July 2009, the Finance Committee of the Legislative Council (LegCo) endorsed our proposal to upgrade the phase 6 project in respect of the conversion of 90 aqua privies to Category A, for completion in mid 2011. We will seek funding approval from the LegCo when details of the phase 7 project are available.

(d) *Tighten up the regulatory framework for poultry and animals for the purpose of enhancing public health and food safety.*

13. The Government has all along adopted a comprehensive preventive and surveillance programme to reduce the risk of avian influenza outbreaks in Hong Kong. The measures included tight biosecurity measures and vaccination at local farms, enhanced import control, market rest days, stringent hygiene requirements on wholesale and retail markets, etc. Following the detection of avian influenza virus in retail markets in June last year, the Government has promptly introduced the new measure of prohibition of overnight stocking of live poultry at retail level, so as to break the virus cycle and reduce the virus load in the environment. Since the implementation of the measure, retail outlets have been running smoothly and retailers have adapted to this operation mode.

14. Following the outbreak of avian influenza in a local chicken farm in December last year, the Government has set up two investigation groups responsible for conducting epidemiological study of avian influenza and vaccine study respectively. After careful investigation and study, the Investigation Group on Epidemiological Study suggested that the biosecurity measures in all chicken farms should be further strengthened, through tailor-made biosecurity plans, record keeping in standard templates, provision of hand washing facilities and scattered distribution of sentinels amongst vaccinated chickens. So far, most farms have enhanced their biosecurity measures. The Agriculture, Fisheries and Conservation Department will continue to facilitate the implementation of the recommendations of the report in local farms. With regard to the avian influenza vaccine tests, we have commissioned three reference laboratories recognised by the World Organisation for Animal Health or World Health Organization to conduct challenge studies and part of the studies is already underway. However, with the global outbreak of human swine influenza, some reference laboratories are not able to expedite the tests on avian influenza vaccines. It is expected that the various tests will be completed in turn before the middle of next year. Depending on the test

results, we will decide whether there is a need to replace the vaccine.

(e) *Develop a multi-pronged strategy to minimise the risk of avian influenza outbreaks, including the development of a poultry slaughtering centre.*

15. To reduce the risk of human infection of avian influenza in the long term, the Government has earlier on proposed to develop a poultry slaughtering and processing plant (PSPP) and ban the sale of live poultry at retail outlets when the PSPP comes into operation. Given the decreasing trend in the market share of live chickens, and the changes the entire live poultry trade has undergone after the voluntary surrender scheme launched by the Government in July last year, it is expected that the Poultry Slaughtering Centre will operate on a much reduced scale. We have commissioned a consultant to conduct a study to re-assess market interest in operating the slaughtering centre, review the risks of avian influenza after the implementation of the ban on overnight keeping of live chickens at the retail level, as well as balance the impact of the centre on the trade and the public. Upon completion of the viability study, the Government will consult the LegCo after examining the results. For other preparatory work, the relevant environmental impact assessment report has been endorsed recently, while the work on rezoning application and legislative amendments has also commenced.

(f) *Review the provision of cemeteries, columbaria and crematoria facilities and strive to provide more facilities to meet future demand.*

16. The Administration continues its work on providing more public columbarium and crematorium facilities. In February 2009, the LegCo Finance Committee approved the upgrading of the reprovisioning project of the Wo Hop Shek Crematorium to Category A, for completion by the end of 2011 or early 2012. Besides, we plan to seek funding approval from the LegCo at the end of this year for the reprovisioning of the Cape Collinson Crematorium in two phases, to be completed by the end of 2014. Upon completion of the projects, the total annual capacity of all public cremators could be increased from 38 000 sessions to 53 000 sessions.

17. The construction of some 3 370 niches in the Kwai Chung Columbarium and another 18 500 in the Diamond Hill Columbarium was completed in early 2009. In July 2009, the LegCo Finance Committee approved funding for the provision of columbarium and garden of remembrance facilities at Kiu Tau Road, Wo Hop Shek, for completion by the end of 2012. About 41 000 niches and a garden of remembrance will be provided.

18. The support of the LegCo, local residents and relevant DCs remains essential to the Government in the provision of public columbarium and crematorium facilities as well as the introduction of other public burial services.

With the support of the Panel and relevant DCs, the options of scattering cremated human ashes at sea and in gardens of remembrance have been gaining momentum. Since the new gardens of remembrance commenced operation and the procedures for scattering of cremated human ashes at sea were streamlined in 2007, we have handled 538 and 966 applications respectively. We will continue to promote these services to the public.

*(g) Formulate measures to streamline food business licensing, including the introduction of a composite licence/permit scheme to facilitate the operation of food business which manufacture and sell various types of ready-to-eat food items.*

19. To facilitate the diversified operation of the food business, we briefed the Panel in 2008 on the latest proposal to introduce a composite licence scheme for the manufacture / sale of various types of ready-to-eat food items. We are preparing the amendment regulation and plan to table it at the LegCo in 2009-10.

20. Separately, under the Government's "Be the Smart Regulator" Programme, the FEHD, in collaboration with the Efficiency Unit, Office of the Government Chief Information Officer, Liquor Licensing Board and relevant departments, is working on the development of a computer system for handling liquor licence applications. Since this April, tests have been conducted on the relevant system and electronic workflow, which are expected to be launched internally by the end of this year for handling various kinds of applications for liquor licences and club liquor licences, and opened to applicants in the first half of next year. Currently, liquor licence applicants have to submit their licence applications and the required documents in written form. While maintaining this application method, we will provide an additional channel of application with the liquor licence processing computer system which allows applicants to submit their applications and the relevant documents by electronic means through a dedicated website. We will explore the feasibility of other streamlining measures and consult the trade and the Panel at appropriate junctures.

*(h) Review proposals on the regulation of restricted dining places to safeguard public health.*

21. After the proposal for the regulation of restricted dining places was put forward, we have been closely monitoring and taking enforcement actions against such premises which operate without a licence. Illegal operation has now been reduced significantly. Many operators have already obtained licences or switched to lawful operation as a club. We will continue to closely monitor the situation and review the need for introducing measures to regulate restricted dining places based on actual circumstances.

- (i) *Promote sustainable development of the fisheries industry and conserve fisheries resources in Hong Kong waters including giving priority consideration to offering free training on sustainable fishing practices, and launching a pilot fish hatchery scheme.*

22. After detailed study and discussion, the Committee on Sustainable Fisheries has devised two major directions for promoting the sustainable development of the fisheries industry, i.e. assisting fishermen to develop or switch to modernised and sustainable modes of operation modes, and protecting, conserving and rehabilitating the marine ecosystem and fisheries resources. The Committee has also studied and discussed a number of proposals under these two major directions and is expected to submit a report to the Government by the end of the year.

23. The Government and the Committee have been actively exploring a wide range of measures to assist the sustainable development of the local fisheries industry. In the coming year, we will give priority to providing fishermen with free training courses on sustainable fishery operation modes and launching a pilot fish hatchery scheme on a larger scale, with a view to promoting the further development of the local aquaculture industry.

- (j) *Explore how to co-operate with the Mainland authorities on using latest information technology application to ensure effective tracing of food along the production chain and achieve better food safety management through control at source.*

24. The Food and Health Bureau and the FEHD are working in collaboration with the Mainland authorities on a pilot programme to apply Radio Frequency Identification (RFID) technology in tracing live pigs imported from the Guangdong Province. We will continue to explore the feasibility of applying RFID technology to live pigs imported from other provinces and other foods with the Mainland authorities.

**Food and Health Bureau  
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