

**For discussion
on 15 October 2010**

LegCo Panel on Food Safety and Environmental Hygiene

The 2010-11 Policy Address

**Policy Initiatives of
Food and Health Bureau for 2010-11**

Purpose

This paper elaborates on the new initiatives set out in the 2010-11 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.

2010-11 Policy Agenda

Quality City and Quality Life

Mission and Vision

2. The Food and Health Bureau (FHB) is committed to building a healthy society and accountable for formulating related policies under its ambit. 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) *Identify suitable sites for columbarium development across the territory and conduct technical feasibility studies of shortlisted sites to increase supply of columbarium facilities*

3. The FHB has launched a public consultation on review of columbarium policy on 6 July 2010 which lasted for about three months and just ended on 30 September. As columbaria are essential facilities for the community, all districts should collectively share the responsibility to develop columbarium facilities. In the consultation document, the Government has proposed the first batch of 12 potential sites in seven districts and most of the District Councils (DCs) have given in-principle support to developing columbarium facilities at these sites. The Government is conducting technical feasibility studies (such as traffic impact assessment and environmental impact assessment) for the relevant sites. Once a site is confirmed to be suitable for columbarium development, the relevant DC will be formally consulted again.

4. The Government will continue to identify other suitable sites for columbarium development across the territory actively and welcome suggestions on site selection from DCs and local communities. In the meantime, the Government will improve the outlook and layout of proposed columbaria through flexible design in order to ease the concern and anxiety of nearby residents. Construction of columbaria on a territory-wide basis is not a task that can be accomplished overnight. The Government will further its efforts in soliciting support from the DCs and local communities through continuous communication.

(b) *Consolidate the feedback received in the public consultation on review of columbarium policy and formulate appropriate measures to enhance regulation of private columbaria*

5. The public consultation document on review of columbarium policy has put forward concrete proposals on how to enhance regulation of private columbaria. The Administration considers that in the longer run, a licensing scheme should be introduced. However, introducing a licensing scheme through legislation is a complicated issue and is not a task that can be completed within a short period of time. A licensing scheme which is excessively stringent will impede the healthy development of the trade, reduce the overall supply of columbarium facilities and lengthen the waiting time for niches. On the other hand, a lax licensing scheme may not effectively curb the proliferation of unauthorised private columbaria. Striking the right balance between the two is by no means easy. Various sectors of the community also have different views towards the implementation details such as the scope and level of regulation. The Government must exercise prudence to ensure the appropriateness of the licensing scheme. We are consolidating and analysing over 500 submissions collected and will report back to this Panel on the consultation outcome in due course.

(c) *Implement the recommendation of the Committee on Sustainable Fisheries to ban trawling activities in Hong Kong waters through introducing the necessary legislation into the Legislative Council (LegCo) in the 2010-11 legislative session, with the aim of conserving and restoring marine resources*

6. Fish trawling will not only disturb the seabed but will also capture fingerlings that have no immediate commercial value, thereby seriously affecting the recovery ability and fisheries resources of the marine environment. In its report, the Committee on Sustainable Fisheries

recommended that the Administration should ban trawling activities in Hong Kong waters.

7. Therefore, in order to protect the valuable marine resources and ecological environment, the Government plans to ban fish trawling by notice in the Gazette within this legislative session and to seek funding approval from the LegCo for providing assistance to the trawler fishermen affected. We will introduce a one-off buyout scheme for eligible trawler fishermen to alleviate the impact of the relevant measure on their livelihood as appropriate. The scheme includes: (1) payment of an ex-gratia allowance (EGA) to owners of the trawlers affected by the above-mentioned measure (i.e. the ban on trawling activities in Hong Kong waters); (2) introducing a voluntary buyout scheme to purchase the trawlers from the owners affected; and (3) payment of a one-off grant to help local deckhands employed by owners of trawlers joining the buyout scheme. An applicant for the buyout scheme must as at 13 October 2010:

- (1) own a trawler and hold a valid certificate of ownership and operating licence of a Class III vessel issued by the Marine Department (MD) under the *Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation* in respect of the trawler, and at the time of application, is still the owner of the trawler; or
- (2) hold an approval-in-principle letter for construction of a Class III vessel issued by the MD and submit a document proving that the vessel under construction is a trawler, and at the time of application, is still the owner of the trawler.

The eligibility criteria for the one-off EGA are the same as the buyout scheme and the applicant is still the owner of the vessel at the time of EGA registration. As for the one-off grant, applicants must be a local deckhand and must, at the time of application, provide evidence proving that he/she has already been employed to work as at 13 October 2010 on the trawler

joining the above-mentioned buyout scheme. We will set up an inter-departmental working group to process the eligible applications based on the relevant criteria. We will also help the fishermen affected to switch to other sustainable fisheries including aquaculture and recreational fishing by providing training and technical support. Some of the vessels recovered under the voluntary buyout scheme will be used as artificial reefs after processing and put into Hong Kong waters in order to enhance the fisheries resources and improve the marine environment.

8. The measure to ban trawling activities in Hong Kong waters will formally take effect after the voluntary buyout scheme has largely been completed. We expect the measure to be implemented in late 2012 at the earliest.

9. The Committee on Sustainable Fisheries also suggested that the Government should implement other fisheries management measures, including capping the number of local fishing vessels, prohibiting non-local fishing vessels from operating in Hong Kong waters and designating fisheries protection areas. We will consult the trade and the LegCo on details of the fisheries management measures in due course. If all goes well, we plan to introduce an amendment bill within this legislative session in order to take forward the relevant measures.

Progress Report on Implementation of On-going Initiatives

(a) *Following through the scrutiny of the Food Safety Bill by the LegCo 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 power to make regulations for tightening control on imported food*

10. The Food Safety Bill (the Bill) was introduced into the LegCo on 2

June 2010 and a Bills Committee has been set up by the LegCo to scrutinise the Bill.

11. Members of the Bills Committee are generally in support of the Bill. With regard to the concern expressed by some fishermen about the practicability of the record-keeping requirement under the Bill, the Centre for Food Safety (CFS) conducted a pilot scheme from 29 July 2010 to 10 September 2010 for six-weeks. Major fishermen organisations were invited to nominate their members to join the exercise. 22 fishermen participated in the scheme, each having their own mode of operation and selling their catches through different channels.

12. The pilot scheme demonstrates effectively that the record-keeping requirement for fishermen under the Bill is practicable and does not involve much extra work. With guidance from the CFS staff, most fishermen were able to make use of their existing transaction records, such as invoices and receipts, to meet the new requirements. We will continue to provide guidance to fishermen and assist them in getting prepared. We will also render full assistance to the Bills Committee in the scrutiny of the Bill. It is hoped that the Bill will be passed as early as possible so that an effective food tracing mechanism can be established to enhance protection of food safety.

(b) Preparing 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

13. We are further refining the proposed regulatory framework for pesticide residues in food, and setting statutory maximum residue limits for different kinds of food involving about 400 pesticides. The Government Laboratory is also gearing up their testing capacity for the pesticides to be covered in the regulatory framework. As for veterinary drug residues in food, we are working out the details of the proposed regulatory framework

and drawing up the timetable for the next stages of work. We will consult the trade and members of the public on the proposed regulatory framework in due course.

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

14. We have been implementing the programme to convert aqua privies by phases since 2005 and so far, the conversion of 227 aqua privies has been completed under the first five phases of works. The conversion of another 90 aqua privies under phase 6 is in progress and due for completion in mid-2011.

15. Phase 7, which is also the final phase of the conversion programme, will convert some 145 aqua privies. We plan to seek funding approval from the LegCo in January 2011. The conversion works are tentatively scheduled to commence in the first quarter of 2011.

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

16. The Government has been adopting a comprehensive preventive and surveillance programme to reduce the risk of avian influenza outbreaks in Hong Kong. The measures include tight biosecurity measures and vaccination at local farms, enhanced import control, stringent hygiene requirements on wholesale and retail markets, prohibition of overnight stocking of live poultry at the retail level, etc.

17. Hong Kong has adopted preventive vaccination despite that we have no endemic H5 avian influenza infection in poultry. Since March 2003, the existing H5N2 vaccine has been used on local poultry in Hong Kong, and to date, there has been only one reported outbreak of H5N1

highly pathogenic avian influenza on a local farm (December 2008). The existing H5N2 vaccine is still largely effective in protecting local poultry against H5N1 highly pathogenic avian influenza virus infection, while another H5N1 (Re-5) vaccine developed by the Mainland also provides effective protection to poultry imported from the Mainland against H5N1 highly pathogenic avian influenza virus infection. The Agriculture, Fisheries and Conservation Department (AFCD) intends to conduct a voluntary field trial programme at local farms using the H5N1 vaccine to further confirm its suitability for use in the territory. We will report the situation to this Panel in due course.

(e) *Implementing a multi-pronged strategy to minimise the risk of avian influenza outbreaks*

18. 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 centre. In June this year, the Government decided to shelve the development of a poultry slaughtering centre at this stage, mainly because the latest scientific assessment confirmed that the prevailing risk of avian influenza in Hong Kong was very low. This is the outcome of the biosecurity measures and preventive and control measures against avian influenza implemented at the poultry farm, wholesale, retail and import levels over the years.

19. The Government will maintain its efforts in controlling the risk of avian influenza. The policy on banning the overnight stocking of live poultry at the retail level will remain unchanged. We will maintain the numbers and rearing capacity of local chicken farms, the number of live poultry retail outlets and the daily quantity of imported chickens. We will also strengthen our surveillance at the farm, wholesale, retail and import levels, and regularly review the risk of avian influenza to Hong Kong, with a view to ensuring that our policies are formulated in light of the prevailing

circumstances.

- (f) *Promoting sustainable development of the fisheries industry and conserving fisheries resources in Hong Kong waters including offering free training on sustainable fishing practices, and launching a pilot fish hatchery and nursery scheme*

20. As stated in paragraphs 6 to 9 above, we have been actively studying the recommendations of the Committee after receiving its report. We have already developed specific plans to ban trawling activities in Hong Kong waters and implement a series of fisheries management measures. In the coming year, we will continue to explore other measures and provide fishermen with free training courses on sustainable fisheries as well as to launch a pilot fish hatchery and nursery scheme on a larger scale, with a view to promoting the further development of the local aquaculture industry.

- (g) *Reviewing proposals on the regulation of restricted dining places to safeguard public health*

21. The Administration has 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.

(h) *Exploring 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*

22. The FHB and the Food and Environmental Hygiene Department (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. From 2006 until now, four stages of trial tests on hand-held readers have been conducted at the Man Kam To Animal Inspection Station and the Sheung Shui Slaughterhouse, involving over 30 000 batches of pigs (three out of the 40 live pigs in each batch were affixed with RFID ear tags). Apart from the hand-held readers, we have just launched the trial tests on passageway readers at the Sheung Shui Slaughterhouse in September this year. We will evaluate the overall effectiveness of the trial programme in due course.

(i) *Reviewing the provision of cemeteries, columbaria and crematoria facilities and striving to provide more facilities to meet future demand*

23. The Administration continues its work on providing more public columbarium and crematorium facilities. The reprovisioning of the Wo Hop Shek Crematorium has proceeded as scheduled for completion at the end of 2011 or early 2012. Besides, in December 2009, the LegCo Finance Committee approved the upgrading of the reprovisioning project of the Cape Collinson Crematorium to Category A for completion at the end of 2014. Upon completion of the projects, the total annual capacity of all public cremators will be increased from 38 000 sessions to 53 000 sessions. This will sufficiently meet the cremation demand up to the early 2020s.

24. For increasing the supply of public columbarium facilities, the LegCo Finance Committee approved in July 2009 funding for the provision of public columbarium and garden of remembrance facilities at Kiu Tau Road, Wo Hop Shek, for completion in July 2012. By that time, about 41 000 niches and a garden of remembrance will be provided. Besides, the Government will continue to adopt all feasible measures to increase the supply of columbarium facilities as mentioned above.

25. 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 in gardens of remembrance and in designated Hong Kong waters 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 about 1 900 and 1 300 applications respectively. Before that, there were only 339 and 44 applications respectively. The FEHD has launched a pilot scheme on the provision of free ferry services every Saturday starting from January 2010 to facilitate the public to scatter cremains at sea. So far, over 500 families have applied for use of such services. In addition, the FEHD launched an internet memorial service in the second quarter of 2010. Since its operation, over 3 000 web pages have been created in remembrance of the deceased on the “Memorial” website. We will continue to promote these services to the public, and encourage more innovative and sustainable means of handling cremains and paying tribute to the deceased.

(j) *Following up on the recommendations of the review on hawker licensing, including the issuing of fixed-pitch hawker licences after consultation with the relevant DCs*

26. The Administration has earlier reviewed the hawker licensing policy and proposed to allow fixed pitch hawkers in the front row to take up vacant pitches in the back row, 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 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. We have been following up on the implementation of these proposals after support was received from the Panel at its meeting in April 2009.

27. The work regarding the taking up of vacant pitches in the back row by fixed pitch hawkers in the front row was completed in August 2009. A total of 648 back-row pitches have been merged with front-row pitches. As for the remaining vacant fixed pitches, the FEHD has consulted the relevant DCs and received their support to allocate 218 vacant pitches to eligible persons. As at September 2010, the FEHD has issued 213 new fixed pitch licences. In regard to Itinerant (Frozen Confectionery) Hawker Licences, as at September 2010, the FEHD has issued 45 new licences and is actively processing the applications for the remaining 16 licences.

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