

立法會

Legislative Council

LC Paper No. CB(2)771/14-15

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Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Minutes of meeting

**held on Tuesday, 9 December 2014, at 2:00 pm
in Conference Room 1 of the Legislative Council Complex**

- Members present** :
- Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)
 - Hon Steven HO Chun-yin (Deputy Chairman)
 - Hon Vincent FANG Kang, SBS, JP
 - Hon WONG Kwok-hing, BBS, MH
 - Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
 - Hon Cyd HO Sau-lan, JP
 - Hon Starry LEE Wai-king, JP
 - Hon CHAN Hak-kan, JP
 - Hon WONG Kwok-kin, SBS
 - Hon Alan LEONG Kah-kit, SC
 - Hon Claudia MO
 - Hon Michael TIEN Puk-sun, BBS, JP
 - Hon CHAN Chi-chuen
 - Hon CHAN Han-pan, JP
 - Dr Hon Kenneth CHAN Ka-lok
 - Hon Alice MAK Mei-kuen, JP
 - Dr Hon KWOK Ka-ki
 - Dr Hon Helena WONG Pik-wan
 - Dr Hon CHIANG Lai-wan, JP
 - Hon Christopher CHUNG Shu-kun, BBS, MH, JP
- Members absent** :
- Dr Hon LEUNG Ka-lau
 - Hon CHEUNG Kwok-che
 - Hon WONG Yuk-man
 - Hon CHUNG Kwok-pan

**Public Officers : Item III
attending**

Professor Sophia CHAN Siu-chee, JP
Under Secretary for Food and Health

Mr Christopher WONG Kwok-bun, JP
Deputy Secretary for Food and Health (Food) 1

Dr Thomas SIT Hon-chung
Assistant Director (Inspection and Quarantine)
Agriculture, Fisheries and Conservation Department

Dr Esther TO Man-wai
Senior Veterinary Officer (Animal Management
(Operation) Division)
Agriculture, Fisheries and Conservation Department

Dr Patrick LAU Im-tung
Veterinary Officer / Cattle (Livestock) (Animal
Management (Operations) Division)
Agriculture, Fisheries and Conservation Department

Item IV

Professor Sophia CHAN Siu-chee, JP
Under Secretary for Food and Health

Mr Jeff LEUNG Wing-yan
Principal Assistant Secretary for Food and Health (Food) 1

Item V

Professor Sophia CHAN Siu-chee, JP
Under Secretary for Food and Health

Mr Jeff LEUNG Wing-yan
Principal Assistant Secretary for Food and Health (Food) 1

Mr CHAN Chi-chiu
Senior Crop Development Officer
Agriculture, Fisheries and Conservation Department

Dr LEE Siu-yuen, JP
Assistant Director (Food Surveillance and Control),
Centre for Food Safety
Food and Environmental Hygiene Department

Dr HO Yuk-yin, JP
Consultant (Community Medicine) (Risk Assessment
and Communication), Centre for Food Safety
Food and Environmental Hygiene Department

**Attendance
by invitation**

: Item III

Association for Tai O Environment and Development

Ms HO Pui-han
Chairman

Friends of Mui Wo Cattle

Ms HO Sze-man
Chairman

Lantau Buffalo Association

Ms HO Loy
Chairman

Sai Kung Cattle's Angel

Miss TAM Sze-wing
Chairperson

Individual

Ms Jean LEUNG Siu-wah

Groundwork Architecture + Urbanism Ltd.

Mr Manfred YUEN
Architect

Tai O Community Cattle Group

Ms Kathleen Marie Lee Daxon
Chairperson

Protection of Animals Lantau South

Ms Jacqueline Sandra Green
Founder/Administrator

Clerk in attendance : Ms Alice LEUNG
Chief Council Secretary (2) 2

Staff in attendance : Mr Jove CHAN
Senior Council Secretary (2) 2

Mr Richard WONG
Council Secretary (2) 2

Miss Emma CHEUNG
Legislative Assistant (2) 2

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I. Information paper(s) issued since the last meeting
(LC Paper Nos. CB(2)325/14-15(01), CB(2)378/14-15(01) and CB(2)408/14-15(01) & (02))

Members noted that the following papers had been issued since the last meeting -

- (a) Referral from the Subcommittee on Food and Drugs (Composition and Labelling) (Amendment) (No. 2) Regulation 2014 (Restricted to members only);
- (b) Administration's information paper on the promotion of the safe and proper use of pesticides;
- (c) Letter dated 24 November 2014 from Hon Claudia MO expressing concerns about the import and sale of products made with fur of dogs and cats in Hong Kong; and
- (d) Administration's response to the letter dated 24 November 2014 from Hon Claudia MO regarding the import and sale of products made with fur of dogs and cats in Hong Kong.

2. As regards the item referred to in paragraph 1(b) above, members raised no question to the Administration's information paper and agreed that the item "Promotion of the safe and proper use of pesticides" be removed from the list of outstanding items for discussion.

3. Referring to items (c) and (d) in paragraph 1 above, Ms Claudia MO held the view that the Panel should follow up the subject of import and sale of products made with fur of dogs and cats at a future meeting. She requested

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that the subject be included in the list of outstanding items for discussion. Members raised no objection.

Proposed duty visit to Guangdong Province

4. Dr Helena WONG said that in the session 2013-2014, the Panel agreed to conduct a duty visit to Guangdong Province to better understand and obtain first-hand information on the regulation and operation of registered farms which supplied live poultry, fish and vegetables to Hong Kong. In this regard, the Administration was requested to assist the Panel to liaise with the relevant Mainland authorities to make arrangements for the proposed duty visit to Guangdong Province. She enquired about the progress of the visit arrangement. Under Secretary for Food and Health ("USFH") advised that the Administration had already relayed the Panel's request to the relevant Mainland authorities and was still awaiting a response from them.

II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)384/14-15(01) and (02))

5. Members agreed to discuss the following items at the next regular meeting scheduled for Tuesday, 13 January 2015 at 2:30 pm -

- (a) Sustainable agricultural development; and
- (b) Public consultation on the proposed regulation of nutrition and health claims on formula products and prepackaged food for infants and young children under the age of 36 months in Hong Kong.

(Post-meeting note: Subsequent to the meeting, the Chairman decided to defer the discussion of item (b) above to the regular meeting in February 2015. Members were informed of the revised agenda vide LC Paper No. CB(2)604/14-15 on 9 January 2015.)

III. Strategy adopted by the Government in tackling the issue of stray cattle
(LC Paper Nos. CB(2)384/14-15(03) & (04), CB(2)1099/13-14(01) and CB(2)1217/13-14(01))

Presentation of views by deputations

6. The Chairman reminded the deputations/individual attending the meeting that they were not covered by the protection and immunity provided

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under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) when addressing the Panel. At the invitation of the Chairman, eight deputations/individual presented their views on the strategy adopted by the Government in tackling the issue of stray cattle. A summary of their views is in the **Appendix**.

Written submission from organizations not attending the meeting

7. Members also noted two written submissions respectively from ECO - Environment Conservation and Education Association and Sai Kung Buffalo Watch (LC Paper Nos. CB(2)384/14-15(09) and CB(2)422/14-15(02)).

The Administration's response to deputations' views

8. At the invitation of the Chairman, USFH made the following points in response to the deputations' views -

- (a) the Administration noted the initiatives of the deputations/individual, such as the proposed project of establishing an exhibition centre, education centre and medical centre, etc. on Lantau and location specific solutions such as cattle grid. The Agriculture, Fisheries and Conservation Department ("AFCD") would continue to communicate with the animal welfare groups on the implementation of measures for the management of stray cattle in Hong Kong;
- (b) AFCD would not capture cattle which dwelled in the remote rural areas and did not cause any disturbance to traffic nor nuisances to the residents in their vicinity;
- (c) the main nuisances associated with stray cattle in village town centres were their excrement, disturbance to the traffic and passers-by when they wandered on public roads. In the past, upon receipt of complaints of nuisances caused by stray cattle, AFCD would deploy officers to conduct on-site inspection for catching and removing the stray cattle concerned. To enhance the management of stray cattle, AFCD had adopted a multi-pronged approach to control and reduce the number of stray cattle so as to minimize the nuisances caused by them and the potential danger posed to road users and the cattle themselves;
- (d) as one of the cattle management measures, a trial "Capture-Sterilize-Relocate" ("CSR") programme was introduced in 2011 in Sai Kung and Lantau under which AFCD

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officers actively captured stray cattle that were frequently found wandering on roads and caused obstruction to traffic. The cattle would be sterilized and ear-tagged for identification purpose, and then relocated to a more remote location in the same district. AFCD officers would closely monitor the well-being of these cattle. The preliminary findings revealed that most of the relocated cattle were clinically healthy; and

- (e) according to the follow-up investigations by AFCD, most of the cattle under the "Capture-Sterilization-Translocation" ("CST") pilot scheme were dwelling in the areas hitherto anticipated and in good condition without major health problems. The CST pilot scheme had proved to be serving the purpose of easing the traffic congestion problem caused by stray cattle in the areas concerned.

Discussion

9. USFH briefed members on the strategy adopted by the Government in tackling the issue of stray cattle, details of which were set out in the Administration's paper (LC Paper No. CB(2)384/14-15(03)).

10. Members noted the background brief entitled "Management of stray cattle" (LC Paper No. CB(2)384/14-15(04)) prepared by the Legislative Council ("LegCo") Secretariat.

CSR programme and CST pilot scheme

11. Mr WONG Kwok-hing and Ms Starry LEE were concerned about whether the relevant District Councils ("DCs") and Rural Committees, the local communities and the animal welfare groups had been consulted before the implementation of the CST pilot scheme on Lantau and in Sai Kung. Mr WONG said that local residents were worried that the nuisances caused by stray cattle on Lantau would become more serious after stray cattle were translocated from Sai Kung to Lantau. Ms LEE said that while local residents worried about the nuisances brought about by the translocated cattle under the CST pilot scheme, some animal welfare groups complained that the environment and vegetation in the sites selected for the CST pilot scheme was unsuitable for grazing cattle. She urged the Administration to enhance the communication with stakeholders on the implementation of the CST pilot scheme and step up public education in this respect.

12. USFH, Assistant Director (Inspection and Quarantine)/AFCD ("AD(IQ)/AFCD") and Senior Veterinary Officer (Animal Management (Operation) Division)/AFCD ("SVO(AM(O))") made the following points -

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- (a) the Government had adopted a strategy whereby cattle in the vicinity of urban areas would be captured, sterilized and relocated farther away from town centres and public roads so as to control the population of stray cattle and reduce the nuisances that the cattle might cause to local residents and road users;
- (b) AFCD had endeavoured to enhance its communication with the local residents of the relevant districts and rural communities as well as the animal welfare groups on the CST pilot scheme. It had advised the residents and the animal welfare groups that the sites selected for the CST pilot scheme were areas that were existing stray cattle dwellings. It was observed that the number of traffic accidents involving stray cattle had dropped whereas the translocated cattle were mostly in good condition without major health problems. AFCD would maintain close communication with residents in the local districts and communities concerned. AFCD officers would also attend meetings of the relevant DCs and rural committees to enhance communication with stakeholders; and
- (c) AFCD had been conducting publicity and public education programmes in collaboration with local non-governmental organizations on how to behave when encountering cattle or buffalos. Pamphlets, posters and publicity materials were displayed on public transport in relevant districts to arouse public understanding of stray cattle in the community.

13. Mr WONG Kwok-hing noted that under the CSR programme and the CST pilot scheme, AFCD officers would capture and sterilize the stray cattle. He enquired about the progress of the sterilization of stray cattle. The Deputy Chairman and Dr CHIANG Lai-wan were concerned that the population of stray cattle on Lantau and in Sai Kung would diminish if AFCD continued to sterilize stray cattle in these districts. The Deputy Chairman sought information on the changes in the population of stray cattle in the past five years.

14. SVO(AM(O)) said that the number of stray cattle had increased from around 1 000 to some 1 200 between 2010 and 2014. Since the implementation of the CSR Programme in 2011 and up to October 2014, AFCD had sterilized a total of 282 cattle captured on Lantau and in Sai Kung. SVO(AM(O)) further advised that the effect of sterilization on the control of cattle population would be seen in around 10 years and the number of cattle was expected to become stable or smaller by that time. AFCD would continue to monitor the population of feral cattle and adjust the strategy as

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appropriate. She pointed out that many feral cattle were dwelling in remote and inaccessible rural areas which made it difficult for AFCD officers to catch and sterilize them. As such, sterilization alone would not reduce the size of the feral cattle population in Hong Kong.

15. In response to Dr CHIANG Lai-wan's further enquiry, USFH advised that there were 1 085 brown cattle and 105 buffaloes in Hong Kong. AFCD had put GPS collars on around 10 cattle, which were leaders of cattle herds, to facilitate tracking of their movements, the distances travelled, routes followed and areas inhabited.

16. Dr KWOK Ka-ki opined that the Administration had not taken serious efforts to tackle the issue of stray cattle. He said that some remote areas like country parks would be suitable habitat where stray cattle could find food and thrive. He wondered whether the Administration had estimated how much land would be required to conserve stray cattle. AD(IQ)/AFCD responded that it was difficult for the Administration to estimate the area of land required for grazing cattle as it would depend on whether the vegetation in a particular area was suitable and whether additional feed was available.

17. Expressing concern about the health condition of cattle translocated under the CST pilot scheme, Dr Helena WONG said that some cattle (including "Tag Number 3, Mui Wo Cattle girl") were found frail owing to inadequate grazing after translocation. She enquired about the grounds given by the consultant commissioned by the Administration for supporting the CST pilot scheme. The Deputy Chairman was concerned about whether the translocated cattle could adapt to the new environment.

18. USFH responded that there was a genuine need for AFCD to move the stray cattle from one district to another so as to prevent them from wandering in the urban areas or on roads as they tended to return to their original dwelling places or locations. SVO(AM(O)) advised that there was no sign that the cattle had problem in adapting to the new environment. She clarified that the cattle (including "Tag Number 3, Mui Wo Cattle girl") which were found to be in poor health condition were not those cattle translocated under the CST pilot scheme. AFCD had been monitoring the health condition of cattle under the CST pilot scheme, and the cattle were found in satisfactory condition.

19. Referring to the Administration's paper, Dr Helena WONG said that the stray cattle captured might be disposed of by way of sale to a farmer through auction, or rehoming to a suitable leisure farm. She had recently visited an ecological leisure farm in Tai Tong and noticed that cattle were used to drag trail carts to carry farm visitors for leisure. She was concerned

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whether this would be tantamount to animal abuses and asked whether the farm owner bought the cattle from AFCD.

20. AD(IQ)/AFCD advised that to his understanding, the cattle in that ecological leisure farm were not purchased from AFCD. He further said that AFCD veterinary officers regularly visited and inspected the ecological farms in Hong Kong and so far had not found any suspected case of animal abuse. He stressed that if there was evidence that the cattle were forced to perform tasks which caused them unnecessary suffering, AFCD would take appropriate enforcement actions to protect the welfare of the animals concerned.

Suggestions made by deputations

21. Members including the Deputy Chairman, Mr WONG Kwok-hing, Dr CHIANG Lai-wan and Ms Claudia MO supported the suggestion of developing cattle conservation centres on Lantau presented by Groundwork Architecture + Urbanism Ltd. Dr CHIANG urged the Administration to provide a timetable for the study of the proposed development. USFH responded that the Administration had taken note of the suggestion of setting up conservation centres for cattle. The feasibility of such proposal would depend on various factors, including whether an appropriate site could be identified.

22. The Deputy Chairman was concerned that there might no longer be a need to provide the proposed conservation centres if the number of stray cattle continued to reduce. Ms Claudia MO said that she supported the deputations' suggestion of developing open cowsheds. She enquired about the considerations (such as the availability of land and funds, etc.) that the Administration would take into account in deciding whether the suggestion would be taken forward. The Chairman asked whether the Administration would support the proposed development if it was established on a piece of private land.

23. USFH responded that the existing strategy adopted by the Government in tackling the issue of stray cattle had proved to be generally effective. AFCD would continue to engage stakeholders and take into account their views on matters relating to the management of stray cattle. AFCD would keep up their efforts on the catch and removal approach as well as the CSR programme, with emphasis on the sterilization of the cattle involved. The primary aim was to keep the stray cattle population under control and tackle the nuisances caused by stray cattle to the local residents and road users. USFH further said that the Administration did not have any plans for the time being to set up any cattle centres or open cowsheds. AFCD would continue

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to maintain communication with stakeholders to consider the suggestion further, with input from relevant government departments where appropriate. In considering the feasibility of the deputations' proposal, the Administration would need to take into account various factors, such as identification of appropriate site, the land use status of the site identified, construction cost of the project and the responsibility of ranchers etc.

24. Mr WONG Kwok-hing, Ms Claudia MO and Dr Helena WONG expressed support for the location specific solutions (e.g. fencing and cattle grid) to avoid cattle from wandering on public roads. Mr WONG enquired whether AFCD would consider applying these solutions to abate nuisances caused by stray cattle in different districts in Hong Kong. AD(IQ)/AFCD advised that when considering whether to put in place cattle grids in a district as a measure to tackle the problem of stray cattle, AFCD would need to take into account the impact on road safety. AFCD would give further thoughts to the suggestion in consultation with relevant government departments.

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25. Owing to time constraint, the Chairman requested the Administration to provide, after the meeting, information on AFCD's considerations in deciding whether or not fencing or cattle grids would be used to abate the nuisance caused by stray cattle to residents or road users in Sai Kung and on Lantau Island.

IV. Supply chain of powdered formula

(LC Paper Nos. CB(2)384/14-15(10) and (11))

26. At the invitation of the Chairman, USFH briefed members on the Administration's work in monitoring the supply and price levels of powdered formula, as well as efforts of the trade in improving the powdered formula supply chain, the details of which were set out in the Administration's paper (LC Paper No. CB(2)384/14-15(10)).

27. Members also noted the updated background brief entitled "Supply chain of powdered formula" prepared by LegCo Secretariat (LC Paper No. CB(2)384/14-15(11)).

Measures to enhance the supply chain of powdered formula

28. Dr Helena WONG noted that the results of surveys conducted by the consultancy firm commissioned by the Administration showed that two brands of powdered formula (i.e. Friso and Mead Johnson) were in serious shortages. She enquired about the specific measures that the Administration would implement to address the problem of supply chain failure in relation to

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the powdered formula of these two brands. Expressing similar concerns, Mr CHAN Chi-chuen asked about the causes for the shortage problem.

29. USFH responded the surveys on supply of powdered formula could shed light on whether parents of local infants and young children were able to purchase the powdered formula concerned on their first visits to the preferred retail outlets. The Administration noted from the results of the surveys that varying degrees of shortage of some popular products of the two brands were still observed at times. While the causes of shortage were not part of the survey, it was understood that there were various reasons why such shortage occurred, e.g. stock replenishment failing to catch up with demand, active parallel trading activities at certain districts etc. In light of the above, the Administration had urged the trade to improve on the supply chain of powdered formula to ensure sufficient and stable supply. USFH further advised that the Administration encouraged parents of local infants and young children to use the pre-order services provided by the powdered formula suppliers. Through separating local demand from non-local demand, pre-order services could act as a "dedicated supply chain" for local infants and young children. The Committee on Supply Chain of Powdered Formula ("the Committee") would continue to follow up on the work of improving the supply chain by the major powdered formula suppliers and to encourage them to actively promote their pre-order services.

30. Noting from the Administration's paper that the percentage of parents of local infants and young children who used pre-order services was quite low, Dr KWOK Ka-ki commented that the Administration had failed to encourage the usage of the pre-order services as well as the Coupon Scheme. It had also failed to maintain stable prices of powdered formula in the retail stores in different districts in Hong Kong. In his view, the Administration should comprehensively review its policy on improving the supply chain of powdered formula. Ms Cyd HO echoed Dr KWOK's view and asked about the measures that the Administration would take to promote the pre-order services.

31. Principal Assistant Secretary for Food and Health (Food) 1 ("PASFH(F)1") advised that the Administration had commissioned a consultancy firm to conduct two surveys to gauge the experience of local parents in purchasing powdered formula such as the purchase channels most frequently used and the reasons for their choices. The surveys also collected information on whether parents were currently using various pre-order services and their intention to use or increase the use of such services in the future. For respondents who had knowledge of pre-order services and who indicated that they would not increase the use of individual pre-order services or not consider doing so, the consultancy firm had also asked about the

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reasons. The Committee had discussed the results of the first survey and the trade's reports on the latest progress of their follow-up of the improvement measures to ensure efficient and stable supply of powdered formula. The trade had been advised to make targeted promotional efforts to parents in light of the findings of the surveys, and to devise a detailed strategy on how to promote pre-order services (including the Coupon Scheme) in future.

32. PASFH(F)1 further said that the supply of powdered formula at retail outlets had become more sufficient and stable after the implementation of the Import and Export (General) (Amendment) Regulation 2013 ("the Amendment Regulation"). The Administration believed that the Amendment Regulation had struck a balance among the supply, local demand and non-local demand for powdered formula, and the suppliers had adopted improvement measures for the powdered formula supply chain in response to the call from the Government.

33. Mr CHAN Han-pan said that public hospitals under the Hospital Authority ("HA") would provide powdered formula for newborn babies. As the shortages of the products of Friso and Mead Johnson were serious in the market, HA should stop purchasing and providing the products of these two brands to new born babies in public hospitals so that the babies would not get used to taking their powdered formula with a view to relieving the demand for these products. Concurring with the view of Mr CHAN, the Chairman sought information from the Administration on HA's procurement mechanism in respect of powdered formula.

34. USFH advised that at present, HA purchased different brands of powdered formula through open tender and provided them in turn (i.e. switching to a different brand once every several months) for babies in need in the public hospitals with obstetric services. HA had been monitoring the market supply of powdered formula and if the supply of certain brands was found inadequate for a long period of time, HA would stop purchasing the powdered formula concerned. She added that the supply situation of Friso products and Mead Johnson products was improving.

The Import and Export (General) (Amendment) Regulation 2013

35. The Chairman said that he had repeatedly pointed out that only powdered formula of Friso and Mead Johnson were in shortage and the shortage problem had occurred for many years. He was strongly of the view that the Amendment Regulation should only targeted at these two brands and not all the other brands of powdered formula which were not in shortage.

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36. Dr KWOK Ka-ki noted that while on the one hand, there had been a continued expansion in the volume of import, re-export and retained import of powdered formula since the Amendment Regulation came into effect, on the other hand the shortage problem of Friso products and Mead Johnson products remained serious. He criticized that the Amendment Regulation had in fact encouraged the consumption of powdered formula of these two brands.

37. Mr CHAN Chi-chuen noted that the Administration would take into account the progress on the improvement of powdered formula supply chain before deciding the Government's position in respect of the Amendment Regulation. He held the view that as powdered formula suppliers were unable to improve their supply chains shortly, the provisions introduced by the Amendment Regulation to regulate the export of powdered formula was unlikely to be repealed in the short future.

38. PASFH(F)1 responded that the Administration would continue to commission surveys on the supply and price levels of powdered formula at the local retail level, and on the experience of local consumers in purchasing powdered formula and their readiness and preference to use pre-order services. The Administration would also follow up on and monitor the work of improving the supply chain by suppliers through the Committee. The Administration would take into account the progress on the improvements of powdered formula supply chain before deciding on the Government's position in respect of the Amendment Regulation.

Regulation of health and nutrition claims on formula products

39. Ms Cyd HO and Dr KWOK Ka-ki held similar views that the shortage of Friso products and Mead Johnson products might be attributed to the misleading and exaggerated health claims made in the advertisements of some formula products. They urged the Administration to expeditiously regulate those unethical marketing practices of formula products such as false or misleading health claims and take a leading role to promote and support breastfeeding.

40. USFH responded that the Panel on Health Services had discussed with the Administration the consultation results of the Hong Kong Code of Marketing and Quality of Formula Milk and Related Products, and Food Products for Infants and Young Children in July 2014. To step up the regulation of nutrition and health claims on formula products and prepackaged food for infants and young children under the age of 36 months in Hong Kong, the Administration planned to consult the Panel on its legislative proposals in January 2015.

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41. Regarding the promotion of and support for breastfeeding, USFH advised that the Administration had set up the Committee on Promotion of Breastfeeding, which was chaired by her, to enhance the sustainability of breastfeeding and promote breastfeeding as a norm for baby care widely accepted by the general public. Its major tasks were to oversee and coordinate breastfeeding promotion and supporting activities in various fronts to ensure their effective, sustainable and coordinated implementation. One of these activities was the accreditation scheme on Baby Friendly Hospital ("BFH") in the eight public hospitals with maternity wards. The objective of the BFH accreditation scheme was to support more mothers to sustain breastfeeding through the provision of services and guidance. The Administration had also taken the lead to encourage the provision of baby care and breastfeeding facilities in workplace and public places, and the enhancement of public education on breastfeeding. The Administration would continue to advocate the promotion of breastfeeding in the private sector.

V. Implementation of the Pesticide Residues in Food Regulation (Cap. 132CM)

(LC Paper Nos. CB(2)384/14-15(12) and (13))

42. At the invitation of the Chairman, USFH briefed members on the Administration's paper which provided information on the implementation of the Pesticide Residues in Food Regulation (Cap. 132CM) ("the Regulation") since 1 August 2014 and the Administration's responses to the relevant questions raised by members at the special meetings on 3 and 25 September 2014 (LC Paper No. CB(2)384/14-15(12)).

43. Members noted the background brief entitled "Implementation of the Pesticide Residues in Food Regulation (Cap. 132CM)" prepared by LegCo Secretariat (LC Paper No. CB(2)384/14-15(13)). Members also noted the letter dated 8 December 2014 from Dr Helena WONG which was issued to members on the same day vide LC Paper No. CB(2)428/14-15(01). In her letter, Dr WONG requested the Administration to provide supplementary information on issues relating to the information on the implementation of the Regulation provided by the Administration in its paper.

Control at source and surveillance at the import level

44. Noting that the Mainland registered vegetable farms supplying vegetables to Hong Kong were informed beforehand of the inspections conducted by the Centre for Food Safety ("CFS"), Dr Helena WONG commented that CFS should conduct surprise inspections as a more effective

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measure to ensure the food safety at source. Ms Cyd HO also expressed similar view. Assistant Director (Food Surveillance and Control)/CFS ("AD(FSC)/CFS") advised that every year, CFS would first submit to the State General Administration of Quality Supervision, Inspection and Quarantine ("AQSIQ") an initial request for inspection of registered farms supplying vegetables to Hong Kong, and later confirm the list of registered farms to be inspected in consultation with the relevant local authorities on the Mainland having regard to the actual circumstances at the time. Under the existing practice, the relevant local authorities would inform the registered vegetable farms to be inspected of the visit schedule. The Administration noted members' suggestion and would explore with AQSIQ the feasibility of carrying out surprise inspections to the Mainland registered vegetable farms.

45. Dr Helena WONG noted from the Administration paper that CFS had taken around 4 000 vegetable samples at Man Kam To Boundary Control Point ("MKTBCP") for quick pesticide residue tests after the implementation of the Regulation and had also completed pesticide residue tests for about 4 600 food samples collected at the import, wholesale and retail levels. Of these 8 600 samples, 28 samples were found to be unsatisfactory. Dr WONG was gravely concerned that among these 28 samples, some samples were suspected to be originated from vegetable processing establishments not registered with the Mainland inspection and quarantine authorities. In her view, the unsatisfactory samples showed that the "from farm to table" strategy adopted by the Administration had failed to safeguard public health. Dr KWOK Ka-ki expressed similar concern and opined that the rapid tests at MKTBCP were conducted in a casual manner. He questioned whether the overall unsatisfactory rate of 0.4% could reflect the real situation.

46. The Chairman said that members were concerned about the three unsatisfactory samples of which the sources were not pursuable due to lack of information. He enquired whether the transaction records kept by relevant food traders had provided any information on the source(s) of the vegetables concerned.

47. AD(FSC)/CFS said that the Government was very concerned about the unsatisfactory samples which might be originated from vegetable processing establishments not registered with the Mainland inspection and quarantine authorities. The Administration had alerted AQSIQ and the relevant Mainland inspection and quarantine authorities of the problem and appealed for their prompt follow up actions including stepping up of interception actions at various control points. AD(FSC)/CFS further said that some Hong Kong food traders which had imported the vegetables concerned could only provide telephone numbers of their suppliers in the Mainland. During the investigation by AQSIQ, it was found that some of such telephone numbers

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did not belong to any registered vegetable processing establishments. She stressed that CFS would take appropriate enforcement actions if the Hong Kong food traders failed to keep proper transaction records as stipulated in the Food Safety Ordinance (Cap. 612).

48. Ms Cyd HO considered that the Administration should step up its promotional efforts to remind Hong Kong vegetable traders to procure vegetables from registered vegetables farms/vegetable processing establishments.

49. Dr Helena WONG remained concerned about the investigation work of the 28 unsatisfactory vegetable samples. She enquired about whether the investigation work was carried out by the Mainland authorities or CFS was also involved in it, and when the investigation would be completed. AD(FSC)/CFS responded that the investigation work was carried out by the relevant Mainland authorities and CFS had been following up with them. PASFH(F)1 added that on the part Hong Kong, the Administration had suspended the import of vegetables from the registered farms from which vegetable samples were confirmed containing pesticide residues which exceeded the legal limits.

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50. At the request of Dr Helena WONG, USFH agreed to provide (i) written response to the concerns and issues raised by Dr WONG in her letter dated 8 December 2014 as referred to in paragraph 43; and (ii) information on the investigation results (including the source farms/vegetable processing establishments) on the 28 unsatisfactory vegetable samples detected by CFS between 1 and 30 November 2014, in particular, the samples which were suspected to be originated from vegetable processing establishments not registered with the Mainland inspection and quarantine authorities.

(Post-meeting note: The Chinese and English versions of the Administration's response were issued to members vide LC Paper Nos. CB(2)668/14-15 and CB(2)758/14-15 on 16 and 30 January 2015 respectively.)

51. Regarding the inspections at MKTBGP, Dr KWOK Ka-ki was concerned whether CFS would only take samples of vegetables that could be easily accessible (e.g. near the door of the load compartment of the vegetable vehicle). He questioned the effectiveness of such inspections. Dr Helena WONG said that there were media reports that some vegetable vehicles did not stop at MKTBGP for inspections and sample testing. She was concerned about the effectiveness of the measures taken by CFS and the Customs and Excise Department ("C&ED") to combat the smuggling of vegetables from vegetable farms not registered with the Mainland inspection and quarantine authorities.

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52. AD(FSC)/CFS responded that after the implementation of the Regulation, the Administration had taken a series of actions against vegetables supplied to Hong Kong from vegetable processing establishments not registered with the Mainland inspection and quarantine authorities at MKTBCP. CFS had taken joint operations with C&ED and the Police to strengthen interception at MKTBCP. At the request of C&ED, drivers were required to take out all the goods from the load compartment of the vehicles for inspection. CFS officers would be able to take samples of vegetables kept at different areas of the load compartment. CFS would continue to conduct surprise checks jointly with C&ED and the Police to ensure the food safety of imported vegetables.

Administration's earlier proposal of removing three pesticides from Schedule 1 to the Regulation

53. Ms Cyd HO said that in early 2014, the Administration had proposed to remove three pesticides (namely, fosetyl aluminium, thidiazuron and triphenyltin hydroxide) from Schedule 1 to the Regulation. Ms HO and Dr KWOK Ka-ki expressed deep concerns that the Administration had accepted the proposal put forward by AQSIQ without provision of adequate justifications to the Panel. Ms HO asked whether the discussion between the Administration and AQSIQ on the proposal was held at a pre-arranged formal meeting with agenda and minutes and whether AQSIQ had provided any supporting documents.

54. PASFH(F)1 advised that when the Administration considered the pesticides to be regulated in Hong Kong, the standards for pesticide residues in food developed by the Codex Alimentarius Commission ("Codex") formed the backbone of the regulatory framework. The Administration would update the Schedules to the Regulation regularly, having regard to the latest international developments on application of pesticides, particularly changes to the Codex standards, and proposals received from the trade and the major food exporting countries to Hong Kong. The Director of Food and Environmental Hygiene would consider the proposals on a case-by-case basis, taking into account whether the limits concerned could pass the risk assessment scrutiny based on local food consumption pattern before deciding whether the Schedules should be amended. PASFH(F)1 stressed that the Administration had collected the views and proposals from relevant stakeholders through official channels. Regarding the proposal for removing the three pesticides from Schedule 1 to the Regulation, the Administration had discussed with AQSIQ on the proposal at a formal meeting held in Chengdu.

55. Ms Cyd HO sought further information on the Administration's mechanism for consulting AQSIQ on the Regulation. She requested the

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Administration to provide, after the meeting, supplementary information on (i) the details of the meeting (e.g. purpose and nature of the meeting, availability of records of the meeting, etc.) between the Administration and AQSIQ held in Chengdu; (ii) whether AQSIQ had provided any scientific justifications to support its views on removing the three pesticides concerned from Schedule 1 to the Regulation; and (iii) the Administration's rationale for accepting AQSIQ's views. USEH agreed to do so.

Admin

VI. Any other business

56. There being no other business, the meeting ended at 4:27 pm.

Council Business Division 2
Legislative Council Secretariat
4 February 2015

**Panel on Food Safety and Environmental Hygiene
Meeting on Tuesday, 9 December 2014, at 2:00 pm
in Conference Room 1 of the Legislative Council Complex**

Item III - "Strategy adopted by the Government in tackling the issue of stray cattle"

Summary of views and concerns expressed by deputations/individual

No.	Name of deputation / individual	Submission / Major views and concerns
1.	Association for Tai O Environment and Development	● LC Paper No. CB(2)384/14-15(05)
2.	Friends of Mui Wo Cattle	● LC Paper No. CB(2)400/14-15(01)
3.	Lantau Buffalo Association	● LC Paper No. CB(2)442/14-15(01)
4.	Sai Kung Cattle's Angel	● LC Paper Nos. CB(2)384/14-15(06) and CB(2)442/14-15(02)
5.	Ms Jean LEUNG Siu-wah	● LC Paper No. CB(2)384/14-15(07)
6.	Groundwork Architecture + Urbanism Ltd.	● LC Paper No. CB(2)384/14-15(08)
7.	Tai O Community Cattle Group	● LC Paper Nos. CB(2)422/14-15(01) and CB(2)442/14-15(03)
8.	Protection of Animals Lantau South	<ul style="list-style-type: none"> ● Expressed support for the "Capture-Sterilize-Relocate" Programme to control the population of feral cattle and to conserve the habitats for cattle herds; ● The Administration should allocate more resources to the Cattle Management Team of the Agriculture, Fisheries and Conservation Department so as to allow the team to take more proactive actions to take care of feral cattle; and ● The Transport Department was urged to implement measures to enhance road safety on Lantau with a view to avoiding feral cattle from being hit by speeding vehicles.