

Panel on Food Safety and Environmental Hygiene

List of follow-up actions
(position as at 6 October 2014)

Subject	Date of meeting	Follow-up action required	Administration's response
1. Enforcement actions under the Places of Public Entertainment Ordinance (Cap. 172)	21 June 2010 (special meeting)	The Administration was requested to provide - (a) the details of the legal advice sought from the Department of Justice regarding the applicability of the Places of Public Entertainment Ordinance (Cap. 172), including what the legal advice was, in what way and when the legal advice was provided, as well as the capacity of the public officer who provided the legal advice; (b) a chronology of events relating to the operations, including the course of actions taken on the date when the Food and Environmental Hygiene Department ("FEHD") learnt about the organizers' intention to display some exhibits at Times Square; (c) a copy of the undertaking that the Police requested the organizers to sign	Response from the Home Affairs Bureau awaited.

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		<p>for the returning of the exhibits; and</p> <p>(d) information on applications for Places of Public Entertainment Licence for the display of art items.</p>	
2. Regulation of pet trading	16 April 2013	<p>The Administration was requested to provide written response on -</p> <p>(a) whether the maximum number of Animal Breeder Licence Category A and Animal Breeder Licence Category B would be specified in the legislative proposal; and</p> <p>(b) whether the Administration would require hobby breeders to complete relevant training programmes before approving their applications for licences.</p>	<p>The issues concerned were addressed in the Administration's paper provided to the Panel for its meeting on 8 July 2014 (LC Paper No. CB(2)1955/13-14(01)).</p>
	8 July 2014	<p>As regards the proposed requirement of animal breeders to attend compulsory training, the Administration was requested to provide information about the training programmes, including such as the content of the programmes; and whether and how the breeders would be assessed after completion of such programmes.</p>	<p>Response from the Administration awaited.</p>

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3. Inspection on liquor-licensed premises	13 June 2013	The Administration was requested to provide information on the number of prosecutions that the number of persons on the liquor-licensed premises had exceeded the capacity limit.	The English and Chinese versions of the Administration's response were issued to members vide LC Paper Nos. CB(2)1475/13-14 and CB(2)2281/13-14 on 8 May and 11 September 2014 respectively.
4. Regulation of private columbaria	19 November 2013 (special meeting)	<p>The Administration was requested to provide -</p> <ul style="list-style-type: none"> (a) information about when the business impact assessment ("BIA") study on the regulation of private columbaria was commissioned and would be completed; (b) the BIA study report to the Panel once available; and (c) written response to the questions raised by deputations at the special meeting on - <ul style="list-style-type: none"> (i) whether the Administration would require all columbaria to comply with the users restrictions in land leases and the statutory town planning requirements before the 	The Administration's response was issued to members vide LC Paper No. CB(2)2228/13-14 on 22 August 2014.

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		<p>new ordinance came into operation;</p> <p>(ii) whether the Administration would consider the suggestion of shortening the proposed 18-month transitional period;</p> <p>(iii) whether and when the Administration would make public the BIA study report; and if so, whether it would contain information on the number of operators of private columbaria (including those not identified on the List published by the Development Bureau) and the number of niches they provided (with a breakdown of the numbers of niches sold and unsold);</p> <p>(iv) what were the criteria adopted by the consultant to divide the operators of private columbaria into three categories, namely large, medium and small- sized operators in the BIA study;</p>	

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		<p>(v) whether the Lands Department would take law enforcement action against the unauthorized occupation of Government land for columbarium use by the Gig Lok Monastery; and</p> <p>(vi) whether the Town Planning Board would consider adopting measures to tackle the delaying tactics of applicants.</p>	
5. Proposed measures for compliance with fire safety requirements by food premises	10 December 2013	The Administration undertook to provide the Panel with the guidelines for implementing the proposed measures for operators of food premises before implementation.	The requested information was provided in the Administration's information paper on the "Guidelines on New Measures for Compliance with Fire Safety Requirements by Food Premises" issued to members vide LC Paper No. CB(2)1714/13-14 on 5 June 2014.
6. Prevention and control of avian influenza	17 January 2014	The Administration was requested to provide - (a) supplementary information on the scientific basis and the methodology of	The Chinese version of the Administration's response was issued to members vide LC Paper No. CB(2)2315/13-14 on

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		<p>serological testing for H7 avian influenza; and</p> <p>(b) the information on prosecution against the smuggling of raw poultry meat.</p>	<p>23 September 2014.</p>
<p>7. Regulatory control on sale of chilled meat in fresh provision shops</p>	<p>11 February 2014</p>	<p>The Administration was requested to provide -</p> <p>(a) the numbers of regular and surprise inspections to fresh provision shops ("FPSs") by FEHD in 2012-2013 and 2013-2014, and the number of staff responsible for conducting the inspections;</p> <p>(b) the profile of pathogens (including bacteria) tested for food safety of chilled meat at FPSs; and</p> <p>(c) the number of verbal warnings and warning letters issued to FPSs by FEHD for improper storage or display for sale of chilled meat or poultry in the past three years.</p>	<p>The Administration's response was issued to members vide LC Paper No. CB(2)2061/13-14 on 16 July 2014.</p>

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8. Ex-gratia payments ("EGPs") to live poultry operators affected by the suspension of live poultry imports from the Mainland	19 February 2014 (special meeting)	The Administration was requested to provide supplementary information to the Finance Committee ("FC") on the Administration's responses to the issues raised at the special meeting.	The requested information was issued to members of FC vide LC Paper No. FC45/13-14 on 21 February 2014.
	10 June 2014	At the meeting on 10 June 2014, members noted that the Administration had provided an information paper on "Ex-gratia payments to live poultry operators affected by the suspension of live poultry imports from the Mainland" (LC Paper No. CB(2)1664/13-14(01)). The Administration was requested to provide a response to the view of Hon Vincent FANG raised at the meeting that EGPs should be provided to those live poultry retailers who did not solely sell live pigeons as they were also affected to some extent by the suspension of live poultry imports from the Mainland.	The Administration's response was issued to members vide LC Paper No. CB(2)2126/13-14 on 24 July 2014.
9. Food surveillance programme	11 March 2014	The Administration was requested to provide information on the maximum permitted concentrations for heavy metals and other harmful substances in food according to the respective standards adopted by the Codex Alimentarius Commission, the Europe Union,	Response from the Administration awaited.

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		the Mainland, the US and Hong Kong.	
10. Implementation of the Food Safety Ordinance (Cap. 612) ("FSO")	11 March 2014	<p>The Administration was requested to provide the following information -</p> <p>(a) after FSO came into operation, the number of inspections on food importers, distributors and retailers whose business involved selling perishable food items (e.g. fresh fish, oysters and sashimi etc.) and whether there had been any seizure of such food items; if yes, the details;</p> <p>(b) the number of prosecution cases taken out by the Customs and Excise Department ("C&ED") against persons bringing or importing food items without lodging the required import declaration in the past three years, with details on the food seized; and</p> <p>(c) in view of the increasing popularity of online purchase of food, the work (including inspections and follow-up actions) taken by the Centre for Food Safety ("CFS") in respect of the monitoring of food safety of food sold</p>	The Chinese and English versions of the Administration's response were issued to members vide LC Paper Nos. CB(2)1690/13-14 and CB(2)1759/13-14 on 4 and 10 June 2014 respectively.

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		online by food importers, distributors and retailers in the past three years.	
11. Pesticide Residues in Food Regulation (Cap. 132CM) ("the Regulation")	8 April 2014	<p>The Administration was requested to -</p> <ul style="list-style-type: none"> (a) for the three pesticides (i.e. Triphenyltin hydroxide, Fosetyl aluminium and Thidiazuron) proposed to be removed from the Schedule 1 to the Regulation, provide detailed information, in a table form, on (i) the residue definitions and the residue limits in Hong Kong, the Mainland and overseas jurisdictions (including the European Union, Australia and Japan, etc); and (ii) the limits adopted by CFS for its risk assessment; (b) provide information on the types of food products imported into Hong Kong which may contain residues of the three pesticides proposed to be removed from the Schedule 1 to the Regulation; (c) provide information on the types of food imported by Hong Kong that might be affected if the three pesticides stated in item (a) above were not 	The Administration's response was issued to members vide LC Paper No. CB(2)1536/13-14 on 15 May 2014.

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		<p>removed from the Schedule 1 to the Regulation;</p> <p>(d) advise whether there was an international consensus on the standards (in terms of the both residue limits and residue definitions) on the regulation of the pesticides listed in the Schedule 1 to the Regulation; if not, please provide the details for that and the reasons for including those pesticides in the Schedule 1; and</p> <p>(e) advise whether CFS would conduct risk assessment to determine whether the consumption of food concerned was dangerous or prejudicial to health if residues of pesticides on which there was no international consensus on the residue definitions were detected in food.</p>	
12. Liquor licensing regime	8 April 2014	The Administration was requested to provide a response in writing to the findings of the research study conducted by the Legislative Council Secretariat on "Liquor licensing system in selected places", in particular, issues relating to the composition and the functions	The English and Chinese versions of the Administration's response were issued to members vide LC Paper Nos. CB(2)2190/13-14 and CB(2)2242/13-14 on 15 August

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		of the Liquor Licensing Board, risk assessment of licence applications and the complaint handling mechanism.	and 1 September 2014 respectively.
13. Amendments to the Veterinary Surgeons Registration Ordinance (Cap. 529)	8 April 2014	<p>The Administration was requested to provide -</p> <p>(a) a detailed breakdown on the number of complaints involving veterinary surgeons received by the Veterinary Surgeons Board of Hong Kong ("the Board") between 1998 and 2013, the follow up actions taken by the Board on these complaint cases, the number of such complaint cases substantiated and the penalties imposed on the veterinary surgeons involved; and</p> <p>(b) general market information on consultation fees and charges of veterinary services.</p>	The Administration's response was issued to members vide LC Paper No. CB(2)2110/13-14 on 23 July 2014.
14. Implementation of the Nutrition Labelling Scheme	13 May 2014	<p>The Administration was requested to provide, before the Panel meeting scheduled for 10 June 2014, information on or response to the following -</p> <p>(a) a breakdown (by type of action) of the law</p>	The Administration's response was issued to members vide LC Paper No. CB(2)1755/13-14 on 9 June 2014.

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		<p>enforcement actions taken by the Administration against the 399 non-compliant cases found between 1 July 2010 and 4 April 2014;</p> <p>(b) in respect of the 198 non-compliant cases which were found by chemical analysis to have discrepancy between the nutrient contents and the claims made on the nutrition labels, whether and how many of them had been laboratory tested before traders affixed nutrition labels on the prepackaged food; and</p> <p>(c) as there was presently no specific legibility requirement in the Food and Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008 ("the Amendment Regulation"), whether and when the Administration would review the Amendment Regulation in this respect; and whether the Administration would introduce relevant legislative amendments to regulate the legibility of nutrition labels.</p>	

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<p>15. Regulatory control on outside seating accommodation ("OSA") of and unauthorized extension of business areas by restaurants</p>	<p>13 May 2014</p>	<p>The Administration was requested to provide -</p> <ul style="list-style-type: none"> (a) a breakdown (by type of business) of the 313 applications for OSA that were approved between 2002 and 2013 by FEHD to operate outside seating accommodation; (b) information on FEHD's special task force that was set up to pursue enhanced enforcement action since May 2013, including the districts currently covered by the task force and the timetable for setting up task force teams in other districts; and (c) information on follow-up actions undertaken by the Lands Department in response to recommendations made by The Ombudsman's Direct Investigation Report on Regulatory Measures and Enforcement Actions against Illegal Extension of Business Area by Restaurants. 	<p>The Administration's response was issued to members vide LC Paper No. CB(2)2114/13-14 on 23 July 2014.</p>

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16. Supply of live cattle in Hong Kong	10 June 2014	The Administration was requested to provide information, in a table form, on the wholesale / retail prices of fresh beef imported from the Mainland as well as frozen beef imported from other countries (including Australia, Brazil, Canada, the New Zealand and the US) in 2012, 2013 and 2014.	The English and Chinese versions of the Administration's response were issued to members vide LC Paper Nos. CB(2)2133/13-14 and CB(2)2161/13-14 on 28 and 31 July 2014 respectively.
17. Supply chain of powdered formula	10 June 2014	<p>The Administration was requested to provide detailed information on -</p> <p>(a) the enforcement actions taken by the Customs and Excise Department against the export of powdered formula without export licence or exemption since the Import and Export (General) (Amendment) Regulation 2013 came into operation on 1 March 2013, including (i) the total number of cases; (ii) the volume of powdered formula involved in each case; and (iii) a breakdown of the types of enforcement actions taken against these cases;</p> <p>(b) the implementation of the "Coupon Scheme", including (i) the number of local parents using the service; (ii) the</p>	The Administration's response was issued to members vide LC Paper No. CB(2)2377/13-14 on 3 October 2014.

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		<p>volume of powdered formula ordered through the service in each month since its implementation; and (iii) a breakdown of the number of participating pharmacies by the 18 districts; and</p> <p>(c) the implementation of suppliers' hotlines for pre-order services of powdered formula, including (i) the number of local parents using the service; and (ii) the number of orders placed through these hotlines and the total volume of powdered formula ordered in each month since its implementation.</p>	
<p>18. Fisheries Development Loan Fund - Proposed increase in the approved commitment of the loan capital</p>	<p>10 June 2014</p>	<p>The Administration was requested to provide information on loans approved by the Fisheries Development Loan Fund for carrying out projects that would reduce fuel consumption or the carbon footprint of the fishing operations (without increasing fishing effort) since April 2012, including (a) the number of relevant applications; (b) the number of fishing vessels involved; and (c) the amount of loans involved.</p>	<p>The English and Chinese versions of the Administration's response were issued to members vide LC Paper Nos. CB(2)2176/13-14 and CB(2)2184/13-14 on 5 and 12 August 2014 respectively.</p>

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19. Supply of public niches	8 July 2014	The Administration was requested to provide information on the current number of applicants on the waiting list for allocation of new public niches and the estimated number of applicants waiting for new public niches in 2031.	The Administration's response was issued to members vide LC Paper No. CB(2)2383/13-14 on 6 October 2014.
20. Supply of vegetables and food safety issues following the implementation of the Pesticide Residues in Food Regulation	3 September 2014 (special meeting)	<p>The Administration was requested to provide information on -</p> <p>(a) the arrangement between CFS and the Mainland authorities for inspection visits to registered farms/processing plants for supplying vegetables to Hong Kong, including (i) the criteria for selecting farms/processing plants for inspection visits; (ii) the communication mechanism with the relevant Mainland authorities in respect of the arrangement of inspection visits to registered farms/processing plants; and (iii) whether and what enhancements on the existing arrangement would be considered to exercise better control at source;</p> <p>(b) the enforcement actions taken by CFS and/or C&ED against smuggling of</p>	Response from the Administration awaited.

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		<p>vegetables from farms/processing plants in the Mainland which were not registered for supplying vegetables to Hong Kong, including (i) the number of cases detected over the past three years; (ii) the quantity of vegetables detected in each case; and (iii) the penalties imposed on these cases; and</p> <p>(c) the operation of the Pesticide Residues Laboratory managed by the Vegetable Market Organization at the Cheung Sha Wan Wholesale Vegetable Market, including (i) the number of samples taken and the type of tests carried out by the laboratory over the past 12 months; and (ii) the results of the tests (such as the number of samples not meeting local food safety standards and the food safety standard(s) involved).</p>	
	25 September 2014 (special meeting)	Regarding CFS's announcements on 28 August and 24 September 2014 respectively that excessive pesticide residues were found in vegetable samples, the Administration was requested to provide further information including -	Response from the Administration awaited.

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		<p>(a) the progress made by the Administration in tracing the source of origin of the problem vegetables; and</p> <p>(b) whether follow-up actions had been taken/would be taken against the source farm(s) supplying problem vegetables to Hong Kong; if so, the details (including whether the list of the source farm(s) supplying problem vegetables to Hong Kong had been/would be publicized).</p>	
<p>21. Follow-up measures on problem food products produced by Husi food factory in Shanghai</p>	<p>3 September 2014 (special meeting)</p>	<p>The Administration was requested to -</p> <p>(a) provide information on the time taken by each of the nine food chains (namely McDonald's Restaurants (Hong Kong) Limited, Pizza Hut, IKEA, Yoshinoya Hong Kong, Burger King, Starbucks, KFC, 7-Eleven and Subway) in responding to (i) CFS's enquiries about whether they had imported food from Husi plants in the Mainland; and/or (ii) CFS's requests for providing the required transaction records on food imported from Husi plants in the Mainland;</p>	<p>Response from the Administration awaited.</p>

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		<p>(b) provide a written response to concerns raised by some members at the informal briefing conducted by the Administration on 28 July 2014 for the update on problem food products produced by Husi Food Company Limited in the Mainland, including whether the Administration would consider (i) increasing the maximum penalties for failure to comply with the record keeping requirements as stipulated in FSO; (ii) specifying the time requirement for food traders to respond to CFS's requests for the required transaction records in case of food incident; and (iii) follow-up actions to be taken by the Administration in enhancing the regulation of cooked meat; and</p> <p>(c) provide the Panel with information on the results of the investigation into the Husi food factories by the Mainland authorities when the investigation report was made known to the Administration.</p>	

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22. Sub-standard lard incident and food safety issues	25 September 2014 (special meeting)	The Administration was requested to provide - (a) respective statistics on the quantities of used cooking oil imported to, re-exported and exported from Hong Kong in the past three years; and (b) the result of the Administration's inter-departmental investigation into the use of used cooking oil (particularly whether/how much used cooking oil had re-entered the food chain) once available.	Response from the Administration awaited.