

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1414/15-16

(These minutes have been seen  
by the Administration)

Ref : CB2/PL/FE

**Panel on Food Safety and Environmental Hygiene**

**Minutes of meeting**  
**held on Tuesday, 8 March 2016, at 2:30 pm**  
**in Conference Room 3 of the Legislative Council Complex**

**Members present** : Hon Tommy CHEUNG Yu-yan, GBS, JP (Chairman)  
Hon Steven HO Chun-yin, BBS (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 Alan LEONG Kah-kit, SC  
Hon Claudia MO  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon KWOK Wai-keung  
Dr Hon Helena WONG Pik-wan  
Dr Hon CHIANG Lai-wan, JP  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP  
Hon Alvin YEUNG Ngok-kiu

**Members absent** : Hon Starry LEE Wai-king, JP  
Hon CHAN Hak-kan, JP  
Dr Hon LEUNG Ka-lau  
Hon WONG Yuk-man  
Hon Michael TIEN Puk-sun, BBS, JP  
Dr Hon Kenneth CHAN Ka-lok  
Dr Hon KWOK Ka-ki  
Hon SIN Chung-kai, SBS, JP

**Public Officers : Item IV  
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

Ms Hinny LAM Shuk-ye  
Principal Assistant Secretary for Food and Health (Food) 3

Dr LIU Kwei-kin, JP  
Assistant Director (Agriculture)  
Agriculture, Fisheries and Conservation Department

Item V

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

Mr Kenneth CHAN Siu-yum  
Principal Assistant Secretary for Food and Health (Food) 1

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

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

Dr Christine WONG Wang  
Principal Medical Officer (Risk Management),  
Centre for Food Safety  
Food and Environmental Hygiene Department

Item VI

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

Mr Kenneth CHAN Siu-yum  
Principal Assistant Secretary for Food and Health (Food) 1

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

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

Dr Christine WONG Wang  
Principal Medical Officer (Risk Management),  
Centre for Food Safety  
Food and Environmental Hygiene Department

**Clerk in attendance** : Miss Josephine SO  
Chief Council Secretary (2) 2

**Staff in attendance** : Ms Wendy LO  
Senior Council Secretary (2) 2

Mr Roger CHUNG  
Council Secretary (2) 2

Ms Camy YOONG  
Clerical Assistant (2) 2

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Action

The Chairman informed members that Mr Alvin YEUNG Ngok-kiu had joined the Panel with effect from 4 March 2016. The Panel thus comprised 24 members.

- I. Confirmation of minutes**  
(LC Paper No. CB(2)995/15-16)
2. The minutes of the meeting held on 12 January 2016 were confirmed.

Action

**II. Information papers issued since the last meeting**

(LC Paper Nos. CB(2)833/15-16(01), CB(2)858/15-16(01), CB(2)940/15-16(01) and CB(2)998/15-16(01))

3. Members noted that the following papers had been issued since the last meeting:

- (a) letter dated 2 February 2016 from Prof Hon Joseph LEE concerning the anti-mosquito work carried out by the Administration to prevent an outbreak of Zika epidemic in Hong Kong;
- (b) letter dated 5 February 2016 from Hon Steven HO concerning a suspected food poisoning case in relation to the consumption of wild yellow boletus;
- (c) Administration's response to issues raised in Dr Hon Helena WONG's letter dated 19 January 2016 concerning the problems faced by hawkers affected by the resumption of the site of Yen Chow Street Hawker Bazaar; and
- (d) Administration's response to issues raised in Hon Steven HO's letter dated 5 February 2016 concerning a suspected food poisoning case in relation to the consumption of wild yellow boletus.

4. Referring to the Administration's response to her letter as stated in paragraph 3(c) above, Dr Helena WONG reiterated her concern about the heavy blow brought about to licensed and unlicensed cloth hawkers in Yen Chow Street Temporary Hawker Bazaar ("cloth bazaar") by the Government's plan to change the land use of the cloth bazaar site and to relocate the hawkers to the Tung Chau Street Temporary Market. She hoped that issues relating to the relocation of the cloth bazaar to the Tung Chau Street Market could be discussed at a future meeting of the Panel and when the item was scheduled for discussion, affected hawkers and relevant stakeholders should be invited to give views on the subject. The Chairman said that he would discuss with the Administration on whether and how the matter should be followed up by the Panel.

**III. Date of next meeting and items for discussion**

(LC Paper Nos. CB(2)997/15-16(01) and (02))

5. Members agreed to discuss the following items at the next regular

Action

meeting scheduled for Tuesday, 12 April 2016, at 2:30 pm:

- (a) Provision of columbarium at Wo Hop Shek Cemetery - Phase I;
- (b) Anti-mosquito Campaign 2016; and
- (c) Implementation of the Food Safety Ordinance.

**IV. Proposed establishment of the Sustainable Agricultural Development Fund**

(LC Paper Nos. CB(2)997/15-16(03) and (04))

6. At the invitation of the Chairman, Under Secretary for Food and Health ("USFH") briefed members on the Administration's proposal to set up a Sustainable Agricultural Development Fund ("SADF") of \$500 million to provide financial support for the modernization and sustainable development of the local agricultural industry, details of which were set out in the Administration's paper (LC Paper No. CB(2)997/15-16(03)). Members also noted the information note prepared by the Legislative Council ("LegCo") Secretariat (LC Paper No. CB(2)997/15-16(04)) on the subject.

7. As the item involved a funding proposal, the Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure, they should disclose the nature of any direct or indirect pecuniary interests before they spoke.

Scope of funding support under SADF

*Setting up the Farm Improvement Scheme ("FIS")*

8. The Deputy Chairman expressed support for the proposed establishment of an Agricultural Park ("Agri-Park") as a production base to help nurture agro-technology and agro-business management, as well as to facilitate knowledge transfer with a view to enhancing productivity. He also welcomed the Administration's proposal to commission a consultancy study to explore the feasibility and merits of identifying and designating "Agricultural Priority Areas" ("APAs") in order to incentivize their use for long-term agricultural purposes. He said that Members belonging to the Democratic Alliance for the Betterment and Progress of Hong Kong were supportive of the proposed establishment of FIS under SADF to provide direct grants to local farmers for acquisition of farming equipment and materials. Noting that the maximum grant that an applicant might receive would initially be capped at \$30,000, irrespective of the number of items

Action

sought, he asked whether the Administration would consider increasing the amount of grant to provide sufficient financial support to the farmers.

9. In response, Assistant Director (Agriculture), Agriculture, Fisheries and Conservation Department ("AD(A)/AFCD") explained that having regard to the relatively small size of farms in the territory (averaged at about 0.2 hectares or 3 "dau chung") and the prevailing market prices of equipment and materials commonly used by farmers (e.g. cultivator tiller and ridger attachment), the Administration proposed that the maximum grant that an applicant might receive be initially capped at \$30,000 under FIS. Notwithstanding this, funding applications for projects involving larger-scale equipment would be considered under SADF and each case would be evaluated having regard to its actual circumstances.

10. Referring to the application procedure under SADF, the Deputy Chairman expressed concern about the slow progress of the Administration in processing applications received under the Sustainable Fisheries Development Fund ("SFDF") which sought to promote the sustainable development of the fisheries industry. In his view, the Administration should learn from the experience in administrating SFDF and endeavour to complete the necessary formalities with all relevant parties and departments before awarding grants to applicants under SADF, so that the latter would not need to go through the cumbersome procedures again when they kicked start the projects upon receipt of the grants. At the request of the Deputy Chairman, Principal Assistant Secretary for Food and Health (Food) 3 ("PASFH(F)3") undertook to provide the Panel with information on the processing of applications received under SFDF including the time taken.

Admin

*(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(2)1149/15-16(01) on 23 March 2016.)*

11. The Chairman said that Members belonging to the Liberal Party all along supported the sustainable development of the local agricultural and fisheries industries. They supported the proposed establishment of SADF which aimed at facilitating the modernization, promotion and sustainable development of local agriculture.

#### *Facilitating rehabilitation of fallow agricultural land*

12. Mr WONG Kwok-hing said that Members belonging to the Hong Kong Federation of Trade Unions supported the implementation of the New Agriculture Policy ("NAP") and the proposed establishment of SADF. According to his understanding, as at mid-2013, there were some 3 700 hectares of fallow agricultural land in Hong Kong. He was concerned how

Action

the establishment of SADF would facilitate rehabilitation of fallow farmland. This apart, Mr WONG noted that some farmers and prospective farmers had difficulty in renting farmland. As at end-2014, 278 applicants were on the waiting list for allocation of agricultural land under the Agricultural Land Rehabilitation Scheme administered by AFCD and the average waiting time for successful matching was about five years. He hoped that measures could be taken to expedite the processing of applications for agricultural land rehabilitation under the Scheme.

13. USFH responded that to facilitate rehabilitation of fallow farmland, the Administration proposed to commission a consultancy study to explore the feasibility and merits of identifying and designating APAs in order to incentivize their use for long-term agricultural purposes. In addition to providing direct grants to local farmers for acquisition of farming equipment and materials, SADF would explore further measures to facilitate the rehabilitation of fallow farmland and encourage landowners to rent out their farmland for agricultural use. Funding would also be provided to non-governmental organizations ("NGOs") or farming organizations for implementing projects which aimed at facilitating landowners to release their farmland and promoting agricultural rehabilitation of fallow agricultural land.

14. On the question of why applicants had to wait for a long time before they were successfully matched with landowners under the Agricultural Land Rehabilitation Scheme, AD(A)/AFCD explained that agricultural land in Hong Kong was mainly held in private hands. While it was for the landowners to decide whether or not to rent out their land for agricultural use, AFCD observed that only a small number of them were willing to rent out their agricultural land. In view of the foregoing, the Administration considered it worthwhile to provide funding under SADF to NGOs or farming organizations for (a) leasing farmland en bloc from one or a number of landowners, and then sub-leasing to individual farmers on terms that were affordable to farmers; (b) supporting small farmers to rehabilitate fallow farmland through preparation and improvement of soils, and betterment of irrigation facilities, etc.; and (c) offering assistance to farmers for upgrading their farming skills and developing new farming techniques, etc.

15. Dr Helena WONG opined that ensuring a sufficient supply of agricultural land was pivotal to the sustainable development of local agriculture. She asked whether the Food and Health Bureau ("FHB") had worked jointly with other relevant government departments, such as the Lands Department, to devise effective measures to encourage landowners to put their farmland to productive use and to safeguard fallow farmland from being channelled to other uses. She suggested that the Administration might consider imposing punitive tax to discourage landowners from leaving their agricultural land idle for a prolonged period.

Action

16. USFH said that the Administration acknowledged the need to put the protection and preservation of agricultural land in Hong Kong on the agenda with high priority under NAP. Apart from setting up the Agri-Park and exploring the feasibility to designate APAs for long-term agricultural purposes, the Administration also proposed that projects that would improve and promote farm mechanization and automation, or other modernized practices that would benefit the whole agricultural industry might be supported under SADF.

*Development of new products and new farming practices*

17. Noting that SADF might provide funding support for taking forward projects that would help enhance the productivity of organic farms or promote brand-building of organic produce, Mr CHAN Chi-chuen suggested that as a further step to assist local farmers who engaged in organic farming, the Administration should consider the feasibility of introducing a sales platform for farmers to market their produce to consumers.

18. USFH said that AFCD had all along been implementing measures to promote organic farming in Hong Kong. AD(A)/AFCD supplemented that the Vegetable Marketing Organization ("VMO") had already developed a mobile application for consumers to purchase local organic produce directly. It had also connected social enterprises engaged in food-related businesses with local organic farmers, so that the former could source fresh local organic produce directly from farms. VMO was also exploring with NGOs the feasibility of setting up a member-based purchasing arrangement to help local farmers market their produce swiftly in times of surplus to these defined groups of customers. The suggestion of establishing farmers' markets in different districts and locations for organic farmers to market their produce directly to consumers was under study. In brief, AFCD would continue to work with the industry in promoting local agricultural produce.

19. Ms Cyd HO said that she supported in principle the proposed establishment of SADF. Noting that the local agricultural industry produced \$292 million worth of crop produce in 2015, representing an average yearly return generated by each farm at about \$120,000, she expressed concern about the meagre income that local farmers could earn. In her view, the Administration should, in strengthening the support provided to farmers, help them move up the value chain and attain optimal result in their agricultural activities. For instance, technical assistance should be provided to local farmers to help them convert to organic farming and other modern farming practices for higher return. Regarding the measures to be adopted for the promotion of organic farming, she asked whether the Administration would set any quantitative indicators for determining whether its policy objective



Action

was achieved. She suggested the Administration consider requiring farmers to increase their output of organic products as a condition of receiving the direct grants under FIS.

20. USFH responded that SADF was tailored to accommodate a wide range of projects, schemes or research work that would help farmers enhance their productivity and output. For example, the proposed provision of a maximum grant of \$30,000 under FIS for farmers to acquire farming equipment and materials would help them apply more mechanization and automation in their farming operations. This would go a long way towards helping farmers improve their farming efficiency and productivity.

*Promoting farming villages and leisure farming*

21. Dr CHIANG Lai-wan considered it a good idea to promote auxiliary activities related to agriculture, such as leisure farming and educational activities. In her view, consideration should be given to permitting leisure farms to provide catering as well as home-stay lodging services to visitors. The Administration should review the relevant legislation to facilitate the development of leisure farming and consider relaxing the constraints posed by the regulatory regimes with respect to planning, land use, catering, farm structures, accommodation, etc.

22. USFH responded that to take forward NAP, a package of supportive measures had been proposed including facilitating leisure farming ancillary to agricultural production. PASFH(F)3 advised that FHB would continue to review jointly with the relevant departments the scope of ancillary uses of agricultural land, with a view to facilitating the development of leisure farming. As mentioned in the Administration's paper, SADF might provide funding support to NGOs, farming organizations or agricultural associations for carrying out, in suitable farming villages, projects that aimed at promoting leisure farming as an ancillary activity to commercial crop producing farms. For instance, a project could be funded to help establish a new model of leisure farming operation through facilitating collaboration between farms and local villages. Farms engaged in crop production might open up and made their farms accessible to visitors who wished to personally experience farming work themselves, thus creating opportunities for the neighbouring villages to provide complementary services for these visitors in terms of say, catering or even lodging. This might help revitalize the rural economy and preserve the heritage of rural communities, in addition to facilitating agricultural rehabilitation. The Administration welcomed proposals from NGOs or farming organizations in this regard.

### Eligibility for funding support under SADF

23. Noting the eligibility and assessment criteria as set out in paragraph 28 of the Administration's paper, Mr CHAN Chi-chuen asked whether an individual/organization without any involvement nor connection with the agricultural industry in Hong Kong but planning to develop an electronic platform or mobile application for farmers to market their agricultural produce would be eligible to apply for SADF. USFH and AD(A)/AFCD replied in the affirmative as long as the projects would benefit the farming community on the whole and contribute to the sustainable development of local agriculture. For projects with commercial elements, they could be supported by SADF subject to the general rules and monitoring and control measures set out in Enclosure 2 to the Administration's paper.

### **V. Report on the Food Surveillance Programme for 2015** (LC Paper Nos. CB(2)997/15-16(05) and (06))

24. At the invitation of the Chairman, USFH briefed members on the Food Surveillance Programme ("FSP") of the Centre for Food Safety ("CFS") in 2015 and with the aid of power-point presentation, Principal Medical Officer (Risk Management), CFS reported on the major surveillance results for the period and the follow-up actions taken, as detailed in the Administration's paper (LC Paper No. CB(2)997/15-16(05)). Members also noted the background brief prepared by the LegCo Secretariat on the subject (LC Paper No. CB(2)997/15-16(06)).

*(Post-meeting note: The softcopy of the power-point presentation materials was issued to members vide LC Paper No. CB(2)1045/15-16(01) on 8 March 2016.)*

### Regulation of online food sale

25. Mr WONG Kwok-hing welcomed the Administration's imposition of additional licensing conditions with effect from 22 February 2016 for application of permits for online sale of restricted foods. In his view, the Administration should have earlier regulated online food selling activities, particularly those involving the sale of restricted foods such as sashimi, sushi and oysters to be eaten in raw state. He expressed dissatisfaction that the Administration had taken an unduly long time to tighten the food safety controls over online food selling activities.

26. Mr CHAN Chi-chuen said that according to his observation, the food business trade did not seem to have sufficient understanding of the additional

Action

licensing conditions associated with the permit for online sale of restricted foods. He considered it necessary for the Administration to step up publicity on the new requirements and consequences of contravening the requirements. He and Mr Alvin YEUNG sought information on the number of applications received since 22 February 2016 for permits to conduct online sale of restricted foods and the Food and Environmental Hygiene Department ("FEHD")'s progress of processing these applications. Mr YEUNG further enquired about the measures taken by the Administration to monitor online food selling activities through overseas websites, which were not subject to the laws of Hong Kong.

27. In response, USFH made the following points:

- (a) the existing legislation regulated food safety and food trade operations in different aspects, including food operations through electronic or other means;
- (b) section 54 of the Public Health and Municipal Services Ordinance (Cap. 132) stipulated that all food traders in Hong Kong had the responsibility to ensure that food sold by them was fit for human consumption, no matter whether the food was sold in traditional shops or online and whether it was locally produced or imported. Offenders would be subject to prosecution and a maximum fine of \$50,000 and imprisonment for six months;
- (c) to address public concern over the existing food safety controls over online food selling activities, FEHD had, since 22 February 2016, imposed the licensing conditions associated with the permit for online sale of restricted foods. So far, some 60 applications had been received, with two of them approved. FEHD would continue to process the remaining applications expeditiously; and
- (d) there were limitations to regulate online food selling activities conducted through overseas websites. That said, CFS regularly monitored the websites of overseas food safety agencies and the media reports on food safety issues to ensure that food on sale in Hong Kong complied with the legal requirements and was fit for human consumption. CFS took food samples at the import, wholesale and retail (including online retailers) levels and adopted a risk-based principle in determining the types of samples to be collected, the frequency and number of samples taken for testing, and the types of laboratory analysis to be

Action

conducted. The surveillance results were announced to enable consumers to make informed choices.

28. In response to Mr Alvin YEUNG's further enquiry about enforcement action taken against unlicensed food businesses selling food online, USFH reiterated that FEHD had been monitoring and would continue to strengthen the monitoring of online food selling activities. It conducted investigation and would take follow-up action if any food sold online for human consumption was suspected to be involved with unlicensed food business, or its source was suspicious. Should there be sufficient evidence, prosecution would be initiated. From June 2012 to December 2015, FEHD had taken out 49 prosecutions against unlicensed food premises selling food online.

Admin

29. At the Chairman's request, USFH agreed to provide after the meeting the following information:

- (a) among the 49 prosecutions initiated by FEHD from June 2012 to December 2015 against unlicensed food premises selling food online, the number of successful prosecutions taken out; and
- (b) whether FEHD had any performance pledge for processing applications for permits for online sale of restricted foods; and if yes, the details.

#### Safety of imported food

30. Dr Helena WONG expressed deep concern about CFS' work in preventing illegal importation and smuggling of food from the five prefectures of Japan most affected by the Fukushima nuclear power plant incident in 2011, namely Fukushima, Ibaraki, Tochigi, Chiba and Gunma. She found that the information provided by the Administration respectively in its paper under discussion and its earlier reply to her letter appeared inconsistent. She asked whether there were other cases which involved discrepancies between the place of origin stated on the import documents and the actual origin of goods that arrived, resulting in import of Japanese food prohibited under the Food Safety Ordinance (Cap. 612), and how CFS and the Customs and Excise Department ("C&ED") worked in collaboration to combat illegal import into Hong Kong of all vegetables and fruits, milk, milk beverages and milk powder from the five most affected prefectures of Japan. Due to time constraints, Dr WONG could not follow up with the Administration on all the questions raised in her letter dated 4 March 2016 (see **Appendix**). She and the Chairman requested the Administration to provide a written response to the issues raised in the letter after the meeting.

Admin

Action

31. In response, Assistant Director (Food Surveillance and Control) of CFS ("AD(FS&C)/CFS") advised that for the two cases mentioned in the Administration's paper, the first case had been reported at a Panel meeting earlier. The incident in November 2015 was reported by the importer concerned to CFS upon discovering irregularities. The importer had ordered a consignment of 652 cartons of fresh vegetables and fruits from Ishikawa and Nagano, which on arrival was found to contain 90 cartons of radish from Chiba and 40 cartons of cabbage from Ibaraki on top of those from the other two prefectures. CFS was informed about the discrepancy by the importer, though CFS would have detected the discrepancy during inspection of the consignment planned to be held at a later date. CFS immediately marked and sealed all the illegally imported products stored in the warehouse of the importer. None of the products had entered the market. Samples of the products concerned were taken for testing of radiation levels and the results were satisfactory. Subsequently, CFS had asked the Consulate-General of Japan to remind their exporters not to export food under the prohibition order.

32. The Deputy Chairman expressed concern about the safety of vegetables imported from the Mainland which were directly distributed to retail outlets, instead of distributing through Government vegetable wholesale markets or VMO. In his view, there was a need for CFS and C&ED to enhance the routine inspection at control points over vegetable vehicles, targeting in particular vehicles carrying vegetables for direct sale. In response, USFH reiterated that CFS took food samples at the import, wholesale and retail levels for testing under FSP. The Administration would consider the Deputy Chairman's views and suggestions in this regard.

33. The Deputy Chairman sought information on follow-up actions taken by the Administration upon discovering that there were unsatisfactory food samples through its regular FSPs. AD(FS&C)/CFS advised that the Administration would trace the sources of the unsatisfactory samples and notify the authorities in the places of origin to take follow-up actions. CFS would concurrently inform the retailers concerned of the irregularities and require them to stop selling and dispose of the foods in question immediately. The products in question would be suspended from import into Hong Kong until CFS was satisfied with the reports of the importers or manufacturers on remedial actions.

Reporting channels under FSP

34. Mr Alan LEONG opined that although CFS reviewed and adjusted its inspection plan from time to time based on risk assessment and inspection findings, closer surveillance of different food items should be maintained. In his view, a hotline or alternative convenient channels should be made

Action

available for the public to report suspected food incidents. This would mobilize the public in monitoring the situation. He suggested the Administration step up its promotion and publicity efforts to raise the public awareness of food safety issues. Posters showing relevant information, such as the hotline number, should be displayed in conspicuous locations of public markets and supermarkets. In response, USFH advised that members of the public were welcomed to report suspected food incidents via the Government hotline 1823, FEHD's 24-hour hotline 2868 0000 or CFS' website. Efforts would be made to encourage members of the public to report food incidents to CFS.

Sale of chilled chickens in Hong Kong

35. Mr WONG Kwok-hing said that at present, chilled chickens for sale in Hong Kong needed to be individually packed in a bag bearing a security hologram label. The chicken was not allowed to be removed from the bag at any time until the consumer opened it after purchase. To provide consumers, in particular the elderly and small size families, with more choices, Mr WONG asked whether the Administration would consider reviewing the packaging and labelling requirements in relation to chilled chickens, so that they could be sold either in whole or in part at retail outlets, depending on customers' needs. The Chairman recalled that the suggestion had been put forward to the Administration years ago. He hoped that the Administration would give serious consideration to this suggestion. AD(FS&C)/CFS said that the Administration would take members' views and suggestions into consideration.

*(As the Chairman had to leave the meeting for other commitments, the Deputy Chairman took over the chair at this juncture.)*

**VI. Implementation of the Nutrition Labelling Scheme**

(LC Paper Nos. CB(2)997/15-16(07) and (08))

36. At the invitation of the Deputy Chairman, USFH gave an update on the implementation of the Nutrition Labelling Scheme ("NLS") which had come into effect on 1 July 2010 and the requirements on nutritional composition and nutrition labelling of infant formulae which had been in force since 13 December 2015, details of which were set out in the Administration's paper (LC Paper No. CB(2)997/15-16(07)).

Action

Nutrition labelling requirement on genetically modified food

37. Dr Helena WONG said that at present, there was no labelling system in Hong Kong for genetically modified ("GM") food. In her view, to further enhance the food safety control over GM food (e.g. corn and soya bean), the Administration should consider making it a mandatory requirement for food traders/manufacturers to have GM food clearly labelled so that consumers were informed when they chose the food.

38. Consultant (Community Medicine) (Risk Assessment and Communication) of CFS ("Consultant/CFS") advised that:

- (a) CFS had introduced in 2006 the Voluntary Genetically Modified Food Labelling Scheme by issuing the "Guidelines on Voluntary Labelling of Genetically Modified Food" ("the Guidelines"). The Guidelines, setting out the principles underlying the recommended labelling approaches for GM food, recommended the trade to label food items with 5% or more GM materials in their food ingredients with positive labels and to use negative labels without absolute terms only when the declaration was substantiated by documentation. Traders were encouraged to adopt the Guidelines; and
- (b) to provide a mechanism to further enhance the food safety control over GM food and to provide the legal basis for preventing unauthorized GM products from entering the local market, the Administration was considering regulating GM food by introducing a mandatory pre-market safety assessment scheme ("PMSAS") in Hong Kong. Under the proposed PMSAS, a GM food developer who intended to place a GM food on the local market would be required to submit an application together with the necessary supporting documentation to CFS for evaluation. CFS would determine whether the GM food developer had adequately addressed the safety issues based on Codex principles and guidelines. Food which consisted of, or was derived from, GM microorganisms, plants and animals, must pass the safety assessment before it might be sold in Hong Kong. The Administration would embark on a public consultation before deciding on the details of PMSAS and its implementation timetable.

39. In response to Dr Helena WONG's enquiry on whether the Administration had any legislative plan to implement a mandatory GM food labelling scheme, USFH said that CFS would work according to priorities,

Action

and the Administration would review the effectiveness of the voluntary GM food labelling scheme and monitor international developments before deciding on the way forward.

40. Consultant/CFS added that CFS and the Consumer Council had jointly conducted two studies on GM ingredients in corn/corn-based products and soya bean, to assess whether these products, commonly found to have GM ingredients, followed the recommendations set out in the Guidelines. Two articles on the findings of the studies were subsequently published in the Choice Magazine. As there were samples of food items without proper labelling of their GM ingredients, the traders/manufacturers concerned were reminded to follow the requirements stipulated in the Guidelines to label all GM ingredients on their GM food. The Administration would continue to promote the voluntary GM food labelling scheme to the trade.

41. Responding to Dr Helena Wong's follow-up question, Consultant/CFS said that there were currently 50 or more types of GM foods available on the international market. As corn and soya bean were the most common GM food consumed in Hong Kong, studies on these two products had been conducted. For others, the Administration had not conducted any study.

Public education on healthier food choices

42. The Deputy Chairman held the view that there was a need to enhance public understanding about the impact of over- or under-consumption of the nutrient content (i.e. the seven core nutrients, namely protein, carbohydrates, total fat, saturated fat, trans fat, sodium and sugars) listed on the nutrition labels. Enquiring about the publicity and public education work on nutrition labelling conducted so far by the Administration, he opined that in order to yield the desired outcome and enhance the effectiveness, publicity and public educational programmes to be carried out should be focused and topic specific.

43. USFH responded that the Administration had all along been working hard and would continue to educate the public on how to make use of the information on nutrition labels to make healthier food choices. CFS worked through a variety of publicity and education programmes towards enhancing public understanding of NLS and motivating behavioural changes among consumers to help them make good use of the nutrition information on labels for healthier food choices. Appreciating the Deputy Chairman's concern, USFH said that CFS would take into account his suggestions in devising future programmes. Moreover, it would continue to coordinate with the Committee on Reduction of Salt and Sugar in Food in launching public educational programmes.



Action

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44. At the request of the Deputy Chairman, USFH undertook to provide detailed information on the publicity and educational programmes conducted by CFS to enhance public understanding of NLS and to educate consumers on how to make use of the information available on nutrition labels to make healthier food choices.

**VII. Any other business**

45. There being no other business, the meeting ended at 4:20 pm.

Council Business Division 2  
Legislative Council Secretariat  
4 May 2016



民主黨立法會議員辦事處  
Democratic Party Legislative Councillors' Office

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香港特別行政區  
食物安全及環境衛生事務委員會  
張宇人主席

張主席：

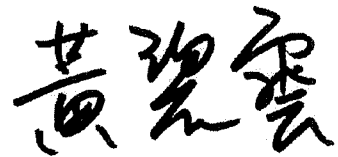
就 3 月 8 日會議議程內的 2015 年食物監察報告提出的問題

本人知悉，於 3 月 8 日的食物安全及環境衛生事務委員會會議上，會討論 2015 年食物監察報告，由於本人對該報告有多項問題，恐當局未能在會議上一一回覆，因此，謹請閣下將以下問題轉交至食物及衛生局，並在 3 月 8 日的會議上以書面回覆。

1. 就蔬果含除害劑事宜，食安中心指出整體不合格率不足 0.3%。雖然經修訂的《食物內除害劑殘餘規例》已於 2014 年 8 月 1 日起實施，但由於每個地方的標準不同，結果造成在其他地方禁售的蔬果，在香港可以合法銷售，以 3 月 4 日報章報道為例，同一款由美國進口的新鮮菠菜，台灣規定鮮菠菜殘餘農藥氟啶蟲酰胺(Flonicamid)含量限值為 0.01ppm，惟本港食安中心對於鮮菠菜的限值卻為不超過 9ppm，兩地標準限值差距達 900 倍；對於日本進口的蜜柑，台灣殘餘農藥呋蟲胺含量 0.08ppm 已經超標，但本港卻沒有管制柑橘類水果的呋蟲胺限值。據了解，食物法典委員會仍未就氟啶蟲酰胺制訂出最大殘餘量，當局在制訂除害劑的規例時，會否參考鄰近國家和地區，以免在鄰近地區視為對該地居民健康有影響的蔬果，會轉而輸往香港出口？政府會否檢討有關標準是否過時或太寬鬆？
2. 就 2015 年 11 月發生有被禁進口縣份的日本食品(90 箱來自千葉縣的蘿蔔和 40 箱來自茨城縣的椰菜)經其他縣份進口至香港，當局有否評估有為何一而再，再而三，會有違禁縣份的蔬菜流入香港？是否海路進口食品檢測仍有漏洞？葵涌海關大樓的食安中心檢查站如何操作，以防止被禁食品流出市面？

3. 來自福島的農林水產官員會於3月7日來港舉行簡介會，展示出口食品的安全性已達到世界標準，確保只有通過安全認證的食品能在日本國內外流通。該國的官員或領事有否與特區政府接觸，要求解除入口禁令？若然，情況為何？當局有否進行全面研究，了解被禁進口的五個縣農產品的輻射水平？若然，情況為何？
4. 關於專項食品和普及食品專題調查，若當中的樣本對公眾健康構成即時威脅或涉及公眾關注事件，會否即時公佈？過去三年，這方面要即時公佈的食品及不合格的情況為何？

謝謝閣下的垂注！



立法會議員黃碧雲  
2016年3月4日