

立法會

Legislative Council

LC Paper No. CB(2)1637/15-16

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by the Administration)

Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Minutes of meeting held on Tuesday, 12 April 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 Starry LEE Wai-king, JP
 - Hon CHAN Hak-kan, JP
 - Dr Hon LEUNG Ka-lau
 - 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, BBS, JP
 - Dr Hon KWOK Ka-ki
 - Hon KWOK Wai-keung
 - Hon SIN Chung-kai, SBS, JP
 - 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 attending** :
- Hon CHEUNG Kwok-che
 - Hon WU Chi-wai, MH

**Member
absent** : Hon WONG Yuk-man

**Public Officers
attending** : Item III

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

Miss Diane WONG Shuk-han
Principal Assistant Secretary for Food and Health (Food) 2

Mr CHIU Yu-chow
Assistant Director (Grade Management and Development)
Food and Environmental Hygiene Department

Mrs Alice YU NG Ka-chun
Project Director 3
Architectural Services Department

Mr Tony LEE Cheuk-ming
Chief Project Manager 301
Architectural Services Department

Mr Gabriel WOO Tai-on
Chief Engineer / Land Works
Civil Engineering and Development Department

Item IV

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

Miss Diane WONG Shuk-han
Principal Assistant Secretary for Food and Health (Food) 2

Mr Lee Ming-wai
Pest Control Officer In-charge
Food and Environmental Hygiene Department

Mr YUEN Ming-chi
Consultant (Pest Control)
Food and Environmental Hygiene Department

Mr CHAN Chung-chi
Senior Superintendent (Cleansing and Pest Control)
Food and Environmental Hygiene 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

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

Miss Emma CHEUNG
Legislative Assistant (2) 2

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I. Information papers issued since the last meeting
(LC Paper Nos. CB(2)1171/15-16(01) and CB(2)1261/15-16(01))

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

- (a) letter dated 23 March 2016 from Dr Hon Helena WONG

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concerning the detection of excessive pesticide residues in some samples of organic vegetables; and

- (b) Administration's response to issues raised in Dr Hon Helena WONG's letter dated 23 March 2016 concerning the detection of excessive pesticide residues in some samples of organic vegetables.

II. Date of next meeting and items for discussion

(LC Paper Nos. CB(2)1220/15-16(01) and (02))

2. Members agreed to discuss the following items at the next regular meeting scheduled for Tuesday, 10 May 2016 at 2:30 pm:

- (a) Promotion of green burial;
- (b) Update on the implementation of the trawl ban; and
- (c) Implementation of regulations governing import control of poultry eggs.

III. Provision of columbarium at Wo Hop Shek Cemetery — Phase I

(LC Paper Nos. CB(2)1220/15-16(03) and (04))

3. At the invitation of the Chairman, Under Secretary for Food and Health ("USFH") briefed Members on the proposed project to construct two columbarium blocks at Kiu Tau Road, Wo Hop Shek Cemetery ("WHSC") in the North District (i.e. Phase 1 of the columbarium development project at WHSC), as detailed in the Administration's paper (LC Paper No. CB(2)1220/15-16(03)). Members noted the information note prepared by the Legislative Council ("LegCo") Secretariat on the subject (LC Paper No. CB(2)1220/15-16(04)).

Scope of the proposed works project

Columbarium blocks and associated works

4. The majority of members who spoke on this discussion item, including the Chairman, the Deputy Chairman, Mr WONG Kwok-hing, Mr KWOK Wai-keung, Mr CHAN Chi-chuen, Mr Alvin YEUNG, Dr Kenneth CHAN, Dr Helena WONG and Dr KWOK ka-ki, supported the development of Phase 1 of the columbarium development project at WHSC

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to provide 44 000 public niches by end-2019. The Chairman and Mr WONG Kwok-hing also said that Members belonging to the Liberal Party and the Hong Kong Federation of Trade Unions were supportive of the proposed works project.

5. Dr KWOK Ka-ki asked whether consideration would be given to increasing the number of storeys of the two columbarium blocks at sites T3(a) and T3(b) for provision of more niches and, if the design for Phase 1 development was finalized leaving no room for amendments, whether such suggestion would be considered during Phase 2 and Phase 3. In his view, columbarium facilities should be carefully designed to blend in with the neighbouring area to alleviate concerns of the local residents. USFH advised that in designing the facilities, the Administration had to consider the visual impact of the two columbarium blocks on the surrounding environment as well as the traffic impact of the entire project on the adjoining road network. In view of the concerns of nearby villagers, the Administration decided to build two six-storey columbarium blocks in Phase 1. It would conduct a further assessment in deciding the height of the columbarium facilities to be built during Phase 2 and Phase 3.

6. In response to Dr KWOK Ka-ki's and Mr WONG Kwok-hing's enquiries, USFH and Project Director 3, Architectural Services Department ("PD3/ArchSD") advised that:

- (a) the Administration had not included the construction of a Garden of Remembrance under the proposed project, as such facility had already been provided at WHSC;
- (b) there would be a total of 16 male toilet compartments and urinals and 25 female toilet compartments in the two columbarium blocks. The male-to-female toilet fitment ratio stood at 1:1.56, which would be in line with the statutory requirements; and
- (c) barrier-free access and facilities would be provided to facilitate access to the columbarium blocks and associated facilities.

7. Mr SIN Chung-kai opined that the Administration should consider the needs of users of different cultural and religious backgrounds in designing the facilities in the columbarium blocks. USFH responded that in each columbarium block, communal eco-friendly joss paper burning facilities would be provided on the first floor, and there would be communal incense holders for individual floor except for the second to third floors set aside for incense-free niches.

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8. Mr CHAN Chi-chuen noted that there were designated incense-free floors in the two six-storey columbarium blocks at sites T3(a) and T3(b). He asked how the Administration determined the proportion between incense-free niches and otherwise. Assistant Director (Grade Management and Development), Food and Environmental Hygiene Department ("AD(GM&D)/FEHD") explained that having considered the number of new niches to be provided, the floor area of the proposed buildings and the prevailing arrangement adopted in other public columbaria, the Administration proposed that the second to third floors, involving about 50% of the new niches to be provided in the two columbarium blocks, be set aside for incense-free niches.

9. Mr KWOK Wai-keung asked why the construction of a leisure area was included in Phase 1 of the project and the respective expenditure involved. USFH and AD(GM&D)/FEHD replied that after demolition of the ex-staff quarters abutting Wo Ka Lau Road, the Administration planned to convert the vacant site into a leisure area for visitors' and public use as part of the associated improvement works of the project. As regards the estimated breakdown of the itemized expenditure of the project, PD3/ArchSD said that it would be provided in the Administration's paper to be submitted to the Public Works Subcommittee ("PWSC").

10. Noting that in response to concerns raised by nearby villagers on the visual impact of the proposed columbarium facilities, FEHD had decided not to pursue the proposed development at sites T1 and T2, Dr Helena WONG enquired whether there had been strong opposition from villagers against the original development plan. In her view, the Administration should consider improving the design of the columbarium facilities to mitigate their visual impact on the surrounding environment. She also asked whether the Administration would consider converting sites T1 and T2, instead of the site at Wo Ka Lau Road, into a leisure area for convenient use by visitors to WHSC.

11. Principal Assistant Secretary for Food and Health (Food) 2 ("PASFH(F)2") responded that having considered the additional traffic and pedestrian volume arising from the proposed columbarium developments at WHSC, the Administration proposed to develop some 44 000 niches in the Phase 1 development. Since nearby villagers had raised concerns about the proposed columbarium facilities at sites T1 and T2 and given that sufficient niches could be accommodated at sites T3(a) and T3(b) under the current design, the Administration decided to develop only sites T3(a) and T3(b) in Phase 1.

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12. Mr WONG Kwok-hing and the Deputy Chairman expressed worries that if the funding proposal for the development of Phase 1 of the project could not be approved by the Finance Committee ("FC") within this legislative session and the construction works could not be commenced as scheduled, there would be a surge in the construction prices and delay in the supply of public niches. USFH responded that subject to the support of the Panel, the Administration planned to seek funding approval from FC within this legislative session after consultation with PWSC. If funding approval for the project could not be obtained within the Fifth LegCo, the Administration would need to estimate again the cost of the project and submit afresh the proposal in the next term of LegCo. Mr WONG and the Deputy Chairman urged the Administration to make its best efforts to solicit support from Members for the proposed project to ensure timely provision of public niches. The Deputy Chairman considered that the Administration should devise a backup plan if the funding application was not approved in time.

Widening of footbridge linking MTR Fanling Station with Pak Wo road and associated works

13. Mr Alvin YEUNG welcomed the Administration's plan to widen an existing footbridge linking the MTR Fanling Station with Pak Wo Road and to carry out the associated works as stated in paragraphs 8(a) to 8(e) in the Administration's paper for improving the pedestrian flow along the footbridge and associated area for the benefit of local residents and grave sweepers. He however was concerned whether the proposed transport improvement measures could cope with the anticipated increase in pedestrian flow upon the completion of all the three phases of the proposed columbarium developments at WHSC. USFH said that in proposing the transport improvement measures, including the widening of the existing footbridge linking MTR Fanling Station with Pak Wo Road, the Administration had taken into account the additional pedestrian volume upon the completion of all the three phases of the proposed columbarium developments at WHSC. The measures would be able to cater for the anticipated increase in pedestrian volume.

14. Mr CHAN Chi-chuen asked whether the construction works for widening the footbridge would be completed in tandem with the commissioning of the two columbarium blocks by the end of 2019. PASFH(F)2 replied in the affirmative, adding that members of the North District Council strongly hoped that the construction works associated with the columbarium blocks and the widening of footbridge could both be completed by 2019. Subject to funding approval by FC, the relevant construction works were expected to commence in late 2016 and complete by the end of 2019.

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15. Mr CHAN Hak-kan said that the pedestrian flow on the footbridge in question was already very heavy. In his view, the Administration should advance the commencement and completion of the footbridge widening works, well ahead of the scheduled commissioning of the two columbarium blocks. In response, PASFH(F)2 reiterated that the Administration would kick start the footbridge widening works as soon as practicable once funding approval was obtained. As the 44 000 new niches would be allocated to the public in phases, it was expected that there would not be a sudden sharp increase in pedestrian flow upon commissioning of the proposed project. The Administration would monitor the figures of niche intake and the capability of transport infrastructure. The Deputy Chairman suggested that consideration should be given to implementing additional traffic improvement measures to help ease the pedestrian flow on the footbridge. USFH responded that the Administration would keep in view the situation after the commissioning of the proposed project.

16. Mr Alvin YEUNG asked whether the Administration would still carry out the footbridge widening and associated works if the funding proposal for Phase 1 development could not be timely approved by FC before the prorogation of the Fifth LegCo. PASFH(F)2 said that the Administration proposed to take the opportunity to incorporate the footbridge widening and associated works into the Phase 1 development. If funding approval for the project under discussion could not be obtained within the Fifth LegCo, it would not be feasible to commence the construction works of those items listed under paragraphs 8(a) to 8(e) in the Administration's paper.

17. Mr KWOK Wai-keung expressed concern about the progress and timetable for taking forward Phase 2 and Phase 3 of the project which sought to provide a total of about 60 000 new niches. He asked whether the Administration would implement other transport improvement measures when taking forward Phase 2 and Phase 3 development. PASFH(F)2 said that according to the engineering feasibility studies for Phase 2 and Phase 3, improvement to the road infrastructures had been recommended. The Administration would consider taking forward transport improvement measures under the remaining phases of the columbarium developments at WHSC with a view to further enhancing the accessibility to the cemetery facilities as necessary.

18. Noting that the Administration also proposed to extend the existing bus layby at Pak Wo Road southbound as part of the transport improvement measures, the Deputy Chairman expressed concern as to whether the associated passenger waiting area for buses would also be expanded to facilitate better passenger flow. He asked whether the Administration would widen other pavements/footpaths in the vicinity in view of the anticipated

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increase in the number of visitors to WHSC. Chief Engineer/Land Works, Civil Engineering and Development Department responded that the Administration would extend the existing bus layby allowing an additional bus stop for picking up passengers. This would facilitate the operation of added bus services during the grave sweeping seasons. The Administration would carry out ancillary works, including slope works and retaining walls, to provide a larger passenger waiting area. Road enhancement works at Kiu Tau Road as detailed in paragraphs 7(f) and 7(g) would also be carried out to enhance accessibility to WHSC.

19. Mr CHAN Chi-chuen enquired whether the Administration had evaluated the additional traffic to be generated during the grave sweeping periods subsequent to the Administration's measures in relation to the placing of additional sets of ashes in public niches. AD(GM&D)/FEHD replied that with effect from 2 January 2014, FEHD had relaxed the arrangement of placing additional sets of ashes in public niches (i.e. each standard niche might accommodate more than two sets of cremated ashes while each large niche might accommodate more than four sets). So far, not many users applied for such service. The measures were not expected to generate a sudden upsurge in the number of grave sweepers to WHSC, or for that matter any substantial impact on traffic. PASFH(F)2 observed that the original set of ashes and the additional set of ashes usually came from the same family or were of related persons, such that the number of visitors to that same niche would likely be stable. Dr Kenneth CHAN suggested the Administration step up promotion and publicity on FEHD's relaxation measures, so as to encourage members of the public to make better use of their allocated niches. USFH said that the Administration would consider Dr CHAN's suggestion.

Allocation arrangement of public niches

20. Mr CHAN Hak-kan said that at present, FEHD allocated new niches by way of computer balloting. He expressed concern that under the existing mechanism, some applicants had to wait for a very long time for allocation of niches. He asked whether and when the Administration would review the existing niche allocation system and whether consideration would be given to according priority in allocating niches to those applicants who had participated in several ballots but still had not been allocated niches and, if yes, the details of the new arrangement(s). The Chairman requested the Administration to provide in writing the information sought by Mr CHAN for reference of the Panel.

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21. Dr Kenneth CHAN, Mr SIN Chung-kai and Ms Starry LEE shared the view that the Administration should review the niche allocation system. Mr SIN suggested that the Administration should consider setting up a

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registration and queuing system for the allocation of public niches. Ms LEE agreed that priority should be given to those applicants who had made several attempts but failed to be allocated a niche by way of balloting.

22. In response, USFH and AD(GM&D)/FEHD made the following points:

- (a) at present, family members of the deceased could apply for allocation of new niches. The ashes of the deceased person could be deposited in Government columbaria if the deceased person fulfilled the relevant requirements governing the interment of ashes;
- (b) FEHD had been upholding the principles of fairness, openness and impartiality in the allocation of public niches to eligible persons in need;
- (c) the existing allocation mechanism, which was agreed by the Independent Commission Against Corruption ("ICAC"), was adopted in the allocation exercise held in 2009 involving new niches at the Diamond Hill Columbarium. According to an opinion survey conducted by FEHD, over 80% of the respondents (regardless of whether they were successful in their applications) supported the allocation of niches by way of computer balloting. After consulting ICAC, FEHD decided to continue to adopt the allocation arrangement used in 2009 in allocating new niches in the columbarium at Kiu Tau Road of WHSC and the Diamond Hill Columbarium extension in 2012; and
- (d) FEHD noted the views of the public over the computer balloting arrangement. The Administration planned to review the existing niche allocation system before the next available lot of new niches came on stream in 2019, following the completion of the columbarium development projects at Tsang Tsui, Tuen Mun and WHSC.

Implementation progress of the district-based columbarium development projects

23. Regarding the district-based columbarium development scheme under which the Administration had identified 24 potential sites in the 18 districts for columbarium development, Dr Kenneth CHAN hoped that the Administration would continue to solicit support from District Councils ("DCs") to implement the projects. USFH replied that among the 24 sites

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identified for columbarium development, the Administration had consulted the relevant DCs on eight potential projects involving over 450 000 new niches. With the necessary engineering feasibility studies and traffic impact assessments largely completed, the Administration was in full steam on following up the projects in the remaining 16 sites, including consulting the relevant DCs within 2016 on several other columbarium projects. For instance, the Administration would soon consult Sha Tin DC on a columbarium project at Shek Mun.

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24. Dr Helena WONG requested the Administration to provide information on the latest progress of work in each of the sites, including the results of consultation with relevant DCs on/the target implementation or completion date of respective projects.

25. Expressing grave concern about the shortage of supply of niches and the long waiting time for allocation of niches under the existing allocation system, Ms Starry LEE urged the Administration to adopt measures to alleviate the shortage as early as possible. USFH responded that apart from developing columbarium facilities to increase the supply of public niches to meet the rising demand, the Administration had implemented a number of initiatives to alleviate the shortage problem, for instance, by promoting green burial, providing temporary storage facilities for ashes in Government cemeteries and allowing users to deposit additional sets of ashes in public niches. As mentioned earlier, it was expected that the next available lot of new niches would come on stream in 2019. Ms LEE and the Chairman requested the Administration to revert to the Panel on the estimated number of new niches to be provided by FEHD in the coming five to ten years and their locations.

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IV. Anti-mosquito Campaign 2016

(LC Paper Nos. CB(2)1220/15-16(05) and (06))

26. At the invitation of the Chairman, USFH briefed Members on the details of the Anti-mosquito Campaign 2016, as set out in the Administration's paper (LC Paper No. CB(2)1220/15-16(05)). Members noted the background brief prepared by the LegCo Secretariat on the subject (LC paper No. CB(2)1220/15-16(06)).

Dengue vector surveillance programme

27. Dr Helena WONG asked whether the Administration had set up ovitraps in the Kai Tak Development Area, covering Kai Ching Estate and Tak Long Estate, where serious mosquito problem existed due to the

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construction works in the adjacent areas. Consultant (Pest Control), FEHD ("C(PC)/FEHD") replied in the affirmative and advised that since October 2015, FEHD had enhanced the dengue vector surveillance programme to cover eight more areas, namely Tin Hau, Tsim Sha Tsui East, Lok Fu West, Kai Tak North, Ngau Chi Wan, Kowloon Bay, Tseung Kwan O North and Tsing Yi North. The two housing estates mentioned by Dr WONG were covered by Kai Tak North. A total of 52 areas in the community were now covered under the surveillance programme.

28. Mr CHAN Han-pan enquired about the criteria for selecting locations for setting up ovitraps in the surveyed areas and how data were collected from all 52 areas of surveillance for compiling the Area Ovitrap Index for *Aedes albopictus* ("AOI") and the Monthly Ovitrap Index for *Aedes albopictus*. Pest Control Officer In-charge, FEHD ("PCO I-c/FEHD") replied that FEHD had followed the relevant advice of the World Health Organization in setting up ovitraps. FEHD's pest control staff would identify places with higher human concentration and potential for becoming a breeding ground for the purpose of placing ovitraps. For accurate detection of the larval breeding rate of mosquitoes, a distance of 100 meters or more would normally be kept between two ovitraps. About 50 to 55 ovitraps would be set up in each of the areas under surveillance.

29. Mr CHAN Han-pan considered that the Administration should set up more ovitraps in the surveillance areas to enhance monitoring of situation of mosquito breeding. PCO I-c/FEHD stressed that while some locations in a surveyed area were not covered under the surveillance programme due to resources constraint, the surveillance was focused in areas of higher human concentration which were considered to be of higher risk if vector density was also high. Besides, the surveillance results could also provide useful reference on the mosquito problem in the community and alert the public of the importance of taking anti-mosquito measures.

30. Referring to Annex D to the Administration's paper in which results of ovitrap surveillance in port areas in 2015 were showed, Mr WONG Kwok-hing expressed concern that compared with the ovitrap indices recorded for other groups (such as Hong Kong International Airport, Cross Boundary Check Points on Land and Private Cargoes Working Areas), the Port Monthly Ovitrap Index ("PMOI") recorded for Container Terminals for the whole year stood at 0.0% except for May 2015. Expressing doubt on the validity of the surveillance results, he suggested that the Administration should consider reviewing the locations for placing ovitraps at Container Terminals in order to better monitor the situation of mosquito breeding there.

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31. C(PC)/FEHD said that if an ovitrap index of 0.0% was recorded in any surveillance area, FEHD's pest control staff would inspect whether there were mosquito breeding grounds in the surrounding area and whether the ovitraps were functioning normally without interference to ascertain the accuracy of the surveillance results. It should be noted that an ovitrap index of 0.6%, though relatively low, was recorded in Container Terminals in May 2015. PCO I-c/FEHD supplemented that traffic flow in the vicinity, the number of ovitraps placed indoor and outdoor could have an impact on PMOIs recorded in different port areas.

32. The Deputy Chairman expressed concern that ovitraps placed at selected locations could only detect the larval breeding rate of Aedine mosquitoes but not other mosquito species, including Culex tritaeniorhynchus (principal vector of the Japanese encephalitis ("JE") virus and potential vector of Zika virus) and anopheles mosquito (vector of malaria). Besides, the latter two mosquito species were not covered under the dengue vector surveillance programme. He considered that in assessing the mosquito problem in the territory, the Administration should not rely solely on data collected under the surveillance programme. In his view, the Administration should explain to the public the scope of the surveillance programme as well as its limitations, and take appropriate measures to monitor and eliminate other mosquito species to alleviate public concerns.

33. USFH responded that the Administration noted the Deputy Chairman's concerns and suggestions. C(PC)/FEHD advised that in announcing the surveillance results of the dengue vector surveillance programme, the Administration had made it clear to the public that the surveillance programme had its limitations and it only monitored the breeding of Aedes albopictus in the territory. He assured Members that the anti-mosquito measures taken by government departments targeted at all species of mosquitoes. For instance, in 2016, trapping of adult mosquitoes, including Culex tritaeniorhynchus, would be conducted in all selected locations monthly throughout the year for test on JE virus, and some 600 streams in the territory were covered under the malaria vector prevention programme for the prevention of the anopheles mosquitoes which could transmit malaria.

Anti-mosquito work

34. Referring to Annex C to the Administration's paper which listed out the monthly AOI for the 52 areas of surveillance, Mr WONG Kwok-hing and Dr Helena WONG enquired about the measures to be taken by the Administration to tackle the mosquito problem in areas where a high AOI was recorded (e.g. the highest AOI of 33.3% was recorded in Lam Tin in May 2015). Mr CHAN Han-pan asked whether the Administration would

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carry out mosquito control and prevention work at private premises which were open for public use.

35. USFH, C(PC)/FEHD and Senior Superintendent (Cleansing and Pest Control)/FEHD made the following responses:

- (a) AOIs were normally higher during summer time, particularly in May and June. FEHD would take anti-mosquito measures promptly when AOI of a particular area reached the alert level of 20%. For instance, FEHD would convene district task force meetings to step up the co-ordination of government efforts in mosquito control and to mobilize community participation in anti-mosquito efforts. AOIs usually dropped to a lower level as a result of the mosquito prevention and control measures taken;
- (b) a rapid alert system targeting the management offices of residential premises, social welfare facilities, schools, construction sites and utilities companies had been enhanced to cover each of the 52 surveillance areas to ensure that anti-mosquito measures were taken promptly when AOI of a particular area reached the alert level of 20%. Whenever AOI reached 20%, subscribers to the system whose premises were situated within the surveillance area concerned would be individually notified by the relevant bureaux/departments upon the publication of AOI; and
- (c) at the district task force meetings, FEHD would provide necessary advice (e.g. to clear stagnant water and to seal up keyholes of manhole covers to prevent breeding of mosquitoes) as well as assistance to the management offices of both public and private premises in the community to facilitate them in carrying out anti-mosquito work. The Administration would continue to appeal to the community to make concerted efforts to remove potential breeding grounds.

36. In response to Dr Helena WONG's concern about the high AOIs recorded in Lam Tin in the month of May in 2014 and 2015, PASFH(F)2 said that AOI recorded in Lam Tin in May 2015 (i.e. 33.3%) had slightly increased, as compared with that recorded in the same period in 2014 (i.e. 32.7%). Given that this stayed at a high level, representatives of the Kwun Tong District Office and the Chief Health Inspector of the Kwun Tong District were invited to a meeting of the Anti-Mosquito Steering Committee this year to discuss the mosquito problem in Kwun Tong, including Lam Tin. Anti-mosquito strategies and initiatives were put in place, following the

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relevant district's anti-mosquito task force meeting with the concerned departments and parties, with a view to better tackling the mosquito problem in the district. FEHD would closely monitor the situation there.

37. Mr SIN Chung-kai noted that there were more than 100 imported dengue fever ("DF") cases in Hong Kong in 2013 and 2014 and most of the confirmed DF cases were imported cases. He expressed concern that like DF, Zika virus might also be imported to Hong Kong from affected areas. As *Aedes albopictus* mosquito, which was commonly found in Hong Kong, was a potential vector of Zika virus, Mr SIN was concerned that in the event that Hong Kong residents who had travelled to affected areas were infected with Zika virus through mosquito bites and were subsequently bitten by *Aedes albopictus* in Hong Kong, there would be secondary spread of Zika virus in the territory. He enquired about the measures that the Government had in place to prevent imported cases of DF and Zika infection, and whether rapid tests were currently available at boundary control points to detect whether persons entering the territory were infected with DF and Zika virus.

38. USFH replied that at present, there was no vaccine on the market against DF or Zika virus infection. The Government had reminded travellers to take anti-mosquito and personal precautionary measures to reduce the risk of DF and Zika virus infection and to seek medical advice and inform their doctor of their travel history if symptoms developed. The Department of Health had also implemented a series of port health measures to guard against DF and Zika viruses. To tackle the local mosquito problem, various bureaux/departments would make concerted efforts to carry out anti-mosquito work and would implement in 2016 a number of new measures as set out in Annex H to the Administration's paper to eliminate mosquitoes breeding. C(PC)/FEHD supplemented that FEHD would carry out vector investigations and the necessary vector control for both imported and local cases of DF. Samples of *Aedes albopictus* would be collected from the areas where confirmed DF cases broke out for laboratory testing to ascertain whether they carried virus. The Centre for Health Protection's Public Health Laboratory Services Branch would also conduct DF and Zika virus testing for patients.

39. The Deputy Chairman said that it was his understanding that some members of the public were doubtful about the effectiveness of the Government measures in preventing imported cases of Zika virus infection. He asked whether additional manpower resources had been/would be allocated to public hospitals for handling Zika infection cases. USFH responded that to enhance surveillance of Zika virus infection, it was gazetted as a notifiable infectious disease in Hong Kong under the Prevention and Control of Disease Ordinance (Cap. 599) with effect from 5 February 2016. The Centre for Health Protection of the Department of Health would be

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notified of any confirmed case for investigation and follow-up actions. USFH stressed that apart from stepping up anti-mosquito work, the Administration would strengthen publicity and public education to enhance public awareness of Zika virus and remind the public to take personal precautionary measures to reduce the risk of Zika virus transmission.

40. Mr CHAN Han-pan said that in view of the added threat posed by Zika virus infection, consideration should be given to providing additional resources to FEDH for increasing the number of pest control roving teams to enhance mosquito control and preventive work. USFH responded that the Administration had provided additional funding to FEHD for sustaining its anti-mosquito work through the winter for 2015. The Administration would continue to allocate additional resources to FEHD in 2016 for this purpose, if necessary.

V. Implementation of the Food Safety Ordinance
(LC Paper Nos. CB(2)1220/15-16(07) and (08))

41. At the invitation of the Chairman, USFH briefed Members on the implementation of the Food Safety Ordinance (Cap. 612) ("FSO") which had come into full operation since 1 February 2012, details of which were set out in the Administration's paper (LC Paper No. CB(2)1220/15-16(07)). Members also noted the background brief prepared by the LegCo Secretariat on the subject (LC Paper No. CB(2)1220/15-16(08)).

Registration and record keeping requirements

42. Mr WONG Kwok-hing noted from the Administration's paper the numbers of food importers and food distributors registered under FSO. He enquired whether there existed any non-compliant food importers and food distributors who carried on a business without registration and if yes, their reasons for not registering. Mr WONG also sought information on the penalty level on a person who committed an offence relating to the registration requirement.

43. USFH and Assistant Director (Food Surveillance and Control), Centre for Food Safety ("AD(FS&C)/CFS") responded that:

- (a) as at 31 December 2015, a total of 17 696 food importers and food distributors had been registered under FSO, including 9 664 food importers and 8 032 food distributors;
- (b) FSO provided that any person who did not register but carried on a food importation or distribution business would commit an

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offence and be liable to a maximum fine of \$50,000 and to imprisonment for six months; and

- (c) CFS had issued a guide to the registration scheme and a code of practice on keeping records relating to food for reference by the trade. CFS would take enforcement actions by adopting a risk-based enforcement approach in planning and conducting inspections of food premises.

44. Mr WONG Kwok-hing held the view that the Administration should step up its publicity and promotion efforts, so as to familiarize food importers and food distributors with the statutory requirements under FSO.

CFS' effectiveness in regulation of online food sale and surveillance of imported foods

45. Pointing out the food safety risks in consuming perishable food items, such as sashimi, bought from online platforms, Mr CHAN Han-pan and the Deputy Chairman enquired about the Administration's work in regulating online food selling activities, especially those activities conducted through offshore shopping websites. Mr CHAN asked whether the Administration had conducted random testing on food sold through local and offshore shopping websites and if yes, the sampling rate adopted. Mr CHAN and the Deputy Chairman both considered that the Administration should step up the surveillance of those popular food products sold online and make public the inspection results.

46. In response, USFH and AD(FS&C)/CFS made the following points:

- (a) the existing legislation regulated food safety and food trade operations in many aspects, including food operations through electronic or other means. In view of the prevalence of online sale of foods in recent years, FEHD had, since 22 February 2016, imposed the licensing conditions associated with the permit for online sale of restricted foods to tighten the control over online food selling activities. The licensing conditions required that restricted foods had to be obtained from lawful sources, that the foods would not be tampered with during transportation to prevent cross-contamination, and that the food products would be stored at a safe and proper temperature at all times. Moreover, the operators should disclose on their websites information about their permits, such as the permit numbers, registered addresses and the restricted foods permitted for sale, so that consumers could verify such information through

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FEHD's website before making a decision to purchase the foods online;

- (b) buying and selling of food via the Internet, in particular cross-border online shopping, posed challenges and difficulties to regulation of food and the food trade in different places, since food items sold online varied in quality which might be potentially hazardous to public health and information about their sources might not be known, hence not conducive to law enforcement and source traceability. This notwithstanding, if the website operator was a local importer/distributor/retailer, he or she must register and keep all food transaction records in accordance with FSO;
- (c) FEHD had been closely monitoring online food selling activities. If any food sold online for human consumption was suspected to be involved with unlicensed food business, or its source was suspicious, FEHD officers would conduct investigations and take follow-up action accordingly, including decoying as customers (conducting "covert operations"), to collect information and evidence. Should there be sufficient evidence, FEHD would initiate prosecution; and
- (d) CFS would continue to step up sampling of food sold online for chemical and microbiological tests. In 2015, over 1 000 such food samples from online platforms had been taken for testing. The results of all samples tested had been satisfactory. CFS would continue to strengthen the work in surveillance and law enforcement in respect of online food selling activities.

47. The Deputy Chairman suggested that the Administration should conduct "covert operations" more often to strengthen the monitoring work over online food selling activities, particularly those involving direct delivery of food and conducted through offshore shopping websites.

48. Dr Helena WONG noted that CFS announced on 1 April 2016 that a consignment of frozen beef from Japan was illegally imported into Hong Kong. The seized consignment of frozen beef amounted to 337 cartons. Information on the product labels showed that 101 cartons were from three Japanese prefectures under an import ban (including Ibaraki, Tochigi and Chiba), 116 cartons from other regions of Japan (including Hokkaido, Yamagata and Akita), and the remaining 120 cartons with unknown origin. According to CFS, the consignment was imported without necessary import documents including import licences, health certificates, written permission

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from FEHD and certificates of radiation levels from the place of origin. Besides, the importer concerned was not a food importer registered with the Director of Food and Environmental Hygiene. Dr WONG sought information on the follow-up actions taken by the Administration to prevent recurrence of similar incident, i.e. illegal importation and smuggling of foods from the five prefectures of Japan most affected by the Fukushima nuclear power plant incident, in future.

49. In response, USFH and AD(FS&C)/CFS made the following points:

- (a) FSO provided that any person who carried on a food importation or distribution business without registration, or who failed to comply with the record-keeping requirements would commit an offence;
- (b) following the Fukushima nuclear power plant incident, all importers had to make advance declarations for Japanese food products imported into Hong Kong, and CFS would conduct tests on radiation levels of every consignment of food products imported from Japan to ensure food safety before the products entered into the local market. The Customs and Excise Department ("C&ED") would notify CFS of the import of Japanese food by sea upon its receipt of e-manifests lodged by importers; and
- (c) regarding the case in which frozen beef was suspected to be illegally imported from Japan, CFS mounted a joint operation with C&ED on 1 April 2016 and inspected a consignment claimed to be fully cooked frozen meat imported from Japan at Kwai Chung Customhouse. After examination, frozen beef suspected to be illegally imported from Japan was found in the container. All the products had been seized and none had entered the market. Samples of the products concerned were subsequently taken for testing of radiation levels and all test results were satisfactory. Since the consignment was imported without necessary import documents, it was regarded as a smuggling case. CFS would continue to work in collaboration with C&ED to combat illegal importation and smuggling of foods.

50. Dr Helena WONG held the view that the existing laws had inadequacies in providing safeguards against illegal importation of restricted food. Apart from problems encountered in enforcing FSO, the penalties were not sufficient to achieve the desired deterrent effect. She suggested the

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Administration devise further measures to prevent the recurrence of similar incidents in future.

51. USFH responded that CFS monitored food on sale through its regular Food Surveillance Programme. It took food samples at the import, wholesale and retail levels (including from online retailers) for testing. In 2015, CFS conducted tests on a total of about 64 300 food samples under various food surveillance projects. On the question of regulating imported food, CFS would continue with various measures, including imposing control at source, monitoring the procedures and conducting tests, to safeguard food safety.

52. There being no other business, the meeting ended at 4:24 pm.

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