

Panel on Food Safety and Environmental Hygiene

List of follow-up actions
(position as at 9 October 2017)

Subject	Date of meeting	Follow-up action required	Administration's response
1. Measures to improve the operating environment of public markets and provision of public markets in new development areas	Meetings of the Subcommittee on Issues Relating to Public Markets	<p>The Administration was requested to:</p> <p>(a) collect views of stall operators in markets without air-conditioning facilities on whether to take forward the retrofitting of air-conditioning facilities in their respective markets and provide the Panel with the results (including the percentage of tenants who are in support of the retrofitting of air-conditioning facilities); and</p> <p>(b) provide the Panel with information on the outcome of the consultation with the tenants and the Market Management Consultative Committees of the relevant markets (and other markets, if any) on the improvement proposals for six selected markets and the finalized improvement plans.</p>	Response from the Administration awaited. (Please refer to paragraphs 2 to 4 of the Administration's letter dated 27 March 2017 (LC Paper No. CB(2)1085/16-17(01)) for the Administration's initial response.)

Subject	Date of meeting	Follow-up action required	Administration's response
	24 January, 14 March and 11 April 2017	<p>At these meetings, members repeatedly requested the Administration to provide detailed information on:</p> <ul style="list-style-type: none"><li data-bbox="943 424 1621 847">(a) (i) Food and Environmental Hygiene Department ("FEHD")'s progress in taking forward the installation of air-conditioning in the 10 public markets which had obtained overwhelming support from tenants for the retrofitting of air-conditioning systems and (ii) the timetable for completing the installation work in each of the 10 markets;<li data-bbox="943 887 1621 1225">(b) other suitable sites identified/proposed for development of new public markets (including the number and respective location of the sites) that were purported to serve the residents living in new development areas, such as Tin Shui Wai, and the considerations behind respective proposals; and<li data-bbox="943 1281 1621 1437">(c) measures taken by FEHD to improve the facilities and operating environment of public markets and the resources involved.	

Subject	Date of meeting	Follow-up action required	Administration's response
2. Issues relating to animal welfare and cruelty to animals	Meetings of the Subcommittee on Issues Relating to Animal Welfare and Cruelty to Animals	<p>The Administration was requested to revert to the Panel on the following issues:</p> <p>(a) the results of the review of the definition of "cruelty to animals" and "animal" respectively under the Prevention of Cruelty to Animals Ordinance (Cap. 169) and the Road Traffic Ordinance (Cap. 374); and</p> <p>(b) the overall test results as well as the outcome of the study on commercial pet food products available in Hong Kong.</p>	Response from the Administration awaited.
3. Issues concerning the Private Columbaria Bill	8 November 2016	<p>The Administration was requested to revert to the Panel on the following issues:</p> <p>(a) measures to be taken by the Administration to cope with the shortfall of supply of temporary storage spaces (around 30 000 spaces) for the displaced ashes arising from the cessation of operation of some private columbaria after the commencement of the Private Columbaria Ordinance;</p> <p>(b) measures to be adopted for increasing the supply of niches in the coming few years to meet the strong public demand; and</p>	Response from the Administration awaited. (Regarding items (a) and (b), please refer to paragraphs 2 to 10 of the Administration's paper dated 31 March 2017 (LC Paper No. CB(2)1112/16-17(01)) for the Administration's initial response.)

Subject	Date of meeting	Follow-up action required	Administration's response
		(c) whether any initiatives would be taken by the Administration to facilitate the provision of medium-priced niches in the market (e.g. by waiving land premium for private columbaria and setting a cap on the price of the niches to be sold by these columbaria.)	
	9 May 2017	The Administration was requested to provide a response to the view that the Administration should, having regard to the High Court's ruling on 28 April 2017 on the judicial review case concerning civil service benefits to the spouse of a homosexual civil servant, re-consider the admissibility of Committee stage amendments proposed by some Members to the Private Columbaria Bill which respectively sought to (i) extend the definition of "relative" under section 6(2) of Schedule 5 to the Bill so that a deceased person's same-sex partner in a marriage, civil partnership or civil union in any jurisdiction outside Hong Kong would be eligible to claim for the return of the deceased person's ashes and (ii) further amend the Administration's proposed definition of "related person" under the same section and the relevant priority of claims.	Response from the Administration awaited.

Subject	Date of meeting	Follow-up action required	Administration's response
4. Environmental hygiene issues in the vicinity of the Tung Chau Street Market	13 December 2016	During the discussion on issues relating to the relocation of the Yen Chow Street Temporary Hawker Bazaar to the new Tung Chau Street cloth market, the Administration was requested to provide information on how it would address the needs and concerns of street sleepers in the vicinity of the Tung Chau Street Market arising from the Administration's plan to improve the surroundings of the Tung Chau Street Market.	Response from the Administration awaited.
5. Issues relating to the incidents of hairy crabs detected with dioxins	19 December 2016	<p>The Administration was requested to provide the Panel with the following information:</p> <p>(a) in respect of food safety incidents occurred in the past three to five years, (i) the amount of compensation or ex-gratia payment that had been made to the affected parties, such as food retailers and suppliers, by the Administration in each of the cases and the reasons for granting the compensation/ex-gratia payment; (ii) whether the Administration had applied any formula for calculating the amount of compensation/ex-gratia payment</p>	Response circulated vide LC Paper No. CB(2)2075/16-17 (01) on 14 September 2017.

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>paid to the affected parties and if yes, the details;</p> <p>(b) given that Hong Kong and the Mainland adopted different standards for testing of dioxins and dioxin-like polychlorinated biphenyls ("PCBs") in hairy crabs, whether the Administration would (i) take any specific measures to ensure that hairy crabs imported into Hong Kong from the Mainland were fit for human consumption; and (ii) consider conducting joint testing with the Mainland authorities before the hairy crabs were imported into Hong Kong; and</p> <p>(c) the timetable for reviewing the Administration's policies and drawing up measures to enhance the monitoring and regulatory arrangements on hairy crabs, with a view to ensuring that the import into and sale of hairy crabs in Hong Kong in the next season would not be affected by similar incidents.</p>	
	11 April 2017	The Administration was requested to provide information on (a) the action levels for dioxins/dioxin-like PCBs in hairy crabs	Response circulated vide LC Paper No. CB(2)2075/16-17 (01) on 14 September 2017.

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>adopted by the Centre for Food Safety ("CFS") respectively before and after 2016; and (b) the reasons for CFS' setting categorically an action level of 6.5 picograms toxic equivalent per gram for hairy crabs in 2016 for the purpose of food surveillance, while the taking of food samples for dioxin testing since 1999 had been observing the then Hygiene Division of the Department of Health's action level of 1 picogram toxic equivalent per gram of the food sample.</p>	
<p>6. Measures on prevention and control of mosquitos and biting midges</p>	<p>10 January 2017</p>	<p>The Administration was requested to provide the Panel with the following information:</p> <p>(a) other than the mosquito prevention and control measures already in place, whether any new and more effective measures would be adopted/considered in the Government's anti-mosquito work; and</p> <p>(b) details of the studies on the surveillance of biting midges infestation in Hong Kong conducted by experts and the measures taken/to be taken by the Administration to address the problem</p>	<p>Response from the Administration awaited.</p>

Subject	Date of meeting	Follow-up action required	Administration's response
		of biting midges in various districts of the territory.	
7. Measures for keeping Hong Kong clean	10 January 2017	<p>The Administration was requested to provide the Panel with the following information:</p> <ul style="list-style-type: none"> (a) regarding the service contract tendering mechanism of FEHD, (i) the criteria adopted by the Administration in evaluating the tenders before letting out the cleansing service contracts and (ii) whether the Administration would consider the comments of District Councils and district personalities on the daily performance of the tenderers in considering awarding and renewing the service contracts; (b) FEHD's progress of fine-tuning the existing cleansing contract tendering system and its timetable for completing the exercise; (c) the expenditure incurred on the installation of Internet Protocol ("IP") cameras at certain refuse dumping blackspots in the Central & Western, Sham Shui Po and Yuen Long Districts, 	Response from the Administration awaited. (Regarding items (a) and (b), please refer to the second last paragraph of the Administration's letter dated 7 April 2017 (LC Paper No. CB(2)1174/16-17(01)) for the Administration's initial response.)

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>which was a pilot scheme implemented since end-2016;</p> <p>(d) given that the Administration would examine the effectiveness of the pilot scheme on installation of IP cameras upon its completion, the findings of the review once available;</p> <p>(e) a copy of the guidance notes and operational guidelines on the use and disclosure of the footage recorded by IP cameras to be drawn up by FEHD to ensure compliance with the provisions on the manner of collecting personal data under the Personal Data (Privacy) Ordinance (Cap. 486);</p> <p>(f) the measures formulated by the Administration for improving the cleanliness of shorelines, and details of the additional resources allocated for stepping up the frequencies of clearing marine refuse in the harbour waters and refuse on beaches; and</p> <p>(g) how the Administration would assess the effectiveness of the inter-departmental working group,</p>	

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>which was set up in November 2012, in reviewing and formulating strategies/ measures for improving the cleanliness of shorelines.</p>	
<p>8. Demerit Points System ("DPS") for licensed food premises and applications for outside seating accommodation ("OSA") for licensed premises</p>	<p>24 January 2017</p>	<p>The Administration was requested to provide the Panel with the following information:</p> <p>(a) among all the food premises with licences suspended/cancelled in the past five years due to the accumulation of demerit points under the extant DPS, (i) the number and percentage of suspension and cancellation cases involving contravention of food safety requirements and (ii) a breakdown of these cases by the nature of offences; and</p> <p>(b) regarding applications for setting up OSA for licensed food premises, (i) the respective number of applications approved and rejected by FEHD in the past two years; (ii) the average processing time (i.e. from the receipt of an OSA application to the granting of approval/deciding on rejection); (iii) the major reasons for the long</p>	<p>Response from the Administration awaited.</p>

Subject	Date of meeting	Follow-up action required	Administration's response
		processing time required for some applications; and (iv) the main reasons of rejection (with a breakdown by category and number of cases).	
9. Rodent prevention and control measures	14 March 2017	The Administration was requested to provide information on how FEHD monitored the situation of rodent infestation in public markets and the targeted measures taken by FEHD to control the rodent problem in public markets.	Response from the Administration awaited.
10. Import of frozen and chilled meat and poultry meat from Brazil	8 April 2017	<p>The Administration was requested to provide the Panel with the following information:</p> <p>(a) regarding the 17 060 samples of meat and poultry meat taken by CFS for testing under the food surveillance programme in the past three years, (i) details of the testing parameters (e.g. metallic contaminants, veterinary drug residues and micro-organisms) adopted by CFS; (ii) the major problems identified in the 36 samples found unsatisfactory; and (iii) the follow-up actions taken by CFS in response to the unsatisfactory samples;</p> <p>(b) the total quantity of meat and poultry meat products supplied to Hong Kong</p>	Response circulated vide LC Paper No. CB(2)2048/16-17 (01) on 31 August 2017.

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>by the 6/21 Brazilian meat plants in question/under investigation during the six weeks immediately preceding 21 March 2017, the date on which CFS decided to temporarily suspend the import of all frozen and chilled meat and poultry meat from Brazil in the wake of the food safety incident under discussion ("the incident");</p> <p>(c) the total quantity of meat and poultry meat products covered by valid import licences issued by FEHD to the 6/21 meat plants in question/under investigation in the last year, and their respective percentage shares in the total quantity of Brazilian meat products covered by import licences issued during the same period of time;</p> <p>(d) other than the 21 meat plants under investigation, a full list of Brazilian meat plants currently permitted to supply meat products to Hong Kong;</p> <p>(e) in relation to the 180 samples of chilled meat and poultry meat imported from Brazil and taken at the import and retail levels for testing of meat deterioration and other food safety indicators (e.g. metallic contaminants, veterinary drug</p>	

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>residues, pesticide residues, sorbic acid, nitrate and nitrite), details of the test results of different meat items against individual indicators/parameters;</p> <p>(f) regarding the recall of Brazilian meat or poultry meat ordered by CFS on 24 March 2017, (i) the latest progress of recall including the total quantity of meat and poultry meat recalled and the retailing points involved; (ii) a list of local food importers, distributors and retailers affected by the recall;</p> <p>(g) the progress of inspections conducted by CFS on local retailing points since the incident to ensure compliance with the mandatory recall order;</p> <p>(h) the seven sources/channels from which CFS collected information/intelligence to assist in its identification and tracing of the source of problematic food imported into Hong Kong and determining the extent of distribution of the food concerned in the territory; and the measures taken by CFS to enhance the food tracing mechanism established under the Food Safety Ordinance (Cap. 612); and</p>	

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>(i) the number of convicted cases involving contravention of sections 52/54 of the Public Health and Municipal Services Ordinance (Cap. 132) and/or the Trade Descriptions Ordinance (Cap. 362) in the past three to five years and the penalties imposed by the Court on the convicted persons.</p>	
<p>11. Implementation of the Food Safety Ordinance (Cap. 612) ("FSO")</p>	<p>9 May 2017</p>	<p>The Administration was requested to provide the Panel with the following information:</p> <p>(a) the manpower involved in conducting inspections on food importers, distributors and retailers between 2014 to 2016 to ensure that the trade complied with the registration scheme and the requirement of keeping transaction records under FSO and the number of food premises inspected by the Administration during the same period; and</p> <p>(b) the major findings of the inspections and follow-up actions taken by the Administration, including the respective numbers of prosecution instituted against (i) food importers/distributors who had not registered under FSO and (ii) food traders for</p>	<p>Response circulated vide LC Paper No. CB(2)2053/16-17 (01) on 4 September 2017.</p>

Subject	Date of meeting	Follow-up action required	Administration's response
		failing to comply with the record keeping requirement.	
12. Supply of public niches and related issues	9 May 2017	<p>The Administration was requested to provide the Panel with the following information:</p> <ul style="list-style-type: none"> (a) traffic improvement measures to be taken by the Administration to alleviate the additional traffic arising from the columbarium project at Tsang Tsui, Tuen Mun; (b) whether consideration would be given to allowing storage of synthetic materials (e.g. synthetic diamond transformed from human ashes) in public niches; and (c) whether the Administration would consider adopting the following measures to promote green burial: (i) establishing a registration scheme for people to indicate their willingness to adopt green burial; (ii) offering monetary incentives to encourage adoption of green burial; and (iii) waiving the relevant charges and fees for cremation service if the family 	Response from the Administration awaited.

Subject	Date of meeting	Follow-up action required	Administration's response
		members/relatives of the deceased decided to adopt green burial.	
13. Regulation of metallic contamination in food	13 June 2017	<p>During the discussion on the Administration's proposals to amend and update the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V), members requested the Administration's provision of the following information:</p> <p>(a) the scientific evidence and relevant factors considered by the Administration when setting in 1980s the existing maximum level for cadmium in polished rice at 0.1 mg/kg; and</p> <p>(b) the different forms of mercury found in fish and their associated health risks.</p>	Response from the Administration awaited.
	3 July 2017	<p>The Administration was requested to provide the Panel with the following information:</p> <p>(a) the Administration's assessment of the impact of the proposed maximum levels for metallic contaminants on the supply of individual food/food groups in Hong Kong, including and in particular the supply of fish; and</p>	The Chinese and English versions of the Administration's response regarding item (a) were issued vide LC Paper Nos. CB(2)2046/16-17 and CB(2)2064/16-17 respectively on 30 August and 11 September 2017.

Subject	Date of meeting	Follow-up action required	Administration's response
		(b) the relevant standards adopted by various jurisdictions (other than the Mainland) for lead in tea leaves and dried chrysanthemum.	Response from the Administration regarding item (b) awaited.
14. Proposed relocation of the Cheung Sha Wan Temporary Wholesale Poultry Market ("CSWTWPM")	13 June 2017	In the context of receiving the Administration's briefing on the views collected during the public consultation exercise on the way forward for the live poultry trade in Hong Kong and the Government's position in the light of the views received, members requested the Administration to provide information on CSWTWPM including (a) the occupancy rate of market stalls in CSWTWPM; (b) the number of wholesalers having business there solely engaged in the trading of imported live poultry; and (c) the number of wholesalers engaged in the wholesaling of live chickens reared in local farms.	Response circulated vide LC Paper No. CB(2)2171/16-17 (01) on 6 October 2017.
15. Regulatory control of genetically modified ("GM") food in Hong Kong	11 July 2017	In the context of discussing the current regulatory control of GM food in Hong Kong and the Administration's proposal to introduce a mandatory pre-market safety assessment scheme for GM food, the Administration was requested to provide the following information:	Response from the Administration awaited.

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>(a) CFS' publicity and education efforts in enhancing public knowledge of matters related to GM food, including the labelling requirements for GM food;</p> <p>(b) studies relating to the impact of the appearance of GM food on the ecology and the environment;</p> <p>(c) individual food materials/ingredients that covered by/fell under the testing surveillance of the Government Laboratory ("GL") in respect of GM-related products and the relevant testing methods adopted by GL; and</p> <p>(d) GM materials/ingredients and GM food/food items that had already been assessed and approved for food use by other food safety regulatory authorities and currently available for sale in the international market.</p>	
<p>16. FEHD's enforcement strategy relating to hawker management and control</p>	<p>11 July 2017</p>	<p>The Administration was requested to provide the following information:</p> <p>(a) in relation to appraisal of staff performance, (i) the criteria adopted for</p>	<p>Response from the Administration awaited.</p>

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>evaluating the performance of staff in the Hawker Control Teams ("HCTs") including Assistant Hawker Control Officers ("AHCOs"); (ii) a copy of the appraisal form(s) currently used within FEHD for assessing the performance of different ranks of HCT staff; and (iii) a written response to the question of whether any senior FEHD staff had evaluated the performance of AHCOs using the assessment form mentioned by a Panel member and the staff association of FEHD;</p> <p>(b) a response to the question of whether it was really the case that HCT staff had asked/would ask shop operators and licensed hawkers to place their goods/trading articles on roads instead of pedestrian passage ways to avoid prosecution;</p> <p>(c) regarding enforcement actions against illegal hawking, (i) the number of hawkers prosecuted by FEHD in the past three years and their age distribution; (ii) the number of warnings issued to aged hawkers by</p>	

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>HCT staff before taking prosecution actions over the past three years; and</p> <p>(iii) whether HCT staff would be penalized if they did not give prior warnings to hawkers before taking enforcement actions;</p> <p>(d) regarding training provided to frontline HCT staff, (i) the training programmes provided to HCT staff to upgrade their work skills and (ii) a copy of FEHD's existing operational guidelines for hawker control; and</p> <p>(e) a written response to the views and concerns raised by Hon SHIU Ka-chun in his letter to the Secretary for Food and Health on 10 July 2017 concerning the enforcement strategy relating to hawker control (LC Paper No. CB(2)1875/16-17(01)).</p>	
17. Government's review of fees and improvement measures for liquor licensing services	11 July and 22 September 2017	When receiving the Administration's briefing on the improvement measures introduced for processing liquor licensing applications and the Administration's latest thoughts on how to take forward, with respect to fees for liquor licensing services, the 2013-2014 Budget	Response from the Administration awaited.

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>commitment to review fees and charges, members requested the Administration to provide information on (a) various types of licences/permits required by different bureaux/departments that might be obtained by the relevant operators for engaging in catering and/or retailing businesses; and (b) whether any of the bureaux/departments followed the "user pays" principle and the Government policy that fees and charges of Government services should in general be set at levels sufficient to recover the full cost of providing the services, in determining the fees and charges for services under their purviews.</p>	
	22 September 2017	<p>The Administration was requested to provide the Panel with the following information:</p> <p>(a) regarding liquor licensing services, (i) details on how the annual costs for provision of different liquor licensing services (e.g. new issue/renewal/transfer of licence) to restaurants and bars were worked out in accordance with the "user pays" principle, with examples illustrating the calculation of the costs for different fee items;</p>	

Subject	Date of meeting	Follow-up action required	Administration's response
		<p>(ii) government departments involved in examining/processing liquor licence applications, the services they provided and the respective annual costs incurred by these departments for provision of such services; and</p> <p>(b) whether the Administration anticipated any need in the coming few years to review the fees and charges for other types of licences/permits that had to be obtained by food premises and clubs/bars for engaging in catering business and if yes, details of the plans.</p>	