

Panel on Food Safety and Environmental Hygiene

List of follow-up actions

(position as at 8 November 2017)

Subject	Date of meeting	Follow-up action required	Administration's response
<p>1. Measures to improve the operating environment of public markets and provision of public markets in new development areas</p>	<p>Meetings of the Subcommittee on Issues Relating to Public Markets</p>	<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 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>	<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.)</p>

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	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">(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;(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(c) measures taken by FEHD to improve the facilities and operating environment of public markets and the resources involved.	

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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.)

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		(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.

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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 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 Tung Chau Street Market arising from the Administration's plan to improve the surroundings of Tung Chau Street Market.	Response from the Administration awaited.
5. Measures on prevention and control of mosquitos and biting midges	10 January 2017	<p>The Administration was requested to provide 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 measures taken/to be taken by the Administration to address the problem of biting midges in various districts.</p>	Response from the Administration awaited.

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6. Measures for keeping Hong Kong clean	10 January 2017	<p>The Administration was requested to provide the following information:</p> <ul style="list-style-type: none">(a) regarding the service contract tendering mechanism of FEHD, (i) 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, which was a pilot scheme implemented since end-2016;	<p>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.)</p>

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		<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) 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, which was set up in November 2012, in reviewing and formulating strategies/ measures for improving the cleanliness of shorelines.</p>	

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<p>7. 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 following information:</p> <ul style="list-style-type: none">(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(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 processing time required for some applications; and (iv) the main reasons of rejection (with a breakdown by category and number of cases).	<p>Response from the Administration awaited.</p>

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8. 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.
9. Supply of public niches and related issues	9 May 2017	The Administration was requested to provide the following information: (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	Response from the Administration awaited.

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		<p>adoption of green burial; and (iii) waiving the relevant charges and fees for cremation service if the family members/relatives of the deceased decided to adopt green burial.</p>	
<p>10. Regulation of metallic contamination in food</p>	<p>13 June and 3 July 2017</p>	<p>During the discussion on the Administration's proposals to amend and update the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V), members requested for the Administration's provision of the following information:</p> <ul style="list-style-type: none"> (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; (b) the different forms of mercury found in fish and their associated health risks; and (c) the relevant standards adopted by various jurisdictions (other than the Mainland) for lead in tea leaves and dried chrysanthemum 	<p>The Administration's response was circulated to members vide LC Paper No. CB(2)85/17-18 on 19 October 2017.</p>

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<p>11. Regulatory control of genetically modified ("GM") food in Hong Kong</p>	<p>11 July 2017</p>	<p>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:</p> <ul style="list-style-type: none"> (a) CFS' publicity and education efforts in enhancing public knowledge of matters related to GM food, including the labelling requirements for GM food; (b) studies relating to the impact of the appearance of GM food on the ecology and the environment; (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 (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 	<p>The Chinese and English versions of the Administration's response were circulated to members vide LC Paper Nos. CB(2)86/17-18 and CB(2)170/17-18 on 19 and 27 October 2017 respectively.</p>

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		and currently available for sale in the international market.	
12. FEHD's enforcement strategy relating to hawker management and control	11 July 2017	<p>The Administration was requested to provide the following information:</p> <p>(a) in relation to appraisal of staff performance, (i) criteria adopted for 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>	Response from the Administration awaited.

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		<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 HCT staff before taking prosecution actions over the past three years; and (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>	

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<p>13. Government's review of fees and improvement measures for liquor licensing services</p>	<p>11 July and 22 September 2017</p>	<p>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 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>	<p>Response from the Administration awaited.</p>
	<p>22 September 2017</p>	<p>The Administration was requested to provide the following information:</p> <p>(a) regarding liquor licensing services, (i) details on how the annual costs for</p>	

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		<p>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> <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>	