

立法會
Legislative Council

LC Paper No. CB(2)1070/20-21
(These meeting notes have been
seen by the Administration)

Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

**Notes of informal meeting for policy briefing by videoconferencing
held on Tuesday, 12 January 2021, at 2:30 pm**

Members participating : Hon Steven HO Chun-yin, BBS (Chairman)
Hon SHIU Ka-fai, JP (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Han-pan, BBS, JP
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan, JP
Dr Hon Pierre CHAN
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Non-Panel Member participating : Hon Elizabeth QUAT, BBS, JP

Public Officers : Professor Sophia CHAN Siu-chee, JP
Secretary for Food and Health

Mr Philip YUNG Wai-hung, JP
Permanent Secretary for Food and Health (Food)

Dr CHUI Tak-yi, JP
Under Secretary for Food and Health

Miss Erica NG Lai-man, JP
Deputy Secretary for Food and Health (Food) 1

Mr Anthony LI Ping-wai
Deputy Secretary for Food and Health (Food) 2

Miss Vivian LAU Lee-kwan, JP
Director of Food and Environmental Hygiene

Dr Edwin TSUI Lok-kin
Controller, Centre for Food Safety
Food and Environmental Hygiene Department

Dr LEUNG Siu-fai, JP
Director of Agriculture, Fisheries and Conservation

Dr SIN Wai-mei, JP
Government Chemist
Government Laboratory

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

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

Mr Clement HAU
Council Secretary (2) 2

Miss Cally LAI
Legislative Assistant (2) 2

Ms Camy YOONG
Clerical Assistant (2) 2

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Briefing by the Secretary for Food and Health on the Chief Executive's 2020 Policy Address

(LC Paper No. CB(2)440/20-21(03) — Administration's paper on relevant initiatives in the Chief Executive's 2020 Policy Address and Policy Address Supplement)

(Index of proceedings of the meeting is attached at the **Appendix**.)

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The Chairman reminded Members that as this meeting was an informal meeting, the Rules of Procedure of the Legislative Council ("LegCo") would not apply and the privileges and immunities provided by the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) would not be available to the participants.

2. At the invitation of the Chairman, the Secretary for Food and Health ("SFH") briefed Members on the policy initiatives in relation to environmental hygiene, food safety, agriculture, fisheries and veterinary health as set out in the 2020 Policy Address and Policy Address Supplement.

(Post-meeting note: The speaking note of SFH (Chinese version only) was issued vide LC Paper No. CB(2)636/20-21 on 12 January 2021.)

Public market improvement projects and management of public markets

3. Members noted that the Administration was pressing ahead with the overhaul of Aberdeen Market and implementation of the overhaul projects for the other three public markets (i.e. Yeung Uk Road Market, Ngau Tau Kok Market and Kowloon City Market) under the Market Modernization Programme ("MMP"). Members opined that the Administration should bring in new ideas in the planning of all these overhaul projects; and maintain close communication with market stall tenants and relevant stakeholders in the process of designing and implementing public market improvement projects under MMP. Noting that the Federation of Hong Kong Kowloon New Territories Hawker Associations ("the Federation") had written to the Administration expressing views on the implementation of MMP, members requested the Administration to provide a written response to the issues and concerns raised in the Federation's letter.

4. The Administration replied that the Food and Environmental Hygiene Department ("FEHD") had obtained the support from market stall tenants and the Southern District Council ("DC") for taking forward the Aberdeen Market project. The Administration aimed at seeking funding approval for the project in the first half of 2021 so that works could be carried out as soon as possible. The Administration had studied the designs of fresh markets in overseas places and would ride on the experience of the Aberdeen Market project in taking forward the other three overhaul projects. FEHD would continue to maintain communication with tenants, respective Market Management Consultative Committees and relevant stakeholders including the Federation.

5. The Administration further advised that in response to the recommendations set out in the Office of The Ombudsman's direct

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investigation reports published in 2018 on FEHD's rental management and regulation of market stalls, FEHD would consider introducing management reform in new and overhauled markets by strengthening the role of the service contractors in managing the markets. FEHD had been engaging service contractors to provide cleansing, security and minor repair services in public markets. Under the new management model, service contractors would also be responsible for formulating promotion and development strategies for the markets, advising on the trade mix in the markets and providing assistance in enforcing tenancy agreements, etc. FEHD would continue to formulate the rental policy, determine the rental level for public market stalls and manage tenancy matters including signing of tenancy, tenancy renewal and termination.

6. Members expressed concern about the progress of various minor refurbishment/improvement works projects under MMP. The Administration advised that FEHD was carrying out minor refurbishment/improvement works for about 10 public markets in various districts across the territory. Depending on the actual circumstances, the works might include renovation of internal facilities, beautification of external walls, replacement of floor tiles, transformation of idle space to include the element of social functions, repainting market facilities, repairing facilities, renovation of toilets, maintenance of drainage systems and piping as well as installation of rodent-proof devices.

7. In response to members' enquiry about the operation of the Skylight Market in Tin Shui Wai, the Administration advised that the construction of the Skylight Market using the Modular Integrated Construction method was completed smoothly and the market had commissioned in the second half of December 2020 as planned. All 36 stalls had been leased out by open application. Among them, 10 stalls had been leased to residents in Tin Shui Wai. The new management model mentioned earlier had been introduced at the Skylight Market. FEHD would make reference to the experience gained when implementing new management measures in other public markets.

8. Regarding the progress of promoting contactless payment in public markets, the Administration advised that in light of public concerns about the risk of possible transmission of the coronavirus disease 2019 ("COVID-19") virus through cash exchange when shopping at markets, a one-off subsidy scheme under the Anti-epidemic Fund ("AEF") was launched to encourage market stall tenants to use contactless payment. Under the scheme, a one-off subsidy, at a flat rate of \$5,000 per stall, was provided to tenants (including tenants of cooked food stalls) in markets of FEHD or the Hong Kong Housing Authority ("HA"). During the application period from 15 October to 21 December 2020, FEHD and HA received more than 3 500 and 450

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applications respectively. FEHD and HA would continue to promote contactless payment in public markets through various publicity channels and communicate with tenants to understand their concerns and needs.

Issues relating to food safety

9. Members noted that the Centre for Food Safety ("CFS") had stepped up testing of frozen foods and their packaging against the risk of COVID-19 virus transmission through imported frozen foods. Details were sought on CFS' work in this regard and the impact of the enhanced sampling tests of frozen foods on the operation of the relevant food trade. As online food sale had become more and more popular, members also enquired about the existing regulatory control over online food selling activities and the testing parameters adopted for food products sold online.

10. According to the Administration, noting the earlier detection in the Mainland of the COVID-19 virus on imported frozen foods or their packaging, CFS had immediately stepped up, at the import level, testing of various types of frozen foods and their packaging imported from different countries/regions, which involved taking samples at CFS' Airport Food Inspection Offices and the cold stores of importers. While samples would not be collected from each consignment of imported frozen goods, CFS would notify importers concerned of the relevant arrangements if their frozen foods had been selected for testing. Normally, the test results would be made available to importers within two days. Importers concerned could arrange distribution and selling of the frozen foods if and after the foods had been tested negative for the COVID-19 virus. CFS had also initiated discussions with cold store operators on the stepping up of disinfection of outer package of imported frozen foods and the working environment of cold stores.

11. Regarding online food sale, the Administration advised that depending on the circumstances, modes of operation and the types of food for sale, operators of online food sale business should obtain relevant registration, licences or permits issued by FEHD. FEHD would conduct investigations against suspected non-compliant cases. In view of the increasing popularity of online food purchase, CFS had collected more food samples sold online for testing under the Food Surveillance Programme in recent years, with a larger proportion assigned for microbiological tests.

12. Members expressed concern about the safety issues relating to beta-agonists ("β-agonists") which were used for promoting growth and muscle leanness in certain food animals such as pigs and cattle. Enquiry was raised as to whether the Administration would consider, by following the practice of the Mainland and the European Union, amending the food safety

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legislation to impose a total ban on the import of meat and meat products containing any β -agonists.

13. The Administration replied that having made reference to the standards of the Codex Alimentarius Commission ("Codex") and other jurisdictions, Hong Kong amended the legislation in 2001 to prohibit the use of Clenbuterol and Salbutamol in live food animals as well as the import and sale of any meat containing these two β -agonists for human consumption. Regarding another β -agonist Ractopamine, Codex had set maximum levels of its residue in meat and tissue. In 2016, CFS made reference to the Codex standards and established the same action levels for Ractopamine residue in the tissues of food animals. In the past three years, the test results of around 600 samples collected for testing of β -agonists (including Clenbuterol, Salbutamol and Ractopamine) were satisfactory. Ractopamine was approved to be used in food animals in over 20 countries. CFS would continue to monitor international practices and the latest risk assessment information on the use of β -agonists and review the situation in Hong Kong from time to time.

Financial support to the catering sector under AEF

14. Members noted that FEHD had implemented subsidy schemes under the first and second rounds of AEF to provide financial support to the catering sector hard hit by the COVID-19 epidemic and the social distancing measures. They expressed concern that certain categories of catering businesses (e.g. barbeque restaurants and food premises in food courts of shopping malls) were not eligible to apply for the subsidies. They asked whether the Administration would consider rolling out supportive measures for those catering businesses which could not benefit from previous measures under AEF. Pointing out that some food premises might be operated by persons other than the licensee himself, members were concerned that the subsidy schemes might only benefit the licensees but not the actual operators.

15. The Administration replied that the subsidy scheme implemented by FEHD under the second round of AEF mainly aimed at providing financial support to licensed catering businesses with seating areas for customers to dine in. Unlicensed barbecue restaurants and catering establishments operating under a food factory/fresh provision shop licence (under which the provision of dine-in service was not allowed) were not eligible to apply for the relevant subsidies. The Administration noted that the business of licensed food factories operating in food courts had been badly hit by the epidemic and the social distancing measures. It was considering the feasibility of providing financial support to those food factories through subsidy schemes to be rolled out under the fourth round of AEF. The Administration would

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request the applicants (i.e. the licensees of the food premises) to undertake that the subsidies received (if their applications were successful) would be used for continuing the operation. In case a food premise was operated/managed by person(s) other than the licensee, the Administration would require the licensee to submit, together with the application form, a duly signed consent from every operator declaring support for the licensee's application for subsidies.

Implementation of anti-epidemic measures in public markets and catering premises

16. Members enquired about the implementation of anti-epidemic measures in public markets and catering premises. There was a view that FEHD should step up inspections to public markets and catering premises to ensure that anti-epidemic regulations and corresponding measures for reducing the risk of virus transmission were strictly complied and adopted.

17. The Administration advised that FEHD had stepped up and would continue to take stringent enforcement actions relating to anti-epidemic regulations in public markets, e.g. installing body temperature screening devices in the markets. Other efforts included conducting thorough cleansing and disinfection in public markets and improving air ventilation with the assistance of the Electrical and Mechanical Services Department. FEHD had also stepped up inspections to catering premises to remind catering business operators to remain vigilant and strictly comply with the requirements under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F). Members of the public were also reminded to comply with various restrictions in relation to group gatherings and mask-wearing under the anti-epidemic regulations and directions when visiting catering premises. Since the implementation of the anti-epidemic regulations, FEHD had issued about 400 fixed penalty notices against persons for breaching the regulations.

18. Members expressed concern that the Government's earlier decision to cancel the Lunar New Year ("LNY") fairs originally scheduled to be held at 15 locations in February 2021 would have an adverse impact on the business of flower farmers. They suggested that the Administration should consider holding the LNY fairs as scheduled to respond to demands of the trade and the public for sale and purchase of New Year flowers. To minimize the risk of virus transmission, suitable anti-epidemic and crowd control measures should be adopted. The Administration responded that to minimize the impact of the cancellation of the LNY fairs on the trade and to assist flower farmers to sell flowers through other means, FEHD would meet with relevant stakeholders to work out a solution.

Issues relating to environmental hygiene

19. Expressing concern about the worsening rodent infestation problem in various districts, members enquired whether any new measures or methods would be adopted by FEHD to eliminate rodent nuisance. In members' views, the Administration should enhance publicity on rodent prevention and control, strengthen coordination among government departments in carrying out anti-rodent operations, and review the method for calculating the rodent infestation rates so that the surveys could reflect more accurately the situation of rodent infestations in different districts.

20. The Administration responded that FEHD had been working with relevant departments to implement rodent control measures and carry out anti-rodent operations in the territory, with emphasis placed on the elimination of rodents' food sources and hiding places in public markets, rear lanes and public rental housing ("PRH") estates. The measures included conducting intensive anti-rodent operations in more public markets starting from October 2020, setting up dedicated cleansing teams to tackle hygiene problems at rear lanes and establishing a working group to strengthen coordination between FEHD and the Housing Department in carrying out anti-rodent operations in PRH estates. On the application of technologies, FEHD would continue to install thermal imaging cameras with artificial intelligence analytical function in designated target areas, with a view to identifying the scope of infestation, dispersal routes and the extent of rodent activities for assessing the effectiveness of anti-rodent work and formulating rodent control measures. New rodent traps, rodenticides and baits which had been proven effective in trial tests would be widely used for enhancing rodent control. Moreover, under the coordination of the Pest Control Steering Committee, a number of departments had been allocated additional resources for strengthening their respective pest control work.

21. Expressing concern about the deteriorating hygiene conditions in various districts, members urged FEHD to step up its efforts in cleansing streets and maintaining environmental hygiene. The Administration responded that in recent years, FEHD had applied technologies in street cleansing and allocated additional resources for tackling environmental hygiene problems. To curb illegal deposit of refuse, FEHD had launched a trial scheme on the installation of Internet Protocol ("IP") cameras at illegal refuse deposit black spots in June 2018. As significant improvement was noticed, FEHD extended the scheme on the installation of IP cameras progressively to about 300 illegal refuse deposit black spots over the territory.

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22. Members said that in some districts (e.g. Sham Shui Po), street obstruction problems caused by shop front extension had become serious in recent years at locations near public markets, causing traffic congestion and environmental hygiene problems. They urged FEHD to step up enforcement against street obstruction by shop vendors. The Administration responded that FEHD would work with the Police on a pilot scheme to take enforcement actions and institute prosecutions against street obstruction at carriageways for the purpose of maintaining environmental hygiene and public order. Publicity work would also be stepped up to remind stall operators not to cause street obstruction.

Enhancing animal welfare

Admin

23. Members expressed concern that over the past few months, a number of cases involving cruelty to animals had occurred. In their views, the Administration should step up enforcement actions against animal cruelty cases. They enquired about the Administration's timetable for amending the Prevention of Cruelty to Animals Ordinance (Cap. 169) in order to better safeguard animal welfare. They also requested the Administration to provide supplementary information on the number of complaints received and handled in recent years by the Agriculture, Fisheries and Conservation Department ("AFCD") and the number of prosecutions instituted by relevant departments in relation to cruelty to animals.

24. The Administration responded that AFCD would continue to work with the Police to combat acts of animal cruelty and conduct investigations upon receipt of complaints. A public consultation exercise on proposals to enhance animal welfare was conducted in April 2019 and the outcome of which was reported to the Panel in April 2020. The Administration was now pressing ahead with the drafting of the relevant amendment bill. Given the wide-ranging and complex issues involved, the law drafting work would take some time. The Administration planned to introduce into LegCo the amendment bill in the next legislative session.

Regulation of private columbaria and supply of public niches

25. Members enquired about the progress of the Private Columbaria Affairs Office ("PCAO") in processing applications for specified instruments (i.e. a licence, an exemption or a temporary suspension of liability) from private columbaria. The Administration replied that the Private Columbaria Licensing Board had thus far approved/agreed to approve in principle the specified instrument applications submitted by a total of 19 columbaria, involving about 50% of the total sold niches of private columbaria in the territory. On the other hand, the specified instrument applications submitted

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by 26 private columbaria had been refused for non-compliance with the requirements while 14 private columbaria had withdrawn their applications. PCAO would continue to process the applications from the remaining 80-odd private columbaria.

Admin

26. Members expressed concern about the uneven supply of new public niches from various sites identified under the district-based columbarium development scheme for columbarium development. They pointed out that as a large number of new public niches would be provided in North District (e.g. Sandy Ridge Cemetery and Wo Hop Shek Columbarium) in the coming years, local residents had expressed worries about the additional traffic impact arising from gravesweepers and environmental nuisances arising from the operation of the new columbarium facilities. Members asked whether the Administration would take into account the development of the Guangdong-Hong Kong-Macao Greater Bay Area when planning for the provision of columbarium facilities under the district-based columbarium development scheme, e.g. whether it would assess the appropriateness of constructing additional columbarium facilities in North District or areas near the border.

27. The Administration replied that due to topographical constraints of the sites, the number of public niches provided under different columbarium projects varied. In planning for the columbarium projects in various districts, the Administration had consulted relevant DCs and assessed the traffic impact to be brought about by each proposed project. Regarding the Sandy Ridge columbarium project in North District, FEHD had taken into account the views of the Shenzhen authorities in designing the columbarium facilities (which would blend in with the neighbouring area) to address the concerns of nearby residents about the visual impact of the facilities.

28. The meeting ended at 4:22 pm.

(Post-meeting note: The Chinese and the English versions of the Administration's response (LC Paper No. CB(2)826/20-21(01)) to issues raised by members in paragraphs 23 and 26 above was respectively issued on 26 February and 20 April 2021.)

**Proceedings of the informal meeting for policy briefing by videoconferencing
of the Panel on Food Safety and Environmental Hygiene
on Tuesday, 12 January 2021, at 2:30 pm**

Time marker	Speaker	Subject(s)	Action Required
Briefing by the Secretary for Food and Health on the Chief Executive's 2020 Policy Address			
000000 - 000146	Mr Steven HO ("Chairman")	Meeting arrangements	
000147 - 000717	Administration ("Admin")	Briefing by the Administration	
000718 - 001233	Chairman Mr Vincent CHENG Admin	Issues relating to environmental hygiene	
001234 - 002152	Chairman Mr CHAN Han-pan Admin	Issues relating to food safety	
002153 - 002822	Chairman Mr Tony TSE Admin	Public market improvement projects and management of public markets Issues relating to food safety	
002823 - 003641	Chairman Mr Kenneth LAU Admin	Regulation of private columbaria and supply of public niches	
003642 - 004417	Chairman Mr SHIU Ka-fai ("Deputy Chairman") Admin	Enhancing animal welfare Public market improvement projects and management of public markets Issues relating to environmental hygiene	
004418 - 005439	Chairman Ms Elizabeth QUAT Admin	Enhancing animal welfare Issues relating to food safety Issues relating to environmental hygiene	
005440 - 010249	Chairman Admin	Implementation of anti-epidemic measures in public markets and catering premises	
010250 - 011015	Chairman Mr Wilson OR Admin	Issues relating to environmental hygiene Implementation of anti-epidemic measures in public markets and catering premises	

Time marker	Speaker	Subject(s)	Action Required
011016 - 011951	Chairman Ms YUNG Hoi-yan Admin	Financial support to the catering sector under the Anti-epidemic Fund Public market improvement projects and management of public markets	
011952 - 012536	Chairman Mr Tony TSE Admin	Public market improvement projects and management of public markets Issues relating to food safety	
012537 - 013305	Chairman Mr Wilson OR Admin	Public market improvement projects and management of public markets Regulation of private columbaria and supply of public niches	
013306 - 013823	Chairman Mr Tommy CHEUNG Admin	Financial support to the catering sector under the Anti-epidemic Fund	
013824 - 014224	Chairman Deputy Chairman Admin	Public market improvement projects and management of public markets	
014225 - 015206	Chairman	Implementation of anti-epidemic measures in public markets and catering premises	