立法會 Legislative Council

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(These minutes have been seen by

the Administration)

Panel on Food Safety and Environmental Hygiene

Minutes of special meeting held on Thursday, 7 April 2005 at 8:30 am in the Chamber of the Legislative Council Building

Members: Hon Fred LI Wah-ming, JP (Chairman)

Present Hon WONG Yung-kan, JP (Deputy Chairman)

Hon Bernard CHAN, JP

Hon Andrew CHENG Kar-foo Hon TAM Yiu-chung, GBS, JP Hon Tommy CHEUNG Yu-yan, JP Hon Vincent FANG Kang, JP Hon WONG Kwok-hing, MH

Members : Hon LEE Cheuk-yan

Attending Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP

Members: Dr Hon Joseph LEE Kok-long

Absent Dr Hon KWOK Ka-ki

Public Officers: Mr Eddy CHAN

Attending Deputy Secretary (Food & Environmental Hygiene)

Health, Welfare and Food Bureau

Miss Vivian KO

Principal Assistant Secretary (Food & Environmental Hygiene) 1

Health, Welfare and Food Bureau

Mr Vincent LIU

Principal Assistant Secretary (Food & Environmental Hygiene) 2

Health. Welfare and Food Bureau

Mr Eric HUI

Assistant Secretary (Food and Environmental Hygiene)3 Health, Welfare and Food Bureau

Mr LAU Sin-pang

Deputy Director of Agriculture, Fisheries and Conservation

Mr LAI Ching-wai

Assistant Director (Inspection and Quarantine) Agriculture, Fisheries and Conservation Department

Mr LO Fu-wai

Assistant Director (Operations)1

Food and Environmental Hygiene Department

Dr CHUANG Shuk-kwan

Principal Medical and Health Officer (Epidemiology Section)

Centre for Health Protection

Department of Health

Attendance by: Agenda item I(a) – Meeting with live poultry traders invitation

Mr LIN Tak-hing
Mr LING Chung-bun
Mr LEUNG Hung-biu
Mr NG Fan-shing
Mr FUNG Siu-kin
Mr CHIU Wai-wing

Company Limited

Ying Kee Poultry Company Mr POON Hung-wai

Limited

Hap Kee Company Mr CHAN Kwok-keung

Tai Fung Mr CHOI Tak-lee Yee Hap Mr CHENG Yun-hung Lau Cheung Kee Mr LAM Muk-dan Kung Hing Company Mr NG Cheung-leung Wah Sheng Trading Company Mr CHUI Mo-hung Tang Chi Kee Mr TANG Wai-lam Hap Yik Mr HO Kwok-wah Shui Kee Mr NG Wing-kin

Ms WONG Man-kei Lam Cheung Company Chow Wai Kee (Ah Sam) Mr CHOW Gat-sam

Ho Chung Mr HO Kwok-fu Chi Lik Mr KWAN Shui-kuen Cheung Kee Poultry Wholesaler Mr LAW Yiu-keung

Ms CHAK Chau-ying

Sam Chow Trading
You Li Poultry
Mr LAU Kwai-lam
Law Tung Kee
Mr LAW Kwok-fai
Cheung Hap (Shun Kee) Poultry
Mr CHEUNG Chun-hap

Choi Kee Live Poultry

Lun Kee Live Poultry

Hong Kong Live Poultry Company

Mr TAM Yuk-wo

Mr TAM Yuk-lun

Mr WONG Hei-bok

Limited

Fat Kee Poultry Mr NG Chau

Poon Kee Poultry

Chiu Wah Kee Poultry

Chan Po Kee Poultry

Mr LAL Change and Mr LA

Ho Wan Poultry Mr LAU Chung-sun Kun Tai Poultry Mr POON Fuk-loi

Agenda item I(b) – Meeting with live poultry trade associations

Kowloon Poultry Transporter and Poulterer Association

Mr WONG Tak-leung

Chairman

Kowloon Poultry Laan Merchants Association

Mr NG Chi-kin

Chairman

Mr LEUNG Fu-man

Vice-chairman

Hong Kong Grazers Union

New Territories Association of Societies Fisheries District

Committee

Mr SHEK Chung-sang

Officer-in-charge

Hong Kong Poultry Wholesalers Association

Mr TSUI Ming-tuen

Chairman

Mr YIP Lap-for Deputy Chairman

Hong Kong Livestock Industry Association

Mr FUNG Kin-chung Vice-chairman

Mr TAM Kwok-chu Vice-chairman

Hong Kong Poultry Wholesalers and Retailers Association

Mr WONG Wai-chuen Chairman

Federation of Hong Kong Kowloon New Territories Hawker Associations

Mr FUNG Man-hong Chairman

Mr WONG Yin-wa Organizer

The New Territories Chicken Breeders Association Limited

Mr WONG Yuen-tai Director

Mr LEE Leung-kei Deputy Director

Hong Kong Chilled Meat & Poultry Association

Mr KWOK Shi-hing Chairman

Mr CHAN Wai-ming Co-chairman

Fresh Poultry Wholesaler Association

Mr HUI Hon-man Chairman

Hong Kong and Kowloon Poultry Dealers and Workers Association

Mr WONG Wing-nam Chairman

Mr NG Ka-lok Vice Chairman

Poultry Trade Workers Union

Mr LEE Yuet General Affairs Committee

Hong Kong, New Territories Poultry-Culture (Geese & Ducks) Mutual Aid Association

Mr KWOK Chi-yau Chairman

Mr LAI Loi-chau Director

The World's Poultry Science Association Hong Kong Branch

Mr Peter WONG Chun-kow President

Mr KWOK Ming-cheung Treasurer

Quality Broiler Development Association

Ms FUNG Choi-yuk Secretary General

Agricultural and Fishery Technology Promotion Association

Mr HAU Yiu-yin, William Executive Committee Member (Technology & Development)

Mr KWAN Wing-kin
Executive Committee Member

Kamei Chicken Sales and Promotion Association

Mr PO Sai-man Chairman

Mr CHUNG Yiu-wah Secretary

Western Slaughterhouse (Ducks and Geese)

Mr TONG Po-yin

Licensee

Clerk in : Mrs Constance LI

Attendance Chief Council Secretary (2)5

Staff in : Miss Betty MA

Attendance Senior Council Secretary (2)1

Ms Anna CHEUNG Legislative Assistant (2)5

Action

I Meeting with deputations

The Chairman said that the Panel had held a joint meeting with the Panel on Health Services on 14 March 2005 to discuss the Administration's proposed comprehensive plan to reduce the risk of avian influenza outbreaks in Hong Kong. Members agreed at that meeting that the Panel would hold a special meeting to gauge the views of the live poultry trades.

2. <u>The Chairman</u> further said that in view of the large number of deputations (a total of 54 deputations) attending the meeting, they would be invited to present their views in two sessions.

(A) Session One - Meeting with live poultry traders

3. <u>The Chairman</u> welcomed representatives of deputations to Session One of the meeting. The views of the deputations were summarized below.

Views of deputations

Tak Hing Laan [LC Paper No. CB(2) 1227/04-05(01)]

4. Mr LIN Tak-hing presented the views of Tak Hing Laan as detailed in its submission. Mr LIN said that the proposed ex-gratia payment (EGP) for the live poultry wholesalers who chose to cease operation permanently was insufficient to meet the winding-up expenses. The fund reserved for EGP should instead be used to assist live poultry farmers to strengthen the biosecurity measures in their farms, so that they could continue to operate. He added that there had not been any avian influenza outbreaks in Hong Kong since 1997.

Ka Kee Laan

5. Mr FUNG Siu-kin said that live poultry wholesalers wished to continue operation, instead of asking for more compensation. Mr FUNG further said that as the live poultry operators and workers had been working in the live poultry trade for many years, it would be difficult, if not impossible, for the traders and their employees to seek employment in other fields. Mr FUNG added that avian influenza was under control in Hong Kong, and he did not see any reason for the Administration to "kill" the live poultry industry.

Kong Fung Development Company Limited

6. Mr CHIU Wai-wing opposed the Administration's plan to introduce a compulsory termination scheme for the live poultry industry in the event of an avian influenza outbreak in Hong Kong. Mr CHIU said that the stringent biosecurity and preventive measures in place would be sufficient to guard against the occurrence of avian influenza outbreaks. He further said that all members of the live poultry trade would be forced out of job if a compulsory termination scheme was introduced. He added that the EGP was only a one-off payment, and there was no guarantee to the livelihood of the workers in the long-term. He urged Members to assist members of the trade to earn their own living.

Ying Kee Poultry Company Limited [LC Paper No. CB(2) 1227/04-05(02)]

7. Mr POON Hung-wai presented the views of his company as detailed in its submission. He said that the proposed EGP for live poultry wholesalers was inadequate for them to repay loans and to hand out severance payments to their employees. He urged the Administration to allow the live poultry industry to continue operation.

Hap Kee Company

8. <u>Mr CHAN Kwok-keung</u> said that the Administration was on the wrong track in preventing occurrence of avian influenza outbreaks.

Tai Fung

9. <u>Mr CHOI Tak-lee</u> said that the stringent preventive measures put in place were already sufficient to prevent outbreaks of avian influenza. He hoped that the live poultry industry could continue to exist.

Lau Cheung Kee

10. Mr LAM Muk-dan criticized Government for adopting a bureaucratic approach. He strongly urged the Administration not to force the live poultry industry to cease operation, as this would have great impact on their livelihood. He said that the proposed EGP was insufficient to support their families.

Kung Hing Company

11. <u>Mr NG Cheung-leung</u> said that members of the live poultry industry wished to continue operation, as they did not want to rely on social security payments. Concerning the voluntary surrender scheme for live poultry wholesalers, <u>Mr NG</u> urged the Administration to consider also providing compensation to the affected workers.

Wah Sheng Trading Company

12. Mr CHUI Mo-hung said that his company had made substantial investments in running live poultry farms, and he was confident of a prosperous market. He further said that the proposed EGP for wholesalers and farmers who chose to cease operation permanently was inadequate. He added that the live poultry industry had been cooperative with the Government in implementing measures to prevent the outbreak of avian influenza. Therefore, the Government should not plan to "kill" the industry.

Tang Chi Kee

13. Mr TANG Wai-lam said that he shared Mr CHUI Mo-hung's views in paragraph 12 above.

Hap Yik

14. Mr HO Kwok-wah said that live poultry wholesalers wanted to continue with their business.

Shui Kee

15. Mr NG Wing-kin said that the live poultry industry had been working with the Government to implement measures to prevent the outbreak of avian influenza, and these measures had achieved satisfactory results. It was irresponsible and unnecessary for the Government to propose "killing" the industry, as avian influenza viruses could not be completely eradicated.

Lam Cheung Company

16. <u>Ms WONG Man-kei</u> said that termination of the live poultry industry would have serious impact on the livelihood of live poultry traders and workers.

Chi Lik

- 17. Mr KWAN Shui-kuen expressed strong opposition to the voluntary surrender scheme for live poultry farmers and wholesalers. He said that he wanted to earn his living instead of asking for compensation from Government. He further said that the measures implemented in Hong Kong to control the outbreak of avian influenza had been very effective.
- 18. <u>Ms CHAK Chau-ying</u> said that the proposed EGP was insufficient for the live poultry traders to support their future living as they did not possess skills and knowledge to start business in other fields. She further said that the Government should enhance measures to prevent an outbreak of avian influenza instead of "killing" the live poultry industry. She stressed that members of the trade wanted to earn a living on their own.

Law Tung Kee

19. Mr LAW Kwok-fai said that live poultry traders wished to continue their business.

Cheung Hap (Shun Kee) Poultry

20. Mr CHEUNG Chun-hap said that the measures to prevent avian influenza outbreaks had been effective, and there was no need to "kill" the industry. He stressed that the live poultry traders did not want to cease operation.

Choi Kee Live Poultry

21. Mr TAM Yuk-wo said that he shared Mr CHEUNG Chun-hap's views in paragraph 20 above.

Lun Kee Live Poultry

22. <u>Mr TAM Yuk-lun</u> said that he shared Mr NG Wing-kin's views in paragraph 15 above.

Hong Kong Live Poultry Company Limited

23. <u>Mr WONG Hei-bok</u> said that they would not accept the offer of EGP, as they wished to continue operation and earn a living on their own.

Fat Kee Poultry

24. Mr NG Chau said that if live poultry traders were to cease operation permanently, the proposed EGP was insufficient to meet the severance payment for workers and to support his living after retirement.

Poon Kee Poultry

25. <u>Mr LEE Kam-yuen</u> said that the present policy would ultimately "kill" the live poultry trade. Requiring the live poultry trade to cease operation permanently would have great impact on the livelihood of the workers who would become unemployed. He further said that the public had made clear that they preferred live chickens to chilled chickens. He added that the live poultry traders wished to continue operation, and were not asking for more compensation.

Chiu Wah Kee Poultry

26. Mr CHIU Wah said that the proposed EGP was insufficient for the live poultry traders to wind up their business. Members of the trade wished to continue operation, and were not asking for more compensation.

Chan Po Kee Poultry

27. Mr CHAN Po said that the public preferred live chickens. He urged the Administration not to "kill" the live poultry industry. He further said that members of the trade wanted to continue their business.

Ho Wan Poultry

28. <u>Mr LAU Chung-sun</u> said that he operated a fresh provision shop. He considered that the enhanced hygiene requirements on retail markets had been effective to prevent avian influenza outbreaks, and there was no need to "kill" the industry. He urged the Administration to allow operators to continue their business.

- 29. Mr POON Fuk-loi said that he had invested over \$2 million to meet the enhanced hygiene requirements after the outbreak of avian influenza in 1997. To cease operation permanently would cause him difficulties as he would need to repay loans, and he had no other means of livelihood. He stressed that he wanted to continue operation, and was not asking for compensation. He urged the Administration not to ask the trade to cease operation.
- 30. <u>The other deputations</u> attending Session One of the meeting said that they had nothing to add to the views expressed by the above deputations.

Discussion

Consultation with the live poultry industry

- 31. <u>Mrs Selina CHOW</u> asked whether the live poultry industry had been consulted on the Administration proposal; and if so, whether the industry had reflected their views or suggestions to the Administration. <u>Mr Vincent FANG</u> asked whether the Administration had consulted the live poultry industry on the basis for determining the proposed EGP for live poultry wholesalers.
- 32. Mr LEE Kam-yuen of Poon Kee Poultry said that representatives of the live poultry industry had been briefed on the proposal in general on one occasion, but there was no detailed discussion. Mr CHAN Kwok-keung of Hap Kee Company said that individual wholesalers and traders had not been consulted or briefed on the proposal. Mr LAW Kwok-fai of Law Tung Kee and Mr LAM Muk-dan of Lau Cheung Kee said that they were not consulted on the calculation of EGP. They pointed out that the amount of proposed EGP was inadequate for meeting the expenses for closing down.
- 33. <u>Deputy Secretary for Health, Welfare and Food (Food and Environmental Hygiene)</u> (DS(FEH)) said that the paper aimed to give an account of the policy intention for introducing an overall plan to reduce the risk of avian influenza outbreaks in Hong Kong. <u>DS(FEH)</u> further said that it was the established practice for the Administration to brief the Legislative Council on new policy initiatives before consulting the relevant parties. The Administration would consult the poultry industry on the proposed voluntary surrender scheme for live poultry farmers and wholesalers before seeking funding approval from the Finance Committee. <u>DS(FEH)</u> added that the Agriculture, Fisheries and Conservation Department (AFCD) was already meeting the traders.

- 34. Mr TAM Yiu-chung said that most deputations had indicated that they wanted to continue operation and expressed concern about the inadequate amount of EGP to meet the expenses for closing down their business under the compulsory termination policy. Mr TAM asked about the average number of workers (and their years of service) employed by a live poultry wholesaler and the estimated amount of long service payment involved. The Chairman also sought similar information in respect of live poultry retailers.
- 35. Mr POON Hung-wai of Yee Kee Poultry Company Limited said that live poultry wholesalers employed on average four to five employees on daily wage basis, and their years of service ranged from 10 to 20. Mr LAU Chung-sun of Ho Wan Poultry said that there were about six to eight live poultry workers in a fresh provision shop. Some of his employees had worked for him over 20 years. Mr CHIU Wah of Chiu Wah Kee Poultry said that there were about three to four workers in market poultry stalls and their average monthly wage was about \$6,000.
- 36. Mr TAM Yiu-chung asked whether the Administration had collected information on the number of live poultry farms, the years of service of the wholesale workers, and the estimated long service payment involved if their employers chose to join the proposed voluntary surrender scheme.
- 37. Mr WONG Kwok-hing pointed out that there was no formal employer and employee relationship in the live poultry industry. Many unemployed live poultry retail workers were not eligible for attending the tailor-made retraining courses and receiving one-off grants under the voluntary surrender scheme, because their former employers did not provide proofs on their employment. Mr WONG said that to protect the interest of live poultry workers in farms and wholesale markets, the Administration should register their personal particulars before implementing the voluntary surrender scheme. This would save the trouble of verifying their employment relationship with those operators should the latter choose to join the voluntary surrender scheme afterwards.
- 38. Mr Tommy CHEUNG said that in a recent report released by the World Health Organization (WHO), Hong Kong was praised of its effective actions to reduce the risk of avian influenza outbreak. He therefore could not understand why the Administration would need to propose a compulsory termination policy in the event of an outbreak of avian influenza in Hong Kong. Mr CHEUNG requested the Administration to explain whether it had studied other alternatives to shorten the time for depopulation when such a need arose. Mr CHEUNG further said that the voluntary surrender scheme for live poultry retailers was first proposed by him, in order to enable those retailers who had operational difficulties to choose to cease operation on a voluntary basis. In his view, the operational difficulties were largely caused by the poor management of public markets by Food and Environment Hygiene Department.

- 39. Mrs Selina CHOW said that the proposed compulsory termination scheme for all live poultry operators in the event of an avian influenza outbreak was very drastic and would put the operators and workers in great hardship. Mrs CHOW urged the Administration to be cautious in taking forward this proposal, and it should discuss with the live poultry operators/workers to work out a reasonable plan.
- 40. Mr WONG Yung-kan said that the large number of deputations attending the meeting clearly reflected that the live poultry industry had grave concerns on the proposal. Mr WONG pointed out that the live poultry industry had been cooperative with the Government in implementing measures to control the risk of avian influenza outbreak. As the control measures had proven to be effective, he could not understand why the Administration proposed to reduce the number of live chickens in farms and from the Mainland. Mr WONG was concerned that the Administration would impose a compulsory surrender scheme if the response to the voluntary surrender scheme was unsatisfactory.
- 41. Mr WONG Yung-kan further said that it was incorrect for the Administration to say that none of the duck farms was in active operation and therefore did not include duck farms in the calculation of EGP. Mr WONG pointed out that duck farmers had repeatedly requested for resumption of importation of live ducks and geese from the Mainland, but to no avail.

42. <u>DS(FEH)</u> gave the following responses –

- (a) the Administration had to be prudent in spending public money. The EGP formula for poultry farmers would follow the current formulae for public development clearance, and the proposed EGP formula for live poultry wholesalers would follow the formula for live poultry retailers under the voluntary surrender scheme for retailers. On this basis, the Administration proposed to set aside a provision of about \$264 million for providing EGP to live poultry farmers and wholesalers under the voluntary surrender scheme;
- (b) during the avian influenza outbreak in 1997, it took about one week to cull 1.2 million chickens. As the chicken population in local farms had now grown to over 3.7 million, it was envisaged that an operation to depopulate all live poultry in Hong Kong would take about three to four weeks to achieve, having regard to the availability of manpower resources, equipment, carbon dioxide, disposal sites, etc. This was unacceptable from the protection of public health perspective, especially when it remained unknown whether the H5N1 virus had undergone mutation to become more pathogenic than before;

- (c) the Administration had no intention to "kill" the live poultry industry, and wished to provide room for the survival of the industry. However, Hong Kong was a densely populated city with limited land resources, and there were considerable constraints for the sustainable development of livestock farming including poultry farming. The Administration's proposal aimed to strike a balance between safeguarding public health and maintaining sustainability of the live poultry industry;
- (d) whether the proposal would be taken forward would depend on whether the Finance Committee would approve the funding application for the voluntary surrender scheme for live poultry farmers and wholesalers;
- (e) the surrender of licence scheme for live poultry farmers and wholesalers would be implemented on a voluntary basis. Should mass culling be required in the event of an outbreak of avian influenza, those did not join the surrender scheme would receive the standard statutory compensation for the live poultry culled (i.e. \$30 per chicken) plus an ex-gratia element that might be applicable at the time. Up to 2002, Government had paid out \$270 million as compensation to the industry in this regard. Hong Kong should consider whether it would want to continue the existing operation of live poultry industry in the long-term, having regard to the risk of recurrence of avian influenza and the need for mass culling in the event of an outbreak; and
- (f) although the existing control measures were effective in reducing the risk of an avian influenza outbreak, there was heightened concern on the increasing risk of the H5N1 virus mutating and re-assorting to a strain that would result in human-to-human transmission. In the light of the regional outbreak, the Administration considered that there was an urgent need to put in place a comprehensive plan of action to deal with the problem.
- 43. <u>Deputy Director of Agriculture, Fisheries and Conservation</u> said that the Administration did not have full details of workers employed in the live poultry wholesale sector. To his knowledge, there were currently over 500 live poultry wholesale workers who were mainly piece-rated casual workers. About 450 of these workers were of age between 40 and 60. He added that the Administration would collate the information from the trade if provided by the operators.
- 44. Mr Tommy CHEUNG pointed out that as a result of the restriction on daily imports of live chickens from the Mainland, the chicken population in local farms had grown to over 3.7 million, in order to meet the local demand for live chickens. However, the Administration now proposed to reduce the chicken population by half so that a cull operation could be completed within the shortest time. Mr CHEUNG said that Members belonging to the Liberal Party would not support the funding

proposal, because the risk of avian influenza outbreaks could not be eliminated when wild birds were also natural carriers of the virus. Mr CHEUNG added that the Administration's proposals would adversely affect the live poultry industry and also the reputation of Hong Kong as a food paradise.

- 45. <u>Mr WONG Yung-kan</u> said that the Administration should conduct further studies to explore alternative means to reduce the risk of avian influenza outbreaks. For example, the Administration should improve the hygiene conditions and ventilation of public markets. <u>Mr WONG</u> said that the live poultry industry had made clear that they wanted to continue operation. He strongly urged that the Administration should listen to the views of the industry.
- 46. Mr WONG Kwok-hing expressed dissatisfaction that the Administration still refused to revise the eligibility criteria for the one-off grants and retraining for live poultry retail workers who became unemployed as a result of the suspension/reduction of live poultry imports last year. Mr WONG said that he could not support the Administration's funding proposal, because a similar scheme approved by the Finance Committee last year could not benefit the casual workers employed by the live poultry retailers. He pointed out that many poultry workers were piece-rated casual workers and could not meet the eligibility criteria for financial assistance.
- 47. <u>DS(FEH)</u> said that as he had explained before, it was necessary to establish the employer and employee relationship between the retail operator who surrendered his licence/tenancy and the worker applying for financial assistance and re-training programmes. <u>DS(FEH)</u> said that some workers might work for more than one employer concurrently. If one of the employers gave up the licence/tenancy under the scheme, the Administration would consider offering financial assistance to the worker, if the qualifying working hour requirement was fulfilled. In this connection, statutory declarations by the employers would be accepted. <u>DS(FEH)</u> further said that the Administration would discuss with the relevant workers' union ways to address this concern.
- 48. Mr Tommy CHEUNG pointed out that some live poultry retail licensees/stallholders who had surrendered their licences were actually not the operators, and they could not provide proof on the employment of the workers concerned.
- 49. Mr WONG Kwok-hing pointed out that wages of live poultry workers were calculated on piece-rated basis, hence it was difficult for them to provide documents to prove that they had worked for a certain number of hours for a particular employer. Mr WONG said that to facilitate the affected workers to be eligible for financial assistance and tailor-made retraining courses, the Administration could make reference to the records on free vaccination against avian influenza. The workers' unions could provide assistance in this respect. Mr WONG reiterated that if the Administration wanted to implement the voluntary surrender scheme for live poultry

farms and wholesalers, it should first arrange for registration of workers who were currently employed in these sectors, in order to save the efforts for providing documentary evidence on their employment records.

- 50. <u>DS(FEH)</u> said that under the voluntary surrender scheme for live poultry retailers, the licensee/stallholders concerned would need to surrender their licences and provide documentary evidence to support the workers' claim of employment in the trade. It would be difficult for the Administration to help those workers who did not actually work for the licensees.
- 51. <u>The Chairman</u> said that the Administration should address members' concerns before seeking funding approval from the Finance Committee.
- 52. <u>The Chairman</u> thanked the deputations for attending this part of the meeting. <u>The Chairman</u> then suspended the meeting for 10 minutes.

[The meeting resumed at 10:25 am.]

(B) Session Two - Meeting with live poultry trade associations

53. <u>The Chairman</u> welcomed representatives of deputations to Session Two of the meeting. The views of the deputations were summarized below.

Views of deputations

Kowloon Poultry Transporter and Poulterer Association [LC Paper No. CB(2) 1165/04-05(01)]

54. Mr WONG Tak-leung presented the views of Kowloon Poultry Transporter and Poulterer Association as detailed in its submission. Mr WONG pointed out that the proposed financial assistance schemes would only benefit the operators but not the employees in these sectors. He said that the drivers in the live poultry industry were already under-employed, and they wished to be able to earn a living. He hoped that the Administration would discuss with the trade to address the trade's concerns.

Kowloon Poultry Laan Merchants Association [LC Paper No. CB(2) 1165/04-05(02)]

55. Mr NG Chi-kin presented the views of Kowloon Poultry Laan Merchants Association as detailed in its submission. Mr NG said that the number of live poultry wholesalers had reduced from 1 000 to about 50 traders currently, as a result of Government's policy to "kill" the live poultry industry. Mr NG further said that the proposed EGP was inadequate if the wholesalers were to cease operation permanently. He would not join the voluntary surrender scheme for live poultry wholesalers, as he

wished to continue operation. <u>Mr NG</u> added that the policy for central slaughtering of geese and ducks was a failure, and the Government should not propose central or regional slaughtering for live chickens as this would affect the livelihood of about 8 000 people in the industry.

Hong Kong Poultry Wholesalers Association [LC Paper No. CB(2) 1227/04-05(03)]

56. Mr TSUI Ming-tuen presented the views of Hong Kong Poultry Wholesalers Association as detailed in its submission which was tabled at the meeting. Mr TSUI considered that avian influenza could be prevented, and there was no need to ban the sale of live poultry. He said that the hygiene conditions in Hong Kong were much better than that in some neighbouring places. He pointed out that Government's policy to reduce the risk of avian influenza outbreak had already brought difficulties to the live poultry industry. The Government should provide scientific evidence to support the need for the termination policy for the live poultry industry.

Hong Kong Livestock Industry Association [LC Paper No. CB(2) 1227/04-05(04)]

- 57. Mr FUNG Kin-chung presented the views of Hong Kong Livestock Industry Association as detailed in its submission which was tabled at the meeting. Mr FUNG said that he did not see how reduction of live chickens could help prevent avian influenza. He urged the Administration to let the live poultry industry know as early as possible whether it was going to ban chicken farming in Hong Kong.
- 58. Mr TAM Kwok-chu said that about 20 000 sentinel chickens in local chicken farms were not vaccinated. He asked whether the Administration would impose the compulsory termination scheme if one sentinel chicken was found to be infected. If that was the case, it would be unfair to the live poultry farmers.

Federation of Hong Kong Kowloon New Territories Hawker Associations [LC Paper No. CB(2) 1213/04-05(02)]

59. Mr FUNG Man-hong presented the views of Federation of Hong Kong Kowloon New Territories Hawker Associations as detailed in its submission. Mr FUNG said that the Association opposed to the Administration's proposals as the current measures were already effective to prevent an avian influenza outbreak. The Associations also opposed to implementing central and regional slaughtering of live chickens as this would have great impact on the live poultry industry.

Hong Kong Poultry Wholesalers and Retailers Association [LC Paper No. CB(2) 1213/04-05(01)]

60. Mr WONG Wai-chuen presented the views of Hong Kong Poultry Wholesalers and Retailers Association as detailed in its submission. Mr WONG said that the Administration's proposal to maintain the chicken population at half of the existing number so that depopulation might be completed within one week's time was unfair to the live poultry industry. The live poultry farmers and operators had all along cooperated with Government by adopting enhanced preventive and hygiene measures at all levels. Should there be an outbreak of avian influenza, the live poultry operators and workers would assist the relevant government departments in carrying out the depopulation operation. Mr WONG further said that the Administration should consider extending the period for live poultry retailers to join the voluntary surrender scheme.

The New Territories Chicken Breeders Association Limited [LC Paper No. CB(2) 1227/04-05(05)]

- 61. Mr WONG Yuen-tai presented the views of The New Territories Chicken Breeders Association Limited as detailed in its submission which was tabled at the meeting. Mr WONG expressed strong dissatisfaction that the Administration proposed to reduce the existing chicken population by half. He pointed out that the growth in chicken population in local farms in the past few years was approved by AFCD. The farm operators wanted to continue operation but the Administration's paper had not provided such an option. Mr WONG also expressed strong opposition to culling all live chickens once there were outbreaks of avian influenza in two local farms. He pointed out that the current measures adopted by AFCD to temporarily close the chicken farms concerned where there were outbreaks of avian influenza had been effective. He added that in Thailand and Vietnam, the live poultry farms were not forced to terminate operation even when there were outbreaks in these countries.
- 62. Mr LEE Leung-kei added that the purpose of sentinel chickens was to assist detection of the presence of H5 virus, so that appropriate measures could be taken to prevent or contain the spread of infection. The infection of these sentinel chickens should not be regarded as an outbreak. He urged the Administration to reconsider the definition of "outbreaks" of avian influenza which would necessitate a mass culling exercise.

Hong Kong Chilled Meat & Poultry Association

63. Mr KWOK Shi-hing noted from the Administration's paper that the regional slaughterhouse would supply freshly slaughtered chickens to local retail outlets. However, it was unclear whether live chickens were imported from the Mainland or from local farms. Mr KWOK said that the chilled meat trade was also affected when live chickens were culled in previous outbreaks, but no compensation had ever been paid to these traders.

Fresh Poultry Wholesaler Association

64. Mr HUI Hon-man said that in the absence of a clear policy on live poultry, the live poultry industry had no idea of the prospect of their business. Mr HUI pointed out that the daily business volume of the live poultry industry amounted to over \$1 million. If the industry was required to cease operation permanently, this would also affect the Hong Kong economy. He strongly urged the Administration not to introduce the compulsory termination policy.

Hong Kong and Kowloon Poultry Dealers and Workers Association [LC Paper No. CB(2) 1165/04-05(04)]

65. Mr WONG Wing-nam presented the views of Hong Kong and Kowloon Poultry Dealers and Workers Association which were detailed in its submission. Mr WONG said that the Association suggested that the Administration should set up an inter-departmental committee to review the supply of live chickens on a bi-monthly basis. The inter-departmental committee should also be responsible for combating avian influenza when necessary. Mr WONG further said that as wild birds also carried the virus, the present surveillance system should cover wild birds.

Poultry Trade Workers Union [LC Paper No. CB(2) 1165/04-05(05)]

66. Mr LEE Yuet presented the views of Poultry Trade Workers Union as detailed in its submission. Mr LEE said that the Union strongly opposed to introducing regional slaughtering of live poultry and a compulsory termination scheme. The Administration should provide assistance to live poultry operators to enhance the biosecurity measures in order to prevent an outbreak of avian influenza. Mr LEE strongly urged the Administration to revise the eligibility criteria for live poultry retail workers to attend the tailor-made retraining courses under the voluntary surrender scheme. He said that the present requirements were too rigid and many of these workers could not attend the retraining courses, even though they faced great financial hardship.

Hong Kong New Territories Poultry-Culture (Geese & Ducks) Mutual Aid Association [LC Paper No. CB(2) 1165/04-05(06)]

67. Mr KWOK Chi-yau presented the views of Hong Kong New Territories Poultry-Culture (Geese & Ducks) Mutual Aid Association as detailed in its submission. Mr KWOK said that it was unfair to the trade that the Administration claimed that none of the duck farms was in active operation. He pointed out that since the implementation of segregation of live poultry from water fowls in 1997 and the prohibition of importation of day-old ducklings from the Mainland in 2002, many duck farms could no longer engage in active operation. AFCD had also declined their applications for licence renewal on grounds that they were not in active operation. Mr LAI Loi-chau urged that to alleviate the hardship of the duck farmers, the Administration should resume the importation of live ducks and geese.

68. Mr KWOK Chi-yau and Mr LAI Loi-chau said that fish and duck farming were complementary to each other. Mr KWOK said that the components for calculating EGP for duck farmers should also include their fish ponds.

World's Poultry Science Association Hong Kong Branch [LC Paper No. CB(2) 1227/04-05(06)]

- 69. Mr Peter WONG presented the views of the World's Poultry Science Association Hong Kong Branch as detailed in its submission which was tabled at the meeting. Mr WONG commented that the Administration was using avian influenza as an excuse to "kill" the live poultry industry. Mr WONG questioned the rationale for the proposal to introduce a compulsory termination scheme if there were outbreaks of avian influenza at two local farms. He said that Government should provide scientific evidence to support its saying that the vaccine currently used in live chickens would cease to be effective should there be a local H5N1 outbreak. Mr WONG questioned the need for reducing the chicken population, and he also opposed to introducing regional slaughtering of live poultry. He considered that Hong Kong had already adopted effective measures to control avian influenza outbreaks.
- 70. Mr KWOK Ming-cheung added that chicken farmers wished to continue operation, and they had made great efforts in further developing the industry, e.g. the breeding of Kamei chicken. He considered that to safeguard public health and to assist the development of chicken farming, the Administration could relocate chicken farms to remote rural areas.

Hong Kong Grazers Union, New Territories Association of Societies Fisheries District Committee and Quality Broiler Development Association [LC Paper No. CB(2) 1227/04-05(07)]

- 71. <u>Ms FUNG Choi-yuk</u> presented the views of Hong Kong Grazers Union, New Territories Association of Societies Fisheries District Committee and Quality Broiler Development Association as detailed in their joint submission tabled at the meeting. <u>Ms FUNG</u> said that the live poultry industry strongly opposed the Administration's proposal to "kill" the industry. The proposal was unfair to the traders as they had been conscientious in making efforts to prevent the outbreak of avian influenza. <u>Ms FUNG</u> stressed that the live poultry traders did not want to receive EGP and cease operation. Moreover, "killing" the live poultry industry would also affect the tourism industry and the reputation of Hong Kong as a food paradise.
- 72. <u>Ms FUNG</u> added that as migratory and wild birds were also carriers of H5N1 virus, avian influenza could not be completely eradicated even if live poultry were prohibited from being sold in Hong Kong. She hoped Government would conduct more studies on other means to reduce the risk of avian influenza.

Agriculture and Fisheries Technology Promotion Association [LC Paper No. CB(2) 1227/04-05(08)]

- 73. Mr William HAU presented the views of the Agriculture and Fisheries Technology Promotion Association as detailed in its submission which was tabled at the meeting. Mr HAU said that the preventive measures adopted so far had been effective. He strongly opposed the proposed compulsory termination scheme. As each local chicken farm was required to keep about 60 sentinel chickens which were not vaccinated for the purpose of detecting the presence of the H5 avian influenza virus, it would be unfair to the farmers if infection of these chickens were regarded as an outbreak of avian influenza which would lead to compulsory termination of operation. Mr HAU expressed reservations about paragraph 22 of the Administration's paper which said that a local H5N1 avian influenza outbreak would mean that either the vaccine currently used in live chickens had ceased to be effective or that the virus had undergone mutation or re-assortment to become more pathogenic than before.
- 74. Mr HAU further said that the proposed EGP was insufficient for live poultry traders to meet the expenses for ceasing operation permanently. He urged the Administration to revise the formulae for calculation EGP.
- 75. Mr KWAN Wing-kin added that the avian influenza outbreaks in Vietnam and Thailand were not caused by chickens infected by the virus. There were no strong grounds for introducing a compulsory termination scheme in Hong Kong.

Kamei Chicken Sales & Promotion Association [LC Paper Nos. CB(2) 1213/04-05(04) and CB(2) 1227/04-05(09)]

76. Mr PO Sai-man presented the views of Kamei Chicken Sales & Promotion Association as detailed in its submissions. Mr PO said that Kamei chicken was a local brand and welcomed by consumers. The Administration should allow consumers to buy live chickens from the market if they so wished. Mr PO further said that the Association did not support regional slaughtering of live chickens. Mr PO urged that the Administration should make clear to the industry the long term policy on live poultry.

Western Slaughterhouse (Ducks and Geese)

77. Mr TONG Po-yin said that as importation of live ducks and geese had been suspended, his slaughterhouse had to cease operation for more than two years. However, Government had not provided any compensation or assistance to him. Mr

<u>TONG</u> added that Chinese people and tourists preferred fresh foods. He strongly urged for the resumption of importation of live ducks and geese.

Other submissions received

78. <u>Members</u> noted that Cheung Sha Wan Poultry United Wholesalers Association Limited had provided two written submissions [LC Paper Nos. CB(2) 1165/04-05(03) and 1213/04-05(03)] but had not sent representatives to the meeting.

II. Follow-up discussion with the Administration

[LC Paper No. CB(2) 1042/04-05(01)]

- 79. <u>DS(FEH)</u> gave the following responses to deputations' views and concerns
 - (a) Central slaughtering was not intended to eliminate the risk of avian influenza. It was a means to achieve the policy objection of segregating humans from live poultry, which would minimise the risk of human infection from the avian influenza virus;
 - Following the introduction of a vaccination programme for all local (b) chicken farms, sentinel chickens were used to detect the presence of the H5 avian influenza virus. The sentinel chickens would be infected if the majority of chickens in the farm were infected. This would enable appropriate measures to be taken to prevent or contain a widespread outbreak of avian influenza. However, the recent avian influenza outbreaks in Thailand and Vietnam had indicated that the avian influenza viruses were becoming more pathogenic and causing higher fatality. Should there be an outbreak of avian influenza in local farms, it would suggest that the vaccine currently used in live chickens had ceased to be effective or that the virus had undergone mutation or reassortment to become more pathogenic than before. If that happened, the Administration considered it necessary to consider seriously whether live poultry farmers should be allowed to resume normal As regards some deputations' concern about the operations. scientific/professional opinion on the effectiveness of the vaccine and mutation of virus, AFCD would provide a response after the meeting;

Admin

(c) As live ducks and geese were natural carriers of the avian influenza virus, live water fowls had to be segregated from live chickens to prevent the latter from being infected. Nevertheless, the Administration had not banned the importation of live ducks and geese except during outbreaks of avian influenza. The inspection and quarantine

- requirements for imported live ducks and geese remained essentially the same as those that were in place before the regional outbreaks in 2004;
- (d) Based on the present epidemiological situation, WHO had expressed concern that the H5N1 virus might reassort its genes with those from the human influenza virus, and had advised governments in the region to take serious actions to guard against the possibility of an influenza pandemic. While WHO did not give specific advice on central or regional slaughtering, the Administration considered that segregation of humans from live chickens would minimise the risk of human infection; and
- (e) The Administration would be willing to discuss with the relevant poultry workers' unions and the Employees Retraining Board to provide retraining courses to cater for the specific needs of the live poultry workers.

Need for the comprehensive plan of action

- 80. Mr LEE Cheuk-yan noted that most deputations gave the view that the present measures for preventing avian influenza outbreaks were effective and therefore there was no need for the comprehensive plan of action as proposed by the Administration. Mr LEE asked whether WHO had made any comments that live poultry should not be allowed to be sold at wholesale and retail outlets, and whether WHO had made available any supporting statistics or information. Mr LEE also asked whether WHO or the Administration had explored other options which would strike a balance between safeguarding public health and protecting the interests of the live poultry industry.
- 81. DS(FEH) said that it would not be possible to totally eradicate avian influenza given that the virus existed in the natural environment. WHO had warned regional governments that another influenza pandemic would most definitely occur, and that they would need to take appropriate preventive measures in the light of the local situation. The Administration considered that a long-term comprehensive action plan should be formulated having regard to the fact that the virus had undergone mutation. DS(FEH) further said that under the current arrangement, an outbreak of avian influenza would entail the culling of live chickens. Statutory compensation payable to the live poultry traders had been set at \$30 for each chicken culled plus an ex-gratia element that might be applicable at the time, and that the importation of live chickens would be suspended for six months. DS(FEH) pointed out that Hong Kong was a densely populated city with limited land resources, thus posing considerable constraints for the sustainable development of livestock farming including poultry farming. Instead of repeating the culling exercise and the compensation process time and again, a comprehensive and long-term plan to segregate human from live poultry was necessary.

(*Post-meeting note*: The Administration subsequently advised that the comprehensive action plan to reduce the risk of avian influenza outbreaks in Hong Kong, including the proposed voluntary surrender scheme for live poultry farmers, wholesalers and transporters, was supported by Dr Henk Bekedam, World Health Organisation Representative in China, who commented that Hong Kong was in many ways on a par with the best in the world and could be a model for anti-bird flu plans for the rest of Asia. The information paper was circulated to members vide LC Paper No. CB(2)1453/04-05(01) on 4 May 2005.)

- 82. <u>The Chairman</u> said that some deputations had pointed out that avian influenza could not be completely eradicated even if a compulsory termination scheme for all existing live poultry operations was introduced, as migratory and wild birds were carriers of the H5N1 virus.
- 83. <u>DS(FEH)</u> responded that AFCD had put in place surveillance programme to monitor the migratory and wild birds in country parks and the Mai Po Wetland areas. Health guidelines on handling wild birds had also been issued to the public and schools. <u>DS(FEH)</u> further said that the proposed comprehensive plan of action sought to reduce the risk of avian influenza outbreak and to minimise the risk of human infection.
- 84. Mr Vincent FANG said that deputations attending the meeting had conveyed a very clear message that the live poultry industry wished to continue operation. He commented that the Administration had not fully consulted the industry before formulating the comprehensive plan of action. Mr FANG further said that as avian influenza could not be eradicated even after implementation of central slaughtering of live chickens, providing EGP to the live poultry operators was a waste of public money. The Administration should instead consider ways to further enhance the biosecurity measures in farms and improve the hygienic conditions in retail outlets, in order to prevent a local outbreak of avian influenza. Since the current measures to prevent avian influenza outbreaks were effective, the Administration should not force the trade to cease operation permanently. He added that the Administration should support the development of local economy.
- 85. Mr WONG Yung-kan said that the Administration had not clearly explained how central or regional slaughtering could help reduce the risk of avian influenza. He commented that there was little room for sustainable development of agricultural industry, and that frequent changes of government policies in this respect had made it difficult for the industry to follow. He shared the view that as wild birds were carriers of the H5 virus, central slaughtering of live chickens could not solve the problem. The Administration should consider other alternatives such as improving the environmental hygiene conditions of the live poultry farmers and retail outlets. Mr WONG added that the Administration should also give an account of its plans for

monitoring the spread of H5 virus by wild birds. He said that it was Government's responsibility to prevent outbreaks of avian influenza.

- 86. <u>AD/AFCD</u> said that under the wild birds surveillance programme, AFCD staff would, during their routine patrol, take samples from dead bodies of wild birds and faeces found in wetland and country parks for H5N1 virus testing. He further said that the monitoring scheme adopted in Hong Kong was the most intensive one in the world.
- 87. Mr WONG Kwok-hing asked about the Administration's response to the concern raised by Quality Broiler Development Association about a sustainable policy on agriculture.
- 88. <u>DS(FEH)</u> replied that the Secretary for Health, Welfare and Food had stated in his response to the motion debate on "Formulating a sustainable policy on agriculture and fisheries" that given the various public health risks and the environmental problems associated with conventional livestock farming, its potential for further development in a densely populated urban city like Hong Kong was extremely limited. Moreover, Hong Kong was a densely populated cosmopolitan city with limited land resources and this had posed considerable constraints for the agricultural sector. The Government must therefore direct its long-term strategy towards the development of low risk high return agricultural activities e.g. the development of accredited farms and organic farming.

Voluntary surrender scheme for live poultry farmers and wholesalers

- 89. Mr LEE Cheuk-yan asked the Administration to provide a more attractive compensation package to encourage the live poultry traders to surrender their licences voluntarily. Mr LEE further said that if it was Government's policy to implement central or regional slaughtering of live chickens, he hoped that priority would be given to employing the previous live poultry retail workers to work in the slaughterhouses.
- 90. <u>DS(FEH)</u> said that discussion was being held between AFCD and the live poultry industry on the calculation of EGP, and the consultation process would continue in the coming few months.
- 91. Mr LEE Cheuk-yan further said that he had received a number of complaints from unemployed live poultry retail workers about the tailor-made retraining courses. To his knowledge, some male trainees were forced to take the baby-sitting courses, and trainees who had completed the training course for security guards were not eligible for applying for the licence for security guards. Mr LEE added that as some poultry stall licensees or stallholders were not the operators, it would be difficult for them to provide documentary evidence on the employment of these workers in support of the applications for retraining.

- 92. The Chairman said that under the proposed voluntary surrender scheme for live poultry farmers and wholesalers, loans up to \$50,000 per vehicle on an unsecured basis would be provided to live poultry transporters to assist them in upgrading/concerting their vehicles. However, if a compulsory termination scheme was introduced, the transporters and their workers would face unemployment. Mr WONG Yung-kan shared a similar view with the Chairman. Mr WONG said that the Administration should address this problem as well.
- 93. Mr WONG Kwok-hing asked whether the Administration would consider some deputation's request that the eligibility criteria for live poultry workers to attend the tailor-made retraining courses and to receive financial assistance under the voluntary surrender scheme should be revised. Mr WONG pointed out that under the present arrangement, unemployed live poultry workers could not apply for the tailor-made retraining courses if their former employers did not surrender their licences/tenancies. Even those who completed the retraining courses could not find new jobs because the courses did not meet the market demand. Mr WONG added that workers engaged in live poultry transportation should also be provided financial assistance.
- 94. <u>DS(FEH)</u> said that the purpose of the tailor-made retraining course was to assist those unemployed live poultry retail workers whose employers had surrendered their licences/tenancies. For those unemployed live poultry retail workers whose employers had not surrendered their licences/tenancies, they could enrol in other ordinary retraining courses currently organised by the Employees Retraining Board.

(*Post-meeting note*: The Administration had provided further responses to the queries raised by Mr LEE Cheuk-yan on the tailor-made retraining courses for ex-live poultry retail workers. The Administration's response was circulated to members vide LC Paper No. CB(2) 1285/04-05 on 14 April 2005.)

95. <u>Mr WONG Kwok-hing</u> said that he was angry with the Administration's unsympathetic response. The Administration should rectify its policy if it was proven wrong.

Policy on live ducks and geese

- 96. The Chairman asked about the policy on the importation of live geese and ducks. He said that the inactive operation of duck farms was largely due to the suspension of importation of live ducks and geese, rather than the farmers' wish. He urged that the Administration to make clear its long-term policy on live ducks and geese, so that the farmers could make a decision on whether they would continue their business.
- 97. <u>DS(FEH)</u> said that following the introduction of segregation of water fowls from live chickens in 1997, ducks and geese were centrally slaughtered. As most of

slaughtered ducks and geese were imported from the Mainland for local consumption, the number of local duck farmers was reduced to six. <u>Assistant Director of Agriculture, Fisheries and Conservation</u> added that the Administration had not banned the importation of day-old ducks. The observation that none of the duck farms was in active operation was based on the fact that these farms had not delivered any live ducks or geese to the slaughterhouse for slaughtering. If any such farms were not in operation for more than two years, AFCD would cancel their licences.

Regional slaughtering of live poultry

- 98. Noting that the Administration was conducting a feasibility study on the proposed regional slaughterhouses, <u>Mr Andrew CHENG</u> asked when the findings would be released for members' consideration. He urged that the study should provide information on the number of regional slaughterhouses being planned, the number of existing live poultry operators who could continue operation, whether existing workers could get employment in the future slaughterhouses, and other operational details.
- 99. DS(FEH) explained that the Government intended that the proposed regional slaughterhouses should be funded, built and operated by the private sector if the option was adopted. The Administration had identified a suitable location adjacent to the central slaughtering facilities for live ducks and geese in the Western Wholesale Food Market for the development of a medium sized slaughterhouse on a pilot basis. A consultant would be commissioned to study the financial feasibility for private sector participation in June 2005. DS(FEH) said that the consultancy study would unlikely provide details on the number of workers to be employed in the regional slaughterhouses. He pointed out that as there were currently some 600 to 800 live poultry retail stalls, it would be impossible for all the existing live poultry workers to get employment in the slaughterhouses, since part of the manual process would be replaced by machines in future. While the mode of operation of regional slaughterhouses had yet to be studied, the initial thinking was to have one regional slaughterhouse on Hong Kong Island, and two each for Kowloon and the New Territories. Principal Assistant Secretary for Health, Welfare and Food (Food and Environmental Hygiene)2 added that the consultancy study was expected to be completed in the fourth quarter of 2005.

Concluding remarks

100. <u>The Chairman</u> said that most of the deputations and members did not support the comprehensive plan of action and the financial proposal. He requested the

Action

Administration to take note of the views expressed at the meeting when considering the way forward.

101. The Chairman thanked the deputations for attending the meeting.

III Any other business

102. There being no other business, the meeting ended at 12:45 pm.

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