

**For discussion  
on 20 January 2005**

**LegCo Panel on Food Safety and Environmental Hygiene**

**Policy Initiatives of  
Health, Welfare and Food Bureau (HWFB) for 2005**

**Purpose**

The 2005 Policy Agenda just issued lists the Government's new and on-going initiatives over the next two and a half years. This note elaborates, where applicable, on the initiatives affecting the Bureau in the 2005 Policy Agenda. Where necessary, it also gives an account on the position reached on initiatives relating to food safety and environmental hygiene covered in the 2004 Policy Agenda.

**2005 Policy Agenda**

*Caring and Just Society*

*Mission and Vision*

2. The HWFB is committed and accountable to building a caring and healthy society. Our mission is to enhance the well being of every member of the community to build a healthy and caring society. On food and environmental hygiene fronts, public health protection should always take precedence. We are thus firmly committed to assuring the safety and quality of our food and providing quality environmental hygiene services to achieve a clean environment for our community.

*Strategy*

3. Our strategy is to adopt a comprehensive and integrated approach in food chain management (i.e. the implementation of the "From Feed to Table" concept) by putting in place the necessary infrastructure; a coherent, effective and dynamic food policy on the basis of scientific evidence and risk analysis (e.g. drawing up standards and ensuring compliance through enforcement); and to enhance private-public partnership and participation by stakeholders during the process.

## *Initiatives*

4. In achieving our goal on food safety and environmental hygiene, we aim to implement a number of new initiatives in 2005 and beyond. These new initiatives are briefly described below.

*Explore the feasibility of developing a medium sized slaughtering plant for chickens to reduce the risk of human infection of avian influenza*

5. We conducted a public consultation exercise in 2004 to solicit views on the long-term direction to minimize the risk of human infection of avian influenza. The consultation results show that there was clear support for our policy objective to separate humans from live poultry in order to minimise the risk of human infection of the avian influenza virus. To achieve this policy objective, we will explore the feasibility of embarking on a pilot scheme to develop a medium sized slaughtering plant in Hong Kong. Freshly slaughtered chickens could be delivered to restaurants and food factories in bulk for further processing. Ancillary retail stalls may also be set up to sell freshly slaughtered chickens to consumers directly. Chilled chickens could also be sold or delivered to other retailed outlets. An initial location identified for the pilot scheme is the Western Wholesale Food Market. We will soon conduct a feasibility study and aim to come to a view on whether to further pursue the pilot scheme within 2005.

*Explore the need to introduce a mandatory food recall framework in Hong Kong*

6. To better safeguard public health, we consider that there are strong justifications to introduce a mandatory food recall mechanism in Hong Kong. As the community has become increasingly aware of food safety issues and, in the light of the recent food incidents such as ciguatera poisoning, prohibited additives and colouring agents, etc., which require swift response from the Government, we need to establish a food recall system that would enable the Government to withdraw a food product from the market as a precautionary measure when there is indication from the relevant overseas or local authorities that the safety of the food product has yet to be ascertained.

7. We have consulted the Advisory Council on Food and Environmental Hygiene (ACFEH) and the LegCo Panel on Food Safety and Environmental Hygiene (FSEH Panel) in November 2004 and December 2004 respectively on our initial views. We will consult the trade and this Panel as and when we have drawn the details of the proposed regulatory framework e.g. the target recipient of the recall order, directives in a recall order, enforcement and penalties and the appeal mechanism, etc.

*Regulate restricted dining places to safeguard public health*

8. We consulted the restaurant trade and the operators of restricted dining places (previously referred to as 'private kitchens') as well as the LegCo FSEH Panel on the proposed regulatory framework of restricted dining places in 2002 and 2003. It is generally agreed that a regulatory framework is necessary. We have drawn up the proposed licensing regime taking into account the views collected. We propose that restricted dining places have to meet the following criteria in order to obtain a licence for restricted dining places:

- (a) operation will be confined to commercial buildings or the commercial part of composite residential/commercial buildings. Operation in residential buildings will not be allowed;
- (b) maximum seating capacity will be restricted to 24 persons at any one time;
- (c) operation will be no more than three and a half hours per day; and
- (d) provision of meals for consumption off the premises will not be allowed unless the necessary food factory licences are obtained.

9. The operators should comply with building and fire safety requirements imposed by the relevant authorities as is the case for applicants for other food business licences.

10. We are preparing legislative amendments to the Food Business Regulation and we intend to introduce the Amendment Regulation in 2004/05 LegCo session.

*Launch an accreditation scheme for seawater suppliers and introduce legislation to prohibit the abstraction of seawater from specified areas along the coast for keeping live seafood with a view to enhancing the quality of fish tank water for protection of public health*

11. In order to enhance the quality of fish tank water at source so as to ensure seafood safety and protect public health, we plan to establish a voluntary accreditation scheme for seawater suppliers to encourage them to exercise self-regulation. Accreditation is attained through a process of evaluation and periodic review in accordance with preset criteria such as clean source of seawater, well-maintained filtration and disinfection system and proper documentation. The ultimate target of the scheme is to ensure the availability of reliable seawater supply. It also assists seafood restaurants/retail stalls to

have better control of the quality of fish tank water for compliance with the prescribed legal standards. We have briefed the LegCo FSEH Panel at its meeting in November 2004. We are now identifying a suitable accrediting body and we aim to have the accreditation scheme launched within 2005.

12. We will introduce legislation to prohibit the abstraction of seawater from specified areas along the coast for keeping live seafood for human consumption. We have briefed the LegCo FSEH Panel at its meetings in April and November 2004. We will consult the LegCo FSEH Panel again on the details of the legislative proposal including the list of areas proposed to be banned for abstraction of seawater.

*Introduce legislation to promote sustainable development of the fishing industry and to conserve fisheries resources in Hong Kong waters*

13. We are proposing amendments to the Fisheries Protection Ordinance (Cap. 171) to provide a legal framework for the implementation of a number of fisheries management measures including (a) the introduction of a fishing licence system that requires all fishing activities conducted within Hong Kong waters with the use or aid of any vessels to obtain a licence or permit; (b) designation of Fisheries Protection Areas to provide a protected environment for nursery and spawning for fish fry, juvenile and spawning fish; and (c) implementation of an annual territory-wide closed season to prohibit certain fishing methods such as trawling and purse seining for a short period of time each year.

14. We have launched a public consultation exercise since mid-December 2004. We will take into account the views collected in finalizing the amendment bill to be introduced into LegCo in 2004/05 LegCo session.

### ***Policy on Agriculture***

15. Our existing policy in agriculture follows the general economic policy of free market. Except where social considerations are overriding, the allocation of resources in the economy is left to market forces with minimal government intervention. In implementing the policy, we do not subsidize production nor set production targets. Instead, we facilitate the sustainable development of the agriculture through providing technical support and loan facilities, implementing development schemes and resources conservation programmes, providing training for local producers, and providing wholesale markets.

16. Hong Kong is a densely populated cosmopolitan city with limited land resources, thus posing considerable constraints for the agricultural sector. We

must therefore direct our long-term strategy towards the development of low risk high return agricultural activities e.g. the development of accredited farms and organic farming. 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 is extremely limited.

17. In the context of our overall policy on sustainable development, and within the confines of our urban setting, we will continue to promote and build upon the following initiatives on agriculture:

#### *Accredited Farm Scheme*

18. The scheme was first launched in 1994 to promote good agricultural practice in vegetable production, to enable the public to identify safe and good quality vegetables, and to enhance consumers' confidence in the quality of agricultural produce. This is a voluntary scheme for farmers, under which the participants are given guidance on how to use pesticides safely by the Agriculture, Fisheries and Conservation Department. In addition, pre-harvest crops are subject to residue monitoring to ensure that the produce meets the safety standards. The accredited produce is further spot checked by the Vegetable Marketing Organization (VMO) for pesticide residues that exceed their safety limits before marketing to accredited retailers. In 1995, the government extended the Scheme to some large farms on the Mainland which supplied vegetables to Hong Kong. By the end of October 2004, a total of 231 vegetable farms (including 30 farms on the Mainland) have been accredited, covering a total production area of 1,515 hectares (including 1,438 hectares on the Mainland). The average daily supply of accredited produce comes to 80 tonnes.

#### *Organic farming*

19. Organic crop production, although only a small industry, is becoming increasingly important in the agricultural sector of a number of countries as consumers' demand for "safe" and environmentally friendly food increases. We support the local development of organic crop production as it plays an important role in the sustainable development of agriculture and opens up a new niche market for local farmers. We have launched the "Organic Farming Conversion Scheme" to provide technical support to farmers who are interested in converting to organic farming. At present, there are a total of 50 local farms participating in organic farming, with more than 60 retail outlets including large supermarkets, MTR shops, health food shops and markets.

20. With the development of the organic produce market, we need a set of

organic standards and an organic certification system applicable to Hong Kong as well as an associated labeling scheme to ensure the quality of organic produce and to protect the interests of local consumers. In view of this, we provided a 3-year funding of \$3.9 million from the Agricultural Development Fund of the VMO in November 2002 to three non-profit making organizations to establish a Hong Kong Organic Resource Centre. The Centre has now formulated a set of organic agricultural production standards applicable to Hong Kong. It will also provide certification service and organize activities to promote organic trademarks in 2005.

### **Progress Report on Implementation of 2004 Policy Initiatives**

*(a) Develop a multi-pronged strategy to minimise the risk of avian influenza outbreaks*

21. We have implemented a series of preventive and control measures to guard against possible outbreaks targeting in particular the sources of the virus and potential carriers, i.e. live poultry and wild birds. They included enhanced biosecurity measures in local poultry farms, hygiene requirements in wholesale and retail markets, segregation and central slaughtering of live waterfowls, market rest days, import control requirements, comprehensive surveillance and monitoring programme which covers farms, imports, wholesale and retail markets, waterfowls in recreation parks, pet birds and wild birds, etc. To ensure similar levels of protection to both imported Mainland chickens and locally produced chickens, a vaccination programme was implemented on all local and imported live chickens. All live chickens available for sale in the local market have been vaccinated against H5 avian influenza since 15 January 2004.

22. During the avian influenza outbreaks in the region in 2004, we suspended the importation of live birds and poultry meat from places affected by avian influenza. Our preventive and control measures have so far proven effective in maintaining Hong Kong avian influenza free despite the widespread occurrence of outbreaks in the region last year.

23. We have also agreed with the Mainland authorities to contain the number of imported chickens to a level of 30,000 on a daily basis in order to relieve the overcrowding situation in the retail outlets. We also consider it prudent that the supply of local chickens should likewise be maintained at a similar level so that the total quantity of live chickens in our retail outlets should be about 60,000. This figure represents the maximum risk level that we could accept in the absence of any further significant measures to separate humans from live poultry.

24. We introduced a \$329M scheme in early July 2004 to encourage live poultry retailers to surrender their licences or tenancies and to cease live poultry trading on a permanent basis, so that we may introduce fundamental changes to the way in which the live poultry retail trade operates. The scheme, comprising of ex-gratia payments, upgrading loans and retraining for affected live poultry retail workers, started from 13 July 2004 and will last for one year. As of end December 2004, we received over 200 applications for the surrender of licences or tenancies.

25. As a long term measure to minimise the risk of human infection by avian influenza, we conducted a public consultation exercise from April to July 2004 on our proposal to implement “central slaughtering” or “regional slaughtering” in Hong Kong. By the end of the consultation in early July, we received 10,597 submissions/signatures. The results of the public consultation exercise were reported to the LegCo FSEH Panel on 11 January 2005. The Administration will take into account the views received during the consultation exercise and make a policy decision on the matter. During the interim period, we will also redesign the existing market stall layouts to separate live poultry from customers and to restructure existing stalls in suitable markets to provide for a limited number of retail outlets for live poultry as an interim measure.

*(b) Improve overall food safety and control on agriculture and fisheries operations that have an impact on public health or the environment*

26. We amended the legislation in 2001 to regulate the use of agricultural and veterinary chemicals in live food animals and food animal products to protect public health. Since the enactment of the amended legislation, the number of samples tested and found to contain the seven prohibited chemicals or the 37 restricted chemicals in excessive amounts remains low. As part of our ongoing efforts to protect public health, we shall continue to monitor the level of prohibited and restricted chemicals in food animals and food animal products.

*(c) Regularise the wholesaling of live fish by implementing a permit scheme for wholesale fish stalls.*

27. To step up control of seafood safety, we have put in place since early 2004 a permit scheme to regulate live fish wholesaling activities. Permit holders are required to comply with the same requirements and conditions as those for retail outlets selling live fish, including the installation and maintenance of filtration and disinfection facilities. They are also subject to regular inspections by FEHD and covered under the department’s fish tank water surveillance programme. As a result of the permit system, the Administration’s surveillance on seafood safety has been extended from the retail level to the

wholesale level.

(d) *Review the regulatory framework for animals and birds for the purpose of enhancing health and food safety*

28. Our existing legislation to regulate animals and birds was enacted some 60 years ago and the provisions contained therein may not be able to deal with the present day situation in preventing veterinary and zoonotic diseases. For example, the existing legislation does not cover amphibians such as frogs which may introduce disease. There is also no provision to enable the Administration to exercise effective import control on animal products, fodder used for animals and birds, etc. which may also introduce such diseases. We have therefore commenced a comprehensive review of our present regulatory framework governing the various aspects of trading, import control and surveillance, and licensing, etc.

(e) *Evaluate the implementation of the concept of “From Feed to Table” to ensure food safety*

29. The implementation of the concept of “From Feed to Table” is an on-going effort which requires a constant review of the extent to which we are capable of implementing surveillance and regulatory measures at every critical point along the entire food supply chain. As and when we have identified gaps in our food safety regulatory regime along the entire food supply chain, we will consult this Panel on our proposed measures to rectify the situation. As regards the regulatory framework for imported food, the focus of our work will continue to be placed on import control. To this end, we will continue to maintain close liaison with our trading partners and use our import control requirements to influence the primary production at the source economies to adopt good agriculture and manufacturing practices and to follow international food standards wherever possible.

(f) *Improvements to food labelling scheme*

30. As part of our ongoing efforts in promoting public health, we plan to introduce a labelling scheme on nutrition information for prepackaged food in Hong Kong. We completed a public consultation exercise in 2004 and we are currently analysing the views collected during the consultation period.

31. In order to assess the overall impact of the proposed nutrition labelling scheme, we are now conducting a Regulatory Impact Assessment (RIA) to evaluate the overall costs and benefits, including the impact on the trade and the potential benefits of lowering the overall health costs to the whole community.

Our target is to complete the RIA in the first quarter of 2005. Subject to the views of the public, professionals and the trade, as well as results of the RIA, we will finalise the details of our nutrition labelling requirements and report to the LegCo FSEH Panel in due course.

32. In the past legislative session, we also enacted regulations<sup>1</sup> to regulate the presence of sweeteners in food and to update the existing food legislation in respect of the labelling of food additives and allergenic food ingredients. In this regard, the Food and Environmental Hygiene Department (FEHD) is developing a set of implementation guidelines in collaboration with the trade to facilitate compliance of the new labelling requirements. A voluntary code of practice for the labelling of alcoholic drinks will also be prepared by FEHD in consultation with the trade.

## **Conclusion**

33. We will consult the LegCo FSEH Panel when we have formulated detailed proposals in respect of our new policy initiatives for implementation.

**Health, Welfare and Food Bureau**  
**January 2005**

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<sup>1</sup> Food Adulteration (Artificial Sweeteners) (Amendment) Regulation 2003, Food and Drugs (Composition and Labelling) (Amendment) Regulation 2003 and Food and Drugs (Composition and Labelling) (Amendment) Regulation 2004.