

立法會
Legislative Council

LC Paper No. CB(2)33/06-07
(These minutes have been
seen by the Administration)

Ref : CB2/SS/9/05

**Subcommittee on
Food Business (Amendment) Regulation 2006**

**Minutes of meeting
held on Tuesday, 26 September 2006 at 2:30 pm
in the Chamber of the Legislative Council Building**

- Members present** : Hon Tommy CHEUNG Yu-yan, JP (Chairman)
Hon Fred LI Wah-ming, JP
Hon WONG Yung-kan, JP
Hon TAM Yiu-chung, GBS, JP
Hon WONG Kwok-hing, MH
Hon Alan LEONG Kah-kit, SC
- Member absent** : Hon Vincent FANG Kang, JP
- Public Officers attending** : Mr Vincent LIU
Principal Assistant Secretary (Food & Environmental Hygiene) 2
Health, Welfare and Food Bureau
- Ms Rhonda LO
Assistant Director (Operations)3
Food and Environmental Hygiene Department
- Dr Thomas CHUNG
Assistant Director (Food Surveillance and Control)
Food and Environmental Hygiene Department
- Attendance by** : Item II

invitation

Consumer Council

Ms Rosa WONG
Head, Research and Trade Practices Division

Mr Victor HUNG
Chief Research and Trade Practices Officer

Hong Kong Retail Management Association

Mr Philippe GIARD
Chairman, Government Regulations Sub-Committee

Ms Ruth YU
Executive Director

A. S. Watson Group – Retail Hong Kong

Mr Peter JOHNSTON
General Manager, Quality, Food Safety and Regulatory Affairs

The Dairy Farm Co Ltd

Mr Allen HO
Food Safety/Quality Assurance Director

Mr David BOUND
Fresh Food and Supply Chain Director

U S Meat Export Federation

Mr Joel HAGGARD
Senior Vice President, Asia Pacific Region

Mr John LAM
Regional Programs Manager, Asia Pacific Region

Hong Kong Chilled Meat & Poultry Association

Mr KWOK Shi-hing
Chairman

Mr HO San-keung
港九新界鮮肉商、運輸、屠宰、生豬業從業員聯席會議

Mr MOK Yiu-nam
Chairman, Yuen Long Fresh Meat United Association Co. Ltd.

Mr WONG Wah-chu
Chairman, Tsuen Wan Fresh Meat Retailers' Association Ltd.

Pork Traders General Association of Hong Kong Limited

Mr HUI Wai-kin
Deputy Secretary General

Mr CHAN Sek-kwan
常務理事

Hong Kong Livestock Industry Association

Mr TAM Kwok-chu
Vice President

Mr NG Po-wing
Secretary

Hong Kong Pig Raising Development Federation

Mr CHAN Kin-yip
Chairman

Clerk in attendance : Miss Flora TAI
Chief Council Secretary (2)2

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Miss Betty MA
Senior Council Secretary (2)1

Ms Alice LEUNG
Senior Council Secretary (2)1 (Designate)

Ms Anna CHEUNG
Legislative Assistant (2)2

I. Meeting with the Administration

[File Ref : HWF(F) 5/1/4/2, LC Paper Nos. CB(2) 2878/05-06(02),

Action

CB(2)2966/05-06(01) & (02), CB(2)3018/05-06(01) & (02) and CB(2)3080/05-06(01)]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. The Administration briefed the Subcommittee on the background for introducing and the policy objectives of the Amendment Regulation. The Administration informed the Subcommittee that after the commencement of the Amendment Regulation on 18 August 2006, importation of chilled pork from the Mainland had started on 23 August 2006. Operation of the meat traders so far was in compliance with the Amendment Regulation.

II. Meeting with deputations

3. The Subcommittee received views from 10 deputations attending the meeting (index of proceedings attached at **Annex**).

4. While the deputations raised no objection to the introduction of the Amendment Regulation to enhance food safety and better protect consumers' interests, some deputations had raised the following concerns about the new arrangements for selling fresh and chilled meat –

- (a) the new labelling requirements of specifying the slaughtering date and the name of slaughtering plant on the labels of pre-packaged chilled meat could not give better indication of the safety, quality and freshness of the meat and would only add costs to the trade;
- (b) consumers would not have adequate information about the meat they were buying if they bought meat from fresh provision shops or stalls selling only chilled meat, given that the pre-packaging and labeling requirements would not apply for these shops or stalls;
- (c) the sale of fresh and chilled meat at the same premises should not be allowed for the sake of enhancing food safety and protecting consumers' interests; and
- (d) it might be difficult for the Food and Environmental Hygiene Department (FEHD) to enforce the Amendment Regulation effectively when the volume of imported chilled pork from the Mainland increased substantially in the future.

Action

5. The Administration made the following responses to the deputations' concerns –

- (a) the arrangement to allow the sale of fresh and chilled meat at the same premises provided that the chilled meat sold was pre-packaged and properly labelled would maintain the existing level of convenience to consumers;
- (b) fresh provision shops/stalls were required to put up a legible notice concerning the meats sold for easy identification by consumers;
- (c) the information concerning the name and address of the slaughtering plant, and the slaughtering date would facilitate tracing of the origin of the chilled meat and communication to consumers about the meat which might be contaminated when necessary;
- (d) FEHD had imposed additional licensing requirements/conditions on the fresh provision shops and market stalls selling beef, mutton or pork in order to complement the Amendment Regulation;
- (e) it was not necessary to apply the pre-packaging and labeling requirements to fresh provision shops or stalls solely selling chilled meat because the Amendment Regulation primarily sought to lower the contamination risk of mishandling or mixing of fresh and chilled meat during retail stage and to enable consumers to distinguish fresh and chilled meat; and
- (f) the Amendment Regulation would facilitate enforcement action against the malpractice of some meat traders mixing chilled meat with fresh meat for sale at the same premises and FEHD would keep up with its enforcement work to ensure compliance.

6. Mr Fred LI and Mr WONG Yung-kan expressed concern about the non-applicability of the pre-packaging and labeling requirements to chilled meat if it was sold alone. Mr WONG said that as consumers should have the right to the information about the meat they were buying, he might consider moving amendment to the Amendment Regulation to the effect that the relevant requirements would apply to all chilled meat. The Chairman asked how FEHD would ensure the safety of chilled meat for the protection of consumers as the pre-packaging and labeling requirements would not apply to fresh provision shops or stalls selling only chilled meat.

Action

7. The Administration made the following responses –
- (a) meat traders would have to keep invoices for not less than 60 days to facilitate verification by FEHD staff; and
 - (b) these invoices would show the name and address of the slaughtering plant and the slaughtering date, in addition to the description and amount of meat to facilitate source tracing when necessary.

8. The Chairman expressed the view that the Administration should reconsider the need for including information about the slaughtering date and the name and address of the slaughtering plant on the labels of chilled meat if there was other means of source tracing such as information contained in the invoices. He pointed out that the labeling requirements would impose extra burden on the traders and the size of the words to be printed on the labels could be larger for the consumers' convenience if less information was required.

- Admin 9. At the Chairman's request, the Administration agreed to provide the respective numbers of fresh provision shops/market stalls (excluding supermarkets) that were endorsed to sell fresh beef, mutton or pork only; fresh and chilled beef, mutton or pork; and chilled beef, mutton or pork only.

III. Any other business

10. Members agreed to hold the next meeting on Friday, 6 October 2006 immediately after the meeting of the House Committee scheduled to be held on the same day to conduct clause-by-clause examination of the Amendment Regulation.

11. To allow more time for the Subcommittee to study the subsidiary legislation, members agreed that the Chairman should move a motion at the Council meeting on 18 October 2006 to extend the scrutiny period of the Amendment Regulation to 8 November 2006.

12. There being no other business, the meeting ended at 4:25 pm.

**Proceedings of the meeting of the
Subcommittee on Food Business (Amendment) Regulation 2006
on Tuesday, 26 September 2006 at 2:30 pm
in the Chamber of the Legislative Council Building**

Time Marker	Speaker(s)	Subject(s)	Action Required
000000 - 000419	Chairman	Welcoming remarks	
000420 - 000857	Admin	Background for introducing and policy objectives of the Amendment Regulation	
000858 - 001150	Mr WONG Kwok-hing Admin	Exemption arrangement under the Amendment Regulation Penalty for breaching the Amendment Regulation	
001151 - 001247	Mr TAM Yiu-chung Admin	Storage conditions for selling chilled meat	
001248 - 002216	Mr WONG Yung-kan Admin Chairman	Enforcement against the malpractice of selling chilled meat as fresh meat after the coming into effect of the Amendment Regulation	
002217 - 002806	Mr Fred LI Chairman Admin	Regulation of the sale of fresh meat	
002807 - 003032	Chairman Admin	Interpretation of new section 30F of the Amendment Regulation	
003033 - 003602	Mr WONG Kwok-hing Admin Chairman	Labelling requirements of pre-packaged chilled meat	
003603 - 003630	Chairman	Meeting with deputations	
003631 - 004135	Consumer Council	Presentation of views [LC Paper No. CB(2)3080/05-06(02)]	
004136 - 004326	Hong Kong Retail Management Association	Presentation of views [LC Paper No. CB(2)3065/05-06(01)]	
004327 - 004610	A. S. Watson Group – Retail Hong Kong	Presentation of views	
004611 - 004700	The Dairy Farm Co Ltd	Presentation of views	
004701 - 005019	U S Meat Export Federation	Presentation of views [LC Paper No. CB(2)3093/05-06(01)]	

Time Marker	Speaker(s)	Subject(s)	Action Required
005020 - 005340	Hong Kong Chilled Meat & Poultry Association	Presentation of views	
005341 - 005801	港九新界鮮肉商、運輸、屠宰、生豬業從業員聯席會議	Presentation of views	
005802 - 010420	Pork Traders General Association of Hong Kong Limited	Presentation of views [LC Paper No. CB(2)3065/05-06(02)]	
010421 - 010637	Hong Kong Livestock Industry Association	Presentation of views	
010638 - 010758	Hong Kong Pig Raising Development Federation	Presentation of views	
010759 - 011344	Chairman Admin	Administration's response to views expressed by deputations	
011345 - 012621	Mr Fred LI Chairman Hong Kong Chilled Meat & Poultry Association Pork Traders General Association of Hong Kong Limited 港九新界鮮肉商、運輸、屠宰、生豬業從業員聯席會議	Handling of unsold fresh meat	
012622 - 014257	Mr Fred LI Chairman Admin Mr WONG Yung-kan	Extension of the pre-packaging and labeling requirements to all chilled meat	
014258 - 014447	Chairman Admin	Number of fresh provision shops and market stalls (excluding supermarkets) that were endorsed to sell chilled meat only, fresh and chilled meat, and fresh meat only.	Admin to provide information (para. 9 of the minutes)
014448 - 014900	Chairman Admin	Need to include name and address of slaughtering plant and slaughtering date on the labels of pre-packaged chilled meat	
014901 - 015010	Mr WONG Yung-kan Admin	Enforceability of the Amendment Regulation	
015011 - 015519	Chairman Mr Fred LI Mr WONG Yung-kan	Date of next meeting Extension of scrutiny period of the Amendment Regulation	