

立法會
Legislative Council

Ref : CB2/PL/FE

LC Paper No. CB(2) 624/05-06
(These minutes have been seen by
the Administration)

Panel on Food Safety and Environmental Hygiene

Minutes of Meeting
held on Tuesday, 8 November 2005 at 2:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon Fred LI Wah-ming, JP (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
Dr Hon Joseph LEE Kok-long
Dr Hon KWOK Ka-ki

Member attending : Hon WONG Kwok-hing, MH

Members absent : Hon WONG Yung-kan, JP (Deputy Chairman)
Hon Alan LEONG Kah-kit, SC

Public officers attending : Item IV

Mrs Carrie YAU
Permanent Secretary for Health, Welfare and Food

Mr Eddy CHAN
Deputy Secretary (Food and Environmental Hygiene)
Health, Welfare and Food Bureau

Mr Vincent LIU
Principal Assistant Secretary (Food & Environmental Hygiene) 2
Health, Welfare and Food Bureau

Mr Donald TONG
Deputy Director (Administration and Development)
Food and Environmental Hygiene Department

Mr YEUNG Shun-kui
Assistant Director (Operations)2
Food and Environmental Hygiene Department

Mrs Christine FUNG
Chief Executive Officer (Planning)
Food and Environmental Hygiene Department

Mr LEE Yuk-shing
Chief Project Manager 301
Architectural Services Department

Item V

Mrs Carrie YAU
Permanent Secretary for Health, Welfare and Food

Mr Eddy CHAN
Deputy Secretary (Food and Environmental Hygiene)
Health, Welfare and Food Bureau

Mr Vincent LIU
Principal Assistant Secretary (Food & Environmental Hygiene) 2
Health, Welfare and Food Bureau

Ms Annette LEE
Deputy Director (Environmental Hygiene)
Food and Environmental Hygiene Department

Mr LO Fu-wai
Assistant Director (Operations)1
Food and Environmental Hygiene Department

Item VI

Mrs Carrie YAU
Permanent Secretary for Health, Welfare and Food

Mr Eddy CHAN
Deputy Secretary (Food and Environmental Hygiene)
Health, Welfare and Food Bureau

Mr Johnson TANG
Assistant Secretary (Food & Environmental Hygiene) 1
Health, Welfare and Food Bureau

Dr Thomas CHUNG
Assistant Director (Food Surveillance and Control)
Food and Environmental Hygiene Department

Clerk in Attendance : Mrs Constance LI
Chief Council Secretary (2)5

Staff in Attendance : Miss Betty MA
Senior Council Secretary (2)1

Miss Josephine SO
Council Secretary (2)1

Ms Anna CHEUNG
Legislative Assistant (2)5

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I Confirmation of minutes of meeting
[LC Paper No. CB(2) 166/05-06]

The minutes of the meeting held on 13 October 2005 were confirmed.

II. Date of next meeting and items for discussion
[LC Paper Nos. CB(2) 270/05-06(01) and (02)]

2. Members agreed to discuss the proposed new penalties for repeat cleanliness offenders, as proposed by the Administration, at the next regular meeting on 13 December 2005.

3. Mr Tommy CHEUNG said that at the meeting of the Subcommittee on Harmful Substances in Food (Amendment) Regulation held in the morning of the same day, the Subcommittee noted that while freshwater fish supplied by registered and approved fish farms in the Mainland should be accompanied with health certificates certifying that they were free from malachite green and other harmful substances, similar arrangements were not made with fish exporters from other countries and places. Members of the Subcommittee considered that the same requirements should be applied to fish imported from other countries and places, and

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that the Panel on Food Safety and Environmental Hygiene should follow up the matter.

4. Mr CHEUNG further said that as there were substantial imports of fish, such as seawater fish, from overseas countries and places, the Administration should be requested to explain the regulation and monitoring mechanism for such imports, particularly those imported by air, at the next regular meeting. Members agreed.

III. Information paper(s) issued since last meeting

[LC Paper Nos. CB(2) 84/05-06(01), CB(2)155/05-06(01) & (02), CB(2)206/05-06(01) & (02), CB(2)282/05-06(01) and CB(2)301/05-06(01)]

5. Members noted that the Administration had provided the following information papers since the last meeting –

- (a) Information on scientific/professional opinion on the effectiveness of the vaccine currently used in live chickens and mutation of virus [LC Paper No. CB(2) 84/05-06(01)];
- (b) Letter in response to Ms Emily LAU Wai-hing's enquiry about a recent case of avian influenza outbreak in the Mainland [LC Paper No. CB(2) 155/05-06(01)];
- (c) Response to Mr Tommy CHEUNG Yu-yan's questions relating to the Policy Initiatives of Health, Welfare and Food Bureau for 2006 [LC Paper No. CB(2) 155/05-06(02)];
- (d) Secretary for Economic Development and Labour (SEDL) and SEDL's reply dated 21 September 2005 to a letter jointly signed by the Panel Chairman and Mr James TO, Chairman of the Panel on Security on 12 September 2005 to concerning the arrangements for law enforcement in Hong Kong Disneyland [LC Paper Nos. CB(2) 206/05-06(01)&(02)];
- (e) Information paper on "Anti-rodent Campaign 2006" [LC Paper No. CB(2) 282/05-06(01)]; and
- (f) Response on tests for H5N1 virus in imported poultry meat [LC Paper No. CB(2) 301/05-06(01)].

6. Members also noted that an information note prepared by Research and Library Services Division of the Legislative Council (LegCo) Secretariat on Regulations for the Import of Live Fish for Human Consumption in Singapore [LC Paper No. IN03/05-06] had been issued to members.

IV Crematorium and columbarium facilities

[LC Paper No. CB(2) 270/05-06(03)]

7. Principal Assistant Secretary for Health, Welfare and Food (Food and Environmental Hygiene)2 (PAS(FEH)2) briefed members on the Administration's plan to increase cremation capacity and measures to alleviate the problem of insufficient niches, as detailed in the Administration's paper [LC Paper No. CB(2) 270/05-06(03)].

8. The Chairman noted that the Administration's paper included a number of crematorium and columbarium projects which would require funding approval of the Finance Committee (FC). The Chairman said that the Panel would discuss the policy aspect of these proposals whereas the cost effectiveness of individual projects would be considered by the Public Works Subcommittee (PWSC). The Chairman asked about the plan for submitting the funding proposals to PWSC and the estimated cost for the projects concerned.

9. PAS(FEH)2 said that the Administration would provide details of individual projects together with the estimated costs when seeking funding approval. The Administration planned to submit the proposal for the construction of an additional columbarium block at Diamond Hill Columbarium in early 2006. Deputy Director of Food and Environmental Hygiene (Administration and Development) (DD(A&D)) advised that the estimated cost of the project would be about \$126 million.

Plans for crematorium and columbarium facilities

10. The Chairman asked whether the Administration had discussed with the Board of Management of the Chinese Permanent Cemeteries (BMCPC) the plan of providing new niches, as BMCPC also managed some cemeteries and columbaria in Hong Kong.

11. PAS(FEH)2 said that BMCPC was a non-profit making organisation which managed four cemeteries with columbaria providing 195 000 niches, and all its niches were expected to be sold out by end of 2005. PAS(FEH)2 further said that the Administration had been liaising with BMCPC on ways to alleviate the problem of insufficient niches. He added that BMCPC would develop 25 000 additional niches in 2006 and 2007, and was seeking Government's assistance in designating an area within Wo Hop Shek Cemetery for developing new columbarium facilities.

12. Mr WONG Kwok-hing welcomed the Administration's proposal to provide new niches to alleviate the shortage and to reduce the waiting time. Mr WONG, however, strongly objected to the proposal to limit the interment of cinerary urns in newly allocated niches to 10 years. He considered it unreasonable to expect the descendents to remember to renew the lease of niches every ten years. The proposal

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also defeated the policy of encouraging cremation as an alternative to burial, and departed from the Chinese tradition of worshipping ancestors. He commented that the Administration should honour its undertaking that it would continue to provide municipal services at a level similar to that of the former municipal councils following their dissolution in 2000. Mr WONG further said that the Administration should explore other means to alleviate the shortage, such as construction of new columbaria in rural areas.

13. Deputy Secretary for Health, Welfare and Food (Food and Environmental Hygiene) (DS(FEH)) said that the Administration would continue to explore options to meet the increased demand of niches, and the present proposals were put forward to gauge Members' views. Permanent Secretary for Health, Welfare and Food (PS(HWF)) stressed that giving respect to the deceased had always been the principle for providing cremation service and niches. PS(HWF) said that as one option to meet the shortfall of niches, descendents of the deceased were encouraged to return unwanted or vacated niches for re-allocation.

14. The Chairman suggested that the Administration might consider providing incentive for return of unwanted or vacated niches, e.g. by refunding half of the purchase price of niche.

15. Regarding the construction of new columbaria, PAS(FEH)2 said that a site of 22 hectares in Tuen Mun Area 46 had been reserved on the Tuen Mun Outline Zoning Plan for "Crematorium, Columbarium and Funeral Services Centre" uses. However, it would be very difficult to identify other sites for new columbaria because of the likely objections of residents in the vicinity. PAS(FEH)2 further said that there was great demand for cremation service and niches every year, but very limited supply of suitable sites was available for building columbaria. PAS(FEH)2 added that there was another option of disposing of ashes of the deceased in gardens of remembrance, for which plaques would be mounted in memory of the deceased.

16. DD(A&D) supplemented that the Administration had always proposed to construct new columbaria within/near the existing ones, as most people did not like to have crematorium and columbarium in their neighbourhood. DD(A&D) pointed out that the Government could not take it for granted that building new columbaria in situ always had a smooth sailing as locals could raise objections in the past for certain proposed project. DD(A&D) said that assuming that the population remained at about 6.8 million, a cremation rate of 90% and there was a 50% demand for niches, about 3.2 million niches would be required. The Administration therefore had to explore various options to meet the shortfall. DD(A&D) further said that to restrict the interment of cinerary urns in newly allocated niches to a limited time period was one option under consideration. Other options included improving the design of columbaria, such as building more storeys and tiers, in order to increase the capacity. DD(A&D) said that the Administration was open-minded on the options and would listen to the public's views.

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17. Mr Tommy CHEUNG asked why a 10-year lease was proposed for allocating new niches whereas the lease for coffin burials was six years. Mr CHEUNG envisaged that there would be stronger objections to the construction of cremators than the construction of columbarium because of the nuisance caused by the former. He asked whether the Administration would still proceed with the columbarium project if the relevant DC only supported the construction of new columbarium but not the new cremators. He was concerned that the newly built niches would be left vacant because of inadequate cremation capacity.

18. DS(FEH) explained that because of limited supply of suitable land for building cemeteries, it was Government's policy that land burials in public cemeteries had to be exhumed after six years. The exhumed skeletal remains could be deposited in an urn for burial in an urn grave or cremated with the ashes deposited in a niche at a columbarium, both of which were currently permanent arrangements. DS(FEH) said that the cremation capacity could be increased by upgrading and re-provisioning of cremators. However, the Government would not be able to meet the demand for niches in the near future if no new columbaria were constructed. DS(FEH) emphasised that to cope with the rising demand for cremation services and the problem of insufficient niches, the Administration would strive to obtain support from DCs for building the proposed crematorium and columbarium facilities. The Administration had also put forward the possible option of limiting the interment of cinerary urns in newly allocated niches, to enable re-use of non-renewed niches.

19. PAS(FEH)2 advised that upon the commissioning of the six reprovisioned cremators at Wo Hop Shek and four reprovisioned cremators at Cape Collinson, the increased cremation capacity would barely meet the expected cremation demand up to year 2014. The waiting time for cremation could then be shortened to 13 days. PAS(FEH)2 added that the Administration would consult the relevant DCs before submitting the funding proposals to PWSC and FC for approval.

20. DD(A&D) said that the Administration would provide a paper to the relevant DCs setting out all details of the proposals, such as the number of existing and planned cremators, and, where applicable, new niches to be provided in the district. He hoped the DCs would support the proposed crematorium and columbarium facilities, as available niches would be sold out and cremators would reach their full capacity soon. However, there might be some local objection to the development of crematorium and columbarium facilities at Tuen Mun Area 46, as the site currently did not have such facilities.

21. Mr Andrew CHENG said that while the Administration envisaged that the waiting time for cremation service would be shortened after the reprovisioning of cremators, such possible effect would be eroded with the increase in cremation demand in the coming years. Mr CHENG asked about the Administration's plans to cope with the increasing demand, particularly if the DCs did not support the proposals for constructing new crematoria. Mr CHENG considered that the Administration

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should put forward comprehensive plans on new crematorium and columbarium facilities for public consultation.

22. DS(FEH) responded that the long-term solution was to have new sites for construction of new crematorium and columbarium facilities. As a shorter term measure, the Administration planned to replace existing cremators with latest cremation technology which would shorten the cremation time and hence increase the capacity. He added that the material used for coffin also had impact on the cremation time.

23. Mr Andrew CHENG asked about the costs for Government to provide crematoria and columbaria service. He wondered whether the price of Government niches would increase for the purpose of funding part of the construction cost of the new columbarium facilities.

24. PS(HWF) said that at present, Government on average subsidised about 50% of the costs. While an increase in prices would help reduce the costs, such proposals would require careful consideration. DD(A&D) added that the price of Government niches currently ranged from \$2,800 to \$4,000, and represented a relatively small portion of the total funeral expenses.

25. Responding to Mr Andrew CHENG's enquiry about the basis for subsidising the costs of Government niches, DD(A&D) said that at present, there was a difference in price for niches in the urban areas and in the New Territories because the Administration was still adopting fees and charges of the two former municipal councils. The respective rate of subsidy determined by the former Urban Council and Regional Council was not more than 50% and 30% of the costs. DD(A&D) further said that while the purchase price for niches was an one-off payment, the Administration had to bear the recurrent management and maintenance costs which were rising because of increasing number of niches and enhancement of security and other facilities.

26. Mr TAM Yiu-chung said that due to the shortage of niches in Government columbaria, those operated by religious or non-profit making organisations had become more popular. He agreed that the Administration should adopt measures to alleviate the shortage as early as possible. Mr TAM further said that to his knowledge, Tuen Mun Area 46 was distant from residential areas and there should not be strong objections to the development of crematorium and columbarium facilities there. However, as the public generally did not like to have such facilities in their neighbourhood, the Administration should consult the views of local residents at an early planning stage.

27. PAS(FEH)2 said that the Administration would consult the relevant DCs on the development plans in one to two months.

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28. The Chairman said that providing new niches in existing columbarium sites would aggravate the traffic problems during Ching Ming and Chung Yeung festivals. He considered that the Administration should expedite the development of new crematorium and columbarium facilities in Tuen Mun Area 46, and provide other options to meet the anticipated shortfall of such facilities.

Security of cemeteries and columbaria

29. Mr WONG Kwok-hing said that the recent incident of three urns being stolen from niches in Tseung Kwan O Chinese Permanent Cemetery had given rise to public concern about the security of cemeteries and columbaria.

30. DD(A&D) said that the Administration attached great importance to the security of public cemeteries and columbaria. Both FEHD staff and the security guards had increased the frequency of patrol of public cemeteries and columbaria, and the Police had also been requested to step up patrol in these areas. DD(A&D) further said that FEHD was discussing with Architectural Services Department (ArchSD) the feasibility of installing closed-circuit television (CCTV) system within public cemeteries and columbaria. He added that while there were no cases of theft of urns in public cemeteries and columbaria managed by FEHD, he appealed to bereaved families not to deposit any valuable items inside the niches.

31. In response to Mr WONG Kwok-hing, DD(A&D) said that FEHD was working closely with ArchSD to expedite the installation of CCTV system in public cemeteries and columbaria. It was expected that the first phase of the installation project would be completed in six months' time. Mr TAM Yiu-chung supported the proposal to step up security within cemeteries and columbaria.

32. In concluding the discussion, the Chairman said that the Administration should consult the public on the plans for new crematorium and columbarium facilities, in particular the proposal to limit the interment of cinerary urns in newly allocated niches. The Chairman further said that the Administration should provide information on the security measures in cemeteries and columbaria and their estimated cost when submitting the funding proposals to PWSC. The Chairman added that the Administration should align the prices of niches in urban areas and the New Territories.

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V Proposed regulatory control of restricted dining place

[LC Paper Nos. CB(2)2598/04-05(01) & CB(2) 270/05-06(04)]

33. Referring to the licensing requirements in the Administration's paper, Mr WONG Kwok-hing said that the criteria on business hours, seating capacity and prohibition of take-away business were unnecessary and contradictory to the policy of

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establishing a business-friendly environment conducive to the creation of employment opportunities for the local community. Mr WONG suggested that these restrictions be removed and the Administration should consider requiring the “private kitchens” to close business at around 11:00 pm or midnight instead. He also suggested that “private kitchens” should be allowed to provide lunch.

34. DS(FEH) explained that the licensing controls proposed for “private kitchens” were less stringent than those required of conventional restaurants, having regard to the small-scale and family-type operation of “private kitchens”. PAS(FEH)2 supplemented that according to a survey conducted by the Administration, the vast majority of “private kitchens” provided only dinner service for a small number of customers, and they operated for a few hours in the evening. In view of the limited scale of operation of these premises, it was acceptable for them to have smaller food rooms and fewer sanitary fitments and ablution facilities. However, to prevent these restricted dining places from operating as food factories, these premises would not be allowed to provide take-away service.

35. Mr Tommy CHEUNG said that he had no strong views on the proposed regulatory framework for “private kitchens”, as his concern was to provide a level-playing field for the catering industry. Mr CHEUNG agreed with the Administration that these restricted dining places should not be allowed to operate as food factories providing take-away services. Regarding the restriction on business hours, Mr CHEUNG asked whether the operators would be allowed to provide lunch or dinner or tea, as long as the total business hours did not exceed three and a half hours a day.

36. DD(EH) responded that consideration could be given to allow the operators to change their operating time subject to the three and a half hours limit for dinner service and having regard to relevant factors.

37. Mr Andrew CHENG said that the public was concerned about the security and fire safety requirements of those buildings with restricted dining places. He considered that the main task of facilitating the trade was to reduce red tape and to expedite the processing of licensing and related applications. It would not be appropriate to relax those licensing requirements relating to hygiene, ventilation and fire safety in order to safeguard public safety and public health. Referring to the Annex to the Administration’s paper, Mr CHENG said that the ablution facilities and ventilation requirements for “private kitchens” appeared too lax.

38. Mr Tommy CHEUNG said that the licensing requirements in respect of ablution facilities and ventilation for “private kitchens” were unclear. He suggested that more specific requirements should be set out.

39. DD(EH) responded that “private kitchens” would still be required to comply with the basic food safety and hygiene requirements, and the only relaxation was the food room area and the toilet requirement. Assistant Director of FEHD (Operations)1

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(AD(Ops)1) explained that “private kitchens” would be required to provide one wash-hand basin in the toilet, although they would not need to provide an additional basin in the kitchen. A smaller food room area for “private kitchens” was proposed in view of the small-scale operation of these premises.

40. Dr KWOK Ka-ki expressed support for regulating “private kitchens”. Nevertheless, he expressed the following views on the proposed licensing conditions –

- (a) a limit should be set on the number of tables instead of the number of patrons, in order to prevent these premises from turning into restaurants serving, say, 12 small tables instead of two or three round tables;
- (b) a limit should be set on the maximum number of restricted dining places within one building, in view of the potential fire risks given the storage of fuel in these premises and the large number of patrons staying in the building; and
- (c) it would be difficult to enforce some of the proposed licensing conditions such as the restriction on business hours.

41. Dr KWOK cited Chung King Mansion and Mirador Mansions in Tsimshatsui as examples where many “private kitchens” and “restaurants” were operating in one single building, and they would pose fire hazards to the patrons and tenants/residents in these buildings. He urged the Administration to take extra care in examining the seating capacity, means of escape, and quantity of fuel storage of these “restricted dining places” when processing their licence applications.

42. Mr Vincent FANG considered that there should be flexibility in respect of the number of tables at restricted dining places. Nevertheless, he shared Dr KWOK’s concern about the potential fire hazard if too many food premises were allowed to operate in one single building.

43. On the concern about “restricted dining places” turning into small restaurants, PAS(FEH)2 advised that operators who wished to operate upstairs café or light refreshment restaurants could apply for light refreshment licence which allowed them to serve a specified range of food or drinks.

44. As regards the concern about the fire safety of buildings if too many food premises were situated in one building, DD(EH) said that all applications would be referred to the Buildings Department and Fire Services Department for vetting from the building and fire safety angles. She added that her understanding was the Buildings Department and Fire Services Department would take into account the type and number of businesses in the building concerned, including food establishments, when assessing a new application for food business licence.

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45. On the proposed requirement for the operator to obtain the consent of the Owners' Incorporation concerned for the use of the domestic premises as a "private kitchen", DD(EH) pointed out that it was no longer relevant as under the present proposal, "private kitchens" could only be housed in commercial buildings or the commercial part of composite buildings.

46. On the enforcement of licensing conditions for restricted dining places, DD(EH) said that when the legislation was passed, FEHD would include these premises in its regular inspection programme. Such inspections would take place during the business hours of the licensed premises, and enforcement action would be taken against breaches of the legislative and licensing requirements. As regards Dr KWOK's concern about the fire safety of Chung King Mansion and Mirador Mansions, DD(EH) said that FEHD would follow up with the relevant departments as appropriate.

47. Mr Tommy CHEUNG expressed concern that FEHD would have difficulties in enforcing the requirements concerning seating capacity, operating hours and prohibition of take-away business. He was worried that FEHD might give low priority to inspecting the restricted dining places due to enforcement difficulties, and this would have impact on not providing a level-playing field for the catering industry.

48. DD(EH) said that all licensed food establishments would be subject to the same inspection programme of FEHD based on risk assessment. More frequent inspections would be conducted on premises with less satisfactory record. Unlicensed "private kitchens" were also subject to enforcement action as in the case of other unlicensed food premises. However, she admitted that for "private kitchens", it was more difficult to gather evidence for enforcement action given their mode of operation.

49. The Chairman asked about the number of unlicensed food premises now operating as "private kitchens". DD(EH) advised that many food establishments previously operated as "private kitchens" had either closed or obtained other types of food business licence, or operated as clubs. At present, there were about 20 premises remaining in operation.

50. Mr Tommy CHEUNG asked whether these 20 "private kitchens" could meet all the proposed licensing requirements. He suggested that the Administration should issue clear guidelines to assist the operators to obtain the licence, for example, the meaning of composite building and the floor loading requirement.

51. DD(EH) noted the suggestion and reiterated that all applications would be referred to the Buildings Department and Fire Services Department for vetting as in the case of applications for restaurant licence.

52. In concluding the discussion, the Chairman requested the Administration to take note of members' views. He added that the Administration would introduce

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amendments to the Food Business Regulation in the 2005-06 legislative session to effect the implementation of the new licensing scheme.

VI Follow-up discussion on the supply and regulation of freshwater fish
[LC Paper No. CB(2) 129/05-06(02)]

53. DS(FEH) briefed members that the supply of freshwater fish from the Mainland had resumed to about 70% to 80% of the daily supply before the occurrence of the recent malachite green incident. Most of these fish were imported by sea, and a small amount of fish were transported via Man Kam To Control Point. DS(FEH) informed members that there were presently 26 registered freshwater fish farms supplying fish to Hong Kong. The Administration had sent staff to inspect these farms which were found to be satisfactory. The Administration would continue discussion with the Mainland authorities to increase the number of registered freshwater fish farms. Assistant Director of FEHD (Food Surveillance and Control) (AD(FSC)) added that FEHD would send staff to conduct follow-up inspections of registered farms in the Mainland, if necessary.

54. Mr TAM Yiu-chung asked whether FEHD would take samples from fish sold at local markets to test for malachite green, and the percentage of such sample tests.

55. AD(FSC) responded that since 8 September 2005, testing for malachite green had been included in the regular food surveillance programme. So far, 52 food samples including 14 samples from freshwater fish had been taken for testing. One sample of freshwater fish was found to contain about 8 micrograms per kilogram malachite green at the end of October 2005. AD(FSC) said that the supplier of the freshwater fish concerned, which was one of the registered fish farms in the Mainland, was notified of the test result, and the supply of fish from the farm was suspended immediately. AD(FSC) stressed that it was important to strengthen control and regulation at source.

56. DS(FEH) added that it was not surprising to find minimal residue of malachite green in fish farms if malachite green had been used sometime ago. DS(FEH) said that fish supply from the fish farm concerned had been suspended. The Administration would follow up with the Mainland authorities and the fish farm again before the supply could be resumed.

57. Mr Tommy CHEUNG said that although the Administration had repeatedly advised the trade that about 60 to 80 tonnes of freshwater fish were available for supply to Hong Kong daily, the freshwater fish traders had expressed grave concern that the supply was limited to four major domestic fish only. Mr CHEUNG asked about the types of fish currently supplied by the registered fish farms and when the supply of mixed fish and live eels would be resumed. He also asked about the timetable for increasing the number of registered fish farms.

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58. AD(FSC) said that the Administration would follow up discussion with the Mainland authorities on the supply of mixed fish and live eels. DS(FEH) added that while the Administration would continue to discuss with the Mainland authorities to increase the number of registered fish farms, it was not possible to provide a concrete timetable at the moment. Nevertheless, DS(FEH) agreed to provide information on the types of fish supplied by the 26 registered fish farms after the meeting.

59. Mr Vincent FANG doubted that the supply of freshwater fish had already resumed to 70% of that before the malachite green incidents. He pointed out that the sale of mixed fish represented about 60% of the business of freshwater fish trade. As the current supply of freshwater fish was largely the four major domestic fish, the business of freshwater fish wholesalers and retailers had been seriously affected. Moreover, only a small volume of freshwater fish was supplied via Man Kam To Control Point. Mr FANG urged the Administration to discuss with the Mainland authorities to increase the number of registered fish farms and the supply of mixed fish. The Chairman also urged the Administration to assist the affected trades as far as practicable.

60. DS(FEH) said that according to the Mainland authorities, there would be 88 registered fish farms for supplying freshwater fish to Hong Kong. The Administration would convey the trade's concerns to the Mainland authorities. DS(FEH) further said that most of the registered fish farms were located at Zhuhai and Guangdong, therefore their freshwater fish were transported by sea. Only those supplied by fish farms in Shenzhen would be transported via Man Kam To Control Point.

61. Mr Vincent FANG said that he was given to understand that residue of malachite green would remain in fish ponds for almost four years. He asked about the scope of inspections of the registered fish farms by FEHD staff. Dr KWOK Ka-ki also asked about the frequency of inspections of these fish farms and whether samples would be taken at source for testing.

62. AD(FSC) responded that the Administration had sent staff to inspect each of the 26 registered fish farms once. The inspection covered the condition of fish farms and their environment, the rearing methods and control measures for fish diseases, etc. Samples would be taken for testing from fish at the import, wholesale and retail levels. AD(FSC) said that FEHD did not have sufficient manpower to inspect the 26 registered fish farms and other fish farms under registration at frequent intervals.

63. DS(FEH) added that the Administration had proposed to reorganise the food safety regulatory framework, in order to pool the resources for more effective control

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of food supply to ensure food safety. After the reorganisation had taken effect, additional resources would be provided for strengthening food safety regulation and there would be more inspections of fish farms.

64. The Chairman said that the Panel would hold a special meeting to discuss details of the Administration's reorganisation plan for the food safety regulatory framework.

VII. Any other business

65. The Chairman reminded members that the Panel would visit a local fish farm and an organic farm in the New Territories on 13 November 2005.

Proposed visit to poultry/fish farms and meat processing plants in Guangdong Province

(LC Paper No. CB(2) 270/05-06(05))

66. Members raised no objection to the proposed visit to poultry/fish farms and meat processing plants in Guangdong Province. The Chairman said that a paper would be provided to the House Committee to seek permission for the Panel to undertake the visit.

67. There being no other business, the meeting ended at 4:35 pm.

Council Business Division 2
Legislative Council Secretariat
12 December 2005