

Bills Committee on Food Safety Bill

Pilot Scheme on Record Keeping By Fishermen

Purpose

This paper briefs Members on a pilot scheme participated by fishermen to assess whether the record-keeping requirement under the Food Safety Bill (the Bill) is practicable and reports on its outcome.

Background

2. The Bill requires that fishermen who capture and supply local aquatic products by direct sale to ultimate consumers to keep capture records. According to Clause 23 of the Bill, capture records must contain the date or period of capture, common name and total quantity of the local aquatic products as well as the area of capture.

3. However, if fishermen capturing such local aquatic products supply them by wholesale to other person(s) (including selling to local seafood traders, fish collecting vessel and Fish Marketing Organisation (FMO)), they must keep food supply record (in addition to capture records) in accordance with Clause 24 of the Bill. This covers information including the date the food was supplied, the name and contact details of the person to whom the food was supplied (i.e. the buyer), and a description of the food and the total quantity. The capture or transaction records of live aquatic products must be kept for a period of three months.

4. Apart from the above modus operandi, fishermen can also operate fish collecting vessels to acquire catches from other fishermen within or outside Hong Kong waters and supply such aquatic products by direct sale to ultimate consumers or wholesale (including selling to local seafood traders, fish collecting vessels and FMO).

5. For fishermen of fish collecting vessels who supply such aquatic

products by direct sale to ultimate consumers, they only have to keep records of local acquisition of food (i.e. within Hong Kong waters) or records of acquisition of imported food (i.e. outside Hong Kong waters). According to Clauses 21 and 22, record of local acquisition of food or record of acquisition of imported food must contain information including the date the food was acquired, the name and contact details of the person from whom the food was acquired, the place from where the food was imported (for imported food only) and a description of the food and the total quantity.

6. However, if fishermen of fish collecting vessels supply aquatic products to other person(s) (including selling to local seafood traders, fish collecting vessels and FMO), then apart from maintaining records of local acquisition of food or records of acquisition of imported food, they must also keep food supply records in accordance with Clause 24 of the Bill (see paragraph 3 above).

7. At the Bills Committee meeting held on 22 July 2010, some fishermen expressed concern about the record-keeping requirement under the Bill and requested that they should be exempted. Record keeping is an important element of the food traceability mechanism under the Bill. Through such mechanism, the Administration will be able to quickly track down the source of the problem food in case of a food incident. Exemption of any class of food suppliers will create a loophole in the mechanism. Without an effective food traceability mechanism, law enforcement officers could not ensure that the food traders concerned would be able to provide the source of the food when investigating a food incident. Thus exemption of any class of food suppliers is not feasible. Members therefore suggested that a pilot scheme should be carried out to evaluate the practicability of the proposed record-keeping requirement.

The Pilot Scheme

8. Having consulted various major fishermen associations, the Administration has drawn up the following measures to assist fishermen in complying with the record-keeping requirement –

- (a) there is no stipulated format for fishermen to keep capture

record or record of wholesale supply of food. To facilitate the fishermen, record templates (**Annex I**) have been provided for their use;

- (b) apart from the record templates, fishermen may also use the receipts/ invoices issued by the FMO (**Annex II**) and seafood traders (**Annex III**) as records of wholesale transaction as they generally contain all the information required to be recorded under the various requirements. By inserting the capture date/ period and catch area on these receipts/ invoices, fishermen could turn them into capture records; and
- (c) to facilitate record keeping by those with difficulties in recording the catch area and in classifying their catches, the Administration has produced an annotated fishing map (**Annex IV**) and a pictorial guide of aquatic products (**Annex V**). The common catch areas in the South China Sea are numbered in the fishing map and fishermen are only required to jot down the corresponding number (e.g. “1” represents Hong Kong waters and “2” represents the coastal areas of Guangdong Province). Similarly, the pictorial guide lists out the aquatic products commonly found in Hong Kong waters to help fishermen identify their catch and to record their catch by numbers (e.g. “1” represents golden thread and “2” represents yellow belly). The list is prepared in accordance with the classification system which has been used by FMO and the fisheries trade for years.

9. Based on the above measures, the Centre for Food Safety (CFS) conducted a pilot scheme from 29 July 2010 to 10 September 2010 for six weeks. Major fishermen organizations were invited to nominate their members to join the exercise. 22 fishermen participated in the scheme, each having their own mode of operation and selling their catches through different channels. Details can be found at **Annex VI**.

10. CFS staff first explained to the participating fishermen the record-keeping requirement under the Bill and asked them to maintain the suitable types of records based on their own mode of operation. CFS staff then inspected the records on a weekly basis and advised the fishermen on improvements to their record keeping practices.

Outcome

10. The results of the pilot scheme are as below-
- (a) out of the 22 participating fishermen, most were able to keep proper records. Only one still failed to provide proper records at the end;
 - (b) the only participant who failed to provide proper records expressed later that he did not find it difficult to comply with the record-keeping requirement as he only needed to jot down the capture area on the supply records provided by the seafood trader;
 - (c) among the 21 participants who were able to maintain proper records, 13 chose to maintain receipts/ invoices, five used the record templates and three created their own written records. All of them indicated their readiness to comply with the record-keeping requirement under the Bill;
 - (d) ten participants were able to maintain proper records at the start. Others were able to maintain proper records after on average two to three counsellings from CFS staff;
 - (e) according to the five participants who chose to use the record templates, it took about five minutes to complete the required records. One fisherman made use of the pictorial guide of aquatic products and recorded his catch in code number;
 - (f) some participants already had the practice of keeping transaction records, either for settling payment or for their own recording purpose;
 - (g) after the completion of the pilot exercise, all 22 participants experienced no great difficulty in keeping records. They generally agreed that the record-keeping requirement did not bring much extra work to them.

Conclusion

11. The pilot scheme demonstrates effectively that record-keeping requirement for fishermen under the Bill is practicable and does not involve much extra work. With guidance of CFS staff, most fishermen were able to make use of their existing transaction records, like invoices and receipts, to meet the new requirements. Some fishermen found the record templates, fishing map and the pictorial guide of very practical use. In the months to come, we will continue to provide guidance to fishermen and assist them in getting prepared.

Advice Sought

12. Members are asked to note the outcome of the pilot scheme.

Food and Health Bureau

September 2010

紀錄範本^註
TEMPLATE RECORD^{Note}

本地獲取食物的紀錄
RECORD OF LOCAL ACQUISITION OF FOOD

20 _____ 年 _____ 月份收貨紀錄表 (本地食物)					
Record of local acquisition of food for the month of _____ 20 _____					
公司名稱： Name of company					
收貨日期 Date of food acquired	食物名稱 Food description	數量 Quantity	供應商資料 Particulars of supplier		
			名稱 Name	聯絡電話 Contact tel. no.	地址 Address

^註 此範本僅供參考之用，法例並無規定食物商須使用此範本

^{Note} This template is for reference only and it is not a legal requirement for traders to follow

紀錄範本^註
TEMPLATE RECORD^{Note}

獲取進口食物的紀錄
RECORD OF ACQUISITION OF IMPORTED FOOD

20 _____ 年 _____ 月份收貨紀錄表 (進口食物)						
Record of acquisition of imported food for the month of _____ 20 _____						
公司名稱： Name of company						
收貨日期 Date of food acquired	食物名稱 Food description	數量 Quantity	供應商資料 Particulars of supplier			食物出口國家/ 地方 Exporting country/ place
			名稱 Name	聯絡電話 Contact tel. no.	地址 Address	

^註 此範本僅供參考之用，法例並無規定食物商須使用此範本

^{Note} This template is for reference only and it is not a legal requirement for traders to follow

紀錄範本^註
TEMPLATE RECORD^{Note}

以批發方式供應食物的紀錄
RECORD OF WHOLESALE SUPPLY OF FOOD

20 _____ 年 _____ 月份批發供應紀錄表					
Record of wholesale supply of food for the month of _____ in 20 _____					
公司名稱： Name of company					
供應日期 Date of supply	食物名稱 Food description	數量 Quantity	收貨人資料 Particulars of the person to whom the food was supplied		
			名稱 Name	聯絡電話 Contact tel. no.	地址 Address

^註 此範本僅供參考之用，法例並無規定食物商須使用此範本

^{Note} This template is for reference only and it is not a legal requirement for traders to follow

紀錄範本^註
TEMPLATE RECORD^{Note}

捕撈本地水產的紀錄
RECORD OF CAPTURE OF LOCAL AQUATIC PRODUCTS

漁船編號: Fish vessel No.:	船主姓名: Name of fish vessel owner:			
捕撈地區: Capture area:				
捕撈日期／期間: Date/period of capture:				
水產名稱／編號: Name of aquatic products／Code:	(1)	(2)	(3)	(4)
	(5)	(6)	(7)	(8)
數量: (公斤計) Quantity: (in kg)	(1)	(2)	(3)	(4)
	(5)	(6)	(7)	(8)

^註 此範本僅供參考之用，法例並無規定食物商須使用此範本

^{Note} This template is for reference only and it is not a legal requirement for traders to follow

魚類統營處發出的收據
Receipts issued by FMO

客戶交易紀錄

商號
印鑑
車船牌 **貨主** **日期**

魚名	盒數	重量	單價	金額	佣金	實找金額
交易紀錄編號		225612				
瓜核	2	60	\$15.00	\$900.00		
門鱸	2	60	\$20.50	\$1,230.00		
或魚	2	60	\$10.00	\$600.00		
大盒	6	180		\$2,730.00	\$60.00	\$2,670.00
紅衫	20	240	\$19.50	\$4,680.00		
木棉	20	240	\$26.00	\$6,240.00		
青根	20	240	\$19.00	\$4,560.00		
沙猛	14	168	\$17.00	\$2,856.00		
中細盒	74	888		\$18,336.00	\$296.00	\$18,040.00
	80	1068		\$21,066.00	\$356.00	\$20,710.00

捕撈地區: 1

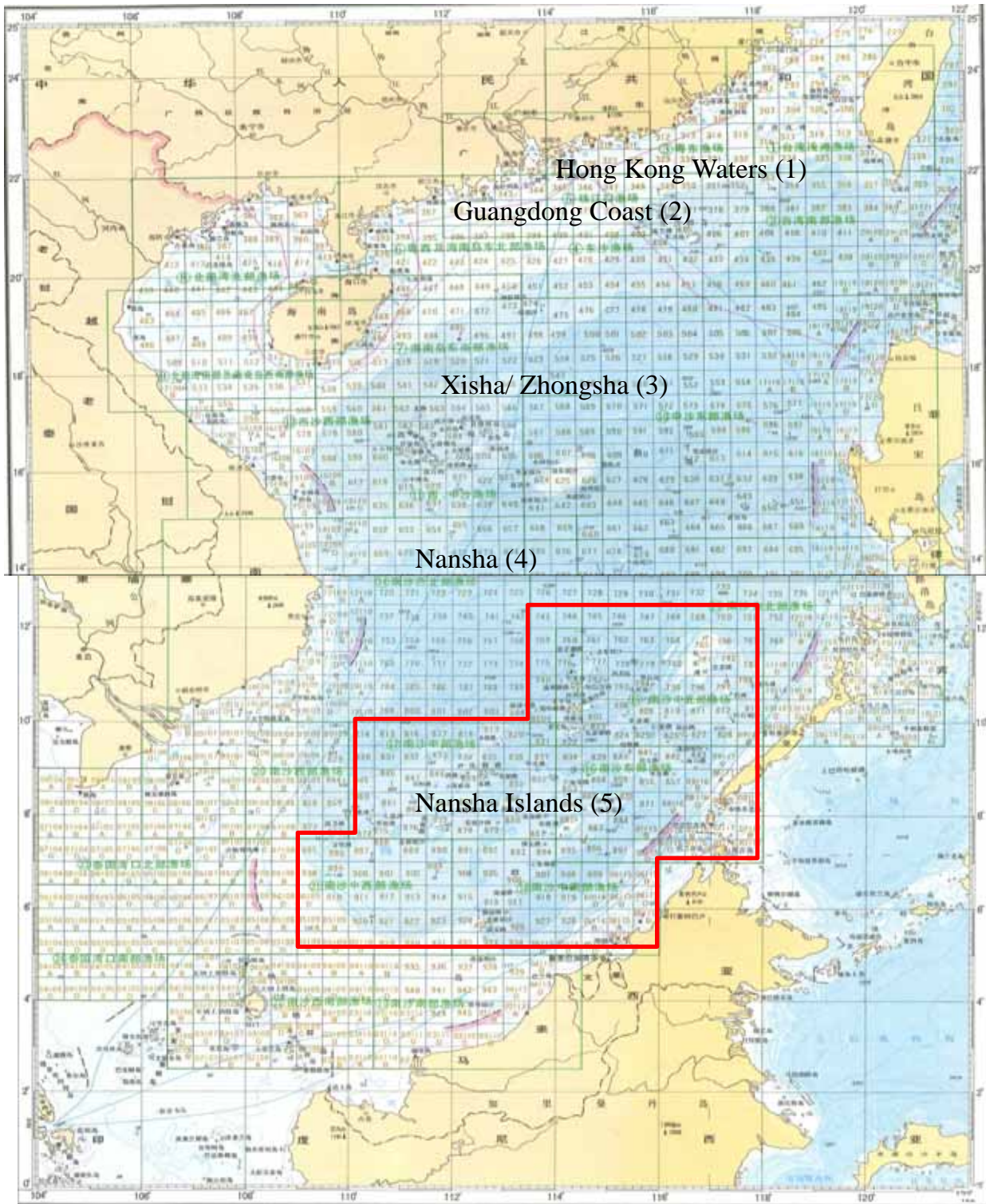
捕撈日期: 1.12.2010

交易紀錄編號		225662				
白倉	7	210	\$51.00	\$10,710.00		
或魚	10	300	\$10.00	\$3,000.00		
大盒	17	510		\$13,710.00	\$170.00	\$13,540.00
青鱸	5	45	\$25.00	\$1,125.00		
烏頭	5	45	\$13.50	\$607.50		
馬友	4	36	\$64.00	\$2,304.00		
特細盒	14	126		\$4,036.50	\$42.00	\$3,994.50
紅衫	50	600	\$19.50	\$11,700.00		
立魚	50	600	\$25.00	\$15,000.00		
黃花	9	108	\$35.50	\$3,834.00		
中細盒	109	1308		\$30,534.00	\$436.00	\$30,098.00
	140	1944		\$48,280.50	\$648.00	\$47,632.50

大盒	23	690		\$16,440.00	\$230.00	\$16,210.00
細盒	0	0		\$0.00	\$0.00	\$0.00
特細盒	14	126		\$4,036.50	\$42.00	\$3,994.50
中細盒	183	2196		\$48,870.00	\$732.00	\$48,138.00
訂正	0	0		\$0.00	\$0.00	\$0.00
印鑑合計	220	3012		\$69,346.50	\$1,004.00	\$68,342.50

註：於空白地方填寫捕撈地區及日期

South China Sea Fishing Map



- (1) Hong Kong Waters
- (2) Guangdong Coast (including fishing grounds of East Guangdong, West Guangdong, Dongsha, mouth of Pearl River, Hainan and Gulf of Tonkin)
- (3) Xisha/ Zhongsha fishing grounds
- (4) Nansha fishing grounds
- (5) Nansha Islands

水產圖錄
Pictorial Guide of Aquatic Products

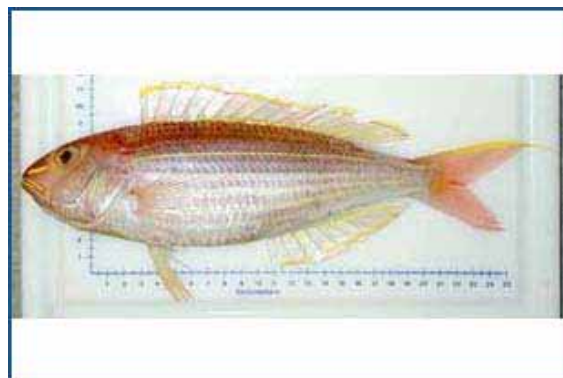
代號
(Species 種)

中文名稱

圖例

1

紅衫



2

黃肚



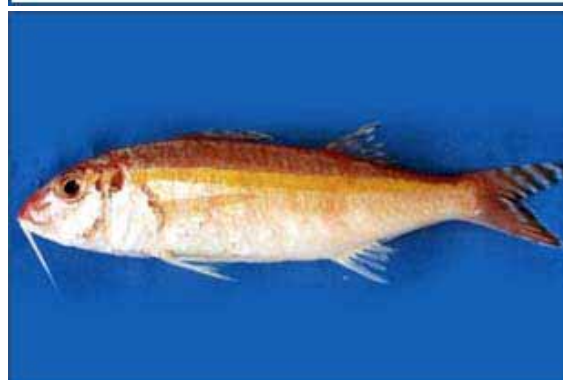
3

瓜衫



4

紅線



5

叉尾



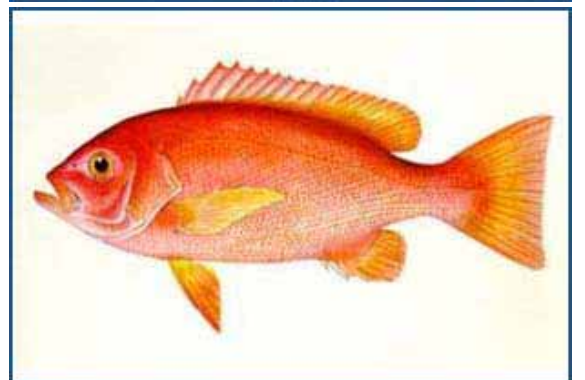
6

瓜核



7

紅魚



8

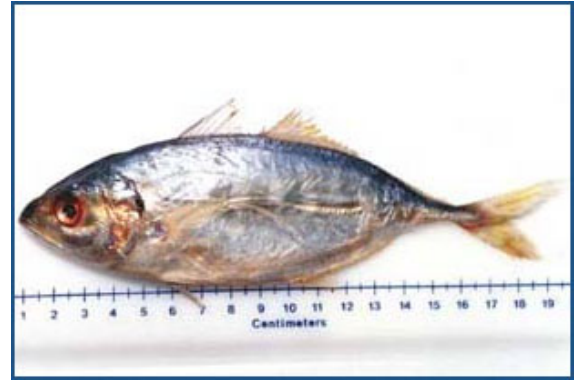
白果



(Genera 屬)

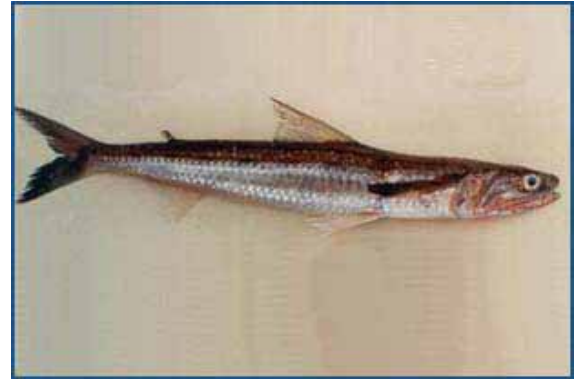
9

池魚



10

九棍



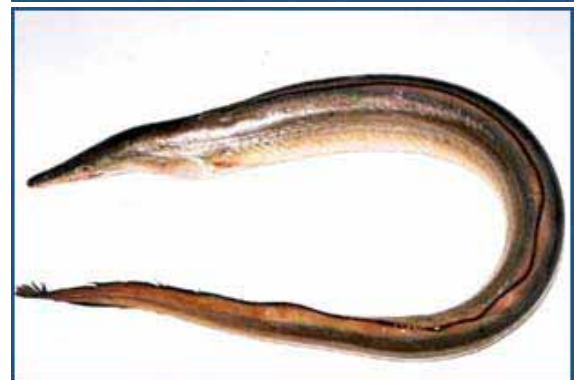
11

珍魚



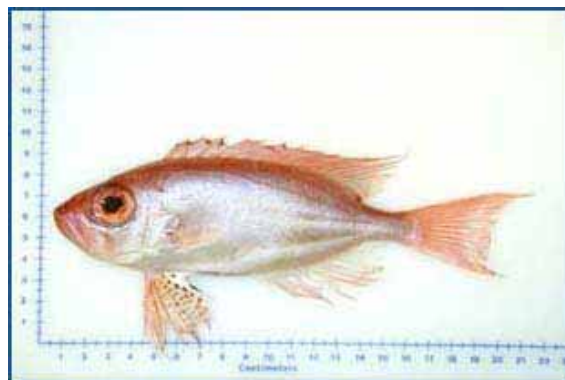
12

門鱧



13

木棉



14

鮫魚



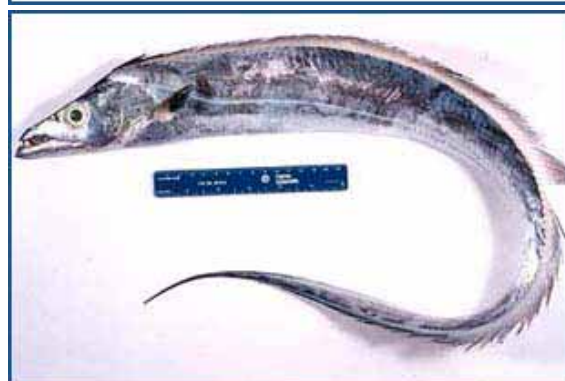
15

青鱗



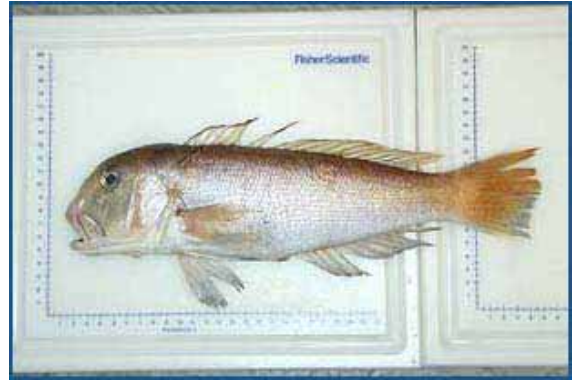
16

牙帶



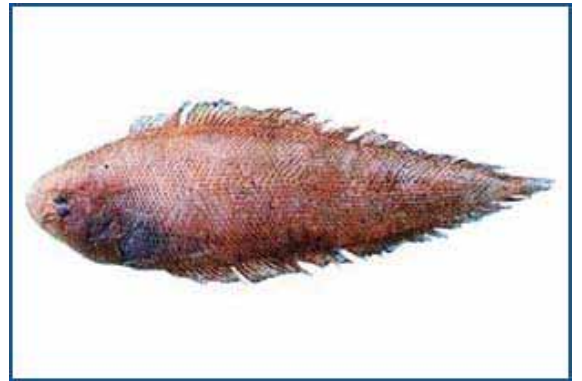
17

馬頭



18

龍利



19

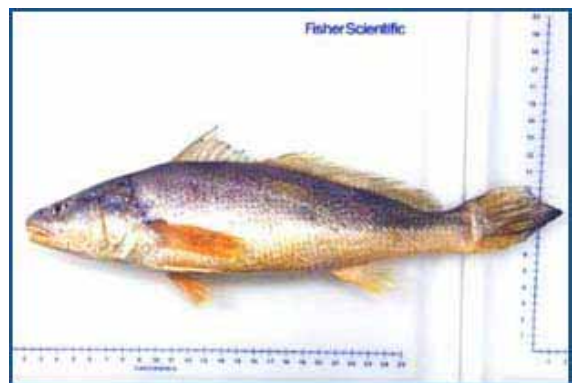
杜仲



(Families 科)

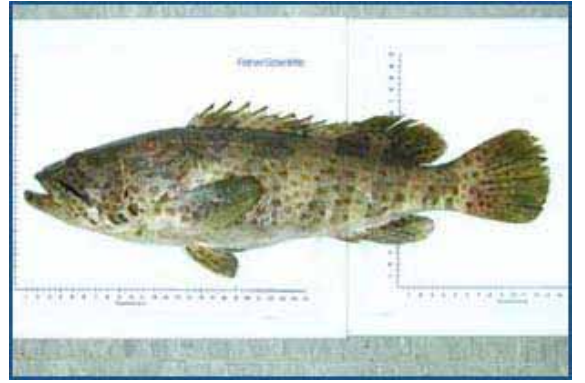
20

鰺魚



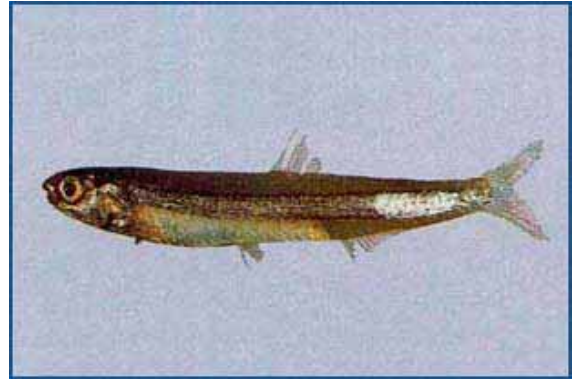
21

石斑



22

公魚



23

魷魚



24

鯛魚



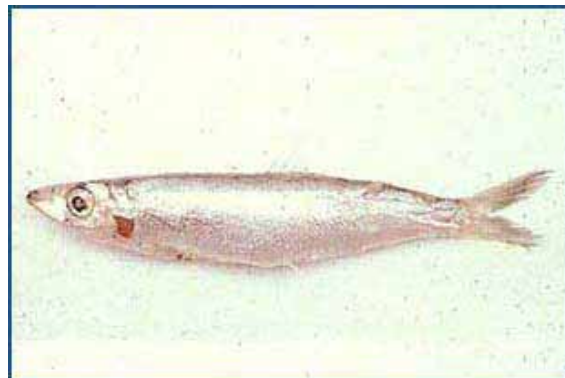
25

鱸魚



26

海荷



27

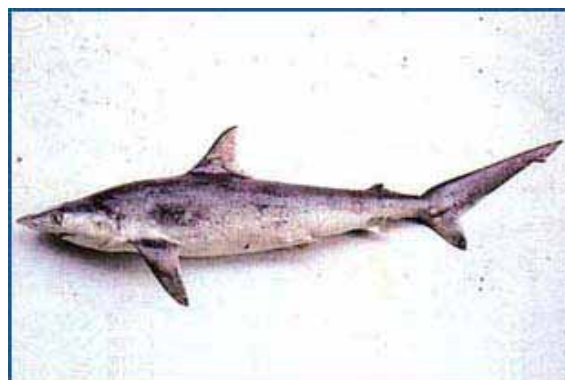
黃花



(Order 目)

28

鯊魚



(Mixed 雜)

29

雜魚

(Invertebrates 無脊椎動物)

30

魷魚



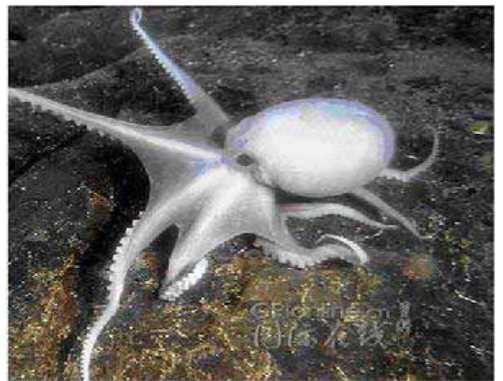
31

墨魚



32

八爪魚



33

蝦



34

癩尿蝦



35

龍蝦



36

蟹



37

海膽



38

螺



39

帶子, 元貝



40

蜆



41

其他無脊椎動物

Summary of Participants of the Pilot Exercise

Fishermen Organizations	Number of Participants	Mode of Business	Distribution Channel
HK Fishermen Consortium	4	Offshore fish collecting	Local seafood trader
		Coastal fishing	Multi channels: Direct sale to ultimate consumers and local fish trader
		Coastal fish collecting	Direct sale to ultimate consumers
		Coastal fishing	Local fish collecting vessel
HK Fishing Vessel Owners Association, Ltd.	1	Offshore fish collecting	Local fish collecting vessel
HK & Kowloon Fishermen Association Ltd.	10	Coastal fishing	Direct sale to ultimate consumers
		Coastal fishing	FMO
		Coastal fishing	FMO
		Coastal fishing	FMO
		Coastal fishing	FMO
		Coastal fishing	FMO
		Coastal fishing	FMO
		Coastal fishing	FMO
		Coastal fishing	Local fish collecting vessel
HK Fishermen Consortium/HK Fisheries Development Association	3	Coastal fishing	Local fish collecting vessel
		Coastal fishing	Direct sale to ultimate consumers
		Coastal fishing	Direct sale to ultimate consumers
The Association for Cheung Chau Fishermen's Rights	1	Coastal fishing	Local seafood trader
The Cheung Chau Purse Senior Fishermen's Credit Co-operation Society, Utd.	1	Coastal fishing	Local fish collecting vessel
Independent participants	2	Coastal fish collecting	Local seafood trader
		Coastal fish collecting	Local seafood trader

Remark:

During the period of July to September, we had explained, through meetings and writings, to the Hong Kong Fishery Alliance and Ma Wan Fisheries Rights Association Ltd. the details of the record keeping requirements under the Food Safety Bill and invited them to nominate their members to join the pilot exercise. Nevertheless, the two associations did not submit any nominations as they still insisted that they should be exempted from the Bill.