

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1731/10-11  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/FE

**Panel on Food Safety and Environmental Hygiene**

**Minutes of meeting**  
**held on Tuesday, 8 March 2011, at 2:30 pm**  
**in Conference Room A of the Legislative Council Building**

**Members present** : Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)  
Hon WONG Yung-kan, SBS, JP (Deputy Chairman)  
Hon Fred LI Wah-ming, SBS, JP  
Hon Andrew CHENG Kar-foo  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, MH  
Hon KAM Nai-wai, MH  
Dr Hon LEUNG Ka-lau  
Hon WONG Sing-chi  
Hon Alan LEONG Kah-kit, SC  
Hon WONG Yuk-man

**Members absent** : Hon TAM Yiu-chung, GBS, JP  
Dr Hon Joseph LEE Kok-long, SBS, JP

**Public Officers attending** : Item IV  
  
Dr York CHOW Yat-ngok, GBS, JP  
Secretary for Food and Health  
  
Mrs Marion LAI CHAN Chi-kuen, JP  
Permanent Secretary for Food and Health (Food)  
  
Mr Alan WONG Chi-kong, JP  
Director of Agriculture, Fisheries and Conservation

Dr LEUNG Siu-fai  
Deputy Director of Agriculture, Fisheries and Conservation

Dr SO Ping-man  
Assistant Director of Agriculture, Fisheries and  
Conservation (Fisheries)

Item V

Prof Gabriel M LEUNG, JP  
Under Secretary for Food and Health

Mr Kevin YEUNG Yun-hung  
Principal Assistant Secretary for Food and Health (Food) 1

Dr LEE Siu-yuen  
Assistant Director (Food Surveillance & Control), Centre for  
Food Safety  
Food and Environmental Hygiene Department

**Clerk in attendance** : Mrs Sharon TONG  
Principal Council Secretary (2)

**Staff in attendance** : Ms Maisie LAM  
Senior Council Secretary (2) 6

Ms Catherina YU  
Senior Council Secretary (2) 7

Miss Michelle LEE  
Legislative Assistant (2) 7

Action

---

**I. Confirmation of minutes**  
(LC Paper No. CB(2)1163/10-11)

The minutes of the meeting held on 11 January 2011 were confirmed.

**II. Information paper(s) issued since the last meeting**

2. Members noted that no information paper had been issued since the last meeting.

### **III. Items for discussion at the next meeting**

(LC Paper Nos. CB(2)1197/10-11(01) to (02))

3. Members agreed to discuss the following items proposed by the Administration at the next meeting to be held on 12 April 2011 -

(a) Review of columbarium policy; and

(b) Liquor licensing review.

4. The Chairman suggested and members agreed that the special meeting scheduled for 15 March 2011 to receive views from deputations on the legislative proposal to take forward the trawl ban would advance to start at 10:00 am (i.e. from 10:00 am to 12:45 pm).

### **IV. Trawl ban and other fisheries management measures**

(LC Paper Nos. CB(2)1197/10-11(03) and (04), CB(2)1208/10-11(01), CB(2)1218/10-11(01) and CB(2)1224/10-11(01))

5. Secretary for Food and Health ("SFH") briefed members on the progress in taking forward the policy initiative of introducing a trawl ban in Hong Kong waters and other complementary fisheries management measures to be introduced in this legislative session as detailed in the Administration's paper.

6. Mr KAM Nai-wai cast doubt on the comprehensiveness of the consultation conducted by the Administration with the fisheries trade. He pointed out that as revealed by the Administration, most fishermen representatives generally supported the trawl ban. However, a number of fishermen protesting outside the Legislative Council ("LegCo") Building at the date of the meeting were strongly against the implementation of an across-the-board ban on trawling activities in Hong Kong waters.

7. SFH responded that trawl ban was one of the recommendations put forth by the Committee on Sustainable Fisheries ("the Committee") in its final report submitted to the Government in 2010. The Committee, which was set up in December 2006, had studied and discussed in detail the long term goals and directions as well as feasible options and implementation strategy for the sustainable development of fisheries industry. In formulating its recommendations, the Committee had taken into account the views from various stakeholders including the fisheries industry. SFH further said that since the announcement of the trawl ban initiative by the Chief Executive in

Action

his 2010-2011 Policy Address, the Agriculture, Fisheries and Conservation Department ("AFCD") had been consulting the umbrella fishermen bodies and fishermen representatives/individual fishermen in major homeports on the trawl ban initiative. Whilst some of them expressed concern about issues relating to the ex-gratia allowance ("EGA") payments and a few requested the Government to consider not to implement an across-the-board trawl ban, the majority of the fishermen representatives generally supported the trawl ban which could help restore the fisheries resources in Hong Kong waters. The Administration would continue to listen to the views from the fisheries trade on the implementation details of the trawl ban, the voluntary trawler buyout scheme as well as EGA for the affected trawler fishermen ("the Scheme") at the special meeting of the Panel on 15 March 2011.

8. In response to Mr KAM Nai-wai and the Chairman's enquiry on whether all the 400 trawler fishermen who spent considerable amount of time fishing in Hong Kong waters had been consulted on the proposed trawl ban, Director of Agriculture, Fisheries and Conservation ("DAFC") advised that the Committee had held a number of consultation sessions at the major homeports (such as Aberdeen, Shau Kei Wan, Tuen Mun and Cheung Chau) to collect the views of the trade on how to conserve local fisheries resources. Most fishermen should be well aware of the Administration's proposal to ban trawling activities in Hong Kong waters. Since the announcement of the trawl ban initiative in the 2010-2011 Policy Address, AFCD had made considerable efforts to understand the concerns of the trade over the Scheme through the umbrella fishermen bodies and the organization of roadshows at various homeports. DAFC however pointed out that it would be difficult for the Administration to directly consult each and every trawler fisherman affected by the trawl ban, having regard to the fact that many fishermen had to work irregular hours or outside Hong Kong waters.

9. Deputy Director of Agriculture, Fisheries and Conservation ("DD/AFC") supplemented that given the wide coverage of the consultation exercise which included fishermen representataives/individual fishermen in major homeports, there was no cause for concern that the consultation was not comprehensive enough to gather the views of the affected trawler fishermen. While the affected fishermen had expressed concern about the implementation details of the Scheme, they generally supported the trawl ban.

10. Whilst agreeing on the need to conserve the local marine ecosystem and fisheries resources, Mr KAM Nai-wai considered it too hasty to introduce the subsidiary legislation on the trawl ban into LegCo for negative vetting in March 2011.

Action

11. SFH responded that the Administration hoped to implement the trawl ban within the current term of the Government, as there was already a clear public consensus that it was necessary to ban trawling activities in Hong Kong waters to conserve the marine resources. Hence, the Administration would present to LegCo the subsidiary legislation and the funding proposal for the trawl ban as soon as possible. The Administration planned to roll out the voluntary buyout scheme around late 2011 if LegCo Members were in support of the subsidiary legislation and funding proposal. Given that the processing of all applications relating to the Scheme would take about one year to complete, the trawl ban could take effect in late 2012 at the earliest.

12. Being a member of the Committee, Mr WONG Yung-kan affirmed that the proposal of trawl ban had the support of the majority of members of the Committee, including representatives from the fisheries industry. Mr WONG then declared interest as the Chairman of the Hong Kong Fishermen Consortium and highlighted some of the 27 recommendations put forward by the Consortium as detailed in its submission. These included early provision of details on the proposed compensation package to the affected fishermen; offering a higher EGA to the affected trawler owners as they had suffered most as a result of depletion of fisheries resources due to the loss of fishing grounds caused by the marine works projects; providing support to the affected fishermen to help them pursue offshore fishing in Zhongsha Islands; promoting the development of aquaculture; and providing assistance to mariculturists as they would face a lack of supply of fresh fish feed after the implementation of the trawl ban.

13. SFH thanked Mr WONG for his assistance in the Administration's consultation exercise with the fisheries trade on the Scheme. Referring to the recommendations put forth by the Consortium, SFH and DD/AFC responded as follows -

- (a) the Administration would make reference to how EGA payable to fishermen affected by marine works projects was determined when determining the EGA for affected trawler owners, which would be proportional to the impact of the trawl ban on them having taken into account the amount of time they spent fishing in Hong Kong waters. The current basis for calculating EGA payable to fishermen for permanent loss of fishing grounds caused by marine works projects, which was introduced in 2000 after obtaining approval from the Finance Committee of LegCo, was the notional value of seven years' fish catch in the affected area;

Action

- (b) affected fishermen could apply for the Fisheries Development Loan Fund, a government loan fund with a fund capital of \$290 million, for low-interest loans to pursue other fisheries operations which were conducive to reducing fishing effort and conserving fisheries resources in local waters, such as offshore fishing and aquaculture;
- (c) the operation of deep-water fishing involved fishing fleets that comprised a number of fishing vessels. The Administration would communicate with the Mainland authorities on issues relating to Hong Kong fishing vessels' access to Mainland waters if a large number of affected fishermen indicated interest in switching to deep-water fishing in Mainland waters;
- (d) in view of the international trend to move towards mariculture and that aquaculture products had taken up a greater share of marine fisheries products, continuous efforts were being made by AFCD to assist fishermen to switch to aquaculture. As regards the feed for aquaculture, AFCD had long been promoting the use of pellet feed to replace trash fish which was the traditional feed for aquaculture. AFCD was also studying the feasibility of using imported frozen fish, with the addition of fishmeal, as an alternative fish feed; and
- (e) the Administration would continue to listen to the views of the fisheries trade with a view to arriving at a more accurate projection of the respective number of affected fishermen who wished to leave the trade; switch to operations outside Hong Kong waters; and switch to sustainable fisheries operation such as aquaculture.

14. Mr WONG Yung-kan urged the Administration to review the current basis for calculating EGA payable to fishermen for permanent loss of fishing grounds, which had been implemented for more than 10 years. In this regard, the Hong Kong Fishermen Consortium suggested that the EGA payment should be raised to the notional value of 15 years' fish catch in the affected area. This should apply to the loss of fishing grounds caused by marine works projects as well as the proposed trawl ban.

15. SFH responded that justification was required for changing the current basis of using seven years' notional value of catch for calculating EGA payable to fishermen for permanent loss of fishing grounds.

Action

16. The Chairman enquired whether the Administration would provide the Panel with details of the EGA package to the affected fishermen before the Panel meeting scheduled for hearing views from deputations.

17. SFH advised that in order to overcome the likely resistance of the fisheries trade against the proposed trawl ban, the Administration would bundle the trawl ban with the introduction of the voluntary trawler buyout scheme as well as EGA for the affected trawler fishermen with a view to adequately addressing the adverse impact of the trawl ban on the livelihood of the trawler fishermen. However, the Administration would require more time to forge a consensus with the fisheries trade before concrete details of the EGA package could be finalized. The Chairman remarked that LegCo Members could hardly give their support to the legislation to effect the trawl ban in the absence of the details of the EGA package.

18. Mr WONG Yuk-man expressed support in principle for banning trawling activities in Hong Kong waters and introducing other fisheries management measures to control the fishing effort so as to protect important fish spawning and nursery grounds. Noting that the affected trawler owners had requested a more favourable EGA than that for fishermen affected by marine works project, Mr WONG was concerned that the Administration's paper was silent on the formula for calculating EGA under the trawl ban. Noting also the Administration's proposal that the Government's buyout price of an individual vessel would be the market price to be determined and would vary according to type, length, age and depreciation of the trawler vessel, Mr WONG expressed further concern that the proposed trawl ban would lower the demand for trawler vessels and in turn affect the market and the buyout prices of these vessels.

19. SFH pointed out that there would still be a demand for trawler vessels as trawling activities still took place outside Hong Kong waters after the implementation of the trawl ban in Hong Kong waters. In determining EGA for the affected trawler owners and the buyout price for voluntarily surrendered trawler vessels, the Administration would make reference to the established mechanism and adopt an approach balancing on the one hand the need for a reasonable package for affected fishermen and safeguarding the prudent use of public funds on the other. Proposals put forward by some fishermen included that larger trawler owners whose vessels generally fished mainly outside Hong Kong waters would also be eligible for the Scheme; and the buyout price for the trawler vessels would be based on the current value of the vessel concerned after taking into account factors such as age and depreciation. SFH stressed that the affected trawler owners would be offered fair and reasonable terms under the Scheme.

Action

20. DAFC supplemented as follows -

- (a) in determining the fish catch for the calculation of EGA for affected trawler vessel owners, due consideration would be given to the type (including stern trawler, pair trawler, shrimp trawler and hang trawler), design and length of the trawler vessels which would affect their capture production in Hong Kong waters;
- (b) reference would also be made to the valuation provided by independent marine surveyors in determining the Government's buyout price of an voluntarily surrendered trawler vessel; and
- (c) AFCD would continue to discuss with the fisheries trade on the principle to be adopted in calculating EGA and determining the buyout price having regard to the principle of prudent use of public money. It should however be noted that the payments would vary among individual trawler owners due to various factors, such as whether the trawler vessel in question was wholly or partly fishing within Hong Kong waters and whether the trawler owners would surrender their vessels to the Government.

21. Mr WONG Kwok-hing urged the Administration to provide adequate support to the affected trawler fishermen (both the vessel owners and the local deckhands) for switching to other sustainable fisheries operations, instead of leaving them with no option but to leave the trade.

22. Mr Alan LEONG said that the Civic Party supported the proposal to introduce a trawl ban in Hong Kong waters to restore the marine resources. He however expressed concern that while some affected trawler fishermen who were approaching an age of retirement might choose to leave the trade, the proposed ban would cause great impact on the livelihood of those bread earners who were at a younger age. He asked whether additional avenues would be provided to these affected fishermen to pave their way to turn to other sustainable operations.

23. Mr WONG Yung-kan said that in the homeport of Cheung Chau alone, more than 10 affected trawler fishermen who were at their middle age would like to operate further afield. He urged the Administration to provide these fishermen with financial support to enable them to switch to offshore fishing.



Action

24. SFH referred members to paragraphs 13 and 14 of the Administration's paper for details of the measures to help trawler fishermen to switch to other sustainable operations. SFH further said that there would be continuous discussion with the affected fishermen who wished to stay in the fisheries trade to better understand their preference among the options of turning to aquaculture; converting their vessels for recreational fishing; and switching to other fisheries operations (i.e. inshore fishing using selective fishing methods, fishing in the Mainland waters or offshore fishing), with a view to providing them with appropriate and more effective assistance. Affected fishermen could also apply to the Fisheries Development Loan Fund for low interest loan for switching to sustainable fisheries operations and other fisheries related operations.

25. Mr WONG Kwok-hing suggested that Mr WONG Yung-kan could, in his capacity as the representative of the Agriculture and Fisheries Functional Constituency in LegCo, set up a working group with the Administration to further discuss the measures to assist the affected fishermen. Mr WONG Yung-kan said that the proposal of setting up a working group with the Administration to discuss the details of the Scheme was also one of the recommendations put forward by the Hong Kong Fishermen Consortium.

26. In response to Mr Alan LEONG's enquiry as to whether a mechanism of mediation/arbitration would be established with a view to resolving any disputes between the affected fishermen and the Administration over the Scheme, Permanent Secretary for Food and Health (Food) said that similar to previous exercises on determining EGA in respect of marine works projects, an interdepartmental working group comprising relevant departments would be set up to handle all matters relating to the processing of EGA applications from fishermen affected by the proposed trawl ban. The interdepartmental working group of marine works projects had been an effective and well-established mechanism for determining eligibility criteria according to the principles laid down in the relevant policies and the apportionment method for calculating the amount of EGA to eligible applicants. A Fishermen Claims Appeal Board, comprising non-official members, would be set up where necessary for processing appeal cases by the affected trawler owners to ensure that decisions of the interdepartmental working group relating to EGA complied with Government policy.

27. Mr Alan LEONG enquired whether the Administration would provide an initial response to the 27 recommendations put forth by the Hong Kong Fishermen Consortium before the special meeting of the Panel scheduled for hearing views from deputations. SFH advised that the Administration had just received the submission of the Consortium the day before the meeting

Action

and would need some more time to look into the recommendations of the Consortium before it was in a position to formulate its views.

28. Mr KAM Nai-wai asked whether the Administration would accede to the request of the Hong Kong Fishermen Consortium to provide trawler fishermen with the option of continuing trawling in local waters during specified periods and in designated areas. Mr WONG Yung-kan remarked that this was widely practised overseas including Japan and Australia. Mr KAM Nai-wai further enquired whether the Administration would take into account the affected fishermen's years of engagement in trawling and the issue of inheritance when calculating the EGA payment for individual fisherman.

29. SFH responded in the negative. He pointed out that it would be difficult, if not impossible, to delineate a designated area for trawling given the already small area of Hong Kong waters. In addition, concentrating the non-selective fishing effort in a designated area would cause a great impact on the marine environment and the fisheries resources in that area. As regards the EGA payment, SFH advised that at present, the operating licences of vessels issued by the Marine Department could not be inherited. However, given that fishing had existed in Hong Kong for a long period of time, the Administration would adopt a reasonable approach for calculating EGA.

30. Mr KAM Nai-wai said that he could not accept that the details of the EGA package would not be made available for consideration together with the subsidiary legislation to give effect to the proposed trawl ban in Hong Kong waters. He requested the Administration to provide the calculation formula for EGA to affected fishermen before the special meeting of the Panel on 15 March 2011.

31. SFH responded that the Administration could only be able to work out the package payable to affected trawler fishermen after receiving the support from LegCo for implementing the policy of trawl ban in Hong Kong waters. The same practice was adopted by the Administration when introducing the voluntary licence surrender schemes to pig farmers and chicken farmers.

32. The Chairman said that whilst the Liberal Party supported marine conservation and the principle of prudent use of public money, he could not see why the Administration could not provide the details of the EGA package to the affected trawler fishermen if it had already estimated that a one-off expenditure of around \$1 billion would be required to fund the major part of the exercise. The Chairman reiterated that LegCo Members could hardly give their support to the subsidiary legislation to effect the trawl ban in the absence of the details of the EGA package.

Action

Admin

33. Concluding the discussion, the Chairman requested the Administration to provide further details on the proposed EGA package for the trawler owners affected by the proposed trawl ban, the trawler vessel buy-out scheme and the one-off grants to the affected local deckhands to facilitate the Panel's consideration of the issue.

**V. Report of the food surveillance results of 2010**

(LC Paper Nos. CB(2)1197/10-11(05), CB(2)1197/10-11(06) and CB(2)1231/10-11(01)).

34. Under Secretary for Food and Health ("USFH") briefed member on the work of the Centre for Food Safety ("CFS") in respect of the Food Surveillance Programme for 2010 as detailed in the Administration's paper.

35. Assistant Director (Food Surveillance & Control), Centre for Food Safety ("AD(CFS)") took members through the major surveillance results and the follow-up actions taken with the aid of powerpoint presentation. The relevant presentation material was tabled at the meeting (LC Paper No. CB(2)1231/10-11(01)).

36. Mr WONG Kwok-hing noted a recent media report about a restaurant which was suspected to have used metallic additives in its food products and enquired about the Administration's follow-up actions in this regard. Mr WONG also sought information on the number of prosecutions against non-compliant cases.

37. Mr WONG Kwok-hing said that the sale of sushi and sashimi in supermarkets had become very common and was concerned about the safety of these products. He said that sushi and sashimi, if not handled properly, would be contaminated easily. As they were usually consumed raw, there should be higher hygienic requirements for these products. He was given to understand that the Administration had stringent food safety requirements for Japanese restaurants and requested the Administration to pay attention also to the hygienic conditions of sushi and sashimi being sold in supermarkets. He asked whether CFS had collected any samples of sushi and sashimi from the supermarkets for testing last year.

38. USFH said that for unsatisfactory samples, the Administration would take a series of follow-up actions including issuing warning letters to the suppliers concerned, tracing the source and distribution, requiring the concerned traders to stop sale, recalling and disposing of the affected food. The Administration would seek the advice of the Department of Justice

Action

("DoJ") on whether there was sufficient evidence for prosecution. The Administration did not have readily available information about the outcome of all the prosecution cases where prosecution went ahead. AD(CFS) supplemented that there were not too many prosecutions in the past as it was difficult to gather sufficient evidence. The Administration would provide members with the information on the number of prosecutions in the past two to three years after the meeting.

Admin

39. Regarding the media report on food contamination found in a restaurant, USFH clarified that a colouring matter called "orange II" instead of metallic contaminants was found in the hot pot soup base. CFS had conducted chemical tests of the soup base samples and the low detected level of "orange II" would not pose any adverse health effects under normal consumption. USFH said that there were reports about the use of a food additive called "One Drop of Incense" ("ODI") in hot pot soup products in the Mainland. ODI was regarded as a flavouring agent in the Mainland. According to the Mainland authorities, the test results on ODI were satisfactory and the problem lay with incorrect information contained in the labels of the products. ODI was not imported to Hong Kong and was not found in local market.

40. On the surveillance of sushi and sashimi, USFH said that they were included in the Food Surveillance Programme. AD(CFS) supplemented that sushi and sashimi samples were collected from supermarkets, restaurants and retailers. She would provide members with the relevant information in writing.

Admin

41. Mr WONG Kwok-hing opined that a low prosecution figure could either indicate that there was a satisfactory food safety level or the Administration had not been enforcing law stringently. He said that he was not requesting the Administration to prosecute for the sake of prosecuting but the Administration should provide the fact in this regard.

42. USFH said that while the Administration hoped to have 100% satisfactory rate for all tested samples, it did not have a target as far as prosecution was concerned. As collection of evidence was difficult in most cases, in particular when the problematic products had already been sold out by the vendors, the Administration might not be successful in all the prosecutions. In order for the samples collected to be useful for legal proceedings, the Administration had to split the samples into three. One part would be kept by the vendor concerned, the second would be kept by CFS for further testing if necessary and the remaining split would be sent to the Government Laboratory for analysis. Should the test result be unsatisfactory,

Action

the Administration would seek DoJ's advice on whether it should proceed with prosecution. USFH said that the main objective of food surveillance was to ensure food safety for public consumption rather than penalizing offenders. He assured members that the Administration would provide members with the actual prosecution figures.

43. Mr Fred LI said that contaminated vegetables were found in some restaurants and several poisoning cases were reported recently. He requested the Administration to investigate these incidents.

44. Mr Fred LI further said that illicit pesticides were found in vegetables and fruits samples tested by Greenpeace and excessive metallic contaminants called "potassium" were discovered in some shellfish products tested by a university but the routine tests conducted by the Administration did not generate the same results. He pointed out that it was quite often that the results of the tests conducted by non-government organizations would differ from that of the Administration and enquired about the reasons.

45. Noting that malachite green ("MG") was found in 12 fish samples and it was a statutory requirement that MG should not be present in any food sold in Hong Kong, Mr Fred LI considered the problem serious. He said that there should be zero tolerance towards the use of MG in food products and asked for the cause of the problem. He also sought information on the exporting countries of the problematic fish, aquatic products, vegetables and fruits as mentioned in the Administration's paper.

46. Mr Fred LI remarked that when the new Food Safety Bill was passed, there would be clear definitions for food products. Currently, health products were under the administration of the Food and Environmental Hygiene Department and some of the health products, which claimed to have nutritious value, might not be harmful to health but inefficacious. He suggested that CFS collaborate with the Consumer Council and conduct surveys on the efficacy of these products.

47. USFH said that only drugs could bear a health statement and drugs were under the purview of the Health Department ("HD"). He noted Mr Fred LI's concern about the grey areas and the misleading information on some of the so-called health products. Both CFS and the Consumer Council would conduct targeted surveys every year and the Administration would explore the feasibility of conducting joint surveys with the Consumer Council of these products.

Action

48. Regarding the contaminated vegetables incidents, USFH said that CFS and the Centre for Health Protection of HD had conducted joint investigations. A total of 12 samples were collected for pesticides tests. The test results of nine of them were satisfactory and that of the remaining three were not yet available. In addition to testing the samples, the Administration looked into other possible causes of contamination including the packing and distribution of the products.

49. On the disparity of outcome of the tests done by non-government organizations and the Administration, USFH explained that different testing methods would generate different results. The conditions of the samples and the part of the samples being tested would also have a bearing on the results. He said that the laboratories should have international accreditations status for the testing of different categories of microbiological and chemical substances. Aside from the Government Laboratory, only four privately operated laboratories in Hong Kong had obtained the required accreditations. The samples collected by CFS were all tested by the accredited laboratories and the results were reliable.

50. USFH further said that pesticide residues in vegetables and fruits were inevitable unless these products were organic-farmed. The World Health Organization had set international standards for the acceptable level of certain microbiological and chemical substances contained in food and CFS would adhere to these standards. There might be different opinions and interpretations of the test results by outside parties.

51. In response to Mr Fred LI's enquiry about the exporting countries of the 12 fish samples in which MG was found, AD(FSC) said that one of them came from the Mainland and one from Taiwan. The Administration was unable to trace the source of the remaining samples. The Administration would provide information on the exporting countries of the aquatic products and vegetables samples containing excessive metallic contaminants after the meeting.

Admin

52. Mr WONG Yung-kan opined that the use of MG was a serious problem, not only in Hong Kong but also in the Mainland and in Taiwan. The problems of contaminated food could be more effectively tackled if the source of the food products was known. He expressed concern about the measures to be taken by the Administration to regulate oyster farming throughout the entire process, i.e. from oyster spats to marketable products, in the absence of a legislative framework.

Action

53. USFH responded that the Administration adopted the "from farm to table" framework for all types of food. The Administration noted that some oyster spats were imported from the Mainland or other countries and when the Food Safety Bill was passed, importers would be required to register the source of spats and record the distribution of oysters to markets for traceability.

54. Mr WONG Yung-kan said that it would be difficult to trace the source of oysters unless it was a legislative requirement to register the place of origin. He suggested the Administration considering legalizing oyster farming so as to enhance the regulation of the industry.

55. The Chairman said that it was quite unusual to find contaminated vegetables in restaurants as restaurants used to wash vegetables by soaking them for a few hours and the contaminants could usually be washed away. He opined that it was unlikely for the restaurants to change such a practice and requested the Administration to follow up on the matter.

Admin

## **VI. Any other business**

56. There being no other business, the meeting ended at 4:30 pm.

Council Business Division 2  
Legislative Council Secretariat  
11 May 2011