

立法會
Legislative Council

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the Administration)

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Subcommittee on Pesticide Residues in Food Regulation

Minutes of meeting
held on Tuesday, 22 May 2012, at 8:30 am
in Conference Room 2A of the Legislative Council Complex

Members present : Hon Fred LI Wah-ming, SBS, JP (Chairman)
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon KAM Nai-wai, MH

Member absent : Hon WONG Yung-kan, SBS, JP

Public Officers attending : Item II

Mr Philip CHAN Kwan-yee
Deputy Secretary for Food and Health (Food) 2

Mr Clement CHAN Ling-hang
Principal Assistant Secretary for Food and Health (Food) 3

Dr LEE Siu-yuen, JP
Assistant Director (Food Surveillance and Control)
Food and Environmental Hygiene Department

Dr Teresa CHOI Man-yan
Principal Medical Officer (Risk Assessment and Communication)
Food and Environmental Hygiene Department

Dr Stephanie MA Wing-yee
Senior Food Toxicologist
Food and Environmental Hygiene Department

Mr Stephen LAI Yue-hong
Agricultural Officer (Pesticides Registration)
Agriculture, Fisheries and Conservation Department

Ms Francoise LAM See-man
Senior Assistant Law Draftsman
Department of Justice

Ms Carmen CHU Ying-hung
Senior Government Counsel
Department of Justice

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

Staff in attendance : Miss Evelyn LEE
Assistant Legal Adviser 10

Mr Jove CHAN
Senior Council Secretary (2) 8

Ms Camy YOONG
Clerical Assistant (2) 7

I. Election of Chairman

Mr Fred LI was elected Chairman of the Subcommittee.

II. Meeting with the Administration

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

3. The Subcommittee requested the Administration to provide -

- (a) a breakdown indicating the numbers of maximum residue limits ("MRL") and extraneous maximum residue limits ("EMRL") specified with reference to standards recommended by Codex Alimentarius Commission or standards of the food exporting countries;

- (b) details on whether the Administration had adopted a more stringent standard among various food exporting countries;
- (c) an account of how views received from the public consultation on the draft lists of MRLs/EMRLs were treated by the Administration, including the reasons for the views not being accepted; and
- (d) the reasons for the proposed two-year grace period prior to the commencement of the Pesticide Residues in Food Regulation ("the Regulation").

4. The Subcommittee agreed to receive views from deputations on the Regulation. The Clerk would consult members on the organizations to be invited.

5. Mr Tommy CHEUNG declared that he was a Non-Executive Director of a listed company which operated vegetable farms in the Mainland and imported vegetables into Hong Kong.

III. Date of next meeting

6. Members agreed to hold two meetings on -
- (a) 4 June 2012 at 10:45 am for receiving views from deputations and discussion with the Administration; and
 - (b) 11 June 2012 at 10:45 am for discussion with the Administration.
7. There being no other business, the meeting ended at 10:28 am.

**Proceedings of meeting of
Subcommittee on Pesticide Residues in Food Regulation
held on Tuesday, 22 May 2012, at 8:30 am
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action Required
000124 - 000159	Mr Fred LI Mr Tommy CHEUNG Mr KAM Nai-wai	Election of Chairman	
000200 - 000440	Chairman Mr Tommy CHEUNG Mr KAM Nai-wai	Opening remarks	
000441 - 001535	Chairman Mr Tommy CHEUNG Admin	Briefing on the Pesticide Residues in Food Regulation ("the Regulation")	
001536 - 003730	Chairman Mr Tommy CHEUNG Admin	<p>Invitation of deputations to give views on the Regulation;</p> <p>Compliance of the standards set out in the Regulation with the standards recommended by the Codex Alimentarius Commission ("Codex");</p> <p>Consideration of different standards of various food exporting countries in formulating Hong Kong's maximum residue limits ("MRL")/extraneous maximum residue limits ("EMRL") for pesticide-food pairs;</p> <p>Reasons for the wider scope of the lists of MRLs/EMRLs than the standards recommended by Codex;</p> <p>Concern about the risk management approach in the formulation of MRLs/EMRLs and the worry about the overwhelming threshold when more stringent standards of food exporting countries were adopted;</p> <p>Adoption of views received from the public consultation conducted by the Administration; and</p> <p>Expression of discontentment about the Administration's late introduction of legislation to regulate pesticide residues in food</p>	<p>The Administration to provide -</p> <p>(a) a breakdown indicating the numbers of MRLs and EMRLs specified with reference to standards recommended by Codex or standards of the food exporting countries;</p> <p>(b) details on whether the Administration had adopted a more stringent standard among various food exporting countries; and</p> <p>(c) an account of how views received from the public consultation on the draft lists of MRLs/EMRLs were treated by the Administration, including the reasons for the views not being accepted</p>

Time marker	Speaker	Subject(s)	Action Required
003731 - 004731	Chairman Mr KAM Nai-wai Admin	<p>Concern about the protection of public health;</p> <p>Invitation of deputations to give views on the Regulation;</p> <p>Legal basis of the current enforcement;</p> <p>Subsequent amendments to the lists of MRLs/EMRLs and the list of exempted pesticides; and</p> <p>Enhancement of enforcement by the Centre for Food Safety ("CFS") when the Regulation came into operation</p>	
004732 - 010337	Chairman Admin	<p>Compliance of the list of exempted pesticides with standards of food exporting countries;</p> <p>Use of pesticides in other sectors, e.g. animal husbandry;</p> <p>Examination of pesticide residues in pre-packaged food and the specification of the information of pesticide used for the food on the food labels;</p> <p>Comments on the late introduction of legislation to regulate pesticide residues in food and the commencement of the Regulation in August 2014;</p> <p>Scope of stakeholders consulted during the public consultation; and</p> <p>Level of pesticide residues in food in dried, dehydrated or concentrated form</p>	
010338 - 010559	Chairman Mr Tommy CHEUNG	Balance of public health and the practical need for pesticides for food crops	
010600 - 010748	Chairman Admin	<p><u>Section-by-section examination of the Regulation</u></p> <p><u>Section 1 - Commencement</u></p> <p>Briefing on the Regulation by the Administration</p>	

Time marker	Speaker	Subject(s)	Action Required
010749 - 012300	Chairman Mr KAM Nai-wai Admin	Consideration of advancing the commencement of the Regulation if CFS was currently using the standards set out in the lists of MRLs/EMRLs for its enforcement; and Reasons for the proposed two-year grace period prior to the commencement of the Regulation	The Administration to provide the reasons for the proposed two-year grace period prior to the commencement of the Regulation
012301 - 013817	Chairman Mr Tommy CHEUNG Admin	Reasons for the proposed two-year grace period prior to the commencement of the Regulation; and Notification to the concerned food suppliers and food source for incident that pesticide residue was examined exceeding the standards set out in the lists of MRLs/EMRLs during the grace period	
013818 - 014728	Chairman Admin ALA10	<u>Section 2 - Interpretation</u> Briefing by the Administration; and Consideration of more specific definitions of MRL and EMRL in the Regulation	
014729 - 015602	Chairman Admin	<u>Section 3 to Section 8</u> Briefing by the Administration	
015603 - 015901	Chairman Mr Tommy CHEUNG Mr KAM Nai-wai	Invitation of deputations to give views on the Regulation; Date of subsequent meetings; and Closing remarks	