

立法會
Legislative Council

LC Paper No. CB (2)2424/11-12
(These minutes have been seen by
the Administration)

Ref : CB2/SS/4/11

Subcommittee on Pesticide Residues in Food Regulation

Minutes of meeting
held on Monday, 4 June 2012, at 10:45 am
in Conference Room 3 of the Legislative Council Complex

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

Public Officers attending : Item I

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 HO Yuk-yin
Consultant (Community Medicine) (Risk
Assessment and Communication)
Food and Environmental Hygiene Department

Miss Joan YAU Chung-wan
Scientific Officer (Pesticide Residue)
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

**Attendance
by invitation**

: Item I

The Federation of Vegetable Marketing Co-operative
Societies, Ltd.

Mr TANG Nuen-fun, MH
Chairman

Greenpeace

Miss LIN Pui-yi
Campaigner

The Hong Kong Food Council

Mr Simon WONG Ka-wo, JP
Chairman

616.hk

Mr WONG Ling
Farmer

The Merchants Association of First Wholesalers/Jobbery
of Imported Fresh Fruits & Vegetables Limited

Mr NG Wing-yan
Chairman

**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. Meeting with deputations and the Administration

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

2. The Subcommittee received the views from the following organizations on the Pesticide Residues in Food Regulation ("the Regulation") -

- (a) The Federation of Vegetable Marketing Co-operative Societies, Ltd.;
- (b) Greenpeace;
- (c) The Hong Kong Food Council;
- (d) 616.hk; and
- (e) The Merchants Association of First Wholesalers/Jobbery of Imported Fresh Fruits & Vegetables Limited.

(Post-meeting note: The submissions of Greenpeace and the Hong Kong Food Council were circulated to members vide LC Paper No. CB(2)2266/11-12 on 5 June 2012.)

3. The Subcommittee noted that the deputations in general supported the introduction of the Regulation, and their particular concerns about the penalty for committing the offences under the Regulation and the adoption of the standards recommended by Codex Alimentarius Commission instead of those of the European Union.

4. The Subcommittee requested the Administration to provide -
 - (a) a response to the study on the pesticide maximum residue limits of brassica leafy vegetables conducted by the Greenpeace;
 - (b) information on the cost of laboratory tests on pesticide residues conducted by the Vegetable Marketing Organization per annum; and
 - (c) a response to the results of the laboratory tests on pesticide residues in vegetables conducted by Greenpeace.

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.

II. Any other business

6. The Chairman reminded members that the next meeting would be held on Monday, 11 June 2012, at 10:45 am

7. There being no other business, the meeting ended at 12:43 pm.

**Proceedings of meeting of
Subcommittee on Pesticide Residues in Food Regulation
held on Monday, 4 June 2012, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action Required
000435 - 000609	Chairman	Opening remarks	
000610 - 001112	Chairman The Federation of Vegetable Marketing Co-operative Societies, Ltd.	Presentation of views (LC Paper No. CB(2)2241/11-12(02))	
001113 - 001511	Chairman Greenpeace	Presentation of views	
001512 - 001920	Chairman The Hong Kong Food Council	Presentation of views	
001921 - 002205	Chairman 616.hk	Presentation of views	
002206 - 002727	Chairman The Merchants Association of First Wholesalers/Jobbery of Imported Fresh Fruits & Vegetables Limited ("the Merchants Association")	Presentation of views	
002728 - 004336	Chairman Admin	The Administration's response to views and enquiries of the deputations	
004337 - 004929	Chairman Mr Tommy CHEUNG Admin	Whether the Merchants Association had been consulted during public consultation; Scope of public consultation; Subsequent amendments to the lists of maximum residue levels ("MRL")/extraneous maximum residue levels ("EMRL") and the list of exempted pesticides; Briefing sessions for the trade on the Pesticides Residues in Food Regulation ("the Regulation") during the grace period; and Consultation with the Retail Task	

Time marker	Speaker	Subject(s)	Action Required
		Force of the Business Facilitation Advisory Committee	
004930 - 005825	Chairman Mr WONG Yung-kan Admin	<p>Need for clear guidance to farmers to avoid unwittingly contravening the Regulation;</p> <p>Food safety measures to regulate peripheral supplies, e.g. dried weed, to farmers;</p> <p>Provision of assistances by the Administration to farmers for the development of local agriculture; and</p> <p>Transparency of surveys conducted by pressure groups at supermarkets on the food safety of vegetables</p>	
005826 - 010430	Chairman Mr KAM Nai-wai Admin	<p>Updating of the lists of MRLs/EMRLs; and</p> <p>Enhancing the publicity of the Regulation during the grace period to reduce the trade's and stakeholders' anxiety</p>	
010431 - 011207	Chairman Admin	<p>Reasons for adopting the standards recommended by the Codex Alimentarius Commission ("Codex") and standards of food exporting countries instead of the more stringent standards of European Union in formulating the lists of MRLs/EMRLs; and</p> <p>Consideration of the consumption by children in formulating the lists of MRLs/EMRLs</p>	The Administration to provide its response to the study on the pesticide maximum residue limits of brassica leafy vegetables conducted by the Greenpeace
011208 - 011928	Chairman Mr Tommy CHEUNG The Merchants Association Admin	<p>Whether the Merchants Association had been consulted during public consultation;</p> <p>Scope of public consultation;</p> <p>Whether the trade representatives of fruit importers had been consulted;</p> <p>Rationale for adopting standards of food exporting countries in formulating the lists of MRLs/EMRLs instead of requesting food exporting countries to follow MRLs/EMRLs set by the</p>	

Time marker	Speaker	Subject(s)	Action Required
		<p>Administration; and</p> <p>Scope of food exporting countries considered and risk assessment of pesticide-food pairs conducted in formulating the lists of MRLs/EMRLs</p>	
011929-012338	<p>Chairman Mr WONG Yung-kan Admin</p>	<p>Penalty for committing the offences under the Regulation;</p> <p>Whether there would be staggered penalties for different levels of offences; and</p> <p>Defences available to defendant for contravention due to the act or default of other person</p>	
012339 - 012620	<p>Chairman The Hong Kong Food Council Admin</p>	<p>Standards for risk assessment of food imported from Europe, South America and other emerging countries</p>	
012621 - 013345	<p>Chairman Mr Tommy CHEUNG Mr WONG Yung-kan Admin</p>	<p><u>LC Paper No. CB(2)2202/11-12(01)</u></p> <p>Briefing by the Administration on its response to issues raised at the Subcommittee meeting on 22 May 2012</p>	
013346 - 014233	<p>Chairman Mr Tommy CHEUNG Admin Mr WONG Yung-kan</p>	<p>Briefing for the consulates of food exporting countries on the details of the Regulation;</p> <p>Business impact assessment of the laboratory test on pesticide residue in food and the compliance costs to be incurred by food traders, including supermarkets, wholesalers, importers and co-operative society, etc.; and</p> <p>Laboratory tests currently conducted by the Vegetable Marketing Organization ("VMO") and the costs of the tests</p>	<p>The Administration to provide information on the cost of laboratory tests on pesticide residues conducted by VMO per annum</p>
014234 - 014752	<p>Chairman Mr WONG Yung-kan Admin</p>	<p>Laboratory tests on pesticide residues in vegetables sold through direct sales;</p> <p>Results of the laboratory tests on pesticide residues in vegetables conducted by Greenpeace; and</p> <p>Reasons for adopting the standards</p>	<p>The Administration to provide its response to the results of the laboratory tests on pesticide residues in vegetables conducted by Greenpeace</p>

Time marker	Speaker	Subject(s)	Action Required
		recommended by Codex instead of the standards of European Union in formulating the lists of MRLs/EMRLs	
014753 - 015022	Chairman Admin	Whether the Administration had strictly followed the standards of food exporting countries when no relevant standards were available from Codex	
015023 - 015855	Chairman Admin Mr Tommy CHEUNG	Summary of views received from public consultation on the draft lists of MRLs/EMRLs and the reasons for the views not being accepted by the Administration; and Impact on the amount of vegetables and fruits imported into Hong Kong after the implementation of the Regulation	
015856 - 015932	Chairman	Date of next meeting; and Closing remarks	

Council Business Division 2
Legislative Council Secretariat
21 June 2012