

立法會
Legislative Council

LC Paper No. CB(2)2288/11-12
(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, 10 April 2012, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

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 TAM Yiu-chung, GBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, MH
Dr Hon Joseph LEE Kok-long, SBS, JP
Hon KAM Nai-wai, MH
Hon Alan LEONG Kah-kit, SC

Members absent : Dr Hon LEUNG Ka-lau
Hon WONG Yuk-man

Public Officers attending : Item IV
Ms Kitty CHOI Kit-yu, JP
Deputy Secretary for Food and Health (Food) 1

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

Item V

Ms Kitty CHOI Kit-yu, JP
Deputy Secretary for Food and Health (Food) 1

Dr Thomas SIT
Assistant Director (Inspection and Quarantine)
Agriculture, Fisheries and Conservation Department

Dr Howard WONG Kai-hay
Principal Veterinary Officer (Acting)
Agriculture, Fisheries and Conservation Department

Dr Jeffrey JAI Man-ho
Senior Veterinary Officer (Animal Management)
Operations (Acting)
Agriculture, Fisheries and Conservation Department

Item VI

Ms Kitty CHOI Kit-yu, JP
Deputy Secretary for Food and Health (Food) 1

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

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

Staff in attendance : Mr Jove CHAN
Senior Council Secretary (2) 8

Ms Mina CHAN
Council Secretary (2) 7

Ms Michelle LEE
Legislative Assistant (2) 7

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I. Confirmation of minutes
(LC Paper No. CB(2)1511/11-12)

The minutes of the meeting held on 14 February 2012 were confirmed.

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II. Information paper(s) issued since the last meeting
(LC Paper Nos. CB(21613)/11-12(01))

2. Members noted that a submission entitled "Call for Immediate Action on Legislative Changes on Sales and marketing of Alcoholic Beverages" from a group of students of Li Ka Shing Faculty of medicine of the University of Hong Kong had been issued since the last meeting.

III. Items for discussion at the next meeting
(LC Paper Nos. CB(2)1562/11-12(01) and (02))

3. Mr WONG Kwok-hing raised concern about the substantial increase in the contract price of the provision of services at public funeral parlour awarded in February 2012 at \$278 million, which was nearly 14-fold from \$19 million in 2002. He said that the rental of mourning halls of private parlours had consequentially increased by 30% to 50% since 1 April 2012 and deprived the choices of the grassroots. Mr WONG proposed to discuss the tender arrangement for the provision of services at Hung Hom Public Funeral Parlour at the next Panel meeting. Members agreed.

4. Members agreed to discuss the following items at the next meeting on 8 May 2012 -

- (a) Implementation of the Nutrition Labelling Scheme;
- (b) Trap-Neuter-Release Scheme;
- (c) Tendering arrangement for the provision of services at Hung Hom Public Funeral Parlour; and
- (d) Mosquito control.

5. To allow sufficient time for discussion, the Chairman suggested and members agreed that the next meeting would be advanced to start at 2:00 pm.

6. The Chairman reminded members that a special meeting was scheduled for 11 April 2012 from 2:30 pm to 5:30 pm to receive views from deputations on the management of fixed pitch hawker areas.

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IV. Fisheries loans for fishermen

(LC Paper Nos. CB(2)1562/11-12(03) and FS23/11-12)

7. Deputy Secretary for Food and Health (Food)1 ("DSFH(F)1") briefed members on the results of the review of the scope and terms of the Fisheries Development Loan Fund ("FDLF") and the Fishing Moratorium Loan Scheme ("FMLS") under the Fish Marketing Organization Loan Fund as detailed in the Administration's paper.

8. The Deputy Chairman welcomed the proposed enhancements of the two fisheries loan funds. He said that the measures were reflecting the views of the fisheries industry given through the Committee on Sustainable Fisheries. It was difficult for owners of the aged wooden fishing vessels to develop off-shore fishing, and the construction cost of a new vessel had reached \$16 million in Renminbi. He further said that the Democratic Alliance for the Betterment and Progress of Hong Kong supported the proposed enhancements, particularly the reduction of the interest rate of loans under the FMLS from 2% to 1% per annum ("p.a.") under exceptional circumstances, and the acceptance as collateral of up to 95% of the construction cost of a newly constructed fishing vessel or fish collector, or 95% of the estimated market selling price of a vessel for loans provided under FDLF. The Deputy Chairman enquired -

- (a) whether the Administration would consult the Fish Marketing Advisory Board ("FMAB") on further raising the loan ceiling of FMLS to more than \$300,000 under exceptional circumstances; and
- (b) that in addition to spiking fuel price, what other circumstances were considered as exceptional.

9. DSFH(F)1 and Assistant Director (Fisheries)/Agriculture, Fisheries and Conservation Department ("AD(F)/AFCD") responded that -

- (a) the Administration had proposed to raise the loan ceiling of FMLS from \$150,000 to a maximum of \$250,000 for each vessel. Under exceptional circumstances, subject to the advice of FMAB, the loan ceiling might be revised, provided that the maximum amount for each loan would not exceed \$300,000. The interest rate might also be lowered from 2% p.a. to a minimum of 1% p.a.; and
- (b) other factors that FMAB considered included the quality and quantity of fish catch, and the details of the fishing moratorium

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including the duration and the types of fishing methods banned.

10. Mr Fred LI declared that he was a member of the Committee on Sustainable Fisheries. He welcomed the proposed enhancements of the two fisheries loan schemes and expressed support for the inclusion of fish collectors in FDLF. He noted that the proposed loans at the interest rate of 1% p.a. was a transitional measure for owners of trawlers and fish collectors affected by the trawl ban who applied for loans under FDLF on or before 31 December 2015. He raised the following concerns -

- (a) whether there was a ceiling for loans under FDLF;
- (b) whether an applicant could apply for more than one loan under FDLF before the deadline of 31 December 2015; and
- (c) whether it was the Fisheries Development Loan Fund Advisory Committee ("FDLFAC") to assess and approve the loan applications.

11. AD(F)/AFCD responded that -

- (a) there was no loan ceiling under FDLF;
- (b) in principle, an applicant could apply for more than one loan under FDLF before the deadline of 31 December 2015, given that the purposes of these loans met the criteria set out under FDLF. However, the applicant could enjoy the low interest rate at 1% p.a. once only and the interest rate for the second and subsequent loans would be 2.5% p.a.
- (c) the authority for approval of loans was detailed in item 5 of Annex A to the Administration's paper. Currently, a loan exceeding \$10,000,000 recommended by FDLFAC should be subject to the approval of the Finance Committee ("FC") of the Legislative Council ("LegCo"). Consequent to the review, the Administration proposed to raise the limit from \$10,000,000 to \$15,000,000.

12. Mr WONG Kwok-hing welcomed the proposed reduction of the interest rate of FDLF to 1% p.a. In his view, the fishermen who applied for the loans bore the risk so as to be in line with the Government's policy while the Administration bore no risk at all. He requested the Administration to consider offering interest-free loans to fishermen.

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13. DSFH(F)1 responded that in the determination of interest rate, the Administration had to consider the opportunity cost in financial terms. She said that the package of proposed enhancements did not only include the reduction of interest rate from 2% to 1% for owners of trawlers and fish collectors affected by the trawl ban who applied for loans under FDLF on or before 31 December 2015, but also other measures such as adjustments to the requirements in respect of collateral and guarantor for the loan. These enhancements were introduced to meet the fishermen's needs.

14. Mr TAM Yiu-chung said that as the Administration had already incorporated the views of the fisherman groups in the review, and the Deputy Chairman who represented the fisheries trade had expressed support for the proposed measures, he believed that the proposed measures would be able to alleviate the difficulties faced by fishermen. He said that further review and enhancement could be considered after the measures were implemented for a period of time.

15. Mr Alan LEONG said that the Civic Party was concerned about the sustainable development of fisheries industry and it welcomed the proposed enhancement of FDLF. Mr LEONG enquired about -

- (a) the body to value the collaterals and whether the standard of valuation was appropriate; and
- (b) the delegation of authority by the Director of Agriculture, Fisheries and Conservation Department ("DAFC") to approve the loan applications, guarantors and collaterals.

16. AD(F)/AFCD responded that -

- (a) a loan applicant might be required to appoint at his own cost a qualified person, e.g. a notary public, accepted by the Agriculture, Fisheries and Conservation Department ("AFCD") to assess the value of the collateral to be provided for the reference of AFCD; and
- (b) DAFC would authorize AFCD's officers, e.g., Deputy Director, Senior Fisheries Officer, to assess loan applications, guarantors and collaterals.

17. The Chairman enquired whether there was a set of guidelines clearly stated the authority of different ranks of AFCD's officers in the approval of loan applications at different loan amounts. AD(F)/AFCD responded that the AFCD's officers who assessed the loan application would also determine

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whether the notary public's evaluation would be accepted. The Administration would draw up internal guidelines in consultation with FDLFAC to set out the details on the operation. The guidelines would be put forward in use after the endorsement by the Financial Services and the Treasury Bureau ("FSTB") was obtained.

18. Mr Alan LEONG enquired whether there was a list of notary public, which was accepted by the Administration, made known to the public. He also asked whether the new internal guidelines to be drawn up were a regularization of AFCD's current practices of the loan approval process.

19. AD(F)/AFCD affirmed that the new internal guidelines were derived from AFCD's current practices. He further said that currently, AFCD did not have a list of notary public. The Chairman enquired whether the applicants could appoint any valuation firm to provide assessment on the collateral. AD(F)/AFCD responded that the Administration would evaluate whether the valuation firm appointed by the applicant was a fair and qualified notary public. Upon the Chairman's request, AD(F)/AFCD said that the Administration would seek FDLFAC's view and consult the Independent Commission Against Corruption on producing a list of notary public to facilitate the fishermen to approach the qualified valuation firms.

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20. The Deputy Chairman said that although the Administration considered that the \$279 million under FDLF was sufficient to meet the needs for loans of the trade, he enquired whether FSTB would make the applications for FDLF difficult or decline the applications when the fund was going to be exhausted. He also asked for the time span for the Administration to provide its new funding request to LegCo and to process the subsequent new loan applications after the fund was exhausted and whether it could be speeded up.

21. DSFH(F)1 responded that the Administration estimated that after the proposed revisions of the scope, terms and processing procedures of FDLF and the changes to be brought out by the trawl ban, the number of applications for FDLF might increase. The Administration would keep in view the capital flow of FDLF and the Food and Health Bureau would take the lead to liaise with FSTB when the Government's further injection of fund was required. The timing for the Administration to seek LegCo's approval on new financial injection would depend on the financial position of the Government and the need of fishermen. She stressed that the Administration would definitely seek the approval of FC of LegCo on its funding request before FDLF was depleted.

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22. The Chairman said that any loan exceeding \$15 million recommended by FDLFAC should be subject to the approval of FC. In his view, the Administration should closely watch the processing time needed for seeking FC's approval especially during the recess of LegCo. Fishermen might consider applying for a loan not exceeding \$15 million for shorter processing time although they needed more than \$15 million. The Chairman asked whether the Administration would set out certain performance pledges on the time span for processing loan applications.

23. DSFH(F)1 agreed with the Chairman's view and said that the Administration would carefully examine whether and how the performance pledges would be set out. She added that the loan amount of an application for FDLF would be substantive as it involved an important investment decision. The Administration needed to be more prudent in approving loan applications. DSFH(F)1 further said that FMLS was implemented to meet more urgent financial needs of fishermen during the fishing moratorium. The processing of FMLS applications was fast and convenient to fishermen. The Chairman considered it important to make known to fishermen the time span for processing loan applications under FDLF.

24. The Chairman said that the Liberal Party welcomed the proposed enhancements on the loan schemes. He concluded that there was no objection to the Administration's proposals from the Panel members present.

V. Proposed measures to further enhance regulation of the pet trade
(LC Paper Nos. CB(2)1562/11-12(04) and (05))

25. DSFH(F)1 briefed members on the proposed measures to further regulate the pet trade as well as the sources of pet animals offered for sale as detailed in the Administration's paper.

26. Mr Fred LI said that the Democratic Party had proposed for years to plug the loophole of the so-called hobby breeders. He supported the Administration's proposed measures to regulate the sources of pet animals. Mr LI enquired whether -

- (a) the Administration would devise and issue the Codes of Practice for pet businesses to cover, in addition to the living environment of animals, the requirements for a minimum breeding age of female dogs and the maximum number of births for a female animal to give per annum as proposed by animal welfare groups with reference to overseas experience;

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- (b) AFCD would analyze the sources of cats sold by licensed pet shops as cat was the second most popular pet animal in Hong Kong; and
- (c) there would be a loophole that persons who kept four or less entire female animals could claim themselves as hobby breeder and they gave out the offspring of the breeding animals for red packets but in fact they were making profit by selling the animals.

27. DSFH(F)1 responded that the Administration would prepare two sets of codes of practice, one for home animal breeders and the other one for commercial animal breeders. The codes of practice would be issued to animal breeders as reference at the beginning. In the long run, the Administration might consider including these codes in the licensing conditions. The Administration would also introduce codes of practice for pet animal raisers regarding the requirements for space, ventilation, lighting and exercise of animals. Mr Fred LI opined that the codes of practices should be included as part of the relevant subsidiary legislation.

28. Assistant Director (Inspection and Quarantine) / Agriculture, Fisheries and Conservation Department ("AD(IQ)/AFCD") said that while most illegal animal selling and breeding activities involved dogs, the proposed model for regulating dogs breeding and sale might also be applicable to cats. This could be considered after the model for dogs had been implemented. He further said that it was the Administration's intention to include the giving out offspring of breeding animals for any returns, such as red packets and other presents, in the definition of sale of animals. Appropriate wording would be used to avoid creating loopholes.

29. Mr Alan LEONG welcomed the proposed measures which matched with the animal policy that the Civic Party had been advocating and agreed that the codes of practice were crucial. He said that while the proposed measures were devised from an angle of the animal welfare, the requirements set for business breeder permit and home breeder permit should be made consistent. Mr LEONG enquired -

- (a) about the reason for more stringent requirements of business breeder permit than home breeder permit;
- (b) when the codes of practice would be introduced and whether the draft codes of practice would be available when the Panel and the trade were further consulted; and
- (c) how long the grace period would be before incorporating the

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codes of practice as licensing requirement.

30. DSFH(F)1 responded that -

- (a) with reference to overseas experience, it was considered that where more than four female dogs were raised by the same breeder, it was more likely that a commercial breeding business was involved;
- (b) the Administration would devise the codes of practice in consultation with the trade and pet animal raisers as early as possible; and
- (c) the grace period would be set out after the regulation came into operation.

She added that members' view on incorporating the codes of practice as licensing requirement was noted.

31. Mr WONG Kwok-hing welcomed the proposed measures which would enhance the animal welfare. He queried why the Administration could not introduce the proposed measures for dogs and cats simultaneously, which, in his view, should be more appropriate to do so, and whether the Administration had a timetable for the extension of the proposed measures to cover the breeding and sale of cats.

32. DSFH(F)1 responded that after considering the practical difficulties in and impact of implementing the proposed measures for dogs and cats simultaneously, the Administration decided to first introduce regulatory measures for dogs. The Administration would devise a model for cats and other pet animals with reference to the experience gained on the implementation of the proposed measures for dogs. DSFH(F)1 noted members' view on immediate extension of the regulatory measures to cats and said that the Administration would immediately proceed to consider the proposed regulatory measures for cats after the tightened measures for dogs had been implemented.

33. In response to Mr WONG Kwok-hing's enquiry, AD(IQ)/AFCD explained the differences in the legislation and the behaviours between dogs and cats. He said that the Rabies Ordinance (Cap.421) required all dogs over the age of five months to be vaccinated against rabies, microchipped and licensed; however, cats were not subject to these requirements. Under the Dogs and Cats Ordinance (Cap. 167) and Dangerous Dogs Regulations (Cap. 167D) and, dogs should be walked on a leash, and different levels of

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control should be applied to dogs in accordance with their weights, while there was no such requirement for cats since they could not be dragged with a rope and they did not harass other people or bark. In addition, cats only bred during a limited period of time in a year and only few people in Hong Kong bred cats. AD(IQ)/AFCD added that the Administration wished to optimize the particulars of the proposed regulatory measures for cats with the experience to be gained in the management of dogs.

34. The Deputy Chairman was concerned about the loophole that the existing legislation only required a veterinarian to certify the source of pet. He said that he had visited a few breeding workshops with the Deputy Director of AFCD. Some of them had not yet obtained their licences owing to the limitations of certain regulations. However, these breeding workshops continued their operations in the name of home breeder and sought the proofs of source from veterinarians. The Deputy Chairman expressed worry that breeders of cats and other animals would take advantage of this legal loophole and would cause difficulties in control. He believed that if the Administration had a clear licensing policy to allow breeding workshop operators to run their business legitimately, the breeding workshops could be monitored more effectively. The Deputy Chairman enquired about the number of licences for commercial breeding issued by the Administration.

35. DSFH(F)1 responded that five licences for commercial breeding had been issued and the licensees had been providing puppies for sale at licensed pet shops. Due to the larger scale of commercial breeding, there were licensing requirements on land use, neighbouring environment and environmental protection. The Animal Management Centres of AFCD provided one-stop support service for applicants of commercial breeding licence. DSFH(F)1 said that as commercial breeders would consequently put the bred puppies for sale, the Administration would control the commercial breeding and regulate the sale of pet animals at the same time.

36. AD(IQ)/AFCD added that the commercial breeders were required to provide reasonable facilities to maintain the welfare and health of their animals. They were also required to ensure that the animals would not cause nuisance to the neighbourhood. He said that the intent of requiring certificate from veterinarian was to ensure that the concerned animal was not smuggled in from places outside Hong Kong.

37. The Chairman said that the Liberal Party had no objection to the proposed amendments to the regulation. He welcomed that the Administration would consult stakeholders on the codes of practice and hoped that the Administration would provide the draft codes of practice when it submitted the subsidiary legislation to LegCo. The Chairman opined that

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although it was common for people overseas to raise four or five dogs at home, given the crowded living environment of Hong Kong, people who were not commercial breeders were less likely to raise as many as four female dogs at home. The Administration should keep in view the living environment and exercise arrangement for pet dogs to safeguard their welfare.

VI. Food surveillance results 2011

(LC Paper Nos. CB(2)1562/11-12(06) and (07))

38. DSFH(F)1 briefed members on the Food Surveillance Programme ("the Programme") of the Centre for Food Safety ("CFS") in 2011 as detailed in the Administration's paper.

39. Assistant Director (Food Surveillance and Control), CFS ("AD(FS&C)/CFS") took members through the major surveillance results of the Programme and the follow-up actions taken with the aid of Powerpoint presentation. The relevant presentation material was tabled at the meeting.

(Post-meeting note: The softcopy of the Powerpoint presentation material was issued to members vide LC Paper No. CB(2)1654/11-12(01) on 10 April 2012.)

40. Noting that the overall satisfaction rate of food samples tested in the Programme reached 99.7%, Mr Vincent FANG strongly commended the work of CFS. In respect of the report on the Programme for 2011, he enquired -

- (a) about the sources of unsatisfactory samples that CFS had traced;
- (b) whether CFS could thoroughly review the unsatisfactory results of seasonal food before announcement in view of the resulting impact on food retailing business during the festive period;
- (c) whether CFS conducted tests on a total of about 126 800 samples of imported food from Japan in 2011 if including those for radiation testing; and
- (d) about the inspection on small quantities of food brought into Hong Kong from the Mainland by individuals through the land boundary control points.

41. DSFH(F)1 said that before the Food Safety Ordinance (Cap. 612) came into full operation on 1 February 2012, there were already risk control

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measures taken by CFS against problem food. As reported by AD(FS&C)/CFS, CFS had identified in the Programme 2011 about 20 unsatisfactory samples of vegetables, which were traced back to local farms, the Mainland and the United States ("US"). Some of the unsatisfactory samples were found coming from nine Mainland farms. Subsequently, eight of them were temporarily disqualified from being eligible for supplying vegetables to Hong Kong and one was permanently disqualified. For the non-compliant cases involving food of overseas origin, CFS would inform the relevant Consulate-General of the incident.

42. DSFH(F)1 said that CFS had all along maintained close communication with the trade on the surveillance results of seasonal food items, such as hairy crabs and rice dumplings. Regarding the safety concerns arising from the smuggled food from the Mainland, DSFH(F)1 advised that it was an offence to import meat/poultry without the necessary import licence and health certificate. The Customs and Excise Department and the Food and Environmental Hygiene Department had their own Quarantine Detector Dogs Teams at the land boundary control points to detect and deter smuggling of fresh meat and live poultry by passengers.

43. With respect to the operation of the Programme, AD(FS&C)/CFS explained that all the food surveillance projects adopted the same sampling strategy. Follow-up samples would be taken in the event that unsatisfactory results were obtained. She stressed that the Administration placed its trust in the professionalism of the Government Laboratory, whose food testing was considered reliable. If the follow-up samples were still found unsatisfactory, CFS would publicize the food concerned immediately.

44. As regards the inspection on food brought in small amount from the Mainland by passengers, AD(FS&C)/CFS supplemented that before the Food Safety Ordinance came into operation, CFS could only trace the retail points of sale of these smuggled food and take samples for investigation. However, CFS could not prohibit the sale of such food unless they were found unfit for consumption as the Administration had not conferred with the power by the law to do so.

45. Mr WONG Kwok-hing expressed worry about the use of "swill oil", which had been widely reported by the Mainland media recently. Noting that the Mainland authorities had launched massive crackdown on such despicable activity, he asked whether the Administration had taken any follow-up action on the incident and advised members of the public to be cautious of the food safety problem arising from the use of "swill oil" when travelling to the Mainland. Mr WONG also enquired whether there had been processed or semi-processed food products containing swill oil imported into

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Hong Kong; if so, whether such food items had been included in the Programme.

46. Noting that CFS had been conducting targeted radiation testing on food imported from Japan after the Fukushima nuclear power plant incident occurred in March 2011, Mr WONG Kwok-hing expressed concern about the media reports on the small amount of radiation detected in food sold at the retail level. He asked how the Administration eliminated such loopholes in its food surveillance system.

47. AD(FS&C)/CFS advised members that in response to the media reports on the use of "swill oil" in the Mainland, CFS had traced the source of information and taken samples of cooking oil from the local market for chemical testing. All results were found satisfactory. She said that CFS took 50 samples of cooking oil for testing every year even without the food incident and the results had been found satisfactory. She assured members that CFS would continue to follow up the matter.

48. When queried by Mr WONG Kwok-hing whether the number of samples of cooking oil collected by CFS for testing per annum (i.e. 50 samples) was too small, AD(FS&C)/CFS responded that apart from the yearly testing of 50 samples of cooking oil, CFS would include used cooking oil into its targeted food surveillance project this year.

49. As regards the radiation testing of samples of imported food from Japan, AD(FS&C)/CFS advised that CFS had detected at the retail level the samples of tea powder imported from Fukuoka with a small amount of radioactive element. In the circumstances, tea powder imported from Fukuoka had been 100% tested since January 2012. For other food items imported from Japan, the inspection rates depended on the potential food safety risks posed by them.

50. Mr WONG Kwok-hing pointed out that according to the media reports, CFS would take a number of samples for testing from the total import volume, rather than each consignment, of a food item. The samples of tea powder imported from Fukuoka, which had been detected with low radioactivity levels, were collected from a consignment that had not undergone inspection. Mr WONG enquired about the improvement measures that could be taken by the Administration to enhance food safety in Hong Kong.

51. AD(FS&C)/CFS reiterated that the testing rate of an imported food item depended on its risk of injury to the public health. It was neither possible nor practical to inspect all imported food products. CFS took food samples for testing at import, wholesale and retail levels. From the

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perspective of risk assessment, the existing sampling method was considered sufficient to ensure food safety. In view of the consistently poor compliance demonstrated by tea powder from Fukuoka, samples were collected from each consignment for testing. She explained that even two tea bags were of the same brand, flavour and lot number, there would still be unit-to-unit variations. CFS had taken samples of the tea powder at the import level, and successful detection of unsatisfactory samples at retail outlets indicated that the current sampling programme was effective in identifying problem food.

52. The Deputy Chairman expressed grave concern about the media reports on excessive chemical residues in meat sold at market stalls. He queried whether the Programme was comprehensive enough to monitor food safety, and prompted thorough inspection on imported meat, particularly on US beef. Noting from a news report that there were large amount of rice noodles sold in Shenzhen were bleached with additives that could cause cancer, the Deputy Chairman asked whether the Administration would carry out inspection in view of this food incident. Given that Hong Kong relied on imports for over 90% of its food supplies and the Mainland, which was rampant with fake food products, was Hong Kong's largest agricultural products and food supplier, he considered it inadequate for the Administration to inspect a total of about 10 000 food samples only each year.

53. Concerning the veterinary drug residues in meat, AD(FS&C)/CFS pointed out whilst clenbuterol and salbutamol were not permitted for use in food-producing animals in Hong Kong, ractopamine, which was approved to be added to animal feeds in US, was not under the current regulations. The Administration would not conduct tests on ractopamine in meat constantly. Nevertheless, in view of a series of reports on the incident, the Administration had taken 18 samples of imported beef from US for testing and all their results were satisfactory. She advised that the Codex Alimentarius Commission was still discussing the adoption of maximum residue levels for ractopamine in meat. The Administration would keep track of the development of the issue. As regards the news report on the poisonous rice noodles sold in Shenzhen, AD(FS&C)/CFS said that further information on the incident was not available at present, but the Administration would follow up the matter.

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54. The Chairman and the Deputy Chairman pointed out that some local restaurants and supermarkets sought direct sourcing from food processors of the Mainland. They expressed grave concerns about the regulation and inspection on these processed food products, for instance, "e-fu noodles", imported from the Mainland. AD(FS&C)/CFS asserted that under the Programme, CFS would take food samples at import, wholesale and retail levels. Processed food that was sourced by local restaurants direct from the

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Mainland was also covered by the Programme.

55. Sharing the Deputy Chairman's view that Hong Kong relied heavily on imports for its food supply, Mr TAM Yiu-chung considered that it was essential for the Administration to carry out stringent food safety checks on imported food. As many unscrupulous traders disregarded people's lives in order to reap huge profits, the Administration ought to conduct investigation based on the information available and in a timely manner when there were reports on problem food. While delighted to note the satisfactory results shown in the Programme 2011, Mr TAM opined that CFS should further improve and enhance its surveillance on food in view of its crucial role in monitoring the safety of food consumed by the community.

56. DSFH(F)1 responded that CFS conducted food safety risk analyses by taking into account the past food surveillance results. For food items with histories of non-compliance, CFS would keep monitoring their safety for human consumption. For those without adverse results, sampling check would still be carried out. She stressed that whenever there were local or overseas food incidents, the Administration must take follow-up actions even the potential risk of the problem food posed to the public health was still uncertain. DSFH(F)1 advised that in consultation with the Expert Committee on Food Safety ("the Committee"), CFS would implement food surveillance projects upon the Committee's endorsement. Targeted food surveillance projects would be carried out every year in collaboration with the Consumer Council.

57. The Chairman pointed out that before the establishment of CFS, more than 50 000 food samples had been taken a year by the Administration for testing. However, excluding the samples of imported food from Japan for radiation testing, CFS performed tests on about 64 900 food samples only in 2011. Members had queried whether the number of samples taken for testing was far from adequate, and the Panel had indicated no objection to allocating additional resources to the work of CFS in respect of food surveillance. He called on the Administration to consider increasing the number of food samples for testing and extending the coverage of radiation testing on imported food to other countries and regions in addition to Japan.

58. As regards the problem of "swill oil" in the Mainland, the Chairman declared that he was engaged in the recycling business of used cooking oil into bio-diesel. He pointed out that the illegal use of swill oil had been rampant in the Mainland. He was shocked after hearing that swill collectors could sell the waste oil in the Mainland at about Renmibi 6,000 a ton and the oil could then be resold at double price after further processing or refining. He explained that it was impossible for bio-diesel manufacturers to pay such

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prohibitively high prices for the swill oil as the profit margin for producing bio-diesel from it was low.

59. The Chairman further said that currently, it was difficult to collect swill oil in Hong Kong. He had expressed to the Administration his worry that local swill oil might be transported to the Mainland for sale. As rice noodles were made from rice flour and oil, he was anxious that rice noodles imported from the Mainland would contain swill oil. He urged the Administration to step up its food inspection in this regard.

VII. Any other business

60. There being no other business, the meeting ended at 4:45 pm.

Council Business Division 2
Legislative Council Secretariat
7 June 2012