

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1764/12-13  
(These minutes have been seen by  
the Administration)

Ref : CB2/BC/1/12

**Bills Committee on  
Pesticides (Amendment) Bill 2013**

**Minutes of the second meeting  
held on Friday, 15 March 2013, at 9:00 am  
in Conference Room 2 of the Legislative Council Complex**

**Members present** : Hon SIN Chung-kai, SBS, JP (Chairman)  
Hon Tommy CHEUNG Yu-yan, SBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon Albert CHAN Wai-yip  
Hon Steven HO Chun-yin  
Dr Hon Helena WONG Pik-wan

**Public Officers attending** : Agenda item I

Mr Philip CHAN, JP  
Deputy Secretary for Food and Health (Food)2

Ms Hinny LAM  
Principal Assistant Secretary for Food and Health  
(Food)3

Ms Jeanne CHENG  
Assistant Secretary for Food and Health (Food)1

Dr Thomas SIT Hon-chung  
Assistant Director (Inspection & Quarantine)  
Agriculture, Fisheries and Conservation Department

Action

Mr Clive LAU Siu-ki  
Senior Agricultural Officer (Regulatory)  
Agriculture, Fisheries and Conservation Department

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

**Attendance by invitation** : Agenda item I

Civic Party

Miss Karen MAK  
Executive Committee Member, Health and Well-being  
Policy Branch

Mr Paul Melsom

Pest Control Personnel Association of Hong Kong

Mr LEUNG Kwong-yuen  
President

South China Turf Managers Association

Mr IP Pak-chung  
President

Hong Kong Cleaning Association

Mr CHOI Ping-yee  
Vice Chairman

Ms Nuria Gonzalez Lorenzo

**Clerk in attendance** : Ms Amy YU  
Chief Council Secretary (2)6

**Staff in attendance** : Miss Carrie WONG  
Assistant Legal Adviser 4

Action

Mr Jove CHAN  
Senior Council Secretary (2)6

Miss Meisy KWOK  
Legislative Assistant (2)6

---

**I. Meeting with deputations and the Administration**

[LC Paper Nos. CB(2)763/12-13(01) to (03), CB(2)794/12-13(01) to (02), CB(2)807/12-13(01) to (02), CB(2)876/12-13(01), CB(2)781/12-13(01), CB(3)328/12-13, FH CR2/3231/03 and CB(2)689/12-13(02) to (04)]

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

2. The Bills Committee received views from six deputations/individuals attending the meeting.

3. The Administration was requested to provide the following information in writing –

- (a) measures, including administrative and management ones, to be taken by the Administration to enhance its monitoring and control on the use of pesticides to ensure safe and proper use of pesticides; and
- (b) pesticides that were banned in other countries (such as the United Kingdom, the United States, Canada, Australia and New Zealand) but were sold, supplied or used in Hong Kong.

*(Post-meeting note: The Administration's response was circulated to members vide LC Paper No. CB(2)950/12-13(02) on 11 April 2013.)*

**II. Any other business**

Date of next meeting

4. The Chairman reminded members that the next meeting would be held on 15 April 2013, at 10:45 am.

Action

5. There being no other business, the meeting ended at 10:52 am.

Council Business Division 2  
Legislative Council Secretariat  
4 September 2013

**Proceedings of the second meeting of the  
Bills Committee on Pesticides (Amendment) Bill 2013  
on Friday, 15 March 2013, at 9:00 am  
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
000849 – 001148	Chairman	Opening remarks	
001149 – 001655	Chairman Miss Karen MAK, Civic Party	Presentation of views by Civic Party –  (a) Civic Party supported the Pesticides (Amendment) Bill 2013 ("the Bill");  (b) the Administration should step up regulation of and public education on the use of household pesticides; and  (c) concern was expressed about pesticide residues in food.	
001656 – 002146	Chairman Mr Paul Melsom	Presentation of views by Mr Paul Melsom as detailed in his submission [LC Paper Nos. CB(2)807/12-13(01) (restricted to members only) and CB(2)807/12-13(02)]  Mr Melsom expressed grave concern about the lack of monitoring and control on the use of pesticides in Hong Kong, particularly in schools, children's playgrounds and public places, which posed serious health hazard to the public especially young children. He urged the Administration to review all pesticides used in schools; immediately suspend the use of dangerous pesticides, including neurotoxic pesticides such as diazinon, in schools; and enhance public education on the safe and proper use of pesticides.	
002147 – 002537	Chairman Mr LEUNG Kwong-yuen, Pest Control Personnel Association of Hong Kong ("PCPAHK")	Presentation of views by PCPAHK as detailed in its submission [LC Paper No. CB(2)763/12-13(01)]  Apart from expressing PCPAHK's support for the Bill, Mr LEUNG Kwong-yuen also made the following points –  (a) most pest control practitioners had received relevant training;  (b) when engaging pest control services, the Government, large organizations and schools would usually specify in the service agreements their requirements on the types of pesticides to be used and the training of pesticide control workers; and	

Time marker	Speaker	Subject(s)	Action required
		(c) many pest control companies had stopped using diazinon.	
002538 – 002744	Chairman Mr IP Pak-chung, South China Turf Managers Association ("SCTMA")	Presentation of views by SCTMA –  (a) SCTMA supported the Bill;  (b) the pesticides used by the trade were generally of low toxicity; and  (c) the Administration should assist the trade to introduce into Hong Kong new pesticides which posed less harm to human beings and the environment.	
002745 – 002824	Chairman Mr CHOI Ping-ye, Hong Kong Cleaning Association ("HKCA")	Presentation of views by HKCA –  (a) HKCA supported the Bill;  (b) members of the trade were self-disciplined and used pesticides of low toxicity; and  (c) most of the practitioners had received relevant training.	
002825 – 003021	Chairman Ms Nuria Gonzalez Lorenzo	Presentation of views by Ms Nuria Gonzalez Lorenzo as detailed in her submission [LC Paper No. CB(2)794/12-13(01)]  Ms Lorenzo expressed concern about health risks posed to children by the wide use of pesticides in schools, playgrounds, parks and other public places. She called on the Administration to impose more stringent regulation on the use of pesticides particularly in schools.	
003022 – 003043	The Chairman	Two submissions from an organization and an individual not attending the meeting [LC Paper Nos. CB(2)763/12-13(02) and CB(2)794/12-13(02)]	
003044 – 003712	Chairman Mr Albert CHAN Mr Paul Melsom	In response to Mr Albert CHAN, Mr Paul Melsom's further views that -  (a) the Bill did not go far enough to address the problems with the regulation of pesticides in Hong Kong; and  (b) relevant Government departments did not possess adequate technical expertise on pesticides, and there was no relevant professional training in Hong Kong.	
003713 – 004402	Mr Albert CHAN Mr LEUNG Kwong-yuen, PCPAHK	In response to Mr Albert CHAN's and the Chairman's enquiries, Mr LEUNG Kwong-yuen of PAPAHK advised that while the trade had not	

Time marker	Speaker	Subject(s)	Action required
	Chairman	collected any data on the impact of pesticides on the health of pest control practitioners, it was his observation that in recent years, with the enhancement in the training of pest control practitioners and the safety of the pesticides used by the trade, there was no major incident caused by the use of pesticides.	
004403 – 005929	Chairman Dr Helena WONG Mr CHOI Ping-ye, HKCA Mr IP Pak-chung, SCTMA Mr Paul Melsom Mr LEUNG Kwong-yuen, PCPAHK	<p>Dr Helena WONG invited the deputations' views on the need and timing for introducing a licensing and registration scheme for the trade.</p> <p>Mr CHOI Ping-ye of HKCA said that members of the trade were self-disciplined and generally used pesticides of low toxicity.</p> <p>Mr IP Pak-chung of SCTMA said that SCTMA was open-minded on the introduction of a licensing and registration scheme for the trade. He expressed concern that some existing pesticide applicators might not be able to meet the training requirements for registration.</p> <p>Mr Paul Melsom's concern about the over-use of pesticides in schools and his view that the Administration should promote natural methods of pest control.</p> <p>Mr IP Pak-chung of SCTMA and Mr LEUNG Kwong-yuen of PCPAHK indicated support for the early enactment of the Bill.</p>	
005930 – 012026	Chairman Mr Alan LEONG Mr Paul Melsom Miss Karen MAK, Civic Party Ms Nuria Gonzalez Lorenzo Mr Albert CHAN Dr Helena WONG	<p>Mr Alan LEONG's enquiry on actions which might be taken to improve the Codes of Practice for the trade and the training for practitioners.</p> <p>Mr Albert CHAN's enquiry on the regulation of pesticides which were not covered under the Bill.</p> <p>Mr Albert CHAN's and Dr Helena WONG's enquiry on measures to be taken by the Administration to enhance regulation of the use of pesticides in schools.</p> <p>Mr Paul Melsom's and Ms Nuria Lorenzo's reiteration of their serious concern about the lack of proper control on the use of pesticides in schools.</p> <p>The view of Miss Karen MAK of Civic Party that the Administration should collect relevant data to facilitate a study on the long term impact of pesticides on the health of practitioners.</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
012027 – 013515	Chairman Admin	<p>The Administration's response to the views of Members and deputations as follows –</p> <ul style="list-style-type: none"> <li>(a) the Administration attached importance to the safe and proper use of pesticides;</li> <li>(b) Hong Kong had in place a comprehensive regulatory regime on pesticides. All pesticides were subject to regulation under the Ordinance by a system of registration and the issuance of licence or permit;</li> <li>(c) pesticide residues in food were regulated by the Pesticide Residues in Food Regulation (Cap. 132CM) which would come into operation on 1 August 2014;</li> <li>(d) the Agriculture, Fisheries and Conservation Department ("AFCD") recommended adoption of the Integrated Pest Management approach to pest control. Nevertheless, given that Hong Kong had a subtropical climate, there was a need to use pesticides to control mosquito problems and prevent transmission of diseases such as Dengue fever and Japanese encephalitis;</li> <li>(e) AFCD reviewed all registered pesticides on a regular basis in accordance with international practices and latest developments, including the recommendations of the Food and Agriculture Organization and the World Health Organization;</li> <li>(f) as part of its ongoing efforts, AFCD had recently reviewed the registration of paraquat dichloride and diazinon. Taking into account the possible adverse impact of these two pesticides posed to the environment and human beings, AFCD had decided to cancel their registration by 2014; and</li> <li>(g) AFCD had over the years removed a total of 36 pesticides from the register, 20 of which were covered under the two Conventions.</li> </ul>	
013516 – 013932	Chairman Mr Albert CHAN	<p>Mr Albert CHAN's request for the Administration to provide written information on –</p> <ul style="list-style-type: none"> <li>(a) measures, including administrative and management ones, to be taken by the Administration to enhance its monitoring and control on the use of pesticides to ensure safe and proper use of pesticides; and</li> <li>(b) pesticides that were banned in other countries (such as the United Kingdom, the United</li> </ul>	<b>Admin to provide the requisite information</b>



Time marker	Speaker	Subject(s)	Action required
		States, Canada, Australia and New Zealand) but were sold, supplied or used in Hong Kong.	
013933 – 015126	Chairman Dr Helena WONG Mr Alan LEONG Admin	<p>In response to Dr Helena WONG's enquiry, the Administration's advice that illegal importation and use of unregistered pesticides were regulated under the existing Ordinance.</p> <p>Dr Helena WONG's view that the Administration should work out a timetable on introducing a licensing and registration scheme for the trade after the enactment of the Bill.</p> <p>The Administration's response that -</p> <ul style="list-style-type: none"> <li>(a) the Administration conducted a public consultation in 2007 on a package of legislative proposals to amend the Ordinance, which sought to comply with the requirements of the two Conventions and at the same time introduce a pesticide product registration system and a scheme to regulate applicators of pesticides;</li> <li>(b) during the public consultation, there were concerns that the combined effects of the proposals might result in small pest control companies being driven out of business due to high operational costs and that a substantial number of existing pesticide applicators would fail to be registered as the training requirement might be too high. The proposal to regulate applicators of pesticides was therefore dropped in the light of the views received;</li> <li>(c) AFCD had been working with the relevant training bodies in devising suitable training syllabus for pesticide applicators to ensure that the course contents were up-to-date with the essential elements on the safe and proper use of pesticides;</li> <li>(d) the Codes of Practices for the trade were regularly reviewed to ensure that the information was accurate and up-to-date;</li> <li>(e) the Administration would step up and strengthen its promotional and publicity efforts targeted at schools; and</li> <li>(f) the Administration would consider the feasibility of a study regarding the long-term impact of pesticides on the health of pesticide applicators in collaboration with the industry.</li> </ul>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
015127 – 015251	Chairman	Closing remarks	

Council Business Division 2  
Legislative Council Secretariat  
4 September 2013