



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

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19 April 2013

Ms Amy Yu
Clerk to Bills Committee
Council Business Division 2
Legislative Council Secretariat
Legislative Council

Dear Ms Yu,

Bills Committee on Pesticides (Amendment) Bill 2013

Thank you for your letter dated 16 April 2013. Please find in the Annex the supplementary information requested by Members at the meeting on 15 April 2013.

Yours sincerely,

(Miss Jeanne Cheng)
for Secretary for Food and Health

c.c. AFCD (Attn.: Dr Thomas Sit
Mr Clive Lau
Mr Stephen Lai)

DoJ (Attn.: Ms Carmen Chu
Miss Karen Lee)

Bills Committee on Pesticides (Amendment) Bill 2013

**Supplementary information requested by Members
at the meeting on 15 April 2013**

- (a) The Administration's plan to enhance, on the operational level, the safe use of pesticides by pest control practitioners and public, including the Administration's consideration of members' suggestions of standardising the warning signs put up in public areas, schools etc. where pesticides had been applied and enhancing the training of service providers in this regard, and making available on the Government website records of operations involving application of pesticides.**

The Administration attaches importance to the safe and proper use of pesticides and has put in place a comprehensive regulatory regime for pesticides. In addition, the Agriculture, Fisheries and Conservation Department (AFCD) has made continuous efforts in assisting the trade to enhance their standard of using pesticides. AFCD has also published a wide range of educational leaflets and booklets to ensure the safe and proper use of pesticides by end-users. Details of these efforts are set out in the Administration's response to the supplementary information requested by the Bills Committee at the meeting on 15 March 2013 (LC Paper No. CB(2)950/12-13(02)). As a further step to enhance public education on the safe use of household pesticides, AFCD would dispatch appropriate leaflets and promotional materials to the pesticide licensees for free distribution to their customers. AFCD would also make additional efforts in checking the pesticide labels to ensure that adequate safety information has been incorporated on the labels and AFCD would explore with the trade to see if the instructions and cautions on the labels could be highlighted and complemented by suitable pictograms to facilitate reference by the end-users.

2. At the Bills Committee meeting on 15 April 2013, some Members suggested that consideration be given to standardise the warning signs put up in public areas (such as parks and schools etc) where pesticides had been applied, and to enhance training of service providers in this regard. Some Members also suggested making available on the Government website records of operations involving application of pesticides.

3. Posting of suitable warning signs on the spot of pesticide application is an effective means to alert the public and to ensure safety and proper application of pesticides. It would be important that the signage should include essential information, such as the date/time of application, types of pesticide applied, contact persons (with names and contact numbers) for further enquiries. At present, we understand that the Food and Environmental Hygiene Department (FEHD) and the Leisure and Cultural Services Department (LCSD) have already required their pest control service providers to put up warning signage on the spot of pesticide application. AFCD would discuss with the relevant government departments and other stakeholders in the industry on ways to further improve the design, size and content of such warning signs, as well as the location at which the signs should be put. The recommended signage requirements would be incorporated into the respective Codes of Practice for the pest control industry, as well as the training syllabus of the relevant training bodies, including the School of Professional and Continuing Education of The University of Hong Kong and the School of Professional Education and Executive Development of The Hong Kong Polytechnic University.

4. The warning signage should have provided a contact number so that any enquiries or complaints by members of the public could be addressed directly to the appropriate persons and prompt advice can be given. If necessary, members of the public could also make use of the government "1823" 24-hour hotline system to make enquiries or seek assistance. The hotline system would refer the enquiries or complaints to the concerned departments including AFCD, FEHD and LCSD as appropriate, and the concerned departments would take follow-up action in a prompt manner.

5. With respect to Members' suggestion of making available on the government website records of operations involving application of pesticides, we have further examined the idea. Given the potentially enormous amount of information involved and the difficulty in providing a precise description of the exact location where pesticides have been applied, we consider it neither practicable nor cost-effective to collect such records and make them available on the website. We believe that the efforts made to improve the warning signage as mentioned in paragraph 3 above would better serve the objectives of ensuring the proper use of pesticides and protecting safety of the public.

(b) Studies conducted by the Administration on alternatives to using paraquat dichloride and diazinon, including relevant information on the replacement pesticides studied

6. As we have previously advised the Bills Committee, AFCD has reviewed the conditions for registering diazinon and paraquat dichloride, and is planning to phase out the registration of them by 2014. Given the frequent use of both pesticides, AFCD has been liaising with the relevant stakeholders including farmers, importers and retailers of pesticides and the trade, and seeking to identify suitable replacement pesticides to prepare for the removal of the two pesticides from the register by 2014.

7. In 2012, AFCD had conducted a series of experiments, both in laboratory and in the fields with a view to identifying alternatives to diazinon. At the specific request of the farming community and local pesticide trades, AFCD had specifically targeted the testing on the cabbage flea beetles (黃曲條跳甲，俗稱：狗蚤仔), which is the most cumbersome pest on brassica vegetables (十字花科作物), including kale (芥蘭), Chinese flower cabbage (菜心) and Chinese White cabbage (白菜). A number of registered insecticides, including carbaryl (甲萘威), chlorpyrifos (毒磷靈), malathion (馬拉硫磷), cypermethrin (氯氰菊酯) and permethrin (氯菊酯), were tested on their efficacy against the target pest. Experimental results revealed that several of the tested pesticides, namely carbaryl, chlorpyrifos and malathion, demonstrated control efficacy comparable to diazinon at similar level of production cost.

8. In the coming year, AFCD would step up promotion of the use of these alternative pesticides and introduce the concept of integrated pest management to tackle the pest problems through organisation of workshops and seminars. AFCD would also conduct farm visits to provide on-site assistance to farmers.

9. As regards paraquat dichloride, the pesticide is currently almost exclusively used for weed control in open space in Hong Kong. There is an alternative herbicide, namely, glyphosate (草甘膦), suitable for serving the same purpose. Alternatively, users of paraquat dichloride can also revert to mulching, mechanical weeding and hand-weeding to achieve the same purpose.

(c) Regulation of organic pesticides in Taiwan and how it compared with that in Hong Kong

10. At the Bills Committee meeting on 15 April 2013, Members noted that some organic farmers in Hong Kong had used “pesticides” derived from natural products (such as garlic) and they had asked whether such pesticides would fall under the control of the Pesticides Ordinance (Cap. 133). As we have explained at the meeting, the term “pesticide” is defined in the Ordinance¹ and includes any substance or mixture of substances used or intended to be used for pest control purpose. Some substances may have multiple uses and they would fall within the scope of control of the Ordinance if the substance concerned is “used or intended to be used” as a pesticide. Members took note of the position and requested the Administration to provide information about the regulation of such pesticides in Taiwan and how it compares with the control in Hong Kong.

11. In general, pesticides could be classified into chemical pesticides and biological pesticides (or “biopesticides”). At the request of the Bills Committee, we have conducted research into the regulation of biopesticides in Taiwan. Based on the information available on the internet and to the best of our understanding of the relevant materials, we set out our findings in the ensuing paragraphs.

12. In Taiwan, pesticides, including chemical pesticides and biopesticides, are regulated under the “Pesticide Control Law” (「《農藥管理法》」). Only registered pesticides are allowed to be imported, manufactured and sold under a pesticide permission certificate (農藥許可證). According to information available on the relevant website, biopesticides (生物性農藥) refer to pesticide products derived from natural sources such as animals, plants and microorganisms, which could be categorised into “natural ingredient pesticides” (天然素材農藥) such as nicotine, pyrethrum and rotenone; “microorganism pesticides” (農用微生物農藥) such as *Bacillus thuringiensis* (蘇雲金杆菌) and “biochemical pesticides” (生化農藥) such as pheromones. Biopesticides, with the exception of microorganism pesticides, that are confirmed to be natural products and do not bear any labels or advertisements on pesticidal property, are exempted from the registration requirements.

¹ The term “pesticide” is defined in the Ordinance to mean “(a) any insecticide, fungicide, herbicide, acaricide or any substance (whether organic or inorganic) or mixture of substances used or intended to be used for preventing, destroying, repelling, attracting, inhibiting or controlling any insect, rodent, bird, nematode, bacterium, fungus, weed or other form of plant or animal life or any virus, which is a pest; or (b) any substance or mixture of substances used or intended to be used as a plant growth regulator, defoliant or desiccant.”

13. If we understand it correctly, under the relevant regulations in Taiwan, natural products that do not bear any labels or advertisements on pesticidal property will not be subject to the registration requirement (emphasis added). This is similar to the regulatory regime in Hong Kong whereby any substances that are not used or intended to be used as pesticides would not fall within the scope of the Ordinance.

**Food and Health Bureau
Agriculture, Fisheries and Conservation Department
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