立法會
Legislative Council

LC Paper No. CB(2)103/13-14
(These minutes have been seen by the Administration)

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Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Tuesday, 12 March 2013, from 2:30 pm to 5:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present	:	Hon Alan LEONG Kah-kit, SC (Chairman) Hon Steven HO Chun-yin (Deputy Chairman) Hon James TO Kun-sun Hon Tommy CHEUNG Yu-yan, SBS, JP Hon Vincent FANG Kang, SBS, JP Hon WONG Kwok-hing, MH Dr Hon Joseph LEE Kok-long, SBS, JP Dr Hon LEUNG Ka-lau Hon CHEUNG Kwok-che Hon Claudia MO Hon CHAN Chi-chuen Dr Hon Helena WONG Pik-wan Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Member attending	:	Dr Hon KWOK Ka-ki
Members absent	:	Hon WONG Yuk-man Dr Hon Kenneth CHAN Ka-lok

Public Officers attending	:	Items IV, V, VI and VII Professor Sophia CHAN Siu-chee, JP Under Secretary for Food and Health Item IV Mr Philip CHAN Kwan-yee, JP Deputy Secretary for Food and Health (Food)2 Items IV and V Dr Philip HO Yuk-yin, JP Consultant (Community Medicine) (Risk Assessment & Communication) Centre for Food Safety, Food and Environmental Hygiene Department Items V, VI and VII Mr Christopher WONG Kwok-bun, JP Deputy Secretary for Food and Health (Food)1 Item VI Dr LEE Siu-yuen, JP Assistant Director (Food Surveillance & Control) Centre for Food Safety, Food and Environmental Hygiene Department Item VII Dr Thomas SIT Hon-chung Assistant Director (Inspection & Quarantine) Agriculture, Fisheries and Conservation Department Dr Shirley Veronica CHUK Sheung-ying Senior Veterinary Officer (Animal Health) Agriculture, Fisheries and Conservation Department
Clerk in attendance	:	Ms Elyssa WONG Chief Council Secretary (2) 5

Staff in attendance	:	Miss Carrie WONG Assistant Legal Adviser 4 Mr Jove CHAN Senior Council Secretary 2 (6) Ms Priscilla LAU Council Secretary (2) 5 Ms Michelle LEE Legislative Assistant (2) 5

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I. Confirmation of minutes
(LC Paper No. CB(2)726/12-13)

The minutes of the meeting held on 11 December 2012 were confirmed.

II. Information paper(s) issued since the last meeting
(LC Paper Nos. CB(2)739/12-13(01), CB(2)739/12-13 (02) and CB(2)753/12-13(01))

2. Members noted the following papers issued since the last meeting -

(a) Letter dated 11 January 2013 from the Chairman of the Panel to the Secretary for Food and Health ("SFH") expressing the views of the Panel on the business environment of public market stalls, including rental adjustment mechanism and air-conditioning charges;

(b) The Administration's response dated 28 February 2013 to the letter from the Chairman of the Panel dated 11 January 2013 on the business environment of public market stalls, including rental adjustment mechanism and air-conditioning charges; and

(c) Joint submission from a group of formula milk manufacturers, suppliers, agents and relevant traders on "The Hong Kong Code of Marketing and Quality of Formula Milk and Related Products, and Food Products for Infants & Young Children" ("the Hong Kong Code").

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3. Members agreed to invite SFH to visit public markets with members of the Panel to better understand the difficulties faced by market stall tenants. The Clerk would issue a circular to invite members to propose public markets for the visit.

III. Items for discussion at the next meeting

(LC Paper Nos. CB(2)742/12-13(01), CB(2)742/12-13 (02) and CB(2)717/12-13(01))

4. Members noted a letter dated 27 February 2013 from Mr WONG Kwok-hing on the closure of a store selling racing pigeons at Yue Man Square, Kwun Tong, and agreed to refer the case to the Public Complaints Office of the Legislative Council ("LegCo") Secretariat for follow-up. Members also agreed to invite deputations, including the owner of the store selling racing pigeons at Yue Man Square, to give views on the impact of the avian influenza ("AI") prevention measures on the trade at the next regular meeting scheduled for 16 April 2013 at 4:30 pm.

5. Members also agreed to ask the Administration to brief the Panel at the next regular meeting on the progress on its review on the public market policy and its initiatives to improve the business environment of public markets; as well as the measures to be taken to stabilize the price of fresh beef. The Chairman then sought members' view on whether the following items proposed by the Administration should also be included on the agenda for the next regular meeting –

(a) Guidelines for assessing liquor licence applications;

(b) Alignment of fees and charges of the Food and Environmental Hygiene Department ("FEHD"); and

(c) Proposal to better regulate pet trading – report on the outcome of public consultation and legislative proposals.

6. The Chairman said that deputations would be invited to give views on item (a) above but he was informed by the Administration that the draft guidelines for assessing liquor licence applications would only be available for Panel's consideration in early April 2013. While agreeing to the need to discuss the subject and invite deputations to give views on it, Mr Tommy CHEUNG and Mr WONG Kwok-hing considered that deputations should be given sufficient time to prepare for their attendance. Mr CHEUNG proposed to defer the discussion of this item to a future meeting in May or June 2013. Members agreed.

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7. Members agreed to discuss the following items at the next regular meeting -

(a) Alignment of fees and charges of FEHD;

(b) Proposals to better regulate pet trading – report on the outcome of public consultation and legislative proposals;

(c) AI prevention measures, including the ban on keeping backyard poultry;

(d) Improvement of operating environment of public markets and related issues; and

(e) Supply of live cattle in Hong Kong.

8. Members also agreed that the next meeting would be extended for one hour to end at 7:30 pm to allow sufficient time for discussion.

IV. Legislative proposals relating to formula products and foods intended for infants and young children under the age of 36 months in Hong Kong

(LC Paper Nos. CB(2)742/12-13(03) and (04))

9. Under Secretary for Food and Health ("USFH") briefed members on the legislative proposals to amend the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W) to prescribe nutritional composition for infant formula, and nutrition labelling for infant formula, follow-up formula and foods intended for infants and young children under the age of 36 months, details of which were set out in the Administration's paper (LC Paper No. CB(2)742/12-13(03)).

10. Members also noted the background brief entitled "Legislative proposals relating to formula products and foods intended for infants and young children under the age of 36 months in Hong Kong" (LC Paper No. CB(2)742/12-13(04)) prepared by the LegCo Secretariat.

Nutritional composition and nutrition labelling requirements

11. Noting that the Administration had adopted the principles of the Codex Alimentarius Commission ("Codex") and taken account of international practices when formulating the legislative proposals, Mr WONG Kwok-hing expressed support for the legislative proposals and

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called for their early implementation. In his view, the nutritional composition and nutrition labelling requirements could help safeguard the health of infants and young children as well as assist parents in making informed choices of formula milk products and foods for their children. The Deputy Chairman also expressed the view of the Democratic Alliance for the Betterment and Progress of Hong Kong ("DAB") that formula milk products should be more stringently regulated.

12. Pointing out that all formula milk products supplied in Hong Kong were imported from overseas, Mr Vincent FANG and Mr Tommy CHEUNG expressed deep concern about the impact of the legislative proposals on the supply of formula milk products to Hong Kong. The Deputy Chairman raised similar concern. Pointing out that the Administration's legislative proposal in relation to nutrition labelling for infant formula required the listing of the energy and 33 nutrients ("1+33") but the Codex standard only required "1+29", the Deputy Chairman was concerned that the Administration's proposal which was even more stringent than the Codex standard might constitute a possible trade barrier. He enquired about the reasons for proposing the nutrition labelling requirement of "1+33" instead of the Codex standard of "1+29", and whether the suppliers could fulfil the requirement of "1+33". The Deputy Chairman further urged the Administration to step up public education on nutrition labelling.

13. Mr Vincent FANG questioned the need for imposing a nutrition labelling requirement for young children between the age of 12 months and 36 months. Making reference to the practice in Singapore, Mr FANG opined that the Administration should consider imposing a nutrition labelling requirement for formula milk products and foods intended for infants aged under 12 months.

14. USFH explained that the existing Nutrition Labelling Scheme did not apply to formula products or foods intended for infants and young children under the age of 36 months. In the light of the findings in a survey in 2012 that certain formula milk products imported from Japan were deficient in iodine, the Administration considered that priority should be accorded to the introduction of legislation governing formula milk products and food intended for infants and young children under the age of 36 months to safeguard their health. The Deputy Secretary for Food and Health (Food) 2 ("DSFH(F)2") added that the Centre for Food Safety ("CFS") had conducted a survey before commencement of the public consultation exercise on the legislative proposals and found that about 50% of infant formula milk products supplied in Hong Kong had met the proposed nutrition labelling requirement of "1+33", while another 34% had labelled

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29 to 32 nutrients. About 80% of formula milk products for young children under the age of 36 months had met the proposed requirement of "1+25". In the Administration's view, the requirements set out in the legislative proposals were reasonable and there would be adequate supply of formula milk products meeting the proposed nutrition labelling requirement in Hong Kong.

15. DSFH(F)2 further advised that it was important to educate the public on how to make use of the nutritional information to be labelled on formula milk products and foods intended for infants and young children under the age of 36 months. The Administration would make reference to the experience gained during the implementation of the existing Nutrition Labelling Scheme when working out the publicity and education strategy. In response to Mr Vincent FANG's views that consumers could still purchase Japanese formula milk products on-line from Japan, DSFH(F)2 advised that as consumers could make direct purchases through the Internet, it was important for the Administration to enhance public understanding on the nutritional composition and nutrition information on the labels of formula milk products so as to assist parents in making informed food choices.

16. Holding the view that Codex had not imposed any mandatory labelling requirement on sodium in non-cereal-based foods for infants and young children, Mr Vincent FANG queried the need for imposing such labelling requirement in Hong Kong.

17. USFH explained that the proposed labelling requirement on sodium in non-cereal-based foods for infants and young children sought to assist parents in making informed food choices. She added that many jurisdictions such as Australia and the European Union ("EU") had also adopted similar labelling requirements. Hence, the proposed labelling requirement in Hong Kong was on par with international practices. DSFH(F)2 advised members that CFS and the Consumer Council had conducted a survey on prepackaged foods intended for infants and young children in April 2012 which showed that 66% of the sampled prepackaged foods had included sodium information on their nutrition labels. Consultant (Community Medicine) (Risk Assessment & Communication)/Centre for Food Safety ("C(CM)(RA&C)/CFS") advised that prolonged excessive intake of sodium might increase the risk of developing high blood pressure. During the public consultation exercise, members of the public generally supported the labelling of sodium in non-cereal-based foods for infants and young children.

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18. Dr KWOK Ka-ki expressed his view that, in additional to sodium, the excessive intake of some nutrients such as potassium might also affect the health of infants and young children under the age of 36 months. He enquired whether the Expert Committee on Food Safety had expressed views on imposing labelling requirements for these nutrients.

19. C(CM)(RA&C)/CFS advised that under the relevant Codex standards, only protein, fat, carbohydrates, some vitamins and energy were required to be specified on nutrition labels. There was no such labelling requirement for potassium. Notwithstanding this, the Administration would keep in view the latest developments in other overseas jurisdictions.

20. Mr Vincent FANG expressed concern about the membership of the advisory committee which provided advice on the regulation of nutrition labelling of formula milk products and foods intended for infants and young children under the age of 36 months. He said that the trade had not been invited to sit on the committee. USFH clarified that the Administration had not set up any advisory committee in relation to the legislative proposals.

21. The Chairman enquired about the definition of formula milk products. He commented that the proposed definitions of infant formula and follow-up formula were confusing and ambiguous. DSFH(F)2 advised that the Administration would finalize the proposed definitions by making reference to the Codex definitions and other relevant considerations.

Exemption for special medical needs

22. Mr Vincent FANG enquired whether the Administration would consider giving exemption to formula milk products with a very small sales volume and to those products which were manufactured to meet special medical needs. The Chairman raised similar concern.

23. USFH advised that during the public consultation exercise, there were views that exemption should be given to formula for special medical purposes intended for infants, i.e. formula milk products which were specially manufactured to meet the special nutritional requirements of infants with special medical conditions; as well as to ready-to-feed formula. The Administration would look into the views received before finalizing the legislative proposals and the exemption arrangements.

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Grace period and legislative timetable

24. Mr Vincent FANG expressed worries that as the shelf life of formula milk products was usually about two to three years, all the existing stock might be wasted if the grace period was shorter than two years. Mr WONG Kwok-hing, however, considered a two-year grace period too long and urged the Administration to shorten it to one year. Dr KWOK Ka-ki expressed queries on the shelf life of formula milk products, given that the expiry period for such products was usually shorter than one year. He asked the Administration to provide justification for the proposed length of the grace period. Dr KWOK also enquired about the time required by the traders to comply with the nutrition labelling requirements and the Administration's legislative timetable.

25. USFH advised that there were divergent views about the suitable length of the grace period. While the trade considered a two-year grace period necessary for their compliance with the proposed requirements, some members of the public requested an early implementation of the legislative proposals. The Administration would commence the drafting of the legislative proposals having taken account of the Panel's views. It was the target to introduce the legislative amendments to LegCo by the end of 2013.

Regulation of health and nutritional claims

26. The Chairman, the Deputy Chairman, Mr WONG Kwok-hing, and Dr KWOK Ka-ki were concerned about the regulation of misleading and exaggerated health and nutritional claims made in formula milk advertisements. They enquired about the legislative timetable for regulating such health and nutritional claims.

27. USFH explained that in view of the complexity and controversies concerning the regulation of claims, and the lack of international consensus on the standard to be adopted, the Administration would need more time to gauge views of stakeholders and the public. Meanwhile, the relevant articles of the Hong Kong Code would serve as guidelines with respect to the claims of these products. DS(F)2 supplemented that the Administration would start tackling the issue of regulating nutrition and health claims at a later stage in 2013.

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V. Safety of genetically-modified food
(LC Paper Nos. CB(2)742/12-13(05) and (06))

28. USFH briefed members on the Administration's proposal to introduce a mandatory pre-market safety assessment scheme ("PMSAS") to regulate genetically modified ("GM") food in Hong Kong, details of which were set out in the Administration's paper (LC Paper No. CB(2)742/12-13(05)).

29. Members also noted the background brief entitled "Voluntary genetically modified food labelling scheme in Hong Kong" (LC Paper No. CB(2)742/12-13(06)) prepared by the LegCo Secretariat.

PMSAS and GM food labelling system

30. Mr WONG Kwok-hing expressed support for the proposed PMSAS. He was concerned about the long-term impact of GM food on human health and the environment, as well as consumers' right to information. He urged the Administration to expeditiously conduct a public consultation exercise on the proposal. Noting that many foreign countries had already adopted mandatory GM food labelling, Mr WONG enquired whether the Administration would also consider implementing a mandatory GM food labelling system in Hong Kong. He also sought information from the Administration about the transitional arrangement for GM food already on the market at the time when PMSAS came into operation.

31. C(CM)(RA&C)/CFS explained that for GM food that was already on the market at the time when PMSAS came into operation, the applicants would be required to submit with his application proof that the GM food concerned had already been approved by other food safety regulatory authorities for food use. While CFS would evaluate the applications, the concerned GM food could continue to be put on sale in Hong Kong. However, for GM food which was not already on the market in Hong Kong when PMSAS came into operation, the applicants should obtain the approval from CFS prior to introducing the GM food concerned to the local market. In response to Mr WONG Kwok-hing's further enquiry on the number of GM food available for sale on the market, C(CM)(RA&C)/CFS said that it was estimated that more than 70 types of GM plants were available for food use in the international market. The Chairman requested the Administration to provide information after the meeting on the breakdown of GM food available on the local market by types and sales volume.

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32. In response to the enquiry of Mr WONG Kwok-hing on the relationship between mandatory GM food labelling and PMSAS, the Deputy Secretary for Food and Health (Food) 1 ("DSFH(F)1") advised that the proposed PMSAS was essential for the introduction of a mandatory GM food labelling requirement as it provided a legal basis for preventing unauthorized GM products from entering the local market. The Administration proposed to introduce a mandatory PMSAS at this stage and would consider the issue of mandatory GM food labelling at a later stage.

33. Holding the view that the long-term impact of GM food on public health was uncertain, Dr Helena WONG expressed support for the Administration to step up the regulation of GM food, and suggested tightening the threshold of labelling food items from 5% or more GM materials in their food ingredients to 1% or more. In her view, the GM food labelling requirements should be mandatory, otherwise, consumers would be unable to distinguish whether or not a food product was GM food and to make informed choices. Noting that EU, the United Kingdom ("UK"), Australia, Japan and the Mainland had already adopted mandatory GM food labelling, she criticized the Administration for its slow progress in implementing a mandatory GM food labelling system in Hong Kong. She urged the Administration to expeditiously devise a mandatory GM food labelling system and provide a concrete timetable for its implementation.

34. USFH advised that although the GM food currently traded on the international market were neither likely, nor had been shown, to pose risks for human health, changes to such a situation in the future could not be ruled out. In the light of this, the Administration proposed to implement the mandatory PMSAS underpinned by law to further enhance the system for regulating food safety in Hong Kong. The Administration would shortly launch a public consultation exercise on the proposal, and enhance the capacity of the Government Laboratory ("GL") for testing GM-related products.

35. Mr CHEUNG Kwok-che considered a mandatory GM food labelling system essential for the effective regulation of GM food and expressed support for the Administration to enhance GL's capacity for testing GM-related products. He, however, expressed worries about the long-term impact of GM food on human health. He was also concerned about the effectiveness of the public consultation exercise as members of the public might have little knowledge in respect of GM food and its impacts on public health and the environment. He was of the view that the Administration should step up its efforts on public education on GM food

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and provide more timely information to the public. USFH agreed to enhance efforts in promoting public education on GM food.

36. The Deputy Chairman expressed the support of DAB for PMSAS and mandatory GM food labelling system. He also requested the Administration to conduct a business impact study on the introduction of a mandatory GM food labelling system in Hong Kong.

37. The Chairman also expressed the support of the Civic Party for introducing GM food labelling. He sought information from the Administration about the food safety assessments under PMSAS and how they could facilitate the development of a mandatory GM food labelling system in Hong Kong. C(CM)(RA&C)/CFS explained that the food safety assessments under PMSAS would adopt the criteria laid down by Codex to examine whether the alteration in GM food would have affected the nutrients in food, toxicity, as well as the existence of allergen. For GM plants/animals/microorganisms that had not been approved for food use by other food safety authorities, applicants would be required to provide their own results of laboratory tests. C(CM)(RA&C)/CFS further explained that under PMSAS, the Administration would be able to identify the types of GM food, and build up the capacity for taking action on GM food that were labelled as being free of GM content. All these would facilitate the enforcement of a mandatory GM food labelling system in future.

Transitional arrangement

38. Mr Tommy CHEUNG was concerned about the transitional arrangement for GM food which was already on the market at the time when PMSAS came into operation. He expressed dissatisfaction that the Administration had adopted double standards for GM food that have been approved by other food safety regulatory authorities and those without such approval, as only the former would be allowed for sale before obtaining the official approval from the Administration. He considered such arrangement unfair.

39. C(CM)(RA&C)/CFS stressed that PMSAS primarily sought to assess the safety of GM food before it was introduced to the market. While the current proposal allowed GM food that was already on the market before PMSAS came into operation to continue its sale on the market upon submission of relevant approval certificates to CFS, the GM food concerned was still required to go through the mandatory safety assessment in accordance with the principles laid down by Codex.

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40. Mr Tommy CHEUNG expressed the view that the Administration should not impose requirements other than those required by Codex. Pointing out that many overseas jurisdictions had adopted different standards for GM food for reasons such as trade protection, he further urged the Administration to strike a balance between consumers' right to information and a stable supply of food.

VI. Food surveillance results 2012

(LC Paper Nos. CB(2)572/12-13(08), CB(2)572/12-13(09) and CB(2)609/12-13(04))

41. USFH and Assistant Director (Food Surveillance & Control)/Centre for Food Safety ("AD(FS&C)/CFS") briefed members on the Food Surveillance Programme of CFS in 2012 and the reports on the major surveillance results for the period and the follow-up actions taken, as well as the Administration's response to the concern of Mr Christopher CHUNG on the safety of food imported from the Mainland (LC Paper No. CB(2)572/12-13(08)) with the aid of Powerpoint presentation materials (LC Paper No. CB(2)609/12-13(04)).

42. Members also noted the background brief entitled "Food surveillance" (LC Paper No. CB(2)572/12-13(09)) prepared by the LegCo Secretariat.

43. The Chairman informed members of his decision to extend the meeting for 15 minutes beyond its appointed time to allow more time for discussion.

Results of the Food Surveillance Programme

44. Pointing out that the number of samples tested under similar food surveillance programme in the UK and Korea were 1.9 and 2.3 per 1000 population respectively, Dr Joseph LEE expressed doubt on whether the 65 000 food samples taken by CFS for testing each year were sufficient for the purpose. Dr LEE was also concerned about CFS's manpower adequacy in undertaking food surveillance work.

45. AD(FS&C)/CFS assured members that Hong Kong had a relatively high number of samples tested per 1 000 population when compared to other overseas jurisdictions. When CFS devised its annual plan for the Food Surveillance Programme for the forthcoming year, it would review the results of the Food Surveillance Programme of the previous year to identify any items requiring special attention. It would also make reference

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to relevant overseas studies as well as consult the Expert Committee on Food Safety. AD(FS&C)/CFS further advised that the number of unsatisfactory food samples was declining. The overall satisfaction rate of the food sold in Hong Kong remained at a high level. CFS would continue to make efforts to improve its food surveillance work to safeguard food safety in Hong Kong.

46. In response to the enquiry of Dr Joseph LEE about the sources of the 132 unsatisfactory food samples, AD(FS&C)/CFS advised that most of the unsatisfactory food samples were imported food. Noting that CFS was unable to identify the sources of some of the unsatisfactory food samples, Dr LEE expressed dissatisfaction and requested the Administration to provide further explanation and details of the test results. The Chairman expressed similar concern. He said that after the full implementation of the Food Safety Ordinance (Cap. 612) in February 2012, food importers and distributors were required to comply with the record-keeping requirements. He considered it unreasonable that CFS could not identify the sources of some food samples. The Deputy Chairman expressed similar view.

47. AD(FS&C)/CFS explained that during the initial months when Cap. 612 came into full operation in February 2012, a few food traders were found unable to comply with the record-keeping requirements. There were also possibilities that some food samples were collected before the full operation of Cap. 612. Deputy Secretary for Food and Health (Food)1 ("DSFH(F)1") added that as at the end of December 2012, about 5 300 food importers and 4 900 food distributors had been registered under Cap. 612, while about 200 registration applications were being processed.

48. Dr Joseph LEE expressed concern about the safety of seasonal food. He suggested CFS to conduct tests on food specially supplied for traditional festivals, such as Christmas, Easter and Valentine's Day, to ensure food safety.

Safety of food imported from the Mainland

49. Noting that all vegetables supplied to Hong Kong should come from registered vegetable farms on the Mainland and more stringent measures had been adopted since 2009 to ensure the safety of vegetables imported from the Mainland, Dr Helena WONG expressed grave concern about the unsatisfactory samples of vegetables, fruits and related products in the Food Surveillance Programme 2012. She was concerned whether the relevant Mainland authorities had exercised due diligence to ensure that vegetables exported to Hong Kong were supplied from registered farms. In her view, CFS was the important gatekeeper in Hong Kong in the

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surveillance of imported food. She enquired about the number of inspections of registered vegetable farms on the Mainland conducted by CFS annually.

50. AD(FS&C)/CFS informed members that among the 19 unsatisfactory vegetable samples, one was produced from a local farm, one was imported from Thailand, two were from Australia, two had unknown sources, and the remaining 13 were imported from the Mainland (including 10 fresh vegetable samples and three processed vegetable samples). CFS examined about 20 000 vegetable samples annually and the number of unsatisfactory samples was small. AD(FS&C)/CFS further advised that the Mainland authorities had a major role in ensuring the safety of vegetables exported to Hong Kong. Under the current administrative arrangements between Hong Kong and the Mainland as well as the Administrative Measures on the Quarantine of the Vegetables Supplied to Hong Kong and Macao, the Mainland authorities had imposed stringent requirements for the management of registered farms. The Mainland authorities would regulate and monitor the farm size, environment, irrigation, soil, application of fertilizers and pesticides, as well as conduct food tests on the farm produces. CFS visited about 20 registered farms annually to understand their operations and exchange views with the Mainland authorities on the regulation of farms.

51. Dr Helena WONG expressed worries about the role of CFS in the regulatory control over the registered farms on the Mainland and cast doubt about the effectiveness and reliability of the monitoring of food safety by the Mainland authorities. She expressed support for allocating additional resources to CFS to enhance its monitoring on the registered farms. She suggested the Administration to arrange a duty visit for members to better understand the operation of CFS on food testing and regulatory control on food sources.

52. USFH advised members that the Food and Health Bureau had maintained close communication with CFS about the resources required for food surveillance. CFS would redeploy its manpower to step up its food surveillance work in case of food incidents.

53. Dr Helena WONG pointed out that some universities were developing different screening tests to detect presence of metallic or other contaminants in vegetable samples. She enquired about the costs of such screening tests and whether the Administration would encourage the trade to conduct screening tests at the wholesale and retail levels.

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54. AD(FS&C)/CFS advised that samples collected by CFS were sent to GL or qualified private laboratories for testing. Some supermarkets might have their own food safety laboratories for conducting screening tests on its food products. Generally speaking, results of screening tests should be substantiated by more comprehensive and detailed analyses. CFS would continue to review the sampling and testing methods to take into account the latest developments in food tests.

Food incidents and falsely described food

55. Mr WONG Kwok-hing expressed grave concern about the sale of fluorescent pork in Hong Kong. He sought information about the follow-up work of CFS on the supply of fluorescent pork in Hong Kong.

56. The Deputy Chairman pointed out that fluorescent agents had been added to pigs for medical research in the overseas since 1994 and similar researches had been conducted in Taiwan since 2008. He asked the Administration to study whether fluorescent pork was suitable for human consumption.

57. Mr Christopher CHUNG echoed Mr WONG Kwok-hing's view that CFS should take prompt action to food incidents. He expressed concern about the discovery of horsemeat in processed beef products in Europe, and the supply of some of these products to Hong Kong. He enquired about the enforcement action that CFS had taken and the impact of the concerned beef products on human health. He further said that falsely described fish products were also found in 30% to 50% of fish products in Boston of the United States. He expressed worry about the supply of such fish products in Hong Kong.

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58. AD(FS&C)/CFS advised members that CFS monitored and analyzed daily the intelligence, alerts, warnings and media reports in Hong Kong, the Mainland as well as overseas jurisdictions. She undertook to provide supplementary information on the follow-up actions about fluorescent pork. Regarding the beef products in question, CFS had followed up with the overseas regulatory authorities to trace their distribution to Hong Kong. It was found that one consignment of beef lasagne mixed with horsemeat was supplied to Hong Kong and the supplier had stopped selling it and recalled the sold products. It was also reported that meatballs mixed with horsemeat were sold at the cafeteria of furniture stores in Europe. While the consignment in question had not been supplied to Hong Kong, the Hong Kong supplier had voluntarily stopped selling the products in Hong Kong.

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59. AD(FS&C)/CFS further advised that horsemeat, in general, was not unsafe for human consumption. However, it might constitute an offence if it was described as beef. While veterinary drug residues might be found in horsemeat and posed risk for human health, AD(FS&C)/CFS advised that the level of veterinary drug residues found in the concerned beef products was insignificant and would not pose risk to the public. At the request of the Deputy Chairman, the Administration would provide information on the follow-up work of CFS in relation to its handling of beef lasagne mixed with horsemeat sold in Hong Kong. AD(FS&C)/CFS further advised that CFS was also following up on the issue of falsely described fish products.

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60. Mr WONG Kwok-hing enquired about the follow-up work of the substandard cooking oil. He said that in the special meeting on 3 January 2013, he requested the Administration to keep the Panel informed of the whereabout of the 35 tanks of the substandard cooking oil returned to the Mainland and how they were handled by the Mainland authority. Mr WONG requested the Administration to update the Panel on the progress. He reiterated his objection to the return of the substandard cooking oil to its place of origins, for fear that the substandard cooking oil might be repackaged for sale again. The Chairman also requested the Administration to provide information on whether any prosecution had been brought against distributors who, in the course of investigation of the substandard cooking oil, were found to have failed to comply with the record-keeping requirement. AD(FS&C)/CFS advised that the Administration would provide a written response after the meeting.

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VII. Update on the Avian Influenza Vaccination Programme in local chicken farms

(LC Paper Nos. CB(2)742/12-13(07) and (08) and CB(2)777/12-13(02))

61. USFH and Assistant Director (Inspection & Quarantine), Agricultural, Fisheries and Conservation Department ("AD(I&Q)") briefed members on the latest developments on the AI vaccination programme adopted in local chicken farms and the introduction of the new Re-6 vaccine in local chicken farms, details of which were set out in the Administration's paper (LC Paper No. CB(2)742/12-13(07)) and the PowerPoint presentation materials tabled at the meeting (LC Paper No. CB(2)777/12-13(02)).

62. Members also noted the background brief entitled "AI vaccination programme in local chicken farms" (LC Paper No. CB(2)742/12-13(08)) prepared by the LegCo Secretariat.

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Use of the new Re-6 vaccine

63. The Deputy Chairman said that while the local chicken farmers were supportive of the introduction of the new Re-6 vaccine, many of them found the related procedures unduly cumbersome. For instance, local farmers had to attach a special label to each chicken vaccinated with the new Re-6 vaccine and all the vials of vaccine used had to be submitted to the Agriculture, Fisheries and Conservation Department ("AFCD") for proof of vaccination. The Deputy Chairman requested the Administration to consider simplifying the procedures.

64. AD(I&Q) explained that each chicken had to be administered with two doses of the new Re-6 vaccine in order to achieve satisfactory antibody level. The requirement of labelling chickens vaccinated with the new Re-6 vaccine was considered necessary as some chicken farmers were still using the Intervet vaccine in stock and the labelling could facilitate the identification of the types of vaccines administered to the flock. AD(I&Q) further advised that the requirement of returning the vials of used vaccine to AFCD had been in place since the introduction of the mandatory AI vaccination programme for chickens in local farms in 2003 and no complaint had been received from local chicken farmers.

65. Noting from the Administration's paper that local chicken farms would gradually switch to use the new Re-6 vaccine, Mr CHAN Chi-chuen sought information on the migration to the new Re-6 vaccine in the registered farms on the Mainland.

66. AD(I&Q) responded that currently, around 70% of the Mainland registered farms supplying chickens to Hong Kong used the new Re-6 vaccine. Since the chicken rearing period was around 90 days and each chicken had to be vaccinated twice with the same vaccine, it took some time before all the chickens reared in the Mainland registered farms were administered with the new Re-6 vaccine. AD(I&Q) advised that the Mainland authorities planned to have all Hong Kong-bound chickens to be vaccinated with the new Re-6 vaccine by May this year.

Selection of the AI vaccine

67. Dr Helena WONG noted from the Administration's paper that the Intervet vaccine and the Re-5 H5N1 vaccine ("Re-5 vaccine") were recommended to be used in Hong Kong. She sought information on the criteria for the adoption of the vaccine and the reason for not using the H5N3 vaccine which had been used in the EU since 2006.

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68. AD(I&Q) advised that different regions might have different predominant strains of AI viruses. The appropriate vaccine needed to match the prevailing clade of the AI virus commonly found in the region. The Intervet vaccine, the Re-5 vaccine and the H5N3 vaccine contained respectively inactivated H5N2 virus circulating in America, H5N1 virus circulating in Asia and H5N3 virus circulating in Europe. According to the vaccine challenge studies, both the Intervet vaccine and the Re-5 vaccine provided better protection than the H5N3 vaccine against challenge viruses tested. The Re-5 vaccine was found even more effective in protecting local chickens from the H5N1 AI virus as compared with the Intervet vaccine. In the light of the results of the studies, the Administration introduced the Re-5 vaccine in local chicken farms as an alternative to the Intervet vaccine. That said, with the development of the new Re-6 vaccine to match the prevailing clade 2.3.2.1 of AI virus commonly found in the region and to replace the older Re-5 vaccine, the Investigation Group on Vaccine Study had endorsed the recommendation to introduce the new Re-6 vaccine to local chicken farms.

69. The Chairman suggested and members agreed to further extend the meeting for 15 minutes to allow more time for discussion.

Surveillance of imported live chickens and pet birds

70. Expressing concern about the safety of live chickens imported from the Mainland, Mr CHAN Chi-chuen enquired about the measures taken to ensure that chickens reared in the Mainland for export to Hong Kong were not infected with AI.

71. AD(I&Q) advised that all live chickens supplied to Hong Kong from the Mainland must come from registered farms. Before the live chickens were supplied to Hong Kong, they must be quarantined for five days and tested free of AI virus. Samples from these chickens would also be collected at Man Kam To boundary point for retest. While awaiting the test results, these chickens would be kept at the wholesale market. Only chickens with satisfactory testing result would be released for sale. AD(I&Q) further advised that CFS conducted regular inspection visits to the registered chicken farms on the Mainland to monitor their compliance with the bio-security requirements.

72. In response to Mr CHAN Chi-chuen's concern over the measures implemented to prevent the infection of AI among pet birds in Hong Kong, AD(I&Q) advised that AFCD regularly inspected pet bird shops and collected samples of bird droppings for testing of the AI virus. Pet birds should only be imported from countries or places that had no history of AI

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in the past six months, and the birds had to be accompanied by health certificates testifying that they were free of AI virus.

VIII. Any other business

73. There being no other business, the meeting ended at 6:00 pm.

Council Business Division 2
Legislative Council Secretariat
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