

立法會
Legislative Council

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(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, 11 June 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
Dr Hon Joseph LEE Kok-long, SBS, JP
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon WONG Yuk-man
Hon Claudia MO
Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Dr Hon Helena WONG Pik-wan
- Members absent** : Hon WONG Kwok-hing, MH
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
- Public Officers attending** : Items III to VI

Professor Sophia CHAN Siu-chee, JP
Under Secretary for Food and Health

Mr Christopher WONG Kwok-bun, JP
Deputy Secretary for Food and Health (Food) 1

Items III and IV

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

Item IV

Dr Jim CHU Chun-wa
Senior Fisheries Officer (Aquaculture Fisheries) of
Agriculture, Fisheries and Conservation

Item V

Mr SIN Kwok-hau, JP
Assistant Director (Operations) 3
Food and Environmental Hygiene Department

Mr YUEN Ming-chi
Pest Control Officer-in-charge
Food and Environmental Hygiene Department

Item VI

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

Ms Teresa FU Lai-ha
Head of Consumer Protection Bureau (2) (Acting)
Customs and Excise Department

**Clerk in
attendance** : Ms Elyssa WONG
Chief Council Secretary (2) 5

**Staff in
attendance** : Mr Jove CHAN
Senior Council Secretary 2 (6)

Ms Priscilla LAU
Council Secretary (2) 5

Ms Michelle LEE
Legislative Assistant (2) 5

Action

I. Information paper(s) issued since the last meeting

Members noted that no information paper had been issued since the last meeting.

II. Items for discussion at the next meeting

(LC Paper Nos. CB(2)1284/12-13(01) and (02), CB(2)1306/12-13(01) and (02) and CB(2)1326/12-13(01))

2. Members noted that the Administration had proposed the following four items to be discussed at the next regular meeting scheduled for 9 July 2013 at 2:30 pm:-

- (a) The business environment of public market stalls, including rental adjustment mechanism and air-conditioning charges;
- (b) Fire safety requirements for food premises;
- (c) Supply of live cattle in Hong Kong; and
- (d) Total diet study.

3. The Chairman advised that it was agreed at the meeting on 28 May 2013 that deputations would be invited to give views on the item "Supply of live cattle in Hong Kong" at the next regular meeting.

4. Mr Tommy CHEUNG considered that there was no urgency in discussing the item "Total diet study" at the next regular meeting. He suggested deferring the discussion of the item at a future meeting. He also suggested advancing the next regular meeting to start at 2:00 pm so as to allow sufficient time for discussion. Members agreed.

5. Members agreed to discuss the following items at the next regular meeting scheduled for 9 July 2013 from 2:00 pm to 4:30 pm -

- (a) The business environment of public market stalls, including rental adjustment mechanism and air-conditioning charges;

Action

- (b) Fire safety requirements for food premises; and
- (c) Supply of live cattle in Hong Kong.

6. The Chairman informed members that seven members had indicated their interest in participating in the second visit to public markets with Secretary for Food and Health on 25 June 2013. Having considered the crowded environment of public markets, the Chairman suggested and members agreed that the number of participants of the visit should be limited to 10; and all Members would be invited to participate in the visit. The remaining vacancies would be filled on a first-come-first-served basis.

(Post-meeting note: Invitation was sent to all other Hon Members of the Legislative Council ("LegCo") on 13 June 2013 vide LC Paper CB(2)1357/12-13.)

7. The Chairman drew members' attention to a letter dated 30 May 2013 from Mr WONG Kwok-hing on issues relating to food premises operating under the food factory licences and the Administration's written response date 7 June 2013 (LC Paper CB(2)1306/12-13(01) and (02)). He asked whether members had further questions or would like to follow up the matter at a future meeting. Members raised no questions.

8. The Chairman said that the Administration had been asked to provide a written response to a letter dated 6 June 2013 from Mr WONG Kwok-hing on issues relating to stray cattle (LC Paper CB(2)1326/12-13(01)). He suggested discussing the need to follow up the issue after receiving the Administration's response. Members agreed.

9. Dr Helena WONG enquired whether the Administration would brief the Panel on the outcome of the public consultation exercise on the draft Hong Kong Code of Marketing and Quality of Formula Milk and Related Products, and Food Products for Infants and Young Children. Under Secretary for Food and Health ("USFH") advised that the Administration was consolidating and analyzing the views received and would revert to the Panel on Health Services on the outcome of the public consultation exercise in the session 2013-2014.

III. Sustainable Fisheries Development Fund

(LC Paper Nos. CB(2)1284/12-13(03) and (04))

10. USFH briefed the Panel on the outcome of the consultation exercise in relation to the promulgation of the Sustainable Fisheries Development

Action

Fund ("the Development Fund"), details of which were set out in the Administration's paper (LC Paper No. CB(2)1284/12-13(03)).

11. Members also noted the information note entitled "Sustainable Fisheries Development Fund" (LC Paper No. CB(2)1284/12-13(04)) prepared by the LegCo Secretariat.

Sustainable development of the fisheries industry

12. Mr WONG Yuk-man expressed support for the measures to promote sustainable development of the fisheries industry in Hong Kong. That said, instead of subsidizing programmes or research studies to improve the competitiveness of the industry through the Development Fund, he considered that the Administration should carry out projects, such as fish restocking programme, by itself. He further said that commercial projects should not be supported under the Development Fund to avoid conflicts of interest. Given the similar nature of the Development Fund and the Fisheries Development Loan Fund ("the Loan Fund"), Mr WONG was concerned about the positioning of the Development Fund.

13. USFH advised that the Agriculture, Fisheries and Conservation Department ("AFCD") had carried out various projects to provide direct assistance to the local fisheries industry. With regard to the positioning of the two funds, USFH explained that the Development Fund sought to promote the development of new technologies to enhance the overall competitiveness of the industry by subsidizing research and development programmes, while the Loan Fund was aimed to provide loans for improving the operating environment of fishermen, and applicants were required to repay the loan. USFH stressed that the Administration would continue to address members' concerns over the Development Fund and she took note of the views of Mr WONG Yuk-man on the projects to be covered by the Development Fund.

14. The Deputy Chairman expressed his views and queries on the Development Fund as below -

- (a) he welcomed the setting up of the \$500 million Development Fund as it could reduce the impact brought about by the trawl ban on the livelihood of fishermen;
- (b) the Development Fund should not overlap with other funding schemes;

Action

- (c) the Administration should regularly review the use of the Development Fund;
- (d) since many applications for ex-gratia allowance to affected trawler owners were still being processed, the Administration should maintain close liaison with the applicants who might have difficulties in determining whether they needed to apply for the Development Fund as well; and
- (e) he sought the Administration's clarification on whether recreational fishing fell within the scope of the Development Fund.

15. USFH stressed that the Administration would continue to engage and consult the fisheries industry, particularly the affected trawler fishermen, on the sustainable development of the local fisheries industry. Assistant Director (Fisheries) of Agriculture, Fisheries and Conservation ("AD(F)/AFC") added that AFCD had been providing technical support and training to fishermen who were interested in switching to recreational fishing. AFCD had also undertaken a pilot scheme of fisheries eco-tourism in Sai Kung, northeast New Territories and southern Hong Kong Island to help fishermen venture into eco-tourism. He explained that recreational fishing could be categorized as "alternative livelihood" projects under the Development Fund. The Administration would study the development of recreational fishing on fish culture rafts taking into account the issuance of new fish culture licences.

16. Noting that the Committee on Sustainable Fisheries ("the Committee") had been established since 2006, Dr Helena WONG enquired about the Administration's direction and goals for the development of the territory's fisheries industry.

17. USFH advised that the Committee had recommended various fisheries management measures with a view to regulating the fishing effort in Hong Kong waters. These measures included banning trawling activities and prohibiting non-local fishing vessels from fishing in Hong Kong, and requiring local fishing vessels to register with the Government. AD(F)/AFC supplemented that in striking a balance between the protection of marine resources and the sustainable fisheries development, the Administration had been implementing a basket of fisheries management measures as recommended by the Committee. These included the statutory ban on trawling activities in Hong Kong waters, which could enable the marine ecosystem to recover faster; and the introduction of a registration system for local fishing vessels under the Fisheries Protection (Amendment)

Action

Ordinance 2012 (Cap. 171), which aimed to limit the entry of new fishing vessels and regulate the fishing effort in Hong Kong waters. The Administration also took note of the Committee's suggestion to designate certain areas in Hong Kong waters as Fisheries Protection Areas to protect and enhance local fisheries resources. In addition, the Administration had also reviewed the scope and terms of the Loan Fund. Coupled with the establishment of the Development Fund which aimed to provide financial assistance for projects and researches conducive to the sustainable development of the fisheries industry, AD(F)/AFC advised that most of the measures recommended by the Committee had been implemented.

18. Ms Claudia MO questioned the sincerity of the Administration to promote the sustainable development of the local fisheries industry. She said that some fishermen groups had complained about the perfunctory consultation on the Development Fund, and some fishermen had to split the revenue generated from their eco-tourism business with the Hong Kong Tourism Board ("HKTB"). Pointing out that young people were not interested in joining the fisheries industry, Ms MO enquired about measures to revitalize the fisheries industry.

19. USFH reiterated that the Administration had been implementing various fisheries management measures as recommended by the Committee with a view to enhancing the operating environment and competitiveness of the industry. On promoting the local aquaculture industry, AD(F)/AFC advised that AFCD had been providing assistance to local fish farmers in improving the quality of their mariculture products. Consideration would also be given to providing subsidies under the Development Fund for training programmes to bring in new blood, particularly fishermen's children, to the industry. As regards the revenue carve-up between HKTB and fishermen who engaged in recreational fishing business, AD(F)/AFC said that he was not aware of such an arrangement.

20. Mr CHEUNG Kwok-che enquired about the number of offshore trawler vessels which were still operating. In his view, offshore fishing was the only way for the sustainable development of the fisheries industry, and he pointed out that some overseas jurisdictions had even provided financial assistance in the form of grants to their trawler owners. In addition to the Loan Fund, Mr CHEUNG enquired about the specific assistance that the Administration would provide for the owners of offshore trawlers.

21. AD(F)/AFC advised that according to the record of the recent survey, more than 3 000 fishing vessels were operating in Hong Kong waters, and more than 1 000 fishing vessels were operating outside

Action

Hong Kong . He stressed that the trawl ban only prohibited trawling in Hong Kong waters. Trawlers might continue their operation offshore in the South China Sea.

22. Mr CHEUNG Kwok-che expressed dissatisfaction with the Administration's response. He commented that the Administration had provided no support for the fisheries industry.

23. The Deputy Chairman expressed his view that the Development Fund should be properly used for the sustainable development of the fisheries industry. He said that the fisheries industry in Hong Kong was subject to regulation of both the Government of Hong Kong Special Administrative Region as well as the Central Government of the Mainland ("the Central Government"). He urged the Administration to enhance its communication with the Central Government when formulating its fisheries policy.

Sustainable Fisheries Development Fund

24. Dr Kenneth CHAN considered a quantitative assessment important for reviewing the effectiveness of a government policy. He asked whether a projection on the contribution of the agriculture and fisheries industries to Hong Kong's gross domestic product was available for members to consider the setting up of the Development Fund.

25. USFH advised that there was currently no quantitative objective for the Development Fund. That said, the Administration would consider Dr Kenneth CHAN's suggestion after working out the key parameters of the Development Fund.

26. Mr Tommy CHEUNG considered the Development Fund a political reward for the fisheries industry's support for the Chief Executive ("CE") during his run for CE office. Mr CHEUNG Kwok-che, Ms Claudia MO and the Chairman shared Mr Tommy CHEUNG's view. Mr Tommy CHEUNG also commented that \$500 million was insufficient for supporting the sustainable development of fisheries industry and the Administration had not set out any concrete measures to facilitate the development of the agriculture and fisheries industries.

27. The Deputy Chairman disagreed that the Development Fund was a political reward. He was of the view that any government should consider the sustainable development of the agriculture and fisheries industries.

Action

28. USFH noted members' views on the Development Fund. She stressed that the purpose of today's meeting was to seek members' views on the initial ideas about the parameters of the Development Fund and all views collected would be considered for fine-tuning the proposal.

29. The Chairman enquired about the Administration's detailed plan for the use of the Development Fund. USFH advised that the Development Fund would support projects on sustainable fisheries, capture fisheries and aquaculture. Proposals for studies on the enhancement of the technology or the business environment for the fisheries industry would also be considered.

Advisory committee

30. The Chairman enquired about the composition of the advisory committee and whether the advisory committee would recommend to the Administration a framework for the sustainable development of the fisheries industry before the Administration received applications for the Development Fund to ensure an effective use of the Fund.

31. USFH advised that the composition of the advisory committee was yet to be finalized and the Administration welcomed relevant views. Deputy Secretary for Food and Health (Food)¹ explained that when the Administration sought the Finance Committee's ("FC") approval of the necessary funding commitment, the proposed scope, application criteria and application arrangements would be detailed in the funding proposal for the Development Fund.

Funding proposal

32. Dr Helena WONG considered it not appropriate for the Administration to submit the funding proposal for the Development Fund to FC at the current stage as the Administration had neither set out its fisheries policy nor any feasible measures for implementing the policy. She enquired whether the Administration would consider adopting more objective criteria for the sustainable development of the fisheries industries such as a targeted market share of local fisheries products in Hong Kong. She also expressed queries on accepting applications from overseas academic and research institutions for the Development Fund.

33. While expressing support for the Administration's funding proposal in principle, Ms Claudia MO expressed dissatisfaction that the Administration had not provided sufficient details on the relevant policy, or

Action

measures and procedures for the Development Fund for the Panel to scrutinize the proposal. Mr Tommy CHEUNG expressed similar view.

34. The Chairman enquired about whether the Administration would further consult the Panel before submitting the relevant funding proposal for the Development Fund to FC. USFH replied in the affirmative.

IV. Review of the moratorium on issuing new fish culture licences - Outcome of consultation and the proposed way forward
(LC Paper Nos. CB(2)1284/12-13(05) and (06))

35. USFH briefed members on the outcome of the review surrounding the moratorium on the issue of new fish culture licences and raft area extensions in existing fish culture zones ("FCZs") and designation of new FCZs (LC Paper No. CB(2)1284/12-13(05)).

36. Members also noted the updated background brief entitled "Review of moratorium on issue of new fish culture licences" (LC Paper No. CB(2)1284/12-13(06)) prepared by the LegCo Secretariat.

Support for existing fish farm operators

37. The Deputy Chairman expressed concern about the nuisance caused by the extension of FCZs to the rafts in the existing FCZ in Yim Tin Tsai. He enquired whether financial assistance and other support could be provided to the operators of fish farms who were forced to relocate their rafts.

38. AD(F)/AFC advised that AFCD would provide technical support to the operators of existing fish farms in Yim Tin Tsai when necessary. He stressed that with the adoption of more advanced technologies and best practice, the output of existing fish farms would be improved and hence it was not necessary for the Administration to provide financial assistance to existing fish farm operators. The Deputy Chairman was dissatisfied with the Administration's response as there was no immediate assistance available for fish farm operators who were forced to move their rafts.

Support for trawler owners

39. The Deputy Chairman enquired about the support to be provided to the affected trawler owners by the trawl ban for switching their business operation to mariculture. Pointing out that there were no new FCZs in the western waters, the Deputy Chairman also expressed concern about the

Action

limited choices on the locations of new FCZs for the affected trawler owners.

40. AD(F)/AFC explained that vocational training programmes in mariculture and business operations had been provided to trawler operators and their deckhands during the period of fishing moratorium. The Administration was considering giving priority to the trawler owners affected by the trawl ban when they applied for new fish culture licences. That said, the Administration should also balance the interests of those affected trawler owners and other applicants. Details on the application arrangements would be set out at a later stage. The Deputy Chairman urged the Administration to consider the need of trawler owners whose home port was in the west of Hong Kong such as Tuen Mun when it planned for the new FCZs.

New fish culture licences

41. Noting that a maximum of 30 new fish culture licences for farm size of not more than 300 square metres would be issued, Mr CHEUNG Kwok-che enquired about the amount of fish that could be raised in such fish farms and the amount of capital investment required.

42. Senior Fisheries Officer (Aquaculture Fisheries) of Agriculture, Fisheries and Conservation advised that about six tonnes of fish could be raised in a fish farm of 300 square metres and the capital cost for such a fish farm ranged from \$200,000 to \$300,000, depending on the construction materials.

43. Mr CHEUNG Kwok-che expressed concern about the risks faced by new fish culture licensees as they might have limited knowledge on mariculture, particularly the new WATERMAN system. He suggested the Administration to consider absorbing their risks by subsidizing part of their capital investment. AD(F)/AFC advised that licensees could apply for the Loan Fund for financial assistance. AFCD also provided technical support on the operation of fish farms including operational techniques, husbandry practices and supply of pellet feed.

44. Mr CHEUNG Kwok-che enquired whether an applicant could apply for a fish farm of more than 300 square metres in the event that there were less than 30 applications for new licence. He also sought the reasons for limiting the maximum area of fish farms to 9 000 square metres. AD(F)/AFC advised that applications for fish farms of more than 300 square metres might be considered if the total number of applications received was smaller than 30. He further advised that the total area of new

Action

fish farms was set in accordance with the findings of the WATERMAN system which had considered the impact of fish farms on the environment.

45. Noting that the number of existing fish culture licensees had dropped from 1 792 in 28 FCZs to 1 008 in 26 FCZs between June 1989 and December 2012 possibly because of the implementation of the more stringent regulation on fish culture, Dr Helena WONG questioned about the attractiveness of the proposal to fishermen to apply for the new fish culture licences. She asked whether the Administration had observed any demand for new licences, or the proposal was actually one of the Government's initiatives to promote the development of the local fisheries industry.

46. With regard to the reduced number of fish culture licensees, the Deputy Chairman pointed out that merging of fish farms had been taken place since the past two decades; and mariculture operators were facing great difficulties such as those brought about by natural disasters and marine works projects during the 1990s. The Deputy Chairman expressed dissatisfaction that the Administration had not provided adequate support and assistance for mariculture operators.

47. USFH advised that having reviewed the business environment of local fish culture activities in the past two decades and examined the marine environment with the WATERMAN system, the Administration had proposed to issue 30 licences at the initial stage. Trawler owners affected by the trawl ban might also opt to change their business to fish culture. AD(F)/AFC added that in view of the global trend of fisheries development and concerns about environmental sustainability and sustainable development of the fisheries industry, many countries and places had been converting their fisheries operations from capture to mariculture. The Administration sought to reduce the fishing effort from Hong Kong and maintain the steady supply of fish by extending the operations of mariculture through issuing new fish culture licences as a pilot scheme. Consideration might also be given to extending FCZs or exploring new FCZs if the WATERMAN system could provide more accurate analysis and findings after collecting data from the pilot scheme.

Development of deep sea mariculture

48. Mr CHAN Chi-chuen pointed out People Power's concern about issues relating to mariculture and its proposal on developing deep sea mariculture. He enquired whether the Administration had studied the feasibility of introducing deep sea mariculture in Hong Kong and any technical support and financial assistance had been provided to fish farm operators of deep sea mariculture.

Action

49. AD(F)/AFC advised that while it was technically feasible to develop deep sea mariculture in Hong Kong, it was more of the long-term development of the fisheries industry. The Administration had recently visited some operation sites of deep sea mariculture and would further study its development in Hong Kong in the long run. In response to Mr CHAN Chi-chuen's further enquiry, AD(F)/AFC advised that private fish farm operators might consider applying for the Development Fund for developing the operation of deep sea mariculture.

50. The Deputy Chairman pointed out that the fisheries industry had also studied the feasibility of deep sea mariculture near the south-east of Hong Kong and found that the windy environment was unfavourable for its development. He urged the Administration to consider making use of the Development Fund for the development of deep sea mariculture.

V. Rodent control

(LC Paper Nos. CB(2)1284/12-13(07) and (08))

51. USFH briefed members on the rodent prevention and control measures implemented by the Food and Environmental Hygiene Department ("FEHD") in 2012, and the major initiatives in 2013, details of which were set out in the Administration's paper (LC Paper No. CB(2)1284/12-13(07)).

52. Members also noted the updated background brief entitled "Rodent control" (LC Paper No. CB(2)1284/12-13(08)) prepared by the LegCo Secretariat.

Rodent infestation rates ("RIRs") and RIR surveys

53. Pointing out that the overall RIR for 2012 was 2.4% which was higher than that for 2010 and 2011, Mr CHAN Chi-chuen expressed concern about the rising trend of RIRs in the past three years.

54. Assistant Director (Operations) 3, FEHD ("AD(O)3/FEHD") responded that the annual overall RIRs recorded since 2001 had been kept below 10%, indicating that the rodent problem in public areas of Hong Kong had been largely under control.

55. Noting that RIRs for Sai Kung and Islands were 0%, but RIRs for Yuen Long, Kowloon City and Kwun Tong stood at 7.9%, 5.6% and 4.1% respectively, Ms Claudia MO enquired about the reasons for the high variation of RIRs in the different districts. In particular, she considered

Action

that all these districts were not so dissimilar in terms of human activities and characteristics.

56. Dr Helena WONG also expressed concern about the high RIR in Yuen Long. Holding the view that the unauthorized extension of business area by some food premises in Yuen Long might aggravate the environmental hygiene problem in the district and lead to a high RIR, Dr WONG urged the Administration to step up its enforcement actions, so as to contain rodent infestation in Yuen Long.

57. AD(O)3/FEHD responded that given the high adaptability and reproductive rate of rodents, the state of rodent infestation in individual districts might vary with changes in the environmental hygiene conditions and the level of public participation in the rodent prevention and control work. In general, the relatively higher RIRs in some districts were mainly caused by the poor hygiene conditions at specific spots and rear lanes, including indiscriminate disposal of refuse and improper handling of food remnants. As the environmental hygiene conditions of the rear lanes in Yuen Long were generally less than satisfactory, Yuen Long recorded the highest RIR. It should however be noted that RIR in Yuen Long was below 10%, indicating that rodent infestation in the district remained generally under control. The Administration would continue to monitor the rodent problem in the various districts and enhance rodent prevention and control measures where necessary.

58. Mr CHAN Chi-chuen and Dr Kenneth CHAN noted with grave concern about the relatively high RIRs in certain districts. While Mr CHAN noted a sharp increase in RIRs in Wan Chai and Sham Shui Po in the second half of 2012, Dr CHAN pointed out that the RIRs in Mong Kok and Tsuen Wan in the second half of 2012 also warranted attention. They urged the Administration to step up rodent prevention and disinfection work in these districts.

59. AD(O)3/FEHD advised that FEHD had carried out dedicated rodent control measures and actions in districts with relatively high RIRs in addition to the routine rodent prevention and control work. To raise public awareness of the importance of rodent prevention and control, FEHD also organized anti-rodent campaigns every year.

60. Mr CHEUNG Kwok-che questioned the methods and techniques for rodent control adopted by the Administration. He sought information on the criteria adopted for selecting the localities for the territory-wide RIR surveys. Pest Control Officer-in-charge, FEHD ("PCO/FEHD") advised that RIR surveys were conducted in rodent-infested areas or places likely to

Action

have rodent problems, in particular areas with bustling human activities, in 19 districts throughout the territory. Around 100 to 150 baits, with each one placed at least 50 metres apart, were set in selected localities annually to gather statistics on the ratio of baits bitten by rodents for making comparison of RIRs under the same benchmark. Raw sweet potato was used as baits. Based on the statistics gathered, each locality was assessed twice annually on its situation of rodent infestation.

61. Mr CHAN Chi-chuen was particularly concerned about the bait locations. He urged that the bait locations should be regularly rotated after carrying out anti-rodent operations.

62. PCO/FEHD responded that bait locations identified in various districts would not be announced in advance. Those locations with positive RIRs would be followed up by anti-rodent operations. While FEHD would review bait locations at the end of each year, it would not change the locations within the same year in order to compare RIRs of the same localities on the same basis. Given the strong reproductive capacity of rodents, FEHD would monitor the rodent problem of the localities and step up rodent prevent and disinfestation work when high RIR readings were recorded.

Rodent prevention and control measures

63. Mr CHEUNG Kwok-che sought information about the efficacy of the Administration's rodent prevention and control work when compared with overseas countries.

64. USFH advised that as there was no internationally adopted RIR, FEHD had made reference to the practices adopted by different countries and places and tried out different methods when devising its RIR. The method currently adopted was considered suitable for Hong Kong with respect to the local situation and environment. RIR readings in individual districts over time would facilitate the assessment of the overall efficacy of the Administration's rodent control work. The general decreasing trend of RIRs since 2001 suggested that there had been a continuous improvement in rodent infestation in the territory.

65. Noting that the target areas of annual anti-rodent campaigns mainly included markets/municipal services buildings, hawker bazaars, typhoon shelters and rear lanes adjacent to food premises, Dr Helena WONG enquired whether the Administration would also conduct anti-rodent campaigns in container terminals.

Action

66. AD(O)3/FEHD advised that rodent control work was carried out by FEHD, as well as in collaboration with local organizations such as District Councils ("DCs") and local community groups, in all districts. FEHD would devise the anti-rodent strategy and identify target areas for rodent control work. It would also provide anti-rodent advice to parties organizing large-scale local events or managing major local facilities, such as container terminals.

67. Noting from the Administration's paper that FEHD had carried out a total of over 11 000 inspections in target areas during the first phase of the 2013 Anti-rodent Campaign, Dr Kenneth CHAN expressed concern about the locations where inspections were carried out and the manpower involved in conducting the inspections.

68. AD(O)3/FEHD explained that FEHD would consult DCs on the target areas for inspections before the launch of the Anti-rodent Campaign. DC members would also be invited to participate in the inspections with a view to raising awareness and engagement of members of the public. With the participation of relevant government departments and local organizations, more frequent inspections could be carried out in the target areas during the campaign period.

69. Pointing out the serious rodent problem at certain lanes and alleys beside food premises in Wan Chai, Mr CHAN Chi-chuen expressed concern about whether FEHD conducted rodent prevention and control work at private roads and areas.

70. AD(O)3/FEHD advised that FEHD did not provide anti-rodent service in private areas, but it would provide anti-rodent knowledge and techniques to the owners concerned. FEHD would also carry out rodent prevention and control actions in public areas adjacent to the private areas where serious rodent problems were reported.

71. In response to Mr CHEUNG Kwok-che's concern about the manpower of rodent and pest control teams, AD(O)3/FEHD advised that there were around 2 000 staff in rodent and pest control teams including both contract staff and about 330 in-house staff.

72. Mr Tommy CHEUNG considered the anti-rodent efforts of FEHD to monitor and control rodent infestation inadequate. While food premises might be generally perceived as having rodent problems, in his view, rodent problems at markets, supermarkets and wharfs were more serious than those at food premises. Mr CHEUNG called on the Administration to enhance rodent disinfection work at such areas.

Action

Admin

73. Dr Kenneth CHAN requested the Administration to provide the information on the black spots of rodent infestation in respective districts and the rodent control measures taken by the Administration.

Admin

74. Dr Helena WONG sought information on the progress of installation of gratings at all underground drainage outlets in the vicinity of markets and fresh food outlets, which was considered effective in preventing rodents from coming out from the drainage pipes. USFH agreed to provide written information after the meeting.

VI. Mechanism for monitoring falsely described food
(LC Paper Nos. CB(2)1284/12-13(09) and (10))

75. USFH outlined the Government's efforts in handling and following up on suspected cases of falsely described food, details of which were set out in the Administration's paper (LC Paper No. CB(2)1284/12-13(09)).

76. Members also noted an information note entitled "Mechanism for monitoring falsely described food" (LC Paper No. CB(2)1284/12-13(10)) prepared by the LegCo Secretariat.

Suspected cases of falsely described food

77. Dr Helena WONG enquired about whether the recent media reports about beef meat balls containing no beef were true. Noting that the Centre for Food Safety ("CFS") had conducted microbiological and chemical testing on meat balls, Dr WONG said that such tests did not verify the nature of the ingredients. USFH advised that CFS would check the accuracy of the labelling of prepackaged food including its ingredients and ensure its compliance with the relevant labelling requirements. Regarding the recent media reports about shops selling beef meat balls containing no beef, as investigation was underway, the Administration could not provide further information at this stage.

78. Dr Helena WONG was also concerned about the media reports on the use of copper sulphate to brighten the green colour of lotus leaves used for wrapping rice dumplings. She was worried that the chemical was harmful to human. She criticized CFS for its slow response to the suspected food incident.

79. AD(FSC)/CFS clarified that copper was not a pollutant but one of the essential elements in humans. It was soluble in water and could be removed during the cooking process. CFS had already conducted studies

Action

on the safe use of lotus leaves for rice dumplings in previous years, including the presence of copper, and concluded that they would not pose any significant health risk to the public. Regarding the criticism on CFS' slow response to suspected food incidents, USFH advised that CFS had been providing information on its food surveillance work through press releases and the monthly food safety reports issued on its website.

Test on ingredients of food

80. To restore public confidence in the food supplied in Hong Kong, Mr Tommy CHEUNG suggested the Administration to conduct more food tests to check whether the description of a food matched with its ingredients.

81. USFH and AD(FSC)/CFS explained that out of the 65 000 food samples CFS tested annually, the nutrient content of around 500 samples were tested against their nutrition labels.

82. Mr Tommy CHEUNG expressed his view that 65 000 food samples taken by CFS for testing each year were insufficient for the purpose. He was also concerned about whether CFS had adequate manpower to undertake food surveillance work. He said that members of the Panel were supportive of giving more resources to CFS for its food surveillance work.

83. Mr Vincent FANG commented that most of the private laboratories were incompetent to conduct tests on the ingredients of food. USFH responded that the Government Laboratory was capable of inspecting the ingredients of food by testing their deoxyribonucleic acid (DNA).

Law enforcement

84. Mr Tommy CHEUNG expressed concern about the Administration's stringent enforcement targeted at restaurants, while the problem food might be produced and supplied by other food processors or manufacturers. He said that food caterers had always been cautious about the ingredients they used to serve consumers of different religious backgrounds. They were unlikely to have the intention to supply falsely described food. Mr Vincent FANG expressed similar view.

85. Pointing out that the name of a food product might carry different meanings and it might not be necessarily referring to its ingredients, Mr Vincent FANG expressed concern about how the enforcement agencies could determine whether a food product was intentionally falsely described. He further enquired whether the Government would consider specifying

Action

criteria, such as ingredients, for the name or descriptions of cooked food. Mr CHAN Chi-chuen echoed Mr FANG's view. He said that certain prepackaged food might be inaccurately named while the correct information on ingredients was contained in the food label. Similar situations also occurred for dishes served at restaurants that they might not be named in accordance with their ingredients. He enquired whether such inaccuracy of names was subject to the current food labelling legislation.

86. USFH explained that the issue was complicated and it might not be appropriate for the Administration to specify the ingredients of cooked food. AD(FSC)/CFS added that under section 52 of the Public Health and Municipal Services Ordinance (Cap. 132) ("PHMSO"), given substantiated evidence, the person who sold to the prejudice of a purchaser any food which was not of the nature, or not of the substance, or not of the quality of the food demanded by the purchaser, shall be guilty of an offence. CFS would follow-up on complaints relating to suspected violation of the provision. She further advised that the focus of the inspections and food tests carried out by CFS was to ensure food safety. The Customs and Excise Department ("C&ED") might also be involved if the food was suspected to have violated the Trade Descriptions Ordinance (Cap. 362) ("TDO").

87. The Chairman extended the meeting for 15 minutes beyond its appointed time to allow more time for discussion.

88. Dr Kenneth CHAN expressed his view that falsely described food was a problem of the capitalist society that food processors sought to make the greatest profit by using improper food materials; and the Administration could take enforcement actions only when a food problem was reported. He further pointed out that on taking enforcement actions, the Administration should not just consider the safety of food but should also take into account the religious and cultural factors, as well as the public's right to make an informed choice. He considered it necessary for the public to have further discussion on the subject of the right to know, and suggested that the Consumer Council should be engaged in the discussion on the protection of consumers' right. The Chairman suggested that consideration could be given to introducing a public monitoring mechanism for the public to report cases of falsely described food or incidents in relation to food safety.

89. Noting that FEHD, CFS and C&ED had been referring suspected cases to each other for follow-up, the Chairman and Dr Helena WONG enquired about the details of the enforcement actions taken by these departments respectively.

Action

90. USFH and AD(FSC)/CFS advised that CFS took enforcement actions against non-compliance with PHMSO. Besides, in the past three years, CFS had, in the course of its work on food safety, encountered 24 cases which involved suspected false claims including dried fish maw, abalone, powdered formula and organic vegetables. These cases were referred to C&ED for follow-up if enforcement of TDO was required. Head of Consumer Protection Bureau (2) (Acting) of C&ED ("HCPB(2)(Atg)") added that food was one of the commodities under the enforcement of TDO by C&ED to protect consumers by prohibiting false trade descriptions in respect of goods provided in the course of trade. C&ED had been operating a Product Monitoring Scheme since March 2009 to safeguard consumers' interests. Through risk assessment and closely monitoring of the market situation, C&ED proactively drew samples of various consumer goods including food products that were the subject of public concern from the market place for inspection and testing by the Government Laboratory. Between 2010 and 2012, C&ED had taken prosecutions against 125 cases involving false trade descriptions of food products.

91. Dr Helena WONG enquired about the percentage of food products monitored under the Product Monitoring Scheme. HCPB(2)(Atg) advised that about two-thirds of product samples inspected came from food products due to the wide public concern about food.

VII. Any other business

92. There being no other business, the meeting ended at 5:43 pm.