

**For information
on 8 January 2013**

LegCo Panel on Food Safety and Environmental Hygiene

Cremation Services for Pets

Purpose

In response to the letter of Hon Claudia Mo dated 20 November 2012 to the Chairman of the Panel, this paper briefs Members on the existing arrangements for the disposal of dead animals as well as the current control on cremation services for pets under the respective legislation.

Disposal of Animal Carcasses

2. Under section 10 of the Public Cleansing and Prevention of Nuisances Regulation (Cap. 132BK), no person shall, without lawful authority or reasonable excuse, place or cause to be placed, any corpse or carcass on or in any street or public place; the common parts of any building; any watercourse, stream, channel, ditch or reservoir or the waters of Hong Kong; any Government property except with the consent of a public officer. Offenders are liable to a maximum penalty of \$25,000 and six months' imprisonment.

3. In general, dead pets are not regarded as clinical waste. Provided that basic personal hygiene measures are carried out, the risk of disease transmission to the public is very low. Infectious diseases of pets that are of serious concern to public health are uncommon. When bringing pet carcasses to the Food and Environmental Hygiene Department (FEHD) for disposal, pet owners or the relevant organisations should wrap up the pet carcasses properly with bags and deliver them to the refuse collection points managed by FEHD. The pet carcasses could be safely disposed of as other municipal solid waste at landfills which are highly engineered to safeguard against ground water and other contaminations.

4. Between 2009 and 2012 (up to the end of November), FEHD collected a total of 37 364 animal carcasses from its refuse collection points, with breakdown as follows:

(a)	No. of dog carcasses	25 019
(b)	No. of cat carcasses	11 796
(c)	No. of other animal carcasses (including rabbits, tortoises, hamsters and snakes, etc.)	549

Control on Cremation Services for Pets

5. There is an increasing trend for pet owners to arrange for cremation of their pets after death. At present, relevant Government departments may, according to their respective mandates, conduct inspections on premises where pet cremation service is provided to check their compliance with the relevant legislation and requirements, including the Public Health and Municipal Services Ordinance (Cap. 132), the Air Pollution Control Ordinance (Cap. 311) and land lease, etc.

6. If FEHD receives complaints against sanitary nuisance at the premises where pet cremation service is provided, their staff will inspect the premises concerned and take enforcement action under the Public Health and Municipal Services Ordinance (Cap. 132) as necessary. On receipt of complaints about the black smoke or odour emitted in the cremation process of pet carcasses, the Environmental Protection Department (EPD) would carry out inspections and take enforcement action according to the Air Pollution Control Ordinance (Cap. 311) as necessary. For complaints about breaches of lease conditions which are substantiated, the Lands Department (LandsD) will take appropriate lease enforcement action.

7. From January 2009 to November 2012, EPD, FEHD and LandsD have respectively received 39, 20 and 28 complaints in relation to the operation of pet cremation service mainly on the emission of smoke or odour, sanitary nuisance, and possible breach of lease conditions. According to our fact-finding exercise, these premises are normally equipped with sterilizer, freezer and furnace for the sanitization, storage and cremation of animal remains. Some of them may also offer pet columbarium services at the same location for the storage of animal cremains. Enforcement actions, such as the issuance of warning letters, the registration of the warning letters at the Land Registry and the issuance of Air Pollution Abatement Notices, etc. would be taken as appropriate.

8. The public may also complain to the Consumer Council on issues relating to consumer protection. From 2009 to 2012 (up to the end

of November), the Consumer Council received two complaints in relation to the operation of pet cremation services, both of which were related to the way in which the pet carcasses were handled. Upon follow-up by the Consumer Council, one complainant withdrew the complaint while the other requested that the complaint be placed on record. Furthermore, the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 (Ord. No. 25 of 2012) was enacted in July 2012. Under the Amendment Ordinance, it is an offence for traders to deploy specified unfair trade practices against consumers, including false trade descriptions to services for supply to consumers. The Administration is making the necessary preparatory arrangements with the aim of bringing the Amendment Ordinance into full operation in the second quarter of 2013.

Advice Sought

9. Members are invited to note the contents of this paper.

Food and Health Bureau
Food and Environmental Hygiene Department
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