

For discussion  
on 21 January 2013

## **LegCo Panel on Food Safety and Environmental Hygiene**

### **2013 Policy Address Policy Initiatives of Food and Health Bureau**

#### **Our Vision**

The Food and Health Bureau (FHB) is committed to building a healthy society and accountable for formulating related policies under its ambit. On the food safety and environmental hygiene fronts, we will continue to ensure food safety and provide a clean and hygienic environment to promote public health and raise the living standard of our citizens.

#### **New Initiatives**

##### *(a) Sustainable Fisheries Development Fund*

2. Fisheries are one of Hong Kong's oldest industries. The fisheries resources and production in Hong Kong have been declining over the past decade. To tackle the problem of depleting fisheries resources and worsening marine ecology, we implemented the trawl ban on 31 December 2012, and were taking forward a basket of management measures including capping the fishing effort in Hong Kong waters.

3. The Government proposes to set up a Sustainable Fisheries Development Fund (the "Fund") of \$500 million to provide for financial assistance for projects and researches conducive to the sustainable development of the fisheries industry. The assistance may encompass, among other things, areas such as monitoring, protecting and enhancing fisheries resources, as well as promotion of best aquaculture practices and sustainable fisheries operations. A committee consisting of both non-officials and officials will be set up to advise on the use of the "Fund". We will consult the trade and other stakeholders before finalising the details and seeking funding approval from the Legislative Council (LegCo).

*(b) Introduction of Legislation Governing Formula Products and Foods Intended for Infants and Young Children under the Age of 36 Months*

4. The Government is committed to protecting the health of infants and young children. In light of the finding of iodine deficiency in certain infant formula products by the Centre for Food Safety (CFS) in August 2012, we have expedited our work in formulating legislative proposals relating to formula products and foods for infants and young children.

5. We have embarked on a two month public consultation exercise on the legislative proposals in November 2012. When formulating the legislative proposals, we have adopted the principles set by the Codex Alimentarius Commission, taking into account the international practices. This will ensure that our legislative proposals are on par with the international standards. We propose to impose nutritional composition and nutrition labelling requirements for infant formula. Such infant formula is used before complementary feeding is introduced<sup>1</sup>. This will ensure that infant formulae for sale in Hong Kong have the appropriate composition and are nutritionally adequate, and that consumers are correctly informed about this in respect of each product through the label. We also propose to impose nutrition labelling requirement for follow-up formula and foods intended for infants and young children under the age of 36 months, so as to help parents and caretakers make informed food choice for their infants and young children. Subject to the views received during the public consultation period, we plan to enact the relevant legislation in 2013. A suitable grace period will be allowed before implementing the proposed legislation.

*(c) Alignment of Fees and Charges for Municipal Facilities and Services in the Urban and New Territories Regions*

6. Most of the fees and charges for the municipal facilities and services provided by the Food and Environmental Hygiene Department (FEHD) differ between the urban and the New Territories regions, a discrepancy inherited from the two former Municipal Councils. Recognising that there is no cogent reason for such difference, we plan to amend the law and align the fees and charges. As a first step, the lower rate will prevail where the fee or charge for a certain facility or service differs between the urban areas and the New Territories. This will cost us about \$49 million annually. As these fees and charges have mostly remained unchanged since 2000, FEHD will as the next step conduct a comprehensive

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<sup>1</sup> Complementary feeding is normally introduced at 6 months of age.

review of the charging policy and rates of these facilities and services.

## **On-going Initiatives**

### *(a) Assistance for Hawkers*

7. Following the fire in Fa Yuen Street in end November 2011, FEHD has strengthened its work on the management of the hawker areas, with particular regard to fire safety issues. These measures include requiring stall hawkers to comply with the stall area requirement during and outside business hours, and enforcement actions against stall canopies constructed of combustible materials and the overnight storage of commodities outside the approved stall areas, in order to reduce fire risks. A Steering Committee, chaired by the Director of Food and Environmental Hygiene, has been set up to formulate and oversee the implementation of specific measures to improve management and to reduce fire risks in each hawker area. Besides, Hawker Management Consultative Committees covering all hawker areas have been set up to provide a platform for two-way communication and for FEHD district staff to discuss day-to-day management, regulatory and safety issues with trade representatives, as well as to encourage self-compliance and good practices among hawkers.

8. To further improve and enhance the appearance, design and fire resistance capability of hawker stalls, as well as to help improve the functionality of hawker stalls and the operating environment of hawker areas, we will launch an assistance scheme which would last for five years, covering about 4 300 on-street hawkers in the 43 fixed-pitch hawker areas. A sum of \$200 million has been earmarked for this. Under the scheme, a one-off grant/ex-gratia payment will be granted to hawkers who reconstruct their stalls at the same locations, relocate their stalls to other pitch spaces or choose to surrender their hawker licences. FEHD is now drawing up the details of the assistance scheme. We will consult the Panel on Food Safety and Environmental Hygiene (the FSEH Panel) and seek funding approval from the Finance Committee (FC) in the coming months, with a view to launching the scheme this summer.

### *(b) Tackling Suspected Substandard Cooking Oil*

9. CFS has all along been monitoring the quality of cooking oil in Hong Kong, in the interest of ensuring that the products comply with the legal requirements and are fit for human consumption. From January 2011 to October 2012, more than 310 cooking oil samples were tested for different

chemicals, which include erucic acid, colouring matter, mycotoxins, anti-oxidants and metallic contaminants, etc. under the Food Surveillance Programme. All the samples taken were found to be satisfactory and in compliance with the legal requirements.

10. Since 2011, there had been media coverage from time to time on the supply of “gutter oil”<sup>2</sup> for use in restaurants in the Mainland. CFS has been keeping a close watch over such reports and communicating with the relevant Mainland authority. As far as we understand it, the Mainland authority is still working on methods for identifying “gutter oil” and the related testing standards. Nevertheless, CFS carried out a targeted surveillance project on used cooking oil under the Food Surveillance Programme in 2012. A total of 68 samples of used cooking oil were collected from various local restaurants and tested for Benzo[a]pyrene (BaP) and other chemicals. The results were satisfactory and announced in November 2012.

11. The Administration is fully aware of the public concerns arising from a media report in December 2012 on supply of suspected substandard cooking oil. CFS has taken immediate action by taking samples from the said supplier which were found to contain BaP at 16 and 17 mcg/kg respectively, exceeding the limits set by both the Mainland (10 mcg/kg) and EU (2 mcg/kg). Based on risk assessment, CFS considers that the health risk concern for consuming the above mentioned vegetable oil should not be high. As a prudent measure, CFS has requested the supplier concerned to stop selling and recall the product. CFS has taken more samples of cooking oil from various distributors, supermarkets and restaurants, etc., and tested them for BaP. The relevant information has been disseminated to the public and the trade immediately. Action is also in hand to trace the source and distribution of the substandard cooking oil with stepped up inspection on premises carrying on the business of bottling or canning cooking oil. Prosecutions will be initiated if there is sufficient evidence of anyone being in breach of the law, which includes the Public Health and Municipal Services Ordinance (Cap. 132), the Food Business Regulation (Cap. 132X) and the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W).

12. While BaP has been tested under the Food Surveillance Programme, CFS will consult the Expert Committee on Food Safety on the surveillance strategy and propose to adopt an action level of 10 mcg/kg for BaP in cooking oil. If a BaP level at 20 mcg/kg is detected in cooking oil,

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<sup>2</sup> There is no definition of “gutter oil”. Generally, it refers to discarded oil recovered from gutters and ditches.

the margin of exposure (MOE)<sup>3</sup> calculated under risk assessment will be lower than 10 000, indicating a public health concern. As such, CFS would take enforcement action in accordance with Section 54 of the Public Health and Municipal Services Ordinance (Cap. 132), and initiate a mandatory recall of the cooking oil concerned. If a BaP level higher than 10 mcg/kg but lower than 20 mcg/kg is detected in cooking oil, the calculated MOE under risk assessment will be higher than 10 000, indicating that the public health concern is low. Nevertheless, under such a scenario, CFS may still take enforcement action in accordance with Section 52 of the Public Health and Municipal Services Ordinance (Cap. 132). CFS has also embarked on a targeted food surveillance project on cooking oil with samples taken from different stages in the food supply chain to ensure that the products available in the local market are fit for human consumption and in compliance with the legal requirements in Hong Kong. Besides, FEHD will put in place a routine inspection mechanism for premises which are engaged in bottling or canning cooking oil to monitor their hygiene situation. Subject to the inspection results, we will seriously consider the need to withdraw the licensing exemption for bottling or canning cooking oil granted under the Food Business Regulation (Exemption from Section 31(1)) Notice (Cap. 132Z).

(c) *Safe Use of Pesticides*

(i) *Protection of human health and the environment*

13. To protect human health and the environment, we propose to amend the Pesticides Ordinance (Cap. 133) to regulate the pesticides as covered under the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. The Pesticides (Amendment) Bill 2013 is scheduled to be introduced into LegCo in 2013.

(ii) *Ensuring food safety*

14. To ensure the proper use of pesticides in food, we enacted the Pesticide Residues in Food Regulation in June 2012 which will come into operation on 1 August 2014. Prior to August 2014, CFS will provide briefings, training and guidelines for different sectors to prepare them for the commencement of the Regulation.

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<sup>3</sup> MOE is used to assess the degree of health concern. The smaller the MOE, the higher the health concern, and vice versa.

*(d) Safe Use of Veterinary Drugs*

15. There has been public concern about increased use of veterinary drug in food-producing animals and its residues in food. To protect the public against unacceptable levels of veterinary drug residues in food, we have made reference to the Pesticide Residues in Food Regulation to refine the details of the proposed regulatory framework.

*(e) Implementing a Multi-pronged Strategy to Minimise the Risk of Avian Influenza (AI) Outbreaks and Enhance Food Safety*

16. The Government has been adopting and will continue to adopt a comprehensive preventive and surveillance programme to reduce the risk of AI outbreaks in Hong Kong. The measures include maintaining the scale of the poultry trade at a manageable level, surveillance at the farm, wholesale, retail and import levels, tight biosecurity measures at local farms, AI vaccination of local and imported poultry, stringent hygiene requirements on wholesale and retail markets, prohibition of overnight stocking of live poultry at the retail level, enhanced import control, etc.

17. Taking into account the scientific evidence gathered so far and all the stringent preventive and control measures in place, we consider that the overall risk of AI in Hong Kong, especially the risk of human infection, has remained at a stable and low level. In fact, the isolated AI incidents in Hong Kong and on the Mainland showed that our relevant policies and measures, including the comprehensive AI surveillance and the contingency response plans, were effective in preventing and controlling AI outbreaks. Notwithstanding, we will regularly review the risk of AI to Hong Kong, with a view to ensuring that our policies are formulated in light of the prevailing circumstances.

18. According to the World Health Organization, eggs from infected poultry could be contaminated with the avian influenza virus. The World Organization for Animal Health has recommended that an international veterinary certificate should accompany the import of poultry eggs for human consumption for control of avian influenza. We have therefore proposed to extend the import control regime for meat and poultry under the Imported Game, Meat and Poultry Regulations to cover poultry eggs. We have secured the support of the FSEH Panel to our proposals and intend to table the relevant amendments in 2013.

19. Hong Kong has adopted preventive AI vaccination in poultry. Since March 2003, an H5N2 vaccine had been used on local poultry in Hong

Kong, and to date, the local poultry population has not experienced any H5N1 AI outbreak since December 2008, apart from one chicken carcass, of unknown origin, that was found in the Cheung Sha Wan Temporary Wholesale Poultry Market and tested positive for H5N1 in December 2011. While the H5N2 vaccine has been largely effective in protecting local poultry against H5N1 highly pathogenic AI virus infection, we have, on scientific considerations and the endorsement of the Investigation Group on Vaccine Study, introduced an H5N1 vaccine (Re-6 vaccine) that confers better protection against the predominant strain of AI virus circulating in wild birds in the region since November 2012. It is expected that all local poultry will be vaccinated with Re-6 vaccine by mid 2013.

(f) *Formulating the legislative proposal on a licensing scheme to enhance regulation of private columbaria*

20. FHB launched the second public consultation on the proposed licensing scheme for private columbaria between November 2011 and March 2012. We have completed another round of visits to private columbaria which appear on the list of “Information on Private Columbaria” published by the Development Bureau, to gain a deeper understanding of their operation. We have also commissioned a Business Impact Assessment Study with a view to ensuring that the regulatory requirements prescribed in the proposed legislation are reasonable, practicable and enforceable.

21. We reported back to the FSEH Panel in December 2012 on progress made in formulating a statutory licensing scheme for private columbaria. Based on our updated deliberation and further information gathered, we are finalising the detailed provisions of the draft legislation, and aim to introduce the Private Columbaria Bill into LegCo in the fourth quarter of 2013.

(g) *Reviewing the provision of cemeteries, columbaria and crematoria facilities and striving to provide more facilities to meet future demand*

22. In December 2009, FC approved the upgrading of the reprovisioning project of the Cape Collinson Crematorium to Category A for completion at the end of 2014. The project is in progress. Upon completion of the project, the total annual capacity of all public cremators will be increased from 38 000 sessions to 53 000 sessions. This will sufficiently meet the cremation demand up to the early 2020s.

23. To enhance the supply of public niches, the Government is promoting the district-based columbarium development scheme, under

which 24 potential sites in 18 districts have been identified. The Government has initiated traffic impact assessment, engineering feasibility study and/or technical feasibility studies. We have consulted five District Councils (DCs) on some of the sites, and will consult others in due course. We have completed the Diamond Hill columbarium extension and will complete the Cheung Chau Cemetery extension by end 2013. For the largest site at Sandy Ridge, application for undertaking the detailed design and site investigation works was supported by the Public Works Sub-Committee of FC in January 2013 and this will be put to FC in February 2013. The target is to make available a crematorium, a funeral parlour and a visitor service centre by 2022, and to provide 200 000 niches by phases starting from 2022. This will be a landmark project in terms of providing one-stop services.

24. Subject to the outcome of the traffic impact assessments, engineering feasibility studies and technical feasibility studies as well as support of DCs and the Legislative Council for columbarium developments in the pipeline, together with the supply of the Chinese Permanent Cemeteries, we estimate that over 120 000 new niches (including some 44 500 niches already completed in 2012) will be made available in the five years ending 2016, and that thereafter the supply of new niches will cumulatively increase to hundreds of thousands in the medium to long run (i.e. 2017 to 2031).

25. With the support of the FSEH Panel and relevant DCs, the alternatives of scattering cremated human ashes in gardens of remembrance (GoRs) and in designated Hong Kong waters have been gaining momentum. To encourage wider use of GoRs for the scattering of cremains and allow more choices, new and bigger GoRs have been constructed in recent years. The new Diamond Hill GoR was commissioned in July 2012. The new GoR inside the Wo Hop Shek Kiu Tau Road Columbarium will be commissioned around the first quarter of 2013. Cases of scattering cremains in GoRs of FEHD have increased significantly in number over the past decade, from five in 2000 to 1 874 in the first eleven months in 2012. FEHD has launched a pilot scheme on the provision of free ferry services starting from January 2010 to facilitate scattering of cremains at sea. Since January 2012, FEHD has further enhanced the free ferry service by deploying a bigger vessel. As the new ferry service is well received by the public, FEHD has further increased the number of sails from two to three per month since June 2012. Since the introduction of the free ferry service in 2010, there has been a 160% increase in the number of applications for scattering cremains at sea, from 279 in 2009 to 729 in the first eleven months in 2012. As the free ferry service for scattering cremains at sea has become

popular, FEHD will further increase the number of sails to four per month starting from January 2013.

26. The Internet Memorial Service (IMS) website, which enables users to create a free memorial webpage in memory of the deceased, is becoming more popular. Up to November 2012, over 4 500 users have been registered in the IMS website, about 4 900 memorial webpages have been created, and the hit rate reached over 1 123 000. We will continue to promote these services to the public, and encourage more sustainable means of handling cremains and paying tribute to the deceased.

*(h) Improving the operating environment of public markets*

27. FEHD is committed to enhancing the operating environment of the public markets and cooked food centres/markets under its management through the implementation of various measures. These include carrying out enhancement projects to upgrade facilities, maintaining and keeping the markets in good and hygienic conditions to provide customers with a pleasant environment, and holding promotional activities from time to time to attract patronage. Currently, the overall occupancy rate of these public markets and cooked food centres/markets is approximately 89.1%, rising from 76.9% in 2008. Excluding the number of vacant stalls that have been withheld from letting out due to impending consolidation, closure or improvement works, the actual occupancy rate is 96%.

28. The rentals of public market stalls have been frozen since 1998. The latest extension of the rental freeze period will end on 31 December 2013. Taking into account the views and suggestions articulated by Panel Members and deputations of market stall tenants and traders in response to the two previous proposals on market rental adjustment mechanism, the Administration has in January 2013 put forward a further revised mechanism for discussion with the Panel. Under the latest revised proposal, the market rentals will be adjusted in accordance with the movement of the average consumer price index (A) of the past three years, with the increase capped at 5% or the rent capped at the open market rental, whichever is the lower. At the Panel meeting on 8 January 2013, the Panel considered the proposed revised rental adjustment mechanism and proposed ways to improve the operating environment of the public markets, including examining the functions and positioning of public markets. We will further examine the various proposals.

(i) *Promoting the development of the agricultural sector*

29. The Agriculture, Fisheries and Conservation Department (AFCD) will continue to promote organic farming in Hong Kong by providing technical support and assistance to local organic farm under the Organic Farming Support Service Scheme, joining hands with Vegetable Marketing Organization and the Federation of Vegetable Marketing Cooperative Societies in assisting in the production and marketing of local organic produce, and supporting the Hong Kong Organic Resource Centre in their promotion of organic education and certification.

30. Meanwhile, in view of the growing consumption of organic food in Hong Kong and to facilitate the further development of the organic food sector, FHB has commissioned a consultancy study on the subject. Taking into account local circumstances and by reference to the regulatory regime in some other jurisdictions, the study would assess, whether and how the production and sale of organic food in Hong Kong should be regulated, if at all, as well as how to enhance consumer education and information about organic food. The study is nearing completion. We will brief the Panel on the outcome of the study shortly.

(j) *Promoting the development of the fisheries sector*

31. Apart from the proposed Sustainable Fisheries Development Fund as outlined in paragraphs 2 and 3 above, we have been pursuing various fisheries management measures as recommended by the Committee on Sustainable Fisheries in its report submitted to the Government in April 2010, in order to bring the fisheries industry back to a sustainable path.

32. The subsidiary legislation to ban trawling activities in Hong Kong waters was passed by LegCo on 18 May 2011 and came into operation on 31 December 2012. The Interdepartmental Working Group (IWG) for the trawl ban has mostly completed the processing of applications for ex-gratia payments to affected trawler owners under the one-off assistance package approved by FC. In 2013, the IWG will continue to implement other measures in the assistance package, including taking forward the voluntary buy-out scheme for inshore trawlers and assessing whether any bona fide fish collector owners would be affected by the trawl ban.

33. The Fisheries Protection (Amendment) Bill 2011 was passed by LegCo on 9 May 2012 and gazetted on 15 June 2012. Under the new legislation, complementary fisheries management measures included the following –

- (a) introduction of a registration system for local fishing vessels, with a view to limiting the entry of new fishing vessels and maintaining an appropriate level of fishing effort in Hong Kong waters;
- (b) restriction of fishing activities with the use or aid of non-fishing vessels and prohibition of fishing activities with the use or aid of non-local fishing vessels, with a view to further controlling the fishing effort in Hong Kong waters; and
- (c) designation of certain areas in Hong Kong waters as Fisheries Protection Areas to protect important spawning and nursery grounds, thereby helping to restore fisheries resources in Hong Kong waters, and promote their sustainable growth in the long run.

34. Currently, fishermen may apply to the Fisheries Development Loan Fund for low interest loans for switching to sustainable fisheries operations using selective fishing methods and other fisheries related operations. We have reviewed the mechanism and terms of the Loan Fund, and introduced new measures to better meet the requirements of the fisheries sector, in particular trawler fishermen affected by the trawl ban.

35. We have also completed the review on the moratorium on issue of new licences for mariculture operations in fish culture zones with surplus carrying capacity. We are laying the ground work for rolling out a pilot scheme in the first half of 2013, involving the issue of a limited number of new licences in some fish culture zones. We plan to report to the FSEH Panel in the second quarter of 2013.

36. AFCD conducts adaptive development studies to enhance productivity and sustainability of the local aquaculture industry. To provide greater choice of species for culture and to enhance competitiveness of local fish farmers, continuous efforts are being made to identify suitable new species with good market potential and promote them to fish farmers. A notable example is the implementation of a pilot fish hatchery scheme for Jade Perch, which helps fish farmers secure a stable supply of fish fry at lower costs. AFCD has successfully transferred the culture and fry rearing techniques of Jade Perch to local fish farmers.

37. In 2010, AFCD launched, in collaboration with relevant stakeholders, a pilot scheme in Sai Kung and north-eastern New Territories

to help fishermen venture into ecotourism. The scheme provides marine-based guided tours which cover the culture and practices of fisherman communities as well as the ecological and geological features of Hong Kong. Over 300 fishermen have received training under the pilot scheme. Drawing on the positive response to the pilot scheme, AFCD has extended the scheme to Lamma Island in 2011-12 and to the western waters in 2012-13.

38. Since 2011, AFCD has arranged some 40 training courses / tour programmes for over 780 fishermen, which included enhancing the knowledge and skills relating to fisheries operations and development or switching to other operations, as well as computer courses etc. The relevant training courses are rated highly by the participants. Besides, we have organised various workshops and seminars, to introduce and promote fish hatchery and nursery techniques, and visited the fish culture zones of mariculturists to provide them with advice and technical support, with a view to encouraging them to make use of such techniques. We will continue to provide free training to fishermen and local deckhands, helping them to acquire knowledge on sustainable fisheries operations including aquaculture and recreational fishing, and other practical knowledge on starting a business such as basic accounting and management skills.

39. The initiatives outlined in paragraphs 32 to 38, together with the proposed Sustainable Fisheries Development Fund, will go a long way towards ensuring sustainable development of the fisheries industry.

*(k) Maintaining Stable Food Supply*

40. The policy objective of the Government is to maintain stable supply of various foodstuffs and to ensure food safety. Food price has always been determined by the free market. The Government is responsible for enhancing market transparency and market efficiency. The Government will also continue to liaise with our imported food sources, in particular the relevant Mainland authorities, to ensure a stable supply of food in order to meet the demands of Hong Kong people.

41. Most recently, there has been public concern on the fluctuation in supply of live cattle and the rising price of fresh beef in Hong Kong. According to information available, the price surge of fresh beef was mainly due to the tight supply and upsurge in the demand of live cattle in the Mainland, and fresh beef price in the Mainland and Hong Kong both registered considerable increase. There has been a suggestion for opening up the live cattle wholesale market. To facilitate better understanding of the

market situation, FHB is in the process of commissioning a market survey to compare the price, quality and costs of fresh beef in Hong Kong and nearby Mainland cities. The findings will provide more objective data which would facilitate our consideration on the way forward with the live cattle market. Meanwhile, the Government will continue to encourage the trade to look for substitutes of fresh beef, such as chilled and frozen beef. Indeed, in recent years the consumption of chilled and frozen beef has been on the rise and the market share of fresh beef accounts for about 10% of the overall beef consumption.

(l) *Strengthening Regulation of Animal-Related Profession / Trade*

(i) *Amending the Veterinary Surgeons Registration Ordinance (Cap. 529) (VSRO)*

42. The VSRO was enacted in 1997 to provide for the regulation of the practice of veterinary surgery, the registration of veterinary surgeons, the disciplinary control of the professional activities of registered veterinary surgeons and for matters related to such registration and disciplinary control so as to ensure a high standard of veterinary care in Hong Kong. The Veterinary Surgeons Board of Hong Kong (VSB) is established under section 3 of the VSRO. Since the VSRO was enacted in 1997, there have been significant changes in circumstances. The number of registered veterinary surgeons has grown from around 150 to nearly 650. With the passage of time, there has been growing awareness of the importance of animal welfare and higher community expectations about the standard of veterinary service in Hong Kong. As a result, the number and complexity of complaints received by the VSB in recent years have grown markedly. There is a need to enhance the capacity of the VSB to cope with the changes. The Government launched a public consultation on the proposed changes to the membership and complaint-handling procedures of the VSB between October and November 2012. Our current target is to report to the FSEH Panel on the consultation outcome and the draft legislative proposals in the second quarter of 2013, with a view to introducing the Veterinary Surgeons Registration (Amendment) Bill into LegCo in 2013.

(ii) *Amending the Public Health (Animals and Birds) (Animal Trader) Regulations (Cap. 139B)*

43. FHB launched a public consultation on the proposals to better regulate pet trading between October and November 2012. Proposals include tightening regulation of persons who breed and sell dogs; increasing penalties under Cap. 139B; and empowering the Director of Agriculture,

Fisheries and Conservation to revoke animal trader licences under certain conditions. AFCD is formulating the licensing conditions and Codes of Practice in consultation with relevant stakeholders. We plan to report to the FSEH Panel on the consultation outcome and the draft licensing conditions, and Codes of Practice in the second quarter of 2013 or so, with a view to introducing the Amendment Regulation into LegCo within 2013.

*(m) Review of Liquor Licensing*

44. FHB launched a public consultation on the review of liquor licensing between July and September of 2011 to gauge public views on the existing liquor licensing regime and to explore various proposals to improve the existing system. By and large, the trade was supportive of the proposed trade facilitation measures but against tightening of the regulation over liquor-licensed premises including upstairs bars. In contrast, representatives and residents of local districts with the largest number of bars urged the Government to impose more stringent control on liquor-licensed premises and enhance enforcement against premises causing nuisances.

45. We briefed the FSEH Panel in January 2012 on the results of the public consultation and the proposed way forward. Since some of the suggestions involve matters under the purview of the Liquor Licensing Board (LLB), we are now discussing with LLB about the relevant proposals. Meanwhile, LLB is also considering formulating a set of guidelines for the processing of upstairs bars applications to enhance the transparency of the liquor licensing mechanism. We expect to report the details of the guidelines to this Panel in the first half of 2013.

*(n) Strengthening Environmental Hygiene*

46. As part of our efforts to strengthen environmental hygiene, we have been implementing the programme to convert aqua privies by phases since 2005. The conversion of all of the 317 aqua privies under the first six phases has been completed. Of the total 145 aqua privies under Phase 7 (which is also the final phase), we have completed conversion of 42 and would complete the remaining aqua privies by December 2013, except some 20 aqua privies. These 20 aqua privies could not be converted into flushing toilets for various reasons, including encroachment of private land, site constraints, failure to obtain local support, local request for demolition, or being located in remote location / of low usage rate etc. Of these 20 aqua privies, two have already been refurbished in-situ / demolished. We would continue to carry out in-situ refurbishment or demolition works for the rest of the 18 aqua privies after reaching consensus with relevant stakeholders.

## **Advice Sought**

47. Members are invited to note and comment on the contents of this paper.

**Food and Health Bureau  
16 January 2013**