

立法會
Legislative Council

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Panel on Food Safety and Environmental Hygiene

**Minutes of special meeting
held on Wednesday, 29 January 2014, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

- Members present** : Dr Hon Helena WONG Pik-wan (Chairman)
Hon Steven HO Chun-yin (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, BBS, MH
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Hon Cyd HO Sau-lan
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon Alan LEONG Kah-kit, SC
Hon WONG Yuk-man
Hon Michael TIEN Puk-sun, BBS, JP
Hon WU Chi-wai, MH
Hon CHAN Chi-chuen
Hon CHAN Han-pan
Dr Hon Kenneth CHAN Ka-lok
Hon Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
- Member attending** : Hon Charles Peter MOK
- Members absent** : Hon WONG Kwok-kin, BBS
Hon Claudia MO
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

**Public Officers : Item I
attending**

Dr KO Wing-man, BBS, JP
Secretary for Food and Health

Mrs Marion LAI CHAN Chi-kuen, JP
Permanent Secretary for Food and Health (Food)

Miss Hinny LAM Shuk-yee
Principal Assistant Secretary for Food and Health (Food) 3

Dr LEUNG Siu-fai, JP
Deputy Director
Agriculture, Fisheries and Conservation Department

Dr Thomas SIT Hon-chung
Assistant Director (Inspection and Quarantine)
Agriculture, Fisheries and Conservation Department

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

Dr Raymond HO Lei-ming
Assistant Director (Food Surveillance and Control) (Acting),
Centre for Food Safety
Food and Environmental Hygiene Department

Dr Allen CHAN Sze-ling
Senior Veterinary Officer (Veterinary Public Health),
Centre for Food Safety
Food and Environmental Hygiene Department

**Clerk in : Ms Alice LEUNG
attendance Chief Council Secretary (2) 2**

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

Mr Richard WONG
Council Secretary (2) 2

Miss Emma CHEUNG
Legislative Assistant (2) 2

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I. Update on the prevention and control of avian influenza
(LC Paper Nos. CB(2)777/13-14(01) and (02))

At the invitation of the Chairman, Secretary for Food and Health ("SFH") briefed members on the preventive and control measures of avian influenza ("AI") adopted by the Administration (including the immediate response measures upon confirmation of the positive H7 AI samples found in a consignment of imported live poultry on 27 January 2014) as set out in the Administration's paper (LC Paper No. CB(2)777/13-14(01)).

2. Members also noted the information note entitled "Recent incident of discovery of H7 avian influenza virus in live chicken imported from the Mainland" prepared by the Legislative Council ("LegCo") Secretariat (LC Paper No. CB(2)777/13-14(02)).

Preventive and control measures

Site for holding imported live poultry pending AI test results

3. The Chairman, Ms Cyd HO, Mr Tommy CHUENG, Mr Vincent FANG and Mr WONG Yuk-man expressed dissatisfaction about the existing arrangement that after swab and blood samples for AI testing had been taken at the Man Kam To Control Point, the imported live poultry would be delivered direct to the Cheung Sha Wan Temporary Wholesale Poultry Market ("CSW Wholesale Poultry Market") pending the test results. These members considered the existing arrangement unsatisfactory, as the CSW Wholesale Poultry Market would have to be closed for 21 days for thorough cleansing and disinfection in the event that samples from the imported poultry were tested AI positive and the distribution channel for local poultry would be disrupted even if they were not affected by AI. In these members' view, live chickens imported from the Mainland should not be transported to the CSW Wholesale Poultry Market until they were confirmed negative for AI viruses.

4. Criticizing that the existing arrangement failed to avoid the risk of cross infection between local and imported poultry in the CSW Wholesale Poultry Market, the Chairman urged the Administration to segregate the imported and local live poultry and to hold the imported poultry at a suitable location until AI test results were available. Criticizing that the Administration should be held accountable for the 21-day closure of the CSW

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Wholesale Poultry Market, Mr Vincent FANG questioned why imported poultry were not kept at the Man Kam To Control Point until the test results were confirmed. Mr WONG Yuk-man urged the Administration to expedite the implementation of the separate holding of imported and local live poultry.

5. In response, SFH advised that -

- (a) the AI tests would take several hours to complete, and the Man Kam Control Point was not designed to keep imported poultry for a prolonged period while the test results were being awaited. Accordingly, it had been the long-standing arrangement that the imported live poultry, after swab and blood samples were taken at the Man Kam To Control Point for AI testing, would be delivered direct to the CSW Wholesale Poultry Market pending the test results. Live poultry would be released to retail outlets only after the test results were confirmed to be satisfactory;
- (b) the existing arrangement had been working well over the past decade or so and had been serving the objective of protecting public health and animal health in Hong Kong. The detection of positive H7 AI samples in a consignment of imported live poultry on 27 January 2014 demonstrated that the testing system had achieved what it was designed to do, namely reducing the risk of infected birds entering the retail markets in Hong Kong; and
- (c) in view of the suggestions made by LegCo Members and members of the public, the Administration had been actively looking for appropriate sites (including Fu Tei Au and other sites) for the temporary holding of imported live poultry. However, in the course of the site search, the Administration had to take into account factors including the planning and use of the sites, the infrastructure required for the temporary holding of live poultry, the impact of this arrangement on the neighbouring environment and community (including the presence of any chicken farms in the vicinity), and the lead time required for preparation.

The CSW Wholesale Poultry Market

6. Echoing the view that the Administration should expedite the implementation of the separate holding of imported and local live poultry, Mr Tommy CHEUNG enquired whether such measure could be implemented in the CSW Wholesale Poultry Market. In response, SFH explained that with reference to the guidelines of the World Organisation for

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Animal Health, in case a consignment of live poultry held in the CSW Wholesale Poultry Market were tested AI positive, the Agriculture, Fisheries and Conservation Department would declare the whole CSW Wholesale Poultry Market as an infected place. As such, the CSW Wholesale Poultry Market could not serve as a place for separate holding of imported and local live poultry.

7. Expressing concern about the potential health risk posed to residents in the vicinity of the CSW Wholesale Poultry Market, Dr Priscilla LEUNG urged the Administration to expeditiously identify sites for relocating the CSW Wholesale Poultry Market. Pointing out that many residential developments had been developed in the neighbouring areas of the CSW Wholesale Poultry Market in recent years, Dr LEUNG expressed dissatisfaction that the Administration had failed to identify sites for many years. In response, SFH advised that the Administration would continue to look for suitable sites for relocating the CSW Wholesale Poultry Market.

8. Expressing disappointment with the existing arrangement that the distribution channel for local poultry would be disrupted as a result of the temporary closure of the CSW Wholesale Poultry Market due to AI incident involving imported poultry only, Mr WONG Kwok-hing and Miss Alice MAK held the view that the Administration should consider establishing another poultry wholesale market as a long-term measure for separate holding of local and imported live poultry.

9. In response, SFH advised that the Administration introduced a voluntary surrender scheme and a buyout scheme for poultry retailers, wholesalers, transporters and farmers in 2004 and 2008 respectively, with a view to minimizing human contact with live poultry in the interest of protecting public health. Thereafter, the number of local chicken farms had been reduced to 30, live poultry wholesale traders to 23 and retail outlets to 132, and the quantity of imported chickens had been subject to a quota of 7 000 per day. The Administration had no intention to reverse the policy by establishing an additional wholesale poultry market.

Suspensions of sales of live poultry for 21 days

10. Noting that trading of live poultry in Hong Kong would be suspended due to the 21-day closure of the CSW Wholesale Poultry Market, the Deputy Chairman, Miss Alice MAK, Mr CHAN Han-pan and Mr WU Chi-wai expressed similar concerns about the livelihood of operators of the live poultry trade. The Deputy Chairman said that based on his recent communication with the trade representatives, operators of the trade preferred resumption of business as soon as possible rather than asking the

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Administration for compensation or extra-gratia payments ("EGPs"). Mr CHAN and Miss MAK urged the Administration to explore ways of ensuring the continued sales of live poultry during the closure of the CSW Wholesale Poultry Market. Mr WU queried whether it was feasible that local poultry were delivered directly to retail outlets after being tested as AI negative in poultry farms.

11. SFH advised that the centralized trading of all live poultry in the CSW Wholesale Poultry Market was an integral part of our surveillance and control system for preventing AI. Direct delivery from poultry farms to retail outlets might compromise the system and hence putting public health at risk. As such, the Administration had reservation in the idea. The Administration would consider if there would be other alternatives that could enable the continued sale of local live poultry during the closure of the CSW Wholesale Poultry Market.

12. Expressing grave concern that there would be recurrence of AI cases in imported poultry if the hygiene condition in poultry farms in the Mainland could not be assured, Mr Vincent FANG enquired about the Administration's follow-up action in this respect.

13. SFH responded that all imported poultry from the Mainland must be sourced from registered farms approved by the Mainland authorities. These farms were subject to regular inspections by the relevant entry-exit inspection and quarantine authorities and the Centre for Food Safety ("CFS") of the Food and Environmental Hygiene Department to ensure compliance with the prescribed AI control requirements. Upon confirmation of the AI case on 27 January 2014, the Administration immediately notified the relevant Mainland authorities of the incident to facilitate their investigation and tracing the source of infection. According to the information provided by the relevant Mainland authorities, poultry samples collected from the relevant registered poultry farm were tested AI negative, and poultry and environmental samples collected from other poultry farms in the same district were also tested AI negative.

Financial impact on the trade

14. Noting that some 22 000 live chickens were slaughtered on 28 January 2014 by order of the Director of Agriculture, Fisheries and Conservation, Ms Cyd HO said that the Administration should be held accountable for the financial loss of the trade. In her view, local chicken farmers suffered losses in the incident because the live chicken supply system allowed live chickens from the Mainland to be mixed with local live chickens before they were confirmed to meet safety standards. She urged the

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Administration to offer compensation to affected members of the trade.

15. Pointing out that the closure of the CSW Wholesale Poultry Market and imposition of a 21-day ban of the live poultry trade came at a time when market demand for and price of live poultry peaked in the immediate run-up to the Lunar New Year, the Deputy Chairman, Miss Alice MAK, Dr KWOK Ka-ki and Mr WU Chi-wai expressed similar concern about the financial impact on the live poultry operators. In their view, should the Administration fail to find a way to allow continued sale of live poultry during the closure of the CSW Wholesale Poultry Market, the Administration should offer compensation to relevant parties so as to alleviate their financial hardship.

16. Echoing the view that the Administration should be held accountable for the closure of the CSW Wholesale Poultry Market, Mr Vincent FANG and Mr Tommy CHEUNG urged the Administration to provide compensation to poultry retailers, wholesalers and transporters, in addition to those poultry farmers that suffered from financial loss incurred by the culling of live chickens in the CSW Wholesale Poultry Market.

17. In response, SFH advised that -

- (a) as in the case of other AI incidents which involved the culling of poultry, the Government would make compensation according to the existing legislation;
- (b) the Administration acknowledged that the 21-day closure of the CSW Wholesale Poultry Market might cause financial hardship to poultry trade workers as well as interruption in live chicken supply to Hong Kong; and
- (c) following its meeting with the trade representatives the other day, the Administration had undertaken to assess the impact of the 21-day suspension of the live poultry trade and consider whether there would be justification to provide EGPs to operators in the live poultry trade to alleviate their financial hardship, including import wholesalers, cross-boundary transport operators and retail outlets.

Suspension of imported live poultry

18. Pointing out that members of the Civic Party had urged the Administration to suspend the import of live poultry following the outbreak of AI in the Mainland several months ago, Dr KWOK Ka-ki and

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Mr Alan LEONG criticized that the Administration procrastinated in taking precautionary measures against AI. Dr KWOK said that the Administration should have suspended the import of live poultry once there was an outbreak of AI in the Mainland. Mr LEONG urged the Administration to support the development of local agriculture, particularly local poultry farms so as to mitigate the risk of AI outbreak in the future. In his view, the recent incident of discovery of H7 AI virus in live chickens imported from the Mainland would provide an opportunity for Hong Kong to invest in locally-produced high-quality food products.

19. Pointing out that there had been AI cases occasionally even though the Government spent about \$100 million each year to control the risk of AI, Mr Michael TIEN urged the Administration to provide stronger support for the development of local poultry farms with a view that Hong Kong poultry trade could be self-sustained, and later become a supplier of high-quality live poultry to the Mainland. In his view, this would create a win-win situation for local farmers and consumers as - (a) Hong Kong would no longer need to import live poultry from the Mainland; and (b) the risk of AI outbreak could be minimized by requiring local farmers to follow stringent infection control measures against AI.

20. The Chairman considered that there were higher risks of AI infection in poultry farms in the Mainland, and urged the Administration to consider long-term suspension of import of live chicken from the Mainland. Mr WONG Yuk-man also expressed a similar view

21. In response, SFH made the following points -

- (a) over the past decade or so, the Administration, the local live poultry trade, the Mainland inspection and quarantine authorities and the Mainland farms supplying live poultry to Hong Kong had collaboratively built up a stringent system for the surveillance and control of AI, for the purpose of reducing the AI risks in Hong Kong. According to the zonal approach policy, import of live poultry and poultry products from the Mainland would be suspended if there was any confirmed H5N1 highly pathogenic AI outbreak;
- (b) the Administration had reservation as to whether Hong Kong could develop a self-sustained local supply of live poultry with zero risk, without any need to import live poultry from other places, including the Mainland. In recent years, there had been cases of AI among poultry in advanced countries such as those in Europe that led to culling of poultry; and

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- (c) the Administration was conducting a review on the policy on Hong Kong agricultural development with a view to upgrading the local agricultural industry and promoting the sustainable development of agriculture. However, it was more likely that priority would be given to vegetable farms rather than poultry / livestock farms.

The selling of live poultry in Hong Kong

22. Noting that the Administration was considering the engagement of a consultant to study whether Hong Kong should continue the selling of live poultry and make recommendation in this regard, the Deputy Chairman, Mr Vincent FANG and Miss Alice MAK expressed a similar view that it was not an appropriate time for the Administration to initiate public discussion on this issue. In these members' views, the Administration should focus on the most pressing issue, which was how to alleviate the financial hardship of operators of the trade as a result of the 21-day suspension of live poultry sales.

23. Questioning whether the Administration had already set a policy direction towards banning of the sale of live chickens, Mr CHAN Chi-chuen criticized that the Administration had failed to provide support for the development of agriculture in Hong Kong. He urged the Administration to first consider how to control the risk of AI outbreak and alleviate the financial hardship of operators of the poultry trade, instead of bringing up the issue of whether Hong Kong should continue the selling of live poultry.

24. Pointing out that many members of the public still preferred freshly slaughtered chickens to chilled and frozen chickens, Mr Tommy CHEUNG urged the Administration not to proceed with its review on whether the selling of live poultry should be stopped.

25. Expressing a similar reservation about the Administration's stance that it would consider the long-term policy regarding whether Hong Kong would still have live chicken supply, Dr KWOK Ka-ki and Mr Alan LEONG urged the Administration to consider only allowing the import of chilled and frozen chickens from the Mainland and maintaining the supply of live chickens from local chicken farms.

26. In response, SFH advised that -

- (a) in view of the continued threat of AI, it was time for the whole community to rethink whether the supply of live chickens should continue in Hong Kong, though the issue did not call for an immediate decision;

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- (b) public health was the primary concern when the Administration raised the issue of whether Hong Kong should continue the selling of live poultry, as according to epidemiological and laboratory investigation, contact with infected poultry or visiting wet markets with live poultry were important risk factors of human infection caused by AI virus; and
- (c) it was important for the community to understand that there was no surveillance system that could attain zero risk. Despite stringent surveillance system, there would still occasionally be AI cases, which might pose threat to public health, exert impacts on the community including the poultry trade and bring anxiety and worries to the citizens, at a considerable cost to society on the whole.

Motions moved by members

Motion 1

27. Ms Cyd HO and Mr Alan LEONG moved the following motion, which was amended by the Deputy Chairman, Mr WONG Kwok-hing, Mr Tommy CHEUNG and Mr Vincent FANG -

"因活雞供應系統流程未盡完善，未能在確定內地活雞符合安全標準前，已將內地及本地活雞合流，令本港雞農因內地輸港雞隻受禽流感感染而同遭損失，實屬無妄之災。本委員會認為當局須從速提出改善活雞供應系統方案，立即研究分流處理本地農場活雞獨立上市，支持本地農業農民，並就今次事件向本地雞農、批發、零售等相關人士作出賠償，以及提供其他合適支援。"

(Translation)

"That, as the processes of the live chicken supply system are imperfect, live chickens from the Mainland are mixed with local live chickens before they are confirmed to meet safety standards, thus causing local chicken farmers to suffer losses as well because chickens imported from the Mainland are found infected with avian influenza, and this is indeed an unexpected calamity. This Panel holds the view that the Administration should expeditiously propose plans to improve the live chicken supply system, immediately study the segregation of local-farm live chickens for independent conveyance to markets, support local agriculture and farmers, and offer compensation to relevant parties such

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as local chicken farmers, wholesalers, retailers, etc. in respect of this incident, as well as providing other appropriate support."

28. The Chairman put the motion to vote. All members present voted in favour of the motion. The Chairman declared that the motion was carried.

Motion 2

29. Dr Priscilla LEUNG moved a motion, which was seconded by Mr CHAN Han-pan, as follows -

"本委員會促請政府當局正視長沙灣臨時家禽批發市場鄰近居民的強烈訴求，盡快覓地搬遷長沙灣臨時家禽批發市場，使之遠離民居，保障市民生命安全。"

(Translation)

"That this panel urges the Administration to look squarely at the strong aspirations of residents in the vicinity of the Cheung Sha Wan Temporary Wholesale Poultry Market, expeditiously identify sites for relocating the Cheung Sha Wan Temporary Wholesale Poultry Market to make it far away from residential areas, so as to safeguard public safety."

30. The Chairman put the motion to vote. The results were: five members voted in favour of the motion; no member voted against it; and one member abstained. The Chairman declared that the motion was carried.

II. Any other business

31. The Chairman reminded members that the Panel was scheduled to conduct a site visit to the Man Kam To Food Control Office on 24 February 2014 to better understand the operation of food surveillance and tests on imported vegetables from the Mainland by CFS at Man Kam To Control Point.

32. There being no other business, the meeting ended at 12:13 pm.