

**Panel on Food Safety and Environmental Hygiene**

**List of follow-up actions**  
(position as at 6 June 2014)

Subject	Date of meeting	Follow-up action required	Administration's response
1. Enforcement actions under the Places of Public Entertainment Ordinance (Cap. 172)	21 June 2010 (special meeting)	<p>The Administration was requested to provide -</p> <p>(a) the details of the legal advice sought from the Department of Justice regarding the applicability of the Places of Public Entertainment Ordinance (Cap. 172), including what the legal advice was, in what way and when the legal advice was provided, as well as the capacity of the public officer who provided the legal advice;</p> <p>(b) a chronology of events relating to the operations, including the course of actions taken on the date when the Food and Environmental Hygiene Department ("FEHD") learnt about the organizers' intention to display some exhibits at Times Square;</p> <p>(c) a copy of the undertaking that the Police</p>	Response from the Home Affairs Bureau awaited.

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		<p>requested the organizers to sign for the returning of the exhibits; and</p> <p>(d) information on applications for Places of Public Entertainment Licence for the display of art items.</p>	
2. Regulation of pet trading	16 April 2013	<p>The Administration was requested to provide written response on -</p> <p>(a) whether the maximum number of Animal Breeder Licence Category A and Animal Breeder Licence Category B would be specified in the legislative proposal; and</p> <p>(b) whether the Administration would require hobby breeders to complete relevant training programmes before approving their applications for licences.</p>	Response from the Administration awaited.
3. Inspection on liquor-licensed premises	13 June 2013	The Administration was requested to provide information on the number of prosecutions that the number of persons on the liquor-licensed premises had exceeded the capacity limit.	The English version of the Administration's response was issued to members vide LC Paper No. CB(2)1475/13-14(01) on 8 May 2014.

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4. Regulation of private columbaria	19 November 2013 (special meeting)	<p>The Administration was requested to provide -</p> <ul style="list-style-type: none"><li>(a) information about when the business impact assessment ("BIA") study on the regulation of private columbaria was commissioned and would be completed;</li><li>(b) the BIA study report to the Panel once available; and</li><li>(c) written response to the questions raised by deputations at the special meeting on -<ul style="list-style-type: none"><li>(i) whether the Administration would require all columbaria to comply with the users restrictions in land leases and the statutory town planning requirements before the new ordinance came into operation;</li><li>(ii) whether the Administration would consider the suggestion of shortening the proposed 18-month transitional period;</li></ul></li></ul>	Response from the Administration awaited.

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		<p>(iii) whether and when the Administration would make public the BIA study report; and if so, whether it would contain information on the number of operators of private columbaria (including those not identified on the List published by the Development Bureau) and the number of niches they provided (with a breakdown of the numbers of niches sold and unsold);</p> <p>(iv) what were the criteria adopted by the consultant to divide the operators of private columbaria into three categories, namely large, medium and small- sized operators in the BIA study;</p> <p>(v) whether the Lands Department would take law enforcement action against the unauthorized occupation of Government land for columbarium use by the Gig Lok Monastery; and</p>	

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		(vi) whether the Town Planning Board would consider adopting measures to tackle the delaying tactics of applicants.	
5. Proposed measures for compliance with fire safety requirements by food premises	10 December 2013	The Administration undertook to provide the Panel with the guidelines for implementing the proposed measures for operators of food premises before implementation.	Response from the Administration awaited.
6. Regulatory control on sale of chilled meat in fresh provision shops	11 February 2014	<p>The Administration was requested to provide -</p> <p>(a) the numbers of regular and surprise inspections to fresh provision shops ("FPSs") by FEHD in 2012-2013 and 2013-2014, and the number of staff responsible for conducting the inspections;</p> <p>(b) the profile of pathogens (including bacteria) tested for food safety of chilled meat at FPSs; and</p> <p>(c) the number of verbal warnings and warning letters issued to FPSs by FEHD for improper storage or display for sale of chilled meat or poultry in the past</p>	Response from the Administration awaited.

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		three years.	
7. Prevention and control of avian influenza	11 March 2014	The Administration was requested to provide a written response to members' enquiries about whether the import of day-old chicks from the Mainland had been suspended during the 21-day ban of the live poultry trading between the period from 28 January to 18 February 2014, and the impact, if any, on the supply of chicken from local farms when the trading of live poultry resumed after the 21-day ban.	The Chinese and English versions of the Administration's response were issued to members vide LC Paper No. CB(2)1506/13-14(01) on 13 and 15 May 2014 respectively.
8. Implementation of the convention on the conservation of Antarctic marine living resources in Hong Kong	11 March 2014	<p>The Administration was requested to provide the following information -</p> <ul style="list-style-type: none"> <li>(a) the number of traders and importers of toothfish in Hong Kong;</li> <li>(b) the number of traders and importers which imported toothfish from countries and places where the Convention on the Conservation of Antarctic Marine Living Resources ("CCAMLR") had not been implemented; and</li> <li>(c) the legal basis for Hong Kong Special</li> </ul>	The Administration's response was issued to members vide LC Paper No. CB(2)1611/13-14 on 26 May 2014.

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		<p>Administrative Region ("HKSAR") Government to extend application of CCAMLR in HKSAR.</p>	
<p>9. Food surveillance programme</p>	<p>11 March 2014</p>	<p>The Administration was requested to provide information on the maximum permitted concentrations for heavy metals and other harmful substances in food according to the respective standards adopted by the Codex Alimentarius Commission, the Europe Union, the Mainland, the US and Hong Kong.</p>	<p>Response from the Administration awaited.</p>
<p>10. Implementation of the Food Safety Ordinance (Cap. 612) ("FSO")</p>	<p>11 March 2014</p>	<p>The Administration was requested to provide the following information -</p> <ul style="list-style-type: none"> <li>(a) after FSO came into operation, the number of inspections on food importers, distributors and retailers whose business involved selling perishable food items (e.g. fresh fish, oysters and sashimi etc.) and whether there had been any seizure of such food items; if yes, the details;</li> <li>(b) the number of prosecution cases taken out by the Custom and Excise Department against persons bringing or importing food items without lodging the</li> </ul>	<p>The Chinese version of the Administration's response was issued to members vide LC Paper No. CB(2)1690/13-14 on 4 June 2014.</p>

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		<p>required import declaration in the past three years, with details on the food seized; and</p> <p>(c) in view of the increasing popularity of online purchase of food, the work (including inspections and follow-up actions) taken by the Centre for Food Safety in respect of the monitoring of food safety of food sold online by food importers, distributors and retailers in the past three years.</p>	
<p>11. Pesticide Residues in Food Regulation (Cap. 132CM) ("the Regulation")</p>	<p>8 April 2014</p>	<p>The Administration was requested to -</p> <p>(a) for the three pesticides (i.e. Triphenyltin hydroxide, Fosetyl aluminium and Thidiazuron) proposed to be removed from the Schedule 1 to the Regulation, provide detailed information, in a table form, on (i) the residue definitions and the residue limits in Hong Kong, the Mainland and overseas jurisdictions (including the European Union, Australia and Japan, etc); and (ii) the limits adopted by the Centre for Food Safety ("CFS") for its risk assessment;</p>	<p>Response from the Administration awaited.</p>



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		<p>(b) provide information on the types of food products imported into Hong Kong which may contain residues of the three pesticides proposed to be removed from the Schedule 1 to the Regulation;</p> <p>(c) provide information on the types of food imported by Hong Kong that might be affected if the three pesticides stated in item (a) above were not removed from the Schedule 1 to the Regulation;</p> <p>(d) advise whether there was an international consensus on the standards (in terms of the both residue limits and residue definitions) on the regulation of the pesticides listed in the Schedule 1 to the Regulation; if not, please provide the details for that and the reasons for including those pesticides in the Schedule 1; and</p> <p>(e) advise whether CFS would conduct risk assessment to determine whether the consumption of food concerned was</p>	

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		dangerous or prejudicial to health if residues of pesticides on which there was no international consensus on the residue definitions were detected in food.	
12. Liquor licensing regime	8 April 2014	The Administration was requested to provide a response in writing to the findings of the research study conducted by the Legislative Council Secretariat on "Liquor licensing system in selected places", in particular, issues relating to the composition and the functions of the Liquor Licensing Board, risk assessment of licence applications and the complaint handling mechanism.	Response from the Administration awaited.
13. Amendments to the Veterinary Surgeons Registration Ordinance (Cap. 529)	8 April 2014	The Administration was requested to provide -  (a) a detailed breakdown on the number of complaints involving veterinary surgeons received by the Veterinary Surgeons Board of Hong Kong ("the Board") between 1998 and 2013, the follow up actions taken by the Board on these complaint cases, the number of such complaint cases substantiated and the penalties imposed on the veterinary surgeons involved; and	Response from the Administration awaited.

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		<p>(b) general market information on consultation fees and charges of veterinary services.</p>	
<p>14. Implementation of the Nutrition Labelling Scheme</p>	<p>13 May 2014</p>	<p>The Administration was requested to provide, before the Panel meeting scheduled for 10 June 2014, information on or response to the following -</p> <p>(a) a breakdown (by type of action) of the law enforcement actions taken by the Administration against the 399 non-compliant cases found between 1 July 2010 and 4 April 2014;</p> <p>(b) in respect of the 198 non-compliant cases which were found by chemical analysis to have discrepancy between the nutrient contents and the claims made on the nutrition labels, whether and how many of them had been laboratory tested before traders affixed nutrition labels on the prepackaged food; and</p> <p>(c) as there was presently no specific legibility requirement in the Food and</p>	<p>Response from the Administration awaited</p>

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		<p>Drugs (Composition and Labelling) (Amendment: Requirements for Nutrition Labelling and Nutrition Claim) Regulation 2008 ("the Amendment Regulation"), whether and when the Administration would review the Amendment Regulation in this respect; and whether the Administration would introduce relevant legislative amendments to regulate the legibility of nutrition labels.</p>	
<p>15. Regulatory control on outside seating accommodation ("OSA") of and unauthorized extension of business areas by restaurants</p>	<p>13 May 2014</p>	<p>The Administration was requested to provide -</p> <p>(a) a breakdown (by type of business) of the 313 applications for OSA that were approved between 2002 and 2013 by FEHD to operate outside seating accommodation;</p> <p>(b) information on FEHD's special task force that was set up to pursue enhanced enforcement action since May 2013, including the districts currently covered by the task force and the timetable for setting up task force teams in other</p>	<p>Response from the Administration awaited</p>

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		districts; and  (c) information on follow-up actions undertaken by the Lands Department in response to recommendations made by The Ombudsman's Direct Investigation Report on Regulatory Measures and Enforcement Actions against Illegal Extension of Business Area by Restaurants.	