

For discussion  
on 21 January 2015

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

**Policy Address 2015**  
**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**

***The New Agricultural Policy***

2. The local agricultural industry has been diminishing in the course of time as Hong Kong moves towards a predominantly urbanised and service-oriented economy. In recognition of the benefits of sustainable agriculture to society and the growing aspiration of citizens favouring the balanced development of Hong Kong, the Government sees a strong case to adopt a more proactive policy towards the modernisation and sustainable development of local agriculture, with a view to facilitating local production of good quality fresh agricultural produce and the development of related industries to maximise its contributions to the well-being of society.

3. On 29 December 2014, the Administration published a consultation document entitled “The New Agricultural Policy: Sustainable Agricultural Development in Hong Kong”, inviting public views on the new policy.

4. On 13 January 2015, we briefed this Panel on the issues highlighted in the consultation document, in particular the proposed supportive measures. These include (i) exploring the feasibility of establishing an Agricultural-Park; (ii) establishing a Sustainable Agricultural Development Fund; (iii) strengthening the support that is being provided to help farmers

move up the value chain, including the marketing of their products and brand building; and (iv) promoting other auxiliary activities related to agriculture such as leisure farming and educational activities for students and citizens.

5. The public consultation exercise will end on 31 March 2015. Taking into account the feedback received during the consultation, the Government will then develop the proposals and devise the implementation plan subject to resource availability and approval by the relevant authorities.

### ***Improving the Operating Environment of Public Markets***

6. At present, the Food and Environmental Hygiene Department (FEHD) is managing 76 public markets that sell wet and dry goods. For the purpose of developing proposals to improve the operating environment of public markets thereby enabling them to fulfil the functions expected of them, the Government has commissioned a consultancy study. In December 2014, the consultant has tendered views on the functions and positioning of public markets, ways to improve the operating environment as well as the management mode. We are studying the consultant's recommendations in detail.

7. We plan to put forward improvement proposals for a number of markets this year. We will listen to the views of stall tenants and other stakeholders during the process. The improvement proposals pursued would provide reference for future improvements to other public markets.

### ***Regulation of Nutrition and Health Claims on Formula Products and Prepackaged Foods for Infants and Young Children under the Age of 36 Months***

8. The Government is committed to protecting the health of infants and young children. Infants and young children must obtain optimal nutrition from their diet to grow and stay healthy. It is widely recognised that breastfeeding is superior in ensuring, first, physical and psychosocial health and wellbeing of mother and child as well as, secondly, early nutrition to infants and young children which has important impact on their long-term health. There are voices in the community that the Government should, by way of legislation, enhance the regulation of nutrition and health claims on infant formula and follow-up formula (collectively referred to as "formula products") as well as prepackaged foods for infants and young children (IYC foods) under the age of 36 months, with a view to preventing these claims

from exerting undue influence on the decisions of mothers on whether to breastfeed. From the perspective of food safety, we also do not want parents and caregivers to choose these food products for their children based on dubious nutrition or health claims, which may in turn adversely affect the health of infants and young children. Formula products and IYC foods should be a priority area for regulation due to the unique nutrition needs and health concern of infants and young children.

9. To this end, the Government launched a public consultation on 6 January, proposing a regulatory framework to enhance the regulation of nutrition and health claims on formula products and IYC foods through legislation, with a view to protecting the health of infants and young children under the age of 36 months. The consultation period will last for more than three months until 17 April. After completing the collation of views collected during the consultation period, we aim to put forward the details of the relevant legislative proposals as soon as possible.

### ***Expansion of Food Safety Laboratory of Government Laboratory***

10. The Government Laboratory (GL) is currently in shortage of laboratory area. As such, there is a need for GL to expand its Food Safety Laboratory (FSL) in Pokfulam for permanent use, so that more space will be available for development of new testing methods and provision of additional analytical services arising from strengthening the regulation of food to protect food safety.

11. The expanded FSL will be equipped with advanced facilities to enhance operational efficiency and strengthen capability in handling food incidents. The Government will also fully utilise the new facilities to promote the development of the testing industry and to reinforce GL's international position.

12. The Government aims at conducting district consultation on the proposal in early 2015. We plan to consult the relevant LegCo Panels on the proposal in the second quarter of 2015 and then seek funding approval from the Finance Committee.

## ***Devising and Implementing a Strategic Plan to Reduce Intake of Salt and Sugars in Food so as to Promote a Healthy Diet***

13. Salt and sugars are closely related to health. Excessive dietary salt intake will increase the risk of developing hypertension, stroke and heart disease. According to a survey conducted by the Census and Statistics Department in 2011-12, 34% of the local population aged 55 or above suffered from hypertension. Excessive dietary sugar intake will also lead to obesity and dental caries. According to a survey conducted by the Department of Health in 2012, about 37% of the local population aged between 18 and 64 were classified as overweight or obese. Obesity increases the risk of a number of chronic diseases.

14. The Government's target is to gradually reduce the intake of salt<sup>1</sup> and sugars<sup>2</sup> by Hong Kong citizens to the levels recommended by the World Health Organization (WHO). The Government established the International Advisory Panel on Reduction of Dietary Sodium and Sugars in 2014, which comprises five experts from the Mainland and overseas. They share successful experience in the world on promoting the reduction of salt and sugars in food. The Government will shortly establish a Committee on Reduction of Salt and Sugars in Food, which comprises members from different sectors including representatives from health professional organisations, food trade, relevant academia, mass media and those representing consumer interests. The Centre for Food Safety (CFS) also plans to hold an international symposium in May 2015. International experts and different stakeholders will be invited to attend the symposium to exchange views on how to reduce salt and sugars in food. The Government will make reference to the views of the aforesaid Panel and Committee in devising a strategy to reduce salt and sugars in food.

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<sup>1</sup> In terms of salt, WHO has recommended its members to meet a target of 30% relative reduction in mean population intake of salt (i.e. from 10 grams to 7 grams in the case of Hong Kong) by 2025, with an ultimate aim of achieving a target of maximum daily intake of 5 grams.

<sup>2</sup> In terms of sugars, WHO has recommended that the daily intake of free sugars should be less than 50 grams (i.e. 10 sugar cubes) for an individual with a daily energy intake of 2 000 kilocalories. According to WHO and the Food and Agriculture Organization of the United Nations, free sugars are defined as "all sugars added to foods by manufacturers, cooks, or consumers, plus sugars naturally present in honey, syrups, and fruit juices.

## ***Regulation of the Safety of Edible Oil and the Recycling of Waste Cooking Oil***

15. As a result of the Taiwan substandard lard incident last September, the public expressed deep concern about the safety of edible oil. To address the public concern, FHB and the Environment Bureau (ENB) have decided to step up regulation of the safety of edible oil and the recycling of waste cooking oil in Hong Kong.

16. On the regulation of the safety of edible oil imported into Hong Kong, we propose making it a statutory requirement that “waste cooking oil” or “substandard oil” not intended for human consumption must not be used as ingredient for the production of edible oil imported into Hong Kong. All edible oil must also comply with the proposed legal standard. To ensure that imported edible oil meets the relevant requirements, we will require importers of edible oil to provide an official certificate issued by the place of origin or a certificate issued by an independent testing institution recognised by the government of the place of origin, certifying that the edible oil imported into Hong Kong fulfils the relevant requirements. Copies of the certificate must also be provided by edible oil importers to their distributors, retailers or food premises supplied with the oil for FEHD’s inspection. CFS has started discussion with major countries supplying edible oil to Hong Kong on the aforesaid proposals.

17. Regarding regulation of edible oil exported from Hong Kong, the Government is also concerned about the export of suspected contaminated lard from Hong Kong to Taiwan in the Taiwan substandard lard incident. To safeguard the reputation of Hong Kong, the Government will also require edible oil manufactured in Hong Kong for export or local sale must be accompanied by an official certificate or a certificate issued by an independent testing institution recognised by the Government, to prove that the exported edible oil, like imported edible oil, meets the relevant requirements

18. As regards strengthening the regulation and monitoring of the recycling of local waste cooking oil, the Environmental Protection Department (EPD) and FEHD will work together to require, through the licensing conditions for restaurants and food factory licence of FEHD, that all waste cooking oil must be handed over to collectors or recyclers recognised by EPD under the “Hong Kong Cooking Oil Registration Scheme” (the Scheme) of the Hong Kong Quality Assurance Agency. All records should also be properly kept to prevent at source the waste cooking oil from possibly re-entering the food chain. The Scheme was launched in December 2014. ENB will in parallel consider legislative amendments to strengthen the regulatory efforts.

19. The Government will aim to launch a public consultation on the legislative proposals in the first half of 2015. In view of the public concern over the safety of edible oil, CFS will step up the testing of edible oil imported from other places in 2015. It is expected that the number of samples to be collected for testing in 2015 will increase by at least 20% over that of 2014.

### ***Regulation of Cooked Meat***

20. Currently, similar to all other food, cooked meat is regulated by section 54 of the Public Health and Municipal Services Ordinance (Cap. 132), which provides that all food intended for human consumption for sale in Hong Kong, whether imported or locally produced, must be fit for human consumption. CFS takes food samples at the import, wholesale and retail levels for testing to ensure that all meat products in the market are safe to eat.

21. In response to the Husi incident<sup>3</sup> in July 2014, the public and LegCo Members were concerned whether cooked meat should be subject to more stringent control. The Government is currently reviewing the relevant legislation, and plans to consult the public in mid-2015 regarding the regulation of cooked meat. CFS would also step up the inspection of cooked meat this year.

### ***Setting up a control scheme for the trading of toothfish in Hong Kong***

22. The trade volume and commercial activities in relation to toothfish in Hong Kong have been increasing over the years. To demonstrate our determination to contribute to the international concerted efforts in the protection and sustainable use of marine resources, we propose to introduce a control scheme for the trading of toothfish by way of a new piece of legislation to meet the requirement of the Convention on the Conservation of Antarctic Marine Living Resources. The draft legislation is expected to be introduced

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<sup>3</sup> In July 2014, local media revealed that expired and greened meat products were supplied to a number of food chains in the Mainland by Shanghai Husi Food Company Limited (上海福喜食品有限公司) (Husi). CFS subsequently confirmed that McDonald's Restaurants (Hong Kong) Limited had imported meat products manufactured by Husi's food factory in Shanghai. In view of the development of the incident and the fact that the investigations by the Mainland authorities were still underway, the Government decided on 24 July 2014, for prudence's sake, to suspend with immediate effect the import into Hong Kong of all food products from all Husi plants in the Mainland. The incident aroused public concern about the lack of effective regulation of cooked meat.

into LegCo within 2015.

## **On-going Initiatives**

### ***Columbarium Policy***

23. To cater for the growing demand for columbaria from the public, the Government has adopted a three-pronged approach namely, increasing the supply of public niches, promoting green burials and regulating private columbaria.

24. 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 technical feasibility studies. We have been consulting the respective District Councils since the second quarter of 2012. In 2014, we consulted the North District Council and the Eastern District Council on the sites at Sandy Ridge and Chai Wan respectively. Together, these two sites can provide a total of about 225 000 new niches.

25. To encourage the public to better utilise existing resources to meet public demand, FEHD has also, with effect from January 2014, relaxed the arrangement of placing additional sets of ashes into public niches, including (i) relaxing the definition of "close relative"; and (ii) allowing the public to place more than two sets of ashes in a standard niche and more than four sets in a large niche.

26. In the interest of sustainability, the Government is taking active steps to promote "green burial" by encouraging the public to use a more environmental-friendly and sustainable way for handling ashes, including scattering ashes in Gardens of Remembrance (GoRs) or at sea. We are carrying out landscaping works in GoRs and plan to provide additional GoRs in existing public cemeteries to offer more choices to the public. In addition, FEHD has been providing free ferry service since January 2010 to facilitate applicants in scattering ashes at sea. We will also continue to promote the Internet Memorial Service, facilitating the public in paying tribute to the deceased at any time and from anywhere.

27. To address some long-standing issues related to the operation of unauthorised private columbaria, the Government introduced the Private Columbaria Bill into LegCo on 25 June 2014. Through the Bill, we propose

the introduction of a licensing scheme for the purpose of ensuring that private columbaria are operating in compliance with statutory and Government requirements, enhancing protection of consumer interests and promoting the sustainable development of the industry. The Bill is currently under the scrutiny of LegCo. We will continue to work closely with the Bills Committee for early implementation of the licensing scheme.

### ***Sustainable Fisheries Development***

28. In accordance with the policy blueprint proposed by the Committee on Sustainable Fisheries, trawling activities have been banned in Hong Kong waters since 31 December 2012, with a view to protecting fisheries resources and bringing the development of the local fishing industry back to a sustainable path. The Interdepartmental Working Group (IWG) set up by the Government for the trawl ban has disbursed ex-gratia allowance to affected trawler owners. The Fishermen Claims Appeal Board (Trawl Ban) was established to process appeal cases. In 2015, the IWG will continue to implement other measures in the assistance package, including continuing with the voluntary buy-out scheme for inshore trawlers and providing assistance to fish collector owners affected by the trawl ban with a view to helping affected fishermen move towards sustainable or high value-added operations.

29. Currently, fishermen may apply to the Fisheries Development Loan Fund (FDLF) for low interest loans for switching to sustainable fisheries operations using selective fishing methods and other fisheries related operations. In view of the significant increase in the number of loan applications, we are seeking LegCo Finance Committee's endorsement to approve an increase in the approved commitment for the FDLF from \$290 million to \$1,100 million for meeting the increased demand for credit facilities from the fisheries trade, in particular fishermen who have been affected by the trawl ban.

30. Separately, we have completed the registration of local fishing vessels to control the fishing effort and to prohibit non-local fishing vessels from engaging in fishing activities in Hong Kong waters. We have issued new licences in Fish Culture Zones and are in the process of inviting a second round of applications. Looking ahead, we are laying the groundwork for designating fisheries protection areas to protect important fish nursery and spawning grounds in Hong Kong waters.

31. Established in 2014, the \$500 million Sustainable Fisheries Development Fund is intended to help fishermen adopt a sustainable and high



value-added operation mode, and provide financial support to programmes and research so as to enhance the overall competitiveness of the industry. The scope of the Fund covers the provision of technical assistance and training in fishing operations, financial support for fishermen to switch to other fisheries or sea related areas, and assistance for local aquaculturists to modernise their operations. Since the Fund started to invite applications in July 2014, we have received 15 applications. They include but are not limited to projects for development of new aquaculture technologies, a project on studying the feasibility of purifying oysters in local farms, a strategic study on local aquaculture industry, researches on upgrading the accreditation of produce by local aquaculturists, and programmes for enhancing the participation of fishermen in ecotourism. We are now processing the applications and hope to disburse the first batch of funding in the first quarter of 2015.

### ***Assistance to Hawkers***

32. 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 launched in June 2013 a five-year assistance scheme covering about 4 300 on-street hawkers in the 43 fixed-pitch hawker areas in the territory. A sum of \$200 million has been earmarked for this. Under the scheme, a one-off grant/ex-gratia payment would 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.

33. As at December 2014, all 498 hawkers who need to have their stalls relocated due to fire safety concerns have either reached consensus with FEHD on the relocation arrangements or applied for voluntary surrender of their licences. We will continue to actively take forward the assistance scheme in 2015.

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

34. 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; and enhanced import control, etc.

35. Since the occurrence of H7N9 AI cases in the Mainland in the second quarter of 2013, we have been on high alert. The Administration has carried out measures to safeguard the spread of the virus. From April 2013, we have started conducting tests for H7 AI virus on imported live poultry at the boundary control point and local live chickens at the farm level. With the consensus of the Mainland authorities, we have since January 2014 further implemented H7 AI serological testing to strengthen background monitoring and our capability to provide early warning for AI.

36. AFCD, FEHD and CFS have also enhanced preventive and control measures against H7N9 at all levels of the live poultry supply chain, such as stepping up environmental surveillance at local poultry farms, the poultry wholesale market and live poultry retail outlets, strengthening inspection of live poultry from the Mainland at the Man Kam To Animal Inspection Station, and constructing new facilities at the poultry wholesale market for holding leftover local chickens, imported chickens and minor poultry.

37. Hong Kong has hitherto detected on two occasions H7 AI virus in imported live poultry, one on 27 January 2014 and the other on 30 December 2014. The detection of positive H7 AI samples in imported live poultry in these two cases demonstrates that the existing testing system has achieved what it is designed to do, namely reducing the risk of infected birds entering our retail markets and performing its gate-keeping role for protecting public health.

38. On the other hand, over 99% of poultry eggs in Hong Kong are imported. The World Organization for Animal Health has recommended that, for the control of avian influenza, the import of poultry eggs for human consumption should be accompanied by an international veterinary certificate to prove their compliance with public health requirements. In addition, poultry eggs may be contaminated with other pathogens or harmful agents such as Salmonella, and chemicals (such as Sudan and Dioxin). We therefore need to extend the import control regime under the Imported Game, Meat and Poultry Regulations (Cap. 132AK) to cover poultry eggs. We have secured the support of this Panel for our proposals and intend to table at LegCo the relevant legislative amendments in the first half of 2015.

### ***Consultancy Study on the Future of the Live Poultry Trade***

39. Contact with infected live poultry is the main source of risk insofar as human infection by AI is concerned. Over the past decade or so, the Government and the local live poultry industry, as well as the Mainland inspection and quarantine authorities and the farms supplying Hong Kong, have collaboratively built up a resilient and stringent system for the surveillance and control of AI, for the purpose of reducing the AI risks in Hong Kong.

40. However, no surveillance system can attain zero risk. As long as we continue the current practice of supplying live poultry, the public health threat persists. It is for consideration whether Hong Kong, being a place with scarce land resources and so densely populated, should continue with a practice that enables close contact between humans and live poultry. The Government is commissioning a consultant to study the future of the live poultry trade including whether sale of live poultry should continue in Hong Kong. We hope to consult the public on the recommendations of the consultant within 2015.

### ***Comprehensive Review of the Fees and Charges of Municipal Facilities and Services Provided by FEHD***

41. Subsequent to the alignment of the levels of fees and charges in the urban and the New Territories regions for municipal facilities and services provided by FEHD in 2013, we have started a comprehensive review of the charging policy and the fees related to the use of these facilities and services. Given the large number of fees and charges involved, and the need to do an overall costing exercise, FEHD would review the fee items by phases. Shortly, we will start to consult the Panel on the fee proposals by categories.

### ***Amendment of the Veterinary Surgeons Registration Ordinance (Cap. 529)***

42. To strengthen and expand the membership of the Veterinary Surgeons Board of Hong Kong and streamline its procedures for handling complaints, we introduced the Veterinary Surgeons Registration (Amendment) Bill 2014 into LegCo in July 2014. We are following up the legislative amendment exercise.

### ***Enhancing Animal Welfare***

43. In April 2013, the Administration briefed this Panel on a number of proposals to better regulate pet trading in the interest of enhancing animal health and welfare. They include introducing a new system of licence/permit to tighten the regulation of dog breeders and traders, increasing penalties under the Public Health (Animals and Birds) (Animal Traders) Regulations) (Cap. 139B) and providing the Director of Agriculture, Fisheries and Conservation with the power to revoke animal trader licences under specific circumstances. At that meeting, Members and the deputations in attendance expressed mixed views on the proposed licence/permit system.

44. AFCD had since revisited the proposed measures and the legislative proposals in light of the views expressed by Panel Members and maintained dialogue with animal welfare groups, animal breeders/traders and other concerned parties. In July 2014, we presented our considered views on and response to the issues raised by Members. The Panel did not object to the relevant proposed measures and legislative proposals. We are now drafting the legislative amendments to Cap. 139B and aim to table the amendment regulation before LegCo in the 2014-15 legislative session.

45. Separately, to enable two animal welfare organisations (AWOs) to implement the “Trap-Neuter-Return” (TNR) trial programme, the Government published the Dangerous Dogs Regulation (Exemption) (Amendment) Notice 2014 and the Rabies (TNR Programme) (Exemption) Notice in the Gazette on 14 November 2014. The two Notices specify that certain requirements under the Dangerous Dogs Regulation (Cap. 167D) and the Rabies Ordinance (Cap. 421) do not apply in relation to the release and keeping of dogs under the TNR trial programme. In exercising the power to grant the exemptions, the Director of Agriculture, Fisheries and Conservation was satisfied that public or animal health would not be endangered by such exemptions. The two Notices were laid on the table of the LegCo on 20 November 2014 and commence operation on 16 January 2015. The two AWOs will shortly launch the TNR trial programme (in Yuen Long and Cheung Chau respectively). We will evaluate the effectiveness of the trail programme in due course.

### ***Maintaining Stable Food Supply***

46. The policy objective of the Government is to maintain stable supply of various foodstuffs and to ensure food safety. Food prices have always been determined by the free market. The Government is responsible

for enhancing market transparency and market efficiency. We will also continue to liaise with economies importing food into Hong Kong to ensure a stable supply of food that meets the demand of Hong Kong people.

### ***Liquor Licensing***

47. In April 2014, we briefed this Panel on certain proposed amendments to the Dutiable Commodities (Liquor) Regulations (Cap. 109B) to improve the liquor licensing regulatory regime. The measures include extending the maximum duration of liquor licences from one year to two years. The relevant amendment regulation will be introduced into LegCo for vetting shortly.

### ***Safe Use of Pesticides***

48. To protect human health and the environment, the Pesticides (Amendment) Ordinance 2013 came into operation in January 2014 to fully comply with the requirements of 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. We are continuing our efforts to promote and ensure the safe and proper use of pesticides.

### ***Safe Use of Veterinary Drugs***

49. There has been public concern about the increased use of veterinary drugs in food animals and their residues in food. To protect the public against veterinary drug residues in food, we will consider drawing up a regulatory proposal by making reference to the implementation of the Pesticide Residues in Food Regulation (Cap. 132CM).

### **Advice Sought**

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

**Food and Health Bureau  
January 2015**