

For information

Legislative Council Panel on Food Safety and Environmental Hygiene

Promotion of the safe and proper use of pesticides

Purpose

This paper briefs Members on the Administration's efforts in promoting the safe and proper use of pesticides.

Background

2. The Administration attaches importance to the safe and proper use of pesticides. To protect human health and the environment, we amended the Pesticides Ordinance (Cap. 133) (the Ordinance) in 2013 to fully meet the requirements of two international treaties, namely the Stockholm Convention on Persistent Organic Pollutants¹ (the Stockholm Convention) and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade² (the Rotterdam Convention). The Pesticides (Amendment) Ordinance 2013 commenced operation on 27 January 2014.

3. In accordance with section 19A(1)(a) of the Ordinance, the Secretary for Food and Health made the Pesticides Ordinance (Amendment of Schedule 1) Notice 2014 (the Notice) to amend Schedule 1 by adding six pesticides that had subsequently become subject to the regulation of the Stockholm Convention in order to meet the requirements of the Stockholm Convention. The Notice commenced operation on 1 June 2014.

¹ The Stockholm Convention aims to protect human health and the environment from the potentially harmful persistent organic pollutants. In implementing the Convention, governments will take measures to restrict the production/use and/or reduction/ultimate elimination of the persistent organic pollutants identified by the United Nations Environment Programme.

² The Rotterdam Convention aims to promote shared responsibility and cooperative efforts among the contracting parties in the international trade of certain hazardous chemicals and pesticides in order to protect human health and the environment from potential harm. The Convention has introduced a mandatory Prior Informed Consent Procedure to monitor and control the import and export of certain hazardous chemicals and disseminate national import decisions to the contracting parties.

4. In the light of the views expressed by the Bills Committee for the Pesticides (Amendment) Bill 2013 and the Sub-committee of the Legislative Council (LegCo) set up to scrutinise the Notice, as well as other concerns expressed by members of the public, the Administration has undertaken to roll out and follow through a series of actions for the purpose of further promoting the safe and proper use of pesticides. These actions include adopting appropriate safety measures, enhancing public education, promotion and publicity, etc. The progress we made in taking forward the follow-up actions is set out in the ensuing paragraphs.

Safety measures

5. On strengthening safety measures, we have undertaken to discuss with the relevant Government departments and other stakeholders in the industry on ways to promote the safe and proper use of pesticides, with particular attention given to safety measures which are related to the application of pesticides, including the use of warning signs, such as the design, size, content of such signage and location to place them.

6. In this connection, the Agriculture, Fisheries and Conservation Department (AFCD), the Food and Environmental Hygiene Department (FEHD) as well as the Leisure and Cultural Services Department (LCSD) have set up an inter-departmental working group to discuss matters relating to the Code of Practice (CoP) for Government departments on the use of pesticides and the requirements on warning signage. The working group has conducted a review of various safety measures related to the application of pesticides, including the use of warning signs (such as the design, size, content of such signage and the location to place them). The working group has also developed some sample warning signs catering for different uses. In the process, the working group has made reference to the prevailing guidelines prescribed by individual departments on the applications of pesticides.

7. In September 2014, the inter-departmental working group issued the “Code of Practice for the Safe and Proper Use of Pesticides in Public Areas”, which has been made available on AFCD’s website³ for public reference. This CoP aims to provide practical guidance to workers whose duties include the application of pesticides in public areas. It is applicable to workers in Government departments, as well as the contractors engaged by the departments

³ www.afcd.gov.hk/english/quarantine/qua_pesticide/qua_pes_safe/qua_pes_safe.html

and other sub-contractors. The CoP has included detailed information on the regulatory control of pesticides in order to provide pesticide users guidance on the registration system, labelling requirement and licensing control of pesticides in Hong Kong. AFCD has also informed all other Government bureaux and departments of the newly developed CoP and reminded them of the need to ensure the safe and proper use of pesticides, as well as the statutory requirements for pesticide control. Major pesticide users in the Government, including LCSD and FEHD, have adopted and introduced a standardised format of warning sign for the use of pesticides in public areas.

8. Besides, AFCD has been promoting the above-mentioned CoP to the pest control industry, including the relevant trade associations. AFCD will also partner with the pest control industry to review the various CoPs developed for the pest control industry, with a view to incorporating the enhanced safety measures, including requirements on warning signage, contained in the CoP referred to in paragraph 7 above. The relevant materials will be incorporated in the training syllabus of the relevant training bodies.

9. To step up efforts in checking the labels of pesticides, AFCD has recruited additional staff in 2014-15 for the related work to ensure that adequate safety information has been included on the labels. Such work includes checking the instructions and precautionary information on the labels and, when necessary, requesting the trade to ensure that the labels are highlighted and complemented by suitable pictograms. AFCD has also initiated a survey to take stock of the labels of pesticide products in the local market with a view to codifying the types of product available locally; verifying the safety instructions and precautionary information on the labels; and identifying areas for improvement.

Promotion and publicity

10. The Administration has separately undertaken to step up efforts in enhancing public education, promotion and publicity, in particular on the safe use of household pesticides and the application of pesticides in schools.

11. To enhance public education, AFCD set up a dedicated booth at “Farmfest 2014” to promote the safe and proper use of pesticides and distribute to members of the public various promotional leaflets and souvenirs on the safe and proper use of pesticides. AFCD will also set up booths at the “Flower, Bird, Insect and Fish Show” to be held in December 2014 and the “Farmfest 2015” to

be held in January 2015, and distribute souvenirs and leaflets to further promote the safe and proper use of pesticides to the public. In addition, AFCD has arranged four roving exhibitions during the period from May to July 2014 in the public areas of various Government Offices in different districts, for the purpose of strengthening public education on the safe use of household pesticides.

12. As part of its outreaching efforts, AFCD distributed a leaflet entitled “Proper and Safe Use of Pesticides – Household Mosquito Control” in public housing estates in the New Territories as well as another leaflet entitled “Pesticides Used for Outdoor Mosquito Control” to pest control service contractors of FEHD and the Housing Department in August 2013. AFCD has also published an education and promotional leaflet entitled “Be Smart about Using Pesticides, Read Product Labels, Follow Precautionary Rules”. Plans for the publication of a new leaflet focusing on the purchase and proper storage of household pesticides for distribution in promotional activities including talks are in the pipeline.

13. As a standing practice, AFCD has been providing leaflets and promotional materials to pesticide licensees for free distribution to their customers. This will continue. In parallel, AFCD is producing another new promotional leaflet entitled “Be Smart about Using Pesticides, 4 Principles You Should Know” on the safe use of household pesticides by domestic households, which will be sent out by batches to 2.6 million households in the territory together with their water bills within 2015.

14. Besides, to ensure that traders and users will not be confused by the common Chinese translations of the names of pesticides, AFCD has provided on its website information regarding the common Chinese names of pesticides as well as relevant official websites for public reference. To facilitate reading and understanding by the general public, education and promotional materials on pesticides of AFCD are presented with terminology which is easy to understand.

15. Regarding the promotional and publicity efforts in schools, between March and April 2014, AFCD organised four talks in collaboration with the Education Bureau (EDB). Representatives from kindergartens, primary and secondary schools, international schools and special schools were invited to participate, with a view to promoting messages related to the safe and proper use of pesticides in schools. The four talks attracted participants, including principals, teachers and/or school staff, from nearly 100 schools. In addition, AFCD has published an education and promotional leaflet entitled “Use Pesticides Safely in Schools, Follow Precautionary Rules” specifically focusing

on the safe and proper use of pesticides in schools. The leaflets were distributed at the aforesaid talks and uploaded onto the websites of EDB and AFCD as reference for schools and members of the public. EDB will continue to assist AFCD in distributing the promotional leaflets on other appropriate occasions.

16. The Sub-committee set up by LegCo to scrutinise the Notice has hitherto invited the Administration to provide the trade's CoPs on the safe and proper use of pesticides to EDB and the Labour and Welfare Bureau for onward distribution to schools and elderly care homes. As per the request of the Sub-committee, in mid-July 2014, AFCD sent out the relevant promotional and educational leaflets as well as the CoPs on the safe and proper use of pesticides to all 735 residential care homes for the elderly in Hong Kong to facilitate adherence to the CoP in the use of pesticides. With the assistance of EDB, AFCD had also distributed the CoPs to all kindergartens, primary and secondary schools, international schools and special schools in Hong Kong. The CoPs are available on EDB's website for easy access by schools as well as the public.

17. As for Government departments, the Food and Health Bureau issued in December 2013 a circular to all departments setting out the content of the Ordinance and the statutory requirements. Two briefings were also conducted by AFCD in December 2013 and February 2014 respectively to inform the relevant Government departments of the latest regulatory requirements and related matters on the safe and proper use of pesticides. AFCD will organise similar briefings on a regular basis to keep Government staff up-to-date on the regulatory requirements and related matters.

Registration and use of pesticides

18. On registration and use of pesticides, AFCD will continue the efforts to review periodically the registration of pesticides to ensure that all registered pesticides are safe to use, as well as assisting the trade in enhancing their standard of using pesticides.

19. AFCD will initiate studies and gather information on the toxicology and potential impact of the pesticides that have been identified for review and will consult the trade and other stakeholders on the possible cancellation of the selected pesticides.

20. In scrutinising the Pesticides (Amendment) Bill 2013, some Members of the Bills Committee of LegCo were particularly concerned about the

registration of two pesticides, namely diazinon and paraquat dichloride. AFCD has undertaken to formulate a plan to phase out these two pesticides. Following trade consultation and identification of alternatives to replace their use locally, the Director of Agriculture, Fisheries and Conservation has already cancelled the registration of diazinon in part I⁴ of the register on 1 January 2014, and the registration of diazinon in part II of the register and paraquat dichloride will be cancelled from the register on 31 December 2014.

21. AFCD will, having regard to the relevant international standards and the experience of other places, continue to make enhanced efforts in reviewing and examining the latest international developments on the application of pesticides. Such efforts include taking into account the pesticides which are banned in other countries, reviewing various pesticides which are potentially recommended for listing under the Stockholm Convention and the Rotterdam Convention, keeping in view the trend of development of pesticides derived from natural products and refining the regulation on such pesticides as appropriate.

22. AFCD will continue to organise seminars for the trade to assist them in upgrading their standard of using pesticides and provide technical assistance to the pest control industry on the safe and proper use of pesticides. Since the passage of the Amendment Ordinance in July 2013, AFCD has conducted a total of 56 workshops and seminars for farmers and members of the pest control industry to publicise and promote the message of safe and proper use of pesticides. Through seminars and farm visits, AFCD has taken the initiative to educate farmers on the available alternatives, non-chemical pest management techniques, including mechanical weeding methods, for the pesticides to be phased out and other pest control techniques. In the coming years, AFCD will continue such efforts in organising workshops and technical seminars to introduce to farmers the alternatives for diazinon and paraquat dichloride as well as weed management.

23. Members of the Bills Committee were concerned about the regulation of pesticide applicators. In 2007, the then Health, Welfare and Food Bureau conducted a public consultation on a package of legislative proposals to

⁴ At present, the import, manufacture, sale and supply of pesticides in Hong Kong are regulated by the Pesticides Ordinance (Cap. 133). AFCD is responsible for enforcing the relevant provisions. All pesticides intended for sale in Hong Kong must be registered with DAFC. In accordance with section 4 of Cap. 133, DAFC shall maintain a register of pesticides in which –
(i) Part I contains a list of all pesticides which are in a form ready for immediate use without going through any treatment or process and which are for general domestic use; and
(ii) Part II contains a list of all other pesticides. In practice, these are usually for professional and horticultural applications.

amend the Pesticides Ordinance, which sought to comply with the requirements of the two international treaties and, at the same time, introduce a pesticide product registration system and a scheme to regulate applicators of pesticides. During the consultation, there were concerns that the combined effects of the proposals might result in small pest control companies being driven out of business due to high operational costs and that a substantial number of existing pesticide applicators would fail to be registered as the training requirement might be too high. Having regard to the possible impact on the trade, we decided to drop the proposals and confine the Bill to mainly comply with the requirements of the two Conventions. Since then, we have taken considerable amount of time and efforts to strengthen the training for pest control workers, develop CoPs for the relevant sectors in collaboration with the trade; and promote public awareness on the safe and proper use of pesticides. We consider these measures effective in enhancing the standard of pest control workers. We will continuously assess the effectiveness of various measures to see if there is a need to strengthen the regulation of pesticide applicators.

Others

24. As for other related matters, we have been taking forward the follow-up actions progressively. Regarding public enquiries and complaints concerning pesticides, AFCD has already had a mechanism in place to handle these cases. Upon receipt of public enquiries and complaints, AFCD will, in accordance with established procedures, pursue these cases expeditiously with the users of the pesticides (including schools, pest control agents, etc.), and when necessary, refer the cases as soon as possible to the responsible unit(s) for handling.

25. To tie in with the commencement of the Amendment Ordinance, AFCD has revised the licence and permit application forms by inserting suitable notes to remind applicants that authorised officers may enter without a warrant the premises or place (whether domestic or not) located at the address stated in their applications. All application forms have been uploaded onto the website of AFCD. As for the concerns raised by individual Members of the Bills Committee about the long-term impact of pesticides on the health of pesticide applicators, we will continue to liaise with the relevant organisations to consider the feasibility of conducting a study in this regard in collaboration with the industry.

Conclusion

26. Members are invited to note the content of this paper.

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Agriculture, Fisheries and Conservation Department
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