

立法會
Legislative Council

LC Paper No. CB(2)1916/17-18
(These minutes have been seen
by the Administration)

Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Tuesday, 12 June 2018, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon Steven HO Chun-yin, BBS (Chairman)
Dr Hon KWOK Ka-ki (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon KWOK Wai-keung, JP
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, BBS, JP
Hon POON Siu-ping, BBS, MH
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon HO Kai-ming
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon Tanya CHAN
Hon HUI Chi-fung
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Vincent CHENG Wing-shun, MH

**Members
absent** : Hon LEUNG Yiu-chung
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon CHIANG Lai-wan, JP
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Hon AU Nok-hin

**Public Officers
attending** : Item V

Dr CHUI Tak-yi, JP
Under Secretary for Food and Health

Mr Eugene FUNG Kin-yip, JP
Deputy Secretary for Food and Health (Food) 2

Dr HO Yuk-yin, JP
Controller, Centre for Food Safety
Food and Environmental Hygiene Department

Dr Christine WONG Wang
Assistant Director (Risk Management)
Food and Environmental Hygiene Department

Item VI

Dr CHUI Tak-yi, JP
Under Secretary for Food and Health

Miss Diane WONG
Principal Assistant Secretary for Food and Health (Food) 2

Mr FORK Ping-lam
Assistant Director (Operations) 3
Food and Environmental Hygiene Department

**Clerk in
attendance** : Miss Josephine SO
Chief Council Secretary (2) 2

**Staff in
attendance** : Ms Wendy LO
Senior Council Secretary (2) 2

Miss Cally LAI
Legislative Assistant (2) 2

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I. Confirmation of minutes

(LC Paper No. CB(2)1471/17-18)

The minutes of the meeting held on 10 April 2018 were confirmed.

II. Application for late membership

(LC Paper No. CB(2)1491/17-18)

2. Members accepted the application for late membership from Mr Vincent CHENG.

III. Information papers issued since the last meeting

(LC Paper Nos. CB(2)1370/17-18(01), CB(2)1383/17-18(01), CB(2)1473/17-18(01) and CB(2)1507/17-18(01))

3. Members noted that the following papers had been issued since the last meeting:

- (a) joint submission dated 28 April 2018 from 31 organizations on issues relating to animal rights;
- (b) referral arising from the meeting between Legislative Council ("LegCo") Members and Yuen Long District Council members on 12 January 2018 on issues relating to the provision of a new public market in Tin Shui Wai;
- (c) letter dated 23 May 2018 from Hon HO Kai-ming concerning the progress of the implementation of the five-year Assistance Scheme for Hawkers in Fixed-pitch Hawker Areas; and
- (d) referral arising from the meeting between LegCo Members and Tai Po District Council members on 26 January 2018 on issues relating to the Government's fisheries policies, measures for promoting the aquaculture industry and assistance provided to fish farmers affected by natural disasters.

IV. Date of next meeting and items for discussion

(LC Paper Nos. CB(2)1528/17-18(01) and (02))

4. Members agreed to discuss the following items at the next regular meeting scheduled for Tuesday, 10 July 2018 at 2:30 pm:

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- (a) Progress of the major initiatives under the New Agriculture Policy; and
- (b) Issues relating to the reprovisioning of livestock farms affected by development plans and the rehabilitation of fallow farmland.

V. Update on import control on Japanese food
(LC Paper Nos. CB(2)1528/17-18(03) and (04))

5. At the invitation of the Chairman, Under Secretary for Food and Health ("USFH") briefed members on the salient points of the Administration's paper (LC Paper No. CB(2)1528/17-18(03)) which (a) provided an update on the radiation monitoring of Japanese food products by Hong Kong, international expert organizations and the Japanese Government as well as the latest position of other economies in their import control over Japanese food and (b) recommended allowing vegetables, fruits, milk, milk beverages and dried milk ("banned products") from four prefectures of Japan, namely Ibaraki, Tochigi, Chiba and Gunma ("the four prefectures") to be imported into Hong Kong with conditions, while continuing to prohibit the import of banned products from Fukushima.

6. Members noted the background brief on Hong Kong's current import control on Japanese food (LC Paper No. CB(2)1528/17-18(04)) prepared by the LegCo Secretariat.

Proposed import arrangements for Japanese food products from prefectures affected by the Fukushima nuclear incident

7. Mr POON Siu-ping and Mr SHIU Ka-fai expressed support for the Administration's proposal to allow the import of vegetables, fruits, milk, milk beverages and dried milk from the four prefectures with conditions, as there were solid and scientific evidence confirming the safety of Japanese food from the perspective of radiation level. Mr Tommy CHEUNG said that Members belonging to the Liberal Party were supportive of the proposed arrangements. Ir Dr LO Wai-kwok noted that in recent years, Japanese food products were detected to have low radiation level and there were scientific evidence suggesting that the radiation level of Japanese food readily available for sale and export in general was unlikely to pose health concern. Mr SHIU asked whether the Centre for Food Safety ("CFS") of the Food and Environmental Hygiene Department ("FEHD") would continue to conduct radiation tests on every consignment of food products imported from Japan to safeguard food safety.

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8. Dr Helena WONG said that Members belonging to the Democratic Party objected to the Administration's proposal. Noting that the Mainland and Taiwan continued to ban all types of food products from prefectures of Japan affected by the Fukushima nuclear incident, she expressed worries that radiation-contaminated food from Japan which were not allowed to enter the Mainland and Taiwan would be channelled to Hong Kong after the Administration's relaxation of import control on food products from the four prefectures. She cautioned that this would put public health at risk.

9. Ms Tanya CHAN expressed concern whether the proposed import requirements for vegetables, fruits and milk products from the four prefectures as set out in paragraph 17 of the Administration's paper were adequate to ensure food safety. The Deputy Chairman and Prof Joseph LEE asked whether CFS would step up surveillance on radiation levels of those food products to safeguard food safety.

10. Mr HO Kai-ming and Mr Vincent CHENG said that according to their understanding, members of the public remained concerned about the safety of food imported from Japan. As maintaining the import ban did not have much adverse impact on food supply and food prices, they queried the need for the Administration to relax the import control on Japanese food.

11. USFH and Deputy Secretary for Food and Health (Food) 2 ("DSFH(F)2") gave the following responses:

- (a) following the Fukushima nuclear incident in March 2011, the Director of Food and Environmental Hygiene issued an order under section 78B of the Public Health and Municipal Services Ordinance (Cap. 132) ("the Order") to prohibit the import of all banned products from the five affected prefectures. For the period from 24 March 2011 when the Order came into effect to 31 May 2018, CFS tested more than 490 000 samples of food products imported from Japan (not limited to those imported from the five prefectures). The test results showed that none of the samples had radiation levels exceeding the guideline levels of the Codex Alimentarius Commission ("Codex"). Among those 490 000 or more samples of food products imported from Japan, only 64 were detected to have traces of radiation which did not exceed the Codex level. The latest sample of food product imported from Japan detected to have low radiation levels was collected by CFS on 1 September 2016. No sample was detected to have any radiation levels since then. Of the samples which were detected to have traces of radiation from 2014 to 2016, none of them exceeded the Japanese levels, which were more stringent than the Codex guideline levels;

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- (b) information from the Japan Ministry of Health, Labour and Welfare showed that over two million food samples had been collected in Japan for radiation testing as at early March 2018. Only a small number of food samples (about 1 200) were found to have exceeded the Codex guideline levels. Among those 1 200 or so samples, about 90% were taken in or before March 2013, and nearly 60% came from Fukushima. When there were food samples detected to have exceeded the Japanese levels (even though not exceeding the Codex guideline levels), the Japanese Government would prohibit the domestic sale and export of the products concerned;
- (c) the Food and Health Bureau and CFS had been reviewing the risk management measures on food products imported from Japan in the light of the latest situation. The factors taken into account included local surveillance results, assessments made by international expert organizations, surveillance results of the Japanese Government, the latest position of import control on Japanese food by other economies, consistency of the control measures with the World Trade Organization's requirements and public concern;
- (d) having carefully considered all relevant factors, the Administration proposed to continue the import ban on banned products from Fukushima while allowing the import of vegetables, fruits, milk, milk beverages and dried milk from the four prefectures into Hong Kong with conditions. The conditions were: (i) each consignment of those food products must be accompanied with radiation certificates issued by the Ministry of Agriculture, Forestry and Fisheries ("MAFF") to show which of the four prefectures the products came from and to attest that the radiation levels of the products did not exceed the Codex guideline levels; and (ii) the exporter concerned must hold and produce a valid exporter certificate issued by MAFF to certify that those food products exported to Hong Kong by the exporter concerned were readily available for sale in Japan (i.e. they could not exceed the more stringent Japanese levels) and were fit for human consumption as far as radiological protection was concerned. If any exporter was found to have failed to comply with the aforementioned requirements, MAFF must revoke the exporter certificate and notify CFS; and
- (e) the proposed arrangements involved two levels of gatekeeping, i.e. the Japanese Government's gatekeeping work at the places of

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export and CFS' gatekeeping work at the import level. To safeguard food safety effectively, CFS would continue to conduct radiation tests on every consignment of food products imported from Japan (not limited to those imported from the five affected prefectures) and strengthen inspection and testing on vegetables, fruits and milk products from the four prefectures. CFS would also inspect the radiation certificate, exporter certificate, shipping documents and information on packages on each consignment of food products imported from Japan to make sure that those products did not come from Fukushima or had not been mixed with any banned products from Fukushima. CFS would continue to update the latest figures and test results on food products imported from Japan on its website every working day for public perusal.

12. The Chairman, the Deputy Chairman, Prof Joseph LEE and Mr POON Siu-ping considered that to safeguard food safety, CFS should step up surveillance on radiation levels of food products imported from Japan. They sought details about CFS' radiation tests in this respect and the manpower resources involved.

13. DSFH(F)2 responded that ever since the Order had come into effect, CFS had been conducting radiation tests on every consignment of food products imported from Japan (not limited to those imported from the five affected prefectures). Radiation level was assessed by hand-held survey meters for every consignment. Samples would be taken on a risk-based approach for laboratory examination under the Contamination Monitoring System. Importers would have to wait until CFS had conducted radiation tests on the food products, and all consignments could only be released to the market for sale after the testing results were confirmed to be satisfactory. Controller/CFS supplemented that while CFS would strengthen inspection and testing on vegetables, fruits and milk products from the four prefectures, it would flexibly deploy manpower and other resources to continue with the above work.

14. The Chairman hoped that CFS would keep monitoring the extent of the impact of the Fukushima nuclear incident on Hong Kong in respect of food safety. DSFH(F)2 responded that the Food and Agriculture Organization of the United Nations, the World Health Organization and the International Atomic Energy Agency ("IAEA") had been monitoring the impact of the fallout of the Fukushima incident on health and food safety, and had confirmed the safety of Japanese food from the perspective of radiation levels for quite some time. In its report issued in January 2014, IAEA considered that Japan had made good progress in the recovery of affected farmland in

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addressing food safety concerns. In March 2018, IAEA reiterated that the food supply chain in Japan was safely under control. That said, it was observed that some economies were still adopting a more prudent approach on food from Fukushima. Having considered all relevant factors, the Administration proposed to continue the import ban on banned products from Fukushima.

15. The Deputy Chairman and Mr Jeremy TAM asked whether the Mainland and Taiwan had any plan to lift or review their import control on Japanese food. DSFH(F)2 responded that according to the Administration's understanding, the Mainland would set up an expert committee comprising experts from both the Mainland and Japan to discuss the issues whereas Taiwan had been examining their import control measures on Japanese food.

Safety standards for radiation testing

16. Noting the difference in standards on radioactive caesium in food adopted by Codex and the Japanese Government, Prof Joseph LEE, Ir Dr LO Wai-kwok and Mr Jeremy TAM enquired about the standard adopted by CFS for testing radiation levels of food products imported from Japan. The Deputy Chairman and Dr Helena WONG considered that CFS should adopt the more stringent Japanese standards as the action level for exercising import control on Japanese food products.

17. DSFH(F)2 responded that CFS had all along adopted the Codex guideline levels for testing radiation levels of food. The Codex guideline levels were internationally accepted standards for protection of public health and facilitation of global trade. According to Codex, food was considered as safe for human consumption if the radiation levels did not exceed the Codex guideline levels. The Codex guideline levels for caesium-134 and caesium-137 in food was 1 000 Bq/kg. In the aftermath of the Fukushima nuclear incident, the Japanese Government enhanced its monitoring on radiation in food grown or produced in Japan to safeguard food safety. Based on risk assessment, Japan re-evaluated its maximum levels for certain radionuclides and established new standards on radioactive caesium (aggregate of caesium-134 and caesium-137), which were more stringent than the Codex guideline levels. The Japanese levels for radioactive caesium were set at 100 Bq/kg for general foods and 50 Bq/kg for milk and infant foods. The new Japanese levels on radioactive caesium in food came into effect on 1 April 2012.

18. In response to the follow-up questions from Mr CHAN Chi-chuen and Dr Helena WONG, DSFH(F)2 said that the Japanese levels on radioactive caesium in food applied to food grown or produced in all 47 prefectures in

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Japan. The Japanese Government had not indicated any intention to relax its standards in the imminent future.

19. Mr Tommy CHEUNG, Prof Joseph LEE and Dr Helena WONG asked about the follow-up actions to be taken by CFS if vegetables, fruits and milk products from the four prefectures tested to have exceeded the Japanese levels were imported to Hong Kong.

20. DSFH(F)2 responded that the Administration believed that the chance for problematic products entering Hong Kong was very slim. It was because under the proposed import arrangements, vegetables, fruits and milk products from the four prefectures were allowed to be imported to Hong Kong only when they were accompanied with radiation certificates and valid exporter certificates (both issued by MAFF). If, for whatever reasons, food products with radiation levels found to have exceeded the Japanese levels or the Codex guideline levels were imported to Hong Kong, CFS would notify MAFF to take follow-up actions (e.g. revoking the exporter certificate of the exporter concerned and strengthening inspection and testing on food produced by the relevant farms). CFS would also request the importers concerned not to sell the problematic food. It should be noted that where samples of Japanese food were detected to have low radiation levels in the past, the importers concerned had voluntarily surrendered the related food consignments to CFS for disposal or returned the products to the food producers/traders upon learning the test results in order to maintain public confidence on the products they sold. The food consignments concerned had not entered the local market. In response to Ms Tanya CHAN's follow-up enquiry, DSFH(F)2 said that while under normal circumstances an export certificate issued by MAFF had a validity period of one year and could be renewed upon application, MAFF would revoke an exporter certificate any time if an exporter concerned was found to have exported food which had exceeded the Japanese levels to Hong Kong.

Food labelling requirements

21. The Deputy Chairman, Dr Helena WONG and Mr Vincent CHENG expressed concern that it had been reported that some unscrupulous traders had misled consumers into purchasing Japanese food products from the five affected prefectures, by providing incorrect information in the labels of the food products or quoting the cities (instead of prefectures) as places of origin of the food products. Dr WONG considered that the trade should be required to state clearly on the packaging label of Japanese food products (in particular those of vegetables, fruits and milk products) the prefecture where the food came from, so as to provide consumers with the necessary information about the food products they purchased and to facilitate the making of informed

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choices. In her view, consideration should be given to amending the relevant provisions of the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W) to achieve the above purpose. Mr CHENG enquired about the measures to be taken by the Administration to ensure that detailed descriptions of places of origin were to be shown on the packaging label of Japanese food products. Mr Tommy CHEUNG said that according to his understanding, local retailers had been working proactively to make sure that the packaging labels of Japanese food were legibly marked or labelled.

22. DSFH(F)2 responded that major retailers (e.g. supermarkets and retail stores) had undertaken to provide information on the place of origin (including the name of the prefecture) of vegetables and fruits from Japan on the packaging of the products and/or on the goods shelves. CFS would also enhance communication with MAFF and the Customs and Excise Department in respect of information and intelligence exchange to prevent illegal import of banned products from Fukushima.

23. In response to Mr CHAN Chi-chuen's enquiry, DSFH(F)2 stressed that making a false or misleading statement about goods to a material degree (i.e. the place of origin of the food products as in the present case) might constitute an offence of false trade description under the Trade Descriptions Ordinance (Cap. 362).

VI. The use of modern technology in keeping Hong Kong clean
(LC Paper Nos. CB(2)1528/17-18(05) and (06))

24. USFH briefed members on the use of modern technology by FEHD to improve environmental hygiene, as set out in the Administration's paper (LC Paper No. CB(2)1528/17-18(05)). With the aid of power-point presentation, Assistant Director (Operations) 3/FEHD ("AD(Ops)3/FEHD") elaborated on the trial use of automation and new cleansing equipment to enhance the quality and efficiency in the provision of public cleansing and refuse collection services. Members noted the background brief on issues relating to public cleanliness (LC Paper No. CB(2)1528/17-18(06)) prepared by the LegCo Secretariat.

(Post-meeting note: The softcopy of the power-point presentation materials was issued to members vide LC Paper No. CB(2)1593/17-18(01) on 12 June 2018.)

25. While welcoming the adoption of automation and new equipment/machines (e.g. leaf blowers) to minimize staff fatigue in the provision of public cleansing services, Mr POON Siu-ping expressed concern on whether the application of advance technology would reduce manpower

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demand for performing FEHD's outsourced cleansing services. AD(Ops)3/FEHD advised that FEHD was mandating the use of leaf blowers in its street cleansing contracts upon renewal. As leaf blowers would be mainly used by cleansing workers where necessary to enhance the efficiency and effectiveness of cleansing in greening areas, it was unlikely that the application of technology could help reduce the manpower requirement for delivering street cleansing services.

26. Mr CHAN Chi-chuen expressed concern that leaf blowers might give rise to noise pollution. He asked whether FEHD had drawn up any guidelines on the use of leaf blowers with reference to overseas regulatory practices. AD(Ops)3/FEHD responded that although specific guidelines had not been provided, cleansing workers were advised not to use the leaf blowers during late hours at night and early hours in the morning. The use of automation, e.g. leaf blowers, could help minimize repetitive manual sweeping operations. As leaf blowers would be used more often in greening/rural areas, the noise impact on the neighbourhood should not be serious.

27. Mr CHU Hoi-dick expressed concern about the effectiveness of solar-powered compacting refuse bins ("compacting bins") which had been put on trial use at 12 bin sites in rural areas for collection of household waste from the nearby residents. In response, USFH and AD(Ops)3/FEHD explained that each compacting bin was equipped with a solar panel on top to provide power to operate a compactor that triggered automatically based on fill-level. According to the supplier, a five-time reduction of waste volume could be achieved by the compactor, which could help minimize overflowing of waste due to unscrupulous dumping and enhance the hygiene condition of the bin sites. Mr CHU suggested that FEHD should consider introducing equipment or tools that helped workers collect and transport bulky refuse. AD(Ops)3/FEHD said that FEHD was exploring various options.

28. Mr POON Siu-ping asked about the respective costs of a mini-mechanical sweeper and a compacting bin, and the feasibility of wider use of such equipment in more districts. AD(Ops)3/FEHD responded that a mini-mechanical sweeper cost about \$1 million. As the mini-mechanical sweeper was compact and manoeuvrable, it was a good choice for performing sweeping on narrow village roads. The use of mini-mechanical sweepers required a movement permit from the Transport Department, with which FEHD was exploring the use of these sweepers in more village areas and other roads with low traffic. As for compacting bins, the total cost for conducting a one-year trial use of 24 bins at various sites was about \$690,000. FEHD would assess whether the compacting bins were suitable for wider use in Hong Kong after the trial.

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29. The Deputy Chairman said that according to his understanding, the prices of a mini-mechanical sweeper and a compacting bin having similar functions and available in the market were lower than those quoted by the Administration. He called on the Administration to ensure that the new cleansing equipment were value for money. The Deputy Chairman also expressed concern that as FEHD would mandate the use of automated equipment, e.g. leaf blowers, in its street cleansing contracts upon renewal, FEHD's outsourced cleansing contractors would cut the remuneration of their workers in order to make up for the expenses on procurement of new machines/automated equipment.

30. AD(Ops)3/FEHD responded that as the functions of different brands of cleansing equipment varied, the equipment were therefore not directly comparable in terms of price. The mini-mechanical sweepers which had been used in cleaning the village areas of Tai Mei Tuk, Tai Po were manufactured in Germany. They were introduced at the initiative of the service contractor concerned for trial use, the cost of which had been absorbed in the tender price for the relevant cleansing contract. The compacting bins were manufactured in the Mainland. As mentioned earlier, FEHD would evaluate the effectiveness of the equipment before deciding whether to have a wider use.

31. Mr Vincent CHENG said that according to his observation, the initial feedback on the use of mini street washing vehicle equipped with high pressure hot water cleaner and pressure washer surface cleaner was quite positive. He asked whether FEHD would extend the use of street washing vehicles to all 18 districts. In his view, apart from those cleansing equipment which had been put on trial use, the Administration should explore the use of other automated equipment/machines for improving environmental hygiene.

32. AD(Ops)3/FEHD advised that pressure washer surface cleaners had been proved to be effective in cleaning pavements with paving blocks or concrete floors. Starting from Yau Tsim Mong from 1 May 2018, FEHD planned to introduce the use of pressure washer surface cleaners in other districts. FEHD also had plans to incorporate certain equipment to street cleansing contracts as standard equipment. AD(Ops)3/FEHD further advised that FEHD was seeking the advice from the Hong Kong Science and Technology Parks Corporation and the Hong Kong Productivity Council on the adoption of modern technologies in the provision of public cleansing services.

33. Mr KWONG Chun-yu expressed support for the installation of 360 degrees cameras at coastal sites to monitor the accumulation of marine refuse. He and the Deputy Chairman asked how the cameras had facilitated

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FEHD's planning of clean-up operations and enforcement work against illegal dumping of marine refuse. AD(Ops)3/FEHD advised that through the images of 360 degrees landscape captured every 15 minutes in the day time, FEHD staff could monitor the condition of the sites remotely and flexibly adjust the frequency of clean-up work. This could save the time and cost of monitoring, particularly for those coastal sites that were remote and not easily accessible.

34. Mr KWONG Chun-yu further asked whether consideration would be given to installing 360 degrees cameras in marine parks and public beaches respectively under the management of the Agricultural, Fisheries and Conservation Department and the Leisure and Cultural Services Department. AD(Ops)3/FEHD advised that in view of the success of the trial, FEHD intended to extend the installation of 360 degrees cameras to 15 priority sites under its management where accumulation of marine refuse was relatively serious. FEHD had no plan to install the cameras at other facilities not under its purview.

35. While appreciating the Administration's effort in introducing automated cleaning machines to improve environmental hygiene, the Chairman considered it necessary for the Administration to ensure the adoption of suitable equipment/machines. AD(Ops)3/FEHD said that the Administration would continue to make reference to overseas experience and explore the wider use of automation and modern technology on an on-going basis for the purpose of improving environmental hygiene, having regard to local circumstances.

VII. Any other business

36. There being no other business, the meeting ended at 4:26 pm.