

立法會
Legislative Council

LC Paper No. CB(2)1920/18-19
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by the Administration)

Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Tuesday, 11 June 2019, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Dr Hon KWOK Ka-ki (Chairman)
Hon SHIU Ka-fai (Deputy Chairman)
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon CHAN Chi-chuen
Hon CHAN Han-pan, BBS, JP
Hon KWOK Wai-keung, JP
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, BBS, JP
Dr Hon CHIANG Lai-wan, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon HO Kai-ming
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon HUI Chi-fung
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Hon Jeremy TAM Man-ho
Hon AU Nok-hin
Hon Vincent CHENG Wing-shun, MH
Hon CHAN Hoi-yan

Member attending : Hon KWONG Chun-yu

Members absent : Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon SHIU Ka-chun
Hon LAU Kwok-fan, MH

Public Officers attending : Item III

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

Dr Edwin TSUI Lok-kin
Assistant Director (Risk Management), Centre for Food Safety
Food and Environmental Hygiene Department

Dr Samuel YEUNG Tze-kiu
Consultant (Community Medicine) (Risk Assessment and
Communication), Centre for Food Safety
Food and Environmental Hygiene Department

Item IV

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

Dr Edwin TSUI Lok-kin
Assistant Director (Risk Management), Centre for Food Safety
Food and Environmental Hygiene Department

Item V

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

Mr Bill WONG Kwok-piu
Principal Assistant Secretary for Food and Health (Food) 3

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

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

Mr MA Yuen-hung
Senior Superintendent (Operations) 2
Food and Environmental Hygiene Department

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

Mr Peter MA Wai-chung
Assistant Director (Agriculture) (Acting)
Agriculture, Fisheries and Conservation Department

Dr Shirley Veronica CHUK Sheung-ying
Senior Veterinary Officer (Animal Health)
Agriculture, Fisheries and Conservation 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

Action

I. Information paper issued since the last meeting
(LC Paper No. CB(2)1513/18-19(01))

Members noted that since the last meeting, the Secretariat had issued the Administration's response to Hon Jeremy TAM's letter dated 7 May 2019 regarding assistance provided by non-government organizations to citizens in need in applying for allocation of public niches or extension of the deposit period of ashes.

II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)1594/18-19(01) and (02))

Joint meeting with the Panel on Health Services

2. The Chairman said that in view of Members' concern over the recent cases of human infection of rat Hepatitis E virus, a joint meeting with the Panel on Health Services would be held on Monday, 17 June 2019, at 3:00 pm to discuss with the Administration the follow-up actions on emerging cases of human infection of rat Hepatitis E virus and the territory-wide rodent control work.

(Post-meeting note: Members were informed vide LC Paper No. CB(2)1647/18-19 issued on 11 June 2019 that the joint meeting with the Panel on Health Services would be rescheduled to a later date to avoid clashing with the anticipated continuation of the Council meeting of 12 June 2019.)

Special meeting on 5 July 2019

3. The Chairman also reminded members that a special meeting had been scheduled for Friday, 5 July 2019, at 9:15 am to receive deputations' views on the Administration's proposals to enhance animal welfare.

Regular meeting in July 2019

4. Members agreed to discuss the following items at the next regular meeting scheduled for Tuesday, 9 July 2019, at 2:30 pm:

- (a) Improvements to the Information Technology Systems of the Centre for Food Safety; and
- (b) Development of bazaar activities and re-issue of fixed pitch hawker licences.

Action

(Post-meeting note: Members were informed vide LC Paper No. CB(2)1773/18-19 issued on 3 July 2019 that the special meeting and regular meeting respectively scheduled for 5 and 9 July 2019 were cancelled given the serious damage caused by the storming of the Legislative Council ("LegCo") Complex by some protesters on 1 July 2019 and due to safety and security reasons.)

III. Food safety management and import control of the Centre for Food Safety

(LC Paper Nos. CB(2)1594/18-19(03) and (04))

5. At the invitation of the Chairman, Under Secretary for Food and Health ("USFH") briefed Members on the measures adopted by the Centre for Food Safety ("CFS") of the Food and Environmental Hygiene Department ("FEHD") for improving its daily operation in respect of food safety management and import control, as set out in the Administration's paper (LC Paper No. CB(2)1594/18-19(03)). Members noted the information note entitled "Audit reports on the work of the Centre for Food Safety" prepared by the LegCo Secretariat (LC Paper No. CB(2)1594/18-19(04)).

CFS' food safety management and import control

6. The Deputy Chairman said that following the publication of the Audit Commission's report on the work of CFS in respect of food safety management and import control of foods, the Public Accounts Committee ("PAC") had examined a wide range of issues relating to the work of CFS. PAC considered that CFS should improve its daily operation, such as enhancing its monitoring of staff's compliance with operational manuals and guidelines. He cautioned that CFS should strike a balance between ensuring food safety and facilitating business operation in improving its operational workflow. In his view, CFS staff working at the air cargo terminals should continue to be given the flexibility to grant discretion in circumstances where food consignments imported by air were handled without the submission of original health certificates or Export Declarations by importers on the spot.

7. In response to the Deputy Chairman's enquiry about the progress of revamping CFS' information technology ("IT") systems, Controller/CFS said that CFS had already put in place a dedicated team in end-2017 to look closely at its operational workflow, revamp its IT systems for higher efficiency, and enhance its mode of operation through IT to support the work of its frontline staff and reinforce its capability in food import control, surveillance, incident management, risk assessment and traceability. Phased improvements to CFS' IT systems would start from end-2019.

Action

8. Mr Kenneth LAU expressed support for CFS' implementation of a series of measures to improve its daily operation in respect of food safety management and import control. He called on CFS to increase the frequency of sample tests of high-risk food products, improve the sampling procedures and strengthen the monitoring of the follow-up work on food complaints.

9. Mr AU Nok-hin said that he had received complaints from the trade that vegetables imported into Hong Kong via the sea route were subject to more stringent inspection than those imported via the land route, creating unfairness to importers and operators. Mr AU considered that CFS should adopt the same set of sampling requirements for the same type of food products, irrespective of the ways through which the products were imported into Hong Kong.

10. Dr Helena WONG said that both the Audit Commission and PAC had highlighted in their reports the deficiencies identified in CFS' control of foods imported by air, land and sea. She noted with concern the following observations in Chapters 1 and 2 of Report No. 71 of the Director of Audit: (a) during the 32-month period from late October 2015 (the commencement of operation of the Kwai Chung Customhouse ("KCCH") checkpoint) to June 2018, only about an average of 1.5 inspections (for consignments of eggs, fruits and vegetables, fish and milk) were conducted monthly; (b) there were records of vehicles evading CFS' inspection of food consignments at the Man Kam To Food Control Office; (c) not all food consignments imported from Japan were subject to radiation tests; (d) in May 2018, in 98 consignments of live swine, there were discrepancies between the number of live swine admitted into slaughterhouses and the number of live swine shown on the animal health certificates, indicating that some of the live swine in question might have been imported without animal health certificates; and (e) during the period from 27 April to 28 May 2018, nine consignments of bovines and 15 consignments of swine were imported from six farms that were not on the list of registered farms as shown on the website of the General Administration of Customs of the People's Republic of China ("GACC"). Dr WONG enquired about the measures taken/to be taken by CFS to reinforce its capability in surveillance of foods imported by air, land and sea.

11. USFH responded that CFS had set up a task group in early 2019, led by its Controller, to take forward the recommendations of the Audit Commission and PAC. The task group had commenced comprehensive reviews on CFS' operational manuals and guidelines, staff management and supervision arrangements, training requirements, and manpower and resource requirements. Besides, CFS had started to roll out concrete short, medium and long term measures to enhance its effectiveness by phases, including updating guidelines where there were inadequacies or ambiguities, enhancing training and supervision of frontline staff, and strengthening staff's law enforcement mindset and the keeping of data and records.

Action

12. Controller/CFS supplemented with the following:

- (a) in general, physical inspections on food products imported via the sea route were conducted at importers' warehouses or privately-run cold stores. Under the risk-based surveillance principle, high-risk foods were selected for physical inspection at KCCH checkpoint. CFS had updated the Operational Manual in March 2019 to clarify that the requirement for CFS staff to witness the act of breaking container seals was only applicable to high-risk target refrigerated containers (including those inspected at KCCH checkpoint), not containers selected for routine inspections;
- (b) further to the discussion with the Customs and Excise Department ("C&ED"), the joint operations of CFS and C&ED targeting vegetable vehicles had been extended to cover vehicles carrying regulated foods (e.g. eggs and meat) since January 2019;
- (c) C&ED had clarified at the PAC hearings that it had been providing CFS with information on all seaborne food consignments imported from Japan. It should be noted that CFS had all along conducted radiation testing on every consignment of imported Japanese food with hand-held devices, and adopted a risk-based approach to take food samples for Contamination Monitoring System test as an extra and supplementary measure to ensure food safety;
- (d) with effect from late September 2018, CFS checked on a daily basis whether there were discrepancies between the admitted numbers of livestock and the numbers shown on the movement permits issued by officers at boundary control points to the drivers. In case the admitted numbers of livestock were greater than those recorded on the animal health certificates, CFS would verify the information with the relevant parties where necessary; and
- (e) the list of registered farms as showed on GACC's website and to which the Audit Commission had made reference had not been updated timely. Upon verifying the information with GACC, CFS confirmed that all consignments of livestock supplied to Hong Kong between 27 April to 28 May 2018 were originated from registered farms on the Mainland.

Action

13. Dr Helena WONG considered that the list of registered farms on GACC's website should be updated timely and CFS should be immediately informed of any changes to the list. She was concerned whether there was a time lag between GACC's updating the list on its website and informing CFS of the changes to the list. Controller/CFS said that in practice, CFS checked at boundary control points whether the food products supplied to Hong Kong came from registered farms on the Mainland and clarified with GACC any discrepancies found during the inspection process. CFS would be informed of any updates to the list of registered farms even though such information had yet to be uploaded onto the GACC's website. That said, CFS had enhanced its communication with GACC with a view to ensuring that more frequent updates could be made to the list of registered farms on GACC's website and CFS would be timely informed of any changes to the list for exercising effective import control. The Administration noted that GACC had increased the frequency of updating the list of registered farms on its website in recent months.

Admin

14. The Chairman and Dr Helena WONG requested the Administration to revert in writing whether CFS would, for the trade's reference, consider making available on its website a list of registered farms as approved by GACC; and if yes, whether specific timeline would be set for updating the list whenever CFS was informed of any changes to the list.

Inspection visits to farms outside Hong Kong

15. The Chairman and Dr Helena WONG considered that the Administration should conduct more inspection visits to the registered farms/production and processing establishments on the Mainland to ensure that live poultry, food animals, aquatic products as well as agricultural products supplied to Hong Kong were wholesome and safe at source. In order to enhance the effectiveness of the inspections, surprise visits, instead of scheduled visits, should be conducted.

16. Mr Steven HO said that as there had been food incidents involving products imported from overseas countries (e.g. outbreaks of E coli infections in 2018 which were likely linked to consumption of contaminated romaine lettuce imported from the United States and Canada), CFS should also conduct inspection visits to overseas farms supplying food products to Hong Kong.

17. In response, Deputy Secretary for Food and Health (Food) 2 ("DSFH(F)2") advised that from 2014 to 2017, CFS inspected nearly 70 registered farms on the Mainland eligible for export of food to Hong Kong each year. In 2018, CFS inspected about 60 registered farms. To ensure that inspection visits were conducted smoothly, prior arrangements with the

Action

relevant Mainland authorities had to be made before such visits. CFS would keep liaising with the Mainland authorities on the type, scale and number of registered farms to be visited every year.

18. Controller/CFS added that the operation of farms outside Hong Kong (including overseas farms) was regulated by the respective local authorities. CFS staff visited farms exporting food products to Hong Kong to understand their husbandry practices and compliance with food safety standards, including the quarantine measures taken and the use of feed and veterinary drugs by the farms. Inspections of food animal and fish farms outside Hong Kong were undertaken by an inspection unit in CFS comprising veterinary officers, field officers and fisheries officers. Controller/CFS further said that registered Mainland farms inspected by CFS covered vegetables, orchards, live poultry, food animals and aquatic products. Inspection report would be prepared after each visit for internal reference, and CFS' observations on the operation of the farms would be made available to the relevant Mainland authorities.

Admin

19. Dr Helena WONG requested the Administration to provide after the meeting the following supplementary information :

- (a) the number of inspection visits conducted by CFS in the past five years to registered farms on the Mainland supplying live poultry, food animals, aquatic products as well as agricultural products to Hong Kong (including the percentage of farms visited against the total number of registered farms approved by GACC for supplying food to Hong Kong in each of those years), the names and locations of the farms concerned, the items and issues looked into by CFS in the inspection visits and the main findings of the visits; and
- (b) whether CFS would consider publicizing on its website the information as referred to in subsection (a) above for public inspection.

IV. Food Surveillance Programme and food safety of food groups of concern

(LC Paper Nos. CB(2)1594/18-19(05) and (06))

20. At the invitation of the Chairman, USFH briefed Members on the details of the Food Surveillance Programme ("FSP") conducted by CFS in 2018, improvement measures on FSP and the safety of individual food groups of public concern, as set out in the Administration's paper (LC Paper No. CB(2)1594/18-19(05)). Members noted the updated background brief

Action

prepared by the LegCo Secretariat on the subject (LC Paper No. CB(2)1594/18-19(06)).

Surveillance of imported food

Risk of consuming raw fish

21. Ir Dr LO Wai-kwok expressed concern that according to a study report on sashimi products published by the Consumer Council ("CC") in April 2019, some tuna samples had been detected to have methylmercury exceeding the maximum permitted concentration level of mercury under the existing legislation, and some salmon and tuna samples were found to have parasites and worm eggs. He enquired about the existing regulatory control over raw fish and raw aquatic products (including sashimi products) and the follow-up actions taken by CFS in response to CC's study report. Mr Steven HO was concerned how the provision of sashimi or raw seafood for consumption on food premises was regulated.

22. DSFH(F)2, Controller/CFS and Assistant Director (Risk Management)/CFS ("AD(RM)/CFS") made the following responses:

- (a) CFS had been reminding the public of the food safety risk of consuming raw fish or other raw aquatic products, and advising that elderly people, infants and young children, pregnant women and people with lower immunity should avoid consuming these types of food. CFS had also been reminding the public of various points to note regarding the consumption of raw fish, including patronising reliable food premises and shops which were licensed or issued with permits for selling the food concerned. If in doubt, consumers might ask the food premises concerned to produce their relevant licences or permits for inspection;
- (b) good aquaculture practices and/or freezing treatment could reduce the risk of parasites in aquatic products. The Code of Practice for Fish and Fishery Products issued by the Codex Alimentarius Commission stated that freezing fish at -20°C or below for seven days or at -35°C for about 20 hours could kill parasites therein. Even though the dead parasites remained in the fish, the risk of parasitic infection could still be effectively minimized. FEHD had been educating and reminding the trade to obtain from importers official health certificates issued by the places of origin, so as to ensure that the food concerned had been properly handled (e.g. had undergone good aquaculture practices and/or freezing treatment); and

Action

- (c) the Food Business Regulation (Cap. 132X) ("FBR") stipulated that anyone involved in the sale of restricted foods (including sashimi, sushi, oysters to be eaten raw, etc.) or the provision of sashimi for consumption in a restaurant was required to obtain permission from the Director of Food and Environmental Hygiene. According to the licensing conditions, ingredients for preparing sashimi on food premises had to be properly stored and handled. FEHD conducted inspections to licensed food premises based on their risk levels to examine the hygiene conditions of the premises and check their compliance with the licensing conditions and the relevant statutory requirements.

23. The Chairman asked whether CFS would conduct sample tests on sashimi products and raw seafood to assess the risk of parasitic infection in these foods. AD(RM)/CFS responded that CFS had been collecting samples of sashimi products and raw seafood under FSP for testing of metallic contaminants and other harmful substances. In view of CC's study report on sashimi products, the Administration was exploring with the Department of Health the development of new testing methods for assessing the risk of parasitic infection (e.g. detection of parasites and worm eggs, their types and active levels) in sashimi products and raw seafood. It was expected that the new testing methods could be developed and adopted for use by the end of 2019.

24. Mr Steven HO expressed concern how the Administration would ensure that good aquaculture practices and/or freezing treatment had been adopted by manufacturers and importers in handling aquatic products. AD(RM)/CFS said that FEHD would inspect at boundary control points whether the import of aquatic products were accompanied by the required permits and health certificates and whether the statutory conditions in respect of the storage and transportation of these products were complied with.

Admin

25. In light of members' concerns, the Administration undertook to provide the Panel with the following supplementary information:

- (a) the existing regulatory control over raw fish and raw aquatic products (including sashimi products) and the number of inspections/tests conducted by CFS in recent years on raw fish and raw aquatic products to ensure that good aquaculture practices and/or freezing treatment had been adopted by manufacturers and importers in handling the food concerned; and
- (b) details of the new testing methods and parameters to be adopted in assessing the risk of parasitic infection in sashimi products and raw seafood.

Action

Safety of cooked and chilled meat

26. Dr Helena WONG asked whether the safety of cooked meat or half-cooked meat was subject to any regulatory control. DSFH(F)2 advised that given cooked meat was of a lower food safety risk than raw meat, there was presently no specific legislation to regulate cooked meat. That said, food safety of cooked meat was monitored under FSP. The Administration would continue to keep in view the regulation of cooked meat, having regard to international practices.

27. Dr Helena WONG further asked whether samples of chilled meat and poultry meat were collected for testing under FSP. DSFH(F)2 and AD(RM)/CFS responded that at present, imports of chilled poultry/meat had to be accompanied by import licences/permission in writing and official health certificates issued by the relevant authorities. CFS would check the relevant documents at the import level. At the retail level, CFS adopted a risk-based approach in taking samples of chilled meat products for chemical and microbiological analyses under FSP.

Admin

28. The Administration was requested to provide the number of samples of chilled meat and poultry meat collected for testing under FSP in the past few years and the testing parameters adopted for these chilled products.

29. Dr Helena WONG expressed concern that it was sometimes difficult for consumers to ascertain whether the meat sold at meat stalls or fresh provision shops was fresh or chilled. In response, DSFH(F)2 advised that the sale of chilled meat under the guise of fresh meat might constitute an offence under the Trade Descriptions Ordinance (Cap. 362) ("TDO"). Generally, consumers could distinguish between fresh and chilled meat from the prices, ways of display and storage methods. The retailers also had the responsibility to make known to customers the kinds of meat available for sale at their stalls. Members of the public could report suspected cases of breaches of TDO to C&ED for investigation.

Follow-ups on the Brazilian meat incidents

30. In response to the Deputy Chairman's enquiry about the progress in following up the Brazilian meat incidents occurred in 2017, Controller/CFS said that according to the existing agreement between Hong Kong and the Brazilian authorities on the import of meat, meat plants authorized by the Brazilian authorities for exporting meat to Hong Kong were allowed to do so, as long as they fulfilled the food safety import requirements of Hong Kong (including the meat products should be accompanied by health certificate(s) issued by the Brazilian authorities and endorsed by CFS) and CFS had not

Action

banned the import of their products. To improve the efficiency of food tracing in food incidents, enhance the safeguard of food safety and further refine the import regulation of Brazilian meat, CFS had been discussing with the Brazilian authorities in the aftermath of the incidents on the list and number of plants authorized to export meat to Hong Kong. Food safety condition of the plants (e.g. any unsatisfactory records in the past, quality assurance mechanism, products testing results, etc.) was the prime concern. CFS would consult the local trade and stakeholders in the process, with a view to striking a balance between enhancing food safety protection and trade facilitation.

Import arrangements for hairy crabs

31. In response to Mr Steven HO's enquiry about the import and regulatory arrangements for sale of hairy crabs in 2019, DSFH(F)2 responded that the Food and Health Bureau and CFS had been closely liaising with the relevant Mainland authorities on the import arrangements of hairy crabs from the Mainland into Hong Kong, with a view to striking a better balance between food safety protection and business facilitation. If there were any new arrangements, the Administration would inform the trade immediately. Some consignments of hairy crabs imported from the Mainland by air were allowed to be put on the market for sale in 2018 after the test results on the crab samples were found satisfactory by CFS.

Import of live poultry

32. The Deputy Chairman expressed concern that since the suspension of imported live poultry from the Mainland, there had been a significant increase in the retail prices of local live chickens. He called on the Administration to step up liaison with the Mainland authorities, with a view to resuming supply of live poultry to Hong Kong as early as possible. He hoped that the Administration could meet with the trade to discuss the way forward.

33. In response, DSFH(F)2 stressed that the Hong Kong Special Administrative Region Government had not imposed any ban against the importation of live poultry from the Mainland. The Administration was given to understand that the current supply situation was primarily a commercial decision on the part of the Mainland farms. The Administration would continue to liaise with the relevant Mainland authorities on matters relating to the supply of live poultry supply from the Mainland.

34. In Mr Steven HO's view, in order to minimize the chance of cross-infection between Mainland and local chickens, the Government should consider segregating Mainland chickens and local chickens at the wholesale level and introducing "daily clearance arrangement" in government wholesale

Action

poultry markets. It would facilitate the early resumption of supply of live poultry from the Mainland to Hong Kong while keeping the avian influenza risk under control.

Test results of food samples under FSP

35. Dr Helena WONG asked whether the Administration had taken rice samples for testing of metallic contaminants, after the Food Adulteration (Metallic Contamination) (Amendment) Regulation 2018 ("the Amendment Regulation") came into operation. The Amendment Regulation, among others, relaxed the maximum level for cadmium in polished rice from 0.1 mg/kg to 0.2 mg/kg. DSFH(F)2 responded that rice samples were taken for testing under FSP. The Amendment Regulation would come into operation on 1 November 2019. The new standards for metallic contaminants would first take effect for certain types of fresh foods (i.e. fresh fruits and vegetables and their juice, fresh meat and edible offal of animals and poultry, aquatic animals and poultry eggs) on 1 November 2019. For other food types, the new standards would take effect on 1 November 2020.

Admin

36. At Dr Helena WONG's request, the Administration would revert in writing details of the testing results of the two samples of cereals and cereal products which were found unsatisfactory under FSP in 2018, and the testing results of rice products in respect of the level of cadmium since the passage of the Amendment Regulation.

Restrictions on carrying dried seafood into the Mainland

37. The Deputy Chairman acknowledged CFS' efforts in safeguarding the safety of food products sold in Hong Kong. He said that over the years, local dried seafood industry had been importing dried seafood products from the Mainland and other places, which were confirmed to be safe for consumption. However, he had learned from members of the industry that travellers were not allowed to carry dried seafood into the Mainland in recent years, resulting in a drop in business of the local dried seafood industry due to less spending by Mainland travellers at local dried seafood shops. The Deputy Chairman hoped that the Administration could discuss with the relevant Mainland authorities the arrangement of allowing travellers to carry into the Mainland a reasonable quantity of dried seafood for personal use.

38. USFH said that according to the Catalogue of Animals and Plants, and Animal and Plant Products Prohibited from being carried or posted into the People's Republic of China revised by the Mainland authorities in 2012, an array of animals and plants and their products were prohibited from being carried or posted into the Mainland. The Administration was given to understand that aquatic animal products prohibited from being carried or

Action

posted into the Mainland include dried seafood products. The Administration had relayed the trade's concern to the Mainland authorities and was following up with the latter on the arrangements on inspection and quarantine for the importation of certain dried seafood products from Hong Kong into the Mainland.

Regulation of online food sale

39. The Chairman enquired whether any regulatory requirements had been imposed on food manufacturers/suppliers to ensure the safety of food products purchased online during the process of delivering the food products to customers. Mr Steven HO raised a similar enquiry.

40. DSFH(F)2 responded that depending on the circumstances, modes of operation and the types of food for sale, operators of online food sale business must obtain relevant licences or permits issued by FEHD. With effect from February 2016, FEHD required operators who did not have physical premises to apply for permits in accordance with FBR if they sold restricted food online. Permits were issued on the conditions that the operators must provide particulars, such as permit number, type(s) of restricted food permitted for sale and business address, on their websites and printed promotional materials for consumers' reference and verification on FEHD's website. In addition, the restricted food must be obtained from lawful sources and prepackaged by the suppliers before delivering to customers, the packages should not be tampered with during transportation to prevent cross-contamination, and the food should be stored at a safe and proper temperature at all times.

Admin

41. At the Chairman's request, the Administration would revert in writing on the existing requirements imposed on food manufacturers/suppliers to ensure the food safety of cooked food products purchased online during the process of delivering the food products to customers.

42. Mr Steven HO expressed concern that a traditional food business operator was accused of conducting online food sale on accepting customers' purchase orders via fax. DSFH(F)2 said that FEHD would look into the case as referred to by Mr HO with relevant departments.

43. Mr AU Nok-hin said that he observed that due to the cumbersome procedures involved in the application process, the trade or new entrants had to hire agents or consultants to handle matters relating to the applications for licences or permits for operating online food sale business. Mr AU asked whether the Administration would consider streamlining the relevant application procedures. DSFH(F)2 explained that it was a commercial decision on the part of the operators whether to engage agents or consultants to handle matters relating to the applications for licences or permits.

V. Financial commitment for culling of pigs and follow-up work due to African Swine Fever

(LC Paper Nos. CB(2)1594/18-19(07) and (08))

44. At the invitation of the Chairman, USFH briefed Members on the Administration's proposal to create a financial commitment of \$333 million to provide for the funding for the statutory compensation and ex-gratia payments for the culling operations conducted and to prepare for future culling operations in the event that pigs in local farms had to be culled due to infection of African Swine Fever ("ASF") and also the follow-up work to strengthen the prevention and control of ASF, as detailed in the Administration's paper (LC Paper No. CB(2)1594/18-19(07)). Members noted the background brief prepared by the LegCo Secretariat on the subject (LC Paper No. CB(2)1594/18-19(08)).

Follow-up work due to ASFs

45. Dr Helena WONG expressed grave concern that pig samples collected in Sheung Shui Slaughterhouse ("SSSH") were tested positive for ASF virus respectively on 10 and 31 May 2019 (two occasions in a single month), resulting in the culling of a total of 10 675 heads of pigs. Noting that the Administration proposed to create a financial commitment of \$333 million for culling of pigs, Dr WONG enquired about the enhanced measures taken by the Administration to prevent further outbreaks of ASF in Hong Kong. The Chairman and Dr WONG noted with concern that according to media reports, more than 30% of registered pig farms in Guangdong Province supplying live pigs to Hong Kong were infected with ASF virus. In their views, CFS should conduct more inspection visits to Mainland registered pig farms to ascertain the health conditions of the pigs and the latest development of ASF outbreaks on the Mainland.

46. Mr Kenneth LAU urged FEHD to strengthen the surveillance and inspection on Mainland live pigs supplied to Hong Kong right upon their arrival at the boundary control points, so as to prevent the spread of ASF to local pig farms and recurrence of ASF incidents in Hong Kong.

47. USFH and Controller/CFS made the following responses:

- (a) ASF was a serious, highly contagious and viral disease in pigs. ASF virus demonstrated extremely high potential for trans-border spread. Despite the Government's efforts to guard against ASF, there might still be further infection cases. That said, to prevent ASF, control and surveillance at source were of utmost importance. After the first ASF case in Hong Kong on 10 May 2019, preventive measures had been further

Action

strengthened. GACC had been exercising stringent inspection and quarantine on Mainland live pigs supplied to Hong Kong. Pigs showing abnormality at any stage would not be supplied to Hong Kong. FEHD would closely monitor the health conditions of live pigs entering Hong Kong and ensure at Man Kam To Control Point that all Mainland live pigs arriving in Hong Kong were accompanied by valid health certificates issued by the Mainland Customs. The Agriculture, Fisheries and Conservation Department ("AFCD") would immediately carry out test on pigs with ASF symptoms. On top of the current surveillance mechanism, FEHD would also strengthen the surveillance on pigs before they were admitted into the slaughterhouses;

- (b) regarding local supply of live pigs, AFCD would continue to implement a series of biosecurity measures against ASF in local farms as detailed in the Administration's paper. The Administration would continue to seek expert advice on whether further preventive measures should be adopted in various areas, including local pig farms, boundary checkpoints and slaughterhouses;
- (c) the Administration had reached agreement with the trade to implement the "daily clearance arrangement" in the two slaughterhouses in Sheung Shui and Tsuen Wan starting from 6 June 2019, i.e. all live pigs entering the slaughterhouses would be slaughtered within 24 hours. Under the new arrangement, the lairages in different locations in the slaughterhouses would be cleared for thorough cleansing and disinfection on a daily basis, thereby minimizing the chance for pigs to get infected in the slaughterhouses. In addition, FEHD was planning to convert part of the cattle lairages as pig lairages in SSSH to provide more lairages for the slaughterhouse operator to accommodate pigs, with a view to facilitating more effective cleansing of the lairages; and
- (d) among the 100-odd Mainland registered farms eligible for supplying live pigs to Hong Kong, CFS had visited three of them in 2019 to look into their daily operations and the biosecurity measures implemented in the farms. So far, no irregularities were identified in the inspection visits to the registered pig farms made over the years.

48. Regarding the development of ASF on the Mainland, Assistant Director (Inspection and Quarantine)/AFCD advised that at a meeting of the World Organisation for Animal Health ("OIE") held in Paris in May 2019, it was

Action

concluded that ASF would become prevalent in the Southeast Asian region (including the Mainland) for a long period of time and it might take at least five to six years for the disease to be controlled. Principal Assistant Secretary for Food and Health (Food) 3 ("PASFH(F)3") said that the relevant Mainland authorities would immediately inform the Hong Kong Government if ASF was detected in any Mainland registered pig farms. So far, there had been no ASF in any of the registered farms.

49. Dr Helena WONG expressed concern about the roles and responsibilities of Mainland pig farmers and the relevant Mainland authorities in controlling ASF at source. Controller/CFS and PASFH(F)3 responded that stringent biosecurity measures had been implemented in Mainland registered pig farms. Among others, GACC required that all live pigs must come from registered farms and be segregated for 15 days to ensure the pigs were free of ASF symptoms before they were released from the farms. Monitoring and inspection would be conducted at all checkpoints during transportation as well as in and out of the Qingshuihe transfer house located in Shenzhen.

50. Mr KWONG Chun-yu noted with concern that in the second ASF case in SSSH, the pig detected to have infected with ASF virus was culled after having stayed in the slaughterhouse for six days. He wondered whether the culling of all the pigs in SSSH could have been avoided if the pig carrying the virus was slaughtered earlier. He further asked whether any negligence, dereliction of duties, malpractices or non-compliance of procedures were identified in the case.

51. Controller/CFS and PASFH(F)3 responded that there was no specific timeline on when a pig had to be slaughtered after entering the slaughterhouse. Normally, pigs of larger size were slaughtered within 48 hours. In the case cited by Mr KWONG Chun-yu, the pig carrying the ASF virus was of medium size. The Administration agreed that it was unsatisfactory to keep a pig too long in the slaughterhouse before slaughtering. It was believed that the implementation of the "daily clearance arrangement" in the two slaughterhouses would forestall the recurrence of similar cases.

52. Mr Steven HO considered that the pig culling arrangements due to ASF should comply with the relevant procedures recommended by OIE; and that the Administration should consult the trade on the details of similar culling operations in the future. He suggested that the Administration should review the contingency plans in response to different scenarios in case of further outbreaks of ASF in Hong Kong.

53. USFH responded that the Administration was seeking expert advice on whether the scale of culling operations could be reduced in future in case of

Action

ASF outbreaks in the slaughterhouses. In response to Mr Steven HO's enquiry about the "daily clearance arrangement" implemented in the two slaughterhouses, Assistant Director (Operations) 3/FEHD advised that after live pigs had been transported to the slaughterhouses, they would first be kept in the auctioning lairages for auctions and then transferred to the waiting lairages pending slaughtering. After clearance, thorough cleansing and disinfection work would be carried out in the auctioning lairages as well as the waiting lairages in turn on a daily basis, before the arrival of the next consignment of pigs.

Compensation and ex-gratia payments

54. The Deputy Chairman, Mr Steven HO, Ir Dr LO Wai-kwok and Ms YUNG Hoi-yan said that Members respectively belonging to the Liberal Party, the Democratic Alliance for the Betterment and Progress of Hong Kong, the Business and Professionals Alliance for Hong Kong and the New People's Party supported the proposed compensation and ex-gratia payments for affected pig owners in order to alleviate their direct financial loss caused by culling. The Deputy Chairman, Mr Steven HO, Mr HO Kai-ming and Mr Wilson OR suggested that the Administration should consider extending the compensation to cover other stakeholders in the supply chain of live pigs/fresh pork, e.g. fresh meat retailers and butchers, since they also suffered from financial loss as a result of the suspension of supply of live pigs. These Members suggested that consideration be given to: (a) reducing or waiving the rent of meat stalls selling fresh pork/meat in public markets to assist the meat stall owners/operators to tide over the financial hardship; or/and (b) reducing or waiving the relevant licence fee for fresh provision shops or market stalls selling fresh meat.

55. PASFH(F)3 responded that as the culling operations had caused direct financial loss to the concerned pig owners (i.e. people owning the pigs before the culling operations, who were usually live pig buyers or local farm owners), the Administration proposed that statutory compensation and ex-gratia payments be provided for the pigs culled in the operations. After the recent two cases of ASF infection in SSSH, the Administration had conducted the culling operations and the cleansing and disinfection work in SSSH within a short span of time, with a view to facilitating early resumption of the operation of the slaughterhouse. Supply of live pigs from the Mainland quickly resumed after the operation of SSSH had resumed normal. With experience gained from the first incident, the Administration had expedited the follow-up work and shortened the closure period of SSSH for the second incident.

56. USFH said that while the Administration had no plan at the present stage to extend the compensation to cover other stakeholders in the supply

Action

chain of live pigs/fresh pork, it would continue to listen to the trade's views and monitor the market situation.

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57. To help evaluate the impact of the suspension of supply of live pigs on the trade, Mr Steven HO requested the Administration to provide information on the estimated number of practitioners involved in the supply chain of live pigs in Hong Kong (including the respective number of pig farmers, slaughterhouse operators, livestock agents, buyers, workers in pig farms/slaughterhouses/meat transportation companies as well as meat stall owners/operators).

58. The Chairman expressed concern that the Administration proposed to earmark a provision of about \$263 million to cover the expenditure arising from culling of pigs in the future. He wondered whether the Administration had no confidence in preventing further outbreaks of ASF in Hong Kong. In response, PASFH(F)3 explained that the 43 local pig farms currently kept about 65 000 heads of live pigs. The Administration considered it necessary to provide sufficient funding in the event that culling all or part of the pigs in local farms and/or pigs to be slaughtered in slaughterhouses due to ASF was necessary. The above notwithstanding, the Government had endeavoured to prevent recurrence of another ASF incident, and the financial provision did not mean that the Administration anticipated multiple outbreaks of ASF in slaughterhouses.

59. Dr Helena WONG said that she had reservation about the funding proposal unless effective measures had been taken to prevent the spread of ASF in Hong Kong. She reiterated her views that the Administration should conduct more inspection visits to Mainland registered pig farms and monitor the inspection work of live pigs at the checkpoints during transportation (including in and out of the Qingshuihe transfer house) as well as the use of feed by Mainland and local pig farms. In response, USFH stressed that preventive measures against ASF had been strengthened in the light of ASF cases in Hong Kong. AFCD had also amended the licence conditions for livestock keeping to impose a ban on the storage or use of swill of pork origin or in contact with pork or pork products as feed in local pig farms from 12 January 2019 to minimize the risk of spreading ASF virus to pigs via swill.

(To allow sufficient time for discussion, the Chairman directed that the meeting be extended for five minutes.)

Supply of Mainland live pigs

60. In response to Mr HO Kai-ming's enquiry, PASFH(F)3 said that while the Administration kept a record of the average auction price of live pigs imported from the Mainland every day for reference by the trade and the

Action

public, it did not have statistics on the retail prices of various parts of fresh pork which varied from districts to districts and among meat stalls.

61. The Deputy Chairman, Mr HO Kai-ming, Mr Wilson OR and Mr Kenneth LAU expressed grave concern that the average daily supply of live pigs from the Mainland had dropped significantly after the two ASF cases in Hong Kong from about 4 000 heads to around 1 000 heads. They pointed out that the average retail price of fresh pork had surged noticeably (from about \$30 to \$40 per catty to \$100 per catty) as a result of a reduced supply of Mainland live pigs. They asked about the measures to be taken by the Administration to maintain an adequate supply of Mainland live pigs to help stabilize the price of fresh pork. In their views, the Administration should proactively liaise with the Mainland authorities on this matter and set a timeline on the full resumption of supply of Mainland live pigs to Hong Kong.

62. USFH and PASFH(F)3 responded that the Administration noticed that the supply of Mainland live pigs had reduced after SSSH's resumption of operation on 6 June 2019. The Administration hoped that the supply of Mainland live pigs would increase gradually and return to the normal level. Before that, there might be fluctuations in the wholesale and retail prices of fresh pork. USFH and PASFH(F)3 assured Members that the Administration would keep a close liaison with GACC to maintain a steady supply of live pigs and to ensure that all live pigs came from registered farms which were not affected by ASF. However, it was difficult for the Administration to set a timeline on the full resumption of supply of Mainland live pigs.

63. The Chairman asked whether the Administration would consider suspending the import of live pigs from the Mainland in the light of the escalating ASF risk on the Mainland. PASFH(F)3 responded that for the sake of prevention and control of the disease, supply of live pigs from registered farms which were infected with ASF or located within or near to the infected area would be suspended. After the recent two ASF cases in Hong Kong, the Administration noticed that the supply of chilled and frozen pork products in the market had increased as a substitution for fresh pork products.

64. The Deputy Chairman held the view that the Administration should not suspend import of Mainland live pigs due to the recent two ASF cases in Hong Kong. He expressed worries that it might be difficult to resume the supply in the near future due to various reasons. In his view, focus should be placed on stepping up the inspection and quarantine on Mainland live pigs supplied to Hong Kong.

65. Mr Steven HO said that to his understanding, in recent years, the wholesale and retail prices of fresh pork had been on the rise on the Mainland.

Action

This would provide less incentive for Mainland pig farmers to continue to supply live pigs to Hong Kong. He suggested that the Administration should discuss with the trade whether a higher purchase price should be offered to Mainland registered pig farms to secure a stable supply of quality pork meat to Hong Kong. The Administration should also provide more assistance and support to the local pig rearing sector in pig rearing and explore with the Mainland authorities the feasibility of increasing the number of pig farms eligible for supplying live pigs to Hong Kong. Controller/CFS admitted that due to the outbreaks of ASF on the Mainland, the wholesale and retail prices of fresh pork had gone up considerably owing to the reduction of supply. This might, to a certain extent, discourage Mainland pig farmers from exporting pigs to Hong Kong.

66. USFH said that the Administration believed that the implementation of the "daily clearance arrangement" in the two slaughterhouses in Sheung Shui and Tsuen Wan would help minimize the risk of ASF infection in the slaughterhouses. The Administration would keep the Mainland authorities informed of the implementation progress of the "daily clearance arrangement" and the enhanced measures against ASF in various areas, so as to restore the trade's confidence in maintaining the live pig supply chain in Hong Kong.

VI. Any other business

67. There being no other business, the meeting ended at 5:19 pm.