

立法會

Legislative Council

LC Paper No. CB(2)941/2022

Ref : CB2/PL/FE

Report of the Panel on Food Safety and Environmental Hygiene for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Food Safety and Environmental Hygiene (“the Panel”) during the 2022 Legislative Council session. It will be tabled at the Council meeting of 7 December 2022 in accordance with Rule 77(14) of the Rules of Procedure.

The Panel

2. The Panel was formed by resolution of the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007, 2 July 2008 and 26 October 2022 for the purpose of monitoring and examining Government policies and issues of public concern relating to food safety, environmental hygiene and agriculture and fisheries. The terms of reference of the Panel are in **Appendix 1**.

3. The Panel comprises 18 Members, with Hon Steven HO and Hon Judy CHAN elected as Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix 2**.

Major work

Food safety and supply

Food Surveillance Programme

4. When receiving the Administration’s annual update on the implementation of the Food Surveillance Programme (“FSP”), members expressed concern over the Centre for Food Safety (“CFS”)’s surveillance work particularly in respect of (a) food put up for sale online having regard to the growing popularity of online food sale/purchase in recent years, (b) imported frozen foods during the

Coronavirus Disease 2019 (“COVID-19”) epidemic as there were cases in which samples of frozen foods or their packaging had been tested positive for COVID-19 virus and (c) metallic contaminants or harmful substances in food.

5. The Administration stressed that ensuring food safety was an important part of its work. CFS had been closely monitoring the safety of food put up for sale online and hence, more online food samples had been collected for testing under FSP. In 2021, under FSP, CFS had tested about 66 300 food samples for regular surveillance and targeted surveys, among which over 5 200 food samples were purchased from online platforms (representing an increase of more than 10% over the previous year). The unsatisfactory rate of food samples from online shops/platforms maintained at a very low level which was similar to the test results of food samples collected from physical premises. In view of the upward trend of food purchase from online shops/platforms, CFS planned to enhance surveillance on food sold on online shops/platforms in 2022.

6. The Administration also advised that to prevent the risk of importing COVID-19 virus through imported frozen foods, CFS had been collecting samples of frozen foods and their packaging for testing and had implemented the “hold-and-test arrangement” under which the food items concerned would only be released to the market after test results had been confirmed negative. From June 2020 to mid-March 2022, CFS had tested more than 30 000 relevant samples (involving mainly frozen meat and aquatic products) imported from 61 countries or regions. CFS had been and would continue to monitor reports in the Mainland and other places on detection of COVID-19 virus in frozen foods. The Administration gave an assurance that prompt follow-up actions would be taken to protect public health, as and when necessary. It was noteworthy that the Administration was conducting a review on the regulation of veterinary drugs residues in food under the Harmful Substances in Food Regulations (Cap. 132AF). When conducting the said review, the standards and recommendations of the Codex Alimentarius Commission (“Codex”) as well as standards of major importing areas (including the Mainland, the European Union, Brazil and the United States) and the dietary practice of local population in Hong Kong would be taken into account. The review was expected to be completed in the first quarter of 2023. As regards surveillance work, CFS had collected 186 and 293 samples of pork, beef and related products for testing of Ractopamine, a kind of beta-agonists (“ β -agonists”), in 2020 and 2021 respectively. From 2017 to the first quarter of 2022, CFS had conducted surveillance of β -agonists on about 1 100 samples of pork, beef and related products from various countries and regions. All samples were tested with satisfactory results.

Import control on and radiation surveillance of food products from Japan

7. In this session, the Panel continued to discuss with the Administration on the follow-up actions in response to the possible impacts on food safety brought about by the plan of the Government of Japan to start discharging into the ocean

in spring of 2023 the radioactive wastewater generated in the process of cooling the reactors at the Fukushima nuclear power station (“FNPS”) (“Japan’s discharge plan”). Expressing grave concern over Japan’s discharge plan, members enquired whether the current import control on Japanese food was tight enough to prevent the import of radiation-contaminated food products and whether CFS would consider strengthening the import control over Japanese food in the light of the latest developments.

8. According to the Administration, a multi-disciplinary response team comprising representatives from CFS, the Department of Health and other relevant government departments had been formed and would follow up on issues relating to Japan’s discharge plan. The response team had already commenced the preparatory work to strengthen risk management measures which might be required once the discharge of wastewater commenced. Among other measures, CFS planned to step up the radiation testing of food products imported from Japan by increasing the testing scale, in particular, the proportion of aquatic products to be tested. Depending on the final report to be published by the International Atomic Energy Agency (“IAEA”) (which was supposed to conclude whether Japan’s discharge plan met the relevant safety standards of IAEA), relevant information provided by the Japanese authorities and risk assessments, etc., the Administration would not rule out the possibility of implementing further risk management measures to tighten the import control on food products from the related areas (e.g. requiring aquatic products from the relevant prefectures be accompanied with radiation certificates certifying that their radiation levels did not exceed the guideline levels laid down by Codex; otherwise, the food products could not be imported into Hong Kong).

9. There was a strong view among members that the Administration should relay clearly to the Japanese authorities that it opposed to the unilateral decision of the Government of Japan to discharge wastewater from FNPS into the ocean. In some members’ view, as Hong Kong had been Japan’s major export market/destination for food products, the Hong Kong Special Administrative Region (“HKSAR”) Government should proactively explore feasible means, such as imposing import quota for Japanese food products supplied to Hong Kong, prohibiting import of all agricultural and fisheries products from Japan etc., to exert pressure on the Government of Japan. In response, the Administration stressed that it attached great importance to the matter and had relayed the concerns of various sectors of the community to the Office of the Commissioner of the Ministry of Foreign Affairs of China in Hong Kong as the matter was an international issue in the realm of foreign affairs which was highly controversial and politically sensitive. The stance of the HKSAR Government had been and would continue to be in line with that of the Mainland authorities. As a matter of fact, the HKSAR Government had repeatedly and clearly informed the Japanese authorities that they should not discharge the wastewater from FNPS into the ocean unilaterally without the consensus of the international community to avoid bringing about irreversible damage to the global environment.

Food supply from the Mainland

10. Members noted with concern that in the early months of 2022, a number of cross-boundary truck drivers from Hong Kong had been tested positive for COVID-19 in the Mainland. Thereafter, immediate disinfection was undertaken by the Mainland authorities for epidemic prevention and control, leading to a disruption of supplies of fresh food as well as day-old chicks to Hong Kong. Concurrently, the slaughtering services of Sheung Shui Slaughterhouse and Tsuen Wan Slaughterhouse had both been suspended due to manpower shortage caused by the epidemic. Members considered it vital for the Administration to ensure a stable and adequate supply of fresh food produce in the market, so as to avoid a surge in local food prices. There was a view that during the epidemic, the Administration should explore with the Mainland authorities the feasibility of adopting point-to-point land transportation routes under close-loop management, with a view to reducing the risk of spreading the COVID-19 virus while ensuring stable food supply to Hong Kong.

11. According to the Administration, to strengthen anti-epidemic control, starting from 14 March 2022, all cross-boundary truck drivers were only allowed to drive to designated transfer yards in Shenzhen to pick up their consignments from Mainland drivers after crossing the control points. From 28 February 2022 onwards, the Transport Department would conduct rapid antigen testing (which was later replaced by rapid nucleic acid testing for improved accuracy of the testing) for cross-boundary truck drivers at various land boundary control points. Only drivers with a negative result would be allowed to enter the Mainland. On facilitating food import, railway transportation of goods from the Mainland had commenced on 2 March 2022 and sea routes were also used. Besides, CFS had implemented interim measures to allow the import as well as inspection of fresh aquatic products and frozen/chilled poultry via the Hong Kong-Zhuhai-Macao Bridge (“HZMB”) during designated periods. CFS planned to extend the scope of fresh product imports via HZMB to meat, eggs, vegetables and fruits. It was expected that the new arrangement could be implemented in the third quarter of 2023 upon completion of the necessary facilities.

Environmental hygiene

Mosquito and rodent control work

12. The Administration’s pest control work was high on the agenda of the Panel. When receiving the Administration’s update on the enhanced measures being pursued by relevant departments for prevention and control of rodent infestation, some members criticized that there was a lack of coordination among various departments in carrying out anti-rodent/mosquito operations in designated targeted areas. In members’ views, the Food and Environmental Hygiene Department (“FEHD”) should provide technical support and advice to relevant

bureaux and departments (“B/Ds”) in a proactive manner.

13. In response, the Administration advised that within the Government, the Pest Control Steering Committee set the overall directions for pest control efforts. It also coordinated and oversaw the implementation of measures by the relevant B/Ds, which carried out targeted prevention and control work in venues under their purview (e.g. public housing, markets, rear lanes, parks and leisure facilities, etc.). Separately, FEHD was responsible for rodent and mosquito surveillance, prevention and control in FEHD markets and public places. It also provided guidelines, advice and training to relevant B/Ds. At the district level, FEHD’s District Environmental Hygiene Offices would convene monthly anti-mosquito task force meetings with relevant departments and organizations to review their prevention and control work, while FEHD would convene anti-rodent task force meetings with relevant departments and organizations when the Rodent Infestation Rate (“RIR”) of a surveyed area exceeded 8%. The Administration further advised that it was planning to launch a territory-wide rodent control campaign in collaboration with all sectors of the community, with details of which to be announced by the end of 2022. It had also set the performance indicator to reduce the number of priority rodent blackspots at least by half by the end of 2023. In monitoring rodent infestation situation, FEHD was working with a local university in reviewing the existing RIR to explore the feasibility of formulating a “composite RIR” by taking into account more types of data (such as number of complaints, numbers of trapped and captured rodents, etc.). The review was expected to be completed in around the first quarter of 2023.

Tackling street obstruction and illegal shopfront extension

14. Members learned from media reports that due to the epidemic situation in Hong Kong, the relevant Mainland authorities had, since early February 2022, not allowed the cross-boundary recovery of styrofoam boxes which had been used for carrying vegetables supplied to Hong Kong, in order to reduce the risk of spreading the epidemic. Expressing concern that a substantial amount of abandoned styrofoam boxes had been piled up on the streets causing obstruction and hygiene problems, members called on the Administration to work out measures to handle the substantially increased abandoned styrofoam boxes. According to the Administration, styrofoam boxes were commonly used for daily supplies of vegetables and fruits to Hong Kong and could be recovered across the boundary for recycling before the epidemic. Based on the trade’s estimation, currently, some 120 000 styrofoam boxes entered Hong Kong each day. Since cross-boundary recovery and recycling of styrofoam boxes could not be resumed for the time being and the local recycling capacity was limited, the Administration was tackling the problem through three prongs. Firstly, FEHD and the Agriculture, Fisheries and Conservation Department (“AFCD”) were speeding up and increasing the frequency of the handling of abandoned styrofoam boxes. Secondly, the Environmental Protection Department (“EPD”), in addition to supporting proper handling of styrofoam boxes at refuse transfer stations and

landfills, had actively liaised with and provided support to more local recyclers to increase their recycling capacity. Thirdly, AFCD and EPD were proactively liaising with the relevant Mainland authorities, under the premise of epidemic prevention and control, to explore the possibility of formulating a set of mutually-agreed solutions (including making arrangements on workflow and standard for disinfection of styrofoam boxes) so as to allow the disinfected styrofoam boxes to resume returning to the Mainland for reuse.

15. Members noted and welcomed FEHD's adoption of a new mode of joint operations in cooperation with the Hong Kong Police Force ("the Police") in individual districts on a trial basis to remove and seize obstructive items illegally placed on the streets, with a view to tackling obstructions placed on carriageways or roadsides more effectively. There was a strong view among members that issuing fixed penalty notices ("FPNs") (with the current penalty level set at \$1,500) to offenders committing illegal shopfront extension ("SFE") could not achieve adequate deterrence, in particular on repeated/habitual offenders who regarded the fine as part of the operating costs. Members called on the Administration to amend relevant legislation and increase the maximum penalties for street obstruction/illegal SFEs (e.g. introducing a progressive penalty system whereby heavier penalties/increased fines would be imposed on repeated offenders or ordering suspension of business in serious cases/cases of repeated offence), so as to create a greater deterrence and to tackle at root the problems.

16. The Administration advised that where a case of obstruction was more serious or complicated, consideration would be given to issuing summons instead of FPNs. If situation warranted, the Department of Justice and relevant enforcement departments would consider presenting relevant information (such as past conviction records, gravity of offences etc.) to the courts for handing down heavier penalties under the summons system. It should be noted that FEHD and the Police had launched the trial scheme on joint operations since September 2021. Compared to the previous practice of issuing FPNs of \$1,500 or summonses to persons who caused obstructions, this new enforcement mode carried a greater deterrent effect with a higher cost for street obstruction/illegal SFEs. As the joint operations were well received by various sectors, the new enforcement mode had been gradually adopted in various districts across the territory since October 2022. As further advised by the Administration, the District Matters Co-ordination Task Force ("the Task Force"), led by the Deputy Chief Secretary for Administration, had since mid-August 2022 successfully tackled more than 600 hygiene and street obstruction blackspots and stepped up routine cleansing efforts in some 4 000 locations across the territory. The Administration's next course of action was to conduct a comprehensive review on the existing statutory powers and penalties regarding environmental hygiene, with a view to enhancing the effectiveness of the new enforcement mode. It would brief members on the progress of the Government Programme on Tackling Hygiene Black Spots launched by the Task Force and consult the Panel on the proposal to increase the existing fixed penalty level of \$1,500 for littering,

waste disposal, street obstruction and SFEs at the meeting scheduled for December 2022.

Implementation of the Market Modernization Programme, development and management of public markets

Proposed construction of a public market in Tin Shui Wai

17. When considering the Administration's proposal to construct a new public market at the section of Tin Fuk Road outside Tin Shui Wai MTR Station ("TSW New Market"), some members were mindful of the relatively high cost (i.e. about \$1.499 billion in money-of-the-day prices) and long construction time (target completion in around five years) expected to be required for the proposed project arising from its unique design and features. Enquiries were raised as to whether efforts had been made by the Administration to explore other site options in TSW for provision of a new public market. While giving an affirmative answer, the Administration advised that other possible sites in the district which had been explored were either too small and/or not as accessible as the current site. The current site, with direct access to the TSW MTR Station and an area of about 8 000 square metres (which could provide about 150 stalls in total), was selected upon considering the need to achieve accessibility, appropriate operation scale and place-making function of the new market.

18. Concern was also raised about the trade mix of TSW New Market. Some members strongly requested the Administration to seriously consider providing live poultry stalls in the proposed TSW New Market, on the condition that suitable facilities would be installed to prevent the outbreak of Avian Influenza ("AI"). The Administration advised that the prime consideration for providing live poultry shop in a public market was whether the risk of human infection of AI could be effectively controlled. While the Administration had no plan to provide a live poultry stall in the proposed TSW New Market, it took note of members' request for more live poultry stalls in the territory. The Administration assured members that it would proactively explore alternatives to see whether suitable arrangements could be made.

19. The funding proposal of TSW New Market was endorsed by the Public Works Subcommittee at its meeting on 26 October 2022 and would be submitted to the Finance Committee ("FC") for approval.

Proposal to make permanent a directorate post in FEHD for taking forward the Market Modernization Programme and new public market development projects

20. Members queried whether there was a genuine need for the Administration to make permanent the existing supernumerary Administrative Officer Staff Grade C post, currently designated as Assistant Director (Market Special Duties) ("AD(MSD)") responsible for taking forward the Market Modernization

Programme (“MMP”) and new public market development projects, upon the lapse of the post on 5 January 2023. Notwithstanding the Administration’s elaboration on the justifications for the proposed conversion, many members considered that in times of tight fiscal situation, the Government should ensure more prudent use of public money. In these members’ views, some duties currently undertaken by AD(MSD) were of a short-to-medium-term or project-based nature, contrary to public expectation that the incumbent should proactively resolve some long-standing and thorny problems. Members also noted with grave concern that under the 10-year MMP, the Administration had only commenced the overhaul of Aberdeen Market which was expected to be re-opened in the first quarter of 2023. There was a view that the Administration should set performance targets as well as medium- or long-term Key Performance Indicators for AD(MSD), so as to ensure early and timely completion of overhaul/improvement works under MMP as well as new public market development projects.

21. The Administration emphasized that under the stewardship and leadership of AD(MSD), FEHD had been pressing ahead at full steam and had achieved significant progress in development of new public markets and implementation of MMP/other initiatives for the enhancement of public market services. The overhauled Aberdeen Market (a pioneering project of MMP) would be recommissioned in the first quarter of 2023. To facilitate members’ better understanding of the work progress, the Administration made arrangement for the Panel to conduct a visit to Aberdeen Market on 5 October 2022. Furthermore, in the light of concerns and reservations expressed by members about the staffing proposal, the Administration subsequently decided to revise the proposal such that, instead of converting the post into permanent, the AD(MSD) post would be retained on a supernumerary basis for five years. The staffing proposal would be considered by the Establishment Subcommittee (“ESC”) on 29 November 2022.

Issues relating to agriculture and fisheries

Promoting the sustainable development of mariculture

22. When receiving the Administration’s update on its efforts in promoting the modernization and sustainable development of mariculture, with emphasis on the operation of the modern mariculture demonstration farm at the Tung Lung Chau fish culture zone (“FCZ”), some members pointed out that the local mariculture production had dropped from about 3 000 tonnes per annum in 1990s to only 850 tonnes in 2018. They expressed concern whether AFCD would, after the establishment of the demonstration farm, introduce other supportive measures for promoting mariculture.

23. According to the Administration, an array of measures covering finance, infrastructure, land and technical support would be rolled out in phases to raise

the quality and value of local produces as well as the productivity of the fisheries industry. Apart from setting up the demonstration farm, AFCD planned to commence in the first quarter of 2023 the statutory procedures for the designation of four new FCZs at Wong Chuk Kok Hoi, outer Tap Mun, Mirs Bay and Po Toi (Southeast), with a total sea area of about 600 hectares. These new FCZs would adopt deep sea cages or modern aquaculture models (such as high-density polyethylene cages with strong wind and wave resistance mariculture facilities, automated feeding and real-time monitoring systems) which were different from traditional fish rafts used in existing FCZs. As the setting up of deep sea cages involved high initial capital costs, AFCD was exploring setting up several new steel truss or other types of deep sea cages equipped with modern mariculture equipment in the new FCZs, so as to support the local industry to switch to modernized and sustainable mariculture practices. After the establishment of the new FCZs, the local mariculture production was expected to reach at least 5 000 tonnes per annum.

24. The Administration further advised that, in order to assist in the upgrading and transformation of the industry and expanding the market for local fisheries produce, AFCD had at the same time proactively introduced new culture species with good market potential to fish farmers to encourage product diversification. AFCD would continue to facilitate technology transfer to the industry and the development of the industry in terms of application of advanced technology/new culture techniques and intensification of production. Furthermore, AFCD would help local fishermen seize the opportunities arising from the Greater Bay Area (“GBA”) development. For example, in June 2020, the Guangdong Provincial authority designated an area in Huizhou Industrial Park for Hong Kong mobile fishermen to develop deep sea mariculture. The HKSAR Government had approved about \$15 million under the Sustainable Fisheries Development Fund (“SFDF”) to support local fishermen in cooperating with designated Mainland enterprises to participate in the development of deep sea mariculture in GBA. AFCD would continue to look for opportunities to develop deep sea mariculture in other Mainland provinces and cities.

Proposed injection into Sustainable Fisheries Development Fund and Sustainable Agricultural Development Fund

25. Members were supportive of the Administration’s proposal to make two separate injections of \$500 million each into SFDF and the Sustainable Agricultural Development Fund (“SADF”) (“proposed injections”) and to expand the coverage of and streamline the application procedures/assessment process for the two funds (“proposed enhancements”). Some members noted that one of the common objectives of SFDF and SADF was to help the fisheries and agricultural industries seize the opportunities arising from the development of GBA. Clarification was sought as to whether the grants approved under the two funds could be used for the building of infrastructures for fisheries or agricultural operations in GBA. The Administration responded in the affirmative, advising

that it hoped that the projects commenced under the two funds would facilitate more members of the fisheries and agricultural industries to develop their business in GBA.

26. Some members noted with concern that academic and research institutions in Hong Kong constituted a vast majority of successful applicants of SADF. Questions were raised as to how the applications so far approved under the two funds would benefit local fishermen and farmers, conducive to the sustainable development of the fisheries and agricultural industries. The Administration responded that since the establishment of SFDF and SADF, 34 applications in total had been approved with an aim to facilitate the modernization and sustainable development of the fisheries and agricultural industries. It was believed that the proposed injections and enhancements would further support the development of the two industries in terms of application of advanced technology and intensification of production. It was the plan of the Administration to seek funding approval from FC within 2022, and to set up a “task force” to strengthen the support to potential applicants, in particular trade organizations, in their course of making funding applications.

Issues relating to animal welfare

Proposed amendments to the Prevention of Cruelty to Animals Ordinance

27. Members in general were supportive of the direction of the Administration’s proposals to amend the Prevention of Cruelty to Animals Ordinance (Cap. 169) to (a) impose a positive “duty of care” (“DoC”) on persons responsible for animals, (b) enhance provisions for prevention of animal cruelty and (c) enhance enforcement powers to prevent and protect animals from suffering. Some members suggested that the Administration should educate responsible persons on the DoC requirements so that they knew what steps should be taken to cater for the welfare needs of animals under the proposed regulatory regime. According to the Administration, to provide guidance to responsible persons of animals in complying with the proposed DoC requirements, AFCD would issue Codes of Practice (“CoPs”) in phases for different animals, setting out practical guidance on how to properly provide for the welfare needs of animal. CoPs for pets (e.g. cats and dogs) would include guidelines on providing suitable animal-keeping environment, suitable diet, suitable protection, medical treatment and measures to be taken by the owner when a pet went astray, etc.

28. Some members noted that the Administration proposed to make it explicit in Cap. 169 that releasing or abandoning an animal which caused unnecessary suffering to the animal (e.g. releasing a sea turtle or marine fish into a freshwater river which was an unsuitable habitat) constituted an offence for animal cruelty. There were views that there might be difficulties for law enforcement agencies to collect evidence to prove that the animals concerned had suffered as a result of the release activities. Some members also expressed worries that if the released

animal was an invasive alien species or was incompatible with the local ecology, it might compete for natural resources with other native species and adversely affect the ecology. There was a view that animal release should be prohibited, except for religious, research or conservation purposes with prior approval from AFCD for conducting such activities. The Administration advised that apart from protecting the welfare of released animals through legislative means, the Administration considered it important to educate members of the public the potential impact of animal release activities on the natural environment. AFCD would appeal to the public to consider taking other virtuous actions in lieu of animal release (e.g. assisting in the rescue of local animals and protection of their habitats) and would step up educational work on this front in collaboration with animal welfare organizations.

29. As advised by the Administration, the drafting of the legislative amendments had entered the final stage. It would introduce the amendment bill into the Council as soon as possible.

Columbarium policy

Retention of two supernumerary directorate posts in FEHD for the regulation of private columbaria

30. At the Panel meeting on 10 May 2022, the Administration consulted members on its proposal to retain two supernumerary posts in the Private Columbaria Affairs Office (“PCAO”) under FEHD for a period of three years from 30 June 2022, which included (a) a directorate post of Administrative Officer Staff Grade B rank, designated as Head of PCAO (“H/PCAO”) and (b) a directorate post of Senior Principal Executive Officer rank, designated as Assistant Director (Private Columbaria) (“AD(PC”). Some members expressed reservations about the proposed retention of the posts of H/PCAO and AD(PC), having regard to PCAO’s progress of processing applications for specified instruments and failure to maintain effective communication with relevant stakeholders to facilitate the smooth implementation of the Private Columbaria Ordinance (Cap. 630) (“PCO”).

31. In response, the Administration pointed out that PCAO reported to the Panel on the implementation of PCO on a regular basis. The Administration proposed to retain the two supernumerary posts for three years to ensure that PCAO could continue to be led and managed by directorate officers for effective operation. There was a genuine need to retain the two posts to handle matters relating to private columbaria in the following areas: (a) speeding up the vetting of outstanding applications for specified instruments; (b) monitoring specified instrument holders’ compliance with conditions imposed by the Private Columbaria Licensing Board (“PCLB”); (c) handling complicated ash disposal and appeal matters; and (d) participating in the review of PCO. The Administration advised that as at end-April 2022, PCLB had received a total of

362 applications for specified instruments from 147 private columbaria. Other than the 16 applications which were withdrawn by the applicants, PCLB had, with the assistance of PCAO, made decisions on the applications of 75 private columbaria, including the rejection of the applications of 29 private columbaria and the approval/approval-in-principle of the licence/exemption/temporary suspension of liability applications in respect of 46 columbaria (which involved 360 440 sold niches, accounting for over 70% of the total number of sold niches of pre-cut-off columbaria in Hong Kong).

32. The relevant funding proposal was subsequently endorsed by ESC and approved by FC respectively on 8 and 15 July 2022.

Issues relating to the Food Truck Pilot Scheme

33. Following the Administration's announcement of its decision to bring the Food Truck Pilot Scheme ("the Scheme") to an end on 1 June 2022, the Panel discussed the matter with the Administration at the meeting on 10 May 2022 to explore the feasibility of allowing food truck operators to continue business after the said date. According to the understanding of some members, food truck operators were only given a few months to make corresponding arrangements for the conclusion of the Scheme on 1 June 2022. In these members' views, the Scheme could bring various benefits to Hong Kong. Apart from offering people more dining choices, it also served as a gateway for entrepreneurship, provided job opportunities and helped enliven the community environment. The food trucks business should not be positioned merely as a tourism promotion project, but also an initiative to promote local economy. Serious consideration should be given to allowing operators to continue their business in suitable venues after 1 June 2022.

34. According to the Administration, when the Scheme was launched on 3 February 2017, the Government had made it clear that the Scheme would be operated on a pilot basis. Its objectives were to add fun and vibrancy to Hong Kong's tourist attractions by providing diverse, creative and high-quality food options to tourists and locals while, at the same time, showcasing good hygiene and food safety. Food trucks were positioned to enhance and complement the existing food landscape in Hong Kong and not intended to create any unnecessary competition with existing restaurants. In order to maintain a fair business environment, food trucks were required to operate at designated locations and maintain certain distance from nearby catering outlets. After a comprehensive trial for almost five years, it had been ascertained that the operation and development of food trucks were unable to achieve the policy objectives. On 23 December 2021, the Government announced its decision to end the Scheme, but would extend it for about four months until 1 June 2022 to allow time for the operators to make corresponding arrangements. After the conclusion of the Scheme on 1 June 2022, it would be food truck operators' commercial decision whether to continue their business in other modes in the catering sector.

Meetings held

35. During the period between January and November 2022, the Panel held a total of eight meetings. The Panel has scheduled another meeting on 13 December 2022 to: (a) receive the Administration's briefing on the progress of the Government Programme on Tackling Hygiene Black Spots; and (b) discuss the Administration's proposal to raise the level of fixed penalty for littering, SFEs, etc. under the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570) (please see paragraph 16 above).

Council Business Division 2
Legislative Council Secretariat
24 November 2022

Legislative Council

Panel on Food Safety and Environmental Hygiene

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to food safety, environmental hygiene and agriculture and fisheries.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Panel on Food Safety and Environmental Hygiene

Membership list for the 2022 session*

Chairman Hon Steven HO Chun-yin, BBS, JP

Deputy Chairman Hon Judy CHAN Kapui, MH

Members Hon Tommy CHEUNG Yu-yan, GBM, GBS, JP
Hon CHAN Hak-kan, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon SHIU Ka-fai, JP
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP
Hon Stanley LI Sai-wing, MH
Hon LEUNG Man-kwong, MH
Hon Kenneth LEUNG Yuk-wai, JP
Hon CHAN Pui-leung
Hon CHAN Hoi-yan
Hon Joephy CHAN Wing-yan
Hon Benson LUK Hon-man
Hon YANG Wing-kit
Hon TANG Ka-piu, BBS, JP
Hon Kenneth FOK Kai-kong, JP

(Total : 18 Members)

Clerk Miss Josephine SO

Legal adviser Ms Wendy KAN

* Changes in membership are shown in Annex to Appendix 2.

Annex to Appendix 2

Panel on Food Safety and Environmental Hygiene

Changes in Membership

Member	Relevant date
Dr Hon David LAM Tzit-yuen	Up to 12 July 2022