

Advisory Council on Food and Environmental Hygiene

**Minutes of the 55th Meeting
held at 2:30 p.m. on Wednesday, 20 January 2014,
at Room 1801, 18/F, Central Government Offices,
2 Tim Mei Avenue, Tamar, Hong Kong.**

Mr. Felix FONG Wo, BBS, JP (Chairman)

Prof. Paul CHAN Kay-sheung

Prof. Thomas CHAN Yan-keung, BBS JP

Ms. Phyllis CHEUK Fung-ting

Dr. CHUNG Shan-shan

Mr. Allen HO

Dr. HO Pak-leung

Ms. Josephine KEA Chi-shun

Mr. Alan LEE Chi-keung, MH

Dr. Lilian LEONG FUNG Ling-yee, BBS, JP

Prof. Kenneth LEUNG Mei-yee

Ms. Winnie LI Hiu-lee

Mrs. Sandra MAK WONG Siu-chun

Prof. WONG Po-choi, MH

Mrs. Marion LAI, JP Permanent Secretary for Food and Health
(Food)

Dr. LEUNG Siu-fai, JP Deputy Director of Agriculture, Fisheries
and Conservation

Mr. Laurie LO, JP Deputy Director of Food and Environmental
Hygiene

Dr. CHING Cheuk-tuen, JP Head, Surveillance and Epidemiology
Branch, Department of Health

Absent with Apologies

Mr. Abraham CHAN Yu-ling

Prof. LO Yuk-lam

In Attendance

Food and Health Bureau (FHB)

Mr. Christopher WONG, JP Deputy Secretary for Food and Health (Food)1

Mr. Jeff LEUNG Deputy Secretary for Food and Health (Food)2 (Acting)

Ms. Hanny LAM Principal Assistant Secretary for Food and Health (Food)3

Miss Alison LO Assistant Secretary for Food and Health (Food)5

Dr. Jacky CHOI Assistant Secretary for Food and Health (Food)SD2

Food and Environmental Hygiene Department (FEHD)

Dr. HO Yuk-yin, JP Consultant (Community Medicine)(Risk Assessment and Communication)

Dr. LEE Siu-Yuen, JP Assistant Director (Food Surveillance & Control)

Agriculture, Fisheries and Conservation Department (AFCD)

Dr. Thomas SIT Assistant Director (Inspection & Quarantine)

Dr. Mary CHOW Principal Veterinary Officer (Acting)

Opening Remarks

1. The Chairman welcomed members to the meeting.

Agenda Item 1: Confirmation of the Minutes of the Last Meeting

2. The minutes were confirmed without amendments.

Agenda Item 2: Matters Arising from the Minutes of the Last Meeting

Visit to Man Kam To Food Control Office

3. The Chairman said that 10 members visited the Man Kam To Food Control Office on 5 July 2013. The Chairman considered the visit useful for familiarising members with the import control on fresh food imported from the Mainland. He suggested the Secretariat to arrange similar visits for members to other relevant facilities as appropriate.

Voluntary Rating System on Hygiene Standard of Food Premises

4. The Chairman mentioned that the previous term of ACFEH had explored the idea of introducing a voluntary rating system on hygiene standards of food premises. He noted that the Food and Health Bureau (FHB) and the Food and Environmental Hygiene Department (FEHD) had given some thoughts to the matter. He invited Mr. Laurie Lo to brief members of the Government's thinking.

5. Mr. Laurie LO briefed members on the past discussion on the subject. He reckoned that the idea was to rate the hygienic standards of the food premises not just based on the cleanliness of the customer area, but also on the hygienic standard of the kitchen and the way how the food was prepared and kept. This would require access to the non-customer area and professional input to do the evaluation. As such, the willing participation of the food premises concerned would be essential. He explained that FEHD as the licensing and enforcement authority for all food premises had prescribed a set of objective hygiene standards for licensing purposes. The grant of a licence would underlie that the food premises had met the relevant hygiene requirements and standards. It would cause confusion to the public and the food trade if FEHD were to play the role to assign hygiene ratings to the licensed food premises. It would therefore be

better if the voluntary rating system came from the initiative of the industry and administered by an independent body, with inspections conducted by qualified inspectors or auditors. He quoted the “Quality Upstairs Bar Campaign (優質樓上酒吧計劃)” in Tsim Sha Tsui as an example. The campaign was initiated by the industry and FEHD had provided support to the campaign. We might adopt a similar approach in developing the voluntary hygiene rating scheme for restaurants.

6. In above connection, Mr Laurie Lo observed that there might not be a very strong urge among the restaurants to introduce a voluntary hygiene rating scheme at the present juncture. He noted that the restaurant industry had recently come together to work on a voluntary initiative to collect waste oil for recycling for other uses. It might be a useful platform to encourage the industry in due course to consider the initiative of introducing a voluntary hygiene rating scheme. FEHD would maintain dialogue with the trade and revert to ACFEH of any development in due course.

7. The Chairman thanked Mr Lo for the introduction and agreed that the initiative would best be taken forward by the trade itself. He asked FEHD to keep in view and continue the efforts to encourage the trade to do so.

8. Dr. CHUNG Shan-shan and Dr. Lilian LEONG asked for more information about the demerit points system on licensed food premises administered by FEHD. Mr. Laurie LO explained that under the demerit points system, the food premises would be subject to demerit points for breaches of licensing conditions and their licences might be suspended or revoked when they accumulated a certain number of demerit points. Whilst the current regulation did not allow FEHD to disclose information about individual cases of breach of licensing conditions by food premises, FEHD would make public announcement whenever a licensee of food premises was suspended for 14 days or more. He however pointed out that in many of these cases, the food premises concerned were involved in the illegal extension of business area and the demerit points might not necessarily suggest that the hygiene standard of the food premises was poor. The Chairman asked if the frequency of current inspection system was adequate to ensure the hygiene standard of the food premises. Mr. Laurie LO replied that FEHD adopted a risk-based system whereby licensed food premises selling food of higher food risk would be subject to inspection at a 4-week interval and a 20-week interval for food premises selling food of lower food risk.

9. Ms. Winnie Li commented that the introduction of a hygiene rating system might in effect impose tighter regulation and have impact on the operating

conditions of the industry. She suggested the authority should focus its enforcement efforts on the ones which had poor hygiene record. Prof. WONG Po-choi recommended introducing an award scheme which seeks to recognise the meritorious performance of food premises. Mr. Alan LEE added that the industry might consider developing a tailor-made voluntary accreditation system such as the International Standard Organisation (ISO) for hygiene standard in local food premises instead of the rating scheme. The industry might engage a third party such as Hong Kong Productivity Council to develop the accreditation scheme. The Chairman suggested the industry should require their staff to receive refreshment courses on food safety and food hygiene every three years to maintain the standard.

Waste separation and collection in Hong Kong

10. At the last meeting, Dr. CHUNG Shan-shan had suggested ACFEH to look into the policy on waste separation in Hong Kong if the subject fell within the scope of the Council. Mr. Laurie LO took the opportunity to clarify that the overall policy of waste management and reduction fell under the Environment Bureau. FEHD was the frontline department responsible for the collection and transportation of domestic waste to designated locations assigned by the Environmental Protection Department. In response to question by Dr. CHUNG Shan-shan about the upgrading of refuse collection vehicles, Mr. LO said that the retrofitting of the refuse collection vehicles of both FEHD and FEHD's contractors had been completed, and the use of fully enclosed refuse collection vehicles would be a mandatory requirement for all new FEHD domestic waste collection contracts. He added that FEHD would take follow-up action on reported cases of dripping of waste water from refuse collection vehicles.

12. Replying to the question from Dr. CHUNG shan-shan on the three-colour waste separation bins, Mr. Laurie LO said that the contractor of FEHD was responsible for the collection of the three-colour waste separation bins and transferring the collected materials to the approved recyclers. FEHD had conducted regular on-site monitoring on its contractor to guard against unauthorised disposal of the recyclable materials collected as regular waste.

Regulation of health foods in Hong Kong

13. At the last meeting, Mr. Abraham CHAN had indicated wish to discuss the regulation of health foods in Hong Kong. In this regard, Mr. Jeff LEUNG informed the meeting that there was currently no specific legislation for regulating the "health food products" in Hong Kong. For those classified as medicine, it would be regulated either by the Chinese Medicine Ordinance (Cap.

549) or the Pharmacy and Poison Ordinance (Cap. 138). The remaining health food products would be classified as food and regulated by the Public Health and Municipal Services Ordinance (Cap. 132). The relevant statutory requirements on food labelling and food safety standards should be complied.

14. Ms. Winnie LI, Mrs. Sandra MAK and Dr. Lilian LEONG expressed concerns on the incidents of exaggerated claims on the effect of “health food products”. Mr. Jeff LEUNG replied that the Centre for Food Safety (CFS) had conducted routine food surveillance monitoring on food and food products, including but not limited to health foods which were not classified as medicines, to ensure that they were fit for human consumption. For claims on the effect of the health food products, they would be subject to the regulation by the Undesirable Medical Advertisements Ordinance (Cap. 231) and Trade Descriptions Ordinance (Cap. 362). Mrs. Marion LAI added that there was no internationally recognised definition of “health foods” and extensive laboratory and clinical experiments would be required for verification of the effect in their health claims. The Government noted the issue and would consider conducting a review in the longer run taking into account the priorities of different issues with food safety concern.

15. Prof. WONG Po-choi, Mrs. Sandra MAK and Prof. Thomas CHAN appreciated that there was currently no internationally-recognised definition on “health foods” and they urged the Government to conduct a review and consider tightening up the regulatory control on the exaggerated claims. Prof. Wong Po-Choi floated an idea of asking the health food manufacturers to provide evidence on the health claims of their products. Prof. Thomas CHAN commented that health claims of some traditional herbal products might be even more difficult to verify. He suggested more efforts to educate the public with reference to overseas experience.

Organisation of seminars to facilitate exchanges with schools on issues of food safety

16. At the last meeting, Prof. WONG Po-choi had suggested FEHD to consider organisation of seminars to facilitate exchanges with schools on issues of food safety. Ms. Hanny LAM briefly updated the meeting on the efforts of Centre for Food Safety on food safety education. It was proposed that the item be further discussed at the next ACFEH meeting.

Agenda Item 3 : Amendments to the Microbiological Guidelines for Ready-to-eat Food (ACFEH Paper No. 1/2014)

17. Dr. HO Yuk-yin introduced the paper.

18. Dr. Paul CHAN concerned whether the new and tightened requirements in the amended guidelines would have impact on the operation of industry. Dr. HO Yuk-yin explained that the requirements in the amended guidelines were similar to the current requirements except a more detailed food categorisation and the tightened control in cooked food. In response to the question from Mr. Allen HO on the requirements of canned food and vacuum packed food, Dr. HO explained that all ready-to-eat foods, including the canned food and vacuum packed food, should comply with the requirements on aerobic colony count (ACC) and specific foodborne pathogens as listed in chapter 1 and 2 of the guidelines. Dr. HO Pak-leung suggested issuing clear instructions to the health inspectors and business operators on the follow-up actions for the “Borderline” and “Unsatisfactory” results from inspection. Dr. HO explained that the introduction of the borderline category in the amended guidelines was aimed to alert the business operators to improve their hygiene standards by making reference to the suggested actions in the guidelines and the authority would arrange follow-up inspection to review the improvement measures. He said that the enforcement action would only be taken on unsatisfactory findings.

19. The Chairman asked whether the business operators could perform analytical test by themselves to demonstrate their compliance. Mr. Allen HO told the members that the tests on the ACC and specific foodborne pathogens were available but he concerned that the high testing cost would be a burden to the industry. Dr. Lilian LEONG and Mr. Allen HO urged CFS to provide adequate training to the industry in the requirements on the amended guidelines. Dr. HO Yuk-yin stated that the guidelines were acted as a reference to the industry about the requirements on microbiological quality of ready-to-eat foods. The programme on Hazard Analysis and Critical Control Point System (HACCP) and hygiene manager would also provide adequate training to the frontline operation on fulfilling the requirements in the amended guidelines. Prof. WONG Po-choi asked if the amendment was made in response to the deteriorated hygiene performance of industry. Dr. HO Yuk-yin replied that the amendment was only made in accordance to the update of overseas reference standards.

20. Prof. Kenneth LEUNG and Prof. Thomas CHAN recognised the efforts on amending the guidelines and agreed with the authority adopting the hygiene

indicator organism as a simple indicator for the industry. Prof. Kenneth LEUNG also shared with the members about the latest development on the application of probiotics in food industry. He recommended establishing the microbiological criteria for probiotics in food in future amendment of the guidelines.

Agenda Item 4 : The First Hong Kong Total Diet Study: Acrylamide (ACFEH paper No. 2/2014)

21. Dr. HO Yuk-yin introduced the paper.

22. Prof. Kenneth LEUNG commented that the lower acrylamide levels found in the food purchased from restaurants might be attributed to the different cooking methods adopted in restaurants and in the laboratory setting. Dr. HO Yuk-yin explained that the samples were stir-fired without any cooking oil which was followed the general food preparation procedures in similar overseas studies. Prof. Kenneth LEUNG shared with members about the latest research findings from his colleagues on reducing the formation of acrylamide by addition of cinnamon or spice during cooking and he suggested that it might be the reason for the lower level of acrylamide reported in the food purchased from restaurants.

23. Mr. Alan LEE considered that CFS should step up publicity and public education on the subject to draw public's attention to the issue. Dr. HO Yuk-yin noted the suggestion and reported that CFS had launched the publicity programme on internet, seminars, road show, TV shows, pamphlets & posters. Prof. WONG Po-choi also expressed that the content of the guidelines would be too technical for the general public and suggested CSF should deliver simple and clear message to general public. The Chairman concluded the discussion and suggested CFS should consider issuing simplified pamphlets for the general public.

Agenda Item 5 : Trap-Neuter-Return (TNR) Trial Scheme for Stray Dogs (ACFEH Paper No. 3/2014)

24. Dr. Mary CHOW introduced the paper.

25. Prof. Kenneth LEUNG asked whether AFCD would take any precaution on the population dynamics of stray dogs such as building fence to avoid migration of dogs into the zone. Dr. Mary CHOW replied that the consultant

would conduct a baseline population survey before the commencement of the project and the stray dogs under the TNR scheme would carry specific mark for easy identification after sterilization. Furthermore, the project coordinators would conduct regular population survey on the number of stray dogs under the TNR scheme in the zone and AFCD would regularly review the situation.

26. In reply to a question from the Chairman, Dr. Mary CHOW advised that the trial programme would be operated by a voluntary organisation. AFCD would monitor the operation of the trial programme and regularly conduct evaluation on the effectiveness of the trial programme.

Agenda Item 6 : Any Other Business

27. The Chairman invited the Government to provide updates on the following issues:

- (i) recent H7N9 incidents
- (ii) cadmium in rice
- (iii) columbaria development

Update on recent H7N9 incidents

28. Mr. Christopher WONG briefly introduced the prevailing measures taken by the Government to minimise the risk of an outbreak of avian influenza (AI) in Hong Kong and the close communication with the State General Administration of Quality Supervision Inspection and Quarantine (AQSIQ) on information about the H7N9 outbreak in the Mainland. He reported that there was hitherto no sample tested to be H7 positive in local or imported live poultry, and the Government would continue with the stringent surveillance and biosecurity measures at the farm, wholesale and retail levels to ensure public health. He also informed the meeting that with the agreement of the Mainland authorities, we would introduce H7 serology testing on imported live poultry starting from 24 January 2014. This would further strengthen our capability in background monitoring and in providing alerts at the farm level. Mrs. Marion LAI added that we would also introduce the H7 serology testing in local chicken farms.

29. Dr. HO Pak-leung welcomed the introduction of serology test and suggested the Government should review the risk of selling live poultry in local

markets against the high population density of Hong Kong. Taking consideration for the risk of the AI outbreak, he opined that the sale of live poultry in local markets should be phased out. Mr. Alan LEE agreed with comment and urged the Government to take account into the risk of AI outbreak when reviewing the policy on the sale of live poultry in Hong Kong.

30. Prof. Paul CHAN urged the Government to review the effectiveness on the resources allocated to the prevention of AI outbreak associated with the sale of live poultry in local markets. He hoped that the Government would revisit the proposal of adopting central slaughtering of poultry in order to minimize the contact between human and live poultry. Mr. Christopher WONG replied that the Government had implemented a series of effective preventive and control measures on AI since 1997, the scale of live poultry industry had been reduced to a manageable scale. Taking into account the AI risk then prevailing, the Government had decided in 2010 to drop the proposal of central slaughtering of poultry. Mrs. Marion LAI supplemented that according to the consultant commissioned by the Government to study the proposal of central slaughtering of poultry, the facility would not be commercially viable owing to the limited scale of live poultry and substantial Government subvention would be required. She reassured the members that the Government would take appropriate control measures to contain the risk of AI.

Cadmium in rice

31. Dr. LEE Siu-yuen briefed members on the findings of a recent study by the Consumer Council on the content of heavy metal in rice. Three rice samples were detected with cadmium in the study with a concentration ranged from 0.143 mg/kg to 0.223 mg/kg. Based on the risk assessment conducted by CFS, the adverse effects on consumption of the rice sample with 0.223 mg/kg could not be ruled out for high consumers. She also reported that the only available follow-up sample was also found to contain cadmium at 0.28 mg/kg and CFS had carried out appropriate follow-up action.

32. In response to the question from Mrs. Sandra MAK on the regulatory monitoring of rice, Dr. LEE Siu-yuen said that the CFS adopted a risk-based approach food surveillance plan and had conducted regular surveillance on heavy metals, including cadmium, in rice and rice samples taken at import, wholesale and retail levels. Mrs. Marion LAI remarked that the concerned rice samples were imported from the Mainland and the majority of the rice consumed in Hong Kong was from Thailand. The market share of rice imported from the Mainland was comparatively not too significant.

Columbaria development

33. Mr. Christopher WONG briefly updated the members about the current business impact assessment to study the implications of the proposed regulatory scheme on private columbaria. The concerned departments had conducted reality checks to most of the private columbaria on the List to assess whether they would be able to comply with the prospective requirements. FHB/FEHD had also conducted outreaching visits to columbaria on the List. Mr Christopher WONG also informed members that the Government was working on the proposed legislation on the regulation of private columbaria and the proposed legislation was expected to be introduced into the Legislative Council by the second quarter of 2014. He suggested that the subject matter be put to discussion at the next ACFEH meeting.

Other issues

34. The Secretariat had drawn up a forecast of agenda items for discussion by ACFEH in 2014 and the forecast was tabled for Members' information. Members took note of the forecast.

35. There being no further business, the meeting was adjourned at 5:15 p.m. The Secretariat would inform members of the date of the next meeting in due course.

Secretariat
Advisory Council on Food and Environmental Hygiene
July 2014