

Advisory Council on Food and Environmental Hygiene

**Minutes of the 56th Meeting
held at 2:30 p.m. on Thursday, 17 July 2014,
at Room 1801, 18/F, Central Government Offices,
2 Tim Mei Avenue, Tamar, Hong Kong.**

Mr. Felix FONG Wo, BBS, JP	(Chairman)
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. LO Yuk-lam	
Mr. Abraham CHAN Yu-ling	
Mrs. Marion LAI, JP	Permanent Secretary for Food and Health (Food)
Mr Alan WONG Chi-kong, JP	Director of Agriculture, Fisheries and Conservation
Miss Vivian LAU Lee-kwan, JP	Director of Food and Environmental Hygiene
Dr. CHING Cheuk-tuen, JP	Head, Surveillance and Epidemiology Branch, Department of Health
Miss Hanny LAM	Principal Assistant Secretary for Food and Health (Food) ³ (Secretary of ACFEH)

Absent with Apologies

Prof. Thomas CHAN Yan-keung

Prof. Paul CHAN Kay-sheung

Ms CHEUK Fung-ting

In Attendance

Food and Health Bureau (FHB)

Mr. Christopher WONG, JP

Deputy Secretary for Food and Health
(Food)1

Mr. Philip CHAN, JP

Deputy Secretary for Food and Health
(Food) 2

Mr. Jeff LEUNG

Principal Assistant Secretary for Food and
Health (Food)1

Miss Diane WONG

Principal Assistant Secretary for Food and
Health (Food)2

Mr. Desmond WONG

Assistant Secretary for Food and Health
(Food)4

Food and Environmental Hygiene Department (FEHD)

Dr Samuel YEUNG

Consultant (Community Medicine) (Risk
Assessment and Communication) (Acting) /
Principal Medical Officer (Risk Assessment
& Communication)

Dr Kelvin LOW

Principal Medical Officer (Risk
Management) (Acting) / Senior Medical
Officer (Food Incidents Response &
Management)

Mr. LAU Che-wong

Assistant Director (Operations) 1

Dr CHOW Chor-yiu

Head (Risk Assessment Section)

Opening Remarks

1. The Chairman welcomed members to the meeting. He advised that the agenda item on “Report on the Food Surveillance Programme for 2013” would be moved forward and discussed right after the item on “A food incident – Brominated Vegetable Oil (BVO) being detected in a beverage sold in Hong Kong” as both would be presented by the same officer from CFS.

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

3. There were no matters arising from the minutes of the last meeting.

Agenda Item 3 : Private Columbaria Bill (ACFEH Paper No. 4/2014)

4. Mr. Christopher WONG introduced the paper.

5. Dr CHUNG Shan-shan asked for clarification on the kind of structures referred to in the Bill. Miss Diane WONG explained the arrangements applicable to structures in pre-Bill columbaria for licence, exemption or temporary suspension of liability (TSOL) applications (applications for regulatory instruments), as specified in the Bill. Mr. Christopher WONG supplemented that a licensing board would be set up under the legislation and tasked with the responsibility of considering applications for regulatory instruments. Members noted that compliance with the requirements relating to structures in pre-Bill columbaria would be taken into account when the licensing board determined the merits of applications for regulatory instruments.

6. The Chairman asked whether the columbaria operators would take advantage of the grace period before the commencement of the Private Columbaria Bill to operate new columbaria that were not supposed to be grandfathered under the Bill. Mrs Marion LAI said that the Bill provided that that Bill announcement time (8:00 a.m. on 18 June 2014) would be set as the cut-off time for determining the status of pre-Bill columbarium operation. The Government intended to adopt a stringent threshold that allowed pre-Bill

columbaria with prospects of regularisation to apply for TSOL. To facilitate the work of the future licensing board in ascertaining whether a particular columbarium did exist prior to the cut-off time as specified in the Bill, the Government had devised an administrative notification scheme. In response to Members' question, Miss Diane WONG said that most of the pre-existing columbaria operators on the Development Bureau's List (Information on Private Columbaria) had already participated in the notification scheme.

7. The Chairman said that the Bill would not apply to no more than 5 containers of ashes (with each containing ashes of one person only) kept in domestic premises and he asked how this could be enforced. Mr. Christopher WONG acknowledged that on this issue, pro-active enforcement might not be possible. It was envisaged that the Food and Environmental Hygiene Department (FEHD) would generally act on complaint.

8. Dr Kenneth LEUNG asked whether the Bill would regulate columbarium operators handling ashes for pets. Miss Diane WONG replied that the scope of the Bill was confined to cremated human remains, and hence would not cover animal ashes. Mrs Marion LAI supplemented that dealing with private columbaria for ashes of people would be the Government's priority. The Administration did not intend the Bill to cover columbaria for keeping animal ashes. The Chairman suggested that the Government should encourage green burial for animals.

9. Mr. Alan LEE asked what would happen to the ashes should unscrupulous operators abandon or fold up the columbaria before obtaining licences. Mrs Marion LAI advised that the Bill would provide a skeleton framework for the prescribed ash disposal procedures under which FEHD, operators and innocent third parties, as applicable, would need to comply with. FEHD could apply to the Court for an Occupation Order to occupy the columbarium premises temporarily for a period of time to facilitate the claiming back and removal of ashes and related items. This above approach would be applicable to abandonment of a columbarium by the operator. Mr. LEE asked about the size of a niche; and whether it was permissible to place more than one ash container therein if the family so wished. Miss Diane WONG said that the applicants for regulatory instruments were required to submit plans to the licensing board for approval, and information on the number of containers of ashes interred in each niche in the columbarium would need to be reflected in such plans. As regards niches in columbaria operated by FEHD, Mr. Christopher Wong observed that the Administration had earlier on amended the rules allowing additional sets of ashes to be put into a single niche, should family members so wish. Similar relaxations were being contemplated by BMCP.

10. The Chairman asked whether land ownership would be a factor of consideration in determining whether a licence would be granted to the columbaria operator. Miss Diane WONG said that the premises used for operation as a licensed columbarium must be self-owned by the operator (except that, under the grandfathering arrangements for pre-Bill columbaria, this requirement was modified to the extent that if they did not run on self-owned premises, the operators must prove that they had the right to use the premises for at least five years from the grant of the licences).

Agenda Item 4 : A food incident – Brominated Vegetable Oil (BVO) being detected in a beverage sold in Hong Kong (ACFEH paper No. 5/2014)

11. Dr Kelvin LOW introduced the paper.

12. Dr CHUNG Shan Shan noted that BVO was not listed in the Harmful Substances in Food Regulations (Cap. 132AF) as a prohibited harmful substance and that CFS would not suggest it to be used as food additive. As such, she took it to mean that BVO should not be consumed by human beings. In this regard, Mr Allen HO clarified that BVO could be used as an emulsifier to stabilize artificial flavour in beverages and was permitted for use in beverages in some countries.

13. In response to Ms. Winnie LI's enquiry on the effect of consuming BVO, Dr Kelvin LOW replied that research results had shown degenerative cardiac lesions in rats at a comparatively high level of intake. Mr Allen HO supplemented that research studies had indicated that intake of BVO at amount as high as 4 to 5 litres per day would be harmful to human. Dr LOW advised that whilst BVO would cause harm to human only at relatively high dosage, the potential accumulation of bromine was also a matter of concern and hence the presence of BVO in food would not be encouraged and would be closely monitored.

Agenda Item 8 : Report on the Food Surveillance Programme for 2013 (ACFEH Paper No. 9/2014)

14. Dr Kelvin LOW introduced the paper.

15. The Chairman noted that the overall satisfaction rate of food samples inspected under the Food Surveillance Programme reached 99.9%. He commended CFS's effort in upholding food safety in Hong Kong.

16. Dr Lillian LEONG and Mr Alan LEE asked about the procedures and methodology adopted by CFS in tracing radiation contamination of food imported from Japan. In reply, Dr Kelvin LOW explained that in general, food consignments imported from Japan would be subject to radiation checking at the import control level. Samples would be taken and screened by a handheld food radiation detector. Further food samples would be taken and put in minced form for radiation detection. In 2013, more than 56 000 samples of food imported from Japan had been tested and the results were satisfactory. He added that CFS had adopted a risk-based approach and more samples would be taken for items considered to be of higher risks, such as food types previously detected with radiation contamination or food consignments imported by traders who were involved in previous cases. Miss Vivian LAU added that if radiation contamination was detected in a food product, e.g. teabags, CFS would keep track of the radiation level of the same product type from different sources.

17. Dr Kenneth LEUNG commented that the surveillance programme was rather comprehensive. For preparation of samples for radiation detection, he suggested using the dried samples instead of fresh products to give more accurate results. In this regard, the Chairman suggested CFS to consult Dr LEUNG after the meeting to see if there was room for enhancing the testing methodology.

18. Dr Lilian LEONG considered it prudent to maintain close monitoring of food imported from Japan against radiation contamination and CFS was suggested to conduct further literature research on radiation surveillance in food. The Chairman echoed her view and remarked that Hong Kong was the biggest export market for Japanese food and over 50% of its food exports were destined for Hong Kong. Mr Philip CHAN responded that CFS would continue to monitor closely to ensure food imported from Japan to be free from radiation contamination. He also suggested that ACFEH Members might arrange a visit to the Airport Food Inspection Office of CFS to see on ground how the surveillance against radiation contamination was conducted.

[Post-meeting note: A visit to Airport Food Inspection Office was arranged for ACFEH on 27 October 2014.]

19. Dr HO Pak-leung noted that whilst the overall satisfaction rate of the food sold in Hong Kong was good, the number of food poisoning incidents was relatively high. Dr Kelvin LOW responded that the overall number of food poisoning incidents had been decreasing compared with earlier years and CFS would continue to follow up each incident closely to prevent recurrence. In reply to Dr HO Pak-Leung's question about the recent food incidents in relation to beverages imported from the Mainland, Dr LOW said that in the event of confirmed contamination cases, the whole consignment of beverages would be recalled and disposed of.

20. The Chairman referred to another food incident concerning “Hung Fook Tong” in which the manufacturer had recalled the products voluntarily. He asked whether the manufacturer was required to make a report to CFS on the incident and what actions CFS would take. Dr Kelvin LOW said that in general, suppliers and manufacturers were required to notify CFS immediately if any recall of products was due to food safety ground. CFS would take immediate action to investigate. Dr LOW remarked that suppliers and manufacturers would sometimes make a recall due to technical reason instead of food safety issue, e.g. package design, and on such occasions there would be no need to notify CFS.

21. On the scope of coverage of the Food Surveillance Programme, Mr Allen HO suggested that CFS should consider taking samples along the food production and supply chain, in addition to sampling from food sold in the market. Prof. LO Yuk-lam shared the view and he pointed out that sometimes the cause of the problem was not at the source when the food was produced, but along the supply chain whereby the food products were not probably handled. He advised that CFS should strengthen food safety education to logistics companies engaged in the food supply chain.

22. Ms. Josephine KEA asked whether the scope of Food Surveillance Programme would be reviewed from time to time and whether relevant stakeholders would be consulted when the annual surveillance plan was drawn up. Mr. Philip CHAN replied that the Food Surveillance Programme was an established programme to keep track of the safety standards of food sold in the market and CFS would draw up the annual surveillance plan based on risk as well as the food consumption pattern by Hong Kong people. Miss Vivian LAU

added that FEHD would take into account the above suggestions by Members and would consult ACFEH in drawing up next year's surveillance plan.

Agenda Item 5 : Pre-market Safety Assessment Scheme of Genetically Modified Food – revised scope of the Scheme (ACFEH Paper No. 6/2014)

23. Dr CHOW Chor-yiu introduced the paper.

24. Prof. LO Yuk Lam asked about the definition of genetically modified (GM) food adopted by CFS and whether there was any labelling requirement for GM food. Dr CHOW Chor-yiu replied that GM food was defined as any food that is, or is derived from, an organism in which genetic material has been modified using modern biotechnology. He said that at present labelling of GM food or food with GM ingredients was voluntary. However, if any food with GM content was holding out as non-GM food, it would be in contravention of the Trade Description Ordinance.

24. Prof. LO Yuk-lam asked whether the Government would consider introducing mandatory labelling requirement for GM food. Mrs Marion LAI replied that the Government had taken into account international practices and the view of the Legislative Council in considering whether a mandatory labelling scheme for GM food should be introduced in Hong Kong. Noting that Hong Kong relied predominantly on imported food, we were concerned that the mandatory labelling requirement of GM food might have significant impact on the supply of food in terms of variety. Whilst a labelling scheme would serve to enable consumers to make an informed choice, from the food safety perspective it would be more important to ensure that the food with GM content was safe for human consumption. It was therefore the Government's proposal to introduce the Pre-market Safety Assessment Scheme (PMSAS) of GM Food to ensure the safety of GM food in Hong Kong.

25. Mr. Philip CHAN added that in accordance with the revised proposal of Pre-market Safety Assessment Scheme of GM Food, local food importers would be required to ascertain with their suppliers that their products contain only approved GM food as covered in the list to be drawn up by CFS. Food importers should also upload the list on its homepage for reference of the public and trade. The Government's intention was to confine the responsibilities to importers, who would be the gatekeeper to ensure that the imported food products only contained approved GM ingredients.

26. In response to Ms. Winnie LI's question, Mr. Philip CHAN advised that according to World Health Organization (WHO), there was no scientific evidence indicating that GM food was harmful to human health. Most of the GM food currently available on the international market had passed safety assessments of the food safety regulatory bodies of respective economies and were fit for human consumption.

27. Mr. Abraham CHAN asked about the liability on the importers. Dr Samuel YEUNG explained that under the revised proposal, importers would be required to ascertain with their suppliers that their products contain only approved GM food. It was envisaged that a GM food developer who intended to place a GM food in the local market would be required to submit an application for PMSAS together with the necessary supporting documentation to CFS for evaluation. CFS would determine whether the GM food developer has adequately addressed the safety issues based on Codex principles and guidelines.

28. Dr CHUNG Shan-shan asked how CFS would conduct the evaluation. Dr CHOW Chor-yiu replied that development of the GM technology was evolving. CFS would take into account the assessment reports submitted by biotechnology companies which developed the GM organisms for food production, as well as the safety assessment conducted by other food safety authorities.

29. Dr HO Pak-leung asked how long the importation record should be kept by the importers. Mr. Philip CHAN replied that according to the Food Safety Ordinance (Cap. 612), records should be kept for 24 months if the shelf-life of the product was less than 3 months.

**Agenda Item 6 : Regulatory Control on Sale of Chilled Meat/ Poultry in Fresh Provision Shops
(ACFEH Paper No. 7/2014)**

30. Mr. LAU Che-wong introduced the paper.

31. Dr Kenneth LEUNG noted that there were cases reported in which frozen meat was sold as chilled meat and he asked whether this was permissible. Mr. LAU Che-wong replied that it was a breach of the licensing condition for selling frozen meat as chilled meat, which would lead to immediate cancellation of the licence, and FEHD would step up enforcement against such illicit acts. If FEHD encountered cases related to the Trade Descriptions Ordinance (Cap. 362), the cases would be referred to Customs and Excise Department (C&ED) for

follow-up action. Mr. Philip CHAN supplemented that there were two pieces of legislation that FEHD could deploy to tackle the situation, namely the Public Health and Municipal Services Ordinance (Cap. 132) and the Trade Descriptions Ordinance (Cap. 362).

32. Ms. Josephine KEA commented that pathogens were sometimes introduced in the course of the handling of the chilled meat and hence it would be useful to strengthen education and publicity efforts targeting housewives and logistics companies involved in the transport of chilled meat. Dr Lilian LEONG also commented that the leaflet and posters attached at Annex II should be tailored to suit the target audience better. Mr LAU Che-wong responded that FEHD had been taking steps to strengthen enforcement against irregularities arising from the transportation, storage or display for sale of chilled meat and poultry at inappropriate temperatures. He said that FEHD would take into account Members' suggestions and strengthen the education and publicity efforts.

Agenda Item 7 : The Centre for Food Safety's Public Education and Publicity Efforts in Promoting Food Safety (ACFEH Paper No. 8/2014)

33. Dr Samuel YEUNG introduced the paper.

35. Dr CHUNG Shan-shan asked whether the participation of Consumer Liaison Group (CLG) was open to public and if so, she would recommend her students to sign up. Dr Samuel YEUNG replied in the affirmative. He said that the recruitment of CLG members had been advertised in CFS's website and in the CHOICE magazine of the Consumer Council. He added that the main purpose of CLG was to allow CFS to have more insight on various food safety issues from the consumer's point of view.

36. Mr. Alan WONG asked if the publicity effort covered foreign domestic helpers. Dr Samuel YEUNG replied that CFS had organised special seminars for foreign domestic helpers from Indonesia and produced videos on food safety in English and Chinese and with subtitles in different languages, for example in Thai and Nepalese, such that food safety messages could reach ethnic minority groups. CFS had been cooperating with other parties such as NGOs and Consulate-General in this aspect.

37. Dr HO Pak-leung asked how the outcome of these publicity effort to be

assessed. Dr Samuel YEUNG said that CFS had conducted evaluation on its programmes such as the KAP survey of nutrition labelling education efforts, and evaluation by the CLG on various food safety messages and CFS's publicity work. He said that it was in general difficult to formally evaluate the effectiveness of the health promotion activities.

38. Prof. LO Yuk-lam said that the Hong Kong Food Council had conducted seminars to publicize the importance of food safety and the Council was willing to cooperate with CFS to conduct public education.

39. The Chairman suggested that CFS should utilise the popularity of mobile devices and the internet to reach out the younger generation. Prof. LO Yuk-lam added that social media, such as facebook and twitter, would be of use in conducting public education. Dr Samuel YEUNG replied that CFS indeed had its an internet website and had launched its own Facebook webpage last year an application programme called "Food Safety" on mobile devices this year for the public to obtain the latest information on food safety.

40. Dr Kenneth LEUNG commented that food safety could be incorporated in the school curriculum, such as home economics and liberal studies. Ms Winnie LI suggested that a pamphlet to educate the public on the identifications of fungus would be useful. Dr Samuel YEUNG replied that CFS had indeed produced a number of publicity materials on toxins in mushrooms and that the advice to the public was not to pick and eat wild mushroom. Ms. Josephine KEA suggested that food safety education could be incorporated into the curriculum of Chinese Cuisine Training Institute (CCTI) ("中華廚藝學院"). She suggested adding food safety awareness as one of the licensing requirements for graduates from CCTI. She also suggested CFS promote food safety in Hong Kong Food Expo, which was one of the signature events related to food. Dr Samuel YEUNG replied that CFS had conducted food safety promotional activities and talks in large scales public functions such as the Hong Kong Food Expo and the Hong Kong Brands and Products Expo Fair.

41 Dr Samuel YEUNG thanked Members for the suggestions and replied that CFS would take them into account in formulating its future publicity work.

Agenda Item 9 : Any other business

42. There being no further business, the meeting was adjourned at 5:45 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
November 2014**