

**Advisory Council on Food and Environmental Hygiene**

**Minutes of the Forty-first Meeting  
Held at 2:30 p.m. on Thursday, 28 August 2008  
at Room 2005, 20/F, Murray Building, Garden Road, Central**

Professor YUEN Kwok-yung, SBS, JP (Chairman)

Professor HO Wing-shing, John

Professor WU Shiu-sun, Rudolf

Mr. KWOK Chun-wah, Jimmy, MH, JP

Dr. TANG Shuk-ming, Winnie

Dr. WONG Sin-ying, Lillian

Dr. YUE Kwok-to

Dr. Veronica LEONG

Mr. LAU Yiu-fai, Ronald

Mrs. Elizabeth MOK

Miss LAM Wai-ling, Leona, JP

Mrs. Stella HUNG, JP

Permanent Secretary for Food and  
Health (Food)

Mr. CHEUK Wing-hing, JP

Director of Food and Environmental  
Hygiene

Miss CHEUNG Siu-hing, JP

Director of Agriculture, Fisheries and  
Conservation

Dr. LEUNG Ting-hung, JP

Head, Surveillance and Epidemiology  
Branch, Department of Health

**Absent with Apologies**

Professor HO Suk-ching, Sara

Dr. LO Chi-kin, JP

Dr. LO King-shun

Mr. FONG Wo, Felix, JP

Miss LAM Chui-lin

Ms. Olivia NIP, JP

Deputy Secretary for Food and Health  
(Food)

### **In Attendance**

#### **Food and Health Bureau**

Mr. Owin FUNG

Principal Assistant Secretary for Food  
and Health (Food)<sup>3</sup>

Mr. LIU Kim-man

Assistant Secretary for Food and Health  
(Food) Special Duties 3

#### **Food and Environmental Hygiene Department**

Dr. Constance CHAN, JP

Controller, Centre for Food Safety

Dr. S Y LEE

Assistant Director (Food Surveillance  
and Control)

Dr. Y Y HO

Consultant (Community Medicine)  
(Risk Assessment and Communication)

#### **Opening Remarks**

1. The Chairman welcomed Members to the meeting.

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

2. Members confirmed the minutes of the last meeting without amendments.

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

3. There was no matter arising from the minutes of last meeting.

**Agenda Item 3 : Evaluation of the Effectiveness of The Guidelines on Voluntary Labelling of Genetically Modified Food (ACFEH Paper 06/2008)**

4. Dr. Y Y HO introduced the paper.

5. A Member asked how the threshold level at 5% or more for Genetically Modified (GM) content that currently applied in the Guidelines on Voluntary Labelling of GM Food (the Guidelines) for labeling purpose was set. Dr. Y Y HO replied that the threshold level of GM content in mandating labelling varied significantly internationally, from 0.9% in the EU to 5% in Japan. For some food products, it might not be easy for them to achieve a low threshold. After consultation with the public and the trade, it was considered that to label food items with 5% or more GM materials in their food ingredients under a voluntary labelling scheme in Hong Kong would best serve the purpose of promoting consumers' access to information while, at the same time, minimize impacts on consumers' food choices and on trade operation. Besides, the technical capability of local laboratories had been taken into account. At present, the Government Laboratory (GL) was capable of detecting GM materials at a level of 5% or more.

6. A Member asked if there was any plan to further promote the voluntary labeling scheme given only a fair proportion of traders surveyed was aware of the Guidelines. Dr. Y Y HO replied that the Administration would spare no efforts in promoting the scheme, in particular to small and medium enterprises. Workshops and seminars would be held for the trade in coming months with a view to identifying any problems the trade had encountered when adopting the Guidelines.

7. A Member opined that it was hard to comprehend why the traders could not adopt the labeling regime as the scheme was straight-forward. Dr. Y Y HO pointed out that some of the traders cited that as there was no mandatory GM labelling requirement, they did not feel compelled to put on GM food labels. Increase in cost was also reported as a barrier from some of the traders. The Member further asked the testing methodology of GM food. Dr. HO explained that there were characteristics in the gene of the food if they had been genetically modified. The food was firstly examined by a screening test to see if it has been modified, followed by a specific quantitative test to find out the type and percentage of GM content. However, the availability of certified reference materials from international market was a prerequisite factor in determining to what extent GM food could be analysed. GL at present could only provide quantitative analysis for about 20 kinds of GM crops for food purposes out of 50 plus types available in the international market.

8. A Member pointed out that while agreeing to the importance of consumers' access to information, the Administration should adopt a "wait and see" approach as GM foods had not been proven to present health risks to human. On the other hand, after the recent enactment of a new legislation on nutrition labelling, it was in the interest of the consumers and the trade to observe the impact of such new requirements before introducing mandatory GM food labelling.

9. A Member considered that one of the reasons for the apparently lukewarm response from the trade to follow the Guidelines was the public's generally limited knowledge of the GM food labelling regime. She suggested that more publicity work via publications and websites should be done in order to promote public awareness of the GM food labelling. Dr. Y Y HO replied that the Government had promoted the subject through various channels since

2000. As a result, it was noted that the general public had better knowledge of the nature of GM food. It was noted that the major concern of the public was consumers' greater access to information rather than food safety.

10. A Member asked whether research and development in GM food was at infant stage so that the existing findings might not be able to stand up to time. Dr. Y Y HO replied that overseas food manufacturers had conducted their own safety assessment on their food products with GM content before putting their products to market. This approach had been adopted since 90's and was widely adopted and accepted around the world. .

11. A Member opined that the general public was now more concerned about the right to know. He said that the trade's awareness of GM food labeling had been raised and the situation of non-reporting of food products containing GM materials above the labeling threshold (i.e. 5%) as shown in the meeting paper was not serious. He further echoed other members' view that more publicity and education should be done and Government should keep a close eye on the international development on GM food labelling, in particular the practice and requirement in the Mainland.

12. A Member said that consumers were confused under the existing voluntary labelling system as it might indicate that the food was either free from GM ingredients or with GM ingredients but not labelled. She pointed out that traders also encountered difficulties to ensure that the raw materials were GM free. Another Member opined that the trade was reluctant to adopt the voluntary labelling for GM food content was because of the negative public perception of GM food. A Member commented that it was unfortunate that GM technologies, firstly aimed to promote crop's strength and increase yield, were not well received by the public.

13. Mrs. Stella HUNG concurred that more education and publicity would need to be done with a view to raising public awareness of GM food and the existing labelling requirement. Mrs. Hung added that the development of GM technology/food was vital in view of limited global food supply and rising food price.

14. In response to members' views and questions, Mr. CHEUK Wing-hing said that there was no international consensus on mandatory labelling of GM foods and individual country or region formulated its policy and system by basing on its own situation, e.g. protection of local agricultural market, economy and trade, etc. as GM foods had not been found to present any health risks to humans. However, to enhance customers' access to information, the Government worked with the trade to introduce a voluntary GM food labelling scheme in 2006. The Government would keep in view the international development in GM technology and GM food labelling standards in deciding on the way forward. Attention would also be paid to observe the impact of the new requirement in nutrition labelling before introducing any further change to the labelling law.

15. A Member asked whether rice was included in the voluntary labelling system and how to ensure that GM food did not contain any allergens. Dr. Y Y HO replied that the existing voluntary labelling scheme only applied to prepackaged foods. Most of the GM food available on the international market was, or was derived from, GM crops. A database for crops that had GM counterparts and approved for food use in different countries was kept at the website of the Centre of Food Safety (CFS). Dr. HO further said that different countries had their own safety assessment system on human study of the newly detected allergen which was found in its conventional counterpart. The GM foods which were being sold in markets were considered safe.

16. A Member pointed out that the trade was not against any move to improve consumers' access to information. However, any new requirements would cause the trade to incur additional cost and, hence, should only be driven by the market. The Chairman added that although GM foods had been proved to be safe at the moment, their long-term impacts had not been fully assessed. The Chairman enquired whether the Administration had any long term plan to monitor the impacts of GM foods. Dr. Y Y HO replied that the Administration would conduct regular surveys/tests on GM foods, in particular those common GM ingredients including soya bean, corn, etc.. Dr. HO further said that CFS planned to conduct a survey on GM food next year and would release the result to the public.

#### **Agenda Item 4 : Enhanced Measures for Prevention of Avian Influenza Outbreak (ACFEH Paper 07/2008)**

17. Mr. Owin FUNG introduced the paper.

18. In response to a Member's query on whether the Administration had any detailed plan on the implementation of the central poultry slaughtering policy, Mrs. Stella HUNG replied that banning the sale of live chickens at retail outlets in the future after the establishment of a poultry slaughtering plant (PSP) would help us move closer to the Administration's ultimate policy objective of segregating live poultry from humans. In the future, PSP would produce freshly slaughtered poultry for sale at retail outlets. The general public and the trade should prepare for the change. A site at Sheung Shui had been identified for constructing the plant. Mrs. HUNG added that the PSP proposal had been submitted to the Legislative Council for consideration last year but the members suggested that the Administration should deal with the ex-gratia payment to be

paid to the affected traders first before submitting to the LegCo for funding on the construction of the plant and for approval of any related legislative amendments. Mr. CHEUK Wing-hing pointed out that the Administration was reassessing the need for a large scale PSP in Hong Kong, taking into account the decrease in consumption of live chickens in recent years and the anticipated shrinkage of the live poultry trade after the recent buyout scheme.

19. A Member suggested that the Administration should advise the public and the trade as early as possible on the future development of the PSP and banning of sale of live chickens at the retail level with a view to letting the trade sufficient time to adjust their business plan.

20. A Member opined that there should not be much difference in taste between live chickens and freshly slaughtered chickens provided that they were put to the market for sale on the same day.

21. A Member supported the PSP proposal and noted that the Administration was pressing for early commissioning of the plant. She considered that it was the most opportune moment to promote central slaughtering after the recent avian influenza (AI) incident. She pointed out that the number of people who supported the central slaughtering policy had been increasing markedly. On the other hand, she cautioned that the attractiveness of the plant, to be run by the private sector, might be dampened due to a smaller number of live chickens to be slaughtered at the plant each day. Mrs. Stella HUNG said that as over 70% live poultry retailers had submitted their applications for the buyout package, the total number of live poultry stalls to remain in business would be reduced to some 130. It was envisaged that the daily demand for live chicken would be much lower than that before the AI incident in June 2008. Although the demand for live chicken was decreasing,

it was still considered appropriate to have imported live poultry from the Mainland in order to provide the general public more choices. On the other hand, the Administration was reassessing the need for a large scale PSP in Hong Kong, taking into account the decrease in consumption of live chickens in recent years and the anticipated shrinkage of the live poultry trade. Irrespective the size of the plant, it would be designed, among other things, to facilitate source tracing and implementation of biosecurity measures.

22. A Member expressed his appreciation to the efforts/actions taken by the concerned departments during the recent AI incident in June 2008. He pointed out that the general public had begun to consume more chilled and frozen chickens due to the persistent risk of AI. He also concurred that there might not be a need for a large scale PSP in Hong Kong given the recent development. He suggested that some thoughts should be given to explore whether several PSPs could be constructed at different districts across the territory. Mrs. Stella HUNG pointed out that it would be very difficult, if not possible, to identify suitable locations for building district PSPs. The estimated throughput of the proposed PSP would also not justify for construction of more than one slaughtering plant in Hong Kong.

23. A Member appraised that Food and Health Bureau and related departments had done a good job in tackling the recent problem of AI outbreak in retail markets. She suggested the Administration should set out clear policy for developing the poultry trade in Hong Kong. She considered that as poultry farm licence could not be passed from one generation to another, gradual shrinkage of the local poultry industry was inevitable. She agreed that it was difficult to implement source tracing under the present poultry trading mode. However, she opined that the situation would improve after the establishment of the PSP. She further suggested that the Administration should consider no

import of live chicken from the Mainland so as to facilitate source tracing.

*(Post-meeting note: Poultry farm licences are transferrable. However, due to public health considerations, the licensed rearing capacity of poultry farms is capped at current level).*

24. In response to the members' questions, Mr. CHEUK Wing-hing cautioned that it might be a breach of the free trade requirement under the World Trade Organization (WTO) if Hong Kong banned live poultry importation from the Mainland unilaterally without any specific reason, e.g. AI outbreak at/near supplying farms. From the hygiene and food safety perspectives, the Mainland poultry farms were being operated properly. Import of live poultry from the Mainland could also help offer more varieties and choices to local consumers. Mrs. Stella HUNG pointed out that since 2002-03, all Mainland poultry farms supplying chickens to Hong Kong had to be registered farms with stringent hygiene, biosecurity and vaccination requirements. No AI outbreak had occurred in these registered farms so far. As regards the retailers who had tendered their applications for the buyout package and encountered difficulties in job seeking, Mr. CHEUK said that some of them had made applications to sell chilled poultry and Food and Environmental Hygiene Department (FEHD) would expedite processing of such applications with a view to helping retailers to start their business in chilled meats as soon as possible. On vocational training, Mr. CHEUK said that workers could seek assistance from Employee's Retraining Board if needed.

25. The Chairman asked whether there was any limitation on the number of live chickens to be kept at retail outlets at any one time. Mr. CHEUK Wing-hing replied that although there was no specified limit on the number of live poultry allowed to be stored at individual retail outlet, FEHD could take action against overstocking if each chicken was found occupying a space of a

size smaller than an A4 paper. The new measure of prohibition of overnight stocking of live poultry at retail level would also discourage overstocking as any unsold chickens at the end of a day had to be slaughtered and the value of a dressed chicken was lower. So far, since the implementation of the new measure of no overnight stocking of chicken, the operation at the retail level had been fairly smooth. The Administration would review soon the daily supply of live chickens from the Mainland after the conclusion of the buyout scheme on 24 September 2008.

26. The Chairman asked if the Administration could convert the old slaughtering plant for geese and ducks at Western District to the proposed PSP. Mrs. Stella HUNG replied that the plant was not suitable as it was not equipped with proper sewage facilities and, therefore, could not meet the stringent environmental requirement. As regards the commencement date of PSP, Mrs. HUNG pointed out that new legislation was needed for empowering the Secretary for Food and Health to make regulation for the control of slaughtering of live poultry and the licensing and control of PSP. Besides, time was required for completing different statutory processes including re-zoning and environmental impact assessment exercises and the construction of the plant.

27. A Member remarked that attention should be paid to the legislation on animal welfare when planning for the future operation of the PSP. Mrs. Stella HUNG said that design and mode of operation of the PSP had not been finalized and consideration would be given to ensure that the slaughtering process would not cause live poultry to suffer unnecessary pain.

**Agenda Item 5 : Summary of Recent Food Incidents (ACFEH Paper 08/2008)**

28. Dr. S.Y. LEE introduced the paper.

29. The Chairman asked whether the Canadian maple leaves from which Listeria was detected overseas recently had been imported into Hong Kong. Dr. LEE replied that the CFS had confirmed with the Canadian Consulate that the maple leaves in question had not been imported into Hong Kong. Notwithstanding this, the CFS had drawn the trade's attention to this food incident.

**Agenda Item 6 : Any Other Business**

30. There being no other business, the meeting adjourned at 4:50 p.m.

**Secretariat**

**Advisory Council on Food and Environmental Hygiene**

**Food and Health Bureau**

**October 2008**