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Reorganization of Hong Kong Food Safety Agencies 2000

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Report Highlights:

Effective January 1, the Hong Kong government implemented its long-awaited reorganization of food safety agencies. The major feature of the reorganization is the creation of the Environment and Food Bureau, which has consolidated various food safety and environmental hygiene responsibilities previously handled by three distinct governmental bodies. The objective of the reorganization is to improve the Hong Kong Government's handling of food safety and environmental hygiene problems by creating a more efficient organizational structure to strengthen and better coordinate the work previously carried out by the various departments.

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Effective January 1, the Hong Kong government implemented its long-awaited reorganization of food safety agencies. The major feature of the reorganization is the creation of the Environment and Food Bureau, which has consolidated various food safety and environmental hygiene responsibilities previously handled by three distinct governmental bodies: the Health Department, the Agriculture & Fisheries Department and the municipal councils. The objective of the reorganization is to improve the Hong Kong Government's handling of food safety and environmental hygiene problems by creating a more efficient organizational structure to strengthen and better coordinate the work previously carried out by the various departments.

In the past, the delivery of food safety and environmental hygiene services was spread out among a number of government departments. The Department of Health operated a Hygiene Division which had regulatory responsibility for the safety of all foods. As part of its responsibilities, the Health Department conducted a regular surveillance program directed at foods, regardless of whether imported or locally manufactured, including raw food in wet markets, processed food in supermarkets or food served in restaurants.

The Agriculture & Fisheries Department's (which has been renamed as Agriculture, Fisheries and Conservation Department as of January 1, 2000) responsibilities ranged from regulating primary production including livestock, plants and fisheries to implementing plant and animal quarantine issues. The Department also had the authority over nature conservation.

Municipal councils for their part administered the licensing of restaurants and other food preparation premises.

The authority to draft food safety regulations was divided between the Health Department and municipal councils. For example, the Health Department was formerly empowered to set tolerance levels for various food additives and contaminants including artificial sweeteners, metallic contamination, preservatives, mineral oil in food, etc. The municipal councils, on the other hand, were able to make food safety "by-laws" that specified acceptable food manufacturing practices such as those used to process milk products and frozen confections.

This fragmentation of food safety responsibilities was very confusing for the public and the Hong Kong food trade. There was no single clear authority responsible for food regulation and inspection in Hong Kong to whom they could turn for authoritative advice. Unclear responsibility in normal times turned into very difficult coordination and decision-making in times of crisis. A case in point was the way the avian flu crisis was handled during the latter part of 1997. This incident prompted the Hong Kong government to map out a better mechanism to deliver food safety and environmental hygiene services so as to safeguard food safety throughout all stages of the food chain.

The new Environment and Food Bureau (EFB) is responsible for policy matters concerning food supply and food safety; environmental hygiene; environmental protection; conservation; and agriculture and fisheries. EFB will oversee three departments: (1) the Environmental Protection Department; (2) the Agriculture, Fisheries and Conservation Department; and (3) the new Food and Environmental Hygiene Department.

The new Food and Environmental Hygiene (FEH) Department, with a staff of about 16,000, takes over responsibilities from the municipal councils for environmental hygiene services such as the licensing and inspection of food premises; food safety and control responsibilities such as food surveillance, food science and research, food standards, food labeling, nutritional claims and nutritional surveys from the Department of Health; and live poultry and food animal inspection from Agriculture and Fisheries Department. In other words, food safety surveillance at all distinct levels of the food chain will be administered within one department, which is the major difference from the previous organizational setup.

The Hong Kong Government does not plan to stop its reform of food safety regulation with regulatory consolidation alone. FEH recently announced plans to conduct more food safety research, including studies on genetically modified products, dioxin contamination and viruses. It also hopes to step up its safety inspection of food processing and preparation. In an introductory meeting with Agricultural Trade Office representatives on January 3, FEH's assistant director for food surveillance and control stated her expectation that the new department will finally have the critical mass to address food safety regulatory issues that could have been settled two years ago if the new consolidated organizational structure had been in place.

The new Secretary of the Environment and Food Bureau is characterized as a tough and seasoned bureaucrat. In her previous position as Commissioner for the Independent Commission Against Corruption, Yam demonstrated her strong leadership and extensive experience in public management. As the first Secretary for the Environment and Food, Yam is tasked with an important mission. Apart from strengthening and promoting policies on environmental hygiene and food safety, she has to coordinate the work of various departments with a view to ensuring their effective operation under the new institutional framework. Those who have spoken with Yam about her plans for running the new EBB come away with the impression that she is on a mission to demonstrate that the Hong Kong Government's decision to scrap the municipal council branch of government will deliver improved and streamlined food safety services to the public, which in turn would downplay the media perception that the Hong Kong Government's real motive was to reduce the number of directly elected public officials in Hong Kong.

Mrs. Rita Lau was appointed as the new Director of the FEH Department. Lau joined the Hong Kong government in 1976 and has served various government departments. Mrs. Lessie Wei remains as the Director of the Agriculture, Fisheries, and Conservation Department.

The Agriculture and Fisheries Department has acquired a new name - Agriculture, Fisheries and Conservation Department starting January 1, 2000. The new name acknowledges the importance of their work in nature conservation alongside their continuous responsibilities in facilitating agricultural and fisheries production in Hong Kong. The responsibilities of the Department remain the same except that certain functions are transferred to the new Food and Environmental Hygiene Department. Functions transferred are poultry inspection and control; food animal quarantine and health checks; livestock/poultry farm hygiene inspections; as well as the coral fish harvest zones registration programs. The FEH Department will also be responsible for regulating the use of agricultural and veterinary

chemicals, and testing for infectious diseases in food animals. The Agriculture, Fisheries and Conservation Department still has authority over plant and animal quarantine issues other than those related to food animals for slaughter. The Agriculture and Fisheries Department was formerly under the Economic Services Bureau whereas the Health Department was under the Health and Welfare Bureau. With the reorganization of food safety agencies, the Agriculture, Fisheries and Conservation Department and the new FEH Department are under the same bureau -- EFB. Needless to say, coordination and implementation of food and environment policies should be far better than before.