

GMOs (Control of Release) Expert Group

Confirmed Minutes of the 2nd Meeting

Date : 11 April 2013 (Thursday)
Time : 2:30 p.m.
Venue : Room 701, Agriculture, Fisheries and Conservation Department (AFCD),
7/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road,
Kowloon

ATTENDANCE

Chairman

Professor WONG Woon-chung Jonathan

Members

Professor CHU Ka-hou

Dr. LAU Lok-ting Terence

Ms. LAU Yuen-yee Vicky

Dr. LEUNG Mei-yee Kenneth

Dr. LEUNG Sze-lun Alan

Dr. MAN Chi-sum

Mr. SO Kwok-yin Ken

Professor SUN Sai-ming Samuel

Dr. TSE Tin-yau Anthony

Ms. WONG Lai-yin Idy

Mr. CHAN Yiu-keung

Assistant Director (Conservation)

Agriculture, Fisheries and Conservation Department

Dr. LI Mun-pik Teresa

Principal Medical and Health Officer,

Department of Health

Ms. LI Man-yan Sian

Senior Administrative Officer (Nature Conservation)

Environmental Protection Department

Secretary

Ms. TSANG Yu-man

Conservation Officer (Biodiversity) 3, AFCD

IN ATTENDANCE

Agriculture, Fisheries and Conservation Department (AFCD)

Mr. CHAN Kin-fung Simon

Senior Conservation Officer (Biodiversity), AFCD

Dr. SHIH Chun-hat Rex

Conservation Officer (Biodiversity) 4, AFCD

ABSENT WITH APOLOGIES

Professor HO Kwok-keung Walter

Mr. WONG Hing-keung

OPENING REMARKS

1. The Chairman welcomed all Members to the second meeting of the Genetically Modified Organisms (Control of Release) Expert Group (the Expert Group).

AGENDA ITEMS

I. Confirmation of Minutes of the Last Meeting held on 5 July 2011

2. The minutes of last meeting held on 5 July 2011 were confirmed with the following amendment:-

(a) Paragraph 42

The 2nd sentence: To replace “members” with “non-official members”

II. Report on the 6th Meeting of the Parties (MOP/6) to the Cartagena Protocol on Biosafety

(Discussion paper: GMO/01/2013)

3. The Chairman invited Mr. Simon CHAN to brief members on the paper.

4. Upon a member's enquiry, Mr. Simon CHAN said that the national reports on the implementation of the Cartagena Protocol on Biosafety (the Protocol) submitted by the People's Republic of China were available for public access in the Biosafety Clearing House (<http://bch.cbd.int/protocol/>)

5. In response to a member's enquiry on whether there was a mandatory labeling system for seeds of genetically modified (GM) crops, Mr. Simon CHAN advised that, under the Genetically Modified Organisms (Control of Release) Ordinance (the Ordinance), shipments containing GM seeds, when being imported or exported, should be accompanied by the prescribed documents which provided information on the identification of the seeds. The Ordinance did not however specify a mandatory labeling system for GM seeds on sale in the market.

6. With regards to the labeling system, a member remarked that the consumers should have the rights to know if the seeds were GM through a labeling system. Mr. Simon CHAN replied that the objective of the Ordinance was to control the environmental release and import and export of GMOs. Under the Ordinance, any person who knowingly cultivated seeds of unapproved GM crops in the field committed an offence. The Administration would step up the public awareness and education works to enhance the general public and the stakeholders' understanding of GMOs.

7. A member enquired whether there was a checking for compliance of the quick-link tool in the shipments containing GMOs. Mr. Simon CHAN clarified that the GMO quick-link tool was the recommendation proposed during the MOP/6. This tool was not put in practice in Hong Kong at the moment. Considering the benefit that the tool could facilitate identification of the concerned GMOs by custom officers, AFCD would provide necessary technical support to encourage the importers and exporters of GMOs to use the quick-link tool when making reference to a GMO during its import or export.

8. In response to a member's enquiry, Mr. Simon CHAN said that shipments containing GMOs when being imported or exported would be randomly checked for compliance with the

relevant controls, and samples would be taken for verification tests, if necessary. So far, non-compliance was not found.

9. Upon the Chairman's enquiry, Mr. Simon CHAN said that there was only a limited import and export of GMOs which were mainly GM papayas. AFCD maintained a close partnership with the stakeholders and required them to fulfill the documentation requirements.

10. In response to a member's enquiry, Mr. Simon CHAN replied that the Administration would establish corresponding mechanisms/requirements/guidelines to facilitate the implementation of the Ordinance in Hong Kong following the decisions of MOPs adopted by the Parties.

11. Members had no further comments and questions on the discussion paper (GMO/01/2013).

III. Report on Public Awareness and Education Programme

(Discussion paper: GMO/02/2013)

12. The Chairman invited Ms. TSANG Yu-man to take members through the paper.

13. Mr. Simon CHAN responded to a member's enquiry that the general public could retrieve the information of a GMO from the online GMOs Register (www.afcd.gov.hk/gmo). If a member of the public suspected that the seeds they purchased were GM, he could conduct necessary testing to confirm if the particular seed sample was GM or not. AFCD would also collect the samples to test for genetic modification should the case warrant further investigation.

14. A member highly appreciated the Administration's efforts in publicizing the Ordinance over the past two years. He recommended that the Administration could step up the publicity work in schools and housing estates in view of the popularity of organic farming and community farms. He also suggested that more seminars and workshops could be organized for relevant stakeholders and the general public to enhance their understanding on the control of the Ordinance. Mr. Simon CHAN welcomed the member's suggestions. AFCD would take his suggestions into consideration when planning the coming publicity work.

15. Another member supported the member's suggestions. She added that the Administration should also educate the participants of community gardens. She also proposed distributing the pamphlets on GM aquarium fish to the public in aquarium shops. Mr. Y.K. CHAN welcomed the suggestions from two members. Given that the resources and manpower were limited, the publicity and education works would be prioritized, i.e. focusing on the targeted stakeholders first and then the general public. Mr. Y.K. CHAN concurred that school education was important and AFCD would step up its education activities in schools. He also invited members to promote the Ordinance among their sectors as appropriate.

16. The Chairman remarked that labeling of GMOs would help the general public to identify the variety of seeds so that unintentional cultivation of GM crops would be avoided. Two members shared the view of the Chairman. One member added that the promotional pamphlets should emphasize the aim of the Ordinance on protecting the local biodiversity. She further proposed that the Government should make the promotional materials available for schools as their course materials. Another member stated that members would be more than willing to provide comments on the promotional materials before production. Mr. Y.K. CHAN thanked members for their suggestions. He stated that AFCD would take into account their comments when reprinting the promotional materials.

17. In response to a member's enquiry on the controls of the GM cut flowers, Mr. Simon CHAN said that GM cut flowers might possess viable pollen, which could be spread to the environment by wind or insects, thus displaying unapproved GM cut flowers in the open environment was subject to regulation under the Ordinance and prior approval must be sought. However, recent market surveys indicated that GM cut flowers were not available in the market.

18. One member opined that a survey should be conducted to evaluate the effectiveness of AFCD's publicity and education on promoting the awareness of the general public and the stakeholders on the controls of the Ordinance. He remarked that the survey would facilitate AFCD in reviewing its strategy of publicity and education. The Chairman also agreed to the member's suggestion.

19. In conclusion, the Chairman appreciated AFCD's efforts in publicizing the Ordinance. It was suggested that the Government should enhance the education work to the general public so as to avoid the unintentional environmental release of GMOs. The Government could also provide promotional materials for members' comments before production.

IV. Report on the Survey of Genetically Modified Organisms (GMOs) in Hong Kong (Discussion Paper: GMO/03/2013)

20. The Chairman invited Dr. Rex SHIH to take members through the paper.

(Dr. Terence LAU left the meeting at this juncture)

21. A member stated that the aquarium fish available in the market were usually infertile and therefore the potential impact of environmental release of the GM aquarium fish into streams would be insignificant.

22. In response to a member's enquiry on the GMO testing of papayas, Dr. Rex SHIH replied that the seeds and the flesh of imported and locally grown papayas were used to test for genetic modification respectively.

23. Upon the member's further enquiry on the testing results of animal feed, Dr. Rex SHIH clarified that two samples of animal feed containing a mixture of grains, including maize, kernel, rapeseed and sunflower seeds, were found to contain genetically modified ingredients. He added that AFCD was undertaking further test to identify which ingredients of the feed were genetically modified.

24. Another member also expressed concern on the environmental release of GM soya beans in farmlands. Mr. Simon CHAN replied that AFCD regularly conducted surveys for the presence of GMOs, in particular in various imported and locally grown crops available from local markets and farms. Soya beans were also collected for GMO testing. A few samples of soya beans, which were imported for food, were found to be genetically modified in the earlier surveys prior to the enactment of the Ordinance. However, no positive results were found in recent market surveys (2010/11, 2011/12 and 2012/13). Mr. Y.K. CHAN supplemented that the Government would step up the market surveys on soya beans in view of the concern of potential environmental release.

25. The Chairman reiterated the importance of labeling system of GM food to avoid unintentional release of GMOs into the environment. He also remarked that the Government should have a pragmatic move to introduce a mandatory GM food labeling system in Hong Kong. A member concurred with the Chairman' view. He further suggested asking for

information on the progress of GM food labeling by writing to the Food and Health Bureau on behalf of the Expert Group.

[Post-meeting Note: A letter on behalf of the Expert Group was sent to the Food and Health Bureau on 21 June 2013 asking for information on the progress of GM food labeling and expressing concern on the unintentional release of GMOs into the environment.]

26. In response to a member's enquiry on the control of GM aquarium fish, Mr. Simon CHAN replied that prior approval was not required for the import of GM aquarium fish for contained use. At present, only GM zebra fish and GM rice fish were currently available for sales in the international pet market. The member further urged the Administration to step up the public awareness and education programme for unintentional release of GM aquarium fish into the environment. Mr. Simon CHAN said that AFCD promoted responsible pet ownership and the public was discouraged to abandon and release any pet animals. Considering that the zebra fish was not found in the local environment in AFCD's long-term biodiversity survey and the GM aquarium fish was infertile, the potential impact of environmental release of zebra fish was considered insignificant.

27. Upon a member's enquiry, Mr. Simon CHAN replied that the Protocol controlled the transboundary movement of GMOs, i.e. import and export of GMOs. Therefore, re-sales of GM aquarium fish in local market were not subject to regulation under the Ordinance.

28. The member further asked about the GM papaya testing. Mr. Simon CHAN answered that both the flesh and seeds of locally produced papayas were collected for GM testing to investigate the contamination of locally produced papayas.

29. In response to a member's enquiry, Dr. Rex SHIH said that 20 seed papaya samples were tested for genetic modification and no positive results were found, indicating the contamination of locally produced papayas was not observed.

30. Addressing a member's enquiry on the control of GM papayas, Mr. Simon CHAN advised that GM papaya with the unique identifier code of CUH-CP551-8 and GM papaya with the transformation event code of Huanong-1 were exempted from the approval requirements for their import for release into the environment. However, prior approval was required for the import of any un-exempted variety of GM papaya for cultivation in Hong Kong. It was however not an offence for a person to grow or maintain GM papayas in a field. In addition, shipments containing GM papayas, when being imported or exported, should be accompanied by the prescribed documents.

31. In response to a member's enquiry on the control of import of GM seeds, Mr. Simon CHAN reiterated that shipments containing GM seeds, when being imported or exported should be accompanied by the prescribed documents. Mr. Simon CHAN further clarified that GMOs that were intended for direct consumption as food or feed, or processing, intended for contained use or intended for release into the environment, when being imported or exported, must be accompanied by the prescribed documents.

32. The Chairman opined that the importers should be aware that the shipment being imported contained GMOs. Mr. Simon CHAN supplemented that the suppliers should be able to provide the importers with relevant information on the identification of GMOs in the prescribed documents.

33. Upon a member's enquiry, Mr. Simon CHAN confirmed that any person who knowingly imported GM seeds intended for cultivation in Hong Kong was an offence. The member further asked whether the small-scale seed traders were educated on the control of the Ordinance. Mr. Simon CHAN replied that circular letters together with the promotional pamphlets were distributed to local seed traders to enhance their understanding of the control regime of the Ordinance.

[Post-meeting note: In March 2013, circular letters on the control of the Ordinance were distributed to about 300 florists and 60 seed traders.]

34. Members had no further comments and questions on the discussion paper (GMO/03/2013).

V. Any Other Business

35. Since this was the last meeting of the current term, the Chairman thanked all Members for their enthusiastic support to the work of the Expert Group. Mr. Y.K. CHAN also expressed his gratitude to the Chairman and members for their contribution.

36. There was no other business to be discussed.

VI. Date of Next Meeting

37. The Chairman said members would be informed in due course.

38. The meeting adjourned at 4:30 p.m.

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