

LCQ20: Measures to encourage food donation

Following is a question by Dr the Hon Tik Chi-yuen and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (January 17):

Question:

It has been reported that according to a recent survey conducted by a community group, it is estimated that about one million grass roots in Hong Kong are facing the risk of food insecurity (i.e. lacking the ability or money to buy food, etc.), yet many members of the food trade are cautious about food donation. They would rather dispose of food which has no commercial value but is still fit for consumption than donate the food concerned while bearing the risk of legal liabilities. In this connection, will the Government inform this Council:

(1) of the amount of food waste disposed of at landfills each day, and whether it has compiled statistics on or made estimations of the amount of such food waste still fit for consumption; if not, whether it has plans to compile such statistics or make such estimation;

(2) whether measures are in place to support or encourage food donation by the food trade; if so, of the details (including the amount of funding incurred by such measures); if not, whether it will consider introducing related measures;

(3) given that some members of the food trade who have disposed of large quantities of food have relayed that the trade's desire to donate food is dampened by worries about bearing the risk of civil claims from recipients whose health might be affected after consuming the food donated by them, whether the Government has studied the introduction of or amendments to the relevant legislation, so as to exempt the trade from bearing the legal liabilities involving food donation;

(4) as there are views pointing out that the related legal liability issue may be resolved through an agreement made between food donors and the charitable organisations concerned, but there are also views pointing out that under the Control of Exemption Clauses Ordinance (Cap. 71), the liability of donors involving personal injury or death will not be excluded by reference to a contract, whether the Government has studied the related legal points of contention; and

(5) as it has been reported that a charitable organisation has recently drafted and submitted the Food Donation (Exemption from Civil Liability) Bill to the Government for reference, whether the Government has examined the relevant proposals; if so, of the follow-up actions; if not, the reasons for

that?

Reply:

President,

The reply to the question raised by Dr the Hon Tik is set out below.

In 2022, a daily average of around 3 302 tonnes of food waste was disposed of at landfills. The quantity decreased by 3.9 per cent as compared to 2021 (a daily average of around 3 437 tonnes). Since much of the dumped food disposed of at landfills has already been mixed with other wastes and is no longer edible and hard to be identified, the Government does not have the statistics on the dumped but still edible food disposed of at landfills.

The Government has always attached great importance to promoting the reduction at source and recycling of food waste. In 2013, the former Environment Bureau launched the Food Wise Hong Kong Campaign to promote a "Food Wise, Waste Less" culture, with a focus on reducing the production of food waste at source. We have promoted slogans such as "Buy, buy, buy, all the food expires. Then, bye, bye, bye. It's all thrown away!" as well as the "Food Wise Eateries" Scheme to encourage eateries to bear social responsibilities and reduce food waste at source together with customers by adopting various means.

Since 2014, the Environmental Protection Department has also provided funding to local non-profit making organisations through the Environment and Conservation Fund to recover food from the commercial sector and redistribute it to the needy in the community, in order to drive joint efforts of stakeholders in cherishing food. As of December 2023, the fund has approved 89 relevant projects, with a total funding amount of about HK\$194 million.

To safeguard people's health, donated food must also be food safety compliant. The Centre for Food Safety of the Food and Environmental Hygiene Department has compiled a set of Food Safety Guidelines for Food Recovery (the Guidelines) to provide clear guidance to assist organisations in ensuring food safety during the implementation of food recovery schemes. The Guidelines cover areas on the principles of the requirements and liabilities to ensure food safety, thereby eliminating concerns from food donors about the potential liabilities as a result of food safety. The Guidelines have been made available on Government websites since 2013 as a reference for the trades, food recovery organisations and non-government organisations on ensuring food safety and related liability issues. Since the issuance of the Guidelines, different organisations have launched various food donation programmes and have succeeded in donating food to people in need, thereby reaffirming the effectiveness of the Guidelines. The Government has no plan to introduce new legislation for this purpose.