

High Court struck out China Concrete Co. Limited's civil claim against EPD

The Court of First Instance of the High Court today (December 13) handed down a decision, pointing out that on whether the concrete batching plant (CBP) at 22 Tung Yuen Street, Yau Tong is required to have a Specified Process Licence (SPL) to operate, China Concrete Co. Limited (China Concrete) had disclosed no reasonable causes of action and abused the legal process on filing a civil claim against the Environmental Protection Department (EPD). Therefore, the Court allowed the Department of Justice (DoJ)'s application on striking out China Concrete's claims and ordered the costs of the proceedings be paid by China Concrete. The spokesperson of the EPD welcomes the decision of the Court of First Instance.

China Concrete filed in their claims to the High Court on August 8, 2022, stating that according to the Air Pollution Control Ordinance, its CBP at 22 Tung Yuen Street, Yau Tong does not require to obtain a SPL to operate. China Concrete believes that the EPD has misinterpreted the definition on silo capacity set out in the Ordinance, and requested the Court to declare that the plant does not require to obtain a SPL to operate, and requested the EPD to compensate for the losses caused by the alleged illegal operation of the plant without a license.

The DoJ applied to the High Court on October 28, 2022 on behalf of the EPD to strike out the relevant claims. The High Court conducted a hearing on the striking-out application on June 6, 2023, and handed down the judgment on December 13, 2023, striking out China Concrete's relevant claims.

The spokesman of the EPD said that the department will continue to closely monitor the CBPs at Tung Yuen Street, Yau Tong. If violations and/or operations are found to cause air pollution nuisance, enforcement actions will be taken and the evidence collected will be passed onto the DoJ for consideration and appropriate follow-up.

In addition, the department is working on the legislative amendments of the Air Pollution Control Ordinance to enhance enforcement power for closing illegal premises, so as to allow the department to handle similar cases more efficiently and effectively in the future. The amendments of the Ordinance are set to be introduced into the Legislative Council in the first quarter of next year.

CHP investigates suspected food poisoning cluster

The Centre for Health Protection (CHP) of the Department of Health is today (December 13) investigating a suspected food poisoning cluster affecting 10 persons, and reminded the public to maintain personal, food and environmental hygiene to prevent foodborne diseases.

The cluster involved four males and six females, aged from 25 to 44, who developed symptoms such as abdominal pain, diarrhoea, nausea, vomiting and fever about 33 to 50 hours after having dinner at a restaurant in Sheung Wan on December 9.

Five of the affected persons sought medical advice and none required hospitalisation. All affected persons are in stable condition.

Initial investigations of the CHP revealed that the affected persons had consumed common food and the food concerned was oyster. The poisoning might have been caused by norovirus and the CHP is arranging the collection of stool specimen of patients for testing in order to ascertain the source of infection.

The personnel from the Centre for Food Safety of the Food and Environmental Hygiene Department have conducted an inspection at the restaurant. Initial investigations revealed that the reasons causing food poisoning include contaminated raw food. The CHP's investigation is ongoing.

To prevent foodborne diseases, members of the public are reminded to maintain personal, food and environmental hygiene at all times. When dining out:

- Patronise only reliable and licensed restaurants;
- Avoid eating raw seafood;
- Be a discerning consumer in choosing cold dishes, including sashimi, sushi and raw oysters, at a buffet;
- Pre-cooked or leftover foods should be stored and reheated properly before consumption;
- Ensure food is thoroughly cooked before eating during a hotpot or barbecue meal;
- Handle raw and cooked foods carefully and separate them completely during the cooking process;
- Use two sets of chopsticks and utensils to handle raw and cooked foods;
- Do not patronise illegal food hawkers;
- Drink boiled water;
- Do not try to use salt, vinegar, wine or wasabi to kill bacteria as they are not effective; and
- Always wash hands before eating and after going to the toilet.

Prepackaged fresh bean curd sticks sample in breach of food labelling regulation

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department announced today (December 13) that a sample of prepackaged fresh bean curd sticks was found to contain sulphur dioxide, a preservative which is allowed to be used in certain foods, but the functional class and the name of the additive were not declared on the food label. Members of the public should not consume the affected batch of the product. The trade should also stop using or selling the affected batch of the product immediately if they possess it.

Product details are as follows:

Product name: FRESH BEAN CURD STICKS
Brand: NEW MOON BRAND
Place of origin: China
Net weight: 200 grams
Use By: April 25, 2024
Sole agent: NGAR YAT IND CO LTD

"The CFS collected the above-mentioned sample from a supermarket in Kwun Tong for testing under its routine Food Surveillance Programme. The test result showed that the sample contained sulphur dioxide. The functional class and the name of the additive were not declared on the food label of the sample," a spokesman for the CFS said.

"The CFS has informed the sole agent concerned of the irregularities and instructed them to stop sales and remove from shelves the affected batch of the product. The sole agent concerned has initiated a recall according to the CFS's instructions. Members of the public may call its hotline at 2692 8961 during office hours for enquiries about the recall," the spokesman added.

Sulphur dioxide is a preservative which can be used in a variety of foods including dried vegetables, dried fruits, pickled vegetables and salted fish products. Sulphur dioxide is water soluble, and most of it can be removed through washing and cooking. However, susceptible individuals who are allergic to this preservative may experience breathing difficulties, headaches and nausea after consumption.

The spokesman reminded the food trade that the use of preservatives in food must comply with the Preservatives in Food Regulation (Cap. 132BD). Furthermore, the Food and Drugs (Composition and Labelling) Regulations (Cap. 132W) require that for all prepackaged food for sale in Hong Kong containing sulphite in a concentration of 10 parts per million or more, the functional

class of the sulphite and its name shall be specified in the list of ingredients. Offenders are liable to a maximum fine of \$50,000 and six months' imprisonment upon conviction.

The CFS will alert the trade, continue to follow up on the incident and take appropriate action. The investigation is ongoing.

HKMA issues alert regarding specific website and social media accounts

The following is issued on behalf of the Hong Kong Monetary Authority:

The Hong Kong Monetary Authority (HKMA) wishes to alert members of the public in Hong Kong that the firm as referred to on the website of <https://bitbanksupport.zendesk.com>, X (formerly Twitter) account <https://twitter.com/Bitbank2050> and YouTube account <https://www.youtube.com/@BitBank2050> does not have the authorization of the Monetary Authority (MA) under the Banking Ordinance (the Ordinance) to carry on banking business, or the business of taking deposits, in Hong Kong; and it does not have the approval of the MA to establish a local representative office in Hong Kong under the Ordinance.

Given the global nature of the Internet, members of the public are reminded to verify the status of any organisation making use of the Internet to offer bank accounts to, or to solicit deposits from, the public in Hong Kong prior to transferring any funds to, or providing any personal information to, any such organisation.

A list of Authorized Institutions is available on the HKMA's website (www.hkma.gov.hk). Members of the public may also check the status of any entity which appears to be soliciting deposits from the public in Hong Kong, or holding itself out as a bank or deposit-taking company in Hong Kong, by emailing the HKMA's public enquiry service (publicenquiry@hkma.gov.hk).

CSD launches Parent-child Centre in Stanley Prison (with photos)

The Correctional Services Department (CSD) officially launched a Parent-child Centre in Stanley Prison today (December 13) to enable male persons in

custody (PICs) to maintain the relationship with their children, thereby reinforcing their determination to turn over a new leaf with the support of their families.

As announced by the Chief Executive in the 2023 Policy Address, the CSD will set up three Parent-child Centres for male PICs by the end of this year. The Department has earlier established two Parent-child Centres for male PICs in Tong Fuk Correctional Institution and Hei Ling Chau Addiction Treatment Centre respectively.

Officiating at the opening ceremony of the Parent-child Centre in Stanley Prison today, the Chairman of the Committee on Community Support for Rehabilitated Offenders, Ms Tsui Li, said that through the setting up of Parent-child Centres in correctional institutions for male PICs, it has provided opportunities for male PICs to build up and maintain parent-child relationship with their children in a suitable environment and strengthen the bond with their families which will provide them with strong support for their rehabilitation.

She specially thanked the Hong Kong Jockey Club Charities Trust for the donation as well as the Blue Bus Jockey Club Together We Grow Project under the Society of Rehabilitation and Crime Prevention, Hong Kong for the support for and participation in the establishment of the Parent-child Centres, and pointed out that the support from all sectors in the community is particularly important for the rehabilitation of PICs.

The design and decoration of the Parent-child Centres in the correctional institutions are modelled on children's playrooms in the community, providing a safe and comfortable environment for male PICs and their young children under 11 years old to gather to play games and read together. Male PICs can also take part in parent-child groups held in the centres to learn communication skills for building a better parent-child relationship.



