

## Two men arrested for suspected illegal sale and possession of Part 1 poisons and sale of alternative smoking products

The Department of Health (DH) and the Police yesterday (May 4) conducted a joint operation against the illegal sale of alternative smoking products (ASPs). During the operation, two men, aged 28 and 31, were arrested by the Police for the suspected illegal sale and possession of Part 1 poisons as well as the suspected illegal sale of ASPs.

Acting upon intelligence and an in-depth investigation, the Police, with the Tobacco and Alcohol Control Office and the Drug Office of the DH, yesterday raided a mobile retail outlet in Mong Kok suspected of selling ASPs. During the operation, a batch of suspected ASPs, including 94 boxes of suspected nicotine-containing electronic cigarette cartridges and 74 smoking devices were seized. An investigation is continuing, and all the arrested persons are being detained by the Police.

The Smoking (Public Health) (Amendment) Ordinance 2021 (Cap. 371) has come into operation since April 30. The Ordinance prohibits the import, promotion, manufacture, sale, or possession for commercial purposes of ASPs. Offenders are subject to a maximum fine of \$50,000 and imprisonment for six months. Moreover, according to the Pharmacy and Poisons Regulations (Cap. 138A), nicotine (except tobacco) is listed as a Part 1 poison and electronic cigarettes containing nicotine are regarded as pharmaceutical products. The Pharmacy and Poisons Ordinance (Cap. 138) also stipulates that all pharmaceutical products must be registered with the Pharmacy and Poisons Board of Hong Kong before they can be legally sold in the market. Illegal sale or possession of unregistered pharmaceutical products or Part 1 poisons are criminal offences. The maximum penalty for each offence is a fine of \$100,000 and two years' imprisonment.

A spokesman for the DH said that the department is committed to implement and enforce the new legislation on ASPs. The Government appeals to smokers to quit smoking as early as possible for their own health and that of others. They are encouraged to call the DH's Integrated Smoking Cessation Hotline on 1833 183. The hotline is operated by registered nurses and provides professional counselling services on smoking cessation. Information on smoking cessation can also be obtained from [www.livetobaccofree.hk](http://www.livetobaccofree.hk).

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## Government finishes exercise on “restriction-testing declaration” in respect of specified “restricted area” in Cheung Tin House, Pak Tin Estate, Sham Shui Po, and enforcement operation for breaches of compulsory testing notice

The Government yesterday (May 4) exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) to make a "restriction-testing declaration" with effect from 4.30pm yesterday, under which people (hereafter referred to as "persons subject to compulsory testing") within the specified "restricted area" in Sham Shui Po (i.e. Cheung Tin House, Pak Tin Estate, Sham Shui Po) were required to stay in their premises and undergo compulsory testing. Persons subject to compulsory testing were required to stay in their premises until all such persons identified in the "restricted area" had undergone testing and the test results were mostly ascertained.

In addition, the Government issued a compulsory testing notice yesterday, requiring any person who had been present at the above building for more than two hours from April 28 to May 4, 2022, even if they were not present in the "restricted area" at the time when the declaration took effect, must undergo compulsory testing on or before May 6, 2022.

The Government finished the compulsory testing exercise at around 8am today (May 5) and carried out enforcement action in the "restricted area" afterwards to verify that all people in the "restricted area" had undergone compulsory testing in accordance with the requirements of the relevant declaration and compulsory testing notice. The Government announced that the enforcement operation ended at around 10am today.

The Government delivered food pack to persons subject to compulsory testing to facilitate their meal arrangements. Anti-epidemic proprietary Chinese medicines supplied by the Central People's Government and rapid test kits were also provided to persons subject to compulsory testing to help them fight against the virus. The Housing Department set up a hotline for people restricted by the declaration to make enquiries and seek assistance.

The Government thanks persons subject to compulsory testing for their support and understanding. With everyone's co-operation and efforts, coupled with the tireless efforts of the testing contractors, residents have been informed about their testing results by SMS notification. After finishing the compulsory testing exercise at around 8am today, the Government took

enforcement action in the "restricted area" immediately to verify that all people in the "restricted area" had undergone testing according to the requirements of the declaration and the compulsory testing notice. Persons who could present an SMS notification containing a negative test result as proof of having undergone the compulsory testing could leave the "restricted area" through the designated exit after providing personal information to a prescribed officer. The enforcement operation was completed at around 10am. Test records of about 620 persons subject to compulsory testing were checked. No persons were found to have not undergone compulsory testing. Taking into account the above situation, the Secretary for Food and Health revoked the "restriction-testing declaration" in accordance with Cap. 599J (see attachment).

The Government reminded the households who have not answered the door to contact the Government for arrangement of testing as soon as possible after reading the notices put up by the Government, in the hope of eliminating the possible risk of further spread of the virus in the community.

The Government thanks all participating government staff and the testing agencies for their hard work. The Government is also grateful to those subject to compulsory testing for their support and understanding, and their full co-operation during this period in undergoing testing and waiting for the results at home.

The Government will seriously follow up on the compliance situation of the compulsory testing notices and the "restriction-testing declaration" by persons subject to compulsory testing. Any person who fails to comply with the compulsory testing notices commits an offence and may be fined a fixed penalty of \$10,000. The person would also be issued with a compulsory testing order requiring him or her to undergo testing within a specified time frame. Failure to comply with the compulsory testing order or the "restriction-testing declaration" is an offence and the offender would be liable to a fine at level 5 (\$50,000) and imprisonment for six months.

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## **Property owner fined over \$90,000 for persistently not complying with removal order**

A property owner was convicted and fined over \$90,000 at Tuen Mun Magistrates' Courts last week for persistently failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

The order involved an unauthorised flat roof structure of about 100 square metres in a composite building on On Ning Road, Yuen Long. As the unauthorised building works (UBWs) were constructed without prior approval

and consent from the Buildings Department (BD), a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD in 2013 and 2015 and was fined about \$95,000 in total upon conviction at Tuen Mun Magistrates' Courts. As the owner persisted in not complying with the removal order, the owner was prosecuted by the BD for the third time and was convicted again and fined \$95,500 on April 29.

A spokesman for the BD said today (May 5), "UBWs may adversely affect the structural and fire safety of a building, leading to serious consequences. Owners must comply with the removal orders without delay. The BD will continue to take enforcement action against owners who have failed to comply with the removal orders (including instigation of prosecution) so as to ensure building safety."

Failure to comply with a removal order without reasonable excuse is a serious offence under the BO. The maximum penalty upon conviction is one year's imprisonment and a fine of \$200,000, and a further fine of \$20,000 for each day that the offence continues.

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## [Government announces latest situation of fresh food supply from Mainland](#)

A Government spokesman announced today (May 5) that the supply of fresh food from the Mainland yesterday (May 4) was sufficient and stable.

According to the latest information, the quantity of vegetables supplied from the Mainland to Hong Kong yesterday (as of midnight) by land and water transportation was over 2 600 tonnes, comparable to the average daily supply from the Mainland on a normal day. The volume of vegetables supplied from the Mainland to Hong Kong sold through the wholesale markets of the Agriculture, Fisheries and Conservation Department (AFCD) and the Vegetable Marketing Organization was about 761 tonnes. The average wholesale prices of choi sum and pak choi stood at \$8.10 and \$6.10 per catty respectively yesterday, largely comparable to the levels of a normal day. The supply of eggs to the wholesale market remained steady, with the average daily supply standing at over 3.2 million for the past week, comparable to the average daily supply on a normal day last year.

The total supply of chilled meat from the Mainland yesterday was over 40 tonnes. The supply of live pigs was plentiful.

The supply of chilled poultry from the Mainland was about 150 000 head yesterday, and about 9 000 live chickens were slaughtered locally. The supply was abundant.

Regarding the rice supply, in compliance with the requirement by the Government, stockholders of rice have to maintain the reserve stock of rice at a level sufficient for consumption by the local population for 15 days. The trade generally stocks double the required amount, which is sufficient for one month's consumption by Hong Kong citizens. In recent years, the import and consumption of rice in Hong Kong has stood at a steady level of around 320 000 to 330 000 tonnes per year. The import quantity (including reserve stock) as of end-March 2022 was 27 300 tonnes. Suppliers also maintain a reserve for food that can be stored, such as frozen meat, for around three months' stock generally.

The Government will continue to maintain close liaison with the Mainland authorities and major food suppliers to ensure a stable food supply.

The AFCD updates and publishes the fresh food supply information daily. Members of the public may visit the AFCD website for updates on daily supplies and wholesale prices of fresh food ([www.afcd.gov.hk/english/agriculture/agr\\_fresh/agr\\_fresh.html](http://www.afcd.gov.hk/english/agriculture/agr_fresh/agr_fresh.html)).

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## **Government finishes exercise on “restriction-testing declaration” in respect of specified “restricted area” in Lei Muk Shue Estate, Tsuen Wan, and enforcement operation for breaches of compulsory testing notice (with photo)**

The Government yesterday (May 4) exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) to make a "restriction-testing declaration" effective from 4pm that day, under which people (hereafter referred to as "persons subject to compulsory testing") within the specified "restricted area" in Tsuen Wan (i.e. Fung Shue House, Lei Muk Shue Estate, Tsuen Wan) were required to stay in their premises and undergo compulsory testing. Persons subject to compulsory testing were required to stay in their premises until all such persons identified in the "restricted area" had undergone testing and the test results were mostly ascertained. All persons in the "restricted area" who had tested positive in the past three months, including positive cases identified either by nucleic acid tests that have been recorded by the Department of Health (DH) or by rapid antigen tests (RAT) that had been self-declared to the DH, were not required to undergo testing in this compulsory testing exercise.

Moreover, the Government issued a compulsory testing notice yesterday, requiring persons other than those specified above who had been present at the above building for more than two hours from April 28 to May 4, 2022, even if they were not present in the "restricted area" at the time when the declaration took effect, to undergo compulsory testing on or before May 6, 2022. The Government finished the compulsory testing exercise at around 6.20am today (May 5) and carried out enforcement action in the "restricted area" afterwards to verify that all people in the "restricted area" had undergone compulsory testing in accordance with the requirements of the relevant declaration and compulsory testing notice. The Government announced that the enforcement operation ended at around 9.20am today.

The Government provided food packs and necessity packs for persons subject to compulsory testing, so as to facilitate the meal arrangements and daily needs of some persons subject to compulsory testing. Anti-epidemic proprietary Chinese medicines supplied by the Central People's Government and rapid test kits were also provided to persons subject to compulsory testing to help them fight against the virus.

The Home Affairs Department also set up a hotline for people restricted by the declaration to make enquiries and seek assistance.

The Government thanks persons subject to compulsory testing for their support and understanding. With everyone's co-operation and efforts, coupled with the tireless efforts of the testing contractors, residents have been informed about their testing results by SMS notification. After finishing the compulsory testing exercise at around 6.20am today, the Government took enforcement action in the "restricted area" immediately to verify that all people in the "restricted area" had undergone testing according to the requirements of the declaration and the compulsory testing notice. Persons who could present an SMS notification containing a negative testing result or wore a wristband as proof of having undergone the compulsory testing could leave the "restricted area" through the designated exit after providing personal information to a prescribed officer. The enforcement operation was completed at around 9.20am. Test records of around 870 persons subject to compulsory testing were checked. Two persons were found not having undergone compulsory testing and compulsory testing orders were issued to them. Taking into account the above situation, the Secretary for Food and Health revoked the "restriction-testing declaration" in accordance with Cap. 599J (see attachment).

The Government reminds the about 60 households who have not answered the door to contact the Government for arrangement of testing as soon as possible after reading the notices put up by the Government, in the hope of eliminating the possible risk of further spread of the virus in the community.

The Government thanks all participating government staff and the testing agencies for their hard work. The Government is also grateful to those subject to compulsory testing for their support and understanding, and their full co-operation during this period in undergoing testing and waiting for the results at home.

The Government will seriously follow up on the compliance situation of the compulsory testing notices and the "restriction-testing declaration" by persons subject to compulsory testing. Any person who fails to comply with the compulsory testing notices commits an offence and may be fined a fixed penalty of \$10,000. The person would also be issued with a compulsory testing order requiring him or her to undergo testing within a specified time frame. Failure to comply with the compulsory testing order or the "restriction-testing declaration" is an offence and the offender would be liable to a fine at level 5 (\$50,000) and imprisonment for six months.

