

**For information  
On 22 April 2002**

**LegCo Panel on Food Safety and Environmental Hygiene**

**Response to Concerns Raised by  
Wan Chai District Council Members about the  
Regulatory Control of Food Factories with Retail Operation**

**Background**

At their meeting with Legislative Council Members on 5 July 2001, members of the Wan Chai District Council (“WCDC”) expressed concerns over environmental hygiene problems caused by food factory licencees engaging in retail activities. To contain such problems, WCDC members suggested that the scope of operation of food factories should be restricted.

**Licensing and Supervision of Food Factories**

2. Under section 31(1)(a) of the Food Business Regulation (Cap.132 Sub Leg)(“FBR”), a person must obtain a food factory licence from the Food and Environmental Hygiene Department (“FEHD”) to operate any food business which involves the manufacture or preparation of food for sale for consumption off the premises. The operation of a food factory is governed by the FBR and the relevant licensing requirements and conditions to ensure food safety and abatement of sanitary nuisances.

3. Holders of food factory licences are allowed to engage in retail operation. At retail level, FEHD has been keeping this kind of food business under close surveillance and will step up enforcement action where necessary to ensure the environmental hygiene of the premises and its surroundings are under proper control.

4. In 2001, 117 verbal warnings and 106 prosecutions were taken against the operators of this kind of food factories for causing environmental hygiene problems and obstruction in Wan Chai district. In addition, the licence of a repeated offender was suspended for seven days during the period.

5. FEHD noticed that much of the environmental hygiene problem caused by such food factories was due to operators pushing food preparation

and retailing activities to the shop front. To address this problem, the department has tightened up the licensing requirements and conditions of food factories to confine food preparation activities within the food room and retailing activities strictly within the licensed area.

6. FEHD staff will continue to take stringent enforcement action to keep the environment clean and tidy.

Food and Environmental Hygiene Department  
April 2002