

For information

LegCo Panel on Food Safety and Environmental Hygiene

Streamlining Measures for Food Business Licensing

PURPOSE

This paper reports to Members actions taken by the Food and Environmental Hygiene Department (FEHD) to streamline the food business licensing regime.

BACKGROUND

2. In 2004-05, the Panel on Food Safety and Environmental Hygiene set up the Subcommittee to Study the Streamlining of Food Business Licensing (the Subcommittee) to study ways to streamline food business licensing. Having carefully considered the views expressed by the Subcommittee and the trade, FEHD has implemented a number of improvement measures and will consult the trade on other proposals prior to implementation.

IMPROVEMENT MEASURES IMPLEMENTED

3. A number of improvement measures have been implemented since July 2005. They are set out in paragraphs 4 to 7.

Application Vetting Panel Meeting

4. Under the present arrangement, staff of the three concerned departments, namely, FEHD, Buildings Department (BD), and Fire Services Department (FSD) jointly attend Application Vetting Panel (AVP) meetings to explain to applicants details about their applications. Steps have been taken to ensure that fire and building safety and hygiene requirements are issued to the applicant prior to the AVP meeting to facilitate discussion at the meeting.

5. To ensure that the applicant, his consultant and/or contractor clearly understand all the licensing requirements, it is emphasized in the

invitation letter to the applicant the need to involve the consultant and contractor where applicable at an early stage and to include them at the AVP meeting.

Changes to approved layout plan

6. Prior approval is required for change to approved layout plan. To speed up referral to BD and FSD where necessary, the applicant is required to highlight proposed changes on the revised plan submitted to FEHD.

Relaxation of licensing requirements with no hygiene implications

7. FEHD has relaxed certain licensing requirements which do not pose food hygiene problems. The minimum height of a food counter is lowered from one metre to 75 centimetres to facilitate trade practices. Having regard to the common use of high quality sterilizing agents and modern dishwashing machines/equipment by operators, provision of a drip board from sink is no longer a standard licensing requirement.

OTHER IMPROVEMENT MEASURES

8. Steps will be taken to take forward other proposals as set out in paragraphs 9 to 13.

New composite licence for ready-to-eat food

9. There have been suggestions from the trade that a new class of food business licence be introduced to cover the sale of read-to-eat food, e.g. siu mei/lo mei, cooked food, bakery products, sushi/sashimi, frozen confections, and milk etc. Under the proposal, the holder of one single composite licence may sell these food items provided that all basic licensing requirements/conditions and specific requirements/conditions for individual items are met. We are now working out the framework for composite licensing and will consult the trade shortly on our proposals. Following that, we will submit legislative amendments to the Food Business Regulation (Cap 132 sub. leg.) to implement this proposal.

Changes to approved layout plan

10. Prior approval is required for alteration of fittings shown on approved layout plan of food premises. Views have been expressed by

the trade that there should be clearer guidelines on details to be shown on layout plans, in order to facilitate applications for approval for changes to be made to the original plans. FEHD has, in consultation with BD and FSD, reviewed the existing requirements for change in approved layout plan in order to simplify the procedures where possible for changes which do not constitute any material deviation and have no hygiene, building safety and fire safety impact. Based on the result of the review, FEHD has coordinated a list of items not required to be shown on layout plan and consulted the trade in October 2005 who welcomed the proposal. FEHD is taking steps to introduce the list.

Reduction in number of licences required for general restaurant

11. Views have been expressed that there should be a reduction in the number of licences required for operating a general restaurant. In particular, it is proposed that a restaurant should not be required to obtain a separate bakery licence. At present, a general restaurant which sells bakery products in a separate counter/portion of the restaurant for consumption off the premises is required to obtain an additional bakery licence. FEHD will replace the issuance of a separate licence in such circumstances with a relevant endorsement on the general restaurant licence instead provided that sale of the bakery products is confined to retail basis and that additional licensing requirements for manufacturing such products are met.

Review of workflow

12. According to our recent survey, there is substantial percentage of abortive submissions. In 2003 and 2004, about 27% and 17% of the total number of applications received respectively were withdrawn by the applicants or did not pass the preliminary screening of layout plan or terminated by FEHD due to lack of progress in complying with licensing requirements despite repeated reminders. Relevant departments have invested a lot of time in processing these abortive applications and such resources could have been deployed to expedite the processing of other applications. With this in mind, we will streamline the workflow for issue of new licence. An application for food business licence will be deemed as withdrawn 6 months after the expiry date of the provisional licence or 12 months after the issue of Letter of Requirements for a full licence, whichever is applicable, unless the applicant can prove that the delay in meeting the licensing requirements is due to circumstances beyond his control.

13. Upon issue of the Letter of Requirements to an applicant, FEHD staff will make a site visit to the premises concerned within three months time to offer advice on site to the applicant as necessary. After that, FEHD will issue reminders to the applicant at quarterly intervals up to 6 months after the expiry date of the provisional licence or 12 months after the issue of Letter of Requirements, whichever is applicable. Throughout the application process and for each application, a FEHD case manager will be made available to the applicant and will provide advice and assistance as necessary. FEHD has consulted the trade in October 2005 who supported the proposal and will take steps to implement this measure which will enable FEHD and other relevant departments to focus resources on applicants with genuine interest in operating a food business.

ADVICE SOUGHT

14. Members are invited to note the improvement measures implemented/to be taken forward as set out in paragraphs 4 to 13. Meantime, we are also considering other improvement options including certification of hygiene aspects by registered professionals for issue of a full licence and will consult the trade and keep Members posted of development.

**Health, Welfare and Food Bureau
Food and Environmental Hygiene Department
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