



中華人民共和國香港特別行政區政府總部食物及衛生局  
Food and Health Bureau, Government Secretariat  
The Government of the Hong Kong Special Administrative Region  
The People's Republic of China

14 July 2015

Ms Alice LEUNG  
Clerk, Panel on Food Safety and Environmental Hygiene  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Ms Leung

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

**Letters from Dr Hon Helena WONG and Dr Hon KWOK Ka-ki  
on safety concerns in relation to the use of coloured powder in large-scale  
activities following the fire incident in the Formosa Water Park in Taiwan**

Thank you for relaying to us the captioned letters from Dr Hon Helena WONG and Dr Hon KWOK Ka-ki to the Panel Chairman. Our response to the concerns raised by Dr Hon Wong and Dr Hon Kwok is provided below.

Background

The Government is concerned about the dust deflagration incident which occurred in New Taipei City, Taiwan. At the Legislative Council meeting on 8 July 2015, the Secretary for Food and Health, together with the Secretary for Security, provided detailed response to the urgent questions raised by Hon Elizabeth QUAT and Dr Hon Wong on the same issue.

We appreciate the public concern about the safety of such activities and whether a similar incident would arise in Hong Kong. In this connection, we have consulted the relevant bureaux and departments including the Security Bureau, Home Affairs Bureau (HAB), Fire Services Department (FSD),

Buildings Department (BD), Electrical and Mechanical Services Department (EMSD), Hong Kong Police Force (HKPF), Food and Environmental Hygiene Department (FEHD), Department of Health (DH), Government Laboratory (GL) and Hospital Authority.

The departments concerned will handle prudently activities involving the use of powder. This includes requesting licence applicants to provide relevant information, seeking professional advice and making careful analysis, so as to protect public safety. Under the Places of Public Entertainment Ordinance (Cap. 172) (the Ordinance), any person who desires to keep or use any place of public entertainment (PPE) must apply to the licensing authority for a licence. The Secretary for Home Affairs is the licensing authority. He has delegated the execution of the licensing procedures to the Director of Food and Environmental Hygiene. The Ordinance has been enacted for the purpose of ensuring public safety and orderliness on the premises concerned where members of the public gather together, covering various aspects such as fire safety, building safety, electrical and mechanical equipment, ventilation, crowd management and environmental hygiene. All PPEs must comply with the requirements set by FEHD and other departments concerned (e.g. FSD, BD, EMSD and HKPF) as appropriate.

Earlier on, the organisers of two events involving the proposed use of dyestuff or powder made applications for PPE licences. These two events were proposed to be held in July and December 2015 respectively. According to the recent liaison between FEHD and the applicants, the proposed event originally scheduled for July will be changed to a music show that does not involve the use of dyestuff; and as regards the proposed event originally scheduled for December, notwithstanding AsiaWorld-Expo's earlier announcement that it has been cancelled, the applicant has hitherto not notified FEHD that the application is confirmed to be cancelled. We will continue to liaise with the applicant, to keep a close watch on development.

#### Handling of applications for PPE licence

Upon receipt of an application for a PPE licence, FEHD will first consider the nature of the activity. If the activity falls within the ambit of the Ordinance, FEHD will handle the application and, in the light of the nature of the activity and the venue in question, consult the relevant government departments, including FSD, BD, EMSD, Environmental Protection Department, Transport Department, Highways Department, HKPF and Lands Department, to ensure compliance with requirements covering plan specifications, fire safety, building safety, electrical, mechanical, crowd management and hygiene requirements. These departments will advise on areas under their respective

purview.

Upon receiving a referral from FEHD, FSD will examine the information submitted by the applicant according to the existing PPE licensing mechanism. Inspection of the relevant premises or venue will be carried out to learn more about the nature of the activity, the form of performance, props and materials, etc. based on which fire risk will be assessed and appropriate fire safety requirements formulated for compliance by the applicant. After the premises or venue concerned is confirmed to be in compliance with all fire safety requirements, FSD will issue a fire services certificate to the applicant and inform FEHD accordingly.

Where an applicant proposes to use dyestuff or powder in an activity, FSD will, as and when necessary, ask the applicant to submit further information on the dyestuff or powder to be used, for instance, a material safety data sheet containing details of its composition, and physical and chemical data (e.g. toxicity, flammability and explosiveness). Should FSD, after assessing the fire risk, consider that the form of performance, the props or materials to be used in the activity are not suitable in the premises or venue concerned, it may prohibit the applicant from adopting the relevant form of performance or using certain props or materials, or else FSD will raise objection to the application.

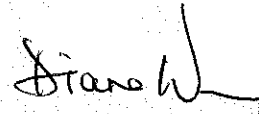
GL will provide support to FSD through conducting test and assessment to ascertain flammability and risks of potential hazards. The testing process conducted by GL measures up to the international standards (ISO 17025).

Upon receipt of feedback from the departments concerned, FEHD will process the application on the basis of the risk assessments they make. If the relevant departments do not object to the application, FEHD will issue a letter of requirements to the applicant. It is only after all the requirements have been met and inspections have been conducted by relevant departments to confirm the compliance of the premises with the requirements stipulated under their respective purview that a licence will be issued. Appropriate licensing conditions will be imposed.

### Summing up

When handling similar applications for PPE licences in future, FEHD will, as before, process each case in accordance with the procedures described in the preceding paragraph.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Diane W.", with a long vertical stroke extending downwards from the end of the signature.

(Miss Diane Wong)  
for Secretary for Food and Health

c.c.: Director of Food and Environmental Hygiene  
(Attn: Mr LI Ka-kei)

Director of Fire Services  
(Attn: Mr LEUNG Kwun-hong)