

**For Discussion
on 8 December 2015**

LegCo Panel on Food Safety and Environmental Hygiene

Public Consultation on Regulation of Edible Fats and Oils and Recycling of “Waste Cooking Oils”: Findings and Observations

Purpose

The Government conducted a public consultation on the legislative proposals to regulate edible fats and oils and the recycling of “waste cooking oils”¹ between 7 July 2015 and 6 October 2015. This paper informs Members of the views collected during the consultation exercise and the Government’s observations about these views. Members are invited to put forward their comments.

Background

2. The “substandard lard” incident in Taiwan last September raised considerable public concern in Hong Kong over the safety of edible fats and oils. Since the incident posed a threat to food safety, jeopardized our reputation which is essential to Hong Kong’s success and impacted on Hong Kong’s long-term competitiveness, the Government has decided to propose stepping up regulation of the safety of edible fats and oils and the recycling of “waste cooking oils” in Hong Kong. On 7 July 2015, the Government released a public consultation document to launch a three-month public consultation exercise. The consultation document set out legislative proposals with a view to amending the statutory safety and quality standards for edible fats and oils, strengthening regulation of the local production, import and export of edible fats and oils in Hong Kong and facilitating the recycling of “waste cooking oils”, so as to safeguard public health and promote environmental protection through effective recovery of recyclable resources.

3. Through public consultation sessions, Trade Consultation Forum of the Centre for Food Safety (CFS) and different meetings and briefings, the Government explained details of the legislative proposals to relevant

¹ “Waste cooking oils” are defined as “oils” abandoned from any cooking process for human consumption (including used cooking oil and unused oil abandoned for reasons such as spoilage, regardless of whether they have been used for their original purposes) and grease trap waste, other than those from households.

stakeholders (including the food trade and waste recyclers). We also attended the meeting on the consultation document and the legislative proposals by the Panel on 14 July 2015 as well as the public hearing held by the Panel on 6 October 2015 to listen to the views of Members, trade representatives and stakeholders.

Findings of Consultation

4. During the consultation period, 111 submissions were received via various channels (email / post / fax) and direct submissions to the Panel at its meetings with relevant bodies and government authorities. Most submissions came from the public (41%) and the food trade, recycling trade and trade associations (41%), with the rest from concern groups (8%), political parties and Legislative Council Members (5%) and overseas authorities (5%).

General Views

5. The respondents generally supported the Government's objectives in safeguarding public health (including setting appropriate standards for edible fats and oils) and protecting the environment. However, quite a number of respondents opined that the regulatory measures should be proportionate to the risk levels of edible fats and oils. While protecting public health, the new legislation should not become a potential trade barrier or obstacle by adding to the burden on small and medium food enterprises unnecessarily, restricting consumer choice and driving up food prices. Some trade members commented that the proposed regulation should not be too complicated or stringent, as edible oils are not a staple food with a high food safety risk.

6. Regarding the safety standards for edible fats and oils, the trade and the majority of the public considered that the proposed standards should be objective, in line with international food safety standards and based on proper risk analyses.

Scope of Coverage

7. In the consultation document, the Government proposes to make reference to the definition of edible fats and oils by the Codex Alimentarius Commission (Codex). Under the relevant definition, edible fats and oils generally used in food preparation, such as fats and oils for cooking and frying, table oils and salad oils, would fall within the scope of the proposed legislation. While an overseas authority supported this definition, some trade members were concerned about the scope of fats and oils to be covered under the proposed

regulatory regime and suggested that certain kinds of fats and oils should be exempted.

8. Some trade members requested that products marketed as health foods / health supplements be exempted. In addition, some stakeholders asked that exemption be given to edible oils imported for testing purposes by local laboratories. Some trade representatives remarked that the proposed regulatory measures had not taken into account oils not commonly consumed (chili oil, Sichuan pepper oil, teaseed oil, flaxseed oil, almond oil, walnut oil, perilla oil, etc.) and given the many different varieties of oils, if the amendments of the legislation were to proceed without a thorough understanding of the market situation, the importation of certain types of oils might be affected. However, the Consumer Council and individual trade members suggested more stringent control on blended oils and blended olive oils, including their naming and composition requirements.

9. As for the premises which merely carry on the business of bottling or canning edible oil, they are exempted from holding a food business licence under the Food Business Regulation (Exemption from Section 31(1)) Notice (Cap. 132Z)). Nevertheless, these premises are still required to register with the Food and Environmental Hygiene Department (FEHD) under the Food Safety Ordinance (Cap. 612) for their import and distribution businesses. Besides, FEHD officers conduct regular inspections to check the sanitary conditions of the premises concerned. Some trade members considered that the present arrangements should be improved. They suggested that FEHD should strengthen inspection and regulation of these premises and consider requiring the business concerned to register with FEHD or apply for a food factory licence.

Observations

10. Overall, we understand that in order to implement the proposed regulatory measures effectively, it would be inevitable for the Government, the trade and consumers to devote extra resources for compliance purposes. Nevertheless, for the sake of ensuring Hong Kong's food safety and public health and protecting the environment, we consider that enhancing regulation of edible oils and fats and recycling of "waste cooking oils" will benefit the society as a whole. However, in working out specific details of the proposed legislation, the Government will refer to the Codex standards as the blueprint so that the regulatory framework would align with the international practices and meet the requirements of the World Trade Organization (WTO). This would minimize the compliance cost and strike a balance between effective regulation and enforcement and maintaining a business-friendly environment.

11. Regarding the definition of edible oils and fats, we note that some respondents suggested that certain edible fats and oils (such as foods marketed as health foods / health supplements and “reused oil” or “cooking oil in use” from food premises) should be exempted. We also understand that the presentation (e.g. capsule form for oral use) and usage (with recommended dose regimens) of some health products may differ from those of traditional edible fats and oils. We will consider appropriate provisions to regulate such products and set out clearly the scope of regulation.

12. Concerning the scope of regulation for the trade, we will review the present system on regulation and inspection of those premises which merely carry on the business of bottling or canning edible oil, taking into account the views of the trade.

Findings of Consultation

I. Safety and Quality Standards for Edible Fats and Oils

13. The trade generally supported standards (i.e. standards for arsenic, lead and erucic acid) that were aligned with the Codex standards. However, the majority of respondents including the trade and the public considered the proposed standards for aflatoxins and Benzo[a]pyrene (B[a]P) too strict and not proportionate to the risk levels of edible fats and oils. Other members of the public opined in general that the proposed standards were too lenient and not in line with international standards and the standards of other Asian countries. They suggested that the Government should adopt more stringent standards.

14. Particular concern was expressed regarding the proposed standards for aflatoxins and B[a]P. Some overseas authorities and the trade questioned the rationale for setting limits for aflatoxins and/or B[a]P in Hong Kong in the absence of corresponding Codex standards. Some respondents considered the proposed standards too stringent, which would lead to compliance issues and might affect production costs and the availability of certain types of edible oils in the market.

15. Some trade members put forward a limit of 15 ppb for aflatoxins. Nonetheless, a political party and the Consumer Council supported the proposed limit for aflatoxins at 5 ppb.

16. In the consultation document, the suggested limit for B[a]P is set at 5 ppb. A limit of 10 ppb for B[a]P was suggested by some trade members and

the public. They recalled previous information from the Expert Committee on Food Safety that even if edible oils contained B[a]P at 10 ppb, results of risk analysis indicated that the intake of B[a]P was of low concern for human health. Some members of the trade commented that barbecue food and deep-fried food contained B[a]P at levels higher than edible fats and oils, and local dietary habits should also be considered when setting standards for edible oils. On the other hand, a political party and the Consumer Council suggested adopting a more stringent standard of 2 ppb for B[a]P by following the European Union (EU) standards. The Consumer Council added that if a more stringent standard for B[a]P could not be adopted at the moment, the Government should propose a timetable for reviewing the relevant standards.

17. For quality parameters, the Consumer Council agreed that testing of peroxide value and acid value would facilitate edible oil quality evaluation and the differentiation of products adulterated with “waste cooking oils”. A political party suggested that the quality standards should be applicable to all edible fats and oils and not just lard, making reference to the EU practice. Another respondent pointed out that total polar compounds and acid value were the most common indicators for assessing the quality of “reused oil” or “cooking oil in use”, and methods for testing the quality of edible oils were available in the market. A trade representative commented that the Government should focus on food safety, and rather than the Government setting quality standards, it should be left to the trade and consumers to determine the acceptable quality.

Observations

18. We note that the majority of respondents supported the proposed safety standards which had made reference to the Codex. However, for aflatoxins and B[a]P which Codex has not established corresponding limits, some respondents took the view that the limits should be more lenient than those proposed in the consultation document. We consider that the ALARA (as low as reasonably achievable) principle should be adopted to control contaminants in food. According to the CFS’s food surveillance results, 99% of the edible fat and oil samples met the proposed standard for aflatoxins at 5 ppb. Hence, we consider that adoption of the proposed standard should have little impact on the trade.

19. For B[a]P, the Joint Food and Agriculture Organization of the United Nations/World Health Organization Expert Committee on Food Additives pointed out that vegetable fats and oils (owing to higher concentrations of

PAHs² in this food group) were one of the major contributors of PAHs intake. We also note that certain types of oils may have a higher level of B[a]P. Based on the past CFS food surveillance data, some 5% of edible fat and oil samples contained B[a]P higher than the proposed limit of 5 ppb. We believe that by stipulating a tighter B[a]P limit, it can motivate the trade to take appropriate measures, such as further refining of oil during processing to reduce B[a]P levels in their products and safeguard public health. Hence, we consider that adoption of the proposed standard (i.e. 5 ppb) would enhance food safety.

20. As for the proposed quality standards, we are of the view that we need to strike a balance between protection of public health and business facilitation. Setting statutory standards for peroxide value and acid value in lard would help enhance the quality of lard products in the market and further protect public health.

Findings of Consultation

II. Regulation of “Reused Oil”

21. Some members of the public are particularly concerned about how edible oils are used in food preparation by local restaurants. In the consultation document, the Government proposes to make it a statutory requirement that “waste cooking oils” and “substandard fats and oils” not intended for human consumption must not be used as ingredients for the production of edible fats and oils. On the other hand, some trade groups / representatives considered that the so-called “reused oil” and “cooking oil in use” from restaurants should be exempted, as the trade might use the same edible fats and oils in food production more than once. Although some in the catering industry have no objection in principle to regulating “reused oil” with a view to ensuring compliance with the proposed standards, they requested the Government to set out the requirements in the form of guidelines first, in light of the variety of cooking methods used. The guidelines should be specific taking into account the trade’s condition to cover the maximum number of times the oils can be reused, and when “waste cooking oils” should be discarded, so as to assist restaurants in meeting the standards.

² B[a]P is toxic to genes and can cause cancer in human. B[a]P is a kind of polycyclic aromatic hydrocarbons (PAHs). PAHs are ubiquitous in the environment. When cooking oil is heated during processing, B[a]P may also be generated. Refining process can reduce the level of B[a]P in cooking oil and the final levels depend on the refining conditions adopted.

Observations

22. As for “reused oil” or “cooking oil in use”, we note that the safety standards for edible oils in overseas jurisdictions generally apply to those products for sale in the market rather than “reused oil”. In some countries or places, guidelines on good practice in the use of edible fats and oils are available for the trade.

23. Taking into account international practices and the fact that the number of times that oils can be reused depends on multiple factors including the types of oils, the cooking temperature and time, the types and amount of food fried, the storage conditions, etc., we expect considerable difficulty in terms of regulation, enforcement and prosecution. At this stage, a more pragmatic approach would be to address the statutory standards for edible fats and oils for sale in the market first. As for “reused oils”, we propose to commission studies by local universities to assist CFS to develop guidelines for good practices in using frying oils. The trade will be involved during the process.

Findings of Consultation

III. Certificate System

24. The consultation document proposes that edible fats and oils locally manufactured (for export or domestic sale), imported into and exported from Hong Kong should be accompanied by an official certificate or a certificate issued by an officially recognised independent testing institution (such as an accredited testing institution under the Hong Kong Laboratory Accreditation Scheme) to certify their compliance with the statutory safety standards and fitness for human consumption.

25. The public widely supported the proposed requirement for certification of edible fats and oils to enhance food safety. However, the food trade generally considered the proposal infeasible and was greatly concerned about the compliance burden.

26. Importers opined that it was difficult to prove “waste cooking oils” or “substandard fats and oils” not intended for human consumption were not used as ingredients for the production of edible fats and oils because the ingredients of edible oils (commonly known as “crude oil”), unless refined, were not fit for human consumption. They opined that the definitions of “waste cooking oils” and “substandard fats and oils” should be considered meticulously to clearly define the scope of regulation.

27. Importers further pointed out that it was not an international practice to require an official certificate for edible fats and oils. This would also pose a trade barrier as government authorities in places of manufacture might not issue certificates or endorse certificates issued by other independent testing institutions. Before enacting the legislation, the Government must ensure that the places of origin of the edible fats and oils have mechanisms in place for issuance of such certificates. Moreover, trade members were concerned that the requirement for a certificate for each import consignment would have time and cost implications, which would constitute a heavy burden to the trade, in particular small and medium enterprises. The impact would be greater when a wide variety of edible oils were imported in small quantities. The costs might eventually be passed onto consumers, which would in turn limit their choice.

28. Importers suggested other alternatives including requiring manufacturers of edible fats and oils to acquire internationally recognised quality assurance certifications, such as International Organization for Standardization (ISO), Certificate of HACCP etc., and manufacturers / importers of edible fats and oils to conduct regular product tests, to be supplemented by test reports from independent testing institutions as a proof of their products' compliance with local standards. Some importers and testing institutions considered that institutions recognised under the Hong Kong Laboratory Accreditation Scheme should be allowed to perform tests on imported edible fats and oils to assess their compliance with Hong Kong standards.

29. Regarding the requirement for an official certificate or a certificate issued by an officially recognised independent testing institution for locally manufactured edible fats and oils, the trade commented that operation costs would increase substantially if each type of oils and every consignment of oil products were to be tested by a third party. It was proposed that local manufacturers with quality management certification and which regularly conducted reviews of their own be exempted from submitting proof of quality certification.

30. On the international front, the relevant authorities in countries like the United States (US), Canada and New Zealand have also offered their comments. They requested the Government to accept officially recognised certificates (for example, Certificate of Free Sale, Manufacturer's Declaration, etc.) that their countries issued for exported edible oils of plant origins. These certificates mainly certify products' compliance with the statutory requirements of exporting countries, their availability in local markets and eligibility for export. The Certificates of Free Sale from the US also certify that the particular manufacturer has no unresolved enforcement actions pending before or taken by

the US Food and Drug Administration. Besides, the EU authorities pointed out that edible oils of plant origins were relatively low-risk foods, which did not require health certificates for import into the EU. They questioned the Government's rationale to enhance regulation of edible oils of plant origins, noting that it would create unnecessary trade barriers.

31. Regarding the proposal to provide copies of certificates or other supporting documents to downstream distributors or retailers, some importers were concerned that commercial secrets might be disclosed. They were of the view that their compliance with the Food Safety Ordinance (Cap. 612), which required registration of food importers / distributors with the authorities and the maintenance of food transaction records, would be sufficient to ensure food traceability.

Observations

32. As pointed out in the consultation document, we understand that it is rather difficult to prove that "waste cooking oils" or "substandard fats and oils" not intended for human consumption have not been used as ingredients for the production of edible fats and oils. Importers / exporters of edible fats and oils were also very concerned about the cost and time for product analyses. They considered that the certification requirements would not only exert pressure on small and medium food business but also affect consumers adversely.

33. In devising the certification system, we will take into full account the views expressed during the consultation exercise, including views of the overseas authorities. Our initial assessment is that it is worthwhile exploring the acceptance of Certificate of Free Sale, Manufacturer's Declaration or similar documents. This approach is more feasible because these certificates already certify that the products concerned comply with the regulations of the places of origin, can be sold locally and are eligible for export. In other words, the edible fats and oils concerned are fit for human consumption and meet the purpose for which the certificates are required. Nevertheless, we have to examine the conditions for issuing these certificates among different places of origin to ensure that these certificates can in practice safeguard the food safety of the edible fats and oils concerned. We will also study the entire regulatory, enforcement and prosecution processes to ensure the feasibility of the proposal.

34. At the same time, we note that the international community has different risk assessments on edible oils of animal origins and those of plant origins. As edible oils of plant origins are generally considered to be lower in risks compared to edible oils of animal origins, they are not regulated in the same manner. For example, in the Netherlands and New Zealand, a health

certificate will be issued for the export of edible oils of animal origins to prove their fitness for human consumption. However, no official certificates are available for the export of edible oils of plant origins. Regarding the proposal to provide copies of certificates or other supporting documents to downstream distributors or retailers, we appreciate the concerns of the trade. However, relying solely on the registration records and food transaction records (without information indicating whether the traders concerned have obtained Certificates of Free Sale, etc.) may have impact on future enforcement and investigation efforts to a certain extent.

Findings of Consultation

IV. Regulation of Recycling of “Waste Cooking Oils”

35. On the regulation of recycling of “waste cooking oils”, the Environmental Protection Department (EPD) proposes in the consultation document to amend the Waste Disposal Ordinance (Cap. 354) by introducing a licensing system for the collection, disposal and import / export of “waste cooking oils”.

36. The trade and the public generally supported enhancing regulation of recycling of “waste cooking oils” through legislation so as to monitor the flow of “waste cooking oils” more effectively, prevent such oils from re-entering the food chain, protect public health, and promote recycling. Nevertheless, there were some suggestions that the Government should exempt the application fee for applicants applying for licences to collect and dispose of “waste cooking oils” if the amount of “waste cooking oils” they handle is less than a certain threshold (say 300 kg) each month. This would help reduce the operating cost for these operators and enable them to conduct public environmental education through collecting “waste cooking oils” and manufacturing green products such as soaps. The trade also suggested that the Government should provide clear guidelines and formulate appropriate trip records requirements to facilitate tracing the flow of “waste cooking oils”. The trade and the public generally took the view that the Government should strengthen surveillance and enforcement to ensure the proper collection and disposal of “waste cooking oils”. In addition, some also expressed hope that the regulation of the import and export of “waste cooking oils” would not constitute trade barriers.

37. The trade and public also suggested that the Government should adopt appropriate supportive measures to enhance the overall operational standard of the recycling industry, such as introducing a certification system, promoting use of biodiesel, providing subsidies, establishing community collection network,

enhancing promotion and education, etc. Besides, some organizations requested extension of the consultation period to allow the trade and public more time to fully express their views. Some respondents opined that the Government should ensure there would be enough collectors/disposers of “waste cooking oils” and ancillary facilities in Hong Kong for collection and disposal of all “waste cooking oils” generated locally. Some members of the catering sector expressed concerns that making it mandatory for handing over “waste cooking oils” to licensed collectors might lead to a drop in collection price of “waste cooking oils” and restaurants might even end up having to pay collectors to take away their “waste cooking oils”³ and hence this might increase their operating cost. They suggested the Government to consider prohibiting collectors through imposing such a licensing condition from charging “waste cooking oils” collection fees from restaurants.

38. In the consultation document, FEHD and EPD propose to regulate the recycling of “waste cooking oils” prior to amending the Waste Disposal Ordinance. The proposals include FEHD imposing an additional licensing condition on food premises operating under a licence for a restaurant, factory canteen, food factory or bakery and requiring that any “waste cooking oils” produced during the cooking process on the licensed premises must be handed over to a collector, disposer or exporter registered by EPD for disposal. The licensees will be required to keep the relevant records for at least 12 months for FEHD’s inspection. Warnings will be issued to licensees in breach of this licensing condition. When repeated warnings are ineffective, FEHD may consider cancellation of licence. Meanwhile, EPD will register eligible local collectors, disposers and exporters of “waste cooking oils” in light of the new licensing condition imposed by FEHD.

39. Overall, the trade and the public supported strengthening regulation of recycling of “waste cooking oils” as proposed by the Government. However, some respondents expressed reservations over imposing such an additional licensing condition. They were concerned that the administrative measures would affect the daily operation of food businesses. The trade pointed out that some food premises only generated a small quantity of “waste cooking oils”. Collectors might not be willing to provide service for them, thus these premises would end up breaching the new legislation. They suggested setting an exemption level for the amount of “waste cooking oils’ generated. Collection of “waste cooking oils” by registered collectors would not be mandatory if the level is not exceeded. Members of the trade were also worried that there would not be sufficient registered collectors to provide the required collection

³ At present, since collectors of waste oils can sell the recycled oils after processing, restaurants do not have to pay any fees to the collectors. On the contrary, some collectors would buy the “waste cooking oils” from restaurants.

service, in particular for food premises in remote areas. Trade representatives added that some chained food premises would collect “waste cooking oils” among branches and then convey them to a central collection point for collection by collectors. They asked the Government how chained food premises operating in this manner would be regulated. Some trade members requested the Government to clarify whether food premises generating only a small amount of “waste cooking oils”, and which would use them for the production of environmentally friendly soaps or other uses, would be exempted from the regulation.

40. The food trade was concerned that regulation of “waste cooking oils” by legislation and the administrative measures would lead to a high compliance cost. In particular, they hoped that the Government would provide proper support to enable them to maintain collection records for “waste cooking oils”, such as setting suitable guidelines and record samples for the industry, organizing workshops and running a hotline to answer their enquiries. The trade would like to have more time to study and discuss the regulatory details. The Government was also requested to conduct a business impact assessment on the proposed regulation. The results of the study and its recommendations should be duly considered prior to working out details of the new legislation.

Observations

41. To positively respond to the public call to strengthen regulation of recycling of “waste cooking oils”, FEHD and EPD will work together to implement the new measures mentioned in paragraph 38 before amending the Waste Disposal Ordinance.

42. In setting the additional licensing condition, FEHD will consider allowing the licensee to treat the following together with other kitchen waste: (i) small quantities of “waste cooking oils” which are already mixed with other kitchen waste and cannot be separated; and (ii) small quantities of grease trap waste removed manually from grease traps, put inside watertight plastic bags / containers, which are then tightly sealed. If a chained food business needs to deliver “waste cooking oils” generated from its branched food premises to a central collection point for temporary storage before being collected by a collector registered with EPD, the person-in-charge of the chained food business shall register as a collector with EPD. If food premises use the “waste cooking oils” self-generated and manufacture green products such as soaps, the person-in-charge of the food premises shall register as a collector or disposer with EPD.

43. EPD has been in close liaison with the recycling trade regarding the concern of the catering industry on whether there are enough recyclers of “waste cooking oils” in the market. The recycling trade generally considered that there is sufficient local capacity for collecting and processing all the “waste cooking oils” generated by restaurants in Hong Kong. The trade is also willing to work out collection arrangements with restaurants in remote areas. It is noted that some collectors have collaborated with the catering trade to assist food premises to properly handle their “waste cooking oils”. EPD will step up publicity efforts to encourage the recycling trade to register with EPD earlier to ensure that there are adequate channels for food premises to handle their “waste cooking oils” properly. Furthermore, to help the food premises identify EPD registered “waste cooking oils” parties, EPD will issue a certificate of registration to registered parties and upload their names, contact details, registration numbers and service areas to EPD’s website for reference by food premises. EPD will also prepare good practice guides to provide guidelines to registered parties, in order to assist the recycling trade to operate properly.

44. EPD plans to launch the registration scheme for eligible local collectors / disposers / exporters of "waste cooking oils" in the first quarter of 2016. The first batch of applications will be accepted and processed in the first quarter of 2016 and the results are expected to be announced in the second quarter of 2016. FEHD and EPD will assess whether the registered collectors / disposers / exporters, in terms of their number and capacity, can cope with the collection / disposal of “waste cooking oils” generated by food premises all over the territory before imposing the new licensing condition and finalising the date of implementation. To dovetail with the new licensing condition, FEHD has prepared a collection record template for “waste cooking oils” for reference and use by the food trade. It is believed that the new regulatory measures will not pose an undue compliance burden on the trade. At the same time when the new licensing condition is imposed, FEHD will step up promotion and publicity on the new requirements. FEHD officers will explain how the new licensing condition should be complied with to licensees / persons-in-charge of restaurants, factory canteens, food factories and bakeries during routine inspections to food premises so that trade members will have enough time to understand and familiarise themselves with the regulatory arrangements for collection of “waste cooking oils”.

Findings of Consultation

V. Grace Period

45. It is proposed in the consultation document that there should be a reasonable grace period for the trade to prepare for compliance with the new requirements. There were public views that under the premise of protecting public health, the grace period should not be too long. The Consumer Council also took the view that the legislative proposals should be implemented expeditiously to ensure better protection of the health of the consumers. However, the trade generally looked to the Government for providing a longer grace period to allow sufficient time for the trade to conduct staff training and review the operating procedures so as to adapt to the new regulatory measures. Some in the catering industry opined that, after completing the registration of collectors/disposers, the Government should consider allowing a longer period for food premises such as restaurants to adjust to the new requirements before adding the licensing condition through administrative measures to require them to hand over “waste cooking oils” to the registered collectors/disposers. They suggested a grace period of 12 months to allow sufficient time for the trade to adapt and to make arrangements to comply with the new requirements.

Observations

46. We plan to put forward specific legislative proposals to regulate the safety of edible oils and fats and the recycling of “waste cooking oils” in 2016-17. We will include an appropriate grace period in the draft legislation.

Advice Sought

47. Members are invited to note the views received during the consultation period and put forward their comments.

**Food and Health Bureau
Environment Bureau
Food and Environmental Hygiene Department
Environmental Protection Department**

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