

**For information**

**Legislative Council Panel on Food Safety and Environmental Hygiene**

**Specifications and Requirements for Eating and Drinking Utensils  
under the Food Factory Licence**

**Purpose**

This paper briefs the specifications and requirements for eating and drinking utensils set by the Food and Environmental Hygiene Department (FEHD) under the Food Factory Licence (FFL).

**Background**

2. The Food Business Regulation (Cap. 132X) (the Regulation) provides that a FFL must be obtained from FEHD for a food business involving the preparation of food for sale for human consumption off the premises.

3. The mode of operation of food businesses and the facilities in use are changing. For example, some organisers of public events provide tableware rental service for participants on the spot. Besides, the public and Members are concerned that some licensed food factories which cannot provide dine-in service are required to use disposable plastic tableware for takeaway foods. In view of the above, FEHD has reviewed the specifications and requirements for eating and drinking utensils provided by food factories.

**Revised Licensing Condition for Food Factories**

4. FEHD issues food business licences under the Regulation to safeguard food safety and public health<sup>1</sup>. Regarding the specifications for eating and drinking utensils, licensed food factories and temporary food factories were

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<sup>1</sup> In processing a food business licence application, FEHD will mainly consider whether the subject shop premises is in compliance with the building and fire safety and hygiene requirements imposed by FEHD and other relevant departments, the Government lease conditions and the statutory plan restrictions.

previously required to use clean and new wrapping materials and disposable eating and drinking utensils in the sale of takeaway food<sup>2</sup>.

5. To ensure food safety and public hygiene on the one hand, and to allow the trade greater flexibility in meeting actual operational needs in a more environmental-friendly manner on the other, FEHD revised the condition of Temporary FFLs in respect of eating and drinking utensils for takeaway foods on 1 June 2019. On the premise that food safety and environmental hygiene are not compromised, the condition which required licensees to use clean and new wrapping materials and disposable eating and drinking utensils has been modified such that they can use clean and hygienic wrapping materials and eating and drinking utensils in the sale of takeaway foods.

6. Starting from 1 September 2019, the specifications for eating and drinking utensils of newly issued FFLs will be revised accordingly to require the use of clean and hygienic materials for containing takeaway foods. For existing FFLs, the relevant licensing condition will be revised upon licence renewal. The revised condition will come into effect starting from December 2019 onwards.

## **Conclusion**

7. Members are invited to note the above revision to the licensing condition of food factories.

**Food and Health Bureau**  
**Food and Environmental Hygiene Department**  
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<sup>2</sup> If the licensee provides takeaway and food delivery services, the food containers used should be made of materials which will not release toxic chemicals as a result of changes in temperature or acidity in the food. The food containers should be stored in dust-proof, rodent-proof and fly-proof containers before use.