

**Business Facilitation Advisory Committee
Food Business and Related Services Task Force**

***Enhancement Measures on the Existing
Food Business Licence Application Procedures***

Purpose

This paper briefs Members on the new initiatives of the Food and Environmental Hygiene Department (FEHD) for the enhancement measures of the existing food business licensing system.

Background

2. Under the Food Business Regulation, Cap.132X, food business operators are required to obtain food business licences or restricted food permits from the Director of Food and Environmental Hygiene for carrying on relevant food business or sale of specified restricted food item respectively. It is the Government's objectives to provide more flexibility to the local business environment through removing unnecessary regulatory restrictions, enhancing regulatory efficiency and reducing business compliance costs without compromising public interest. In this regard and in consideration that food safety is not compromised, the FEHD proposes revising the current food business licensing system and shortening processing time, as well as facilitating the applicants to comply with the licensing requirements to obtain relevant licences through a number of improvement measures as follows.

Proposed Enhancement Measures

A. Restricted Food Permit for Specific Types of Automatic Food Vending Machines

3. In accordance with the existing licensing policy, the operators are required to apply for a food factory licence for food activities involving the

reheating of prepackaged cooked food sold by means of automatic vending machine. Having considered that the food nature and the processing procedures involved are comparatively simple, the FEHD will consider relaxing the requisition for the operators to obtain food factory licences, if the prepackaged cooked food items are re-heated through automatic programs inside the vending machine. Operator can apply for a restricted food permit instead of a food factory licence.

B. Waived Application for a Connected Bakery Licence for preparation of bakery products for sale

4. Under existing licensing regime, retail sale of bread and other bakery products prepared in a licensed restaurant (both general and light refreshment) in a separate counter/portion of the premises, a separate bakery licence is required. As a facilitation measure to the restaurant operators, the FEHD proposes to waive the application for a connected bakery licence for the licensed general or light refreshment restaurant with production of bread and other bakery products for sale in a separate counter / portion of the licensed premises for both consumption on premises and retail sale.

C. Relaxation of Submission of Particular Documents in Connection with Licence Application

5. To relax the submission of particular documents in connection with the application of licence, the FEHD proposes to adopt the following initiatives:

- (i) for application involving the use of communal toilet facilities, the licensing requirement on submission of communal toilet certificate signed by the property management to fulfill the provision of sanitary fitments requirements to be waived if the applicant can demonstrate on site as well as on the proposed plans the location of the communal toilet facilities;
- (ii) for food factory licence applications, the submission of the food supply source certificate to be waived at time of licence application, while the need to observe the licensing condition related to the source of food supply will be maintained after licence issuance; and

- (iii) the requirement on the submission of a copy of Business Registration Certificate (BRC) for corporate applicant to be modified to submission thereof only when required by the licensing authority.

D. Relaxation of Food Preparation Restriction in Temporary Food Factory and Simplification of the Application Form

6. At present, temporary food factories are only allowed to conduct reheating and sale of pre-cooked food supplied from lawful sources. Having considered the diversity of cooking technology and equipment, we intend to relax such restriction. Cooking of pre-prepared food supplied from lawful source on the premise, with no emission / generation of excessive oily fumes throughout the food preparation process will be allowed, on circumstances that the venue is equipped with suitable facilities such as electricity supply and scullery accommodation etc. In addition, no deep frying, stir frying, grilling etc. or any other food preparation and cooking methods which generate large amount of greasy fumes in the course of cooking shall be allowed in the premises.

7. In addition, the application form for temporary food factory licence will be simplified including the waiving of requirements for applicant to fill in the details for those large scale bazaar or food festival functions already announced through news media. Besides, the items to be filled in the application form will also be reduced e.g. the application by corporate and individual applicants will be separated into two different forms to facilitate perusal of related items by respective applicants.

Advice Sought

8. Members are invited to note and give comments on the contents of this paper.

Food and Environmental Hygiene Department
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