

CONTROLLING OFFICER'S REPLY

FHB(FE)277

(Question Serial No. 3369)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (-) Not Specified

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)

Director of Bureau: Secretary for Food and Health

Question:

Regarding the suspension/cancellation of food business licences as a punishment imposed on licensed food premises, there was a decrease in the number of licences suspended/cancelled in 2014 as compared to that in 2013. A further decrease is expected in 2015 despite the fact that the number of restaurants in Hong Kong has been increasing. As such, please advise on the following:

1. the reason(s) attributable to the continuous decrease in the number of food business licences suspended/cancelled;
2. among the cases leading to the suspension/cancellation of food business licences, the respective number of cases that were detected by the Department upon inspections and that reported by the public in each of the past three years; and
3. whether there are statistics on the medical treatment sought or complaints lodged by the public resulting from the consumption of unwholesome food when dining out in the past three years; if yes, the details; if not, the reason(s).

Asked by: Hon SHEK Lai-him, Abraham (Member Question No. 61)

Reply:

1. Suspension and cancellation of food business licences are administrative sanctions imposed on food businesses by the Food and Environmental Hygiene Department (the Department). A food business licence will be suspended and ultimately cancelled if sufficient demerit points resulting from breach of legislative provisions under the Public Health and Municipal Services Ordinance (Cap. 132) are accumulated within 12 months. A licence will also be cancelled if warning letters are accumulated within a period of six months resulting from repeated breaches of licensing requirements or conditions imposed on the licence. Food business licences suspended and cancelled in 2013 and 2014 were mainly related to illegal extension of business area by licensed food premises.

In recent years, the Department has adopted a multi-pronged approach and implemented targeted measures to strengthen its enforcement action including seeking from the Court closure orders against illegal extension of business area by licensed food premises. The reason for the decrease in the number of suspension and cancellation of food business licences in 2014 was mainly attributable to the enhanced licensing control measures and enforcement action implemented since 2013. As a result of the enhanced control measures, the illegal extension of food business has receded significantly resulting in a reduction in the number of prosecution and in turn the number of suspension and cancellation of food business licences in 2014.

2. The number of suspension and cancellation of food business licences in 2012, 2013 and 2014 was 237, 242, 209 and 45, 70, 23 respectively. There is no separate breakdown on the number of cases that were detected by the Department upon inspections and that reported by the public.
3. The information sought is tabulated as follows:-

	2012	2013	2014
(a) Number of food complaint cases received ^{Note}	2 004	1 732	1 589
(b) Number of food poisoning cases related to food premises /food business	341	285	216

Note : Nature of complaint includes unwholesome food, presence of foreign substances in food, deteriorated food, mouldy food, chemicals in food and undercooked food.

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