

CONTROLLING OFFICER'S REPLY

FHB(FE)342

(Question Serial No. 4504)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (000) Operational expenses

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:

With regard to licensees of non-compliant food factories, please advise on the following:

- (1) the number of verbal advice issued and prosecutions instituted in each of the past 5 years, and the number of the licensees concerned who were prosecuted more than once in the same year;
- (2) the number of verbal advice issued and prosecutions instituted in each month of the past year, and the number of the licensees concerned who were prosecuted more than once in the same month; and
- (3) given that recently there were media reports about a number of chain stores breaching food factory licensing conditions by illegally occupying public space in shopping malls, the progress of prosecutions instituted, and the reason(s) for failing to detect the irregularities in question for years before the media reports.

Asked by: Hon LAU Siu-lai (Member Question No. 3135)

Reply:

- (1)&(2) The information sought on prosecutions instituted against licensed food factory in the past 5 years is provided as follows –

Year	Number of prosecutions
2012	825
2013	726
2014	531
2015	476
2016	384

The Food and Environmental Hygiene Department (the Department) does not compile separate statistics on the number of prosecutions by month for the years before 2016. The breakdown for 2016 is provided below -

Month	Number of prosecutions
January	38
February	18
March	38
April	43
May	27
June	38
July	15
August	23
September	29
October	32
November	40
December	43
Total	384

The Department does not compile statistics on the number of verbal advice issued to licensed food premises, nor the number of licensee being prosecuted more than once in the same year or same month.

- (3) As at end of December 2016, there were about 25 000 food establishments holding full food business licences. All licensed food premises are subject to regular inspections by the Department to ensure that they are operating in accordance with the licensing requirements and conditions and in compliance with relevant legislation. In addition, the Department will inspect the licensed food premises upon receipt of complaints from members of the public or the media as well as referrals from other government departments. Upon detection of any irregularities at the time of inspection, staff of the Department will issue warning or take out enforcement actions against the licensees concerned, if situation warrants. Any licensed food premises carrying on food business at or beyond the confines of the food premises as delineated in the approved plan without the permission in writing of the Department, or conducting other class of food business at the food premises not in accordance with the licence issued by the Department will be subject to prosecution. The Department is taking follow-up action in the light of a recent media report on the operation of some licensed food factories in shopping arcades. Appropriate enforcement actions will be taken against the licensees should irregularities be detected.

- End -