

CONTROLLING OFFICER'S REPLY**FHB(FE)151****(Question Serial No. 3530)**Head: (49) Food and Environmental Hygiene DepartmentSubhead (No. & title): (-) Not specifiedProgramme: (1) Food Safety and Public HealthControlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)Director of Bureau: Secretary for Food and HealthQuestion:

Under section 31(1)(d) of the Food Business Regulation (Cap. 132X), any person who carries on any food business which involves the sale of fresh, chilled or frozen beef, mutton, pork, reptiles, fish or poultry must obtain a fresh provision shop (FPS) licence. In this connection, please provide information on the following:

- (a) the number of FPS licences in force in Hong Kong in 2018-19, with a breakdown by licence type (fresh, chilled and frozen);
- (b) the number of inspections conducted by the Food and Environmental Hygiene Department to licensed fresh provision shops in the past 3 years, with a breakdown by licence type (fresh, chilled and frozen); the number and nature of cases of irregularities detected; and the number of prosecutions instituted; and
- (c) the specific measures to tackle the sale of chilled meat as fresh meat by FPS licensees.

Asked by: Hon HO Chun-yin, Steven (Member Question No. (LegCo use): 78)Reply:

- (a) The information sought is given below, showing the position as at end-2017 –

Type of Commodities Permitted to be Sold	Number of fresh provision shops (FPS)
Fresh commodities	912
Chilled commodities	116
Frozen commodities	301
Fresh and chilled commodities	147
Fresh and frozen commodities	99
Chilled and frozen commodities	378
Fresh, chilled and frozen commodities	724
Total	2 677

- (b) In general, inspections of FPS are conducted once every 4, 10 or 20 weeks according to the risk type of individual premises as assessed under the “Risk-based Inspection System” (the System). The licence type (fresh, chilled and frozen) is only one of the design criteria under the System. Criteria such as the track record of the licensees and the risks inherent in the products sold are also relevant. The Food and Environmental Hygiene Department (the Department) keeps statistics on the overall number of inspections pertaining to licensed food premises. A separate breakdown of inspections for licensed FPS or by licence type is not available. A breakdown on prosecution statistics in 2015, 2016 and 2017 by nature of irregularities for licensed FPS is at Annex.
- (c) The Department has imposed a specific licensing condition prohibiting the sale of chilled meat as fresh meat by FPS licensees. Any breach of the licensing condition warrants immediate cancellation of the FPS licence without warning. In the past 3 years, 2 FPS licences had been cancelled for breaching the specific licensing condition.

Prosecutions Instituted Against Licensed Fresh Provision Shops

Nature of irregularities	Number of prosecutions		
	2015	2016	2017
Dirty food premises / presence of vermins, live birds or animals	2	0	2
Dirty equipment and utensils	2	0	1
Food not protected from risk of contamination	5	4	5
Sub-standard fish tank water	3	0	0
Use of open space for scullery / food preparation / storage of food utensils	2	1	1
Dirty food room / improper repair of food room	5	2	5
Alteration of premises or fittings	1	0	0
Alteration to the approved layout of the premises	5	5	2
Sale of restricted food without permission	4	6	4
Extension of food business beyond licensed area	64	38	25
Obstruction of public places	183	176	122
Other irregularities such as smoking in food room, sale of fresh and chilled meat at the same premises, sale of food which was not of the nature, substance or quality demanded by the purchaser, conducting other type of food business without licence/permission, fresh meat containing preservative, etc.	8	18	7
Total	284	250	174

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