

**A GUIDE TO APPLICATION
FOR
FROZEN CONFECTION FACTORY LICENCE**

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General

In accordance with the laws of Hong Kong, any person who intends to manufacture any frozen confections at any premises in the territory must obtain a frozen confection factory licence issued by the Licensing Authority before commencement of such business.

The manufacture of soft ice cream from pre-prepared mixture in a dispensing machine for direct retail sale also requires a frozen confection factory licence.

However, if the manufacture of frozen confections is carried out in a restaurant licensed under the Food Business Regulations Cap. 132 for customers' consumption on the premises, no separate frozen confection factory licence is required.

Application Procedure

Application may be submitted either in writing (Chinese or English) or with the use of a standard form, accompanied by 3 copies of a proposed layout plan of the premises which should be drawn to scale and in metric unit, and addressed to the Assistant Secretary (Licensing) of the Licensing Office (see Appendix I). Standard forms are obtainable from the Licensing Offices and District Environmental Hygiene Offices.

The application, whether made in writing or with the use of a standard form, should contain the following :-

- (a) the class of licence applies for;
- (b) full address of the premises under application for a licence including name of the street, number of the premises, name of the building and the shop number etc to avoid postal misdelivery;
- (c) the name, address and telephone number of the applicant; if the applicant is a corporation, the name and address of the corporation and the names and addresses of the principal officers;
- (d) the type of fuel, if any, intended to be used; and
- (e) whether ventilating system is to be installed in the factory; if so, the type and working capacity of such installation.

The application must be signed by the applicant personally. A licence may be issued in the name of a person or a corporation.

Before the applicant receives a letter of licensing requirements from the Licensing Authority, he is advised not to start any work on decoration. He must also not start the business before obtaining the licence. Otherwise, he will be liable to prosecution.

Preparation of Proposed Layout Plan

Before preparation of the layout plan, the applicant is required to apportion the factory for the proposed usage such as the location of food preparation room and sanitary facilities. In the proposed layout plan, the following particulars should be furnished :-

- (a) area where frozen confections are sterilized by heating or packaged;
- (b) toilets and wash-hand basins and drainage works;
- (c) all windows or ducts providing ventilation or mechanical means of ventilation, if installed;
- (d) all entrances and exits, doors and internal communication;
- (e) built in clothing lockers or cloakrooms, passageways and all open spaces (such as yards and light wells);
- (f) rooms or other spaces (if any) for the exclusive use of staff;
- (g) means of refuse storage and disposal; and
- (h) the siting of all furniture and fittings of a substantial and permanent nature including heat-treatment plant, cleansing, refrigeration or cooling equipment, sterilization machinery or storage and packing equipment, and any fixed sideboards, wash-hand basins, wash-up sinks, water tanks, etc.

The proposed layout plan may be prepared by the applicant himself or an architect employed by him.

If the applicant intends to sell soft ice cream manufactured in soft ice cream dispensing machine only, or to sell ice cream with a container for the customers' immediate consumption, he is only required to show the position of the soft ice cream dispensing machine and the furniture, fittings or equipment next to it. He does not have to indicate all the details mentioned above.

Processing of Application and Notification of Licensing Requirements

Upon receipt of the application of licensing, the Assistant Secretary (Licensing) will acknowledge it and inform the applicant in writing the date and time when the Licensing Inspector will conduct the Quality Audit of the proposed layout plan and inspect the premises to assess its suitability for licensing. If the appointment is inconvenient to him, he can always request to change it to another date by telephoning the Assistant Secretary (Licensing). This, however, may cause some delay in the processing of the application.

Meanwhile, the application will be referred to the Commissioner for Labour and Director of Fire Services for comments, as appropriate.

In case the proposed frozen confection factory is situated in a public housing estate, the application will also be referred to the Director of Housing who will consider whether the applicant is the authorized tenant and whether the proposed business is a designated trade.

If, in connection with the food business, the fuel consumption rate exceeds the following statutory limits, the applicant should also obtain prior approval from the Environmental Protection Department (See Appendix II) for the installation of the stoves and chimneys :

- (a) gaseous fuel : 1,150 megajoules per hour; or
- (b) liquid fuel : 25 litres per hour; or
- (c) solid fuel : 35 kilograms per hour.

After the inspection and upon clearance from all Government departments concerned, the Assistant Secretary (Licensing) will list out in detail the licensing requirements and convey them to the applicant in writing for his compliance before a licence can be issued.

For details of the main licensing requirements, please refer to Appendix III. The applicant is advised, in his own interest, to purchase a copy of the Frozen Confections Regulations for reference from the Government Publications Centre at G/F., Low Block, Queensway Government Offices, 66 Queensway, Hong Kong.

The applicant is advised to start the decoration work only when he has received the letter of licensing requirements from the Licensing Authority. If the premises are unsuitable for licensing, the applicant will be informed of the refusal of the application together with reasons by the Assistant Secretary (Licensing).

Enquiry on Licensing Matters

If the applicant has difficulty in understanding the licensing requirements imposed by the Licensing Authority or has any enquiries concerning licensing matters, he can approach the Licensing Inspector in charge of the application either in person or by telephone at the address and telephone number given in Appendix I.

Report of Compliance with Licensing Requirements and Issue of Licence

The applicant should expedite action to comply with the licensing requirements and report compliance as soon as possible to the Licensing Office. The Licensing Inspector will inspect the premises for verification of compliance.

When all the licensing requirements have been confirmed to be complied with, a licence will be issued. The applicant will be informed in writing to pay a fee and to collect the licence.

The licence fee for a frozen confection factory licence, which is subject to annual review, is calculated according to the floor area of the factory. For details, please refer to Frozen Confection Regulations or call the Licensing Offices.

The objective of issuing frozen confection factory licences is to ensure maintenance of a good standard of hygiene at the premises concerned and the wholesomeness of the food supplied therefrom. In the event of any difficulty or incomprehension, the applicant should approach the Assistant Secretary (Licensing). On the other hand, the applicant must not offer any money or gift to any staff because this is an offence under the law and the offender is liable to prosecution.

Non-compliance with Licensing Requirements

Where the Licensing Inspector finds some licensing requirements have not been complied with during inspections, he will immediately point out the shortcomings to the applicant and advise him of the necessary remedial action on the premises. The applicant will be informed of the outstanding requirements once more in writing and advised to report compliance again for another verification inspection after the requirements are fully complied with.

If no report of compliance of licensing requirements is received, the Licensing Inspector will inspect the premises at 3 months intervals to check the progress of the application. Should the applicant fail to meet all the licensing requirements in 6 months, cancellation of his application will be considered.

Licensing Offices

Hong Kong Island

The Assistant Secretary(Licensing)
Licensing Office,
Lockhart Road Municipal Services Building,
8th floor, 225 Hennessy Road,
Hong Kong.

Tel. No. 2879 5712

New Territories

The Assistant Secretary (Licensing)
Licensing Section,
4th Floor, Tai Po Complex,
No.8 Heung Sze Wui Street,
Tai Po, New Territories.

Tel. No. 3183 9226

Kowloon

The Assistant Secretary(Licensing)
Licensing Office,
Pei Ho Street Municipal Services Building,
4/F, 333 Ki Lung Street,
Shamshuipo,
Kowloon.

Tel. No. 2729 1293

THE ENVIRONMENTAL PROTECTION DEPARTMENT
ONE-STOP SHOP OFFICES
(INCLUDING LOCAL CONTROL OFFICES) ADDRESSES

| | One-stop Shop Offices | Office Address | Tel. No. for enquiry | Control Districts |
|-----------------------|-----------------------|---|----------------------|---|
| Local Control Offices | Territory East | 5/F, Nam Fung Commercial Centre, 19 Lam Lok Street, Kowloon Bay, Kowloon | 2755 5518 | Kwun Tong, Wong Tai Sin, Sai Kung |
| | Territory South | 2/F, Chinachem Exchange Square, 1 Hoi Wan Street, Quarry Bay, Hong Kong | 2516 1718 | Eastern, Southern, Central Western, Wanchai |
| | Territory West | 7/F, Chinachem Tsuen Wan Plaza, 455-457 Castle Peak Road, Tsuen Wan, N.T. | 2411 9621 | Tuen Mun, Yuen Long |
| | Territory North | Units 1-10, 11/F, Tower 1, Grand Central Plaza, Shatin Rural Committee Road, Shatin, N.T. | 2634 3800 | Shatin, Tai Po, North |
| | Urban East | Suite UG01-02, Block 2, Ho Fai Commercial Centre, 222-224 Sai Lau Kok Road, Tsuen Wan, N.T. | 2402 5200 | Kowloon City, Yau Tsim Mong, Sham Shui Po |
| | Urban West | 8/F, Tsuen Wan Government Offices, 38 Sai Lau Kok Road, Tsuen Wan, N.T. | 2417 6084 | Kwai Tsing, Tsuen Wan, Outlying Islands |

Main Requirements for the Issue of a Frozen Confection Factory Licence

(A) Health Requirements

1. The premises shall be painted or limewashed in a light colour.
2. Public mains water shall be laid on to the premises.
3. The floors and internal surfaces of the walls of the area where frozen confections are manufactured and packaged shall be surfaced with smooth light coloured non-absorbent material or tiles to a height of not less than two metres. The junctions between the walls and floors shall be coved.
4. Facilities in the toilets :
 - (a) water closets and flushed urinals shall be installed to a standard not less than that required by the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, Cap. 123 as specified below :-

| <u>Type</u> | <u>Male Employees</u> | <u>Female Employees</u> |
|--------------|---|---|
| Water closet | Under 100, W.C. for every 25 or part thereof; over 100, 5 W.C.; and 1 additional W.C. for 50 or part thereof, over 150. | 1-10 inclusive, 1 W.C.; 11-25 inclusive, 2 W.C.; over 25, 3 W.C.; and 1 additional W.C. for every 25 or part thereof, over 50 |
| Urinal | 10-50 inclusive, 1 urinal; over 50, 2 urinals; and 1 additional urinal for every 50 or part thereof, over 100. | |

N.B. If the total number of male and female employees is less than 10, 1 W.C. shall be deemed sufficient.

(b) The toilets shall not have direct access to areas where frozen confections are manufactured or where utensils are cleaned.

5. Suitable wash-hand basin(s) shall be installed near the water closets or flushed urinals and in areas where frozen confections are manufactured or in the scullery space.
6. Suitable wash-up sink(s) shall be provided in areas where frozen confections are manufactured or in the scullery space.

7. Suitable equipment and facilities shall be provided for the cleansing and sterilization of all utensils, containers and paraphernalia used for the manufacture of frozen confections, and any parts of machinery liable to come into contact with the frozen confections.
8. Every part of the premises in which frozen confections are manufacture should, as far as possible, be protected against flies, vermin and dust.
9. One or more grease traps shall be provided between drain traps and the main sewer.
10. The container for soft ice cream mixture shall be of a design approved by the Licensing Authority. On the container, the name and address of the manufacturer, and the date and time the mixture is prepared must be stated.
11. Sufficient dustbins with close-fitting lids shall be provided for the storage of all refuse and other waste matter awaiting disposal.
12. Except for areas allocated for storage purpose, all parts of the premises shall be adequately ventilated by natural and/or mechanical means.
13. No soil pipe, rain-water and waste pipe or manhole are allowed in any part of the premises where frozen confections are manufactured or stored and where equipment are cleaned or stored.
14. A plant or apparatus of a type approved by the Licensing Authority for heat treatment of frozen confections shall be provided.

(B) Licensing Requirements for the Manufacture of Soft Ice-cream from Pre-prepared Mixture in Dispensing Machines for Direct Retail

1. A dispensing machine of a type approved by the Licensing Authority and in good working order must be provided for the manufacture of soft ice-cream.
2. Public mains water shall be laid on to the premises.
3. A sterilizer of not less than 23 litres capacity shall be provided for the sterilization and cleansing of all parts of any machinery likely to come into contact with the ice-cream.
4. A bactericidal agent, of a brand approved by the Licensing Authority, shall be used in the sterilizer.
5. The serving nozzle, when not in use, shall be protected by a plastic dome or cap.
6. The interior walls and ceilings of the premises shall be lime-washed or painted in a light colour.
7. One wash-hand basin shall be installed near to the dispensing machine.

(C) Structural Safety and Means of Escape

1. Particular care should be taken in the selection of premises as buildings or parts of a building approved for use other than for shop or commercial purposes may not be suitable. Generally, all premises on solid ground floor are structurally suitable.

2. Where premises are on a floor not resting on soil or where extensive alteration and additional works are to be carried out on the premises, it is strongly recommended that the service of an authorized person (architect, structural engineer or building surveyor) registered under the Buildings Ordinance, Cap. 123 be sought.
3. The required superimposed load of the floor is decided after receipt of individual application and consideration is given to the following factors : nature of manufacturing process; total number and types of machinery and plant to be used; types of building and floor area; the purpose/intended purpose of the building.
4. As a general rule, premises on ground floor having direct access to a street are suitable or can be adapted to meet the requirements on means of escape.
5. For means of escape, the Code of Practice on Provision of Means of Escape and Part V of the Building (Planning) Regulations, Cap. 123 will apply.

Note : For enquiries, please contact the Buildings Department at 16/F, Pioneer Centre, 750, Nathan Road, Kowloon. Telephone No. 2626 1257

(D) Fire Safety

For advice on fire services installations or ventilation, please approach the Fire Protection Command of the Fire Services Department. The addresses and the telephone numbers are detailed at Appendix IV.

**LIST OF FIRE PROTECTION OFFICES AND
VENTILATION DIVISION OF THE FIRE SERVICES DEPARTMENT**

Enquiries can be made by telephone, in writing or in person to the following offices :-

Hong Kong and Kowloon West Regional Office

Hong Kong Regional Office

M/F, Sheung Wan Fire Station,
2 Western Fire Services Street,
Sheung Wan, Hong Kong

Tel: 2549 8104

Fax: 2559 3461

e-mail: lchfpro2@hkfsd.gov.hk

Kowloon West Sub-Regional Office

Room 601, 6/F,
Tsim Sha Tsui Fire Station Complex,
333 Canton Road, Kowloon

Tel: 2302 5322

Fax: 2722 5256

e-mail: lckfpro@hkfsd.gov.hk

New Territories and Kowloon East Regional Office

New Territories 'East & South' Regional Office

Room 402, 4/F, West Wing,
Tsim Sha Tsui Fire Station Complex,
333 Canton Road, Kowloon.

Tel: 2302 5341 - 2302 5351

Fax: 2604 4425

e-mail: lcstfpro@hkfsd.gov.hk

Kowloon East Sub-Regional Office

Room 403, 4/F, West Wing,
Tsim Sha Tsui Fire Station Complex,
333 Canton Road, Kowloon.

Tel: 2302 5311

Fax: 2722 5256

e-mail: lckfpro@hkfsd.gov.hk

New Territories 'North & West' Sub-Regional Office

Room 402, 4/F., West Wing,
Tsim Sha Tsui Fire Station Complex,
No.333 Canton Road, Kowloon, Hogn Kong
Tel: 2302 5372 - 2302 5381
Fax: 2443 1411
e-mail: lcstfpro@hkfsd.gov.hk

Ventilation Division

Engineer (Ventilation)
5/F, Licensing and Certification Command,
Fire Services Headquarters Building,
No.1 Hong Chong Road, Tsim Sha Tsui East,
Kowloon, Hong Kong
Tel: 2718 7567
Fax: 2382 2495
e-mail: fsvent@hkfsd.gov.hk