

Introduction of a Composite Food Shop Licence

At present, food businesses are required to obtain different licences or permissions issued by the Director of Food and Environmental Hygiene (“DFEH”) for the sale and preparation for sale of ready-to-eat food, in particular “restricted food”. With effect from 1 August 2010, the Food and Environmental Hygiene Department (“FEHD”) will accept applications for composite food shop licence (a new type of licence) for the sale and / or preparation for sale of various specified types of simple or ready-to-eat foods that do not involve complicated preparation for human consumption off the licensed premises. A list of specified foods or classes of food is appended at Annex A for reference.

When the DFEH grants a composite food shop licence, he may be regarded as having granted “individual permissions” for the sale or preparation for sale of different foods or classes of food. The composite food shop licence is not meant to replace any of the existing licences or permissions issued or granted by the DFEH. Operators are free to decide whether to apply for a composite food shop licence or other existing licences or permissions having regard to their own needs. The issuance of a composite food shop licence by the DFEH will be subject to satisfactory compliance with the licensing requirements of the FEHD and the concerned departments.

A third party certification system is adopted for the issue of a full composite food shop licence. The DFEH accepts a Certificate of Compliance (as issued by an authorised person or a registered structural engineer¹) to confirm the compliance with all health requirements for the issue of a full licence provided that all the licensing requirements imposed by other Government departments have already been complied with beforehand. This arrangement enables the applicant to obtain the full licence without requiring any site inspection by FEHD staff to confirm compliance with all health requirements. However, FEHD staff will conduct on-site audit check on the compliance with all the health requirements after the issue of the full licence. If the certificate is subsequently found to be false or misleading in a material particular, the DFEH may cancel the licence.

Fees for the grant or renewal of a composite food shop licence are set out at Annex B.

¹ “Authorised person” means a person whose name is on the authorized persons’ register kept under section 3 of the Buildings Ordinance, Cap. 123 as an architect, an engineer or a surveyor and “registered structural engineer” means a person whose name is for the time being on the structural engineers’ register kept under section 3(3) of the same Ordinance.

**List of food items to be sold and / or prepared for sale
under Composite Food Shop Licence**

(I) Foods or Classes of Food that may be Prepared for Sale and Sold at Composite Food Shop

1. Coffee
2. Tea
3. Salad
4. Sandwich
5. Waffle
6. Sashimi
7. Sushi
8. Oyster to be eaten in raw state
9. Soft ice cream
10. Frozen carbonated beverage

(II) Foods or Classes of Food that may be Sold at Composite Food Shop

1. Siu Mei or Lo Mei
2. Cut fruit
3. Leung Fan
4. Non-bottled drinks
5. Frozen confections
6. Chinese herb tea
7. Milk or any milk beverage within the meaning of the Milk Regulation (Cap. 132 AQ) other than milk or milk beverage approved by the Director under section 5(2) of that Regulation
8. Sashimi
9. Sushi
10. Oyster to be eaten in raw state

(III) Reheating of pre-cooked food for sale

(IV) Sale of food by a vending machine

FEES PAYABLE FOR GRANT OR RENEWAL OF COMPOSITE FOOD SHOP LICENCE

Size of composite food shop by reference to floor area	Fee (\$)
Not exceeding 100 m ²	4,460
Exceeding 100 m ² but not exceeding 150 m ²	5,570
Exceeding 150 m ² but not exceeding 200 m ²	7,820
Exceeding 200 m ² but not exceeding 250 m ²	10,050
Exceeding 250 m ² but not exceeding 300 m ²	12,250
Exceeding 300 m ² but not exceeding 350 m ²	14,500
Exceeding 350 m ² but not exceeding 400 m ²	16,750
Exceeding 400 m ² but not exceeding 450 m ²	18,950
Exceeding 450 m ² but not exceeding 500 m ²	21,200
Exceeding 500 m ² but not exceeding 600 m ²	24,550
Exceeding 600 m ² but not exceeding 700 m ²	29,000
Exceeding 700 m ² but not exceeding 800 m ²	33,450
Exceeding 800 m ² but not exceeding 900 m ²	37,950
Exceeding 900 m ² but not exceeding 1 000 m ²	42,400
Exceeding 1 000 m ² but not exceeding 2 000 m ²	67,000
Exceeding 2 000 m ² but not exceeding 3 000 m ²	111,600
Exceeding 3 000 m ² but not exceeding 4 000 m ²	156,300
Exceeding 4 000 m ² but not exceeding 5 000 m ²	200,800
Exceeding 5 000 m ²	223,300