

**Business Facilitation Advisory Committee
Food Business and Related Services Task Force**

***Implementation Progress of Proposed Regulatory Control on
Recycling of Waste Cooking Oils from Licensed Food Premises***

Purpose

This paper briefs the Food Business and Related Services Task Force (FRSTF) on the implementation progress of the proposed regulatory control on recycling of Waste Cooking Oils (WCO) from licensed food premises.

Background

2. During the process of cooking and food preparation, WCO including grease trap waste are generated by restaurants and food factories. At present, there is no specific licensing system in place for regulating the recycling of WCO in Hong Kong. To prevent WCO from being reprocessed into edible cooking oil, the Government proposes to introduce legislative/administrative regulatory measures to ensure the legitimate recycling of WCO generated by local licensed food premises. At the last FRSTF meeting held on 4 June 2015, the Food and Environmental Hygiene Department (FEHD) and Environmental Protection Department (EPD) briefed members of the proposed regulatory control on the disposal of used cooking oil from licensed food premises. The Convenor requested the Government to keep members posted of the implementation progress and further details of the proposal at the coming FRSTF meeting held in October 2015.

Legislative Proposal

3. EPD proposes to amend the Waste Disposal Ordinance (WDO) (Cap. 354) by introducing licences for the collection, disposal and import/ export of WCO.

4. Under the legislative proposal, WCO is defined as “oils abandoned from any cooking process for human consumption (including grease trap waste, used cooking oil and unused oil abandoned for reasons such as spoilage) other

than those from household, regardless whether they have been used for their original purpose”.

Interim Administrative Control

5. Prior to the proposed legislative amendment of WDO, FEHD will work in collaboration with EPD to implement administrative measures to regulate the recycling of WCO. FEHD proposes that an additional licensing condition be imposed on food premises operating under a licence for a restaurant, factory canteen, food factory or bakery, requiring that WCO abandoned from any cooking process on the licensed premises, regardless whether they have been used for its original purpose (including grease trap waste, used cooking oil and unused oil abandoned for reasons such as spoilage) shall be properly stored and collected by collector/d disposer/exporter recognized or licensed by EPD for disposal. Licensees are also required to keep proper records of collection or delivery of WCO by collector/d disposer/exporter, including the dates on which WCO is collected from their premises, their respective quantities, and the names and addresses of the collector/d disposer/exporter, for at least 12 months and be ready and available for inspection and making copies when required by FEHD. FEHD will issue warning to any licence holders found to be in breach of the relevant licensing conditions. For repeated offenders, FEHD will consider cancelling their licences.

6. In regard to the proposed licensing condition, the licensee shall not be in breach of this condition if –

- (i) small quantities of WCO which are already mixed with other kitchen waste and cannot be separated, are disposed of together with the kitchen waste; or
- (ii) small quantities of grease trap waste are removed manually from grease trap(s) by scooping into watertight plastic bags/containers, which are then sealed tightly and disposed of together with other kitchen waste.

7. In the light of the licensing condition imposed by FEHD, EPD will register eligible local collectors, disposers and exporters of WCO. As a condition for registration, a registered collector should only hand over the WCO so collected to a registered disposer or exporter, or another registered collector. All registered collectors, disposers and exporters must keep proper transaction records of collection and delivery of WCO for 12 months for inspection by EPD.

8. Regarding the issue of whether exemption should be applied to delivery of WCO from chained or franchised restaurants under the same management to a central collection point as raised in the last FRSTF meeting, EPD and FEHD are reviewing the views gathered during the public consultation exercise (paragraph 10 refers) and will look further into the details during the legislative amendment process in order to explore practicable ways to facilitate the trade while ensuring proper recycling of WCO.

Tentative Implementation Timeline

9. Subject to the public consultation outcomes, EPD plans to announce the administrative registration details and application requirements on EPD's website in October 2015, and to accept and process the first batch of registration applications in late October or early November 2015, with a target to announce the application results in December 2015. Results of applications submitted in December 2015 will be announced in February 2016, and so on. EPD would also publish names and details of the recognized parties by business categories on its website. After that, FEHD would impose the new licensing condition in early 2016.

Public Consultation

10. To gauge public views on the legislative proposal, a 3-month public consultation has been launched on 7 July 2015. The consultation has just ended on 6 October 2015. The Government is now consolidating the views received during the consultation period and will take into account the views before finalizing the details of the proposal.

Advice Sought

11. Members are invited to note and offer comments on the content of this paper.

**Food and Environmental Hygiene Department
Environmental Protection Department
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