

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

**New Exempt Quantity for Use/Storage of Carbon Dioxide
in Pressure Receptacles**

Purpose

This paper briefs members of the legislative amendments which will come into operation soon pertaining to the use or storage of carbon dioxide in pressure receptacles at food premises.

Background

2. Pursuant to Section 6 of the Dangerous Goods Ordinance (DGO), Cap. 295, except under and in accordance with a licence granted under DGO, no person shall store, convey or use any dangerous goods in excess of their statutory exempt quantity. This covers the storage of carbon dioxide in pressure receptacles, the statutory exempt quantity currently is one cylinder.

3. The new Dangerous Goods (Control) Regulation will replace the existing Dangerous Goods (General) Regulations so as to align the existing regulatory system with international standards, and at the same time enhance the safety of the manufacture, conveyance, storage and use of dangerous goods, while facilitating the operation of the trade and the daily use of dangerous goods by the public. Besides, updates to the Dangerous Goods (Application and Exemption) Regulation 2012 have been made in 2021 to keep up with technological developments and regular amendments to relevant international codes. Such updates cover the storage of carbon dioxide in pressure receptacles at food premises for making soft drinks for sale.

Trade's Concern

4. Some food premises store carbon dioxide in pressure receptacles for making soft drinks. In view of the exempt quantity under the current DGO, operators of food premises may need to order carbon dioxide in pressure receptacles from suppliers and convey them to the food premises frequently to

have the empty ones replaced, thereby ensuring smooth business operation. In view of the above, the trade would like the Government to consider relaxing the statutory exempt quantity so that they can store more pressure receptacles in food premises without the need to obtain a valid dangerous goods licence to maintain sufficient reserve of carbon dioxide for the production of soda water.

New Exempt Quantity for Carbon Dioxide in Pressure Receptacles

5. The new Dangerous Goods (Application and Exemption) Regulation 2012 will further enhance the safety of the manufacture, conveyance, storage and use of dangerous goods, thereby facilitating the operation of the trade and the daily use of dangerous goods by the public. According to the new Regulation, the exempt quantity will be determined in terms of water capacity of the pressure receptacles instead of the number of pressure receptacles on which the current calculation is based. The new exempt quantity for compressed carbon dioxide in pressure receptacles is set to be 150 litres (water capacity), while the number of pressure receptacles is not limited (provided that the total quantity in terms of water capacity does not exceed 150 litres). The new exempt quantity will allow more carbon dioxide in pressure receptacles to be stored in food premises for reserve, thus minimising the conveyance of pressure receptacles to food premises for replacement. The Secretary for Security will appoint a commencement date, which tentatively falls within the first quarter of 2022, on which all the provisions will come into operation together.

Advice Sought

6. Members are invited to note the content of the paper and offer comments, if any.

Fire Services Department
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