

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

**Proposal on Requirement of Providing Consumer Advice for
Consumption of Oysters to be Eaten in Raw State**

Purpose

This paper briefs members on the proposed inclusion of a licensing condition requiring food business operators to provide consumer advice on consumption of oysters to be eaten in raw state (raw oysters) by the Food and Environmental Hygiene Department (FEHD).

Background

2. Raw or undercooked foods receive no or inadequate heat treatments and are more likely to carry microorganisms like bacteria, viruses and parasite that can cause illness to the consumer. Raw or undercooked ready-to-eat foods can also be contaminated with antibiotic-resistant ‘superbugs’ that can be spread to humans through food. Whether or not ‘superbugs’ can cause illnesses, they may transfer their antibiotic resistance genes to other bacteria inside the human body. This in turn may affect the effectiveness of future use of antibiotics when needed. Susceptible population including pregnant women, infants and young children, the elderly and people with weakened immunity should avoid consuming raw or undercooked food.

3. Oysters are filter-feeders and concentrate microorganisms in sea-water. They are prone to be contaminated by harmful microorganisms that can cause foodborne diseases and ‘superbugs’. Even though measures are in place to reduce the risk of contamination, there is no guarantee that imported raw oysters are completely free from microbiological hazard. From time to time, imported raw oysters harvested from areas monitored for faecal contamination were still found to be tested positive for norovirus by overseas authorities or linked to local and overseas food poisoning outbreaks. In Hong Kong, local food poisoning

cases related to raw oysters increased significantly recently – 101 cases in 2021 as compared with an average of around 20 cases per year during 2016-2020.

4. To better protect public health and ensure food safety, the Centre for Food Safety (CFS) prepared and issued the ‘Guidelines for Food Businesses on Providing Consumer Advice on High-risk Foods on Menus’ in 2019 to facilitate food businesses in informing consumers of the ready-to-eat foods they serve that contains raw/undercooked foods and ingredients and help consumers in making informed choice. However, currently very few restaurants provide such advice on their menus. The CFS visited 15 restaurants that sold raw oysters from May to August 2022. The majority of respondents said they would not take the initiative to put consumer advice on menus or product packaging, but they opined that if it became a licensing condition, they would have little difficulty to comply with it.

Relevant Arrangements for Licensing Conditions

5. The FEHD preliminarily considers to require food premises that sell raw oysters for consumption to provide consumers advice on the consumption of raw oysters on their menus and websites, for example, or other appropriate locations. An example of consumer advice would be: *‘Consuming raw or undercooked oysters may increase the risk of food poisoning, especially for pregnant women, infants, the elderly and people with weakened immunity.’* It is proposed to include the relevant requirements in the licensing conditions for licensed food premises with endorsement/permission in writing/permit to sell raw oysters.

Advice Sought

6. Members are invited to note and give comments on the content, including the content of the consumer advice and ways to display it, of the proposal.

**Food and Environmental Hygiene Department
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