

**Business Facilitation Advisory Committee
Wholesale and Retail Task Force**

***Licensing control over sale of prepacked food
requiring hot holding by means of vending machine***

Purpose

This paper briefs Members on the licensing control by the Food and Environmental Hygiene Department (FEHD) over sale of prepacked food requiring hot holding by means of vending machine.

Background

2. Under the Food Business Regulation, Cap.132X, except with the written permission of the Director of Food and Environmental Hygiene, no person shall sell any restricted foods, including food sold by means of vending machine. However, under FEHD's existing policy, written permission is not required if the machine is used for selling -

- (a) drinks and sterilized milk in original sealed bottles or containers; and/or
- (b) cakes, biscuits, confections or food of the like nature in original sealed wrappers or containers.

Control over sale of food requiring hot holding by means of vending machine

3. At present, vending machines covered by the permit to sell food by means of vending machine issued by FEHD mainly include the selling of non-bottled drinks such as coffee and tea or even freshly squeezed orange juice. Recently, it was noticed that prepacked ready-to-eat food, such as prepacked rice rolls (飯糰) which had to be kept at above 60 °C to guard against deterioration for sale by means of automatic vending machines had been introduced into the market. To ensure food safety

and protect public health, with effect from August 2018, FEHD requested the operator selling prepacked ready-to-eat food requiring hot holding by means of vending machine to obtain a permit from the Department by compliance and observance of a new set of licensing requirements and conditions tailored made for this new mode of operation.

4. The permit requires that the vending machine for sale of prepacked food in hot holding must comply with the relevant licensing requirements, including that all the food sold in the machine shall be prepacked and kept at a temperature at least 60 °C to guard against deterioration, the machine shall be equipped with a thermometer and a device to cut-off automatically its sale operation once food storage temperature in the machine is below 60 °C. All food in the machine shall not be used for resale after the cut-off device has automatically stopped the operation of the machine.

Way Forward

5. From time to time, FEHD has been reviewing different modes of operation found in selling food by means of automatic vending machines and will consider appropriate licensing control whenever necessary.

Advice sought

6. Members are invited to note the contents of this paper and provide their views and comments.

Food and Environmental Hygiene Department
August 2018