

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

Licensing control over sale of hairy crab

Purpose

This paper briefs Members on the licensing control over sale of hairy crab by the Food and Environmental Hygiene Department (FEHD), which has come into effect on 3 September 2018.

Background

2. Under the Food Business Regulation, Cap.132X, save with the written permission of the Director of Food and Environmental Hygiene (DFEH), no person shall sell any restricted foods. The hairy crab is a restricted food. To enhance food safety, FEHD has implemented licensing control over the sale of hairy crabs.

3. Under the Food Safety Ordinance, Cap.612, any person who carries on a food importation / distribution business shall register with the DFEH and has to maintain records of movements of food. Food retailers are also required to keep records of the business from which the food is obtained. The requirements are applicable to the sale of hairy crabs so that the Centre for Food Safety can trace the source and distribution of the hairy crabs in question when a food incident occurs.

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4. From 16 July 2018, operators selling hairy crabs in physical shops can apply the new Shell Fish (Hairy Crab) Permit from FEHD. The permit requires that premises selling hairy crabs must comply with the relevant hygiene requirements, including the provision of a refrigerator and a wash-hand basin. Hairy crabs for sale must be obtained from lawful sources accompanied with health certificates acceptable to DFEH and must

be kept in a refrigerator to safeguard food safety. The licensee / permittee / person with written permission shall keep the health certificates and produce such copy of the certificate for inspection upon demand by any health inspector. Staff of FEHD will conduct regular inspection to the premises at monthly interval during operation of the business.

5. For those premises intended to sell hairy crabs have already been issued with relevant licence (such as fresh provision shops) or are themselves fish stalls in public markets, the operators are required to obtain prior written permission from FEHD and no application for sale of restricted food permit is required. For those business conducting only online sale of hairy crabs, the operators shall apply for a permit from FEHD for selling restricted foods online.

6. Traders should source hairy crabs from reliable suppliers and comply with the relevant regulatory requirements.

7. As at November 2018, FEHD had approved the issue of 122 permits in respect of applications for sale of hairy crab in which 14 of the applications were related to sale of hairy crabs online.

Publicity

8. In June and July of 2018, FEHD had organized consultation forum and briefing session respectively to hairy crab importers and retailers and made use of the occasions to expound the new licensing control over sale of hairy crab to the trade. FEHD had also disseminated information on the new licensing control over sale of hairy crab to the trade and public through press release and her departmental website.

Advice sought

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

**Food and Environmental Hygiene Department
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