

# LCQ9: Food poisoning cases

Following is a question by the Hon Steven Ho and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (February 26):

Question:

It has been reported that a suspected incident of food poisoning happened recently in which a doctor of the Princess Margaret Hospital passed away unfortunately. The incident has aroused widespread concern, and there have also been cases of food poisoning since last year involving star hotels, restaurants providing meals for tour groups and so on, which have aroused public concern about food safety. In this connection, will the Government inform this Council:

(1) of (i) the number of food poisoning cases involving restaurants/food factories received by the Centre for Food Safety (CFS) (and the number of persons involved) in each quarter from 2022 to last year, and set out in Table 1 a breakdown by (ii) licensed premises (and the number of persons involved) and (iii) unlicensed premises (and the number of persons involved);

Table 1

Food poisoning cases	The first quarter of 2022	.....	The fourth quarter of 2024
(i)			
(ii)			
(iii)			

(2) of (i) the causes, (ii) the corresponding preventive measures, (iii) the number of cases (and the number of persons involved) regarding the food poisoning cases received by the CFS last year, (iv) the number of cases received (and the number of persons involved) in each year from 2021 to 2023, and (v) the changes in the figures upon comparisons between the numbers in (iii) and (iv), and set out in Table 2 the corresponding breakdown;

Table 2

(i) (set out according to the number of cases involved in descending order)	(ii)	(iii)	(iv)	(v)

(3) of the prosecutions instituted against and penalties imposed on the food premises involved in the cases mentioned in (1) last year, as well as the difference between the penalties imposed on licensed and unlicensed premises;

(4) regarding the causes of food poisoning mentioned in (2), whether the Government has conducted studies on the reasons for the increase in the number of cases arising from the corresponding causes, for example, whether it was due to the failure to fully observe the relevant food safety guidelines as a result of manpower shortage in the catering industry; if it has, of the details; if not, the reasons for that;

(5) regarding the various measures mentioned in (2)(ii), whether the Government will consider supporting restaurants in making better use of technology to reduce food safety risks (e.g. requiring the use of food containers with temperature keeping functions for transportation of raw oysters), and exploring the feasibility of including such requirements in the relevant licensing requirements; if so, of the details; if not, the reasons for that;

(6) regarding perishable food such as raw oysters and dairy products, apart from formulating the relevant food safety guidelines, whether the Government has provided relevant training for the practitioners; whether the Government has taken relevant actions against the practitioners who are found during inspections to have breached the guidelines;

(7) as it is learnt that a number of food poisoning cases are related to "preparing food too early in advance", but there are views that it is inevitable for food suppliers of take-away and catering food, rice with two sides, etc, to prepare food in advance, whether the Government will, apart from formulating guidelines on food safety, step up inspections and monitoring efforts (especially in respect of the handling of perishable food such as poon choi, siu mei, etc); if so, of the details; if not, the reasons for that;

(8) given that there were cases in which food poisoning incidents occurred repeatedly in the same food premises, of the number of food premises which had been prosecuted by the Government more than once within a short period of time in the past three years; how the Government assesses the effectiveness of the existing monitoring and punishment mechanism, and whether it will take further improvement measures; if so, of the details; if not, the reasons for

that; and

(9) whether the Government has currently provided clear information about the channels for pursuing claims and the related support services for members of the public affected by food poisoning, so that they can claim compensation from restaurants and food suppliers; if so, of the details; if not, the reasons for that?

Reply:

President,

In consultation with the Centre for Health Protection (CHP) of the Department of Health (DH), my reply to the question from the Hon Steven Ho is as follows:

(1) The number of food poisoning cases referred to the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department (FEHD) by the CHP of the DH each year and the number of persons involved are tabulated as follows:

		2022	2023	2024
Number of food poisoning cases involving food premises (number of persons involved)	First quarter	6 (15)	107 (365)	52 (184)
	Second quarter	25 (74)	42 (182)	68 (181)
	Third quarter	40 (215)	40 (173)	22 (154)
	Fourth quarter	46 (196)	30 (118)	50 (220)
	Total	117 (500)	219 (838)	192 (739)
Number of food poisoning cases involving licensed food premises (number of persons involved)	First quarter	6 (15)	106 (363)	52 (184)
	Second quarter	24 (68)	42 (182)	67 (180)
	Third quarter	39 (213)	39 (171)	22 (154)
	Fourth quarter	46 (196)	30 (118)	50 (220)
	Total	115 (492)	217 (834)	191 (738)
Number of food poisoning cases involving unlicensed premises (number of persons involved)	First quarter	—	1 (2)	—
	Second quarter	1 (6)	—	1 (1)
	Third quarter	1 (2)	1 (2)	—
	Fourth quarter	—	—	—
	Total	2 (8)	2 (4)	1 (1)

(2) and (4) Overall, from 2020 to 2022, in response to the COVID-19 pandemic in Hong Kong at that time, the authorities implemented a series of regulatory measures to safeguard public health, resulting in fewer food poisoning cases in food premises during that period. The number of food poisoning cases related to food premises in 2024 was similar to that of 2023.

In 2024, the three most common causes of food poisoning cases were consuming raw food, food contamination by dirty utensils, and undercooked food. Relevant information is tabulated below:

Causes	Number of cases in 2024 (Note) (number of persons involved)	Number of cases in 2021-2023 (Note) (number of persons involved) (Annual average)	Degree of change in the number of cases
Consuming raw food	78 (259)	81 (279)	-3.7%
Food contamination by dirty utensils	31 (121)	66 (254)	-53%
Undercooked food	40 (115)	37 (137)	+8%

Note: Each case may involve more than one cause.

Upon receipt of notifications of suspected food poisoning cases from the CHP of the DH, the CFS will promptly collaborate with staff of the Environmental Hygiene Branch of the FEHD to investigate the relevant food premises, review food preparation processes and hygiene conditions, collect food and environmental swab samples for testing, and instruct food premises operators to carry out cleaning and disinfection as well as to improve the food handling/cooking processes. To address the causes of suspected food poisoning cases, the CFS will also provide the food trade with relevant food safety guidelines and preventive measures recommendations, as well as offer food safety and health education to food handlers.

(3) The FEHD has established guidelines on handling food poisoning cases. Apart from conducting thorough inspections to the food premises concerned, the FEHD will increase the frequency of subsequent inspections and continue to monitor their environmental hygiene and food safety conditions. If any irregularity is found in the premises, the FEHD will take appropriate action in accordance with the relevant legislation.

The numbers of prosecutions instituted by the FEHD against licensed and unlicensed food premises which had contravened the Public Health and Municipal Services Ordinance (Cap. 132) (the Ordinance) and its subsidiary legislation over the past three years are set out below. The FEHD does not maintain breakdown figures on inspection reasons for prosecution cases (such as whether suspected food poisoning cases are concerned).

	Number of prosecutions against licensed food premises	Number of prosecutions against unlicensed food premises
2022	905	3 592
2023	1 099	3 624

If any person is found operating food business without permission, the FEHD will institute prosecution. The maximum penalty is a fine of \$50,000 and imprisonment for up to six months, plus a daily fine of \$900. As for other environmental hygiene-related legislative requirements, etc, the penalties vary according to the severity of the offences. For the above prosecution cases, the maximum penalty imposed is a fine of \$50,000.

(5) and (6) The CFS has all along been promoting Good Hygiene Practices to the trade through different channels and providing training resources, such as preparing and organising seminars, compiling publications, developing educational materials, and holding regular trade consultation forums. The CFS has issued food safety guidelines for certain high-risk foods, such as raw oysters and frozen confections, to identify critical control points in the food production process for food businesses' reference and application. In addition, the CFS conducts on-site inspections at concerned food premises where food incidents occur and provide food safety advice to the persons-in-charge, as well as health education to the relevant food handlers on the causes of the incidents.

The Food Hygiene Code published by the FEHD facilitates food businesses to comply with the various environmental hygiene and food safety requirements as stipulated in the Ordinance and its subsidiary legislation, including the approved sources and other food safety practices for high-risk foods such as raw oysters and milk. Any food business operator who contravenes the relevant legislative requirements may be prosecuted.

(7) The FEHD adopts a Risk-based Inspection System to regulate licensed food premises. It will assess the risk potential of individual food premises (including the types and risk level of the food sold, the mode of operation, any history of food poisoning cases and any previous prosecution on environmental hygiene matters) so as to determine the inspection frequency. The FEHD will review the system as well as the risk type of individual premises from time to time to make optimal use of inspection resources and ensure food safety and environmental hygiene. In the event of food poisoning in licensed food premises, the FEHD will elevate the risk potential and enhance the inspection frequency.

The CFS has issued food safety guidelines and organised trade seminars on takeaways and meal delivery and the safe handling of various high-risk foods (including "rice with two sides", poon choi, and siu mei). It has also compiled relevant publications and educational materials for the food businesses' reference and application. In addition, the CFS also organises regular trade consultation forums to strengthen communication with the trade and promote good hygiene practices.

(8) In addition to taking out prosecution against non-compliant licensed food premises, the FEHD implements the Demerit Points System (DPS). Under the DPS, licensees who are prosecuted and convicted for contravention of food safety and environmental hygiene-related requirements in the Ordinance and its

subsidiary legislation will be registered with demerit points by the FEHD. The number of demerit points ranges from five to 15. Upon accumulation of 15 points, licensees may, depending on the situation of the case, face suspension or even cancellation of licence. The number of demerit points registered depends on the nature and severity of the offence. For example, in cases involving sale of adulterated or unfit food, 15 demerit points will be registered. The numbers of cases in which a food business licence was suspended or cancelled under the DPS in the past three years are set out below:

	Number of cases (Year)		
Penalty	2022	2023	2024
Suspension of licence for 7 days	60	94	54
Suspension of licence for 14 days	13	10	9
Suspension of licence for 21 days (Note)	2	3	3
Cancellation of food business licence	1	1	6
Total	76	108	72

Note: These cases had been subject to a 7-day licence suspension (first suspension), immediately followed by a 14-day licence suspension (second suspension).

The existing penalties under the Ordinance and the DPS already have a strong deterrent effect on licensed food premises. The FEHD will continue to conduct inspections to food premises based on risk assessment, and take enforcement actions and execute the DPS against irregularities.

(9) The FEHD is responsible for regulating food premises in accordance with the Ordinance and its subsidiary legislation, but it generally does not intervene in civil proceedings.