

FEHD continues to takes stringent enforcement actions relating to anti-epidemic regulations

A spokesman for the Food and Environmental Hygiene Department (FEHD) said today (April 25) that the first stage of adjustments to social distancing measures took effect on April 21, and the FEHD continued to step up its inspections territory-wide and conducted joint operation with the Police in Eastern District, so as to take enforcement actions against operators, staff and customers of catering businesses and other premises in defiance of the anti-epidemic regulations. The spokesman again reminded parties concerned to remain vigilant and strictly comply with the requirements and directions under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) (the Regulation), the Prevention and Control of Disease (Vaccine Pass) Regulation (Cap. 599L) and more. The FEHD will continue to conduct enforcement operations proactively, and urges premises operators not to defy the law.

Under the first stage, the dine-in service hours of catering premises can be extended till 9.59pm, which allows resumption of dinnertime dine-in services. The maximum number of persons per table has been increased from two to four, and banquets with no more than 20 persons are allowed. Bars or pubs remain closed. To enhance the anti-epidemic arrangements of catering premises and dovetail with the relaxation of the aforementioned business restrictions, all staff must conduct rapid antigen tests every three days and obtain a negative result before entering the premises.

The FEHD and the Police inspected a total of 10 catering premises during the joint operation on April 23; and the FEHD on its own inspected a total of 1130 catering premises and 263 other premises in the past two days (April 23 and April 24). The FEHD initiated procedures on prosecution against operators of 10 catering premises suspected of breaching the requirements under the directions. Details are as follows:

Matters involved	Number of prosecutions
Mask-wearing	3
Ensuring scanning of "LeaveHomeSafe" venue QR code by customers	3
Ensuring staff to comply with vaccination requirement	1
Distance or partition between tables	1
Display of notice concerning food or drink must not be consumed in areas adjacent to this catering premises during the hours when dine-in is not allowed	1
Ensuring customer to meet the Vaccine Pass requirement	1

The FEHD also required the premises to take corresponding measures for reducing the risk of transmission. Premises found with irregularities had to, on the subsequent day of being identified of the irregularities by the enforcement officers, cease selling or supplying food or drink for consumption on the premises from 6pm to 4.59am of the subsequent day, and allow no more than two persons to be seated together at one table, for a period of three, seven or 14 days. In addition, the FEHD also issued fixed penalty notices (FPNs) to five customers suspected of breaching the requirement of scanning "LeaveHomeSafe" venue QR code, one staff suspected of breaching the vaccination requirement and one person suspected of breaching the requirement of mask-wearing in public place.

If a person responsible for carrying on a catering business contravenes the Regulation or the requirements and directions of the Vaccine Pass, he or she is liable to be prosecuted and, upon conviction, to a maximum fine of \$50,000 and imprisonment for six months. Persons who are present at catering premises or other specified premises must comply with directions applicable to them. Non-compliance with the relevant directions is an offence and offenders are subject to a maximum fine of \$10,000. The liability may be discharged by paying a fixed penalty of \$5,000. In addition, for customers in breach of the requirement on the maximum number of persons per table within catering premises, they are liable to a fixed penalty of \$5,000 for violating the Prevention and Control of Disease (Prohibition on Gathering) Regulation (Cap. 599G). For customers not wearing a mask when they are not eating or drinking at a table therein or they are not eating or drinking, they are liable to a fixed penalty of \$5,000 for contravening the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I).

With the advent of April 30, the "Vaccine Pass" vaccination requirement will enter the second stage and the implementation of registration of air change and/or air purifiers under Cap. 599F is approaching one year. In view of this, FEHD reminds operators of catering premises to follow up the matters below, to make good preparation for the long holidays in the coming two weekends –

1. Please ensure that the "QR Code Verification Scanner" mobile app is the latest version (4.3.0 or above). The new version can check if the QR code of a user's electronic vaccination record, recovery record or Medical Exemption Certificate is compliant with the "Vaccine Pass" requirements of the applicable stage;
2. To enhance the efficiency of scanning the vaccination records of customers, please use as far as possible rear cameras of mobile devices which have a stronger focusing performance;
3. To ensure that the ventilating system (outside air) approved under the food business licence is properly repaired and maintained such that the outside air supply consistently fulfils the approval requirements,
4. Simultaneously, the system, regardless of whether or not it meets the requirement of ACH at six, must be switched on in full when the premises is open for business to ensure proper supply of outside air; and
5. For air purifiers installed at the premises, please properly switch on, operate, maintain and repair the air purifiers in accordance with the

manufacturer's manual when the premises is open for business (including the timely replacement of air filters or relevant provisions before the expiry date).

In addition, the FEHD conducted joint operations with several government departments over the last weekend at public places where people including domestic helpers congregate during weekends and public holidays to carry out publicity and educational work, appealing to them to raise awareness of epidemic prevention and comply with the various anti-epidemic regulations and restrictions.

The FEHD, in collaboration with the Hong Kong Police Force, the Labour Department, relevant District Offices, the Immigration Department and the Leisure and Cultural Services Department, conducted joint operations at various public places in Central and Western, Wan Chai, Eastern, Yau Tsim, Mong Kok, Sham Shui Po, Sha Tin, Sai Kung and Tsuen Wan districts, near popular domestic helper gathering places during public holidays. Apart from arranging for cleansing service contractors to strengthen the street cleansing services at the relevant spots, the FEHD also stepped up patrols to combat unlicensed hawking activities. During the operation, a total of nine FPNs were issued to persons who breached public cleanliness offences. In addition, one person was arrested and prosecuted for illegal hawking in public places and six seizures of hawker abandoned articles, including cooked food, were effected. Domestic helpers have also been reminded by other government departments to comply with the regulations on mask wearing and the prohibition of gatherings in public places.

To minimise the risk of COVID-19 transmission, the spokesman strongly appealed to all sectors of the community to stay vigilant and comply with the relevant regulations on prevention and control of disease in a concerted and persistent manner. The FEHD has strengthened its publicity efforts, and will take stringent enforcement actions. All sectors are reminded to exercise self-discipline and co-operate to fight the virus together.