

Two restaurants in Aberdeen convicted and fined for contravening Air Pollution Control Ordinance and related regulation

Two restaurants in Aberdeen, Tin Yuen Chun Che Nice Food Restaurant and Wah Kee, violated the requirement of a statutory notice by failing to reduce cooking fume emissions and illegally installed furnaces and an exhaust system respectively. They were convicted and fined a total of \$15,000 at Eastern Magistrates' Courts today (December 10) for contravening the Air Pollution Control Ordinance (APCO) and the Air Pollution Control (Furnaces, Ovens and Chimneys) (Installation and Alteration) Regulations.

EPD enforcement officers conducted an inspection in October last year and found that Tin Yuen Chun Che Nice Food Restaurant had failed to install proper cooking fume control equipment. The EPD then issued a statutory notice under the APCO requiring the restaurant to install proper equipment to reduce its emissions by the deadline. The restaurant continued to emit visible cooking fumes after the specified date, and was subsequently prosecuted by the EPD.

Separately, the EPD found out that Wah Kee had installed cooking equipment, with a total fuel consumption capacity exceeding the statutory limit, without prior approval by the EPD for the installation work while the EPD was processing the application to install cooking stoves from the company in May this year. In addition, the inappropriate positioning of the outlet of its exhaust system also affected nearby residents. After evidence gathering, the EPD subsequently prosecuted the restaurant concerned under the Regulations. The department is continuing to follow up on the two cases to urge the restaurants to make improvements.

An EPD spokesman reminded food business operators that they should properly design and install appropriate and effective air pollution control equipment in the kitchens of food premises to avoid causing air pollution. If they intend to install or alter furnaces, ovens, chimneys or flues with total gaseous fuel consumption capacity exceeding the exemption limit of 1,150 megajoules per hour, they have to submit an application to the EPD for the installation or alteration works in accordance with the regulations' requirements, and such works can only be carried out after obtaining approval from the EPD.

According to the APCO, food business operators should adopt effective remedial measures to abate excessive cooking fume emissions within a specified time limit upon receipt of a statutory notice. An offender is liable to a maximum fine of \$100,000 on conviction for a first offence. According to the Air Pollution Control (Furnaces, Ovens and Chimneys)

(Installation and Alteration) Regulations, offenders are liable to a maximum fine of \$50,000 and a daily fine of \$500 may be imposed for a continuing offence.