

Two restaurants in Western district fined for illegally emitting excessive cooking fumes

Two restaurants, namely 11 Westside on Davis Street and Twelve Flavors on Sands Street in Kennedy Town, violated the requirements of the relevant statutory notices issued by the Environmental Protection Department (EPD) by failing to reduce excessive cooking fume emissions. The restaurants were convicted and fined a total of \$20,000 at Eastern Magistrates' Courts today (December 9) and on November 11 respectively for contravening the Air Pollution Control Ordinance (APCO).

During inspections targeting air pollution and nuisance caused by cooking fumes emitted by restaurants, EPD enforcement officers found that the two restaurants had failed to appropriately install or repair cooking fume control equipment and were emitting excessive cooking fumes and causing nuisance to residents nearby. The EPD then issued statutory notices under the APCO requiring the restaurants to install and repair cooking fume control equipment by a deadline with a view to reducing cooking fume emissions. Subsequently, the two restaurants were prosecuted by the EPD as they failed to appropriately install or repair cooking fume control equipment by the deadline, thereby violating the requirements of the notices. In addition, 11 Westside was convicted of an offence of the same kind in April this year.

The EPD is very concerned that 11 Westside violated the requirements of a statutory notice again and will continue to liaise with the company's management on a solution. The EPD will consider initiating prosecutions against the company directors concerned if the restaurant is found violating the requirements of a statutory notice again in future.

According to the APCO, it is an offence if restaurant operators do not comply with the requirements of a statutory notice and do not adopt effective remedial measures to abate excessive cooking fume emissions within a specified time limit. First-time offenders are liable to a maximum fine of \$100,000. A maximum fine of \$200,000 and six months' imprisonment may be imposed on a second or subsequent conviction.

An EPD spokesman reminded members of the food business that they should properly design and install effective air pollution control equipment such as electrostatic precipitators in the kitchens of food premises before their restaurants start operation. This should help them avoid emitting excessive cooking fumes and being prosecuted by the EPD, and prevent technical difficulties as well as additional costs for installing the equipment after the opening of their restaurants. In addition, restaurant operators have the obligation to arrange for experienced technicians to clean, check and repair their air pollution control equipment regularly with a view to ensuring that no excessive fumes or odours would be emitted, causing nuisance to residents nearby.

The EPD has drawn up guidelines (www.epd.gov.hk/epd/sites/default/files/epd/english/environmentinhk/air/guide_ref/files/pamphlet_oilfume_eng.pdf) to inform members of the industry on the requirements for restaurants and help improve their performance in terms of environmental protection. These guidelines also help members of the industry know more about and use appropriate air pollution control equipment with a view to controlling and reducing cooking fume and odour emissions. In addition, the department has provided members of the industry with up-to-date information about environmental protection through talks of various kinds.