

## Public Health (Animals and Birds) (Chemical Residues) Regulation –Table of Offence Provisions

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s3(1)- An offence with a level 6 penalty  [see s17(1)(a)]	Farmer	Keeps FA	FA contains p chemicals	s17(6):  No offence if he proves that the p chemical has been administered to the food animal in accordance with a prescription given by a registered veterinary surgeon	s17(4) Defence : defendant to prove that he did not know and had no reason to suspect the existence of the circumstances giving rise to the contravention.	<ul style="list-style-type: none"> <li>➤ This provision targets activities in farms</li> <li>➤ Evidence must show that the suspect was a farmer, the FA contained p chemical and the farmer was keeping the FA at the material time</li> <li>➤ Person falling within the definition of farmer but was not keeping the FA at the material time cannot be prosecuted e.g. occupier of farm who was not keeping the FA</li> </ul>

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s3(2) - An offence with a level 6 penalty  [see s17(2)(a)]	Trader [e.g. FA transporter, importer, wholesaler or retailer]	Knowingly and wilfully keeps	FA contains p chemicals	s17(6): No offence if he proves that the p chemical has been administered to the food animal in accordance with a prescription given by a registered veterinary surgeon	N/A	<ul style="list-style-type: none"> <li>➤ Evidence must show that the suspect was a trader, the animal contained p chemical and the trader was keeping the food animal at the material time</li> <li>➤ Trader cannot be prosecuted if he did not have the knowledge and wilfulness of keeping FA that contained p chemicals – e.g. transporter transporting FA to legitimate slaughterhouse cannot be prosecuted unless evidence was available to show his knowledge of contamination of the FA transported by him</li> </ul>
s5(1)- An offence with a level 6 penalty  [see s17(1)(a)]	Farmer	Supplies  (a) to trader for human consumption; (b) slaughterhouse; or (c) retail or wholesale market.	FA whose tissues contains av chemicals exceeding MRL (For details of MRL - see s.4 & sch 2 & 3)	N/A	s17(4) Defence : defendant to prove that he did not know and had no reason to suspect the existence of the circumstances giving rise to the contravention.	<ul style="list-style-type: none"> <li>➤ Evidence must show that the suspect was a farmer, the tissues of animal exceed MRL for one or more chemicals at the material time</li> <li>➤ Evidence must show that the farmer supplied the animal to trader for human consumption, slaughterhouse or retail/ wholesale market</li> </ul>

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s5(2) – An offence with a level 6 penalty  [see s17(2)(a)]	Trader [e.g. FA transporter, importer, wholesaler or retailer]	Knowingly and wilfully supplies to or keeps in any slaughterhouse or retail or wholesale market	FA whose tissues contains av chemicals exceeding MRL	N/A	N/A	<ul style="list-style-type: none"> <li>➤ Evidence must show that the suspect was a trader, and the tissues of FA exceeded MRL for one or more chemicals at the material time</li> <li>➤ Evidence must show that the trader supplied or kept in any slaughterhouse or market such FA at the material time</li> <li>➤ Trader cannot be prosecuted if he did not have the knowledge and wilfulness of supplying FA to or keeping FA in any slaughterhouse or retail/ wholesale market the tissue of which contained chemicals exceeding MRL – e.g. transporter transporting FA to a legitimate slaughterhouse could not be prosecuted unless evidence was available to show his knowledge of MRL exceedance of the av chemicals contained in FA which was transported by him</li> </ul>

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s6 – An offence with a level 6 penalty  [see s17(1)(a)]	Farmer	Supplies to or from or keeps in any licensed dairies milk	<ul style="list-style-type: none"> <li>➤ the milk is derived from FA kept by farmer; and</li> <li>➤ milk contains av chemicals exceeding MRL</li> </ul>	N/A	s17(4) Defence : defendant to prove that he did not know and had no reason to suspect the existence of the circumstances giving rise to the contravention.	<ul style="list-style-type: none"> <li>➤ Evidence must show that the suspect was a farmer, the milk contained chemicals exceeding MRL at the material time</li> <li>➤ Evidence must show that the milk was derived from FA kept by the farmer</li> <li>➤ Evidence must be collected on farm or dairy where the milk-producing animal was kept by the farmer</li> <li>➤ Person falling within the definition of farmer but had not kept or supplied FA from which the milk in question was derived cannot be prosecuted e.g. occupier of farm or dairy who was not keeping the animal</li> </ul>
s7(1) – Contravention of the requirement is an offence with a level 5 penalty  [see s17(1)(b)-]	Farmer	Fails to identify FA as required in Schedule 4 before supplying for human consumption	Specified FA [i.e. pigs, cattle and goats] but not identified in accordance with Schedule 4	N/A	N/A	<ul style="list-style-type: none"> <li>➤ Evidence must show that the FA was a specified FA, the suspect was a farmer, the farmer failed to label, mark or otherwise identify specified FA in accordance with Schedule 4</li> <li>➤ Evidence must show that the FA has been supplied for human consumption</li> </ul>

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s7(2) - Contravention of the prohibition is an offence with a level 5 penalty  [see s17(3)(a)-]	Any person [could be a trader (e.g. FA transporter, importer, wholesaler) or any other person]	Brings or causes to be brought into any slaughterhouse or wholesale market	Specified FA not identified in accordance with Schedule 4	N/A	N/A	<ul style="list-style-type: none"> <li>➤ Evidence must show that the FA was a specified FA and the specified FA was not properly identified in accordance with Schedule 4</li> <li>➤ Evidence must show that specified FA had been brought into slaughterhouse or wholesale market by the person concerned</li> </ul>
s7(3)- An offence with a level 5 penalty  [see s17(3)(c)]	Any person [could be a farmer, trader (e.g. FA transporter, importer or wholesaler) or any other person]	<p>(a) Puts letters, marks, numbers, etc. on FA which he knows to be false</p> <p>(b) Procures, counsels, aids, abets or is accessory to the commission of an offence under paragraph (a)</p>	Specified FA falsely identified	N/A	N/A	<ul style="list-style-type: none"> <li>➤ Evidence must show that the specified FA was identified with false letters, marks, numbers, etc.</li> <li>➤ Evidence must show <ul style="list-style-type: none"> <li>- for s.7(3)(a), that the suspect marked, labeled or otherwise identified the specified FA with false letters, marks, numbers, etc. which he knows to be false;</li> <li>- for s.7(3)(b) that the suspect procured, etc that the specified FA to be falsely marked, labeled or otherwise identified</li> </ul> </li> </ul>

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s8 – Contravention of the prohibition is an offence with a level 6 penalty [see s17(3)(b)]	Any person [could be a trader (e.g. FA transporter, importer or wholesaler) or any other person]	Brings or causes FA to be brought into HK without valid certificate and (in the case of a specified animal) without identification	(a) FA not accompanied by valid certificate issued by competent veterinary authority certifying that there is no reason to suspect  ➤ the FA of containing p chemicals (cf.3(1)); and  ➤ the FA's tissues of containing av chemicals exceeding MRL (cf.5(1))  (b)In case of specified FA, identified in accordance with Schedule 4	N/A	N/A	➤ Evidence must show that imported FA was not accompanied by a valid health certificate as required or not properly identified

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s9(1) - Director's order to suspend supply of food animals  ➤ Farmer contravening the order commits an offence – with a level 6 penalty [see s17(1)(c)]  ➤ Trader contravening the order commits an offence – with a level 6 penalty [see s17(2)(b)]	Farmer or trader (e.g. FA transporter, importer, wholesaler or retailer)	Supplies animals in contravention of a suspension order	Based on reports or information from Public Analyst (i.e. Government Chemist) or other sources,  ➤ FA suspected of containing p chemicals (cf.3(1)); or  ➤ the FA's tissues suspected of containing av chemicals exceeding MRL (cf.5(1))	N/A	N/A	➤ Director must serve the suspension order in writing and state the reason on it  ➤ Evidence must show that the farmer or trader against whom the order was made had knowledge of the order but did not follow it

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s9(3) - Director's order to suspend supply of FA containing other dangerous substances  ➤ Farmer contravening the order commits an offence with a level 6 penalty [see s17(1)(c)]  ➤ Trader contravening the order commits an offence with a level 6 penalty [see s17(2)(b)]	Farmer or trader (e.g. FA transporter, importer, wholesaler or retailer)	Supplies FA in contravention of a suspension order	FA that is suspected of containing substance (not being p chemicals or av chemical) that is likely to endanger FA or the health of any person	N/A	N/A	➤ Director must serve the suspension order in writing and state the reason on it  ➤ Evidence must show that the farmer or trader against whom the order was made had knowledge of the suspension order but did not follow it

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
<p>s10(1) - Director's order to withdraw and retrieve FA</p> <p>s10(2) - Director's direction on disposal of FA withdrawn or retrieved</p> <p>➤ Farmer contravening the order or direction commits an offence with a level 6 penalty [see s17(1)(c)]</p> <p>➤ Trader contravening the order or the direction commits an offence with a level 6 penalty [see s17(2)(b) ]</p>	Farmer or trader (e.g. FA transporter, importer, wholesaler or retailers)	Had previously supplied FA and failed to withdraw and retrieve the FA or failed to dispose of the retrieved and withdrawn FA in accordance with Director's order or direction	FA already supplied and in respect of which a suspension order is in force under s9	N/A	N/A	<p>➤ The recall order must be preceded by a suspension order under s9</p> <p>➤ Evidence must show that the farmer or trader against whom the order was made had knowledge of the recall order or direction but did not follow it</p>

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s11(1) – An offence with a level 6 penalty  [see s17(1)(a)]	Farmer	Has in his possession or under his control	p chemical	s17(7)  No offence if defendant proves that- (a) the chemical has been prescribed by a registered veterinary surgeon for administration to food animals; (b) the chemical has been prescribed by a registered medical practitioner or a registered dentist for the treatment of human disease; or (c) the chemical is contained in a medicine or pharmaceutical product registered under the Pharmacy and Poisons Ordinance (Cap. 138) and the medicine or pharmaceutical product – (i) is packed in container as originally supplied by the manufacturer; and (ii) can be supplied without a prescription given by a registered medical practitioner, a registered dentist or a registered veterinary surgeon according to the Antibiotics Ord. (Cap. 137) or the Pharmacy and Poisons Ord (Cap. 138)	S17(4)  Defence : defendant to prove that he did not know and had no reason to suspect the existence of the circumstances giving rise to the contravention.	➤ Evidence must show that the suspect was a farmer and he possessed or had under his control p chemical at the material time

farmer = food animal farmer      trader = food animal trader  
 FA = food animal  
 av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals  
 N/A = not applicable      MRL = maximum residue limit  
 Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s11(2)- An offence with a level 6 penalty  [see s17(1)(a)]	Farmer	Has in his possession or under his control	Fodder containing or mixed with p chemicals	s17(8)  No offence if the p chemical is mixed with fodder or contained therein in accordance with a prescription given by a registered veterinary surgeon	s17(4)  Defence: defendant to prove that he did not know and had no reason to suspect the existence of the circumstances giving rise to the contravention.	➤ Evidence must show that the suspect was a farmer and he possessed or had under his control fodder containing or mixed with any p chemical at the material time
s11(3) – An offence with a level 6 penalty  [see s17(2)(a)]	Trader (e.g. FA transporter, importer, wholesaler or retailer)	Knowingly and wilfully has in his possession or under his control	p chemical	s17(7)  same as s11(1) above	N/A	➤ Evidence must show that the suspect was a trader and he possessed or had under his control p chemical at the material time
s11(4)- An offence with a level 6 penalty  [see s17(2)(a)]	Trader (e.g. FA transporter, importer, wholesaler or retailer)	Knowingly and wilfully has in his possession or under his control	Fodder containing or mixed with p chemicals	s17(8)  No offence if the p chemical is mixed with fodder or contained therein in accordance with a prescription given by a registered veterinary surgeon	N/A	➤ Evidence must show that the suspect was a trader and he possessed or had under his control fodder containing/ mixed with p chemical at the material time

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s12(1) – An offence with a level 6 penalty  [see s17(3)(d)]	Any person [could be a fodder transporter/ supplier ,farmer or trader (e.g. FA importer, wholesaler or retailer)]	Supplies or offers to supply to a person whom he knows or has reason to believe is a farmer or trader	p chemical	s17(7)  (see s11(1) above)	s17(5)(a)  Defence: defendant to prove that he did not know and had no reason to suspect that the article he supplied or offerd to supply was a p chemical	➤ Evidence must show that the supplier supplied or offered to supply p chemical to a person whom he knew or had reason to believe was a farmer or trader and that person was such at the material time
s12(2) – An offence with a level 6 penalty  [see s17(3)(d)]	Any person [could be a fodder transporter/ supplier or trader (e.g. FA transporter, importer, wholesaler or retailer)]	Supplies or offers to supply to a person whom he knows or has reason to believe is a food animal farmer or trader	Fodder containing or mixed with p chemical	N/A	s17(5)(b)  Defence: defendant to prove that he did not know and had no reason to suspect that the fodder he supplied or offered to supply contained or was mixed with a p chemical	➤ Evidence must show that the supplier supplied or offered to supply fodder containing/ mixed with p chemical to a person whom he knew or had reason to believe was a farmer or trader and that the person was such at the material time

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s13(1) – Contravention of the prohibition is an offence with a level 5 penalty [see s17(3)(a) ]	Any person [could be a fodder transporter/ supplier or trader(e.g. transporter, importer, wholesaler or retailer)]	Supplies or offers to supply	Fodder containing or mixed with av chemical but without information as required in s13(2)	N/A	N/A	➤ Evidence must show that fodder supplied or offered to supply or was mixed with av chemical
s13(3) – An offence with a level 5 penalty [see s17(3)(c) ]	Any person [could be a fodder transporter/ supplier or trader (e.g. transporter, importer, wholesaler or retailer)]	In purported compliance with s.13(1), provides information as required in s 13(2) that is incorrect, false or misleading in a material particular and knows it to be such	Fodder containing or mixed with av chemical with incorrect, false or misleading information	N/A	N/A	➤ Evidence must show that in compliance with section 13(1) defendant supplied false/ incorrect/ misleading information in material particular and that he knew it to be so

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
<p>s14(1) - Director's order to suspend supply of fodder</p> <p>Contravention of the order is an offence with a level 6 penalty [see s17(3)(e)]</p>	<p>Any person [could be fodder transporter/ supplier or any other person]</p>	<p>Supplies fodder in contravention of a suspension order</p>	<p>Fodder that is suspected of containing – (i) p chemicals; (ii) av chemicals at a level that is likely to endanger animals or the health of any person; or (iii) any other substance that is likely to endanger animals or the health of any person</p> <p>or</p> <p>Fodder that is suspected of being supplied without the information required to be furnished under s13 or where the information is furnished, the information is incorrect, false, misleading or insufficient</p>	<p>N/A</p>	<p>N/A</p>	<ul style="list-style-type: none"> <li>➤ Under 14(3), Director must serve the suspension order in writing and state the reason on it</li> <li>➤ Evidence must show that supplier had knowledge of the suspension order but did not follow it</li> </ul>

farmer = food animal farmer      trader = food animal trader  
 FA = food animal  
 av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals  
 N/A = not applicable      MRL = maximum residue limit  
 Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s15(1) - Director's order to retrieve and withdraw fodder  s15(2) - Director's direction on disposal of fodder withdrawn or retrieved  Contravention of the order or director is an offence with a level 6 penalty [see 17(3)(e)]	A person against whom a suspension order is made s.14(1) [could be a fodder transporter/ supplier or any other person]	Had previously supplied fodder and failed to withdraw and retrieve the fodder and failed to dispose of the retrieved and withdrawn fodder in accordance with Director's order or direction	Fodder already supplied and in respect of which a suspension order is in force under s14	N/A	N/A	<ul style="list-style-type: none"> <li>➤ The recall order must be preceded by a suspension order under s14</li> <li>➤ Evidence must show that a person against whom the order was made had knowledge of the recall order or direction but did not follow it</li> </ul>

farmer = food animal farmer      trader = food animal trader  
 FA = food animal  
 av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals  
 N/A = not applicable      MRL = maximum residue limit  
 Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s16(1) – Requirement to keep record of transactions by traders	Trader who owns, keeps or sells FA in a slaughterhouse before slaughtering [e.g. FA importer or wholesaler]	Fails to record, as required, particulars relating to all transactions whereby such food animals are purchased or sold by him after the food animals are admitted to the slaughterhouse  (a)the date and quantity of each transaction  (b)the names and addresses of the sellers or purchasers; and  (c)the identification details required of each food animal, where applicable, under section 7(1).	N/A	N/A	N/A	<ul style="list-style-type: none"> <li>➤ Evidence must show that the suspect was a trader</li> <li>➤ Evidence must show that no information or not all information required was recorded as required</li> </ul>

farmer = food animal farmer      trader = food animal trader  
 FA = food animal  
 av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals  
 N/A = not applicable      MRL = maximum residue limit  
 Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
<p>s16(2) – Requirement to keep record of transaction by transporters</p> <p>s16(3) – Requirement to keep records as required under s16(1) and s16(2) for 7 days</p> <p>s16(4) – Requirement to produce records kept under s16(1), s16(2), and s16(3) when required by SVO or inspector</p> <p>Contravention of any of the s16 requirements is an offence with a level 3 penalty [see s17(2)(c)]</p>	<p>Trader who transports FA to a slaughterhouse [could be a FA transporter, importer or wholesaler]</p>	<p>Fails to record, as required, particulars relating to the food animals carried by him –</p> <p>(a) the number of food animals involved in each carriage;</p> <p>(b) the name and address of the food animal trader or food animal farmer who employs his service, if applicable; and</p> <p>(c) the identification details required of each food animal, where applicable, under section 7(1).</p>	N/A	N/A	N/A	<ul style="list-style-type: none"> <li>➤ Evidence must show that the suspect was a trader transporting FA to slaughterhouse (s16(2))</li> <li>➤ Evidence must show that no information or not all information required was recorded as required (s16(2))</li> <li>➤ Evidence must show that information required was not kept for a minimum of 7 days (s16(3))</li> <li>➤ Evidence must show that information required was not produced at request of senior veterinary officer or inspector (s16(4))</li> </ul>

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000

Section/Nature/ Penalty (1)	Ingredients of Offence (2)			No offence due to statutory exemption (3)	Statutory defence (4)	Remarks (5)
	Person targeted at (i)	Other ingredients of provision (ii)	Description of animal/ milk/ fodder/ chemicals (iii)			
s16(5) – An offence with a level 3 penalty  [see s17(2)(d)]	Trader, in purported compliance with the requirement under s16 (4) [could be a FA transporter, importer or wholesaler]	Provides any information that is incorrect, false or misleading in a material particular and he knows it to be incorrect, false or misleading in a material particular.	N/A	N/A	N/A	<ul style="list-style-type: none"> <li>➤ Evidence must show that information provided was incorrect, false or misleading</li> <li>➤ Evidence must show that incorrect, false or misleading information was material</li> <li>➤ Evidence must show that trader knew the incorrect, false or misleading nature of information when he supplied such information</li> </ul>

farmer = food animal farmer      trader = food animal trader

FA = food animal

av chemicals = agricultural and veterinary chemicals      p chemicals = prohibited chemicals

N/A = not applicable      MRL = maximum residue limit

Level 3 = \$10,000      Level 5 = \$50,000      Level 6 = \$100,000