

PUBLIC HEALTH (ANIMALS AND BIRDS)(CHEMICAL RESIDUES) REGULATION FOOD ANIMAL FARMER INFORMATION SHEET¹

In order to help avoid any contravention of the above Regulation, food animal farmers should as a minimum, observe the following suggested actions:

Production Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions²
Purchasing of fodder	<p>S3(1) Keeping food animals containing prohibited chemicals</p> <p>S5(1) Supplying food animals that contain agricultural and veterinary chemicals in excess of MRLs</p> <p>S11(1)&(2) Possessing or having under control prohibited chemicals or fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> ● Should only purchase fodder and fodder components from reputable suppliers. ● Should keep all records of all fodder purchases. ● Should ensure that all fodder or fodder components known to contain agricultural and veterinary chemicals are properly labelled showing the chemical contents and the respective withholding periods. ● Should take special care in purchasing “growth promoters” (possibly containing prohibited or agricultural and veterinary chemicals) to ensure that these are fully labelled. ● Should not purchase or possess prohibited chemicals or fodder known to be containing or have been mixed with

¹ This information sheet is not legal document and only suggests actions for reference of food animal farmers with respect to the above Regulation

² In case of doubt about the suggested actions, should consult Agriculture, Fisheries and Conservation Department (Dr Mary Chow at 2454 1082)

Production Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions ²
		<p>prohibited chemicals.</p> <ul style="list-style-type: none"> ● Should not purchase fodder against which a suspension order is in force. ● Should return to the supplier any fodder or fodder ingredient against which a recall order is in force. ● Should provide workers with proper and clear instruction on how to mix rations (if mixing fodder on farm).
<p>Instructions to farm workers and management of farms with regards to fodder</p>	<p>S3(1) Keeping food animals containing prohibited chemicals</p> <p>S5(1) Supplying food animals that contain agricultural and veterinary chemicals in excess of MRLs</p> <p>S11(1)&(2) Possessing or having under control prohibited chemicals or fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> ● Should provide clear instructions to workers on which fodder or fodder ingredients contain agricultural and veterinary chemicals and the respective withholding periods. ● Should provide accurate information to workers about the status of fodder with respect to prohibited chemicals. ● Should ensure that workers are fully instructed on identifying animals under treatment with any agricultural and veterinary chemical or prohibited chemicals. ● Should ensure that, in the farm, there are no prohibited chemicals, or fodder containing or mixed with prohibited chemicals, except on veterinary prescription and there are no unlabelled fodder ingredients containing agricultural and veterinary chemicals or prohibited chemicals.

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		<ul style="list-style-type: none"> ● Should keep workers informed of any changes in the composition of fodder used for livestock on the farm. ● Should conduct regular audit checks on workers' feeding practices.
Use and Labelling of Fodder	<p>S3(1) Keeping food animals containing prohibited chemicals</p> <p>S5(1) Supplying food animals that contain agricultural and veterinary chemicals in excess of MRLs</p> <p>S11(1)&(2) Possessing or having under control prohibited chemicals or fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> ● Should ensure that the fodder is mixed in accordance with instructions (e.g. on labels) ● Workers should mix and prepare fodder in accordance with directions from owner/manager/licensee. ● Should read labels of all fodder components and mix agricultural and veterinary chemicals into rations at the appropriate concentrations. ● Should properly re-label all fodder and fodder components mixed on farm that contain agricultural and veterinary chemicals. ● Should not possess or add to fodder prohibited chemicals ● Should only provide fodder of known composition to food animals. ● If unsure of the contents of the fodder, should confirm the contents with the farm manager, owner, licensee or fodder

Production Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions²
		<p>supplier.</p> <ul style="list-style-type: none"> ● Should not use fodder under which a suspension order is in force
Feeding of Food Animals	<p>S3(1) Keeping food animals containing prohibited chemicals</p> <p>S5(1) Supplying food animals that contain agricultural & veterinary chemicals in excess of MRLs</p> <p>S11(1)&(2) Possessing or having under control prohibited chemicals or fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> ● Should in no circumstances feed a food animal with fodder known to be mixed with prohibited chemicals ● If food animals are to be fed with fodder mixed with agricultural and veterinary chemicals, should ensure that only fodder mixed in accordance with instructions are fed to the animals and stop feeding such chemicals to the animals in accordance with the required withholding period before slaughter ● Should not have in his possession or under control prohibited chemical or fodder containing or mixed with prohibited chemical
Supply of food animals fed with agricultural and veterinary chemicals	<p>S5(1) Supplying food animals that contain chemicals in excess of MRLs</p>	<ul style="list-style-type: none"> ● Should ensure that food animals given fodder containing agricultural and veterinary chemicals are identified and should keep record of the date on which the animals are fed with such fodder and the respective withholding periods. ● Should check against records to make sure animals have met relevant withholding periods for agricultural and

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		<p>veterinary chemicals before dispatch, or formally delegate this, with full instructions, to farm workers</p> <ul style="list-style-type: none"> ● Should provide information to transporters on the number of animals and their identification number (if appropriate). ● Should not breach any suspension order and make sure that the food animals concerned are recalled. ● Should keep records of all transactions in the slaughterhouses for 7 days and produces such records when requested by senior veterinary officers or inspectors.
Labelling of food animals	S7(1) & (3) Labelling or marking food animals	<ul style="list-style-type: none"> ● Should ensure that food animals are identified properly (e.g. tattooed) before leaving the farm or formally delegates this (with full written instructions) to trained farm worker. ● Should not use false ID marks or aid others to use false ID marks. ● Should keep records of all transactions in the slaughterhouses for 7 days and produces such records when requested by senior veterinary officers or inspectors.

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Suspension/ Recall Orders	S17(1)(c) Contravening a suspension order under S9(1) or (3); or a recall order under S10(1) or a direction under S10(2).	<ul style="list-style-type: none"> ● Should not breach any suspension order and makes sure that the food animals concerned are recalled. ● Should comply with any recall order and ensure that the food animals concerned are recalled. ● Should comply with Director's direction for disposal of food animals withdrawn or retrieved

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Dairy Farmers	S6 Supplying or keeping milk that contains chemicals in excess of MRLs	<ul style="list-style-type: none"> ● Should ensure that food animals given fodder containing agricultural and veterinary chemicals are identified and should keep record of the date on which the animals are fed with such fodder and the respective withholding periods. ● Should check against records to make sure animals have met relevant withholding periods for agricultural and veterinary chemicals before allowing milk from these animals to be supplied to or from a dairy. Farmers may formally delegate this task, with full instructions, to farm workers.

ANNEX

Section	Details of relevant sections of the Regulation
S3(1)	Subject to section 17(6), a food animal farmer who keeps any food animal which contains any prohibited chemical commits an offence.
S5(1)	A food animal farmer who supplies any food animal the tissue of which contains any agricultural and veterinary chemical in excess of the maximum residue limit to- (a) any food animal trader for human consumption; (b) any slaughterhouse; or (c) any retail or wholesale market, commits an offence.
S6	A food animal farmer commits an offence if he supplies to or from or keeps in any licensed dairies milk that contains any agricultural and veterinary chemical in excess of the maximum residue limit and the milk is derived from food animals kept by him.
S7(1)&(3)	(1) A food animal farmer shall label, mark or otherwise identify a food animal specified in column (1) of Schedule 4 in accordance with the requirements set out opposite thereto in column (2) of that Schedule before supplying such animal for human consumption, commits an offence. (3) A person who- (a) marks on or affixes to any specified food animal any letters, marks, numbers or other means of identifications which he knows to be false; or (b) in any manner procures, counsels, aids, abets or is accessory to the commission of an offence under paragraph (a), commits an offence.
S9(1)&(3)	(1) Upon receipt of reports or information from the Public Analyst or other sources that- (a) a food animal is suspected of containing a prohibited chemical; or (b) the concentration of an agricultural and veterinary chemical in the tissue of a food animal is suspected of exceeding the maximum residue limit, the Director may make a suspension order, that is to say, an order that the food animal farmer or food animal trader who supplies

	<p>the food animal is to suspend the supply of all or part of the food animals under his charge, for such period as may be reasonably necessary.</p> <p>(3) Where-</p> <p>(a) a food animal is suspected of containing a substance which is not a prohibited chemical or an agricultural and veterinary chemical;</p> <p>(b) reports or information from the Public Analyst or other sources show that the substance is likely to endanger animals or the health of any person; and</p> <p>(c) it is in the public interest to do so,</p> <p>the Director may make a suspension order against the food animal farmer or food animal trader who has the food animal under his charge for such period as may be reasonably necessary.</p>
S10(1)&(2)	<p>(1) The Director may order any food animal farmer or food animal trader who has supplied the food animals in respect of which a suspension order is in force to withdraw immediately other food animals of the same batch already supplied and to retrieve, in the manner and to the extent reasonably possible, those animals already supplied.</p> <p>(2) The food animals withdrawn or retrieved under subsection (1) shall be disposed of in such manner as the Director may direct.</p>
S11(1)&(2)	<p>(1) Subject to section 17(7), a food animal farmer who has in his possession or under his control any prohibited chemical commits an offence.</p> <p>(2) Subject to section 17(8), a food animal farmer who has in his possession or under his control fodder containing or mixed with any prohibited chemical commits an offence.</p>
S17(1)(c)	<p>A food animal farmer who contravenes an [<i>suspension or recall</i>] order made under section 9(1) or (3) or 10(1) or a direction made [by the Director] under section 10(2) commits an offence and is liable to a fine at level 6.</p>
S17(6),(7)&(8)	<p>(6) A person does not commit an offence under section 3(1) or (2) if he proves that the prohibited chemical has been administered to the food animal in accordance with a prescription given by a registered veterinary surgeon.</p> <p>(7) A person does not commit an offence under section 11(1) or (3) or 12(1) if he proves that-</p> <p>(a) the chemical has been prescribed by a registered veterinary surgeon for administration to food animals;</p> <p>(b) the chemical has been prescribed by a registered medical practitioner or a registered dentist for the treatment of human</p>

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 the 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 Ordinance (Cap 137) or the Pharmacy and Poisons Ordinance (Cap 138).

(8) A person does not commit an offence under section 11(2) or (4) if he proves that the prohibited chemical is mixed with fodder or contained therein in accordance with a prescription given by a registered veterinary surgeon.