

## PUBLIC HEALTH (ANIMALS AND BIRDS)(CHEMICAL RESIDUES) REGULATION FOOD ANIMAL FARMER INFORMATION SHEET<sup>1</sup>

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

<b>Production Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
<b>Purchasing of fodder</b>	<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)&amp;(2) Possessing or having under control prohibited chemicals or fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> <li>● Should only purchase fodder and fodder components from reputable suppliers.</li> <li>● Should keep all records of all fodder purchases.</li> <li>● 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.</li> <li>● Should take special care in purchasing “growth promoters” (possibly containing prohibited or agricultural and veterinary chemicals) to ensure that these are fully labelled.</li> <li>● Should not purchase or possess prohibited chemicals or fodder known to be containing or have been mixed with</li> </ul>

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

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

<b>Production Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
		<p>prohibited chemicals.</p> <ul style="list-style-type: none"> <li>● Should not purchase fodder against which a suspension order is in force.</li> <li>● Should return to the supplier any fodder or fodder ingredient against which a recall order is in force.</li> <li>● Should provide workers with proper and clear instruction on how to mix rations (if mixing fodder on farm).</li> </ul>
<b>Instructions to farm workers and management of farms with regards to fodder</b>	<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)&amp;(2) Possessing or having under control prohibited chemicals or fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> <li>● Should provide clear instructions to workers on which fodder or fodder ingredients contain agricultural and veterinary chemicals and the respective withholding periods.</li> <li>● Should provide accurate information to workers about the status of fodder with respect to prohibited chemicals.</li> <li>● Should ensure that workers are fully instructed on identifying animals under treatment with any agricultural and veterinary chemical or prohibited chemicals.</li> <li>● 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.</li> </ul>

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

<b>Production Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
		<p>supplier.</p> <ul style="list-style-type: none"> <li>● Should not use fodder under which a suspension order is in force</li> </ul>
<b>Feeding of Food Animals</b>	<p>S3(1) Keeping food animals containing prohibited chemicals</p> <p>S5(1) Supplying food animals that contain agricultural &amp; veterinary chemicals in excess of MRLs</p> <p>S11(1)&amp;(2) Possessing or having under control prohibited chemicals or fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> <li>● Should in no circumstances feed a food animal with fodder known to be mixed with prohibited chemicals</li> <li>● 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</li> <li>● Should not have in his possession or under control prohibited chemical or fodder containing or mixed with prohibited chemical</li> </ul>
<b>Supply of food animals fed with agricultural and veterinary chemicals</b>	<p>S5(1) Supplying food animals that contain chemicals in excess of MRLs</p>	<ul style="list-style-type: none"> <li>● 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.</li> <li>● Should check against records to make sure animals have met relevant withholding periods for agricultural and</li> </ul>

<b>Production Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
		<p>veterinary chemicals before dispatch, or formally delegate this, with full instructions, to farm workers</p> <ul style="list-style-type: none"> <li>● Should provide information to transporters on the number of animals and their identification number (if appropriate).</li> <li>● Should not breach any suspension order and make sure that the food animals concerned are recalled.</li> <li>● Should keep records of all transactions in the slaughterhouses for 7 days and produces such records when requested by senior veterinary officers or inspectors.</li> </ul>
<b>Labelling of food animals</b>	S7(1) & (3) Labelling or marking food animals	<ul style="list-style-type: none"> <li>● 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.</li> <li>● Should not use false ID marks or aid others to use false ID marks.</li> <li>● Should keep records of all transactions in the slaughterhouses for 7 days and produces such records when requested by senior veterinary officers or inspectors.</li> </ul>

<b>Production Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
<b>Suspension/ Recall Orders</b>	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"> <li>● Should not breach any suspension order and makes sure that the food animals concerned are recalled.</li> <li>● Should comply with any recall order and ensure that the food animals concerned are recalled.</li> <li>● Should comply with Director's direction for disposal of food animals withdrawn or retrieved</li> </ul>

<b>Production Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
<b>Dairy Farmers</b>	S6 Supplying or keeping milk that contains chemicals in excess of MRLs	<ul style="list-style-type: none"> <li>● 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.</li> <li>● 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.</li> </ul>

**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.

## PUBLIC HEALTH (ANIMALS AND BIRDS)(CHEMICAL RESIDUES) REGULATION FOOD ANIMAL WHOLESALERS & IMPORTERS INFORMATION SHEET<sup>1</sup>

In order to help avoid any contravention of the above regulation, food animal wholesalers and importers should, as a minimum, observe the following suggested actions:

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions <sup>2</sup>
<b>Purchasing of Food Animals</b>	S3(2) Keeping food animals containing prohibited chemicals  S5(2) Supplying food animals containing agricultural & veterinary chemicals in excess of MRLs  S7(2) Labelling or marking food animals  S21 Liability offences by body corporate	<ul style="list-style-type: none"> <li>• Should not encourage, pressurize or force food animal farmers to use prohibited chemicals</li> <li>• Should not encourage farmers to sell animals treated with agricultural and veterinary chemicals before the withholding period expires</li> <li>• Should purchase specified food animals only if they are properly identified</li> <li>• Should only purchase animals from food animal farmers and traders with good track record with respect to prohibited chemicals and maximum residue limits</li> <li>• Should not purchase food animals against which a suspension order for supply is in force</li> </ul>

<sup>1</sup> This information sheet is not legal document and only suggest actions for reference of food animal wholesalers & importers with respect to the above Regulation

<sup>2</sup> In case of doubt about the suggested actions, should consult Agricultural, Fisheries and Conservation Department [Dr Mary Chow at 2454 1082] or Food and Environmental Hygiene Department [Dr Shirley Chuk at 2867 5421]

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions <sup>2</sup>
		<ul style="list-style-type: none"> <li>• Should not purchase any animals known or suspected of containing prohibited chemicals or agricultural and veterinary chemicals exceeding MRLs</li> <li>• Should keep records of all purchases and sales including those conducted in the slaughterhouses</li> <li>• Should provide staff involved in animal trading under his charge with clear instructions on procedures for keeping and purchasing food animals.</li> <li>• Should not consent to or connive at purchasing food animals containing prohibited chemicals, agricultural and veterinary chemicals exceeding MRLs, etc.</li> </ul>
<b>Importation of Food Animals</b>	S8 Importing Food Animals with valid certification and identification.	<ul style="list-style-type: none"> <li>• Should purchase imported food animals only if they are accompanied by a valid health certificate regarding status of animals with respect to prohibited and agricultural and veterinary chemicals</li> </ul>
<b>Purchasing of fodder</b>	S3(2) Keeping food animals containing prohibited chemicals  S5(2)	<ul style="list-style-type: none"> <li>• Should only purchase fodder and fodder components from reputable suppliers</li> <li>• Should keep records of all fodder purchases</li> </ul>

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions <sup>2</sup>
	<p>Supplying food animals containing agricultural and veterinary chemicals in excess of MRLs</p> <p>S11(3) Possessing or having under control prohibited chemicals or fodder containing or mixed with prohibited chemicals</p> <p>S11(4) Possessing fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> <li>• Should ensure that all fodder or fodder components known to contain agricultural and veterinary chemicals are properly labeled on the chemical contents and the respective withholding periods.</li> <li>• Should not purchase or possess prohibited chemicals or fodder known to be containing or have been mixed with prohibited chemicals</li> <li>• Should not purchase fodder against which a suspension order is in force</li> <li>• Should return to the supplier any fodder or fodder ingredient against which a recall order is in force</li> </ul>
<p><b>Feeding of Food Animals under his care</b></p>	<p>S3(2) Keeping food animals containing prohibited chemicals</p> <p>S5(2) Supplying food animals containing agricultural and veterinary chemicals in excess of MRLs</p>	<ul style="list-style-type: none"> <li>• Should not have in his possession or under his control prohibited chemical, or fodder containing or mixed with prohibited chemicals, except on veterinary prescription</li> <li>• Should not feed food animals under his control with fodder of unknown chemical composition</li> <li>• Should identify any animals given fodder containing or mixed with agricultural and veterinary chemicals, and observe the relevant</li> </ul>

<b>Operation Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
		withholding period
<b>Suspension/ Recall Orders</b>	S17(2)b Contravening a suspension order made under S9(1) or (3); or a recall order under s10(1) or a direction for disposal of animal withdrawn or retrieved under S10(2)	<ul style="list-style-type: none"> <li>• Should not breach any suspension order and make workers aware of any suspension order in place</li> <li>• Should comply with any recall order and ensure that the food animals concerned are recalled</li> </ul>
<b>Keeping of Records</b>	S16 (1),(2),(3),(4)&(5) Keeping records.	<ul style="list-style-type: none"> <li>• Should keep records of all purchases and sales including those conducted in the slaughterhouses</li> <li>• Should keep records of all transactions in the slaughterhouse for 7 days and produces such records when requested by senior veterinary officers or inspectors</li> </ul>

**ANNEX**

Section	Details of relevant sections of the Regulation
S3(2)	Subject to section 17(6), a food animal trader who knowingly and wilfully keeps any food animal which contains any prohibited chemical commits an offence.
S5(2)	A food animal trader who knowingly and wilfully supplies to or keeps in any slaughterhouse or retail or wholesale market any food animal the tissue of which contains any agricultural and veterinary chemical in excess of the maximum residue limit commits an offence.
S7(2)	No person shall bring or cause to be brought into any slaughterhouse or wholesale market any specified food animal unless the animal has been labelled, marked or otherwise identified in accordance with Schedule 4.
S8	<p>No person shall bring or cause to be brought into Hong Kong any food animal unless-</p> <p>(a) it is accompanied by a valid certificate issued by a competent veterinary authority of the exporting origin certifying that the authority has no reason to suspect to the best of their knowledge-</p> <p>(i) that the food animal contains any prohibited chemical; and</p> <p>(ii) that the concentration of any agricultural and veterinary chemical in the tissues of the food animal exceeds the maximum residue limit; and</p> <p>(b) in the case of a specified food animal, it is labelled, marked or otherwise identified in accordance with Schedule 4.</p>
S9(1)&(3)	<p>(1) Upon receipt of reports or information from the Public Analyst or other sources that-</p> <p>(a) a food animal is suspected of containing a prohibited chemical; or</p> <p>(b) the concentration of an agricultural and veterinary chemical in the tissue of a food animal is suspected of exceeding the maximum residue limit,</p> <p>the Director may make a suspension order, that is to say, an order that the food animal farmer or food animal trader who supplies 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(3)&(4)	<p>(3) Subject to section 17(7), a food animal trader who knowingly and wilfully has in his possession or under his control any prohibited chemical commits an offence.</p> <p>(4) Subject to section 17(8), a food animal trader who knowingly and wilfully has in his possession or under his control fodder containing or mixed with any prohibited chemical commits an offence.</p>
S16 (1),(2),(3),(4)&(5)	<p>(1) A food animal trader who owns, keeps or sells food animals in a slaughterhouse before their slaughtering shall make a record of the following particulars relating to all transactions whereby such food animals are purchased or sold by him after the food animals are admitted to the slaughterhouse-</p> <p>(a) the date and quantity of each transaction;</p> <p>(b) the names and addresses of the sellers or purchasers; and</p> <p>(c) the identification details required of each food animal, where applicable, under section 7(1).</p> <p>(2) A food animal trader who transports food animals to a slaughterhouse shall make a record of the following 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> <p>(3) Records required to be made under this section shall be kept for a minimum period of 7 days.</p>



	<p>(4) A food animal trader shall produce the records required to be kept under this section to the senior veterinary officer or any inspector for inspection when required.</p> <p>(5) A food animal trader commits an offence if he, in purported compliance with the requirement under subsection (4), 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.</p>
S17(2)b	<p>(2) A food animal trader who-</p> <p>(b) contravenes an order [suspension or recall 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 disease; or</p> <p>(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-</p> <p>(i) is packed in the container as originally supplied by the manufacturer; and</p> <p>(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).”</p> <p>(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.”</p>

S21	<p>Where an offence under this Regulation has been committed by a body corporate, any person who, at the time of commission of offence, was a director or an officer concerned in the management of the body corporate shall also be guilty of such offence unless he proves that –</p> <ul style="list-style-type: none"><li>(a) the offence was committed without his consent or connivance; and</li><li>(b) he exercised all due diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances</li></ul>
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**PUBLIC HEALTH (ANIMALS AND BIRDS)(CHEMICAL RESIDUES) REGULATION**  
(abbreviated as “the Regulation” hereafter)

**HARMFUL SUBSTANCES IN FOOD (AMENDMENT) REGULATION 2001**  
(abbreviated as “the Amendment Regulation” hereafter)

**RETAILERS OF FOOD ANIMALS AND RELATED PRODUCTS**  
**INFORMATION SHEET<sup>1</sup>**

In order to help avoid any contravention of the above Regulations, retailers of food animals and the related products should , as a minimum, observe the following suggested actions :

<b>Operation Aspects</b>	<b>Relevant Sections (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
<b>Purchasing/ Importation of Food Animals</b>	S3(2) of the Regulation Keeping food animals containing prohibited chemicals  S5(2) of the Regulation Supplying food animals containing agricultural and veterinary chemicals in excess of MRLs	<ul style="list-style-type: none"> <li>• Should only procure poultry from reputable importers and wholesalers, etc.</li> <li>• Should only purchase poultry from food animal traders or farmers with good track record with respect to prohibited chemicals and maximum residue limits</li> <li>• Should keep receipts of all procurements</li> </ul>

<sup>1</sup> This information sheet is not legal document and only suggests actions for reference of retailers food animals and related products with respect to the Regulation and the Amendment Regulation

<sup>2</sup> In case of doubts about the suggested actions, should consult the Food and Environmental Hygiene Department [Mr Y K Fan at 2867 5568]

Operation Aspects	Relevant Sections (see Annex for details)	Suggested Actions <sup>2</sup>
		<ul style="list-style-type: none"> <li>• Should not have in his possession or under his control prohibited chemical, or fodder containing or mixed with prohibited chemicals</li> </ul>
<b>Purchasing/ Importation of Food Animal Products</b>	<p>Reg 3 of the Amendment Regulation Prohibition of import and sale of food containing certain substances in excessive concentrations</p> <p>Reg 3A of the Amendment Regulation Prohibition of sale of fish, meat and milk containing prohibited chemicals</p>	<ul style="list-style-type: none"> <li>• Should only procure meat from licensed slaughterhouses, reputable importers and wholesalers, etc.</li> <li>• Should only purchase meat from food animal traders or farmers with good track record with respect to prohibited chemicals and maximum residue limits</li> <li>• Should keep receipts of all procurements</li> <li>• Should request the wholesalers/ importers to provide a photocopy of the health certificate accompanying the meat consignment and keep it as a proof of source and fitness for human consumption</li> <li>• Should only import meat from sources approved by the Food and Environmental Hygiene Department in accordance with the Imported Game, Meat and Poultry Regulations, Cap. 132</li> <li>• Should ensure that each consignment of meat must be accompanied with health certificate</li> </ul>

<b>Operation Aspects</b>	<b>Relevant Sections (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
		issued by the health authority recognized by the Food and Environmental Hygiene Department. The health certificate should certify that the meat is fit for human consumption

**ANNEX**

Section	Details of relevant sections of the Regulation
S3(2) of the Regulation	Subject to section 17(6), a food animal trader who knowingly and wilfully keeps any food animal which contains any prohibited chemical commits an offence.
S5(2) of the Regulation	A food animal trader who knowingly and wilfully supplies to or keeps in any slaughterhouse or retail or wholesale market any food animal the tissue of which contains any agricultural and veterinary chemical in excess of the maximum residue limit commits an offence.
Reg.3 of the Amendment Regulation	No person shall import, consign, deliver, manufacture or sell for human consumption, any food of a description specified in Column D of the First Schedule which contains any substance specified opposite thereto in Column B, or the description of such substance in Column C, in greater concentration than is specified opposite thereto in Column E". In other words, the food should not contain chemical substances (the 37 agricultural and veterinary chemicals under the Regulation) exceeding the specified maximum concentration in First Schedule
Reg 3A of the Amendment Regulation	No person shall sell, consign or deliver for sale for human consumption any fish, meat or milk which contains any substance specified in the Second Schedule". The prohibited substances in Second Schedule are the same as the seven prohibited chemicals under the Regulation.

## PUBLIC HEALTH (ANIMALS AND BIRDS)(CHEMICAL RESIDUES) REGULATION FOOD ANIMAL TRANSPORTERS INFORMATION SHEET<sup>1</sup>

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

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions <sup>2</sup>
<b>Identification of Food Animals</b>	S(7)2 Bringing food animals into slaughterhouses or wholesale markets	<ul style="list-style-type: none"> <li>• Should obtain information from farmer on the tattoo number and quantity of food animals and should record, as required, the correct particulars relating to the food animals he carries</li> <li>• Should conduct checks on identification of food animals in every consignment and should fill in admission form provided by FEHD at the slaughterhouses providing FEHD with details of tattoo number and origin of animals</li> <li>• Should not pick up other animals in transit from farms to slaughterhouses or markets, or, if he does, should keep these animals segregated</li> </ul>

<sup>1</sup> This information sheet is not legal document and only suggests actions for reference of **food animal transporters** in respect of the above Regulation

<sup>2</sup> In case of doubt about the suggested actions, should consult Agriculture, Fisheries and Conservation Department [Dr Mary Chow at 2454 1082] or Food and Environmental Hygiene Department [Dr Shirley Chuk at 2867 5421]

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions <sup>2</sup>
<b>Importation of Food Animals</b>	S(8) Importing food animals with valid certification	<ul style="list-style-type: none"> <li>• Should only bring into Hong Kong or deliver imported food animals if they are accompanied by a valid health certificate regarding status of animals with respect to prohibited and agricultural and veterinary chemicals</li> <li>• Should conduct checks on identification of specified food animals in every consignment</li> </ul>
<b>Delivery of food animals</b>	S3 (2) Keeping food animals containing prohibited chemicals  S5 (2) Supplying food animals containing agricultural and veterinary chemicals in excess of MRLs	<ul style="list-style-type: none"> <li>• Should not deliver food animals if he knows or suspects that they contain prohibited chemicals or agricultural and veterinary chemicals above the maximum residue limits.</li> <li>• Should make sure that the animals are being sent to a legitimate slaughterhouse or market</li> </ul>
<b>Delivering animal fodder</b>	S11(3) Possessing or having under control prohibited chemicals  S11(4) Possessing or having under control fodder containing or mixed with prohibited chemicals  S13 Labelling of fodder  S14(1) Order to suspend supply of fodder	<ul style="list-style-type: none"> <li>• Should not deliver fodder or fodder components if he knows or suspects they contain a prohibited chemical.</li> <li>• Should not deliver fodder or fodder components known to contain agricultural and veterinary chemicals if he knows or suspects these are not properly labeled with the chemical contents and the respective withholding periods.</li> </ul>



Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions <sup>2</sup>
	S15 Order to recall fodder	<ul style="list-style-type: none"> <li>• Should not deliver fodder against which a suspension order is in force</li> <li>• Should return to the supplier any fodder or fodder ingredient against which a recall order is in force</li> </ul>
<b>Feeding of Food Animals under his care</b>	<p>S(3)2 Keeping food animals containing prohibited chemicals</p> <p>S(5) 2 Supplying food animals containing agricultural and veterinary chemicals in excess of MRLs</p> <p>S11(3) Possessing or having under control prohibited chemicals</p> <p>S11(4) Possessing or having under control fodder containing or mixed with prohibited chemicals</p>	<ul style="list-style-type: none"> <li>• Should not knowingly have in his possession or under his control prohibited chemical, or fodder containing or mixed with prohibited chemicals</li> <li>• Should not feed food animals under his control with fodder of unknown chemical composition</li> <li>• Should identify animals he feeds with fodder containing agricultural and veterinary chemicals and strictly observe withholding periods</li> </ul>
<b>Suspension/ Recall Orders</b>	S17(2)(b) Contravening a suspension order made under S9(1) or (3); or a recall order under S10(1) or a direction under S10(2)	<ul style="list-style-type: none"> <li>• Should not breach any suspension order and should make sure that food animals subject to a recall order under his control are withheld from sale.</li> <li>• Should not deliver food animals for farms or traders against whom a suspension order is in force</li> </ul>

<b>Operation Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
		<ul style="list-style-type: none"><li data-bbox="1299 367 2016 478">• Should not deliver food animals against which a recall order is in force except for returning to the farm or trader concerned</li></ul>

## ANNEX

Sections	Details of relevant sections of the Regulation
S3(2)	Subject to section 17(6), a food animal trader who knowingly and wilfully keeps any food animal which contains any prohibited chemical commits an offence.
S5(2)	A food animal trader who knowingly and wilfully supplies to or keeps in any slaughterhouse or retail or wholesale market any food animal the tissue of which contains any agricultural and veterinary chemical in excess of the maximum residue limit commits an offence.
S7(2)	No person shall bring or cause to be brought into any slaughterhouse or wholesale market any specified food animal unless the animal has been labelled, marked or otherwise identified in accordance with Schedule 4.
S8	No person shall bring or cause to be brought into Hong Kong any food animal unless- (a) it is accompanied by a valid certificate issued by a competent veterinary authority of the exporting origin certifying that the authority has no reason to suspect to the best of their knowledge- (i) that the food animal contains any prohibited chemical; and (ii) that the concentration of any agricultural and veterinary chemical in the tissues of the food animal exceeds the maximum residue limit; and (b) in the case of a specified food animal, it is labelled, marked or otherwise identified in accordance with Schedule 4.
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 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.  (3) Where- (a) a food animal is suspected of containing a substance which is not a prohibited chemical or an agricultural and veterinary chemical;

	<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(3)&(4)	<p>(3) Subject to section 17(7), a food animal trader who knowingly and wilfully has in his possession or under his control any prohibited chemical commits an offence.</p> <p>(4) Subject to section 17(8), a food animal trader who knowingly and wilfully has in his possession or under his control fodder containing or mixed with any prohibited chemical commits an offence.</p>
S13	<p>(1) No person shall supply or offer to supply any fodder which contains or is mixed with any agricultural and veterinary chemical unless the information set out in subsection (2) is-</p> <p>(a) in the case of the fodder being contained in a package, legibly displayed, in both the English and the Chinese languages, in a conspicuous position on the package; and</p> <p>(b) in any other case, supplied together with the fodder in both the English and the Chinese languages.</p> <p>(2) The information referred to in subsection (1) is-</p> <p>(a) a list of all the agricultural and veterinary chemicals contained or mixed in the fodder and their respective amounts;</p> <p>(b) the instructions for use of the fodder;</p> <p>(c) the withholding period, that is to say, the period of time between feeding the food animal with the fodder for the last time and slaughtering; and</p> <p>(d) the name and address of the fodder supplier.</p> <p>(3) A person commits an offence if he, in purported compliance with the requirement to provide information imposed by subsection (1), provides any information that is incorrect, false or misleading in a material particular and he knows it to be</p>

	incorrect, false or misleading in a material particular.
S14(1)	<p>(1) Upon receipt of reports or information from the Public Analyst or other sources that</p> <p>(a) any fodder is suspected of containing –</p> <p>(i) prohibited chemicals;</p> <p>(ii) agricultural and veterinary chemicals at a level that is likely to endanger animals or the health of any person; or</p> <p>(iii) any other substance that is likely to endanger animals or the health of any person; or</p> <p>(b) any fodder is suspected of being supplied without the information required to be furnished under section 13, or where the information is furnished, the information is incorrect, false, misleading or insufficient</p>
S15	<p>(1) The Director may order any person against whom an order has been made under section 14 to withdraw immediately the fodder already supplied and to retrieve, in the manner and to the extent reasonably possible, those fodder already supplied.</p> <p>(2) The fodder withdrawn or retrieved under sub-section (1) shall be disposed of in such manner as the Director may direct.</p>
S17(2)b	<p>(2) A food animal trader who-</p> <p>(b) contravenes an order made under section 9(1) or (3) or 10(1) or a direction made under section 10(2) commits an offence and is liable to a fine at level 6</p>

## PUBLIC HEALTH (ANIMALS AND BIRDS)(CHEMICAL RESIDUES) REGULATION FODDER SUPPLIER INFORMATION SHEET<sup>1</sup>

In order to help avoid any contravention of the above regulation, fodder suppliers should ensure that they have, as a minimum, observed the following suggested actions:

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions <sup>2</sup>
<b>Supply of Fodder</b>	S12 Supplying prohibited chemicals	<ul style="list-style-type: none"> <li>• Should not supply or offer to supply to a farmer or trader prohibited chemical, or fodder containing or mixed with prohibited chemical</li> <li>• Should only source raw ingredients from reputable suppliers and checks with the suppliers about contents of the fodder as to prohibited chemicals or agricultural and veterinary chemicals</li> <li>• Should keep records of purchases of fodder</li> <li>• Should conduct appropriate audit checks on raw ingredients (e.g. performing checks on animals being fed with these ingredients by clients to ensure that the animals do not contain prohibited chemicals)</li> </ul>

<sup>1</sup> This information sheet is not legal document and only suggest actions for reference of fodder suppliers with respect to the above Regulation

<sup>2</sup> In case of doubt about the suggested actions, please consult Agriculture, Fisheries and Conservation Department (Dr Howard Wong at 2150 7050)

<b>Operation Aspects</b>	<b>Relevant Sections of the above Regulation (see Annex for details)</b>	<b>Suggested Actions<sup>2</sup></b>
<b>Labelling of Fodder</b>	S13 Labelling fodder	<ul style="list-style-type: none"> <li>• Should not sell any fodder or fodder components containing or mixed with agricultural and veterinary chemicals unless these chemicals are fully and properly labeled by producers, importers or distributors</li> </ul>
<b>Suspension and Recall Orders</b>	S(17)(3)(e) Contraveneing an order [suspension/ recall order] made under section 14(1) or 15(1) or a direction made [by the Director] under section 15(2)	<ul style="list-style-type: none"> <li>• When required by a suspension order, should withhold suspended fodder from the distribution channel</li> <li>• When required by a recall order, should recall the contaminated fodder</li> <li>• Should comply with Director's direction for disposal of fodder withdrawn or retrieved</li> </ul>

Section	Details of relevant sections of the Regulation
S12	<p>(1) Subject to section 17(7), a person commits an offence if he supplies or offers to supply any prohibited chemical to any person whom he knows or has reason to believe is a food animal farmer or food animal trader.</p> <p>(2) A person commits an offence if he supplies or offers to supply fodder containing or mixed with any prohibited chemical to any person whom he knows or has reason to believe is a food animal farmer or food animal trader.</p>
S13	<p>(1) No person shall supply or offer to supply any fodder which contains or is mixed with any agricultural and veterinary chemical unless the information set out in subsection (2) is-</p> <p>(a) in the case of the fodder being contained in a package, legibly displayed, in both the English and the Chinese languages, in a conspicuous position on the package; and</p> <p>(b) in any other case, supplied together with the fodder in both the English and the Chinese languages.</p> <p>(2) The information referred to in subsection (1) is-</p> <p>(a) a list of all the agricultural and veterinary chemicals contained or mixed in the fodder and their respective amounts;</p> <p>(b) the instructions for use of the fodder;</p> <p>(c) the withholding period, that is to say, the period of time between feeding the food animal with the fodder for the last time and slaughtering; and</p> <p>(d) the name and address of the fodder supplier.</p> <p>(3) A person commits an offence if he, in purported compliance with the requirement to provide information imposed by subsection (1), 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.</p>
S14(1)	<p>Upon receipt of reports or information from the Public Analyst or other sources that</p> <p>(a) any fodder is suspected of containing –</p> <p>(i) prohibited chemicals;</p> <p>(ii) agricultural and veterinary chemicals at a level that is likely to endanger animals or the health of any person; or</p> <p>(iii) any other substance that is likely to endanger animals or the health of any person; or</p>



	(b) any fodder is suspected of being supplied without the information required to be furnished under section 13, or where the information is furnished, the information is incorrect, false, misleading or insufficient
S15	(1) The Director may order any person against whom an order has been made under section 14 to withdraw immediately the fodder already supplied and to retrieve, in the manner and to the extent reasonably possible, those fodder already supplied.  (2) The fodder withdrawn or retrieved under sub-section (1) shall be disposed of in such manner as the Director may direct.”
S(17)(3)(e)	(3) A person who- (e) contravenes an order made under section 14(1) or 15(1) or a direction made under section 15(2) commits an offence and is liable to a fine at level 6.
S17(7)	(7) A person does not commit an offence under section 11(1) or (3) or 12(1) if he 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 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).