

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

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 ²
Identification of Food Animals	S(7)2 Bringing food animals into slaughterhouses or wholesale markets	<ul style="list-style-type: none"> • 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 • 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 • Should not pick up other animals in transit from farms to slaughterhouses or markets, or, if he does, should keep these animals segregated

¹ This information sheet is not legal document and only suggests actions for reference of **food animal transporters** in respect of 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] 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 ²
Importation of Food Animals	S(8) Importing food animals with valid certification	<ul style="list-style-type: none"> • 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 • Should conduct checks on identification of specified food animals in every consignment
Delivery of food animals	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"> • 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. • Should make sure that the animals are being sent to a legitimate slaughterhouse or market
Delivering animal fodder	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"> • Should not deliver fodder or fodder components if he knows or suspects they contain a prohibited chemical. • 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.

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions ²
	S15 Order to recall fodder	<ul style="list-style-type: none"> • Should not deliver 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
Feeding of Food Animals under his care	<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"> • Should not knowingly have in his possession or under his control prohibited chemical, or fodder containing or mixed with prohibited chemicals • Should not feed food animals under his control with fodder of unknown chemical composition • Should identify animals he feeds with fodder containing agricultural and veterinary chemicals and strictly observe withholding periods
Suspension/ Recall Orders	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"> • 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. • Should not deliver food animals for farms or traders against whom a suspension order is in force

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions²
		<ul style="list-style-type: none"><li data-bbox="1299 368 2016 475">• Should not deliver food animals against which a recall order is in force except for returning to the farm or trader concerned

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>