

PUBLIC HEALTH (ANIMALS AND BIRDS)(CHEMICAL RESIDUES) REGULATION FODDER SUPPLIER INFORMATION SHEET¹

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 ²
Supply of Fodder	S12 Supplying prohibited chemicals	<ul style="list-style-type: none"> • Should not supply or offer to supply to a farmer or trader prohibited chemical, or fodder containing or mixed with prohibited chemical • 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 • Should keep records of purchases of fodder • 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)

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

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

Operation Aspects	Relevant Sections of the above Regulation (see Annex for details)	Suggested Actions²
Labelling of Fodder	S13 Labelling fodder	<ul style="list-style-type: none"> • 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
Suspension and Recall Orders	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"> • When required by a suspension order, should withhold suspended fodder from the distribution channel • When required by a recall order, should recall the contaminated fodder • Should comply with Director's direction for disposal of fodder withdrawn or retrieved

ANNEX

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).