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Secretary for Health, Welfare and Food
(Attn : Mr Vincent LIU, Ag. DS(FEH))
Health, Welfare and Food Bureau
20/F, Murray Building
Garden Road
Hong Kong

4 August 2006

BY FAX
Fax No. : 2136 3281

Dear Mr LIU,

Food Business (Amendment) Regulation 2006 (L.N. 169)

Further to our letter of 19 July 2006, we should be grateful for your clarification of the following points in relation to the Amendment Regulation.

New section 30D(1)

The term “fresh” in relation to beef, mutton and pork is defined under section 3(1) of the Principal Regulation. However, the term “chilled” in relation to beef, mutton and pork is not defined. We are of the view that since the failure to comply with the new section 30D carries an offence under the amended section 35(3)(a) of the Principal Regulation, it would be desirable for the term “chilled” to be defined.

Is the meaning of “beef, mutton and pork” equivalent to that of “the flesh of cattle (including buffaloes), goats, sheep and swine” referred to in paragraph (a) of the definition of the term “meat” under section 3(1) of the Principal Regulation?

New section 31A

Would it be necessary to add “in writing” after “permission” so as to be coherent with the drafting in section 30(1) of the Principal Regulation where it refers to “the permission in writing of the Director”?

Would you confirm whether the effect of the provision is that the Director cannot grant permission to a person to sell, etc.:—

- (a) fresh meat; and
- (b) the chilled flesh of horses, mules, hinnies and donkeys (as referred to in paragraph (b) of the definition of the term “meat” under section 3(1) of the Principal Regulation),

at any premises or market stall?

We should be grateful for your reply, in both languages, to both of our letters at your earliest convenience.

Yours sincerely,

(Stephen LAM)
Assistant Legal Adviser

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