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中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

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11 June 2015

Miss Winnie LO
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Legal Service Division
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1 Legislative Council Road
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(Fax: 2877 5029)

Dear Miss LO,

**Imported Game, Meat and Poultry
(Amendment) Regulation 2015 (L.N. 106 of 2015)**

Thank you for your letter of 10 June 2015. Our responses to the questions raised in your letter are set out below.

The information listed in the new regulation 4(2A) of the Imported Game, Meat and Poultry Regulations (Cap. 132AK) which applies to import of eggs is basically the same as the information the importer is required to provide in order to obtain an import licence under the Import and Export Ordinance (Cap. 60) for import of meat and poultry. Such information includes description of goods, estimated date of arrival of consignment, means of transport, container number, etc.

It is in the spirit of business friendliness and facilitation to put the statutory requirements with regard to import of eggs (such as a health certificate issued by an issuing entity from the place of origin recognized by the Director of Food and Environmental Hygiene to certify that the eggs are fit for human consumption, a transshipment certificate in case the eggs have been transhipped, and a permission in

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writing of a health officer, as stipulated under the Imported Game, Meat and Poultry (Amendment) Regulation 2015 (L.N. 106 of 2015)) under one self-contained regulation. The legislative approach also represents a time-effective means to strengthen control over import of eggs for compliance with the recommendation of the World Organisation for Animal Health that an international veterinary certificate should accompany the import of eggs for human consumption for control of Avian Influenza ("AI") for the purpose of better protecting food safety and public health, while the separate legislative exercise to incorporate under the Food Safety Ordinance other food safety related provisions from other legislation has yet to be completed.¹

The term "country of origin" is amended to "place of origin" under Cap. 132AK. This is part of the changes in nomenclature intended to allow the import of game, meat, poultry and eggs from a place of origin (which does not need to be a country) into Hong Kong. Examples of the places which may fall under the "place of origin" include Taiwan, Macau, Guam and Gibraltar.

The use of "is" in the amended regulation 5(2)(b) of Cap. 132AK is based on the grammatical principle of proximity, i.e. the verb should agree with the nearest antecedent noun in the sequence. Since "prohibited meat" is the nearest noun to the verb and being uncountable, it should take a singular verb, i.e. "is".

Please let us know if you have further questions.

Yours sincerely,



P.P. (Kenneth CHAN)
for Secretary for Food and Health

¹ As explained in the Legislative Council (LegCo) Brief (File Ref: FH CR 2.3821/06) on the "IMPORT AND EXPORT (GENERAL) (AMENDMENT) REGULATION 2015, IMPORTED GAME, MEAT AND POULTRY (AMENDMENT) REGULATION 2015 and FOOD BUSINESS (AMENDMENT) REGULATION 2015, as well as the Administration's letter of the same series of 10 June.