File Ref: EFB 6/12/17

LEGISLATIVE COUNCIL BRIEF

Public Health (Animals and Birds) Ordinance
(Chapter 139)

Public Health and Municipal Services Ordinance
(Chapter 132)

PUBLIC HEALTH (ANIMALS AND BIRDS) (CHEMICAL RESIDUES) REGULATION

HARMFUL SUBSTANCES IN FOOD (AMENDMENT) REGULATION 2001

INTRODUCTION

At the meeting of the Executive Council on 12 June 2001, the Council ADVISED and the Chief Executive ORDERED that the Public Health (Animals and Birds)(Chemical Residues) Regulation ("the Regulation") at **Annex A** should be made under section 3 of the Public Health (Animals and Birds) Ordinance to introduce controls on feeding of chemicals to food animals.

BACKGROUND AND ARGUMENT

General Background

2. The problem of improper feeding of chemicals to food animals became apparent when health-damaging cases of poisoning by clenbuterol through consumption of tainted pig offal occurred in recent years. This problem has been controlled through a voluntary testing and tracing system agreed by the trade and supported by the Mainland's Entry-Exit Inspection and Quarantine Bureau. There is currently no specific legislation to regulate the feeding of chemicals to food animals, especially at the farm level. There are also inadequate controls on the content of animal fodder. Certain chemicals such as clenbuterol should not

be used in food animals under any circumstances because of the acute and immediate harms to humans. However, some irresponsible food animal farmers ("**farmers**") continue to feed these chemicals to their animals to improve growth rate and carcass quality. Other chemicals, such as antibiotics, should only be used in food animals in a manner that does not leave excess residues in food animal products. Not all farmers apply the chemicals properly. Accumulation of such chemicals in human bodies through food consumption may pose detrimental health impacts in time.

3. The Public Health and Municipal Services Ordinance (Cap. 132) protects consumers against food unsafe for human consumption, but the Ordinance makes no provision to trace back to farms which produce the contaminated food animals. This is not effective in preventing the improper use of chemicals in food animals.

4. The Antibiotics Ordinance (Cap. 137) specifically excludes control over antibiotics in animal fodder. The Pharmacy and Poisons Ordinance (Cap. 138) prohibits the use of unregistered pharmaceuticals but does not regulate their use as feed additives once registered. These Ordinances do not cover the improper use of chemicals in food animals.

5. The lack of specific legislation against improper feeding of chemical to food animals is exploited by unscrupulous farmers. The new Regulation aims at regulating the feeding of chemicals to food animals before the animals are sold for human consumption thus solving the problem at source.

The Proposal

6. We **propose to** introduce the Regulation under the Public Health (Animals and Birds) Ordinance to control feeding of chemicals to food animals. The Regulation will prohibit the use of seven chemicals ("the prohibited chemicals"), including clenbuterol, by **farmers** and food animal traders **("traders")** to food animals. The Regulation also establishes "Maximum Residue Limits"(MRL) for 37 other chemicals ("agricultural and veterinary chemicals") in meat, offal or milk with limits in line with international standards. These 37 chemicals should only be used to treat bacterial diseases of food animals in a proper manner. For the

Regulation, food animals include livestock and poultry, but exclude fish.

7. Under the Regulation, we propose to create the following offences which are applicable to **farmers** and **traders** -

(a) the keeping of food animals containing prohibited chemicals;

(b) the supply of food animals containing agricultural and veterinary chemicals exceeding the MRLs in tissues and milk;

(c) the possession of prohibited chemicals; and

(d) the possession of fodder containing or mixed with any prohibited chemical.

8. To strengthen the current voluntary tracing and identification system, farmers and traders will be required by the Regulation to identify their food animals (i.e. pigs, cattle and goats) in a specified manner. Offences are also created for the supply of any prohibited chemical and the supply of fodder containing or mixed with any prohibited chemical to farmers and traders. To help farmers to use fodder properly, the Regulation requires suppliers to furnish information on the content and use of fodder if the fodder contains any agricultural and veterinary chemical.

9. We also propose to provide power to Director of Agriculture, Fisheries and Conservation (DAFC) under the Regulation to suspend and recall the supply of food animals or fodder that are suspected of chemical contamination.

10. There are varying degrees of public health concerns on the various chemicals listed under the Regulation. We also need a reasonable lead time to develop or adapt the testing methods for all the chemicals listed. We shall therefore bring the Regulation into operation in two phases.

(a) The **first phase implementation** will cover the seven prohibited chemicals including clenbuterol and 10 agricultural and veterinary chemicals; and

(b) The **second phase implementation** will cover the remaining 27 agricultural and veterinary chemicals.

We plan to bring into operation the first phase implementation shortly after the Regulation is passed by the Legislative Council. The second phase will come into effect when the related chemical testing methods are fully developed or adapted. We will provide training to farmers and traders to facilitate compliance with the controls.

11. To ensure a consistent standard of chemical residues in the food chain, DFEH has exercised her power under section 55(6)(a)(i) of the Public Health and Municipal Services Ordinance to make separate amendments to the Harmful Substances in Food Regulations through Harmful Substances in Food (Amendment) Regulation 2001 ("the Amendment Regulation") at **Annex B** under section 55(1) of the Ordinance. The Amendment Regulation prohibits the sale of food containing the same seven prohibited chemicals, and the same 37 agricultural and veterinary chemicals exceeding MRL as proposed under the Regulation. For consistency, the Amendment Regulation will be implemented in two phases in line with the time frame for implementing the Regulation.

12. Where necessary and appropriate, we will consider extending the controls under the Regulation to other types of chemicals including chemicals to treat parasites, growth promotants, pesticides and environmental contaminants.

THE REGULATION

13. The principal sections of the Regulation are as follows-

(a) **Section 3** creates an offence for farmers and traders to keep food animals which contain prohibited chemicals unless the chemical is prescribed by a registered veterinary surgeon.

(b) **Sections 5 and 6** create offences for farmers and traders to supply food animals or milk that contain agricultural and

veterinary chemicals exceeding MRL.

(c) **Section 7** requires the identification of food animals before being supplied for human consumption in accordance with Schedule 4.

(d) **Section 8** makes it illegal to import food animals into Hong Kong without a health certificate issued by the competent veterinary authority of the exporting origin.

(e) **Section 9** empowers DAFC to suspend the supply of food animals where food animals are suspected of containing prohibited chemicals or agricultural and veterinary chemicals exceeding MRL.

(f) **Section 10** empowers DAFC to recall the supply of food animals against which a suspension order is in force.

(g) **Section 11(1) and (3)** create offences for farmers and traders who possess a prohibited chemical unless certain exempted circumstances apply.

(h) **Sections 11(2) and (4)** create offences for farmers and traders who possess fodder containing or mixed with any prohibited chemical unless it is prescribed by a registered veterinary surgeon.

(i) **Section 12(1)** prohibits the supply of prohibited chemicals to farmers or traders unless certain exempted circumstances apply.

(j) **Section 13** provides for the furnishing of information regarding the contents and use of fodder which contains any agricultural and veterinary chemical.

(k) **Sections 14 and 15** empower DAFC to suspend or recall the supply of fodder suspected of chemical contamination.

(l) **Section 17** sets out the penalties and defences for the various offences proposed in the Regulation.

(m) **Section 21** provides for the extent of criminal liability on the part of body corporate.

(n) **Schedule 1** sets out the seven prohibited chemicals.

(o) **Schedules 2 and 3** set out the MRL for the 37 agricultural and veterinary chemicals in food animal tissues and milk.

(p) **Schedule 4** sets out the identification requirements in respect of pigs, cattle and goats.

THE AMENDMENT REGULATION

14. The principal sections of the Amendment Regulation are as follows:

(a) **Sections 3 and 6** revise the First Schedule to include the same 37 agricultural and veterinary chemicals with the same concentration limits as listed in Schedules 2 and 3 to the Regulation.

(b) **Section 4** includes milk in scope of control under Regulation 3A regarding prohibition of food containing prohibited substances listed in the revised Second Schedule.

(c) **Section 7** adds four prohibited substances to the existing three in the Second Schedule in accordance with the prohibited chemicals listed in Schedule 1 to the Regulation.

LEGISLATIVE TIMETABLE

15. The legislative timetable for the introduction of the Regulation and the Amendment Regulation will be -

Publication in the Gazette	22 June 2001

BASIC LAW IMPLICATIONS

16. The Department of Justice advises that the Regulation and the Amendment Regulation do not conflict with those provisions of the Basic Law carrying no human rights implications.

HUMAN RIGHTS IMPLICATIONS

17. The Department of Justice advises that the Regulation and the Amendment Regulation are consistent with the human rights provisions of the Basic Law.

BINDING EFFECT OF THE LEGISLATION

18. The Regulation and the Amendment Regulation will not affect the current binding effect of the Public Health (Animals and Birds) Ordinance and the Public Health and Municipal Services Ordinance.

FINANCIAL AND STAFFING IMPLICATIONS

19. For the first phase implementation of the Regulation, we have earmarked :-

(a) $4 million for recurrent expenses including three additional staff for Agriculture, Fisheries and Conservation Department (AFCD);

(b) $2 million for recurrent expenses including three additional staff and $4.2 million of non-recurrent expenses for purchasing the necessary testing equipment for Government Laboratory (GL); and

(c) $3.4 million for recurrent expenses including nine additional staff for Food and Environmental Hygiene Department

(FEHD). The department will re-deploy its existing resources to meet the remaining recurrent expenses of $2.1 million.

Additional resources required by AFCD and GL in the second phase implementation will be sought in the usual way.

ECONOMIC IMPLICATIONS

20. The Regulation is expected to have economic benefits in terms of enhanced food safety and public health.

PUBLIC CONSULTATION

21. AFCD conducted public consultation on the Regulation and the parallel amendments to the Harmful Substances in Food Regulations involving farming organisations, food animal traders, fodder suppliers, meat merchants, environment groups, academic institutions, and medical, veterinary, pharmacist and dietician professionals. We also consulted the Legislative Council Panel on Health Services, and the Advisory Council on Food Safety and Environmental Hygiene. Members of the Panel and the Advisory Council and the majority of the other respondents supported the introduction of the Regulation and the other legislative amendments.

PUBLICITY

22. A press release will be issued on 18 June 2001. A spokesman will be available for answering media enquiries.

ENQUIRY

23. Any enquiry on this brief should be directed to Mrs Ingrid YEUNG, Principal Assistant Secretary for the Environment and Food on tel. 2136 3399 or fax 2136 3281 or Dr Les SIMS, Assistant Director of Agriculture, Fisheries and Conservation Department on tel. 2150 6602 or 2311 3731.

Environment and Food Bureau/
Agricultural, Fisheries and Conservation Department
June 2001

Annex A

PUBLIC HEALTH (ANIMALS AND BIRDS) (CHEMICAL RESIDUES) REGULATION

CONTENTS

PUBLIC HEALTH (ANIMALS AND BIRDS) (CHEMICAL RESIDUES) REGULATION

(Made by the Chief Executive in Council under section 3 of the Public Health (Animals and Birds) Ordinance (Cap. 139))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for the Environment and Food by notice published in the Gazette.

2. Interpretation

In this Regulation, unless the context otherwise requires -

"agricultural and veterinary chemical" (農業及獸醫用化學物) means any substance specified in column (2) of Schedules 2 and 3 and, where applicable, the metabolite of such substance specified in column (3) of Schedules 2 and 3;

"body fluid" (體液) means blood, urine, cerebrospinal fluid, vitreous humor and any other fluid in the body of a food animal but does not include milk;

"competent veterinary authority" (合資格獸醫當局) means a veterinary authority in a country, territory or place outside Hong Kong having the power under the laws in force in that country, territory or place to test or certify the status of food animals regarding the presence of prohibited chemicals and agricultural and veterinary chemicals in them;

"contain" (含有), in relation to a food animal, means to be present in any tissue, body fluid or milk of the food animal;

"fodder" (飼料) means any substance commonly used for the food of food animals;

"food animal" (食用動物) means an animal or bird commonly kept for the purpose of providing food for human consumption;

"food animal farmer" (食用動物飼養人) means -

(a) an owner of food animals kept in or on food animal rearing premises;

(b) an occupier of food animal rearing premises;

(c) a person responsible for the management of food animal rearing premises;

(d) a person keeping food animals, or having the custody or possession of food animals, in or on food animal rearing premises;

(e) a person licensed under regulation 8 of the Dairies Regulations (Cap. 139 sub. leg.) to maintain a dairy; or

(f) a person licensed under section 4 of the Public Health (Animals and Birds)(Licensing of Livestock Keeping) Regulation (Cap. 139 sub. leg.) to keep livestock;

"food animal rearing premises" (殖養場) -

(a) means any premises, buildings, land or land covered by water used for the purpose of keeping food animals; and

(b) does not include any premises comprising any slaughterhouse, lairage, market, fresh provision shop or restaurant;

"food animal trader" (食用動物販商) means -

(a) an owner of food animals kept in places other than food animal rearing premises;

(b) a person responsible for feeding or keeping food animals in places other than food animal rearing premises;

(c) a person who transports food animals;

(d) a person who sells or offers to sell food animals in places other than food animal rearing premises; or

(e) a person who imports food animals into Hong Kong;

"keep" (飼養) includes breed, house, tend, look after and control, and "kept" and "keeping" shall be construed accordingly;

"lairage" (牲口欄) means a part of a slaughterhouse which is used for the confinement of food animals;

"maximum residue limit" (最高殘餘限量) means -

(a) in relation to tissues, the maximum residue limit referred to in section 4(a);

(b) in relation to milk, the maximum residue limit referred to in section 4(b);

"prohibited chemical" (違禁化學物) means any substance specified in Schedule 1;

"Public Analyst" (政府分析員) means the Government Chemist;

"registered dentist" (註冊牙醫) means a dentist who is admitted to the register of dentists under section 9 of the Dentists Registration Ordinance (Cap. 156);

"registered veterinary surgeon" (註冊獸醫) means a veterinary surgeon registered under the Veterinary Surgeons Registration Ordinance (Cap. 529);

"slaughterhouse" (屠房) has the meaning assigned to it by section 2(1) of the Public Health and Municipal Services Ordinance (Cap. 132);

"specified food animal" (指明食用動物) means any of the food animals specified in column (1) of Schedule 4;

"supply" (供應) includes import, manufacture, deliver and sell, and "supplying" and "supplier" (供應商) shall be construed accordingly;

"tissue" (組織) includes meat, offal, hair and any part of a food animal;

"wholesale market" (批發市場) means a market where food animals are sold for resale.

3. Presence of prohibited chemicals in food animals

(1) Subject to section 17(6), a food animal farmer who keeps any food animal which contains any prohibited chemical commits an offence.

(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.

4. Maximum residue limit

For the purposes of this Regulation -

(a) in relation to a concentration of an agricultural and veterinary chemical specified in columns (2) and (3) of Schedule 2 in the tissues of a food animal, the maximum residue limit (MRL) is the amount specified in column (6) opposite the reference to that chemical and the applicable animal species specified in column (4), where the residue is contained in the part of the animal specified opposite it in column (5) of that Schedule;

(b) in relation to a concentration of an agricultural and veterinary chemical specified in columns (2) and (3) of Schedule 3 in the milk of a food animal, the maximum residue limit (MRL) is the amount specified in column (5) opposite the reference to that chemical and the applicable animal species specified in column (4) of that Schedule.

5. Restricting presence of agricultural and veterinary chemical residues in tissues

(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.

(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.

6. Restricting presence of agricultural and veterinary chemical residues in milk

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.

7. Identification of specified food animals

(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.

(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.

(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.

8. Imported food animals to be accompanied by certificates

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.

9. Order to suspend supply of food animals

(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.

(2) Where a food animal in respect of which a suspension order would have been made under subsection (1) is found in a vehicle, vessel, aircraft, market or slaughterhouse, the senior veterinary officer may destroy the food animal or order that the food animal be forfeited forthwith.

(3) Where -

(a) a food animal is suspected of containing a substance which is not a prohibited chemical or an agricultural and veterinary chemical;

(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

(c) it is in the public interest to do so,

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.

(4) Where the Director makes a suspension order under subsection (1) or (3), he shall forthwith notify the food animal farmer or food animal trader (as the case may be) against whom the order has been made in writing and shall state the reason therefor.

10. Order to recall food animals

(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.

(2) The food animals withdrawn or retrieved under subsection (1) shall be disposed of in such manner as the Director may direct.

11. Possession of prohibited chemicals, etc.

(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.

(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.

(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.

(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.

12. Supply of prohibited chemicals, etc.

(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.

(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.

13. Information in respect of fodder

(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 -

(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

(b) in any other case, supplied together with the fodder in both the English and the Chinese languages.

(2) The information referred to in subsection (1) is -

(a) a list of all the agricultural and veterinary chemicals contained or mixed in the fodder and their respective amounts;

(b) the instructions for use of the fodder;

(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

(d) the name and address of the fodder supplier.

(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.

14. Order to suspend supply of fodder

(1) Upon receipt of reports or information from the Public Analyst or other sources that -

(a) any fodder is suspected of containing -

(i) prohibited chemicals;

(ii) agricultural and veterinary chemicals at a level that is likely to endanger animals or the health of any person; or

(iii) any other substance that is likely to endanger animals or the health of any person; or

(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,

the Director may make an order requiring any person who supplies the fodder to suspend the supply of such fodder forthwith for such period as may be reasonably necessary if he considers it in the public interest to do so.

(2) The senior veterinary officer, or any person acting under his direction, may destroy or order the forfeiture of any of the fodder in respect of which an order has been made under subsection (1).

(3) Where the Director makes an order under subsection (1), he shall forthwith notify the person against whom the order has been made in writing and shall state the reason therefor.

15. Order to recall fodder

(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 subsection (1) shall be disposed of in such manner as the Director may direct.

16. Records to be kept

(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 -

(a) the date and quantity of each transaction;

(b) the names and addresses of the sellers or purchasers; and

(c) the identification details required of each food animal, where applicable, under section 7(1).

(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 -

(a) the number of food animals involved in each carriage;

(b) the name and address of the food animal trader or food animal farmer who employs his service, if applicable; and

(c) the identification details required of each food animal, where applicable, under section 7(1).

(3) Records required to be made under this section shall be kept for a minimum period of 7 days.

(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.

(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.

17. Offences and penalties

(1) A food animal farmer who -

(a) commits an offence under section 3(1), 5(1), 6 or 11(1) or (2) is liable to a fine at level 6;

(b) contravenes the provisions of section 7(1) commits an offence and is liable to a fine at level 5;

(c) 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.

(2) A food animal trader who -

(a) commits an offence under section 3(2), 5(2) or 11(3) or (4) is liable to a fine at level 6;

(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;

(c) contravenes the provisions of section 16(1), (2), (3) or (4) commits an offence and is liable to a fine at level 3;

(d) commits an offence under section 16(5) is liable to a fine at level 3.

(3) A person who -

(a) contravenes the provisions of section 7(2) or 13(1) commits an offence and is liable to a fine at level 5;

(b) contravenes the provisions of section 8 commits an offence and is liable to a fine at level 6;

(c) commits an offence under section 7(3)(a) or (b) or 13(3) is liable to a fine at level 5;

(d) commits an offence under section 12(1) or (2) is liable to a fine at level 6;

(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.

(4) In any proceedings for an offence against section 3(1), 5(1), 6 or 11(1) or (2), it shall be a defence (in addition to any other defence that may be provided under this section) for the defendant to prove that he did not know and had no reason to suspect the existence of the circumstances giving rise to the contravention.

(5) In any proceedings for an offence against section 12(1) or (2), it shall be a defence (in addition to any other defence that may be provided under this section) for the defendant to prove that -

(a) in the case of section 12(1), he did not know and had no reason to suspect that the article he supplies or offers to supply is a prohibited chemical; and

(b) in the case of section 12(2), he did not know and had no reason to suspect that the fodder he supplies or offers to supply contains or is mixed with a prohibited chemical.

(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.

(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).

(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.

18. Taking samples for testing

For the purpose of this Regulation, the senior veterinary officer, or any person acting under his direction, may take such samples of -

(a) fodder;

(b) milk; or

(c) tissues or body fluid from any food animal,

as the senior veterinary officer considers appropriate for testing by the Public Analyst or other laboratory or testing facility.

19. Certificate of analysis

(1) Where a sample is submitted to the Public Analyst under section 18, he shall -

(a) as soon as practicable, carry out or cause to be carried out under his direction, an analysis or other test of such sample; and

(b) give to the officer by whom the sample was submitted a certificate in respect of the results of the analysis or other test.

(2) A document referred to in subsection (1) may be signed by the Public Analyst when any analysis or other test has been made by a person acting under his supervision and direction and the Public Analyst is satisfied as to the analysis or other test.

20. Evidence of analysis, etc.

In any proceedings under this Regulation, a document -

(a) produced by the prosecution purporting to be a certificate given by the Public Analyst under section 19; or

(b) supplied to the defendant by the prosecution, purporting to be a copy of such a certificate,

shall be admissible in evidence -

(c) as prima facie evidence of the facts stated therein; and

(d) as having been signed by the person whose signature appears thereon,

unless the contrary is proved.

21. Liability for offences by body corporate

Where an offence under this Regulation has been committed by a body corporate, any person who, at the time of commission of the 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 -

(a) the offence was committed without his consent or connivance; and

(b) he exercised all such 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.

SCHEDULE 1 [s. 2]

PROHIBITED CHEMICALS

(1) Item	(2) Description
1.	Avoparcin
2.	Clenbuterol
3.	Chloramphenicol
4.	Dienoestrol ((E,E)-4,4'-(diethylideneethylene) diphenol) including its salts and esters
5.	Diethylstilboestrol ((E)-α β-diethylstilbene-4, 4' -diol) including its salts and esters
6.	Hexoestrol (meso-4,4'-(1,2-diethylethylene) diphenol) including its salts and esters
7.	Salbutamol

SCHEDULE 2 [ss. 2 & 4(1)]

MAXIMUM RESIDUE LIMIT (MRL) FOR
TISSUES OF FOOD ANIMALS

(1) Item	(2) Chemical	(3) Chemical metabolites	(4) Food animal species	(5) Tissue	(6) MRL
1.	Amoxycillin		All food animals	Muscle	50 µg/kg
				Liver	50 µg/kg
				Kidney	50 µg/kg
2.	Ampicillin		All food animals	Muscle	50 µg/kg
				Liver	50 µg/kg
				Kidney	50 µg/kg
3.	Bacitracin		Bovine	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	500 µg/kg
			Porcine	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	500 µg/kg
			Poultry	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	500 µg/kg
4.	Benzylpenicillin		All food animals	Muscle	50 µg/kg
				Liver	50 µg/kg
				Kidney	50 µg/kg
5.	Carbadox	Quinoxaline-2-carboxylic acid	Porcine	Muscle	5 µg/kg
				Liver	30 µg/kg

6.	Ceftiofur	Desfuroylceftiofur	Bovine	Muscle	1 000 µg/kg
				Liver	2 000 µg/kg
				Kidney	6 000 µg/kg
			Porcine	Muscle	1 000 µg/kg
				Liver	2 000 µg/kg
				Kidney	6 000 µg/kg
7.	Chlortetracycline	Sum of the parent drug and its 4-epimers	All food animals	Muscle	100 µg/kg
				Liver	300 µg/kg
				Kidney	600 µg/kg
8.	Cloxacillin		All food animals	Muscle	300 µg/kg
				Liver	300 µg/kg
				Kidney	300 µg/kg
9.	Colistin		Bovine	Muscle	150 µg/kg
				Liver	150 µg/kg
				Kidney	200 µg/kg
			Porcine	Muscle	150 µg/kg
				Liver	150 µg/kg
				Kidney	200 µg/kg
			Poultry	Muscle	150 µg/kg
				Liver	150 µg/kg
				Kidney	200 µg/kg
10.	Danofloxacin		Bovine	Muscle	200 µg/kg
				Liver	400 µg/kg
				Kidney	400 µg/kg
			Porcine	Muscle	100 µg/kg
				Liver	50 µg/kg
				Kidney	200 µg/kg

			Poultry	Muscle	200 µg/kg
				Liver	400 µg/kg
				Kidney	400 µg/kg
11.	Dicloxacillin		All food animals	Muscle	300 µg/kg
				Liver	300 µg/kg
				Kidney	300 µg/kg
12.	Dihydrostreptomycin	Sum of dihydrostreptomycin and streptomycin	Bovine	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	1 000 µg/kg
			Porcine	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	1 000 µg/kg
			Poultry	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	1 000 µg/kg
13.	Dimetridazole		Porcine	Muscle	5 µg/kg
				Liver	5 µg/kg
				Kidney	5 µg/kg
			Poultry	Muscle	5 µg/kg
				Liver	5 µg/kg
				Kidney	5 µg/kg
14.	Doxycycline		Bovine	Muscle	100 µg/kg
				Liver	300 µg/kg
				Kidney	600 µg/kg
			Porcine	Muscle	100 µg/kg
				Liver	300 µg/kg
				Kidney	600 µg/kg
			Poultry	Muscle	100 µg/kg

				Liver	300 µg/kg
				Kidney	600 µg/kg
15.	Enrofloxacin	Sum of enrofloxacin and ciprofloxacin	Bovine	Muscle	100 µg/kg
				Liver	300 µg/kg
				Kidney	200 µg/kg
			Porcine	Muscle	100 µg/kg
				Liver	200 µg/kg
				Kidney	300 µg/kg
			Poultry	Muscle	100 µg/kg
				Liver	200 µg/kg
				Kidney	300 µg/kg
16.	Erythromycin		Bovine	Muscle	400 µg/kg
				Liver	400 µg/kg
				Kidney	400 µg/kg
			Porcine	Muscle	400 µg/kg
				Liver	400 µg/kg
				Kidney	400 µg/kg
			Poultry	Muscle	400 µg/kg
				Liver	400 µg/kg
				Kidney	400 µg/kg
17.	Flumequine		Bovine	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	3 000 µg/kg
			Porcine	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	3 000 µg/kg
			Poultry	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	3 000 µg/kg

18.	Furaltadone		Porcine	Muscle	0 µg/kg
			Poultry	Muscle	0 µg/kg
19.	Furazolidone		Bovine	Muscle	0 µg/kg
				Liver	0 µg/kg
				Kidney	0 µg/kg
			Porcine	Muscle	0 µg/kg
				Liver	0 µg/kg
				Kidney	0 µg/kg
			Poultry	Muscle	0 µg/kg
				Liver	0 µg/kg
				Kidney	0 µg/kg
20.	Gentamicin		Bovine	Muscle	100 µg/kg
				Liver	2 000 µg/kg
				Kidney	5 000 µg/kg
			Porcine	Muscle	100 µg/kg
				Liver	2 000 µg/kg
				Kidney	5 000 µg/kg
			Poultry	Muscle	100 µg/kg
				Liver	100 µg/kg
				Kidney	100 µg/kg
21.	Ivermectin	22,23-Dihydro-avermectin Bla (H2Bla)	Bovine	Liver	100 µg/kg
			Porcine	Liver	15 µg/kg
22.	Josamycin		Poultry	Muscle	200 µg/kg
				Liver	200 µg/kg
				Kidney	400 µg/kg

23.	Kitasamycin	Porcine	Muscle	200 µg/kg
			Liver	200 µg/kg
			Kidney	200 µg/kg
		Poultry	Muscle	200 µg/kg
			Liver	200 µg/kg
			Kidney	200 µg/kg
24.	Lincomycin	Bovine	Muscle	100 µg/kg
			Liver	500 µg/kg
			Kidney	1 500 µg/kg
		Porcine	Muscle	100 µg/kg
			Liver	500 µg/kg
			Kidney	1 500 µg/kg
		Poultry	Muscle	100 µg/kg
			Liver	500 µg/kg
			Kidney	1 500 µg/kg
25.	Metronidazole	Porcine	Muscle	0 µg/kg
			Liver	0 µg/kg
			Kidney	0 µg/kg
		Poultry	Muscle	0 µg/kg
			Liver	0 µg/kg
			Kidney	0 µg/kg
26.	Neomycin	Bovine	Muscle	500 µg/kg
			Liver	500 µg/kg
			Kidney	10 000 µg/kg
		Porcine	Muscle	500 µg/kg
			Liver	500 µg/kg
			Kidney	10 000 µg/kg
		Poultry	Muscle	500 µg/kg
			Liver	500 µg/kg

				Kidney	10 000 µg/kg
27.	Oxolinic acid		Bovine	Muscle	100 µg/kg
				Liver	150 µg/kg
				Kidney	150 µg/kg
			Porcine	Muscle	100 µg/kg
				Liver	150 µg/kg
				Kidney	150 µg/kg
			Poultry	Muscle	100 µg/kg
				Liver	150 µg/kg
				Kidney	150 µg/kg
28.	Oxytetracycline	Sum of parent drug	All food	Muscle	100 µg/kg
		and its 4-epimer	animals	Liver	300 µg/kg
				Kidney	600 µg/kg
29.	Sarafloxacin		Poultry	Muscle	10 µg/kg
				Liver	80 µg/kg
				Kidney	80 µg/kg
30.	Spectinomycin		Bovine	Muscle	500 µg/kg
				Liver	2 000 µg/kg
				Kidney	5 000 µg/kg
			Porcine	Muscle	500 µg/kg
				Liver	2 000 µg/kg
				Kidney	5 000 µg/kg
			Poultry	Muscle	500 µg/kg
				Liver	2 000 µg/kg
				Kidney	5 000 µg/kg
31.	Streptomycin	Sum of dihydro-	Bovine	Muscle	500 µg/kg
		streptomycin and		Liver	500 µg/kg

		streptomycin		Kidney	1 000 µg/kg
			Porcine	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	1 000 µg/kg
			Poultry	Muscle	500 µg/kg
				Liver	500 µg/kg
				Kidney	1 000 µg/kg
32.	Sulfonamides	Sum of all substances belonging to the sulfonamide group	All food animals	Muscle	100 µg/kg
				Liver	100 µg/kg
				Kidney	100 µg/kg
33.	Tetracycline	Sum of parent drug and its 4-epimer	All food animals	Muscle	100 µg/kg
				Liver	300 µg/kg
				Kidney	600 µg/kg
34.	Tiamulin	Sum of metabolites that may be hydrolysed to 8-alpha-hydroxymutilin	Porcine	Muscle	100 µg/kg
				Liver	500 µg/kg
			Poultry	Muscle	100 µg/kg
				Liver	1 000 µg/kg
35.	Trimethoprim		Bovine	Muscle	50 µg/kg
				Liver	50 µg/kg
				Kidney	50 µg/kg
			Porcine	Muscle	50 µg/kg
				Liver	50 µg/kg
				Kidney	50 µg/kg
			Poultry	Muscle	50 µg/kg
				Liver	50 µg/kg

			Kidney	50 µg/kg
36.	Tylosin	Bovine	Muscle	200 µg/kg
			Liver	200 µg/kg
			Kidney	200 µg/kg
		Porcine	Muscle	200 µg/kg
			Liver	200 µg/kg
			Kidney	200 µg/kg
		Poultry	Muscle	200 µg/kg
			Liver	200 µg/kg
			Kidney	200 µg/kg
37.	Virginiamycin	Porcine	Muscle	100 µg/kg
			Liver	300 µg/kg
			Kidney	400 µg/kg

SCHEDULE 3 [ss. 2 & 4(2)]

MAXIMUM RESIDUE LIMIT (MRL) IN MILK

(1)	(2)	(3)	(4)	(5)
Item	Chemical	Chemical metabolites	Food animal species	MRL
1.	Amoxycillin		All food animals	4 µg/kg
2.	Ampicillin		All food animals	4 µg/kg
3.	Bacitracin		Bovine	500 µg/kg

4.	Benzylpenicillin		All food animals	4 µg/kg
5.	Ceftiofur	Desfuroylceftiofur	Bovine	100 µg/kg
6.	Chlortetracycline	Sum of the parent drug and its 4-epimers	All food animals	100 µg/kg
7.	Cloxacillin		All food animals	30 µg/kg
8.	Colistin		Bovine	50 µg/kg
9.	Dicloxacillin		All food animals	30 µg/kg
10.	Dihydrostreptomycin	Sum of dihydrostreptomycin and streptomycin	Bovine	200 µg/kg
11.	Enrofloxacin	Sum of enrofloxacin and ciprofloxacin	Bovine	100 µg/kg
12.	Erythromycin		Bovine	40 µg/kg
13.	Gentamicin		Bovine	200 µg/kg
14.	Lincomycin		Bovine	150 µg/kg
15.	Neomycin		Bovine	500 µg/kg

16.	Oxytetracycline	Sum of parent drug and its 4-epimer	All food animals	100 µg/kg
17.	Spectinomycin		Bovine	200 µg/kg
18.	Streptomycin	Sum of dihydrostreptomycin and streptomycin	Bovine	200 µg/kg
19.	Sulfonamides	Sum of all substances belonging to the sulfonamide group	All food animals	100 µg/kg
20.	Tetracycline	Sum of parent drug and its 4-epimer	All food animals	100 µg/kg
21.	Trimethoprim		Bovine	50 µg/kg
22.	Tylosin		Bovine	50 µg/kg

SCHEDULE 4 [ss. 2, 7 & 8]

IDENTIFICATION OF FOOD ANIMALS

(1)	(2)
Food animal	Identification

Pig	(a)	Each animal must be identified what at least one tattoo mark comprising 5 separate alphanumeric characters;
	(b)	The tattoo mark used on each animal must be approved by a Senior Veterinary Officer and must allow identification of the farm of origin of the animal;
	(c)	The tattoo must be applied in black, dark blue or dark purple, non-toxic ink on the rump or back of the animal; and
	(d)	Each alphanumeric character in the tattoo must measure not less than 1.5 cm by 2 cm.
Cattle	(a)	Each animal must carry a tag in its ear measuring not less than 3 cm by 6 cm and printed with at least 6 alphanumeric characters;
	(b)	The combination of alphanumeric characters used on each animal must be approved by a Senior Veterinary Officer and must allow identification of the farm of origin of the animal; and
	(c)	Each alphanumeric character must measure not less than 0.5 cm by 0.7 cm.
Goat	(a)	Each animal must carry a tag in its ear measuring not less than 3 cm by 6 cm and printed with at least 6 alphanumeric characters;
	(b)	The combination of alphanumeric characters used on each animal must be approved by a Senior Veterinary Officer and must allow identification of the farm of origin of the animal; and

(c) Each alphanumeric character must measure not less than 0.5 cm by 0.7 cm.

Clerk to the Executive Council

COUNCIL CHAMBER

2001

Explanatory Note

This Regulation which is made under the Public Health (Animals and Birds) Ordinance (Cap. 139) -

(a) provides for regulatory control over the feeding of specified chemicals to animals commonly kept for human consumption (food animals);

(b) creates an offence for farmers and traders who possess or supply specified prohibited chemicals;

(c) creates an offence for farmers and traders who keep food animals containing specified prohibited chemicals;

(d) makes it unlawful for the supply of food animals and milk containing specified agricultural and veterinary chemicals in excessive concentrations;

(e) requires the labelling and identification of certain food animals;

(f) prohibits the importation of food animals without documents issued by exporting countries certifying the status of food animals with respect to the presence of chemicals in such animals;

(g) requires traders operating in slaughterhouses to keep records of food animals being slaughtered;

(h) empowers the Director of Agriculture, Fisheries and Conservation to make orders to suspend or recall the supply of food animals and fodders under certain circumstances; and

(i) empowers the senior veterinary officer and Public Analyst to take samples for testing and to issue certificate of analysis for the better carrying out of this Regulation.

Annex B

HARMFUL SUBSTANCES IN FOOD (AMENDMENT) REGULATION 2001

(Made under section 55(1) of the Public Health and Municipal Services Ordinance (Cap. 132))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Director of Food and Environmental Hygiene by notice published in the Gazette.

2. Interpretation

Regulation 2 of the Harmful Substances in Food Regulations (Cap. 132 sub. leg.) is amended -

(a) by repealing the definitions of "aflatoxin" and "erucic acid";

(b) in the definition of "meat", by adding "(including blood)" after "edible part";

(c) by adding -

""food animal" (食用動物) means an animal or bird commonly kept for the purpose of providing food for human consumption;".

3. Prohibition of import and sale of food containing certain substances in excessive concentrations

Regulation 3 is amended by repealing everything after "specified in" and substituting "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.".

4. Prohibition of sale of fish, meat and milk containing prohibited substances

Regulation 3A is amended by repealing "poultry (including live poultry)" and substituting "milk".

5. Amendment of First Schedule

Regulation 4 is amended by repealing "C" and substituting "E".

6. First Schedule substituted

The First Schedule is repealed and the following substituted -

"FIRST SCHEDULE [regs. 3 & 4]

MAXIMUM CONCENTRATION OF CERTAIN SUBSTANCES PRESENT IN SPECIFIED FOODS

A	B	C	D	E
Item	Substance	Description of substance	Description of food	Maximum concentration
1.	Aflatoxin	Group of bis-furanocoumarin compounds and includes aflatoxin B1, B2, G1, G2, M1, M2, P1 and aflatoxicol	Any food other than peanut or its products	15 micrograms per kilogram of the food.
			Peanuts or peanut products	20 micrograms per kilogram of the food.
2.	Amoxycillin		Muscle, liver and	50 micrograms per kilogram

		kidney of all food animals	of the food.
		Milk	4 micrograms per kilogram of the food.
3.	Ampicillin	Muscle, liver and kidney of all food animals	50 micrograms per kilogram of the food.
		Milk	4 micrograms per kilogram of the food.
4.	Bacitracin	Muscle, liver and kidney of bovine, porcine and poultry	500 micrograms per kilogram of the food.
		Milk	500 micrograms per kilogram of the food.
5.	Benzylpenicillin	Muscle, liver and kidney of all food animals	50 micrograms per kilogram of the food.
		Milk	4 micrograms

				per kilogram of the food.
6.	Carbadox	Quinoxaline-2-carboxylic acid	Muscle of porcine	5 micrograms per kilogram of the food.
			Liver of porcine	30 micrograms per kilogram of the food.
7.	Ceftiofur	Desfuroylceftiofur	Muscle of bovine and porcine	1 000 micrograms per kilogram of the food.
			Liver of bovine and porcine	2 000 micrograms per kilogram of the food.
			Kidney of bovine and porcine	6 000 micrograms per kilogram of the food.
			Milk	100 micrograms per kilogram of the food.
8.	Chlortetracycline	Sum of the parent drug and its 4-epimers	Muscle of all food animals	100 micrograms per kilogram of the food.
			Liver of all food animals	300 micrograms per kilogram of the food.
			Kidney of	600 micrograms

		all food animals	per kilogram of the food.
		Milk	100 micrograms per kilogram of the food.
9.	Cloxacillin	Muscle, liver and kidney of all food animals	300 micrograms per kilogram of the food.
		Milk	30 micrograms per kilogram of the food.
10.	Colistin	Muscle and liver of bovine, porcine and poultry	150 micrograms per kilogram of the food.
		Kidney of bovine, porcine and poultry	200 micrograms per kilogram of the food.
		Milk	50 micrograms per kilogram of the food.
11.	Danofloxacin	Muscle of bovine and poultry	200 micrograms per kilogram of the food.

			Muscle of porcine	100 micrograms per kilogram of the food.
			Liver of bovine and poultry	400 micrograms per kilogram of the food.
			Liver of porcine	50 micrograms per kilogram of the food.
			Kidney of bovine and poultry	400 micrograms per kilogram of the food.
			Kidney of porcine	200 micrograms per kilogram of the food.
12.	Dicloxacillin		Muscle, liver and kidney of all food animals	300 micrograms per kilogram of the food.
			Milk	30 micrograms per kilogram of the food.
13.	Dihydrostreptomy-cin	Sum of dihydrostreptomycin and streptomycin	Muscle and liver of bovine, porcine and poultry	500 micrograms per kilogram of the food.

			Kidney of bovine, porcine and poultry	1 000 micrograms per kilogram of the food.
			Milk	200 micrograms per kilogram of the food.
14.	Dimetridazole		Muscle, liver and kidney of porcine and poultry	5 micrograms per kilogram of the food.
15.	Doxycycline		Muscle of bovine, porcine and poultry	100 micrograms per kilogram of the food.
			Liver of bovine, porcine and poultry	300 micrograms per kilogram of the food.
			Kidney of bovine, porcine and poultry	600 micrograms per kilogram of the food.
16.	Enrofloxacin	Sum of enrofloxacin and ciprofloxacin	Muscle of bovine, porcine and poultry	100 micrograms per kilogram of the food.
			Liver of	300 micrograms

			Bovine	per kilogram of the food.
			Liver of porcine and poultry	200 micrograms per kilogram of the food.
			Kidney of bovine	200 micrograms per kilogram of the food.
			Kidney of porcine and poultry	300 micrograms per kilogram of the food.
			Milk	100 micrograms per kilogram of the food.
17.	Erucic acid	The fatty acid cis-docos-13-enoic acid	Any food to which oil or fat or a mixture thereof has been added	5 per centum by weight of their fatty acid content of all the oils and fats in the food.
			Any oil or fat or any mixture thereof	5 per centum by weight of their fatty acid content.
18.	Erythromycin		Muscle, liver and kidney of bovine,	400 micrograms per kilogram of the food.

		porcine and poultry	
		Milk	40 micrograms per kilogram of the food.
19.	Flumequine	Muscle and liver of bovine, porcine and poultry	500 micrograms per kilogram of the food.
		Kidney of bovine, porcine and poultry	3 000 micrograms per kilogram of the food.
20.	Furaltadone	Muscle of porcine and poultry	0 microgram per kilogram of the food.
21.	Furazolidone	Muscle, liver and kidney of bovine, porcine and poultry	0 microgram per kilogram of the food.
22.	Gentamicin	Muscle of bovine, porcine and poultry	100 micrograms per kilogram of the food.
		Liver of bovine and	2 000 micrograms per kilogram

			Porcine	of the food.
			Kidney of bovine and porcine	5 000 micrograms per kilogram of the food.
			Liver and kidney of poultry	100 micrograms per kilogram of the food.
			Milk	200 micrograms per kilogram of the food.
23.	Ivermectin	22, 23-Dihydroavermectin Bla (H2Bla)	Liver of bovine	100 micrograms per kilogram of the food.
			Liver of porcine	15 micrograms per kilogram of the food.
24.	Josamycin		Muscle and liver of poultry	200 micrograms per kilogram of the food.
			Kidney of poultry	400 micrograms per kilogram of the food.
25.	Kitasamycin		Muscle, liver and kidney of porcine and poultry	200 micrograms per kilogram of the food.

26.	Lincomycin	Muscle of bovine, porcine and poultry	100 micrograms per kilogram of the food.
		Liver of bovine, porcine and poultry	500 micrograms per kilogram of the food.
		Kidney of bovine, porcine and poultry	1 500 micrograms per kilogram of the food.
		Milk	150 micrograms per kilogram of the food.
27.	Metronidazole	Muscle, liver and kidney of porcine and poultry	0 microgram per kilogram of the food.
28.	Neomycin	Muscle and liver of bovine, porcine and poultry	500 micrograms per kilogram of the food.
		Kidney of bovine, porcine and poultry	10 000 micrograms per kilogram of the food.

			Milk	500 micrograms per kilogram of the food.
29.	Oxolinic acid		Muscle of bovine, porcine and poultry	100 micrograms per kilogram of the food.
			Liver and kidney of bovine, porcine and poultry	150 micrograms per kilogram of the food.
30.	Oxytetracycline	Sum of parent drug and its 4-epimer	Muscle of all food animals	100 micrograms per kilogram of the food.
			Liver of all food animals	300 micrograms per kilogram of the food.
			Kidney of all food animals	600 micrograms per kilogram of the food.
			Milk	100 micrograms per kilogram of the food.
31.	Sarafloxacin		Muscle of poultry	10 micrograms per kilogram of the food.
			Liver and	80 micrograms

			kidney of poultry	per kilogram of the food.
32.	Spectinomycin		Muscle of bovine, porcine and poultry	500 micrograms per kilogram of the food.
			Liver of bovine, porcine and poultry	2 000 micrograms per kilogram of the food.
			Kidney of bovine, porcine and poultry	5 000 micrograms per kilogram of the food.
			Milk	200 micrograms per kilogram of the food.
33.	Streptomycin	Sum of dihydrostreptomycin and streptomycin	Muscle and liver of bovine, porcine and poultry	500 micrograms per kilogram of the food.
			Kidney of bovine, porcine and poultry	1 000 micrograms per kilogram of the food.
			Milk	200 micrograms per kilogram of the food.

34.	Sulfonamides	Sum of all substances belonging to the sulfonamide group	Muscle, liver and kidney of all food animals	100 micrograms per kilogram of the food.
			Milk	100 micrograms per kilogram of the food.
35.	Tetracycline	Sum of parent drug and its 4-epimer	Muscle of all food animals	100 micrograms per kilogram of the food.
			Liver of all food animals	300 micrograms per kilogram of the food.
			Kidney of all food animals	600 micrograms per kilogram of the food.
			Milk	100 micrograms per kilogram of the food.
36.	Tiamulin	Sum of metabolites that may be hydrolysed to 8-alpha-hydroxymutilin	Muscle of porcine and poultry	100 micrograms per kilogram of the food.
			Liver of porcine	500 micrograms per kilogram of the food.
			Liver of	1 000 micrograms

		poultry	per kilogram of the food.
37.	Trimethoprim	Muscle, liver and kidney of bovine, porcine and poultry	50 micrograms per kilogram of the food.
		Milk	50 micrograms per kilogram of the food.
38.	Tylosin	Muscle, liver and kidney of bovine, porcine and poultry	200 micrograms per kilogram of the food.
		Milk	50 micrograms per kilogram of the food.
39.	Virginiamycin	Muscle of porcine	100 micrograms per kilogram of the food.
		Liver of porcine	300 micrograms per kilogram of the food.
		Kidney of porcine	400 micrograms per kilogram of the food.".

7. Prohibited substances

The Second Schedule is amended by repealing item 4 and substituting -

"4. Avoparcin.

5. Clenbuterol.

6. Chloramphenicol.

7. Salbutamol.".

Director of Food and Environmental Hygiene

2001

Explanatory Note

This Regulation amends the Harmful Substances in Food Regulations (Cap. 132 sub. leg.) to extend the scope of prohibition in respect of -

(a) the importation and sale of food containing certain chemicals in excessive concentrations; and

(b) the sale of food containing certain prohibited substances.