

**For discussion
on 15 April 2005**

LegCo Panel on Food Safety and Environmental Hygiene

**Enhanced Control Measures on the Sale of
Imported Chilled Meat at Retail Level**

Purpose

This paper sets out additional measures to address the concerns expressed by local fresh meat retailers' associations and local pig farmers over the Government's control on the sale of imported chilled meat at retail level.

Background

2. At the meeting of the LegCo Panel on Food Safety and Environmental Hygiene held on 8 March 2005, Members were informed that we would continue to take law enforcement actions against any persons selling imported chilled meat as fresh meat at retail outlets and explore other measures to safeguard the interests of the consumers.

Existing Regulatory Framework at Retail Level

3. As at 1.1.2005, there are 438 fresh provision shops (FPSs) (including supermarkets) and 24 FEHD market stalls selling imported chilled meat in addition to fresh meat. Licensees of FPSs/ tenants of FEHD market stalls selling fresh meat can sell imported chilled meat on compliance of a set of licensing requirements and conditions/tenancy clauses as stipulated at **Annex I**. These requirements and conditions/tenancy clauses basically control the source of supply, handling, display and storage of chilled meat. In particular, operators are not allowed to display and sell chilled meat as fresh meat. Operators are also required to display a legible notice at a conspicuous location and on the refrigerator stating that imported chilled meat is available for sale on the premises for information of the consumers.

4. FEHD has increased the gravity of sanction against FPS licensees/FEHD market stall tenants displaying or selling chilled meat as fresh meat since June 2003 to deter malpractice. DFEH will cancel the FPS licence/terminate the market tenancy once such malpractice is discovered. DFEH will not exercise his discretion to suspend the “immediate cancellation/termination” decision if the licensee/stall tenant appeals against the decision to be heard in the respective appeal tribunals.

Views from the Fresh Meat Trade

5. In a recent discussion with the representatives of the fresh meat trade to deter unscrupulous meat traders selling chilled meat as fresh meat, the fresh meat trade representatives were of the view that the following measures should be pursued -

- (a) to ensure that the consumers can make an informed choice, clear, legible and unobstructed notices of adequately large size providing information that imported chilled meat is available for sale on the premises should be prominently displayed at the shop/stall front and facing the customers. Legible notice should also be affixed on the display chiller stating that it is for the display for sale of imported chilled meat;
- (b) imported chilled meat for sale should be stored and displayed in a purpose-made display chiller maintained at a temperature between 0 degree Celsius and 4 degree Celsius and placed at the shop/stall front for the convenience of the customers; and
- (c) to enhance the existing system of checking approved source of fresh meat supply from local licensed slaughterhouse(s), all licensees of FPSs/tenants of market stalls selling fresh meat should be required to register themselves with the local licensed slaughterhouse(s); and the names and addresses of the meat shops/stalls concerned should be shown on the delivery notes provided by the slaughterhouse(s).

To give sufficient deterrence to the unscrupulous traders, the trade representatives considered that stringent sanction should be imposed on

those who breach conditions made under paragraph 5(a) and (b) above.

The Proposal

6. Taking account of the views of the fresh meat trade representatives, we have reviewed the existing licensing requirements and conditions/tenancy clauses applicable to the sale of chilled meat in fresh meat shops/stalls. A new set of licensing requirements and conditions/tenancy clauses is proposed at **Annex II**. We will at the same time recommend a change to the current sanction policy by imposing immediate cancellation of FPS licence/termination of market tenancy in regard to any failure to observe the relevant licensing conditions/ tenancy clauses made under paragraph 5(a) and (b) above. DFEH will not exercise his discretion to suspend the “immediate cancellation/termination” decision if the licensee/stall tenant appeals against the decision to be heard in the respective appeal tribunals.

7. Relevant licensing requirements and conditions/tenancy clauses in **Annex II** shall also apply to FPSs and market stalls endorsed to sell chilled meat only.

8. We recommend the new set of licensing requirements and conditions/tenancy clauses and the new sanction policy be implemented on 1 June 2005.

Health, Welfare and Food Bureau
Food and Environmental Hygiene Department
April 2005

**Existing Licensing Requirements and Conditions and Tenancy Clauses
for the Sale of Imported Chilled Meat in Fresh Provision Shops
and FEHD Market Stalls Selling Fresh Meat**

Licensing Requirements/Tenancy Clauses

1. A refrigerator or refrigerators of suitable capacity and in good working order shall be provided for the storage and display for sale of imported chilled meat. A thermometer shall be provided to the refrigerator to show the temperature throughout the time when the meat is being stored at the refrigerator.

(Note: For the purpose of this requirement/tenancy clause, “Imported Chilled Meat” means imported meat which has been preserved by chilling at a temperature above freezing point from the point of slaughter, storage and transportation to the point of sale.)

2. Legible notices rectangular in shape with sides of at least 30 cm in length and at least 20 cm in width printed with legible English letters “Imported Chilled Meat for Sale” and legible Chinese words “本店有進口冰鮮肉出售” shall be displayed at all times conspicuously at the premises and on the refrigerator(s) for the display for sale of such commodities.

Licensing Conditions/Tenancy Clauses

1. Imported chilled meat delivered to the fresh provision shop/market stall shall be stored or displayed in the refrigerator(s) at a temperature not exceeding 4 degree Celsius at all times and sold direct from the refrigerator(s) to customers. The chilled meat shall only be taken out from the refrigerator for the purpose of cutting up to meet the immediate orders of customers, weighing and wrapping for delivery or handing over to customers.

(Note: For the purpose of this condition/tenancy clause, “Imported Chilled Meat” means imported meat which has been preserved by chilling at a temperature above freezing point from the point of slaughter, storage and transportation to the point of sale.)

2. Imported chilled meat shall not be displayed or sold as fresh meat¹.

(Note: For the purpose of this condition/tenancy clause, “Imported Chilled Meat” means imported meat which has been preserved by chilling at a temperature above freezing point from the point of slaughter, storage and transportation to the point of sale. “Fresh Meat” means meat derived from animals which have been slaughtered in a licensed local slaughterhouse.)

3. Chilled commodities shall be stored at a temperature between 0 degree Celsius and 4 degree Celsius.
4. The fresh meat shall be obtained from lawful source. The licensee/market stall tenant shall on demand by any health inspector produce for inspection evidence showing that the fresh meat is obtained from such source.
5. Purchase invoices/delivery notes showing the dates, descriptions of product, quantities, names and address of supplier of fresh and chilled meat shall be kept for at least 60 days and be readily available for inspection and for making copies by the Director of Food and Environmental Hygiene on demand at all times.
6. Legible notices rectangular in shape with sides of at least 30 cm in length and at least 20 cm in width printed with legible English letters “Imported Chilled Meat for Sale” and legible Chinese words “本店有進口冰鮮肉出售” shall be displayed at all times conspicuously at the premises and on the refrigerator(s) for the display for sale of such commodities.

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¹ Breach of the condition warrants immediate cancellation of the fresh provision shop licence or termination of the market tenancy without warning. The Director of Food and Environmental Hygiene will not exercise his discretion to suspend the “immediate cancellation/termination” decision if the licensee/stall tenant appeals against the decision to be heard in the respective appeal tribunals..

**Proposed Licensing Requirements and Conditions and Tenancy Clauses
for the Sale of Imported Chilled Meat in Fresh Provision Shops
and FEHD Market stalls Selling Fresh Meat**

Licensing Requirements/Tenancy Clauses

1. Not less than one display chiller of suitable capacity and in good working order shall be provided for displaying imported chilled meat for sale at the front portion of the premises and unobstructed at all times. A thermometer shall be provided to the chiller to show the temperature between 0 degree Celsius and 4 degree Celsius throughout the time when the imported chilled meat is being stored inside the chiller.

(Note: For the purpose of this requirement/tenancy clause, “Imported Chilled Meat” means imported meat which has been preserved by chilling at a temperature between 0 degree Celsius and 4 degree Celsius from the point of slaughter, storage and transportation to the point of sale.)

2. (i) A rectangular notice made of acrylic material with the sides measuring not less than 40 cm (length) x 30 cm (width) and printed with **RED** legible English letters “Imported Chilled Meat for Sale” and **RED** legible Chinese words “本店有進口冰鮮肉出售” shall be provided. In the said notice, the size of each Chinese character shall not be less than 5 cm (height) x 5 cm (width) and the size of each English letter shall not be less than 2 cm (height) x 2 cm (width). The notice shall be affixed at a conspicuous location facing the customers at the fresh meat portion and unobstructed at all times.
- (ii) A rectangular notice made of acrylic material and printed with **RED** legible English letters “For Chilled Meat Only” and **RED** legible Chinese words “冰鮮肉專用” shall be affixed at a conspicuous position on the display chiller and unobstructed at all times.

Licensing Conditions/Tenancy Clauses

1. Chiller(s) used for the display of imported chilled meat for sale on the premises shall be provided in the front portion of the premises, unobstructed at all times and

in good working order¹.

(Note: For the purpose of this condition/tenancy clause, “Imported Chilled Meat” means imported meat which has been preserved by chilling at a temperature between 0 degree Celsius and 4 degree Celsius from the point of slaughter, storage and transportation to the point of sale.)

2. Imported chilled meat shall be displayed for sale on the premises inside display chiller(s) being maintained at a temperature between 0 degree Celsius and 4 degree Celsius at all times. The imported chilled meat shall only be taken out from the display chiller for the purpose of cutting, weighing and wrapping to meet the immediate orders of customers¹.

(Note: For the purpose of this condition/tenancy clause, “Imported Chilled Meat” means imported meat which has been preserved by chilling at a temperature between 0 degree Celsius and 4 degree Celsius from the point of slaughter, storage and transportation to the point of sale.)

3. Imported chilled meat shall not be displayed or sold as fresh meat¹.

(Note: For the purpose of this condition/tenancy clause, “Imported Chilled Meat” means imported meat which has been preserved by chilling at a temperature between 0 degree Celsius and 4 degree Celsius from the point of slaughter, storage and transportation to the point of sale. “Fresh Meat” means meat derived from animals which have been slaughtered in a licensed local slaughterhouse.)

4. (i) A rectangular notice made of acrylic material with the sides measuring not less than 40 cm (length) x 30 cm (width) and printed with **RED** legible English letters “Imported Chilled Meat for Sale” and **RED** legible Chinese words “本店有進口冰鮮肉出售” shall be displayed at a conspicuous location facing the customers at the meat portion and unobstructed at all

¹ Breach of the condition warrants immediate cancellation of the fresh provision shop licence or termination of the market tenancy without warning. The Director of Food and Environmental Hygiene will not exercise his discretion to suspend the “immediate cancellation/termination” decision if the licensee/stall tenant appeals against the decision to be heard in the respective appeal tribunals..

times. In the said notice, the size of each Chinese character shall not be less than 5 cm (height) x 5 cm (width) and the size of each English letter shall not be less than 2 cm (height) x 2 cm (width)¹.

(ii) A rectangular notice made of acrylic material and printed with **RED** legible English letters “For Chilled Meat Only” and **RED** legible Chinese words “冰鮮肉專用” shall be displayed at a conspicuous position on the display chiller and unobstructed at all times¹.

5. All fresh meat sold on the premises shall be obtained from local licensed slaughterhouses. Unless with the approval of the Director of Food and Environmental Hygiene, the licensee/market stall tenant shall register with local licensed slaughterhouse(s) his fresh provision shop/market stall and, on demand by a health inspector, produce for inspection delivery notes of the fresh meat issued by the licensed slaughterhouse(s) to that premises, which bear the date of slaughter, description of the commodities, quantity, name and address of that premises registered with the slaughterhouse(s).
6. Delivery notes and purchase invoices of fresh meat and imported chilled meat shall be kept for at least 60 days and be readily available for inspection and for making copies by a health inspector on demand at all times.

(Note: For the purpose of this condition/tenancy clause, “Fresh Meat” means meat derived from animals which have been slaughtered in a licensed local slaughterhouse. “Imported Chilled Meat” means imported meat which has been preserved by chilling at a temperature between 0 degree Celsius and 4 degree Celsius from the point of slaughter, storage and transportation to the point of sale.)

Food and Environmental Hygiene Department
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