

**L.N. 185 of 2008****FOOD BUSINESS (AMENDMENT)  
REGULATION 2008**

(Made by the Director of Food and Environmental Hygiene under section 56 of the Public Health and Municipal Services Ordinance (Cap. 132))

**1. Commencement**

This Regulation shall come into operation on 2 July 2008.

**2 Restriction on sale, etc. of specified articles**

(1) Section 30(2)(a) of the Food Business Regulation (Cap. 132 sub. leg. X) is amended by adding “, subject to section 30AA(2),” before “be valid”.

(2) Section 30(2)(b) is amended by adding “, subject to section 30AA(2),” before “be valid”.

(3) Section 30(2)(c) is amended by adding “subject to section 30AA(2),” before “be valid”.

**3. Section added**

The following is added after section 30—

**“30AA. No live poultry at retail premises overnight**

(1) A permittee shall ensure that—

(a) each day, before 8:00 p.m., all live poultry remaining at the relevant permitted premises (whether sold or unsold) is slaughtered; and

(b) there is no live poultry at the permitted premises between 8:00 p.m. each day and 5:00 a.m. the next day.

(2) Without limiting any other powers the Director has in respect of the revocation of a permission, the Director may revoke the relevant permission if subsection (1) is contravened.

(3) In this section—

“permission” (准許) means a permission granted under section 30(1)(a) in respect of any food specified in item 4(a) and (b) of Schedule 2;

“permitted premises” (獲准許處所), in relation to a permission, means the premises at which the relevant permittee is permitted to sell or offer or expose for sale, or possess for sale or for use in the preparation of any article of food for sale, any food specified in item 4(a) and (b) of Schedule 2;

“permittee” (獲准許人士) means a person who has been granted a permission.”.

#### 4. Offences and penalties

(1) Section 35(1)(a) is amended by adding “30AA(1),” before “30A”.

(2) Section 35(3)(a) is amended, in the English text, by repealing “31(1)” and substituting “31(1),”.

(3) Section 35(3) is amended by adding after paragraph (a)—

“(aaa) in the case of an offence under section 30AA(1), a fine at level 5 and imprisonment for 6 months;”.

(4) Section 35(3)(aa) is amended, in the English text, by repealing “30C(1)” and substituting “30C(1),”.

#### 5. Restricted foods

Schedule 2 is amended, within the square brackets, by adding “, 30AA” after “ss. 30”.

CHEUK Wing-hing  
Director of Food and  
Environmental Hygiene

25 June 2008

#### Explanatory Note

This Regulation amends the Food Business Regulation (Cap. 132 sub. leg. X) to—

- (a) require the slaughtering of all live poultry remaining at retail premises before 8:00 p.m. each day; and
- (b) require that there is no live poultry at retail premises between 8:00 p.m. each day and 5:00 a.m. the next day.