

Provisions of Zhejiang Province for the Implementation of “Management Regulations on Live Pig Slaughter”

(Adopted at the 54th Executive Meeting of the People’s Government of Zhejiang Province, promulgated by Decree No.274 of the People’s Government of Zhejiang Province on July 20, 2010)

Chapter I General Provisions

Article 1

With a view to enhancing the management of live pig slaughter, guaranteeing the quality safety of live pig products, ensuring food safety and safeguarding the health of the people, these Provisions are formulated in accordance with “Management Regulations on Live Pig Slaughter” issued by the State Council, relevant laws and regulations, and in the light of the actual circumstances of this Province.

Article 2

These Provisions shall be applicable to the slaughter of live pigs, the processing, sales, storage and transportation of live pig products and the supervision and management of the above activities within the administrative area of this province. These Provisions are not applicable to the slaughter of live pigs by individuals in rural areas for their own consumption.

Article 3

The system of designated slaughter and centralized quarantine shall be executed on live pigs.

For rural area or sea island that has a relatively small population and that is not easily accessible, a small-sized slaughterhouse is allowed to be set up and supply live pig products to, and only to the local market.

Article 4

The people's government at and above the county level shall strengthen leadership in the management of live pig slaughter, implement relevant responsibility system and include the funding needed for the management of live pig slaughter and its law enforcement into the government budget of respective levels.

Article 5

The competent department of commerce at and above the county level shall be responsible for the supervision and management of live pig slaughter within its administrative areas. The competent department of commerce at and above the county level shall appoint relevant institutions and persons to supervising and managing the slaughter of live pigs.

The agriculture, health, industry and commerce administration, quality and technical supervision, food and drug administration, finance, housing and urban-rural development (and planning), environmental protection, price, public security, land and resources and other relevant departments shall fulfill their duties in managing the slaughter of live pigs.

The people's government at the town level shall be responsible for the routine inspection of the slaughter of live pigs and the business activities concerning live pig products in its administrative areas and receive guidance from relevant administrative departments at the county level.

Article 6

The level-to-level management system for designated live pig slaughterhouse shall, in accordance with national regulations, be implemented in this province.

Designated live pig slaughterhouses are encouraged to upgrade and innovate technologies and improve their operation in a more mechanized, large-scale, and standardized way. The designated live pig slaughterhouses shall collaborate with pig farms and pig farming cooperatives to implement the strategy for the integration of production, sales, and the brand strategy and enhance the quality safety of meat products.

Designated live pig slaughterhouses, small-sized live pig slaughterhouses, enterprises and individuals dealing in live pig products are encouraged to set up trade associations on a voluntary basis to enhance trade self-discipline and promote its healthy development.

Chapter II The Setting Up of Designated Slaughterhouses

Article 7

The competent provincial department of commerce shall, in collaboration with the agriculture, environmental protection and other relevant provincial departments, and in accordance with the principles of rational allocation, reasonable concentration, facilitating circulation and providing convenience for the people, make plan for the setting up of designated live pig slaughterhouses for the province (hereinafter referred to as the "Provincial Plan") and submit it to the provincial people's government for approval before implementation.

The setting up of a designated live pig slaughterhouse (including the setting up of a new one and the moving, renovation and expansion of an existing one) shall be carried out in accordance with the Provincial Plan.

A live pig slaughterhouse already open for business in accordance with the law prior to the implementation of these Provisions which does not go with the Provincial Plan shall, in accordance with the actual situation, be renovated within limited time or be shut down in accordance with the present law. Where such a slaughterhouse is shut down, the municipal or county people's government shall give due compensation in accordance with the law.

Article 8

The location of a designated live pig slaughterhouse shall be chosen in accordance with the local urban-rural development plan and the local general plan for land use. It shall be far away from the reservation areas for drinking water sources and other areas demanding protection as specified by

relevant laws, regulations and special plans. Its distance from hospitals, kindergartens, schools, nursing homes, residential areas and live stock farms shall be decided in accordance with relevant national standards and requirements on environmental protection and animal epidemic prevention.

Article 9

The setting up of a designated live pig slaughterhouse shall meet the following requirements:

1. having the water sources that meet the scale of the slaughter, the quality of which meets the sanitary standards as provided by national regulations on drinking water;
2. having the waiting pens, isolating rooms, slaughter rooms and emergency slaughter rooms that meet the scale of the slaughter and conform to the national design norms on live pig slaughter and cutting & deboning rooms; having the live pig slaughter equipment and means of transportation that meet relevant sanitary requirements and national regulations;
3. having the professionals for slaughtering that meet the scale of the slaughter;
4. having the meat product quality inspection personnel who have passed relevant tests administered by the competent provincial department of commerce and whose scale meets the number of the slaughtering;
5. having the inspection and sterilization equipment that meets the demand of slaughtering techniques and the requirements of the quality inspection regulations for products of live pig slaughter; having the pollutant disposal equipment that meets the national environmental protection standards;
6. having the non-hazardous disposal equipment for diseased pig and its products that meet the demand of the bio-safety disposal procedures for diseased animals and their products; and
7. having the facilities for epidemic prevention and quarantine inspection that meet the provisions specified by relevant animal epidemic prevention laws, regulations, and rules, and having obtained the animal epidemic prevention certificate in accordance with the law.

Article 10

To set up a designated live pig slaughterhouse, a written application and relevant materials shall be submitted to the people's government of the city with districts as sub-administrative divisions.

The people's government of the city with districts as sub-administrative divisions, after receiving the application, shall organize the commerce, agriculture, health, land and resources, housing and urban-rural development (planning), industry and commerce administration, environmental protection and other relevant departments to conduct investigation. It shall also solicit, through written forms, opinions from the competent provincial department of commerce and the people's government of the county where the designated slaughterhouse will be located. Where it meets the stipulations of these Provisions and the Provincial Plan, the people's government of the city with districts as sub-administrative divisions shall grant approval.

Article 11

The applicant shall begin the construction of the designated live pig slaughterhouse only after receiving the approval from the people's government of the city with districts as sub-administrative divisions and obtains the relevant administrative permissions for engineering construction.

Article 12

After a designated live pig slaughterhouse is set up, the people's government of the city with districts as sub-administrative divisions shall organize relevant departments for the check and acceptance of its completion. Where it meets the requirements of the check and is accepted, in accordance with the "one certificate for one slaughterhouse" system, a certificate and a signboard for designated live pig slaughtering shall be granted.

The applicant for the designated live pig slaughterhouse shall register with the competent industry and commerce administrative department with the certificate for live pig slaughter and the certificate for animal epidemic prevention.

Chapter III The Setting Up of Small-sized Live Pig Slaughterhouse

Article 13

The department of commerce of the people's government of the city with districts as sub-administrative divisions shall, in collaboration with relevant departments and in accordance with the Provincial Plan, make allocation plan for the small-sized live pig slaughterhouses of the city, submit the plan to the people's government of the city, implement it after approval and submit it to the competent provincial department of commerce for the record.

The setting up of a small-sized live pig slaughterhouse shall conform to the allocation plan for the small-sized pig slaughterhouses of the city. The location of the slaughterhouse shall be chosen in accordance with the local urban-rural development plan and the local general plan for land use. Its land use shall be controlled in a reasonable scale and occupy little or no cultivated land.

Article 14

The setting up of a small-sized live pig slaughterhouse shall meet the following requirements:

1. the quality of water being supplied shall meet the sanitary standards for drinking water as specified by national regulations;
2. having the waiting pens, slaughtering rooms and the basic equipment and facilities that ensure the quality safety of the meat products; the ground shall be hardened and made free from seepage;
3. the workers for the slaughtering shall have obtained the health certificate issued by a disease prevention health examination institution specified by a health department at the county level or above. They shall have relevant slaughter skills and basic knowledge in meat product inspection and shall have been trained and approved by the local department of commerce;
4. having the necessary sterilization tools;
5. having the non-hazardous disposal measures for effluent discharges and meat products from

diseased pigs; and

6. having obtained the animal epidemic prevention certificate in accordance with the law.

Article 15

To set up a small-sized live pig slaughterhouse, a written application and relevant materials shall be submitted to the people's government at the county level. The people's government at the county level, after receiving the application, shall organize the commerce, agriculture, health, land and resources, housing and urban-rural development (planning), industry and commerce administration, environmental protection and other relevant departments to conduct investigation. It shall also solicit, through written forms, opinions from the department of commerce of the city with districts as sub-administrative divisions and the people's government of the town where the slaughterhouse will be located. Where it meets the stipulations of these Provisions and the allocation plan for the small-sized live pig slaughterhouses of the city, the people's government of the county shall grant approval.

The people's government at the county level shall make the list of the approved small-sized live pig slaughterhouses public and submit it to the department of commerce of the city with districts as its sub-administrative divisions for the record.

Article 16

The applicant shall begin the construction of the small-sized live pig slaughterhouse only after receiving the approval from the people's government at the county level and obtaining the relevant administrative permit for engineering construction.

After a small-sized live pig slaughterhouse is set up, the people's government at the county level shall organize relevant departments for the check and acceptance of its completion. Where it meets the requirements of the check and is accepted, a certificate for small-sized live pig slaughterhouse shall be granted.

The applicant of the small-sized live pig slaughterhouse shall register with the competent industry and commerce administrative department with the certificate for small-sized live pig slaughterhouse and the certificate for animal epidemic prevention.

Chapter IV The Management of Slaughter and Sales

Article 17

All live pigs entering a designated live pig slaughterhouse or a small-sized live pig slaughterhouse shall carry with it the certificate for live pig quarantine inspection.

A designated live pig slaughterhouse shall, in accordance with “Law of the People’s Republic of China on Animal Epidemic Prevention” and relevant national regulations, claim for quarantine inspection and receive the inspection carried out by the competent animal sanitation supervision institution at the slaughtering site before and after a slaughter in accordance with the law; a small-sized live pig slaughterhouse shall implement the system of regular claim for quarantine inspection to animal sanitation supervision institutions.

Article 18

Prior to the slaughter, tests shall be carried out to detect Clenbuterol (Lean Muscle Mass Enhancer) and other forbidden drugs. Where a pig does not receive such tests or fails the tests, its slaughter shall be forbidden. The specific means for the management of tests shall be specified by the people’s government of the city or county in accordance with the actual situations.

Article 19

No designated live pig slaughterhouse, small-sized live pig slaughterhouse or other unit and individual shall inject water or any other substance into a live pig and its product.

No designated or small-sized live pig slaughterhouse shall slaughter a live pig injected with water or any other substance.

Article 20

A designated live pig slaughterhouse or a small-sized live pig slaughterhouse shall establish the system for the management of meat product quality inspection. The quality inspection for meat products shall be conducted in accordance with the quality inspection regulations for products of live pig slaughtering and relevant national regulations.

A designated live pig slaughterhouse or small-sized live pig slaughterhouse shall issue the meat product quality inspection certificate for the live pig product passing the meat product quality inspection, a half carcass shall also be affixed with the stamp for having passed the inspection. Where a product does not receive the meat product quality inspection or fails the inspection, it shall not be brought out of the slaughterhouse.

A designated live pig slaughterhouse or small-sized live pig slaughterhouse shall be responsible for the quality safety of all live pig products it slaughters, processes or sells.

Article 21

A breeding pig or late emasculated pig slaughtered by a designated or small-sized live pig slaughterhouse shall be affixed on its carcass the special stamp for convenient identification.

Article 22

Where a live pig or its product does not pass the quarantine inspection or the tests, it shall be handled under the supervision of the personnel for the inspection or tests and in accordance with "Animal Epidemic Prevention Law of the People's Republic of China" and other relevant national regulations.

Article 23

A designated or small-sized live pig slaughterhouse shall record truthfully the source of the live pigs it slaughters and the destination of the live pig products it produces. The records for the source of live pigs and the destination of the live pig products shall be kept for no less than 2 years.

A designated or small-sized live pig slaughterhouse shall establish the system for recalling live pig

products with defects. Where a live pig product has potential quality safety risks that may cause damage to human health or life safety, it shall be recalled in accordance with relevant national regulations on food recalling.

Article 24

The slaughtering and processing fees charged by a designated or small-sized live pig slaughterhouse shall be set according to the standards appraised and determined by the competent price department. The rates of charges shall be posted for explicit demonstration.

No unit or individual shall collect any fee from a designated, small-sized live pig slaughterhouse or an owner or seller of live pigs other than those specified by national or provincial regulations.

A designated or small-sized live pig slaughterhouse shall not refuse to provide slaughtering services for a live pig breeder.

Article 25

A designated live pig slaughterhouse shall meet the relevant national environmental protection standards in its discharge of waste water, waste gas, waste solids and noises and shall not violate the local administrative requirements on environmental sanitation.

Article 26

No unit or individual shall sell the live pig product produced outside a designated live pig slaughterhouse.

All restaurants, hotels, collective catering units and units or individuals processing live pig products shall establish the system for the purchase and registration of meat products and affix on a meat product the effective certificate for having passed the quarantine inspection and relevant tests. A live pig product produced outside a designated live pig slaughterhouse shall not be purchased.

Article 27

A unit or individual processing or selling live pig products shall operate in strict accordance with relevant regulations, guarantee the hygiene of meat products and prevent the contamination of meat products. Pig offal and cut meat live pig products are encouraged to be sold with proper package.

No unit or individual shall process or sell a live pig product with disease or injected with water, a live pig product that has gone bad, a poisonous live pig product or any other live pig product that does not meet relevant quality and safety standards.

Article 28

Live pig products shall be transported by special-purposed vehicles and shall hold valid certificates during the transportation for having passed meat product quarantine inspection and other tests. A vehicle transporting half carcasses shall have the equipment to hang them; where there are requirements on temperature control, refrigerating or heat preserving facilities shall be used during transportation.

Article 29

The markets, supermarkets, shops and other sellers of live pig products are encouraged to sign agreements with designated live pig slaughterhouses to implement the “sellers linked with slaughterhouses” system and unified distribution.

Article 30

The areas supplied with live pig products from small-sized live pig slaughterhouses shall be designated by the people’s government at the county level. Products of a small-sized live pig slaughterhouse shall not be sold to areas other than the designated one.

Article 31

A people’s government and its relevant departments shall not prevent live pig products of designated live pig slaughterhouses outside its administrative area that have passed the quarantine inspection and the meat product quality inspection from entering the local market.

To enhance the management of meat product quality safety and ensure market supply, the system of

registration management shall be implemented on a producer or seller of live pig products circulating in another city with districts as its sub-administrative divisions. Relevant producers and sellers shall go through the registration procedures at the department of commerce of the city with districts as its sub-administrative divisions. The specific measures for registration shall be formulated separately by the competent provincial department of commerce.

Article 32

Any unit or individual has the right to report to the competent department of commerce on a conduct violating “Management Regulations on Live Pig Slaughter” or the stipulations of these Provisions.

The department of commerce shall establish the violation reporting system, make the telephone numbers for reporting known to the public, investigate and handle the reports in accordance with the law.

Chapter V Legal Liability

Article 33

Where “Animal Epidemic Prevention Law of the People’s Republic of China”, “Management Regulations on Live Pig Slaughter” or other relevant laws or regulations have specified provisions for the legal liability of a conduct violating these Provisions, the provisions of such laws and regulations shall prevail.

Article 34

Where a small-sized live pig slaughterhouse commits any one of the conducts listed in Article 24, item 2 to item 4 of Article 25, Article 26, Article 27 and Article 28, the competent department of commerce shall order it to rectify and a fine of no less than 1,000 yuan but not more than 10,000 yuan shall be imposed; where the case is serious, a fine of no less than 10,000 yuan but not more than 30,000 shall be imposed.

Article 35

Where a designated or small-sized live pig slaughterhouse slaughters a pig that does not receive the tests for the detection of Clenbuterol (Lean Muscle Mass Enhancer) and other forbidden drugs or fails the tests and therefore violating Article 18 of these Provisions, the competent department of commerce shall order it to rectify. Meanwhile a fine of no less than 10,000 yuan but not more than 50,000 yuan shall be imposed where the offender is a designated live pig slaughterhouse and a fine of no less than 1,000 yuan but not more than 10,000 yuan shall be imposed where the offender is a small-sized live pig slaughterhouse.

Article 36

Where a designated or small-sized live pig slaughterhouse refuses to provide slaughtering services to a live pig breeder and therefore violating the third paragraph of Article 24 of these Provisions, the competent department of commerce shall order it to rectify; where repetitive offences are committed, a fine of no less than 3,000 yuan but not more than 10,000 yuan shall be imposed where the offender is a designated live pig slaughterhouse and a fine of no less than 200 yuan but not more than 1,000 yuan shall be imposed where the offender is a small-sized live pig slaughterhouse.

Article 37

Where a small-sized live pig slaughterhouse sells its live pig products to an area other than its designated one and therefore violating Article 30 of these Provisions, the competent department of commerce shall order it to rectify. Meanwhile a fine of no less than 2,000 yuan but not more than 10,000 yuan shall be imposed where the offender is a unit and a fine of no less than 500 yuan but not more than 2,000 yuan shall be imposed where the offender is an individual.

Article 38

Where any one of the following situations occurs in the work of a people's government at and above the county level, its department of commerce or any other relevant department on the supervision and management of live pig slaughter, the competent organs shall penalize the person in charge held directly liable and other persons held directly liable in accordance with their respective administrative responsibilities:

1. where, in accordance with the law, an issue should be permitted, but no decision for permission is

made in accordance with the specified procedures or time limits;

2. where, in accordance with the law, an issue should not be permitted, but permission is granted;
3. where an administrative penalty, supervision or inspection is executed against the law;
4. where proper duties are neglected and illegal live pig slaughter in the region therefore becomes severe; or
5. where any other conduct neglecting proper duties, abusing power or engaging in malpractice for personal gains occurs.

Article 39

Where a conduct violating the stipulations of these Provisions constitutes a crime, it shall be investigated for criminal liability.

Chapter VI Supplementary Provisions

Article 40

The management of cattle and sheep slaughtering shall be exercised with reference to these Provisions. The people's government at the county level shall be responsible for the setting up of a designated slaughterhouse for cattle or sheep and report to the department of commerce of the city with districts as its sub-administrative districts for the record.

Where the management of the slaughtering of other animals should be exercised with reference to these Provisions or with trials on designated slaughtering, the competent provincial department of commerce shall draw the proposal, submit it to the provincial people's government and implement it after being approved.

Article 41

These Provisions shall become effective as of September 1, 2010. The “Provisions of Zhejiang Province for the Implementation of ‘Management Regulations on Live Pig Slaughtering’” issued by the provincial people’s government on January 14, 1999 will be repealed at the same time.