

Decree of the People's Government of Hubei Province No.352

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No. 352

Measures of Hubei Province for the Administration of Live Pig Slaughter, deliberated and adopted at the Executive Meeting of the People's Government of Hubei Province on June 6, 2012, are hereby promulgated and shall come into force as of August 1, 2012.

Governor: Wang Guosheng

June 19, 2012

Measures of Hubei Province for the Administration of Live Pig Slaughter

Chapter I General Provisions

Article 1 With a view to enhancing the management of live pig slaughter, ensuring the quality of live pig products and safeguarding the people's health, these Measures are formulated pursuant to the "Management Regulations on Live Pig Slaughter" and other relevant laws and regulations, and in the light of the actual circumstances of the Province.

Article 2 These Measures are applicable to the slaughter, operation and management of live pigs within the administrative area of the Province.

Article 3 The system of designated slaughter and centralized quarantine shall be executed on live pig slaughter.

No units or individuals may be engaged in activities of live pig slaughter without designation except the individuals in rural areas who slaughter live pigs by themselves for their own consumption and have claimed for quarantine inspection to animal sanitation supervision institutions before the slaughter.

Article 4 People's governments at or above the county level shall strengthen the leadership for the supervisory and administrative work of live pig slaughter and coordinate and solve key problems in the said work promptly.

Article 5 Competent administrative departments of commerce of people's governments at or above the county level shall be responsible for the supervision and administration of activities involved in live pig slaughter within their administrative area.

Departments of industry and commerce, livestock husbandry and veterinary, environmental protection, public health, planning, public security, and other relevant departments of people's governments at or above the county level shall fulfill their duties in managing the slaughter of live pigs.

Article 6 Designated live pig slaughterhouses are encouraged and supported to operate their own brand products, innovate technologies and develop new products and slaughter in a more mechanized, large-scale, and standardized way. The quality safety traceability management system to live pig products and the level-to-level management system for designated slaughterhouses shall be implemented.

Article 7 People's governments and competent administrative department of commerce at or above the county level shall give commendation and awards to organizations and individuals that have achieved

outstanding achievements in the administration of live pig slaughter and the research and spread of live pig slaughter technology.

Chapter II Set-up of Designated Live Pig Slaughterhouses

Article 8 The competent administrative department of commerce of the people's government of the Province shall, jointly with the departments of livestock husbandry and veterinary, environmental protection and other relevant departments, in accordance with the principles of rational allocation, reasonable concentration, facilitating circulation and providing convenience for the people and in the light of the actual circumstances of the Province, make plan for the setting up of designated live pig slaughterhouses (hereinafter referred to as the "Plan") and submit it to the provincial people's government for approval before implementation.

Article 9 The setting up of a designated live pig slaughterhouse shall meet the following requirements:

- (1) having water sources that meet the scale of the slaughter and water quality which meets the standards as provided by the State;
- (2) having the waiting rooms, isolating rooms, slaughter rooms and emergency slaughter rooms and live pig slaughter equipment and transportation means that meet the requirements as provided by the State; the construction and layout thereof comply with the relevant national design norms;
- (3) having professionals for slaughtering that have obtained health certificate as food practitioners in accordance with the law and meat quality inspection personnel who have passed relevant tests;
- (4) having the inspection and sterilization equipment that meets the requirements as provided by the State; having the pollution prevention and treatment equipment that meets the environmental protection requirements;
- (5) having the decontamination disposal equipment for diseased and harmful pigs and their products;
- (6) having obtained the animal epidemic prevention certificate in accordance with the law;

(7) meeting other requirements as provided by the national laws, administrative regulations and national standards.

Article 10 The setting up of a small-sized live pig slaughterhouse which only supplies live pig products to the local market in remote rural area that is not easily accessible shall meet the following requirements:

- (1) having the waiting rooms, slaughtering rooms and necessary tools for artificial slaughtering;
- (2) having professionals for slaughtering that have obtained health certificate as food practitioners in accordance with the law;
- (3) having meat quality inspectors who have passed relevant tests;
- (4) having the decontamination disposal capability and basic equipment for polluted water and pollutant disposal;
- (5) having obtained the animal epidemic prevention certificate in accordance with the law.

Article 11 To set up a small-sized designated live pig slaughterhouse, a written application shall be made to the competent administrative department of commerce of people's government of the city with districts as sub-administrative divisions of the locality and relevant materials that meet the requirements as provided in Articles 9 and 10 in these Measures shall be submitted.

Article 12 The competent administrative department of commerce shall, within 20 days upon the receipt of the application, examine and verify in accordance with law together with relevant departments as livestock husbandry and veterinary and environmental protection with reference to the Plan, seek opinions in written from the competent administrative department of commerce of the Province and raise an verification opinion to the people's government of the city with districts as sub-administrative divisions for decision.

The people's government of the city with districts as sub-administrative divisions shall, within 20 days upon the receipt of the verification opinion, decide whether to approve the application or not.

Article 13 No applicants may start the construction until they have received the approval to set up a designated live pig slaughterhouse from the people's government of the city with districts as sub-administrative divisions.

Article 14 An application for check and acceptance shall be made to the competent administrative department of commerce of people's government of the city with districts as sub-administrative divisions. After a designated live pig slaughterhouse is set up, the competent administrative department of commerce shall, within 20 days upon the receipt of the written application for check and acceptance, make the check and acceptance together with relevant departments as livestock husbandry and veterinary and environmental protection. Where the designated live pig slaughterhouse meets the requirements of the check and is accepted, a certificate and a signboard for designated live pig slaughter shall be granted by people's government of the city with districts as sub-administrative divisions.

The applicant shall register with the competent administrative department of industry and commerce with the certificate for designated live pig slaughter.

Article 15 The people's government of the city with districts as sub-administrative divisions shall make public the determined designated live pig slaughterhouse name list promptly and report to the competent administrative department of commerce of people's government of the Province for record.

The competent administrative department of commerce of people's government of the Province shall make public the list of designated live pig slaughterhouses periodically within the provincial administrative area.

Chapter III Slaughter and Quarantine Inspection

Article 16 The quarantine inspection of live pig slaughter and supervision thereof shall be carried out in accordance with the "Law of the People's Republic of China on Animal Epidemic Prevention" and relevant provisions of the State Council. The sanitary inspection of live pig slaughter and supervision thereof shall be carried out in accordance with the "Law of the People's Republic of China on Food Safety".

Article 17 The system of inspection and registration of all live pigs entering a designated live pig slaughterhouse shall be carried out by the said slaughterhouses and the slaughter of such pigs shall pass the quarantine inspection by the competent animal sanitation supervision institutions affixed with a quarantine inspection certificate.

Article 18 Except the individuals in rural areas who slaughter live pigs by themselves for their own consumption and have claimed for quarantine inspection in accordance with law, the competent animal sanitation supervision institutions shall make slaughter quarantine inspection at the designated live pig slaughterhouse. Upon finding live pig products not from designated live pig slaughterhouses in markets, they shall inform promptly the administrative department of commerce and department of industry and commerce to investigate and deal with.

Article 19 The designated live pig slaughterhouse shall slaughter live pigs in accordance with operational rules and technical requirements of the State.

Article 20 The designated live pig slaughterhouse shall set up the system of meat quality inspection. Such inspection shall be conducted in accordance with the quality inspection regulations for meat products as provided by the State before and after a slaughter. The following items shall be inspected about a live pig:

- (1) its health status;
- (2) whether suffering from infectious disease or other disease excluding parasitic disease;
- (3) whether having harmful glands;
- (4) whether having harmful substances;
- (5) whether having water or other substance injected;
- (6) other items subject to being inspected as provided by the State.

Article 21 The meat quality inspection result shall be recorded truthfully and maintained for 2 years or more.

Article 22 For the live pig product passing the meat quality inspection, a designated live pig slaughterhouse shall issue the stamp for having passed the inspection and also affix with the meat quality inspection certificate. A breeding pig or late emasculated pig slaughtered shall be noted in the meat quality inspection certificate and be issued on its carcass the special inspection stamp and the consumer shall be notified clearly.

The cut-apart meat product and by-product passing the meat quality inspection shall be packaged and be affixed with the meat quality inspection certificate.

Where a product fails the inspection, it shall be dealt with in accordance with relevant provisions of the State under the supervision of meat quality inspectors.

Where a product does not receive the meat quality inspection or fails the inspection, it shall not be brought out of the slaughterhouse.

Article 23 The designated live pig slaughterhouse shall carry out decontamination disposal for the following live pigs and live pig products in accordance with relevant provisions of the State:

(1) the decontamination disposal of the live pig that is diseased and harmful, died of disease or died of unclear reason is confirmed as provided by the State before slaughter;

(2) the live pig or live pig product is confirmed to be unqualified by the quarantine inspection or meat quality inspection in the process of the slaughter;

(3) other cases of the decontamination disposal of live pig or live pig product as provided by the State

The designated live pig slaughterhouse shall inform the competent administrative departments of commerce of people's governments of the city or county of its locality before the decontamination disposal of the live pig and live pig product and the said department shall supervise over the process thereof.

The designated live pig slaughterhouse shall record truthfully the handling cases and be responsible for the handling result and the record shall be maintained for 2 years or more.

The designated live pig slaughterhouse shall be subsidized appropriately by the competent administrative departments of finance of people's governments at or above the county level for the cost and loss caused by decontamination disposal of diseased and harmful live pigs and live pig products.

Article 24 The designated live pig slaughterhouse and units and individuals engaged in live pig product processing and selling shall take measures of freezing, refrigerating or other quality ensuring measures to store live pig products that are not transported out of the slaughterhouse or sold in time.

Chapter IV Operation and Management

Article 25 The designated live pig slaughterhouse shall set up a quality safety traceability management system to live pig products to record truthfully the source, time and quantity of entering the slaughterhouse, supplier, slaughter and inspection information of live pigs it slaughters and time, varieties, quantity and destination of live pig products leaving the slaughterhouse. Such records shall be maintained for 2 years at least.

Article 26 A designated 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 harm to human health and life safety, it shall release relevant information to the public, notify sellers to stop the sale, inform consumers of stopping the use, recall products having entering the market to be sold and report the matter to the competent department of commerce of the locality.

The designated live pig slaughterhouse shall conduct decontamination disposal for the recalled live pig products.

Article 27 Live pig and live pig products shall be transported by different vehicles. Live pig products shall be transported by special-purposed vehicles that meet the sanitation standards of the State and such special requirements as temperature control for the need of product transportation. A vehicle transporting half carcasses shall be sealed and have the equipment to hang them; other live pig products shall be sealed during transportation and be held with special-purposed containers.

The vehicle carrying live pig products shall be cleaned and disinfected before loading and after unloading.

Article 28 Units, individuals who are engaged in sale or processing of live pig products, agricultural trading markets, supermarkets, catering service operators and collective mess units should sell or use the qualified live pig products passing quarantine inspection and meat quality inspection from designated slaughterhouses.

The operational process of cool fresh cut-apart meat products can not be isolated from the cold chain environment when they are sold in markets and supermarkets.

Article 29 Live pig products from small-sized live pig slaughterhouses in remote areas shall only be supplied to designated townships and towns.

Article 30 The registration and record shall be made at the competent administrative department of commerce of people's government of the city with districts as sub-administrative divisions for the sale of live pig products from the out-of-province designated live pig slaughterhouse entering the provincial market with the following materials provided:

- (1) a certificate of designated live pig slaughter;
- (2) an industrial and commercial business license;
- (3) an original and effective animal epidemic qualification certificate;
- (4) product mark, brand trademark and materials of transportation vehicles;
- (5) test report of illicit chemicals of meat product with batch number issued by legal test agencies.

Meat products recorded for sale shall be integrated into traceable management system for meat quality safety.

Article 31 Where the ownership right or operational right is altered, the designated live pig slaughterhouse shall go through procedures for record and alteration at the competent administrative department of commerce of people's government of the city with districts as sub-administrative divisions.

Where a designated live pig slaughterhouse suspends or stops business, it shall record at the competent administrative department of commerce of people's government of the city with districts as sub-administrative divisions 10 days before the suspension or stopping; in case it reopens the business after suspending or stopping over 180 days, the said department shall report to the said people's government for examination and verification whether it conforms to the specified conditions. If specified conditions are met, the reopening shall be approved; otherwise the designated live pig slaughter qualification shall be cancelled.

Where a designated live pig slaughterhouse suspends or stops business for over 5 days, the competent administrative department of commerce of people's government at or above the county level shall start the emergency response scheme of meat product market within the administrative area to ensure the market supply.

Article 32 A designated live pig slaughterhouse may not be let out or lent or have its related licenses, seals or signboards transferred in other forms.

Article 33 The competent administrative department of commerce of people's government at or above the county level shall establish a live pig product quality safety credit file for designated live pig slaughterhouse to record such matters as the routine supervision and inspection, investigating and handling of illegal acts, registration and record of meat product sale and enhance the supervision and inspection and information release to those with bad credit record on the basis of the said credit file.

Chapter V Legal Liability

Article 34 In case punishment provisions in the "Management Regulations on Live Pig Slaughter" for the violation of these Measures are prescribed in laws and regulations, such punishment provisions shall be observed.

Article 35 Whoever infringe upon, forge, lent or let out such marks as the meat product inspection seal or meat product inspection qualification certificate shall be ordered to make corrections by the competent administrative department of commerce of people's government at or above the county level and be imposed a fine of between not less than 10,000 yuan but not more than 30,000 yuan.

Article 36 Whoever violate Article 27 of these Measures shall be ordered to make corrections by the competent administrative department of commerce of people's government at or above the county level and be imposed a fine of between not less than 10,000 yuan but not more than 30,000 yuan.

Whoever violates Paragraph 2, Article 27 of these Measures shall be ordered to make corrections by the competent administrative department of commerce of people's government at or above the county level and be imposed a fine of between not less than 10,000 yuan but not more than 30,000 yuan.

Article 37 Where a small-sized live pig slaughterhouse, in violation of Article 29 of these Measures, sell live pig products outside of the designated area, it shall be ordered to make corrections by the competent administrative department of commerce of people's government at or above the county level and may be imposed a fine of between not less than 3000 yuan but not more than 10,000 yuan; if the circumstance is serious, it shall be imposed a fine of between not less than 10,000 yuan but not more than 30,000 yuan.

Article 38 Upon finding during supervision and inspection a designated live pig slaughterhouse no longer meets the specified conditions, the competent administrative department of commerce of people's government at or above the county level shall issue an order for correction within a time limit; if the slaughterhouse still fails to do so within the prescribed time limit, its designated live pig slaughter qualification shall be cancelled by the people's government of the city with districts as sub-administrative divisions.

Article 39 Where the working staff in competent administrative department of commerce and other relevant departments abuse power, neglect their duties, engage in malpractices for personal gains, they shall be given administrative sanctions in accordance with law if a crime is not constituted; their criminal liabilities shall be investigated in accordance with law if a crime is constituted.

Chapter VI Supplementary Provisions

Article 40 The live pig products mentioned in these Measures mean the midsection, flesh, fat, internal organs, blood, bones, head, hoof and skin of a live pig that are not processed after slaughter.

Injected with water or other substances means forcing live pigs drink or eat unnaturally and non-autonomously for the purposes of adding the weight or improving the appearance of live pigs or live pig products; or filling, pouring or injecting water or other substances into live pigs or live pig products by external force; or freezing live pig products mixed with water or other substances.

Article 41 These Measures shall be referred to for people's government of city with districts as sub-administrative divisions to determine a designated slaughter of other animals like cattle and sheep.

Article 42 These Measures shall come into force as of August 1, 2012.