A LAW TO PROVIDE FOR THE ESTABLISHMENT OF THE KADUNA STATE LIVESTOCK AND LIVESTOCK FOOD PRODUCTS REGULATORY AUTHORITY AND MATTERS CONNECTED THERETO



Kaduna State of Nigeria

(28th February 2018)

Date of Commencement

BE IT ENACTED by the House of Assembly of Kaduna State as follows:

Enactment

PART I PRELIMINARY

- 1. This Law shall be cited as the Kaduna State Livestock Short title Regulatory Authority, Law 2018.
- 3. In this Law, unless the context otherwise requires:

Interpretation

"Animal unfit for slaughter" means sick animals that should not be slaughtered into the food chain and those deemed unfit due to other reasons as advised by a veterinary officer; "Authority" means the Kaduna state Livestock and Livestock Products Regulatory Authority;

"Board" means the Governing Board of the Authority;

"Carcass" means the body of a dead animal, especially one slaughtered to be consumed as meat;

"Commissioner" means the Commissioner responsible for Agricultural matters in the state;

"Condemned Livestock" means carcass that are in full or partially removed from the food chain due to human risk in consuming such livestock;

"Dairy" means livestock milk, yoghurt, or any other processed product obtained from livestock meant for human consumption;

"Director-General" means the Chief Executive Officer and Accounting Officer of the Authority;

"Governor" means the Governor of Kaduna State;

"Livestock food product or produce" means any human food obtained from livestock including edible meat, offal and derivatives, milk and derivatives and eggs from poultry and derivatives;

"Meat" means every edible part of any slaughtered animal whether in natural state or subjected to freezing, salting, cooking, canning or other preservative process and does not include donkey meat;

"Slaughter facility" includes an abattoir, a slaughter house, a meat shop and a meat processing plant;

"State" means Kaduna State of Nigeria;

"Veterinary Officer" means a qualified Veterinary Doctor with Degree from a recognized university and in the employment of the Authority.

PART II ESTABLISHMENT OF THE AUTHORITY, COMPOSITION AND POWERS OF BOARD

4. (1) There is hereby established a body to be known as the Kaduna State Livestock and Livestock Food Products Regulatory Authority (hereinafter referred to as "the Authority).

Establishment of the Authority

- (2) The Authority shall:
 - (a) be a body corporate with perpetual succession and a common seal;
 - (b) have power to sue and be sued in its corporate name; and
 - (c) have power to hold, acquire movable and immovable property for the purpose of carrying out its functions under this Law.
- 5. (1) There is hereby established a Board for the Authority, which shall comprise of the following members to be appointed by the Governor:

Board of the Authority and Composition

- (a) The Chairman;
- (b) A Representative each of the Ministries responsible for:

- (i) Environment;
- (ii) Health;
- (iii) Local Government;
- (c) the Director responsible for Livestock Matters;
- (d) three (3) Local Government Chairmen, one each from the three (3) Senatorial Districts in the State for a 2 year term only;
- (e) three (3) other member at least one of whom shall be a woman;
- (f) one Representative each of Butchers, Diary and poultry farmers in the State; and
- (g) the Director-General shall serve as member/ Secretary to the Board.
- (2) The Chairman and other members of the Board, other than the ex-officio members, shall hold office for a period of four (4) years and may be re-appointed for a further term only.
- (3) The members of the Board shall be paid such remuneration and allowances as the Governor may, from time to time, approve.

Remuneration

6. (1) A member shall cease to hold office if he:

Cessation of membership

(a) resigns his appointment as a member by notice in writing addressed to the Governor;

- (b) has by reason of mental or physical infirmity is incapable of discharging his duties;
- (c) has been convicted of an offence which involves dishonesty or fraud;
- (d) has been involved in any act that may be considered inimical to the interest of the Authority or the State;
- (e) has become bankrupt or made a compromise with his creditors;
- (f) is removed by the Governor on being satisfied that it is in the public's interest to do so; and
- (g) in the case of a person who becomes a member by virtue of the office he holds, when he ceases to hold that office.
- 7. (a) The Board shall meet quarterly or as may be considered expedient for the effective discharge of its functions.

Meetings of the Board

- (b) The Chairman shall preside over the meetings of the Board, and where the Chairman is unable to attend a particular meeting, the members present at the meeting shall select one of their members to preside at the meeting.
- (c) Not less than a simple majority of members may by notice in writing signed by them request the Chairman to call for a special meeting of the Board or the purpose set out in the notice and the chairman shall there upon call such a Special meeting not later than 21 days from the receipt of the notice.

(d) Where the Chaiman fails to convene the meeting as requested by the members in accordance with Subsection (d) above, within the prescribed time, the Secretary to the Board shall on receipt of a request from the said members summon a meeting withing 14 days.

(e) Every question at a meeting of the Board shall be determined by a majority of votes of the members present and voting and in the case of any equal division of votes, the presiding Chairman shall have a second or casting vote.

Voting

8. The Quorum for any meeting of the Board shall be a simple majority of the membership thereof.

Quorum

9. Where the Board desire to obtain the advice of any person upon any matter, the Board may co-opt such person to be a member for such a meeting as may be required and the person whilst so co-opted, shall have all the rights and privileges of a member save that he shall not be entitled to vote on any questions or count towards a quorum.

Power to co-opt

10. The Board shall have powers to:

Powers of the Board

- (a) formulate and implement the State Government policies relating to livestock and livestock products regulation in the State;
- (b) make recommendation for the establishment of livestock food products processing facilities in the State;
- employ, confirm appointments and promote and exercise disciplinary control over persons employed by the Authority;

- (d) enter into such contracts as may be expedient for carrying into effect the provisions of this Law;
- (e) carry out in association with any corporate body or consultant any of its powers under subsection (a) and (b) of this section that it considers necessary; and
- (f) exercise such other powers as may be considered expedient for the performance of its functions under this Law.

PART III POWERS AND FUNCTIONS OF THE AUTHORITY

11. The functions of the Authority shall be to:

Functions of the Authority

- (a) formulate and implement Standard Operating Procedures policies and strategies relating to livestock and livestock products processing for food safety in the State;
- (b) bring together, services, expertise and scientific capability which will help to develop livestock and livestock food products safety;
- establish quality control laboratories in order to regulate livestock and livestock products safety;
- (d) examine and review all practices and operations relating to the supply of human food derived from livestock;
- (e) undertake livestock products market survey that would facilitate the implementation of fair practices in the industry;
- (f) provide and enforce the use of professionally generated templates and specifications for construction or

reconstruction facilities that will include facilities for animal slaughter, diary produce production, refrigeration, cold storage, packaging and transportation operations;

- (g) supervise and advise on operational site mapping, architectural and structural design in accordance with universally acceptable standards in public health and workers' health and safety;
- (h) monitor construction and reconstruction of livestock products processing and selling facilities to ensure that internal and external structures, including related industrial effluence are tailored towards prevention of negative public health and safety disease outbreaks and zoonosis;
- (i) inspect and certify slaughtering facilities;
- set minimum standards for handling, grading, branding or milking of livestock and livestock food products including meat, milk and eggs meant for human consumption;
- (k) to ensure inspection of all livestock and meat intended for human consumption whether reared locally or transported into the State by procedures determined by the Authority, at the point of entry or pre-designed places including slaughterhouse, and poultry;
- set and enforce regulatory standards for quality control and hygiene in the entire livestock products supply chain;
- (m) set and enforce the standards for provision of transportation and storage infrastructure for livestock and livestock products supply;

- (n) formulate policies and methods of assessment and payment of compensation for condemned food from livestock;
- set minimum standards of sanitary facilities management and control services required in dairy facilities, poultry farms, abattoirs and slaughterhouse facilities and livestock products retail outlets;
- (p) provide training and advice on the use of specialized methods and materials for record keeping and data storage aimed at enhancing statistical knowledge in livestock and livestock products processing operations;
- (q) assess and advice on sustainable Hazard Analysis and Critical Control Point (HACCP) at all levels of livestock and livestock food products production;
- ensure regular verification and control of procedures in livestock and livestock food and vending at all levels;
- (s) issue compliance licenses for livestock products processing premises;
- (t) conduct research and develop programs to stimulate and improve production and marketing of milk products; and
- (u) oversee all matters relating to livestock and livestock products regulation in the State and advice the Governor thereon.

PART IV ADMINISTRATION OF THE AUTHORITY

12. (1) There shall be a Director-General for the Authority who shall be appointed by the Governor.

Director-General

- (2) The Director-General shall be:
 - (a) a person of proven competence and integrity with relevant professional qualification and experience;
 - (b) the Chief Executive and Accounting Officer of the Authority; and
 - (c) responsible for the execution of the policies and day-to-day management of the affairs of the Authority.
- (3) The terms and condition of appointment of the Director-General shall be as specified in the letter of appointment.
- 13. The Authority may subject to the approval of the Governor, employ such number of employees as it may require or take on secondment from the public service to assist it in the discharge of its functions under this law, and may pay such persons, such remuneration and allowances as approved under the Civil Service of the State.

Staff of the Authority

14. The Pension Law, in the State shall apply to all the Staff of the Authority.

Pension Reform Law applicable

15. (1) No dairy, livestock slaughterhouse and processing facility, livestock product sales shop or product processing plant shall operate in the State unless it has been approved, registered and licensed by the Authority.

Registration and licensing of facilities

(2) An application for grant of a license for the registration of any abattoir or slaughterhouse, dairy facility, livestock product sales shop or product processing plant shall be as prescribed in Schedule 2 to this Law.

16. The Authority shall, subject to approval of the Governor establish such Departments as it deems necessary.

Departments of the Authority

PART V MANAGEMENT, REGISTRATION AND REGULATION OF SLAUGHTER FACILITIES, AND MILK AND DAIRY SERVICES

17. (1) No person or body corporate shall operate any premises or facility as abattoirs, slaughter facility, meat or dairy shop or meat processing plant unless same is registered and licensed as such by the Authority.

Facilities to operate only when registered and licensed

- (2) An application for a license to establish and operate a slaughter facility, meat shop or meat processing plant shall be made in the prescribed form upon the payment of the prescribed fees as contained in the Schedule to this Law.
- (3) Upon the receipt of an application and being satisfied that same has been made in full compliance with the provisions of this law and any regulations made hereunder, the authority shall issue to the applicant a certificate of registration and a license in the prescribed form which shall stipulate the conditions for their operations.
- (4) The registration and grant of license made under this law may be cancelled at any time by the Authority if it is satisfied that the facility is not being operated in compliance with the provision of this Law.

18. (1) There shall be a manager for every facility registered under this Law, who shall be appointed by the person or body establishing the facility.

Each facility to have a manager

- (2) The manager shall be responsible for the management of the facility and perform such other functions as may be conferred or imposed on him by regulations made under this law.
- (3) The manager shall ensure that the facility is kept in proper sanitary conditions.

For the purpose of this section "proper sanitary conditions" include(s) efficient lighting and ventilation, sufficient water supply, evacuation of filth refuse or any other substance or thing likely to have harmful effect on the livestock or meat within the facility.

19 (1) Subject to the provision of subsection (2) of this section, no person shall slaughter any animal which is intended for human consumption or dress the carcass of any such animal elsewhere than in a registered facility.

Animals to be slaughtered in registered facility

- (2) Nothing in this section shall apply with respect to the slaughter of any animal by any person on premises under his own occupation, if the meat derived there from is not sold or intended for sale to the public.
- (3) If on the slaughter of any animal in accordance with this section, such animal is found to be diseased, a veterinary officer may at all reasonable times enter the premises on which the carcass of such animal is found and shall destroy or cause to be destroyed such carcass in such a manner as he may think fit.

Application of this Law to old facilities

20. (1) Every facility shall be constructed in conformity with the advise and template provided by the Authority on site mapping, architectural and structural design.

Facilities to be based on template of Authority

- (2) Every facility shall have the following well-marked and demarcated areas:
 - (a) animal off-loading area;
 - (b) car pack;
 - (c) lairage;
 - (d) sticking area, may or may not consist of a stunning component;
 - (e) bleeding area;
 - (f) skinning, evisceration and sectioning area;
 - (g) optional on-site cold chain and refrigeration facility;
 - (h) dispatching area;
 - (i) changing rooms for operatives;

- (j) room for storage of cleaning materials and chemicals;
- (k) office for manager and meat inspectors with first aid facilities; and
- (l) toilet.
- (3) The Authority may approve or grant exemption from strict compliance with the provisions of this Law if doing so will not compromise the wholesome meat, poultry or dairy quality.

21. Every slaughter facility shall:

Adequate space to be provided at facility

- have adequate space and facilities for ante-mortem and post-mortem inspection of animals intended for slaughter;
- (b) be constructed with imperious non-slip material so as to enable it to be thoroughly cleansed and disinfected after each use;
- (c) be constructed and arranged in a hygienic manner to prevent contamination of meat; and
- (d) have adequate supply of portable water;
- (e) be thoroughly washed daily and kept in good state of maintenance at all times;
- (f) ensure waste disposal in accordance with global best practices, and
- (g) provide any other efficient infrastructure as may be considered necessary for the effective and efficient operation of the facility.
- 22. (1) The Board shall ensure that quality assurance is achieved at all the different stages of milk production and processing including production segment, marketing and consumer awareness.

Board to ensure quality assurance

(2) The Board shall develop programs that will assist dairy farmers in exploiting the opportunities in dairy production through the promotion of efficient production, processing and marketing of dairy products.

(3) The Board shall promote the education of farmers involved in both hand milking and machine milking on the components of quality including the impact of microbes, chemicals, radioactive substances and other contaminants of dairy products.

- (4) The Board shall develop and distribute Standard Operating Procedures to enhance wholesomeness, purity and eliminate adulteration.
- (5) The Board shall ensure that good hygienic practices are applied throughout the dairy related food chain so that milk and milk products are safe and suitable for human consumption.
- (6) The Board shall ensure good health practices, pest and environmental control, and hygienic milking practice by dairy makers.
- 23. Every food animal shall be transported to the abattoir or slaughter facility by means approved by the Authority as follows:

Transportation to be by approved means

- (a) Food animals shall be transported by rail, cabins or coaches designed for such use.
- (b) Adequate drinking water shall be provided for animals during transportation.
- (c) Every vehicle meant for transportation of food animals shall be constructed in such a manner as to:
 - (i) allow the animals to be loaded and offloaded without risk of being injured or over- stressed; and
 - (ii) make the vehicle easy to clean and disinfect;

(d) Vehicles for transporting food animals must be kept in a good state of repair and maintenance, and in clean and sanitary condition.

- (e) Livestock and livestock products shall be transported in vehicles specifically designed for such purpose.
- (f) Temperature guide for cold chain transportation for dairy products, livestock and meat shall be provided by the Authority and must be strictly monitored by product suppliers or owners or both.
- 24. (1) The Authority may, where it thinks fit, cause an investigation to be made into the operations of a facility registered under this Law.

Investigation of facilities

- (2) For the purpose of any such investigation, the Authority may by notice in writing require the holder of any certificate of registration to produce for inspection or its principal officers, any books or documents relating to any matter affecting the operations or business of the facility, and to allow copies of or extracts from such books or documents to be made by the person so inspecting.
- (3) Any person who fails to comply with a notice to produce issued by the Authority under this section or who deceives or obstructs or attempts to deceive or obstruct an authorized person in the conduct of any such investigation commits an offence and shall on conviction be liable to a fine of not less than fifty thousand naira or not less than six months imprisonment or both.
- 25. Where a veterinary officer is of the opinion that any premises is by reason of its insanitary condition or for any other reason, unsuitable for the collection, holding, storage or carriage of

Facility may be prohibited from

animals, meat, hides or skin, he may prohibit the use of such premises for any of the aforesaid purposes, either indefinitely or until the defective condition has been remedied to his satisfaction.

26. Where a veterinary officer is of the opinion that undue suffering is being caused to any animal by reason of overcrowding, insufficient shelter, insanitary conditions, want of food or water or otherwise however, he may require the owner or person in charge or appearing to be in charge of such animal to take such steps as the veterinary officer considers necessary or desirable in order to prevent or mitigate such suffering, or the veterinary officer may himself take any such steps at a cost to be borne by the owner.

Veterinary officer may order facility owner to improve facility

PART VI FINANCIAL PROVISIONS

27. (1) There shall be a Fund for the Authority into which all monies accruing to the Authority shall be paid, and from which its expenses incurred shall be defrayed.

Funds of the Authority

- (2) The Funds of the Authority shall consist of subventions made to it by the state government and such other sums that may be appropriated to it in the budget by the State House of Assembly.
- (3) The Authority may invest any monies belonging to it which may not be immediately required for any expenditure, in any investments or securities, with power to vary any such investment in accordance with extant Financial Regulations.
- 28. (1) Subject to the provisions of subsection (2) of this section, the Authority may accept money, grants, gifts

Authority may accept grants, gifts, etc.

endowments, donations and testamentary dispositions or other property in aid of the finances of the Authority.

- (2) The Authority shall not accept any gift if the conditions attached to such gifts are inconsistent with the functions and policies of the Authority.
- (3) A register shall be kept of all donations to the Authority including the names and particulars of the donors.
- (4) All property or money donated and received for any approved purposes shall be administered in accordance with such purposes.
- 29. There shall be paid and credited into the fund:

Account

- (a) such sums as may be appropriated from time to time to the Authority by the State Government;
- (b) all monies paid to the Authority by way of grants subsidies, donations, gifts, charges, fees, subscriptions, interest and royalties;
- (c) all monies which may vest in the authority under any enactment; and
- (d) all other sums or property which may in any manner become payable to or vested in the authority in respect of any matter incidental to its powers and functions under this Law.
- 30. The Authority shall, prepare at the end of each financial year, statements of the accounts which shall be audited by a firm of auditors appointed from the list of auditors provided from time to time by the Auditor-General of the State.

Statement of account

31. (1) The Authority shall, in accordance with the prevailing financial and administrative guidelines and within such periods as may be indicated therein, prepare and submit to the Commissioner a report of its activities and operations with a certified copy of the audited accounts of the Authority and the auditor's report on same.

Audited account and annual estimates

(2) The Authority shall prepare and submit to the Commissioner for the Governor's approval, not later than 30th June of each year, its annual estimate of revenue and expenditure for succeeding financial year commencing on the 1st day of January and ending on the 31st day of December of each year in accordance with extant procedure on budget preparation and submission.

PART VII MISCELLANEOUS

32. (1) Notwithstanding the provisions of this Law the Authority may permit the slaughter of animals for private social activities if such animals are certified as having been duly examined at the point of entry by the Authority, or the prior approval of the Authority has been sought, and obtained after such animal had undergone ante-mortem inspection by the Authority.

Slaughter of animal for private use may be permitted

- (2) It shall be unlawful to sell or exhibit for sale any meat derived from any animal for human consumption in a place other than approved animal market, abattoirs and slaughter facility.
- (3) Any person who obstructs or in any way interferes with or fails to comply with the lawful requirements of any person authorized by the Authority commits an offence.

- (4) Any person who contravenes any provisions of this Law shall, on conviction, be liable to a fine of not less than One Hundred thousand naira (N100,000.00) or not less than one (1) year imprisonment or both.
- 33. (1) No action shall be commenced against the Authority until after the expiration of at least one month written notice of intention to commence the action has been served on the Authority by the intending plaintiff or his agent.

Pre-action notice

- (2) Such notice shall state the cause of action, the name and place of abode of the intending plaintiff and the relief(s) claimed.
- 34. (1) The Authority may, subject to the approval of the Commissioner, make Regulations generally for the purpose of carrying into effect the provisions of this Law.

Regulations

- (2) The Regulations may relate but not limited to:
 - (a) the registrations of abattoirs, slaughter houses, meat shops and meat processing plant;
 - (b) the forms of the certificate of registration and license to be issued by the Authority and the conditions precedent to the issuance of any such certificate and license and the terms and conditions upon which any such certificate shall be held, renewed, transferred, surrendered or cancelled;
 - (c) the registration of marks, stamps, brands, or labels used for the branding or marking of meat, hides or skins, or any other products derived from slaughtered animals;

- (d) securing the inspection of animals intended for slaughter, and of carcasses, for the purpose of ascertaining whether meat intended for sale for human consumption is fit for such consumption;
- (e) requiring the staining or sterilization of meat which is unfit for human consumption;
- (f) the inspection of abattoirs, slaughter houses, lairages, meat processing plants and vehicles used for the carriage of animals, carcasses or meat, and the inspection of meat coming into any designated area;
- (g) the grading of meat, hides and skins, or any other products derived from slaughtered animals;
- the branding of tins or other containers of meat or products of meat, and the branding of packages containing any such tins or containers;
- the construction, lighting, ventilation, cleaning, drainage, water supply, maintenance, and good management of abattoirs, slaughter houses, lairages, meat shops and meat processing plants, and the construction, cleansing, and maintenance of all fixtures, appliances, instruments, utensils, and things connected therewith or connected with the management thereof;
- (j) the conveyance of carcasses or meat from place to place;
- (k) the storage and treatment of meat intended for human consumption, and prohibiting the use of

any injurious or detrimental or deceptive processes in respect to such meat;

- the destruction or disposal of any meat carcass, or animal which is diseased;
- (m) the methods(s) of assessing and paying compensation for condemned animals and condemned meat or carcasses;
- (n) prohibiting the use for feeding purposes of any diseased meat or of any raw meat or offal;
- the methods of slaughtering animals and the prohibition of methods of slaughter which are considered not humane;
- (p) returns to be made by facilities or managers of facilities, including particulars as to names of the owners on whose behalf any animal is slaughtered in any abattoir or slaughter house, including the disposal of the meat, hide, skins or other products derived from such animals;
- (q) the person or authority to whom any prescribed returns shall be furnished and functions of managers of facilities;
- (r) the forms and fess in respect of any matter for which provision is made under this law;
- (s) the penalties for offences for which no specific punishment or penalty is prescribed by this Law.
- (3) Any regulations made under this section may apply generally though out the state or may be made to apply

Livestock and Meat Law, 2018

within such designated area or areas parts thereof as may by specified therein.

- 35. The Commissioner shall take steps as he may think expedient for causing the publication of codes of practice in connection with matters or purposes which may be made the subject of regulations under this Law for the purpose of giving advice and guidance to persons responsible for compliance with such regulations.
- 36. The Commissioner may by notice in the State Gazette vary the Variation of Schedules contents of the Schedules to this Law.
- 37. The provisions of this Law shall apply to any facility which has savings been established prior to the coming into operation of this Law:

PROVIDED that, the person establishing it or the manager of any such facility shall apply for the registration thereof within six months from the coming into operation of this Law.

38. The Meat Law, Cap.98, Laws of Kaduna State, 1991 is hereby repealed.

- 1. (a) Application for license to establish Commercial Milking Parlor, Yogurt making plant, abattoir and slaughter facilities
 - i. Grade A \(\frac{1}{2}\)50,000.00
 - ii. Grade B ₩20,000.00
 - iii. Grade C ₩10,000.00
 - (b) Application for License to establish a Livestock Product shop (with Meat or Dairy base) №150,000.00
 - (c) Application for License to establish a Livestock Product Processing plant (with Meat or Dairy, Poultry Egg base) #200,000.00
- 2. (a) Application for inspection and registration of existing Commercial Milking Parlor, Yogurt making Plant, Abattoir and Slaughter facilities
 - i. Grade A − ₩25,000.00
 - ii. Grade B ₩10,000.00

 - (b) Application for inspection and registration of existing Livestock Product Shop (With Meat or Dairy, Poultry Egg base) №10,000.00
 - (c) Application for inspection and registration of existing Livestock Product processing plant \(\frac{1}{2}\)20,000.00
- 3. (a) Annual renewal for license of commercial Milking Parlor, Yoghurt making Plant Abattoir and Slaughter facilities
 - (i) Grade A \(\frac{1}{2}\)5,000.00
 - (ii) Grade B ₩10,000.00
 - (iii) Grade C N5,000.00

(b) Annual renewal of Livestock Product shop N10, 000.00

(c) Annual renewal Livestock Product processing plant N20, 000.00

DATED AT KADUNA this 28th day of February 2018

Malam Nasir Ahmad el-Rufa'i, Governor, Kaduna State.

EXPLANATORY NOTE

(This note does not form part of this Law and has no Legal effect)

The purpose of this law is to establish the Kaduna State Livestock and Livestock Products Regulatory Authority for the management, registration and regulation of livestock and slaughter facilities to promote public health and safety in the production, sale and consumption of livestock and livestock products in the State.

This printed impression has been carefully compared with the Bill which has passed the Kaduna State House of Assembly and found to be true and correctly printed copy of the said Bill.

HON. AMINU ABDULLAHI SHAGALI

(Speaker)

BELLO ZUBAIRU IDRIS Esq.

(Clerk to the Legislature)