

THE GRAZING-LAND AND ANIMAL FEED RESOURCES ACT, 2010

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SCHEDULES

THE UNITED REPUBLIC OF TANZANIA



NO. 13 OF 2010

I ASSENT

President

20th May 2010

An Act to provide for the management and control of grazing-lands, animal feed resources and trade and to provide for other related matters.

ENACTED by Parliament of United Republic of Tanzania.

**PART I
PRELIMINARY PROVISIONS**

Short title
and
commence-
ment

1. This Act may be cited as the Grazing-land and Animal Feed Resources Act, 2010 and shall come into operation on such a date as the Minister may, by notice published in the *Gazette*, appoint.

Application

2. This Act shall apply to Mainland Tanzania.

Interpretation

3. In this Act, unless the context otherwise requires-

- “agro-pastoralist” means a person whose household income depends on livestock and crop farming;
- “analyst” means an analyst appointed under section 9;
- “animal” means all vertebrate and invertebrate animals other than human beings;
- “animal carcass” means the dead body of any animal, bird or fish;
- “animal feed resources” means animal feeds, feedstuffs and feed additives;
- “animal feed scientist” means an expert in animal science, veterinary science, range science or feed technology;
- “animal products” means meat, milk, bones, hides and skins, blood, hooves, horns and any other product of animal origin used as an ingredient in animal feed formulation;
- “by-products” means secondary products produced in addition to the principal product;
- “carrier” means carrier by air, railway, vehicle and vessels of all descriptions;
- “carrying capacity” means the potential of a unit of land to support a specified number of animals for a period of time without suffering detrimental effects;
- “certification agency” means the Tanzania Official Seeds Certification Agency established under the Seed Act;
- “commercial animal feeds” means any material or substance meant for feeding domesticated animals singly or in combination with other materials to fulfil a nutritional requirement;
- “commercial feed resources” means all edible materials which are sold for the purpose of mixing or feeding of domestic animals;
- “common seed” means a variety of seeds of any kind for sale in Mainland Tanzania but without defined pedigree records;
- “communal grazing-lands” means grazing-lands owned by livestock keepers;
- “concentrate” means a feed used with another to improve the nutritive balance of the total and may or may not be intended to be further diluted and mixed to produce a supplement or complete feed;
- “Council” means the Council established by section 4;
- “customary land tenure” has the meaning ascribed to it under the Land Act;

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- “deferred grazing-land” means an area within the grazing-land which has been put off from use for a specified period of time for the purpose of allowing vegetation regeneration;
- “Director” means the Director responsible for grazing-lands utilisation and animal feed resources;
- “feed additives” means any material or substance added in the feed mixture or its parts to improve or maintain the quality in any form or provide a medicinal effect;
- “feed” means any edible material that provides nutrients to animals;
- “forage” means vegetative material derived from plants including leaves, stems, flowers, pods, seeds, buds or barks meant for feeding animals;
- “formula feed” means two or more ingredients proportioned, mixed and processed according to specifications;
- “general land” has the meaning ascribed to it under the Land Act;
- “grade name” includes any mark, description or designation of a grade;
- “grazing-land inventory” means a list of resources or physical features found in a grazing-land;
- “grazing-land management unit” means an area within a grazingland as shall be prescribed;
- “grazing-land trend” means a direction of change of a grazingland condition over time;
- “grazing-land” means a developed or undeveloped land used for grazing;
- “label” includes any legend, word, mark, symbol or design applied or attached to, included in, belonging to or accompanying any seed, animal feed, feed resources and feed additives or package;
- “livestock keeper” means any person who engages livestock keeping for production purposes;
- “livestock unit” means mature stock of 250 kilograms live weight;
- “Minister” means the Minister responsible for livestock;
- “National Register” means a register kept by the Director;
- “overgrazing” means stocking in a manner which is consistently higher than the carrying capacity, such that it degrades the ecosystem;
- “package” includes a sack, bag, barrel, case or any other container in which seed or animal feed resources are packed;

“pastoralist” means a person whose household livelihood depends on livestock and includes nomads, transhumant and semi transhumant;

“permit” means a permit issued by the competent authority under section 26;

“phytosanitary” means any measure applied to protect plant life or health within the territory from the risks related to the entry, establishment or spread of pests or diseases, disease-carrying organisms or disease-causing organisms;

“premises” means any land, building, vehicle and vessel or any part thereof or receptacle whatsoever used for the purpose of manufacturing, selling, transporting or in any way connected with the handling of animal, animal feeds, feed resources and feed additives;

“prescribed statement” means a written declaration of content and amount of moisture present in the feed material;

“ranch” means a livestock farm with established boundaries and relevant infrastructures used for the production of meat, milk, or wool;

“rangeland” means land on which the indigenous vegetation is predominantly grassed, grass-like plants, forbs or shrubs and is managed as a natural ecosystem;

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“reserved land” has the meaning ascribed to it under the Land Act;

“seed” means the seed of any cereal, forage, legume, tree, turf, root, vegetable, fibre or oil bearing crop grown, sold or offered for sale and distributed or given away;

“stocking rate,” means the actual number of animals per unit area of grazingland for a specific period of time;

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“Tanzania pedigree grade” has the meaning ascribed to it under the Seeds Act;

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“village land” has the meaning ascribed to it under the Village Land Act;

“zoo-sanitary” means any of the measures applied to protect human and animal life or health arising from food additives, contaminants, toxins or disease-causing organisms in animal feeds.

PART II
ADMINISTRATION PROVISIONS

Establishment
of the Council

4.-(1) There is established a Council to be known as the National Grazing-land and Animal Feed Resources Advisory Council.

(2) The Council shall be composed of a Chairman and eleven other members all of whom shall be appointed by the Minister.

(3) Other members of the Council shall be drawn from the following institutions:

- (a) a representative from the Ministry responsible for local government authorities;
- (b) a representative from the Ministry responsible for lands;
- (c) one member from national pastoral and agro pastoral organisations;
- (d) a representative from the Tanzania Ranching Association;
- (e) a representative from the National Commercial Forage Producers Association;
- (f) a representative from the Tanzania Bureau of Standards;
- (g) a representative from the Tanzania Food and Drugs Authority;
- (h) a representative from the Directorate of Veterinary Service;
- (i) one representative from the Tanzania Feed Manufacturers Association;
- (j) the Director of the National Livestock Research Institute;
- (k) one representative from the irrigation department

(4) The provisions of the First Schedule to this Act shall govern the tenure of office, termination of appointment and proceedings at the meetings of the Council.

(5) The Director of Grazing land shall be the Secretary to the Council.

Functions
of the
Council

5.-(1) The Council shall have the general function of advising the Minister on policies and strategies for promotion, development and management of grazing-land and animal feed resources.

(2) Without prejudice subsection (1), the Council shall perform functions in relation to-

- (a) advocacy for participatory, equitable use and management of grazingland resources;
- (b) foster collaboration with public and private institutions or authorities in issues related to the use and management of grazing-land;
- (c) collaborate with other agencies in setting up standards for animal feed resources; and
- (d) perform any other functions as may be directed by the Minister.

Appointment
and functions
of the
Director

6.-(1) There shall be a Director within the organisational structure of the Ministry responsible for grazing-land who shall be responsible for the day to day administration of grazing-land utilisation and animal feed resources.

(2) The Director appointed under sub-section (1) shall be the Secretary to the Council.

(3) The functions of the Director shall be to-

- (a) manage and control grazing-land, animal feed resources and trade;
- (b) develop policy, strategies, activities and implementation plan for the management and development of grazing-land control, manufacture and composition of animal feed resources and control of container, packaging and labelling of animal feed resources;
- (c) liaise with the Tanzania Bureau of Standards in setting standards on animal feed resources;
- (d) provide backstopping and capacity building to local government authorities in coordinating and supervising the implementation of this Act;
- (e) issue operational guidelines and standard operating procedures for the manufacture and composition of animal feed resources, container packaging and labelling of animal feed resources; and
- (f) perform any other functions as may be assigned by the Minister.

Inspectors

7.-(1) For the purposes of this Act, the Minister shall designate specified officers in the central government and local government authorities to be inspectors who shall perform functions stipulated under subsection (3).

(2) A person shall not be qualified for designation as an inspector unless that person possess a minimum or equivalent qualification of a bachelor degree in animal science, range science, veterinary medicine or animal feeds technology.

(3) The inspector shall perform the following functions-

- (a) to inspect premises, dealing and handling animal feed resources for compliance;
- (b) to take feed samples or feed additives in the prescribed manner for the purpose of analysis;
- (c) to take such measures as in the opinion of the Director, shall be necessary or expedient for prevention of manufacturing of compounded animal feeds or feed additives.

(4) Every inspector shall, in the performance of the functions under this Act, maintain a system of consultation and collaboration with the Tanzania Bureau of Standards or any other body established by or under any written law and having functions which relate to animal feeds quality and safety standards or public health generally.

Powers of inspectors

8.-(1) The inspector may, at any reasonable time-

- (a) enter and inspect any premises in which he has reasonable grounds for believing that there is any animal feed resources or sterilizing plant or records pertaining to the importation, manufacture or sale of animal feed resources or to the operation of such sterilizing plant;
- (b) open and examine any package found in that premises; and
- (c) inspect, seize, remove or take samples of any animal feed resources in the prescribed manner, books, records or documents found in or upon such premises or to the sterilizing of bones or other products of an animal carcass, if he considers necessary.

(2) The inspector shall, where any sample procured pursuant to the provisions of paragraph © of subsection (1) is intended for analysis by an analyst, inform the owner of the animal feed resources or other substances that the sample shall be analysed.

(3) The inspector shall enforce standards, designs, construction and maintenance criteria for grazing-land improvement and other additional conditions, stipulations or modifications made or prescribed by the Minister.

Sample of animal feed and appointment of government analyst

9.-(1) Where an inspector has taken a sample of animal feed resources or other substances for analysis, he shall-

- (a) divide the sample into three parts and cause it to be marked;
- (b) seal and fasten it up;
- (c) submit two of the parts of the sample to the analyst together with a signed statement taken in the prescribed manner; and
- (d) deliver the third part to the owner or seller as may be prescribed.

(2) The Minister may, by notice in the *Gazette*, appoint a suitably qualified person to be an analyst for the purposes of this Act.

Duty to submit sample to the Government analyst

10. The analyst shall, subject to the provisions of section 9 and any regulation made under this Act, analyse any sample submitted to him and issue a certificate.

Certificate of analysis

11.-(1) The analyst shall issue a signed certificate for any sample delivered to him for analysis.

(2) Every certificate of an analyst issued under this Act shall be in the form prescribed in the regulations.

(3) Where any method is prescribed for the analysis of any animal feed resources, the analyst shall, in his certificate, declare that he has used the prescribed method.

(4) Any person who causes or permits any copy of an analyst's certificate obtained under this Act to be used in any advertisement commits an offence.

Powers of
the court to
order

12.-(1) The court, before which any proceedings are conducted under this Act, may order part of the original sample produced before it to be sent to an analyst other than the analyst who analysed the sample.

(2) A certificate of the results of analysis issued by the analyst under this section shall, in the absence of other evidence to the contrary, be accepted as evidence of the facts stated in it.

Tampering
with feed
samples

13. Any person who fraudulently tampers or interferes with any feed sample in the course of collecting it or when it is taken or submitted for analysis commits an offence and shall, on conviction, be liable to a fine not exceeding shillings three million or to imprisonment for a term not exceeding two years or to both.

Entry into a
dwelling house

14.-(1) Where any premises referred to in paragraph (a) of sub-section (3) of section 7 is a dwelling house, an inspector may enter into that dwelling house in the company of the Chairman of the Village or Kitongoji leader of the location in which the premises is located.

(2) Where upon an application, the court is satisfied by information on affidavit that-

- (a) the conditions for entry exist in relation to a dwelling house;
- (b) entry to the dwelling-house is necessary for any purpose relating to the administration or enforcement of this Act; or
- (c) entry to the dwelling-house has been refused or that there are reasonable grounds for believing that entry to the premises may be refused,

it shall issue an order authorizing the inspector named therein to enter into that dwelling house subject to such conditions as may be specified in the order.

(3) The owner or person in charge of any premises prescribed under subsection (1) shall give an inspector all reasonable assistance to enable the inspector to carry out his duties or performing his functions.

Obstructing
an
inspector

15.-(1) No person shall obstruct or hinder an inspector from carrying out his duties or performing his functions under this Act.

(2) Any person who makes a false or misleading statement or obstruct an officer engaged in carrying out his duties or performing his functions under this Act commits an offence.

PART III

GRAZING-LAND DEVELOPMENT AND MANAGEMENT

Safeguarding
and
development
of grazing-
lands

16.-(1) The grazing-lands shall be demarcated or delineated in accordance with the provisions of the Village Land Act and the Land Use Planning Act.

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(2) Without prejudice to the generality of section 32(1) of the Village Land Act, the Village Council shall grant the right of way for stock-driving for purposes of providing access to water, dipping, marketing facilities and other services which are not within the grazing-land.

Management
of communal
and strategic
grazing-land

17.-(1) The Village Council shall set aside part of the communal village land to be a strategic grazing-land in accordance with the provisions of the Land Use Planning Act.

(2) The grazing-lands referred to in subsection (1), shall be communally or privately owned by livestock keepers.

(3) Subject to other written laws, the Village Council shall prohibit, restrict, limit or control entry into grazing land for purposes of cultivation, mining, establishment of wildlife protected areas or any other use other than livestock keeping.

Grazing-land
development

18.-(1) Any development on the grazing-land, shall be undertaken in a manner that is consistent with sustainable land use planning and management practices.

(2) The grazing-land development shall include but not limited to-

- (a) vegetation management practices directly concerned with the use and growth of plants;
- (b) livestock management and marketing infrastructure; and
- (c) environmental conservation and development of water sources for livestock use.

(3) The land set for livestock keeping shall be developed in the manner prescribed by the Minister in consultation with the Village Assembly.

Grazing-land
management

19.-(1) The local government authorities shall prepare grazing-land inventory, trend condition and land use planning for sustainable grazing-land productivity.

(2) The plans shall, become effective upon approval by the village land use planning authority as stipulated under the land use planning Act.

Stock rate
and
measures in
case of
excess
livestock
units

20.-(1) Where an inspector is satisfied that there are excess livestock units in the grazing-land he may order and issue a three years notice to the livestock owner for the harvesting or any other appropriate measures of such number of livestock unit so kept or grazed.

(2) The owner who has been issued with a notice under subsection (1) shall within the period of three years progressively harvest or take any other appropriate measures in relation to the excess livestock units.

(3) The inspector may, upon expiry of the period of three years, and on application or request by the livestock owner, extend the period for harvesting or any other appropriate measure to a further period not exceeding three years.

(4) The inspector shall, where the owner fails to comply with an order made under this section, apply to the court for an order to enforce the order for harvesting or any other appropriate measure.

(5) For the purposes of this section, the Minister shall prescribe the authorised stocking rate on a grazing-land.

PART IV

CONTROL, MANUFACTURE AND COMPOSITION OF ANIMAL FEED RESOURCES

(a) *Control and manufacture of animal feed resources*

Restriction
on the
manu-
facture,
importation
or sale of

21.-(1) A person shall not manufacture, export from or import into Mainland Tanzania any animal feed resources unless he has obtained a permit issued by the competent authority.

(2) A person shall not manufacture, sell, export or import into Mainland Tanzania any animal feed resources that may

animal feed
resources

adversely affect animal, human health and the environment or which contain substances listed under the Second Schedule to this Act.

(3) Any person who manufactures, intends to manufacture or import animal feed resources for commercial purposes or for commercial production, shall be required to engage a qualified animal feed scientist.

(4) For the purpose of this section "competent authority" means the Director, a local government authority or any person who, in accordance with the provisions of this Act, has powers to issue a permit.

Restriction of
premises for
manufacture
of animal feed
resources

22.-(1) A person shall not manufacture animal feed resources outside the premises registered in accordance with this Act.

(2) Any person who contravenes the provisions of this section commits an offence.

Registra-
tion of
premises

23.-(1) A person who wishes to register a premises for manufacturing animal feed resources shall make an application to the Director in the prescribed manner.

(2) The Director may, if the premises are in compliance with standards for the manufacture of animal feed resources, register the premises and issue a certificate of registration.

(3) The Director may, when an application is made for the registration of premises, grant or refuse the application and give reasons for such refusal.

(4) Any person who, is aggrieved by the decision of the Director to refuse the application for registration may appeal to the Minister.

Revocation
of
registration
of premises

24.-(1) The Director may, on the recommendation of an inspector, revoke the registration of any premises registered if he is satisfied that the premises are no longer in compliance with the set standards.

(2) Any person who is aggrieved by the decision of the Director may appeal to the Minister.

Sterilization
of bone and
animal
products

25.-(1) A person shall not-

(a) use any animal feed resources which contain bone or any other substance derived from an animal carcass that has not been rendered sterile; or

(b) import bones or any other substances derived from an animal carcass for the purpose of manufacturing.

any animal feed resources, unless he has first submitted to the Director a certificate signed in the country of origin by a designated authority, certifying that such bone or substance has been effectively and completely sterilized in such manner as may be prescribed and is free from such pathogenic organisms

(2) A person shall not manufacture or sell animal feed resources containing bone or any other substance derived from an animal carcass unless such bone or substance has been sterilized in the prescribed manner.

(3) Any person who contravenes the provisions of this section commits an offence.

Application
for permit to
establish
sterilizing
plant

26.-(1) Any person who intends to establish a sterilizing plant for carcass, parts of carcass or blood for the purpose of manufacturing or sale of animal feed resources shall make an application for permit to the Director.

(2) Where the Director is satisfied that the applicant has complied with conditions for the activity for which the application is made, he shall issue a permit.

(3) Any person who is aggrieved by the decision of the Director may appeal to the Minister.

(4) Without prejudice to any other written law, the Director shall maintain a register of sterilizing plants for the purposes of this Act.

(5) Any person who, manufactures or sells animal feed resources in contravention of subsection (1) commits an offence.

Validity of
registration

27.-(1) A registration certificate of premises and sterilizing plants issued under this Act shall be valid for three years and shall be renewable on payment of the prescribed fees.

(2) The Minister may, by order in the Gazette, prescribe terms and conditions for registration of the premises including-

- (a) form and method of application under this section;
- (b) fees payable on the issuing a of certificate of registration; and
- (c) such other information as may be prescribed.

Replacement
of a lost or
destroyed
document

28.-(1) Where the registration certificate or any other certificates or documents issued under this Act is lost or destroyed, the holder of such document, may apply to the Director for a duplicate of the lost or destroyed certificate or document.

(2) The Director shall, after being satisfied that the document has been lost or destroyed and upon payment of the prescribed fee, issue a duplicate certificate or document.

(3) The certified copy of the certificate or document shall be as effective as the original.

Procedures
for
sterilization

29.-(1) Any person undertaking sterilization of carcass, parts of carcass or blood shall do so in the manner prescribed by the Director.

(2) Any person who contravenes the provisions of this section commits an offence.

Obligation to
furnish
prescribed
statement

30.-(1) Animal feed resources specified in paragraph (k) of the Third Schedule shall contain the following information on the container or package-

- (a) the name of product;
- (b) the name and address of manufacturer;
- (c) the batch number;
- (d) the net mass;
- (e) the manufacturing and expiry date;
- (f) directions and precautions for use;
- (g) information about the species or category of animals for which the feed is intended;
- (h) name and relative amount of any ingredients specified in the Third Schedule;
- (i) directions on storage temperature and humidity;
- (j) registered label with the official stamp or signature of the manufacturer and registration number; and
- (k) the country or place of origin.

(2) All animal feed resources specified under paragraph (k) of the Third Schedule shall bear a label conspicuously, indelible and firmly attached onto the container or package and a similar one included inside the container or package.

(3) Any person who contravenes the provisions of subsection (1) commits an offence and shall on conviction be liable to a fine

not exceeding shillings three million or to imprisonment for a term not exceeding two years or to both.

(b) Composition of animal feed resources

Composition of animal feed resources

31. All animal feed resources shall conform to and be manufactured or processed in accordance with the current Tanzanian and International Standards of good manufacturing practices specified in the Third Schedule.

Adherence to names and standards of feed resources

32.-(1) There shall be a list of names, classification, composition and levels of animal feed resources, ingredients in animal feeds and feed additives, definitions implied on sale under certain names and standards set out on the Third Schedule to this Act.

(2) Any person who sells or uses any of the listed animal feed resources contrary to names and standards specified under subsection (1) commits an offence.

Prohibition or limitation of manufacture and sale of risky or hazardous products

33.-(1) A person shall not, with intent to manufacture and sell animal feed resources-

(a) add any substance to the animal feed resources or use any risk substances or any hazardous material as an ingredient of that animal feed resources or feed additives during manufacture or extract any constituent from them; or

(b) subject the animal feed resources to any other process or treatment that may lead to substandard.

(2) Any person who contravenes the provisions of subsection (1) commits an offence and shall on conviction be liable to a fine not exceeding shillings one million or to imprisonment for a term not exceeding six months or to both.

PART V

CONTAINER, PACKAGING AND
LABELLING OF ANIMAL FEED RESOURCES

Labelling of Animal feed resources

34.-(1) A person shall not, in the course of his business, sell, supply or have in his possession, for the purpose of selling or supplying any animal feed resources a container or package which is not labelled.

(2) Without prejudice subsection (1), a person shall not in the course of a business, supply animal feed resources of any description in a container or package which is labelled or marked in such a way which-

- (a) falsely describes the product; or
- (b) is likely to be misleading as to the nature, quality, efficacy and safety of the product or as to the use or effects of animal feed resources of that description.

(3) Every container of animal feed resources shall be conspicuously and indelibly marked or the particulars shown on it shall bear a securely attached label showing the following particulars on it-

- (a) the name and full postal and business address of the manufacturer or seller;
- (b) the name and weight of the animal feed resources packed in it;
- (c) the guaranteed analysis expressed as a percentage to the first decimal place of each of the constituents;
- (d) the date of manufacture or other code or reference figures or letter by which the animal feed resources may be identified.

(4) Any person who contravenes the provisions of subsection (3) commits an offence and shall upon conviction be liable to a fine not exceeding shillings three million or to imprisonment for a term of not less than two years or to both.

Containers
and packages

35.-(1) Approved animal feed resources exposed for sale shall be packed in containers which are of sufficient strength and sufficiently sealed.

(2) A person shall not pack animal feed resources in a container or package which may alter its efficacy, safety and quality.

Animal feed
resources
leaflets

36.-(1) A person shall not, in the course of a business, supply animal feed resources leaflets relating to such animal feed resources and animal products which do not comply with regulations made under this Act.

(2) A person shall not, in the course of a business, supply, animal feed resources leaflets which-

- (a) falsely describe animal feed resource products to which it relates; or

- (b) is likely to be misleading as to the nature, efficacy, safety and quality of such animal feed resources.

PART VI GENERAL PROVISIONS

Protection
of
grazingland

37. The local government authority may, for the purposes of soil conservation, prevention of adverse effects to soil and soil erosion in a grazing-land, rehabilitation, protection or improvement of the grazing-land, make by-laws on-

- (a) clearing of land for the purpose of cultivation of crops other than animal feed;
- (b) use of implements or machinery;
- (c) introduction or removal of flora or fauna;
- (d) gathering of natural produce;
- (e) introduction, grazing, watering or movement of stock and other domestic animals;
- (f) husbandry practices of grazing-land; and
- (g) construction of infrastructures.

National
Register

38. The Director shall, for the purposes of grazing-land and development of animal feed resources, keep and maintain a National Register of-

- (a) grazing-land demarcated for livestock use;
- (b) forage and forage products producers and importers;
- (c) pastoral associations;
- (d) ranching associations;
- (e) animal feed resources producers and dealers,
- (f) animal feed additive producers and dealers;
- (g) feed producers associations; and
- (h) livestock producers associations.

Offences and
penalties

39. Any person who contravenes any provision of this Act for which no specific penalty has been prescribed shall be liable on conviction to a fine not exceeding shillings one million or to imprisonment for a term not exceeding six months or to both.

General
restrictions
of forage
seeds

40.-(1) A person shall not, unless prescribed otherwise-

- (a) sell, or export any seed grown or produced in Tanzania as per the Seeds Act, which does not

conform with the prescribed standards and is marked and packed in the package which is not labelled in the prescribed manner, or

- (b) sell, stock, advertise or distribute for sale any seed variety that is not prescribed for sale or importation.

(2) Any person who contravenes this section commits an offence and upon conviction shall be liable to a fine not exceeding shillings three million or to imprisonment for a term not exceeding two years or to both.

Powers to
arrest

41. An inspector or a police officer may arrest without warrant any person whom he reasonably suspects to have committed an offence under this Act or any regulations made under this Act where-

- (a) that person refuses to give his name and address or gives a name or address which there is reason to believe to be false; or
- (b) there is reason to believe that such person is likely to abscond.

Facilitative
powers of the
court

42. The court, before which proceedings have been instituted under this Act, may if it thinks fit, cause part of the original sample produced before it to be submitted to the analyst other than the analyst who has analysed the other parts of the sample.

Transitional
provision

43. For purpose of giving room for preparation for the implementation of the requirement for removal of excess livestock units, the provisions relating to stock rate and measures to be taken in case of excess livestock units shall not be enforced during the initial three years of the coming into operation of this Act.

Regulations

44. The Minister may make regulations prescribing-

- (a) the safeguarding, development and sustainable use of grazing-lands;
- (b) the manner of making inspection on grazing-lands and animal feed resources;
- (c) standards of animal feed resources;
- (d) requirements for proper storage of animal feed resources;

- (e) the manner in which animal feed resources shall be packed, branded, labelled and sealed;
- (f) the manner in which animal feed additives shall be described;
- (g) the methods whereby bones and other substances derived from an animal carcass shall be sterilized for sale or for manufacture as animal feed resources;
- (h) prescribing in collaboration with other seed certification agencies procedures to ensure the varieties purity of all foundation and certified seed;
- (i) prescribing the forms to be used and the particulars to be furnished for any of the purposes of this Act;
- (j) prescribing the terms and conditions under which and the manner in which forage plants may be inspected or seeds may be graded or tested;
- (k) prescribing the minimum standards of purity, germination, quality and disease for seeds;
- (l) prescribing the packing and marking of seeds and labelling of the packages thereof;
- (m) prescribing the terms and conditions under which varieties of a kind may be certified;
- (n) prescribing the taking of samples and the testing of seeds for the purposes of this Act;
- (o) prescribing the fees that may be charged for any services provided or for anything to be done under this Act;
- (p) prescribing the varieties of forage seeds that may be grown, sold, imported or exported;
- (q) prescribing grades of forage seeds;
- (r) prescribing procedures for storage and preservation of forage seeds;
- (s) prescribing procedures for the detention or destruction of anything seized, forfeited or placed under stop sale under the provisions of this Act;
- (t) importation of risk products for animal feeds production; and
- (u) generally prescribing anything, which in this Act, is required or authorized.

 FIRST SCHEDULE

(Made under section 4(4))

TENURE OF MEMBERS AND PROCEDURE FOR MEETINGS

 Tenure of
office

1.-(1) A member of the Council shall hold office for a term not exceeding three years from the date of his appointment and may be eligible for re-appointment to one more term.

(2) In the case of a member who is a member by virtue of his holding some other office, he shall cease to be a member upon his ceasing to hold that other office.

(3) A member appointed may at anytime resign his office by notice in writing to the appointing authority.

(4) Notwithstanding the foregoing provisions, the appointing authority may at any time revoke an appointment of a member.

(5) If a member of the Council who is a member by virtue of his office is unable for any reason to attend any meeting of the Council, he may nominate in writing another person from his institution to attend the meeting on his behalf.

(6) Where any vacancy occurs in the membership of the Council by any reason of any member thereof or otherwise, the appointing authority may appoint another person to fill that vacancy.

 Meetings of
Council

2. The Council shall ordinarily meet for the transaction of its business at the times and places to be determined by it, but it shall meet at least once every three months.

 Notice of
meeting

3. The secretary to the Council shall give each member adequate notice of the time and place of every meeting and shall keep record of the proceedings of every meeting of the Council.

Quorum

4. The quorum at any meeting of the Council shall be a half of the total number of members of the Council.

 Decision of
Council

5.-(1) Any matter proposed at the meeting of the Council shall be decided by a majority of the votes of the members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote in addition to his normal or deliberative vote.

(2) Notwithstanding sub-paragraph (1), a decision may be made by the Council without a meeting by way of circulation of the relevant papers among the members, and expression in writing of the views of the majority of members.

 Council to
confirm
minutes of
meetings

6.-(1) The Council shall cause to be recorded and kept minutes of all business conducted or transacted at its meetings and the minutes of each meeting of the Council shall be read and confirmed or amended and confirmed at the next meeting and signed by the person presiding at the meeting.

(2) Minutes signed or purporting to have been signed by the person presiding at the meeting of the Council shall in absence of proof of error be deemed to be a correct record of the meeting whose minutes they purport to be.

Council to regulate its proceedings

7. Subject to the provisions of this Schedule the Council shall regulate its own proceedings.

SECOND SCHEDULE

(Made under section 21(2))

HAZARDOUS INGREDIENTS IN ANIMAL FEED RESOURCES

1. Salts soluble in water, if present in an animal feed in proportion likely to be hazardous to the health of the animals, or generally retard or curtail the performance of animals

2. All poisonous substances except those naturally present in the materials or materials from which the compounded animal feeds is derived.

3.-(1) Sand, siliceous matter or other insoluble mineral matter not naturally associated with ingredients of the feed resources which do not fall within the scope of this schedule, or which, even if naturally so associated, are present in greater proportion than the maximum that may be expected to be to such natural association,

(2) For the purpose of subparagraph (1), the term "insoluble" shall imply insolubility in hydrochloric acid, as determined by a prescribed method.

(3) The term "natural association" shall be construed as applying to average commercial samples of the feeding material with which it may be claimed that a particular mineral ingredient is associated.

4. Any other ingredient unsuitable for inclusion in compounded animal feed resources, including, but not limited to such materials like mouldy material, auto-oxidized fats, heat-damaged material, saponins, toxic or noxious seeds and weeds, pathogenic materials or any other material which, by means of organoleptic assessment, appears unsuitable for use in animal feeds and/or feed additives.

5. Any contaminant resulting from pesticide application, industrial contaminants or radioactive material.

 THIRD SCHEDULE

(Made under section 30,31 and 32)

NAMES, CLASSIFICATION, COMPOSITION AND LEVELS OF ANIMAL
 FEED RESOURCES, INGREDIENTS IN ANIMAL FEEDS AND FEED ADDITIVES
 AND DEFINITIONS IMPLIED ON SALE UNDER CERTAIN NAMES

ARTICLE	PARTICULARS TO BE CONTAINED IN PRESCRIBED STATEMENT
A: GRAINS AND CEREALS	
Barley	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
Burlrush millet	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
Finger millet	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
Maize	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
Whole maize cob	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
Maize, flaked	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
Oat feed (grain or crushed)	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
Rice, Polished	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
Sorghum, white	Tannic acid, moisture, aflatoxins contamination not more than 10ppb.
Sorghum, red	Tannic acid, moisture, aflatoxins contamination not more than 10ppb.
Triticale	Moisture, aflatoxin contamination not more than 10 ppb, metabolizable energy, sugar & starch respectively.
B: CEREAL BY-PRODUCTS	
Maize bran	Fibre
Hominy feed	Fibre
Maize gluten	Oil, protein and moisture respectively

Maize germ cake or meal	Oil, protein and moisture respectively
Rice bran	Fibre
Rice pollards	Fibre
Rice polishings	Fibre
Rice feed meal	Fibre
Wheat bran	Fibre
Wheat mildings	Fibre and oil respectively
Oat meal by-products	Fibre
Wheat pollards	Fibre
Other by-products resulting from processing of maize, rice, barley, wheat, millets, oats or any other cereal not otherwise specifically mentioned in this schedule.	Oil, protein and fibre respectively

C: OIL SEEDS AND OIL SEED BY-PRODUCTS

Allen Blacky cake	Oil and Fibre respectively
Cashew nuts	Protein and oil respectively
Cashew nut cake	Protein and oil respectively
Castor seeds	Protein and oil respectively
Castor oil cake	Protein and oil respectively
Copra cake	Oil and protein respectively
Cotton seeds	Protein, oil and fibre respectively
Cotton seed hulls	Fibre
Cotton seed cake or meal (not decorticated)	Oil, protein fibre, gossypol levels
Cotton seed cake or meal (decorticated)	Oil, protein and fibre respectively
Kapok seed cake or meal	Oil and protein respectively
Linseed meal	Oil and protein respectively
Linseed cake and meal (extracted)	Oil and protein respectively
Palm kernel cake or meal	Oil, protein and fibre respectively
Pumpkin seed meal	Oil, and protein respectively
Rapeseed cake or meal	Oil, protein and fibre glucosinolate – myrosinase respectively
Simsim (sesame) seed	Oil and protein respectively
Simsim oil cake or meal	Oil and protein respectively
Soybean meal (full fat)	Oil and protein
Soybean cake (extruded)	Protein and fibre respectively
Soybean cake (not extruded)	Oil and protein respectively

Sunflower seed	Protein and fibre respectively
Sunflower seed cake or meal (decorticated)	Protein, Oil and fibre respectively
Sunflower seed cake or meal (not decorticated)	Protein, Oil and fibre respectively
Oil cakes or meals not otherwise specifically mentioned in this schedule which are the products of any one decorticated substance or seed from which oil has been extracted.	Oil, protein and fibre respectively
Water melon seed meal	Protein, fibre

D: BY-PRODUCTS OF BREWERY

Dried brewery and distillery spent grains (brewers waste)	Sugar and starch, protein and oil respectively
Wet brewery and distillery spent grain (wet brewers mash)	Sugar and starch, protein, oil and moisture respectively
Malt culms	Protein and fibre respectively
Sorghum brewers waste (chibuku)	Sugar and starch, protein and fibre respectively
Brewers yeast	Protein

E: BY-PRODUCTS OF SUGAR INDUSTRY

Dried plain beet pulp	Fibre
Dried molassed beet pulp	Total sugars and fibre respectively
Molasses	Total sugars
Molassed feeds (other than dried molassed beet pulp) including any compounded animal feeds composed of treacle or molasses with an absorbent and containing no less than 10 percent sugar	Total sugars and fibre respectively
Sugar cane bagasse (treated or untreated)	Fibre

F: ANIMAL AND FISH BY-PRODUCTS

Blood meal (wet or dried)	Protein
Lake fish meal or any other product obtained by drying and grinding or otherwise treating fish or fish waste from fresh water.	Oil and protein respectively
Meat meal or any other product other than bone meal and blood meal obtained by processing meat or carcass offals (including whale meat).	Protein and oil respectively
Prawns head meal	Calcium, phosphorous, protein, and oil respectively
Sea fish meal or any other product obtained by drying and grinding or otherwise treating fish or fish waste from salty water.	Oil protein and Sodium chloride respectively

G: LEGUMINOUS SEEDS

Faba beans or bean meal	Protein
Faba bean and pod meal	Protein and fibre respectively
Gram meal (chick pea)	Protein
Gram bran	Protein and fibre respectively
Gram husks	Fibre
Locust bean meal	Protein
Phaseolus beans or bean meal	Protein
Phaseolus bean and pod meal	Protein, fibre and hasing respectively
Pea meal (including all types of peas)	Protein and fibre respectively
Pea and pod meal	Protein and fibre respectively

H: FORAGE CROPS AND OTHER MULTI-PURPOSE TREES

Acacia seed meal	Protein
Acacia seed meal and pod meal	Protein and fibre respectively
Alfalfa meal (Lucerne)	Protein and fibre respectively
Cassava leaf meal	Protein and fibre respectively
Clover meal	Protein and fibre respectively
Coffee husks or hullings	Fibre
Coffee silver skin	Protein and fibre respectively
Dried fodder crops (hay), grass or any green roughage	Protein and fibre respectively
Glyricidia leaf meal	Protein and fibre respectively
Leucaena leaf meal	Protein and fibre respectively
Maize whole plant (at silking stage)	Protein, moisture and fibre respectively
Maize green plant leaves (stripped/or topped)	Protein and fibre respectively
Marejea whole plant meal (<i>Clotalaria ochraleuca</i>)	Protein and fibre respectively
Mchungu leaf meal (<i>Launaea cornuta</i>)	Protein and fibre respectively
<u>Moringa oleifera</u> leaves	Protein, fibre
Pyrethrum marc	Fibre
Potato vines (stem and leaves)	Protein, moisture and fibre respectively
Pumpkin seed meal	Oil and protein respectively
Silage (grass or mixed)	Moisture and ammonia respectively
Sorghum whole plant (at silking stage)	Protein, moisture and fibre respectively
Sorghum green leaves (stripped and/or topped)	Protein, moisture and fibre respectively
Sisal waste	Metabolizable energy and fibre respectively
<u>Trichantera gigantea</u> leaves	Protein, fibre
Water melon (whole plant)	Total sugar and moisture respectively
Water melon seed meal	Protein

I: ROOTS AND TUBERS

Cassava meal (Tapioca)	Metabolizable energy, starch and hydrocyanic acid, cyanide, fibre, protein levels respectively
Irish potatoes (unpeeled and boiled)	Starch and sugar respectively
Sweet potatoes (un-peeled and boiled)	Starch and sugar respectively
Carrot (whole plant)	Starch and sugar respectively
Sugar beet top	Sugar, starch and fibre respectively
Yams and coco-yams	Starch and Sugar respectively

J: MINERAL SOURCES

Bone meal	Calcium, phosphorous and protein respectively
Limestone	Calcium
Mono- or Dicalcium phosphate	Calcium and phosphorous respectively
Oystershell meal or similar products derived from crustaceans	Calcium phosphorous and sodium respectively
Common Salt	Sodium and chlorine respectively

K: FORMULAR FEEDS**(i) Poultry Feeds**

Chick starter feed	Metabolizable energy protein fibre calcium phosphorous, lysine, methionine & cystin
Growers mash	Metabolizable energy, protein, fibre, calcium phosphorous, lysine, methionine + cystine
Layers mash	Metabolizable energy protein fibre calcium phosphorous, lysine, methionine + cystine
Broiler starter feed	Metabolizable energy, protein, fibre, calcium, phosphorous, lysine, methionine + cystine
Broiler finisher feed	Metabolizable energy, protein, fibre, calcium, phosphorous, lysine, methionine + cystine
Ducklings starter feed	Metabolizable energy, protein, fibre, calcium, phosphorous, lysine, methionine + cystine
Poults feed	Metabolizable energy, protein, fibre, calcium, phosphorous, lysine, methionine + cystine
Breeders Feed	Metabolizable energy, protein, fibre, calcium, phosphorous, lysine, methionine + cystine

(ii) Cattle Feeds

Calf milk replacer feed (milk substitute meal)	Metabolizable energy, protein, calcium and phosphorous respectively.
Calf meal (Calf starter feed)	Metabolizable energy, protein, fibre, calcium and phosphorous respectively
Heifer grower feed	Metabolizable energy, protein, fibre, calcium
Dairy meal (lactating cow feed)	Metabolizable energy, protein, fibre, calcium and phosphorous respectively
Dry cow, bull feed.	Metabolizable energy, protein, fibre, calcium and phosphorous respectively.

Beef concentrate (fattening cow feed)	Metabolizable energy, protein, fibre, calcium and phosphorous respectively
(iii). <u>Swine Feeds</u>	
Creep feed	Metabolizable energy protein fibre calcium phosphorous, lysine, methionine + cystine
Sow and weaner meal	Metabolizable energy, protein, fibre, calcium, phosphorous, lysine, methionine + cystine
Pig finisher feed	Metabolizable energy, protein, fibre, calcium, phosphorous, lysine, methionine + cystine
Gestation/Lactating pig feed	Metabolizable energy, protein, fibre, calcium, phosphorous, lysine Methionine + cystine
(iv). <u>Others</u>	
Lamb & goat fattener feed	Metabolizable energy, protein, calcium and phosphorous respectively
Ostrich complete meal	Metabolizable energy, protein, fibre, lysine, methionine + cystine calcium and phosphorous respectively
Horse meal	Metabolizable energy, and protein respectively
Pond fish meal	Metabolizable energy, protein, Fibre, Lysine and Methionine respectively
Dog feed	Metabolizable energy, Fibre and protein respectively
Cat feed	Metabolizable energy, Fibre and protein respectively as applicable to East African Standards.
Camel feed	Energy and protein respectively
Rabbit meal	Energy, protein and fibre respectively
Dried Yeast	Protein
Feed grade urea	Nitrogen
Other formulated feeds and feed supplements (concentrates) otherwise not specifically mentioned in this schedule but intended to be fed wholly or mixed with other articles mentioned in this schedule.	Name of product, important nutritional composition, type and class of livestock for which the product is intended and directions for use.

L: PREMIXES

These include premixes for all classes of livestock, vitamin-mineral concentrates of any kind including those administered through drinking water, mineral lick, stone, urea-molasses lick stones and similar products, and all mineral supplements not otherwise specified in this schedule

Name of product, important nutritional composition, type and class of livestock for which the product is intended and directions for use.

M: FEED ADDITIVES

These include coccidiostats; antibiotics, organic acids; growth promoters and hormones; pigments and colorants; other in-feed medications and therapeutical substance, preservatives, stabilizers, emulsifiers and any such products include in the feed during compounding.

Name of product, all constituent ingredients and class of livestock for which the product is intended; expiry date.

PROVIDED

That the amounts in column two of this schedule, in each case, are to be stated as a definite percentage of the dry matter weight of the article, and not as a range of percentages for protein, fibre, total sugars, sugar & starch, oil, calcium, phosphorous, sodium chloride, nitrogen, lysine, methionine & Cystine. Amounts of vitamin are to be stated in "International Units" (IU) and other micro-elements are to be stated in ppm (parts per million), metabolizable energy in megajoules per kilogram of dry matter weight (MJ/KGADm), phasin in ppm and the rest of constituent ingredients of articles in section (L) of first schedule are to be stated according to international convention as prescribed in Tanzania Standards (TZS).

****ppb:** means parts per billion or Micrograms per Kilogram.

P: Ingredients in animal feeds and Feed additives the presence and amount of which must be declared

Husks, chaff, glumes, shudder, hulls, nutshells or skins of nuts, from any source when used as separate ingredients or artificial mixtures in the manufacture or processing of animal feed resources.

Where the kernels naturally associated in seeds with one or other of the above materials are present in a compounded animal feeds along with the materials that might reasonably be expected to accompany such kernels when the seed from which they are derived is in its natural condition, provided that feeding in this condition is regarded as a common practice in the feeding of animals, such need not be declared:

- (a) Cereal straws, ground or otherwise;
- (b) Maize cobs, treated or untreated;
- (c) Peat or peat moss, treated or untreated;
- (d) Sawdust or any other form of wood, treated or untreated;
- (e) Cotton seed cake in feeds for laying hens, ducks, turkeys, geese and ostriches.

Any of the following substances not occurring naturally in any other ingredient-

- (a) Hormones and synthetic hormone-like substances;
- (b) Vitamins;
- (c) Mineral supplements;
- (d) Urea;
- (e) Pigments;

- (f) Antibiotics;
- (g) Genetically Modified Organisms (GMO's);
- (h) Other therapeutical substances and medicinal preparations.

Passed in the National Assembly on the 20th April, 2010.



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Clerk of the National Assembly