

The Dairy Industry (Registration of Dairy Industry Stakeholders) (Amendment)

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THE DAIRY INDUSTRY ACT
(CAP. 262)

REGULATIONS

(Made under section 32)

THE DAIRY INDUSTRY (REGISTRATION OF DAIRY INDUSTRY STAKEHOLDERS)
(AMENDMENT) REGULATIONS, 2020

Citation
GN. No.
208 of 2007

1. These Regulations may be cited as the Dairy Industry (Registration of Dairy Industry Stakeholders) (Amendment) Regulations, 2020 and shall read as one with the Dairy Industry (Registration of Dairy Industry Stakeholders) Regulations, 2007, hereinafter referred to as the “principal Regulations.”

Amendment of
regulation 3

2. The principal Regulations are amended by deleting the definition of milk trader and replacing it with new definition to read as follows:
“trader” means any person or an entity that buys milk from producer or milk collection centre and sell to processor or consumer;”

Amendment of
regulation 5

3. Principal Regulations are amended by adding immediately after regulation 5 the following:
5A. Any person who contravenes the provision of this Regulation commits an offence and upon conviction shall be liable to a fine set out in the Fifth Schedule to these Regulations or imprisonment for a term not exceeding four months or to both.

Amendment of
regulation 6

4. The principal Regulations are amended in regulation 6 by deleting sub regulation (1) and substituting it the following:
“(1) All dairy premises dealing with milk production, collection, transportation, processing, and marketing premises’ shall be located away from environmentally polluted areas and industrial activities which poses a serious threat of contaminating milk and its products and shall be of suitable design, layout and construction to facilitate easy maintenance and sanitary milk production in compliance to Tanzania Standards and any other legislation related with milk hygiene.”

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Amendment of
regulation 9

5. The principal Regulations are amended by deleting regulation 9 and substituting for it the following:

“Registration fee
for dairy

9.-(1) The applicant whose application for registration of dairy is granted shall upon registration pay registration fee in respect of the dairy, as prescribed in the Fourth Schedule to these Regulations.

(2) All fees payable to the Board shall be maintained in accordance with the Act save that, training, research institutions and state owned dairies shall not pay registration fees.

(3) The Minister may upon recommendation from the Board amend or vary the provision of the Schedule to these Regulations.”

Amendment of
regulation 10

6. The principal regulations are amended in regulation 10 by deleting the words “of ten percent of the registration fee” appearing at the end and replacing for them the words “as prescribed in the Fourth Schedule”

Amendment of
regulation 16

7. The principal Regulations are amended by deleting regulation 16 and substituting for it the following:

“Offences and
penalties

16. Any person who contravenes the provisions of these Regulations where no specific penalty has been set commits an offence and upon conviction shall be liable to a fine not exceeding five million or imprisonment for a term not exceeding four months or to both such fine and imprisonment.”

Addition of
regulation 16A

8. The principal Regulations are amended by adding immediately after regulation 16 the following:

“Compounding of
offences

16A.-(1) Where a person admits in writing that he has committed an offence under these regulations. The Registrar or any authorized officer, in writing, may, at any time prior to the commencement of the proceedings by a court of competent jurisdiction, compound such offence and order such person to pay a sum of money not exceeding one half of the amount of the fine

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to which such person would otherwise been liable to pay if he have been convicted of such offence.

(2) Subject to subregulation (1), a person whose an offence has been compounded shall fill compounding form prescribed in the Sixth Schedule to these Regulations and make payment of the penalty imposed within fourteen days.

(3) Failure to make payment within the prescribed time as provided for in subregulation (2), a person whose an offence has been compounded shall pay a penalty and interest of twenty percent of such fine.”

Amendment of
Schedules

9. The principal Regulations are amended in the Schedules-

by deleting the First, Second, and Fourth Schedules and substituting for them the following:

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“FIRST SCHEDULE

(Made under regulation 4(2))

TANZANIA DAIRY BOARD

APPLICATION FOR REGISTRATION OF DAIRY STAKEHOLDERS

The Registrar
Tanzania Dairy Board
P.O.BOX 38456
Dar es Salaam.

I/We here apply for a new/renewal of a registration of my/our dairy in accordance with the Dairy Industry Act, 2004.

1. Name of applicant.....
2. Postal addressEmail:
3. Telephone.....
4. Types of Product
5. Source of Milk.....
6. Marketing destination of milk and/Products.....
7. Number of employees.....
8. Full name(s) of Partners/ Directors.....
.....
.....
9. Type of dairy:
(producer/processor/collector/distributor/importer/exporter/trader)
10. Situated at Plot No.....Street.....Village.....
Ward..... District..... Region.....
11. My/our dairy has capacity to
produce/process/collect/store/sell/distribute/import/export/ manufacture
..... litres/tonnes per day
12. I/We shall adhere to Good Hygienic Practices, good state of repair
and comply with the provisions of the Act and Regulations made thereunder.

N.B: - False declaration under these regulations constitutes an offence

Date..... Signed.....
Applicant

Fees Tshs 5,000/= Receipt No..... of

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Registration granted/not granted. Reasons

Registration No.....

Approved by Board meeting No.....

of.....

.....
Date

.....
Signed by Registrar and stamp

SECOND SCHEDULE

(Made under regulation 5)

TANZANIA DAIRY BOARD

CONDITIONS FOR REGISTRATION OF DAIRY STAKEHOLDERS

Na.	Stakeholder	Conditions for registration
1.	Milk producer	(1) Posses suitable dairy animal shed (2) Should have a suitable place for milking (3) Possess suitable milking utensils (4) Able to adhere to hygienic milk production (5) Adhere to Good Animal Husbandry Practices
2.	Milk collector	(1) Possess suitable milk handling equipment (2) Able to adhere to hygienic milk handling (3) Possess milk cooling facilities (4) Possess basic platform milk testing facilities (5) Possess suitably designed premises
3	Milk trader	(1) Possess suitable milk handling equipment (2) Adhere to hygienic milk handling (3) Possess basic platform milk testing facilities
4	Milk transporter	(1) Proof of permit of a milk container (2) Possess technically acceptable milk transportation containers.
5.	Milk processor	(1) Proof of possession of a valid license issued by a food regulatory body (2) Possess technically acceptable milk processing equipment (3) Adhere to good manufacturing practices (4) Possess milk cooling facilities (5) Possess basic milk and milk products testing facilities. (6) Possess technically acceptable premises
6.	Milk importer/wholesaler/ exporter/distributor	(1) Proof of possession of a valid license issued by a food regulatory body (2) Possess technically acceptable premises for milk products storage (3) Possess technically acceptable distribution facilities
7.	Input supplier	Proof of possession of a valid trading license

FOURTH SCHEDULE

(Made under regulation 9(1))

TANZANIA DAIRY BOARD

REGISTRATION FEE

STAKEHOLDER CATEGORY	Registration Fee (TZS)	Annual retention fee
A. Milk producers		
Large scale producers: more than 201 Lts/day	150,000	50,000
Medium scale producers: 51 – 200 Lts/day	75,000	25,000
Small scale producers: 11 – 50 Lts/day	0	0
Subsistence producers less than 11 Lts/day	0	0
B. Milk processors		
Large scale processors more than 51,000 Lts/day	300,000	50,000
Medium scale processors: 5,001–50,000lts/day	300,000	40,000
Small scale processors: 1,001 – 5,000 lts/day	150,000	30,000
Small scale processors 100 - 1000 lts/day	150,000	20,000
Small scale processors less than 100 lts/day	0	0
C. Milk Collector		
Large scale: collect more than 3,000 lts/day	250,000	50,000
Medium scale: collect between 1,001- 3,000lts/day	150,000	30,000
Small scale: collect between 201-1,000lts/day	50,000	25,000
Micro scale: collect less than 200 Lts/day	0	0
D. Milk Trader		
Milk Vendor/Dispenser: More than 200lts/day	0	0
Supermarkets	0	0
Shops	0	0
E. Milk Importer/ wholesaler / exporter /distributor		
Distributor	0	0
Importer	0	0
Exporter	0	0
F. Milk warehouses		
Warehouse with Storage capacity more than 50 Tones	500,000	100,000
Warehouse with Storage capacity between 20 - 50 Tones	300,000	50,000
Warehouse with Storage capacity less than 20 Tones	100,000	30,000
G. Dairy input suppliers	0	0

(b) adding immediately after the Fourth Schedule the following:

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“FIFTH SCHEDULE

(Made under regulation 5A)

TANZANIA DAIRY BOARD

PENALTIES ON OFFENCES

	STAKEHOLDER CATEGORY	PENALTIES	
		Unregistered	Registered but not complying to the registration conditions as per Second Schedule
1	Milk producer	100,000	50,000
2	Milk processors	1,000,000	500,000
3	Milk collector	500,000	250,000
4	Milk trader	500,000	250,000
5	Milk Distributer	500,000	250,000
6	Milk Importer	5,000,000	2,500,000
7	Milk Exporter	1,000,000	500,000
8	Milk ware houses	500,000	250,000

SIXTH SCHEDULE

(Made under regulation 16A)

COMPOUNDING FORM

(To be filled in triplicate)

1. Particulars of the owner

Name of the owner:
 Phone No.:
 Physical address:
 District:
 Postal Address: Region:
 Time of Arrest:

2. Declaration of an Inspector/authorized officer

I (*Name of Inspector*) have the reason to believe that (*Name of Dairy*) possess a stock of milk/milk products at the premises situated atcontravenes the provisions of the Dairy Industry Act, 2004 and Regulations made thereunder that is:

- i.
- ii.
- iii.

and I hereby notify the offender that I intend to impose a penalty of TZS
 Signed this.....day of.....20.....at.....

3. Details of milk/milk product Compounded

S/N	Brand name	Common name	Qty in litres or kgs	Batch No.	Date of manufacture	Expiry date	Reason for Compounding	Compounded offence (TZS)

4. Descriptions of carrier/premise

Name of carrier/premise
 Registration number
 Dimension/tonnage.....

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5. Declaration of the Owner or his Agent/Representative/offender

I consent that the named milk/milk products of Kilogram/Liters worth TZS Contravenes the Dairy Industry Act, 2004 and Regulations as named above and I hereby agree to pay a penalty of TZS..... as compounded offence within days from this day of (Date)

.....
Name of owner or representative Signature of owner or representative

Date.....

For official use

I, being the Registrar/a person authorized by the Registrar; having considered the offence committed and the declaration and defence of the offender, do hereby compound /not compound offence named in item of 2nd paragraph above and order to pay a sum of money of Tshs..... within from this day of, 20.....

Names	Signature (s)	Date
.....

.....
Official Stamp”

Dodoma,
12TH July, 2020

LUHAGA JOELSON MPINA
Minister for Livestock and Fisheries