

CHAPTER 36:03
LIVESTOCK AND MEAT INDUSTRIES
ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation
3. Operation of abattoir without registration
4. Application for registration of abattoir
5. Duties of Director
6. Powers of Director
7. Regulations

Law 32, 1962,
L.N. 84, 1966,
Act 1, 2007,
S.I. 50, 2007.

An Act to re-enact, with amendments, the Livestock and Meat Industries Act, to provide for the slaughter of domestic livestock, farmed game, wild game and poultry for human consumption, the control and operation of abattoirs, slaughter slabs, cold storage facilities, meat processing plants, cutting premises, canning plants and the marketing, grading and inspection of livestock, livestock products and other matters related thereto.

[Date of Commencement: 17th August, 2007]

1. Short title

This Act may be cited as the Livestock and Meat Industries Act.

2. Interpretation

In this Act, unless the context otherwise requires-

"**abattoir**" means any premises approved and licensed in which animals or poultry are slaughtered, and includes any place available in connection with those premises for the confinement of animals or poultry awaiting slaughter in those premises;

"**bovine**" means a bull, ox, steer, cow, heifer or calf;

"**carcass**" means-

- (a) in relation to bovine animals, sheep, goats, solipeds and farmed game, the whole body of a slaughtered animal after bleeding, evisceration, removal of the limbs at the carpus and tarsus, removal of the head, tail and udder and flaying;
- (b) in relation to swine, the whole body of a slaughtered animal after bleeding and evisceration whether or not the limbs at the carpus and tarsus and the head have been removed; and
- (c) in relation to birds, the whole body of a bird after bleeding, plucking and evisceration, whether or not the heart, liver, lungs, gizzard, crop, kidneys, legs at tarsus, head, oesophagus or trachea have been removed;

"**cold store**" means any premises, cutting premises, or a game processing or handling facility, used for the storage under temperature controlled conditions of fresh meat intended for sale for human consumption;

"**cutting premises**" means premises under temperature controlled conditions used for the purpose of cutting up fresh meat intended for human consumption;

"**departmental officer**" means the Director, or any veterinary officer, technical officer, scientific officer or technical assistant employed by the Government;

"**Director**" means the Director of the Department of Animal Health and Production;

"**solipeds**" means horses, donkeys, mules and any other member of the equine family;

"farmed game" means wild land mammals and ostriches and other ratites which are reared in captivity, excluding-

- (a) mammals of the family leporidae; and
- (b) wild land mammals living within an enclosed territory under conditions of freedom similar to those enjoyed by wild game;

"licensed" in relation to any abattoir, cold store, cutting premises, game processing or handling facility, meat processing plant or animal by-products plant means licensed by the Director;

"leporidae" means rabbits and hares;

"livestock" means cattle, sheep, goats, swine, equines, farmed and wild game, poultry, fish, reptiles or crustaceans or such other animal as the Minister may prescribe to be livestock for the purposes of this Act;

"livestock produce" includes meat, dry or fresh, or any other article whether processed or not, produced by or derived from livestock;

"local authority" means-

- (a) in the case of any township in respect of which a management board has been established, that management board; and
- (b) in the case of any other township, village or area, the Council of the District Council or equivalent;

"meat" means all parts of livestock which are fit for human consumption;

"meat inspector" means-

- (a) any person appointed by the Director, holding a Certificate in Meat Inspection from the Meat Inspection College of Botswana, or an equivalent qualification approved by the Director of Public Service Management; or
- (b) any person who has received special training in the work of meat inspection and appointed by the Director as a meat inspector;

"official veterinary surgeon" means a registered veterinary surgeon designated under section 6 (1);

"plant" means any abattoir, slaughter slab or slaughter pole, cold storage facility, meat processing plant, cutting premises or cannery;

"poultry" means chickens, turkeys, ducks, geese or any other bird that the Minister may prescribe for the purposes of this Act;

"ratite" means ostrich and any other flightless bird having a flat breastbone lacking a keel for attachment of flight muscles;

"veterinary officer" means a registered veterinary surgeon employed in the Ministry responsible for agriculture; and

"wild game" means-

- (a) any wild land mammal which is hunted, including a wild mammal living within an enclosed area under conditions of freedom similar to those enjoyed by wild game; and
- (b) wild birds.

3. Operation of abattoir without registration

(1) No person shall operate an abattoir unless the abattoir is registered with the Director.

(2) A person who contravenes subsection (1) shall be guilty of an offence and liable to a fine not exceeding P6,000 or to imprisonment for a term not exceeding three years or to both, or to imprisonment without the option of a fine, and, in the case of a continuous offence, to a fine not exceeding P2,000, for every day during which the offence continues.

4. Application for registration of abattoir

A person who wishes to operate an abattoir shall apply to the Director for the registration of the abattoir in such form and manner as may be prescribed.

5. Duties of Director

The Director shall be responsible for-

- (a) the registration of plants;
- (b) the control and inspection of the slaughter and processing of livestock;
- (c) ensuring that any person operating a plant observes the appropriate hygiene requirements in the plant; and
- (d) ensuring that any person transporting meat observes appropriate hygiene requirements.

6. Powers of Director

(1) The Director may, in writing, designate official veterinary surgeons, meat inspectors and departmental officers to carry out any function that may arise under this Act.

(2) The Director may require any person working in a plant to undergo a medical examination and furnish a valid medical certificate.

7. Regulations

(1) The Minister may, by statutory instrument, make regulations for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the regulations referred to in that subsection may-

- (a) provide for anything required to be prescribed under this Act;
- (b) provide for the control of plants;
- (c) provide for the control of dealings in and marketing, grading and inspection of livestock produce;
- (d) prescribe location, design, structure, sanitation, drainage, ventilation and lighting of, and the equipment, machinery, apparatus, instruments and utensils to be used in, a plant;
- (e) provide for the treatment and handling of livestock;
- (f) provide for the preparation, treatment and handling of livestock produce;
- (g) prescribe the methods of slaughter of livestock;
- (h) prescribe the number and species of livestock which may be slaughtered in a plant;
- (i) provide for the inspection of meat and the fees that may be charged for such inspection and the marks to be placed on the carcasses;
- (j) prescribe additional hygiene standards to be adopted in a plant;
- (k) provide for the sampling and testing of livestock produce for micro-organisms, anti-microbial substances, anthelmintics, hormones, pesticides or any other residues or contaminating substances;
- (l) prescribe the standards of quality and grades of meat, the manner of grading, the fees which may be charged for grading and the marks to be placed on the carcasses to denote the various grades;
- (m) prescribe the method of handling, storing and transporting meat intended to be used by any person other than the producer of that meat;
- (n) prescribe the form and manner of application for the registration and licensing of plants;
- (o) require local authorities, auctioneers and persons engaged in the livestock industry to render returns or furnish information in respect of the livestock industry, and prescribe the form and manner in which such returns shall be furnished or rendered;
- (p) prescribe the form in which records shall be kept by persons trading in livestock or livestock produce, or by the owners or persons having control of a plant;
- (q) provide for the registration of producers' agents at abattoirs and the fees to be paid for such registration;
- (r) prescribe an export tax on any livestock produce; and
- (s) prescribe a livestock slaughter levy on any animal slaughtered.

(3) The Minister may apply any or all of the regulations made under subsections (1) and (2) to specified areas or specified plants.

(4) The regulations referred to in subsections (1) and (2) may provide that any person who contravenes any provision thereof or who fails to comply with any order, requirement or condition lawfully issued to or imposed on him or her by virtue of any regulation and with which it is his or her duty to comply shall be guilty of an offence.

(5) The regulations referred to in subsections (1) and (2) shall specify what penalty may be imposed for each offence created by subsection (4) and may also provide different penalties in the case of continuous offences, but no such penalty shall exceed a fine of P6,000, or, in default of payment thereof, imprisonment for a period not exceeding three years, or such imprisonment without the option of a fine or both such fine and imprisonment.