

[Chap6702]CHAPTER 67:02

MEAT AND MEAT PRODUCTS

ARRANGEMENT OF SECTIONS

SECTION

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3 of 1975

G.N. 183/1975

An Act to provide for the improvement and control of the production, processing, manufacture, grading, sale, marketing and distribution of meat, and meat products and for matters connected therewith and incidental thereto

[1ST DECEMBER 1975]

[Ch6702s1]1. Short title

This Act may be cited as the Meat and Meat Products Act.

[Ch6702s2]2. Interpretation

(1) In this Act, unless the context otherwise requires—

“carcase” means the carcase of any livestock and includes any part of such carcase;

“Government mark” means a mark authorized by the Minister for use by a grader appointed under section 3 when marking a carcase in accordance with this Act;

“grader” means any person for the time being appointed as such under section 3;

“inspector” means any person for the time being appointed as such under section 3;

“livestock” means cattle, sheep, pigs, goats, poultry and such other animals as the Minister may declare to be livestock pursuant to subsection (2);

“meat” means the carcase, or offal, or any part of the carcase or offal, or any product of the carcase or offal of any livestock and, in the case of poultry, includes the eggs thereof;

“slaughterhouse” means a place for slaughtering livestock, the meat of which is intended for human consumption, and includes any place in connexion therewith for the confinement of animals while awaiting slaughter any such place used or for keeping, or subjecting to any treatment or process, products of the slaughter of animals in such slaughterhouse.

(2) The Minister may by Order made by notice published in the Gazette, extend the definition of “livestock” appearing in subsection (1), by declaring the said term to include such other animals as may be designated in such Order to be livestock for the purposes of this Act.

[Ch6702s3]3. Designation of inspectors, graders, etc.

(1) There shall be inspectors for the purpose of this Act, who shall be officers in the public service, designated by the Minister.

(2) There shall be graders for the purpose of this Act, who shall be officers in the public service, designated by the Minister.

[Ch6702s4]4. Power to make regulations

(1) The Minister may make regulations for the better carrying out of this Act, and without prejudice to the generality of the foregoing such regulations may make provision—

(a) regulating and controlling the production manufacture, processing, marketing, distribution and sale of meat or meat products;

(b) prescribing minimum standards to which carcasses, meat or meat products shall conform, whether as a condition of importation or exportation, or of sale within Malawi and for the seizure, detention, condemnation and destruction, either with or without compensation, of any carcasses, meat or meat product considered by any grader, inspector or other prescribed person to be unfit for human consumption;

(c) prescribing the manner of handling, transporting, storing and packing of any carcase, meat or meat products;

(d) authorizing the inspection, examination sampling, analysis, treatment and control of any livestock intended for slaughter for human consumption and of the food of such livestock and prescribing conditions upon, and the manner in which, livestock and food may be taken for any such purpose, either with or without compensation;

(e) fixing the minimum, maximum or specific prices determined by reference to deadweight and grade or liveweight and grade, which shall be paid for livestock delivered to slaughterhouses and there tendered for sale whether for the purpose of slaughter or otherwise;

(f) prescribing the methods to be employed in the slaughter of animals in slaughterhouses and the implements to be used for such purposes;

(g) requiring the registration and licensing in such manner, and upon payment of such fees, as may be prescribed of the producers (including persons who keep poultry with a view to selling the carcasses or eggs thereof for human consumption), manufacturers, processors, distributors and sellers of meat and meat products and providing for the suspension or cancellation of any such registration or licensing;

(h) prescribing the qualifications, powers and duties of inspectors, graders and other persons appointed to exercise powers and to perform duties under this Act, including power to enter and to remain in or upon slaughterhouses and premises used in connexion with the production, storage, processing, manufacture, grading, sale, marketing and distribution of meat and meat products for the purposes of this Act;

(i) requiring the production to, and authorizing the examination, inspection, analysis and testing by, officers appointed under this Act of carcasses, meat and meat products and any article used in connexion with carcasses, meat and meat products or the production, processing, manufacture, grading, sale, marketing and distribution thereof, prescribing charges in respect thereof, and conditions upon and the manner in which carcasses, meat and meat products or articles or parts or samples of any of them may be taken, either with or without compensation;

(j) authorizing the opening by officers appointed under this Act or other persons for the purpose of inspection, any package which contains, or which is reasonably thought to contain, carcasses, meat or meat products;

(k) prescribing the books, accounts, vouchers and records to be kept and maintained by persons carrying on any business to which this Act relates;

(l) authorizing the examination and inspection by officers appointed under this Act or other persons of all books and documents relating to the production, processing, manufacture, grading, sale, marketing and distribution of any carcasses, meat or meat products;

(m) prescribing that save with the permission in writing of the Minister, no person shall import into, or export from, Malawi any carcase, meat or meat product, and prescribing the form and manner in which such permission may be sought and further empowering the Minister to grant such permission subject to such exceptions, conditions and qualification, if any, as he may see fit to impose;

(n) prescribing that, save with the permission in writing of the Minister, no person shall sell any meat, carcase or meat product, and prescribing the form and manner in which such permission may

be sought and further empowering the Minister to grant such permission subject to such exceptions, conditions and qualifications, if any, as he may see fit to impose;

(o) prescribing that any person who occupies premises which he uses, or permits to be used, as a slaughterhouse, without being the holder of a current valid licence to do so under this Act, shall be guilty of an offence.

(p) controlling and regulating the establishment, design, construction, standards, locality, supervision, equipment, maintenance and management of slaughterhouses and of premises used in connexion with the production, storage, manufacture, processing, marketing, distributing or selling of carcasses, meat and meat products;

(q) for the examination, grading and marking of carcasses of livestock required to be graded under this Act; to make provision for the various grades to be used for such purpose, their respective names, designations and marks, and for the criteria applicable to each such grade;

(r) for the production of carcasses of livestock to graders, for examination, grading and marking in accordance with this Act;

(s) for the marks to be used by graders;

(t) for appeals from any decision of any registrar, licensing officer, grader, inspector or other officer appointed under this Act, in the exercise, or purported exercise, of his powers or functions under this Act, and for the fees to be paid and the procedure to be followed in connexion with such appeals;

(u) prescribing the fees or charges for services rendered under this Act;

(v) requiring returns, reports and estimates to be furnished by producers, manufacturers, processors, marketers, distributors and sellers of carcasses, meat and meat products;

(w) prescribing the forms of applications, permits, licences, registers, and other documents and prescribing the marks to be used for purposes of this Act;

(x) exempting from any of the provisions of this Act or of any regulation made thereunder any person or class of persons or any meat or meat product;

(y) prescribing any matter to be or which may be prescribed under this Act.

(2) Regulations made under subsection (1) may be made to apply to the whole of Malawi or to specified areas of Malawi and different regulations may be made in respect of different areas of Malawi or for different kinds or grades of meat or meat products.

Any person who contravenes any provision of this Act or of any regulation made thereunder shall be liable on first conviction to imprisonment for a term of twelve months or to a fine of K200.00 and on a second or subsequent conviction to imprisonment for a term of two years and to a fine of K400.00.

[Ch6702s6]6. Suspension of certain powers of Local Authorities where Regulations apply

Whenever in accordance with section 4 (2), Regulations made under section 4 (1) are made to apply to any Local Government Area, or to any specified place within such Local Government Area, as the case may be, the powers of the Local Authority for such area in respect of slaughterhouses and the killing of a livestock provided for by paragraph (7) of Part 4 of the First Schedule to the Local Government (Urban Areas) Act and the powers of such Local Authority in respect of diseased animals provided for by paragraph (9) of the said Part 4 of the said First Schedule to the said Act, shall be suspended and shall not be exercisable by such Local Authority in such Area or specified place, as the case may be, for so long as the aforesaid Regulations made under this Act continue to apply to such Area or specified place. Cap. 22:01

[Ch6702s7]7. Suspension of certain powers of District Councils where Regulations apply

Whenever in accordance with section 4 (2), Regulations made under section 4 (1) are made to apply to any area of a District Council or to any specified place within such area, as the case may be, the powers of such District Council in respect of the control, regulation, supervision or licensing of slaughterhouses provided by paragraph (1) of Part IX of the First Schedule, and by paragraphs (5) (d) and (6) (c) of Part I of the Third Schedule, to the Local Government (District Councils) Act, shall be suspended and shall not be exercisable by such District Council in such area or specified place, as the case may be, for so long as the aforesaid Regulations made under this Act continue to apply to such area or specified place. Cap. 22:02