

BUTCHERIES

[CAP. 100.

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CHAPTER 100

BUTCHERIES

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To control the supply and inspection of meat in urban areas.

INTERPRETATION

1. In this Act unless the context otherwise requires-

"approved abattoir" means any place where animals are slaughtered for the supply of meat for human consumption and which has been given a certificate of approval by the Minister under the provisions of the Abattoirs Act, Cap. 99;

"butcher" means any person who cuts up and sells meat for human consumption;

"butchery" means any place where meat is prepared and exposed for sale;

"cannery" means any place where meat is cut up, cooked, prepared and hermetically sealed in cans;

"chilled meat" means meat kept from the time of slaughter to the time of sale at a temperature at or above 0° C, but in no case higher than 4° C;

"cold store" means any place where meat is held at a temperature below 4° C;

"frozen meat" means meat kept from the time of slaughter to the time of sale at a temperature of below 0° C;

"holding" means a place where any animal is reared and kept commercially for consumption or stock-breeding purposes;

"meat" means the flesh of any animal of the bovine, ovine, equine, caprine or porcine species;

"meat inspector" means any person appointed to inspect meat or products of animal origin by the Minister under the provisions of the Abattoirs Act, Cap. 99;

"Minister" means the Minister responsible for agriculture and livestock.

CONDITIONS FOR OPERATING BUTCHERY

2. No person shall engage in the trade of butcher in the urban areas of Port Vila and Luganville, unless he complies with the following requirements-

(a) he holds the appropriate business licence;

(b) he maintains his butchery in accordance with the provisions of section 4 of this Act;

(c) he is medically examined at least once a year and obtains a medical certificate to the effect that he is not suffering from any contagious disease transmissible to his customers by reason of his trade;

(d) he ensures that any assistants whom he may employ shall comply with the preceding paragraph of this section.

REGISTRATION AND LICENSING OF MEAT EXPORT PROCESSING ESTABLISHMENTS

3. Notwithstanding any other provision of this Act, no person shall maintain or operate a meat export processing establishment unless it is registered and licensed in accordance with regulations made by Order of the Minister. For the purposes of this section, "processing establishment" means any establishment in which any part of the carcass of any animal is used for the preparation or manufacture for sale of products including canned meat, small goods, sausage skins, tallow, bones, bone meal, meat meal, blood meal, hides, animal glands or any other product principally derived from any animal.

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CONSTRUCTION OF BUTCHERIES

4. (1) Every butchery, cannery or any other premises where foodstuffs of animal origin intended for human consumption are prepared or placed on sale shall be subject to the provisions of all Acts and regulations made thereunder currently in force governing the construction of buildings.
- (2) Without prejudice to the generality of the foregoing, every butchery shall comply with the following conditions-
- (a) the main walls of the premises shall be constructed of cement, brick, stone or wood covered on the inside with a substance which shall be waterproof and washable;
 - (b) the floor shall be of cement and sloped to allow water used for washing to flow to drains which shall be so constructed as to carry such water into a soakage pit outside the premises. Every such drain and soakage pit shall be closed to the open air and protected against access by any animal or human and so arranged as not to cause nuisance;
 - (c) the premises shall either be ventilated on at least 2 sides by windows large enough to permit a good draught or airconditioned in such a manner as to provide an adequate circulation of air;
 - (d) there shall be no space between walls and roof, and the roof shall be of permanent impermeable material;
 - (e) any spaces giving access from outside whether for light or ventilation shall be protected by fly proof screens and where appropriate, such as at ground level, shall also be protected by metal grills to prevent the entry of rats;
 - (f) all meat exposed for sale shall be suspended inside butcheries on hooks made of non-degenerating and washable metal and shall be protected from flies;
 - (g) there shall be at least 1 tap with running water inside the premises and facilities for staff to wash their hands; and
 - (h) the premises shall not be within 5 metres of any refuse dump, stable, poultry house or any other premises of a nature likely to cause contamination of meat.

STORAGE OF MEAT

5. (1) All meat shall be stored before being sold for at least 96 hours in a cold storage chamber in which the temperature does not fall below 0° C or rise above 4° C, and where the carcass shall be kept slung up with adequate circulation of air round each piece.
- (2) In no case shall meat be frozen before being placed on sale if it is to be offered for sale as chilled meat.
- (3) If any butcher has no cold storage chamber which complies with the requirements of subsection (1) all carcasses intended for sale in his butchery shall be stored at a cold store on his behalf.
- (4) Every butchery shall be equipped with efficient refrigeration apparatus where the pieces of meat which have been cut for sale shall be kept at a temperature not exceeding 6° C before being placed on sale, and not exceeding 15° C when displayed for sale.
- (5) All carcasses awaiting processing in a cannery shall be stored in a cold store in which the temperature does not fall below 0° C or rise above 4° C.
- (6) All butcheries, canneries and premises where foodstuffs of animal origin are prepared or placed on sale shall always be kept clean and hygienic.
- (7) All waste matter shall be placed in a container provided with a lid and every such container shall be emptied and washed daily.

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INSPECTION OF MEAT

6. (1) No person shall sell or knowingly purchase any meat for resale which has not been inspected by a meat inspector and passed as fit for human consumption.
- (2) No butcher shall have on his premises any meat, carcass or offal which has not been inspected and passed as fit for human consumption by a meat inspector.

Any meat found in any butchery, cold store or cannery to be unfit for human consumption may be seized and destroyed. Written notice of such seizure and the reason for it shall be given by the meat inspector at the time of seizure to the owner of the premises in which the meat was seized.

- (4) No person being the holder of a butcher's licence or being in charge of a cold store or cannery shall permit the entry to his premises of any meat unless it comes from an approved abattoir by means of transport which complies with the provisions of section 7:

Provided that this subsection shall not apply to any premises which are within an area in respect of which the Abattoirs Act, Cap. 99 has not yet been brought into operation.

No person shall cause or permit any meat intended to be sold or exported to be transported from any holding to any place in the urban areas of Port Vila and Luganville or overseas except under conditions of emergency agreed beforehand with the veterinary officer.

TRANSPORT OF MEAT

7. (1) No person shall transport meat carcass or part carcass to or from a butchery, cold store, cannery or other place used for the preparation or sale of meat otherwise than in a closed vehicle which is in a clean condition and which is adapted for the transport of meat so that-
- (a) the interior of the vehicle shall be comprised of surfaces which are of smooth and non-absorbent materials to facilitate cleaning;
 - (b) the interior of the vehicle shall be fly-proof and dust-proof;
 - (c) the interior of the vehicle, and in particular the roof thereof, shall be thermally insulated; and
 - (d) the interior of the vehicle shall be fitted with rails to enable carcasses to be carried in the slung position.
- (2) No person shall transport cut or prepared meat to or from a butchery, cold store, cannery or other place used for the preparation or sale of meat otherwise than in a clean and hygienic container so that-
- (a) all meat is packed inside of such containers the inside surfaces of which are of smooth, non-absorbent, non-corrodible materials to facilitate cleaning;
 - (b) adequate refrigeration is provided to maintain the meat as chilled meat or frozen meat as defined;
 - (c) all such containers shall bear the stamp of a meat inspector or veterinary officer as prescribed in section 30 of the Abattoirs Act, Cap. 99.

INSPECTION OF PREMISES

8. All butcheries falling within the provisions of this Act and all operations connected with the preparation of chilled or canned meat or any other product of animal origin intended for human consumption may be inspected at any time by any meat inspector who may issue instructions to ensure that the provisions of this Act and the ordinary requirements of hygiene are complied with by the owners or occupiers of such premises and by the person in charge of such operations.

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RIGHTS OF ACCESS BY INSPECTORS

9. For the purposes of carrying out their duties under this Act all meat inspectors shall have access at any reasonable time to any cold store, butchery, cannery, or any other place where meat or other foodstuffs of animal origin are stored, processed or exposed for sale.

NOTICES BY MEAT INSPECTORS

10. (1) If upon inspection of any premises falling within the provisions of this Act any meat inspector finds that the premises, the equipment installed therein or the operations carried out thereat fail to comply with the provisions of this Act he shall notify the owner or occupier of the premises in writing of the alterations or improvements to the said premises or operations that are required to ensure that they comply with the provisions hereof.

- (2) Such notification shall specify the period of time which the proprietor shall be granted for the purpose of carrying out the said alterations or improvements:

Provided that such period shall not exceed 3 months from the date of the notification being received by the person to whom it is addressed.

Should the specified period be exceeded, the principal veterinary officer may apply to the court for an order that the premises be closed until such time as the required alterations or improvements have been completed to the satisfaction of the principal veterinary officer:

Provided that such closure shall be without prejudice to the institution of proceedings against the owner of the premises under the provisions of section 12.

CLOSURE OF BUTCHERY

11. (1) If either-

(a) following the issue of an order under section 10(3), the owner of the premises has failed within 3 months to comply with the notice served under section 10(1); or

(b) at the time that proceedings are instituted under section 12(2) the principal veterinary officer so requests,

the court may order the closure of the premises:

Provided that it shall be open to the owner to show cause why such order should not be made.

- (2) Any premises in respect of which an order under subsection (1) has been made shall only be reopened for use as a butchery, cold store or cannery (whether under the proprietorship of the same person or otherwise) with the written consent of the principal veterinary officer and the court.

OFFENCES AND PENALTIES

12. (1) Any person who contravenes any of the provisions of this Act or who obstructs any veterinary officer, meat inspector or any police officer in or upon the occasion of the exercise of his duties under this Act shall be guilty of an offence and upon conviction shall be liable on conviction to a fine of VT50,000 or imprisonment for a term of 3 months or to both such fine and imprisonment.
- (2) Any person who fails to comply with any instructions issued under the provisions of subsections (1) and (2) of section 11 shall be guilty of an offence and upon conviction shall be liable on conviction to a fine of VT100,000 or imprisonment for a term of 6 months or to both such fine and imprisonment.

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- (3) Any person who fails to comply with a provisional or a final closure order issued under the provisions of section 10(3) or 11(1) shall be guilty of an offence and upon conviction shall be liable to a fine of VT100,000 or imprisonment for a term of 6 months or to both such fine and imprisonment.

ENFORCEMENT OF ACT

13. The principal veterinary officer is charged with the application of this Act.

REGULATIONS

14. The Minister by Order may make regulations for the better implementation of this Act, and provide therein for penalties not exceeding VT50,000.