

DAIRY INDUSTRY (INSPECTORS) REGULATIONS

[L.N. 215/1964, Corr. No. 94/1964.]

1. These Regulations may be cited as the Dairy Industry (Inspectors) Regulations.
2. (1) The Board may by notice in the *Gazette* appoint any person to be an inspector to exercise the powers and perform the duties of an inspector under these Regulations.
(2) All police officers shall be inspectors for the purposes of these Regulations.
3. If an inspector has reasonable grounds for suspecting that evidence of an offence under the Act or any regulations or orders made thereunder is to be found on or in any land, premises, place, vehicle, bicycle, pack animal or vessel, or in the possession of any person, he may—
 - (a) after notification of his authority and purpose, enter the land, premises or place; or
 - (b) stop the vehicle, bicycle, pack animal or person and, after notification of his authority and purpose—
 - (i) examine the land, premises, place, vehicle, bicycle, pack animal or vessel and any plant, equipment or container thereon or therein or in the possession of that person;
 - (ii) require the production of and examine any dairy produce thereon or in the possession of that person;
 - (iii) open for the purpose of inspection any container or package which contains or is reasonably thought to contain dairy produce;
 - (iv) take samples of any such dairy produce or other article which may appear to him to comprise or contain dairy produce, and test any such plant, container or equipment;
 - (v) require the production of and examine all books, accounts, licences and documents relating to or reasonably thought to relate to the production, purchase, manufacture, conveyance, carriage, distribution or sale of dairy produce and take copies of any book, account, licence, document or part thereof;
 - (vi) seize, remove and detain any dairy produce which gives reasonable cause to suppose will afford evidence of an offence under the Act or any regulations or orders made thereunder, and for the same reason seize, remove and detain or take charge of any vehicle, bicycle, pack animal, plant, machinery, vessel, container or receptacle, and any book, account or document;
 - (vii) require any occupant of such land, premises or place or the owner of any such vehicle, bicycle, pack animal or any person in charge thereof, or an employee of such occupier or other person, to give such explanation and such information relating to dairy produce as may be reasonably required by the inspector in the performance of his duties; but no person may be required to answer a question the answer to which may tend to expose him to a criminal charge, penalty or forfeiture.
4. A person who—
 - (a) obstructs or hinders an inspector in making entry or inspection of any land, premises, or place or in stopping any vehicle, bicycle, pack animal or person which he is authorised by these Regulations to enter or stop and inspect, as the case may be; or

[Subsidiary]

- (b) without reasonable cause or excuse refuses or fails to produce to an inspector upon demand any dairy produce or any container, package, book, account, licence or document; or
- (c) wilfully withholds information or gives information knowing or having reason to believe it to be false or misleading,

shall be guilty of an offence and shall be liable to a fine not exceeding ten thousand shillings, or to a term of imprisonment not exceeding one year or to both.

5. Before removing any dairy produce or article under regulation 3(f), the inspector removing it shall furnish the person in whose custody or possession the dairy produce or article is at the time of removal with a written receipt therefor.

6. An inspector seizing dairy produce under the provisions of these Regulations may dispose or arrange for the storage thereof in the name of the Board in such manner as the inspector may deem convenient having regard to the perishable nature of dairy produce, and in any that event the inspector or police officer concerned shall, without unnecessary delay, furnish a written statement to the Board or its agent setting out brief particulars of the circumstances of seizure, the quantity of the dairy produce and the manner of disposal or storage thereof together with a receipt, if appropriate, relative to the disposal or storage of the dairy produce.

7. Every seizure under these Regulations shall be reported without unnecessary delay to a magistrate, who shall also be furnished with a copy of any written statement provided for under regulation 6.

8. The Dairy Industry (Inspectors) Regulations are hereby revoked.
