

THE PUNJAB ANIMALS COMPOUND FEED AND FEED STUFF ORDINANCE 2002
(Pb. Ord LXVIII of 2002)

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^[1]THE PUNJAB ANIMALS COMPOUND FEED AND FEED STUFF ORDINANCE, 2002
(Pb Ord LXVIII of 2002)

[15 October 2002]

An Ordinance to regulate the manufacture and marketing of animals compound feed and feed stuff in
the Province of the Punjab.

^[1]Promulgated by the Governor of the Punjab on 15 October 2002; and published in the Punjab Gazette (Extraordinary), dated 15 October 2002, pages 3037-43. Under Article 4 of the Provisional Constitution (Amendment) Order 1999 (9 of 1999), it will remain in force notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

Preamble.– Whereas it is expedient to regulate the manufacture and marketing of animals compound feed and feed stuff in the province of the Punjab;

And whereas the Provincial Assembly of the Punjab is dissolved and the Governor is satisfied that circumstances exist which render it necessary to take immediate action;

And whereas under Article 4 of the Provisional Constitution (Amendment) Order No.9 of 1999, as amended by the Chief Executive Order No.11 of 2000, the Governor of a Province may issue and promulgate an Ordinance;

Now, therefore, in exercise of the aforesaid powers and all other powers enabling him in that behalf, the Governor of the Punjab is pleased to make and promulgate the following Ordinance:-

1. Short title, extent and commencement.– (1) This Ordinance may be called the Punjab Animals Compound Feed and Feed Stuff Ordinance, 2002.

(2) It extends to the whole of the Punjab.

(3) It shall come into force at once.

2. Definitions.– In this Ordinance, unless the subject or context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say–

- (a) “additive” means a substance or combination of substances added to the basic feed mix or parts thereof to fulfil a specific biological growth and production needs;
- (b) “adulterated” in relation to compound feed and feed stuff means any compound feed stuff–
 - (i) which does not conform to the declaration made by the manufacturer as to nature, substance or quality which it purports or is represented to; or
 - (ii) which otherwise does not conform to the prescribed standards;
- (c) “animals” include any species of livestock and poultry;
- (d) “authorized agent” means any person who deals in compound feed and feed stuff under an agreement or contract with the manufacturers;
- (e) “authorized officer” means an officer authorized by Government for the purposes of this Ordinance;
- (f) “cake” means the mass resulting from the pressing of seeds, etc. after removal of oils, fats or other liquids;
- (g) “complete feed” means a feed adequate to fulfil nutritive requirements of animals;
- (h) “compound feed” means any ground, pelleted, crumbled or mixture feed intended for the feeding of animals and includes–
 - (i) a complete feed, including a customer formula feed;
 - (ii) a concentrated mixture to be fed as part of a ration with green forages, dry roughage or pasture;
 - (iii) a concentrate containing proteins, minerals, and/ or vitamins, to be mixed with grains; but does not include–
 - (1) unmixed whole seeds; and
 - (2) whole or ground hay straw, stover, silage, cobs and hulls when not mixed with other materials;
 - (iv) (1) the poultry compound feed as prescribed;
 - (2) livestock compound feed according to growth, reproductive and productive status as prescribed; and
 - (v) feed of other animals, as may be prescribed.
- (i) “concentrate” means a mixture of nutrients used with another nutrient to improve the nutritive balance of the feed and to be further diluted and mixed to produce a supplement or a complete feed for animals;
- (j) “crumble” means coarsely ground form of pelleted feed;

- (k) “customer formula feed” means any type of mixture which may contain more than one feed stuff;
- (l) “drug” means a substance intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in animals;
- (m) “feed stuff” or “feed ingredient” means any nutritious substance used in the production and manufacture of compound feed;
- (n) “feed mill” means an automatic or semi automatic plant for manufacturing of compound feed or customer formula feed and possessing experimental facilities to conduct biological trials and a laboratory of the standard to carry out proximate analysis and mycotoxin estimation of compound feed;
- (o) “Feed Inspection Officer” means an inspection officer appointed under this Ordinance;
- (p) “Government” means the Government of the Punjab;
- (q) “Inspector” means an inspector appointed under this Ordinance;
- (r) “Licencing Authority” means the officer appointed under this Ordinance for grant of licence;
- (s) “meal” means ingredient which has been ground or otherwise reduced in particle size for consumption by animals;
- (t) “micro-ingredients” mean vitamins, amino acids, minerals and other nutritive materials normally required in small amounts and measured as per national and international standards;
- (u) “misbranded” means misuse of registered trade name;
- (v) “pellet” means ground feed transformed into small discs by means of mechanical process in variable sizes;
- (w) “prescribed” means prescribed by rules made under this Ordinance; and
- (x) “sale” in relation to compound feed and feed stuff means transfer of ownership, in writing, either final, barter or in a change for a price paid or promised or part paid and part promised.

3. Feed stuffs or feed ingredients to be used in compound feed.– (1) The feed stuffs or feed ingredients to be used in the manufacture of compound feed for poultry and livestock may include the following:-

- (a) macro-ingredients–
 - (i) cereals or coarse grains:
maize or corn, rice (broken), nakoo, sorghum or milo, wheat, barley etc.;
 - (ii) vegetable protein sources:
cotton seed, meal or cake, rape seed, canola meal or cake, sunflower meal or cake, soyabean meal, sesame cake(til cake) or meal, linseed cake, maize or corn oil cake, maize or corn gluten feed, maize or corn gluten meal, rice polishing, rice protein meal, wheat bran, rice bran meal, matri, guar meal, pulses meal etc.;
 - (iii) animal protein sources :
fish meal, blood meal, meat meal, feather meal or poultry by product meal, meat and bone scraps, etc.; and
 - (iv) industrial and agricultural products or by-products:
molasses, fats and oils, di-calcium phosphate, limestone, marble powder, natural products, oyster shell, bone meal, beggasse, straws, stovers, hulls, cobs, fruit, barseem meal etc.;
- (b) micro-ingredients–
 - (i) vitamins:
vitamin A, vitamin D3, vitamin E, vitamin K3, thiamine, riboflavin, pantothenic acid, niacine, pyridoxine, biotin, choline, folacin, vitamin B12, etc.;
 - (ii) mineral compounds or salts:
calcium, phosphorus, potassium, sodium, chlorine, copper, iodine, iron, magnesium, manganese, selenium, zinc, ferrous, cobalt etc.; and

- (iii) amino acids.
- (c) feed additives—
 - (i) coccidiostats, antioxidants, enzymes, anti-fungal or antitoxin products, etc.;
 - (ii) premixes; and
 - (iii) drugs.

(2) Government may, by notification, declare any feed stuff, to be used in manufacture of compound feed for poultry and livestock, other than those mentioned under clause (a) of sub section (1).

(3) The manufacturer shall include any feed stuff as mentioned in clauses (a) (b) and (c) of sub section (1), in order to meet the nutritive requirements in the given animal compound feed.

4. Licence for manufacture.— (1) No person shall manufacture compound feed and feed stuff unless he holds a licence issued under this Ordinance and fulfils such conditions and pays such fee, as may be prescribed.

(2) The Feed Inspection Officer may refuse to grant licence to any person if the application for licence has not been made in the manner prescribed.

(3) No order under sub-section (2) shall be made unless the applicant has had a reasonable opportunity of being heard.

(4) The applicant may appeal against the order made under sub-section (2) to such authority and in such manner as may be prescribed.

5. Renewal of licence.— The licence issued under this Ordinance shall be renewed annually on payment of prescribed fee.

6. Packing, labelling, etc.— No compound feed and feed stuff shall be sold unless it is packed, branded and labelled in such manner as may be prescribed.

7. Quality control.— (1) All compound feeds and feed stuffs shall conform to the specifications and standards as prescribed.

(2) The manufacturers of any compound feed shall ensure that a label containing the following particulars is displayed on the feed bag or packing used—

- (a) the name under which the article is sold;
- (b) date of manufacture; and
- (c) nutritive composition of compound feed.

8. Prohibition against adulterations and misbranding.— No person shall, in contravention of any provision of this Ordinance or the rules framed thereunder, directly or indirectly, prepare, manufacture, keep or store for sale, or sell or offer to sell any compound feed or feed stuff—

- (a) which is adulterated; or
- (b) which is misbranded.

9. Appointment of Feed Inspection Officer.— (1) Government may, by notification, appoint Feed Inspection Officer or authorize any other officer for the purposes of this Ordinance.

(2) Feed Inspection Officer shall also be the Licencing Authority.

10. Approval of analytical laboratories.— Government may, by notification, approve analytical laboratories in the public sector for the purposes of this Ordinance, for the whole or any part of the Province of the Punjab, for any specified compound feed or generally for all compound feeds and feed stuffs.

11. Appointment of Inspectors.— (1) Government may appoint Inspectors in respect of all or any compound feed and feed stuff, and an Inspector so appointed shall have jurisdiction in such area as the Government may notify.

(2) The Feed Inspection Officer or the authorized officer may also exercise the powers and perform the functions of an Inspector under this Ordinance, within the limits of his respective jurisdiction.

12. Sampling.– (1) An Inspector shall, for the purpose of analysis in case of complaint, collect a sample of compound feed and feed stuff sold, offered for sale, or stored by manufacturer or kept in feed mill or held by his authorized agent.

(2) No person shall refuse the Inspector from collecting compound feed and feed stuff for the purpose of sub section (1) in such quantity and from such packing as he may direct.

(3) If any person contravenes the provisions of sub section (2), the Inspector may, without prejudice to any penalty to which such person may be liable for such contravention, seize up to twenty kilogram of the compound feed and give such person a certificate showing the nature and quantity of the compound feed and feed stuff seized, the date, time and place of seizure.

(4) The Inspector shall prepare in such form as may be prescribed, a declaration in triplicate containing full particulars relating to the sample seized and such declaration shall be signed or marked by both the Inspector and the person from whose possession, custody or control the compound feed and feed stuff has been seized, and a copy thereof shall be given to such person.

(5) When a sample is taken from the stock in the possession of an authorized agent as required under section 13(3), the authorized agent shall be bound to give the name and such other particulars of the person on whose behalf such stock is held by him, as the Inspector may require.

13. General powers of Inspectors.– (1) On receipt of any complaint from the farmer regarding quality of feed, the Inspector shall take representative samples of the same batch of feed from the farmer, authorized agent and the feed mill within a period of fifteen days from the date of purchase.

(2) If any such compound feed and feed stuff is found upon analysis to be not of the quality which it purports to be or if there is any contravention of the provisions of this Ordinance, the manufacturer shall be dealt with under section 17.

(3) An Inspector may, with prior notice, enter upon any premises used for preparation, manufacture, packing, storage or sale of compound feed and feed stuffs for the purpose of–

(a) collection of sample in case of complaint; or

(b) general inspection and examination of compound feed and feed stuff.

14. Right of private persons to have sample analyzed.– (1) Any person who has purchased the compound feed and feed stuff for his flocks or animals or feed mill and possesses a voucher or cash memo thereof, may make an application in writing to get his compound feed and feed stuff samples analyzed from approved laboratory for quality check by an Inspector having jurisdiction.

(2) The cost of analysis of the sample shall be payable by the person making the application.

(3) The cost of analysis shall be in accordance with the rates of laboratory approved for different tests by the Government.

15. Manner of sampling for analysis.– (1) An Inspector shall, after collecting or seizing any compound feed and feed stuff with the intention of submitting the same for analysis, forthwith, divide such compound feed and feed stuff in four parts. Each part shall be marked, sealed and fastened in air tight containers in a manner prescribed so that the nature and character of the content may not change, mentioning the date and time of sampling.

(2) An Inspector shall–

(a) deliver two parts to the person from whom the sample is taken;

(b) retain one part for future comparison; and

(c) submit one part to the authorized laboratory.

16. Analysis report.– (1) The authorized laboratory shall, upon having received any sample of compound feed and feed stuff from an Inspector, analyze the same and deliver or send to the Inspector forwarding the sample within two weeks, on payment of such fee as may be prescribed, a report on the prescribed form showing the result of such analysis.

(2) A copy of such report may be obtained from the approved laboratory by the person from whom the article so analyzed was collected by the person who has got his feed analysed upon making an application, on payment of prescribed fee.

(3) No person shall display any such copy on any premises or use such copy for the purpose of an advertisement.

17. Confiscation and disposal.— The Feed Inspection Officer or an authorized officer shall, in case of manufacture or sale of compound feed or feed stuff without licence or involvement in the practice of misbranding, confiscate such manufactured stuff and machinery and disposed them in the manner as may be prescribed.

18. Penalties.— (1) Whoever manufactures or sells compound feed or feed stuff without licence or is involved in the practice of misbranding shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one hundred thousand rupees or with both.

(2) Whoever manufacturers or sells any compound feed or feed stuff which does not conform to the declared specifications and standards shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to fifty thousand rupees or with both.

19. Cognizance of offences.— No court shall take cognizance of any offence punishable under this Ordinance, except on a complaint in writing made by the Feed Inspection Officer or an Inspector or any other officer authorized in this behalf by the Feed Inspection Officer or Government.

20. Indemnity.— No suit, prosecution or other proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of any provision of this Ordinance.

21. Delegation of powers.— Government may delegate all or any of its powers under this Ordinance to the Feed Inspection Officer or any other officer authorized by it.

22. Power to make rules.— Government may make rules for the purpose of carrying into effect the provisions of this Ordinance.

23. Repeal and savings.— (1) The Punjab Animals Compound Feeding Stuff Act, 1974 (XIV of 1974), is hereby repealed.

(2) Notwithstanding the repeal, all acts done or intended to have been done under the said Act shall be deemed to have been done or intended to have been done under this Ordinance.