

REPUBLIC OF SOMALILAND

MINISTRY OF LIVESTOCK

The National Dairy Act

2015



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PREFACE

The main purpose of this Act is to guide and streamline hygienic practices in primary production, handling, processing and distributing of milk and milk products. It will protect the consumer from potential health hazards caused by transmission of pathogenic agents from animals, through contaminated milk and pathogens through dilution of milk and addition of other substances.

The Act outlines the production of milk from healthy animals, milked by clean and healthy personnel, handled, processed and distributed in a hygienic manner to protect the consumer. The code also requires that all those involved their agents and/or premises of production or handling of milk for sale be registered to facilitate traceability of the product, vehicle, agent, for ease of enforcement of the relevant milk and milk products standards¹.

JUSTIFICATION

Somaliland is a country that broke away from the rest of Somalia in 1991 following the collapse of the former regime of Somalia. Since then, the public sector has been struggling with the restoration of the regulatory framework of the country to eliminate the gaps that existed since the collapse. There have been no laws on milk and milk by-products, guidelines to cover the existing needs on sanitary and phytosanitary measures and the public health protection has been in a precarious situation.

Hence, the Ministry of Livestock has come to realize that it is the right time to put in place the Dairy Act which is expected to cover the dairy needs on public health protection.

The Dairy Act has been developed to address constraints in the milk value chain in compliance with local, regional and international obligations in matters related to animal health. The Dairy Act proposed to take the following into consideration:

- National Veterinary Code and other laws of Somaliland
- OIE terrestrial animal health code.
- AU/IBAR recommendations for disease control policies and strategies for East African countries.
- WTO/SPS requirements/agreements in livestock and agricultural products trade.
- FAO/IAEA recommendations on accreditation for the purpose of sanitary measures of inspection and certification protocols and procedures of implementation for the export and import of livestock and livestock products.
- The Joint Needs Assessment (WB/UN/GOSL/JNA) (2006) report. The report has described the livestock sector development needs (not all the priorities were emphasised in the report) towards attainment of the Millennium Development Goals (MDG) by the year 2015.
 - Food and water security strategy
 - National development plan (2012-2016)

Acknowledgement

In a given Country, it is the role of the government to initiate acts to develop appropriate guidelines for the development of the sector. The initiation of such an Act must involve all the key stakeholders initially. The Act will be of great value to the ministry and all stakeholders in the livestock sector in Somaliland.

I wish to convey my appreciation to the livestock policy hub task force for their dedication to produce such a genuine document, also I would like to extend my wishes to FAO and AU-IBAR for their financial and technical support. Special thanks go to Vet-GOV members.

Finally, the minister Appreciates efforts made by different stakeholders who devoted their time to contribute ideas towards the formulation of this draft.

Minister of Livestock

ADMINISTRATION OF THE ACT

The Minister shall be responsible for the implementation and enforcement of this Act and all regulations made there under and shall in that capacity perform all functions and exercise all powers conferred upon him by this Act.

1. SCOPE

This code prescribes the minimum standards and requirements for hygienic practice for production, handling and commercial distribution of both locally produced and imported milk and milk products.

2. APPLICATION

2.1 The code shall apply to raw, processed milk, and milk products consumed in Somaliland.

3. DEFINITIONS

For the purposes of these standards the following definitions shall apply:

Milk product---A product obtained from milk with addition of food additives, processing aids and other ingredients functionally necessary for the manufacturing process.

Pasteurization---shall be the heat treatment at specific temperature time combination aimed at reducing the number of harmful micro-organisms in milk and cream. It is intended to result in extended shelf-life of milk and in only minimal chemical, physical and organoleptic changes. Pasteurization conditions are designed to effectively destroy the organisms of mycobacterium tuberculosis and other harmful pathogens. Pasteurization of milk and cream results in a negative phosphates activity and positive peroxide activity

Public Health Protection P---shall be the control and measuring levels of potential hazards to protect the consumer from any ill-health caused by contaminated milk and milk products.

Raw milk-- .shall be normal ,clean and fresh mammary gland secretion of healthy milking animals, free from colostrums, without addition to or extraction from it, and is suitable for further processing

Thermization---shall be a heat treatment at specified temperature and time combination aimed at reducing the number of organisms in milk and permitting longer storage of milk prior to further processing. The heating conditions are 62° C, to 65° C for 15 to 20 seconds. Thermized milk must be phosphates positive.

Board: means the Somaliland Dairy Board established under section 4.

Butterfat: means the natural and complete fat which is present in milk.

Consumer: means a person who buys dairy product for his own use and not for resale;

Dairy produce: means milk, cream, butter, ghee, cheese and any other product or by-product of milk;

“Director” means the person who for the time being is performing the functions of Director of Veterinary Services.

Distributor: means a person who buys dairy produce for the purpose of resale;

Ghee: means purified butterfat containing no preservative or coloring matter and with no fats or oils added to it;

“License ” Means permit, certificate or any other written authorization the possession of which is prerequisite to engaging in any activity or the operating of any structure or facility under the Act;

Milk: means a white liquid produced by the mammary glands of cow, goat, camel or sheep;

Non-scheduled Areas: means all areas of land in Somaliland not for the time being comprised in the Scheduled Areas;

Package: includes cask keg, crate, can, box, case, wrapper, tin bottle, carton and every other receptacle or covering used for the packing of dairy produce;

Person – is any person engaged in production, processing, packaging, conveying, storing or displaying milk and milk products.

Premises – An area designated by the municipality for the retailing of milk

Producer: means a person who produces, processes, manufactures, prepares or treats dairy produce for sale;

Registered producer: means a person registered under Part V;

Retailer: means a person who sells dairy produce directly to consumers or a person who purchases dairy produce from a distributor for resale to consumers;

Scheduled Areas: means the areas of land specified in the Schedule;

Sell: includes offer, advertise, keep expose, transmit, convey, deliver, or prepare for sale and any exchange or disposal for consideration.

4. PRIMARY PRODUCTION

4.1 Environmental hygiene

4.1.1 Water: Water used in primary production operations should be suitable for its intended purpose and should not contribute to the introduction of hazards in milk.

4.1.2 Where possible adequate and clean potable water shall be supplied at the production and processing sites to facilitate all hygienic practices of milk.

4.1.3 Well or boreholes shall be carefully located and constructed to prevent the seepage of surface water into the supply.

4.1.4 Precautions should be adopted to ensure that milking animals do not consume contaminated water or feed likely to cause disease or contaminate milk.

4.2 Waste

4.2.1 Wastes shall be disposed of in such a manner as to render them inaccessible to reduce fly population and prevent abnormal odors in milk.

4.2.2 Measures shall include: -

1. Milking shall be done far away from manure or other wastes so as not to contaminate the milk.
2. Waste water or other effluents shall be disposed of in such a manner as to reduce its accumulation in the milking area

4.2.3 Dust in the immediate surroundings of milk production shall be controlled not to contaminate the milk.

4.3 Hygienic production of raw milk

This section gives guidance for the hygienic production of raw milk covered by this code.

4.3.1. Animal health

The raw milk should originate from animals:

- a. Which are free from brucellosis, tuberculosis, mastitis or any other zoonotic diseases that can affect human health.
- b. Which do not show any clinical evidence of infectious diseases.
- c. Which do not show visible impairment of the general state of health.
- d. Which are identifiable by appropriate method to facilitate effective herd management practices

4.3.2 Milking areas and related facilities shall as much as possible accommodate the milking animals.

4.3.2.1 Premises/sites where milking is performed shall be sited and/or constructed in such a way as to minimize the risk of environmental contamination of the milk. They should be far from commercial environment:

- a. Made in such a way as to facilitate draining of liquids and adequate means of disposing of waste:
- b. Supplied with an appropriate and adequate supply of potable water for use in milking and in cleaning the equipment and the instruments for milking:
- c. Effectively separated from all sources of contamination such as lavatories and manure heaps.
- d. Milking sites should be changed frequently especially during the rainy season

4.4 General hygienic practice for commercial environment

4.4.1 Feeding

Forage, feed and fodder for the milk animals shall be safe and suitable and shall not present a risk of transferring, pathogens, residues of pesticides, toxins or any other agents used in the production of feedstuffs to the milk in amounts that presents a health risk to the consumer directly or indirectly.

4.4.2 Vermin

- a. Vermin shall, where applicable, be effectively controlled to avoid any microbial contamination of milk.
- b. Vermin control shall be in such a way that it shall not result in pesticide residues in milk.

4.4.3 **Hygiene of feed stuff and use of** veterinary drugs

Milk from animals which have been treated with antibiotics or other veterinary drugs which can be transferred to the milk shall not be used unless the withdrawal period specified for the drug in question following such treatment has been achieved.

(1) No person whether an animal producer or dealer for sale shall feed his animal on feedstuffs that—

- (a) Are recognized as or are likely to introduce zoonotic agents such as, but not limited to, Transmissible Spongiform Encephalopathies. (TSEs) to milking animals;

(b) contain chemical substances such as, but not limited to, and pesticides, or contaminants that could result in residues in milk at levels that make the milk thereof unsafe for human consumption; or

(c) Are based on traditional or customary practice if they are, to the best of his knowledge, likely to be harmful to any person who may take the milk of that animal or products made from that milk.

(2) For its part the Government through the Minister shall be obligated to—

(a) Control the registration and use of veterinary drugs, pesticides and feedstuffs so that residues do not occur in milk at unsafe levels that make the milk or its products unsafe for human consumption;

(b) Provide and enforce monitoring and surveillance systems that establish baseline data as to levels of harmful residue;

4.5 Hygienic milking practice

Hygienic milking - milking shall be carried out under hygienic conditions, including:

1. good personnel hygiene and health
2. Clean udder, teats, groins, thighs and abdomens of the animals.
3. clean and disinfected milking equipment
4. avoidance of any damage to the tissue of the udder

4.5.1 Prior to milking, the milk from each teat shall be checked for visible defects. If the milk is abnormal the milk shall not be used. Animals showing clinical symptoms of diseases shall be segregated and/or milked last, or milked by using separate milking equipment, and such milk shall not be used for human consumption.

4.5.2 The producer should take appropriate precautions to minimize the risk of infections to teats and udders.

4.6 Cleaning and disinfecting of milking equipment

Milking equipment shall be cleaned and disinfected using appropriate agents after each milking and remain fully drained between uses.

a) Personal hygiene practices during milking

Milking shall not be performed nor shall milk be handled by persons who have diarrhea, coughs, TB or who are vomiting or sneezing. Such a person shall not take part in the milking until all risks are over.

(i) Both hands (up to elbow) shall be washed frequently with detergents always before initiating milking or handling of raw milk.

(ii) Suitable clothing shall be worn during milking and shall be clean.

(iii) Milking personnel shall avoid smoking, spitting, chewing or eating, or any other undesirable behavior during milking.

4.7 Handling, storage and transport of milk.

4.7.1 Hand milking and storage equipment

(i) Milking containers shall be made up of cleanable materials preferably stainless steel or aluminum; plastic containers shall not be used.

4.7.2 Milk handling

(i) Immediately after milking, the milk shall be stored in a clean place which is so maintained to avoid adverse effects on the milk.

(ii) Milk shall be delivered as soon as possible in stainless steel cans

(iii) Milk shall be kept as cool as possible all the time

4.7.3 Milk collection

(i) All milk transported in cans shall be protected from contamination:

(ii) Lids shall be firmly placed as soon as milk cans are filled

(iii) The lids shall remain in position until the milk is received at the processing plant, cooling centre or distribution point.

(iv) Cans picked up by lorries shall be placed in such a manner by the farmer to avoid any risk of contamination by mud, manure silage, etc.

The cans shall be protected from direct sunlight e.g. by use of shelters.

4.8 Handling of Milk at Collection Centers

(i) Collection centers shall be located nearby roads, water and electricity supply, and with efficient drainage system.

(ii) Milk shall be delivered to the centre as soon as possible and kept as cool as possible.

4.8.1 The control of incoming milk shall include the following minimum simple tests for acceptance:

(i) Organoleptic (olfactory and visual)

(ii) Density (lactometer reading)

(iii) PH using universal indicator paper

(iv) Or any other possible physical milk inspection techniques.

In addition to the minimum tests for acceptance the following may verify the acceptability of milk:

(i) Determination of preservatives and antibiotics.

4.8.2 Milk shall be weighed, filtered

4.8.3 At collecting centers, cold storage facilities shall be provided where milk is not transported or collected twice a day to ensure a temperature of not more than preferably 10° C.

4.8.4 Hot water at a temperature of 60° C shall be available.

4.8.5 Collecting centers shall provide a drainage or sewage system and surrounding area shall be maintained in a clean sanitary condition.

4.8.6 Suitable equipment shall be provided at the centre for cleaning of cans before returning to the milk producer (farmers)

4.8.7 The supervisor of the centre shall have a certificate in Dairy Technology and approval from the Vet-board to effectively handle milk reception and routine hygienic procedures.

4.8.8 It is preferred that milk transport tankers and cans be used to transport milk only, however they may be used to transport other foods if suitable precautions are taken to prevent any subsequent milk contaminations.

4.9 Transport time temperature (Temperature during transportation)

After cooling at collection centers, milk shall be transported under insulated condition to reach a temperature of preferably not more than n 10° C

(i) It shall be transported in vehicles protected from direct sunlight and the journey shall preferably not take more than 3 hours where insulation is not available.

4.10 : personal hygiene at the establishment

Personal hygiene- the establishment management shall ensure that every employee shall meet the following requirements.

(i) Shall be examined and certified medically fit to work in a food industry as elaborated by the public health rules prior to employment and examined thereafter every 6 months and a health record maintained.

(ii) Shall be supplied with protective clothing which is maintained in a clean condition.

(iii) Shall have procedures or maintain an atmosphere motivating employees to report any occurrence of sickness or infectious diseases such as diarrhea, vomiting, fever, jaundice, skin lesions, discharges and sore throat.

5.0 MILK MARKETING PRACTICES

51 **Transportation** - Milk should be collected, transported and delivered without undue delay, and in a manner that avoids the introduction of contaminants into milk and minimizes the growth of microorganisms in the milk.

5.2 Cooling in distribution

5.2.1 It is recommended that raw milk is cooled to reach the consumer at a temperature of not more than 10° C

5.2.2 Refrigeration, or cooling facilities such as ice shall be provided for long distant distribution and the ice shall be made from potable water

5.2.3 Milk and milk products shall not be exposed to direct sunlight

5.3 Retailing of milk

(i) Retailing of milk shall be done in licensed designated premises.

(ii) Vendors shall keep milk for sale as cool as possible preferably by use of ice or refrigeration

(iii) All containers used for milk retailing shall be made of stainless steel.

(iv) Scooping ladles shall be made of stainless steel or aluminum and be duly calibrated

(v) Proprietors of the premises (municipalities) shall keep them under shade and in sanitary conditions complying with the requirements of public health rules and regulations where available.

(vi) The municipalities shall be so equipped as to carry out simple milk quality tests to detect adulteration and freshness of milk at designated premises.

5.4 The municipalities will enforce all aspects of the marketing practices

5.5 .Registration to engage in production and marketing of dairy products

(1) On application by any person, the Director General or his designee may, in accordance with regulations made under this Act, register that person to undertake the following:

(a) Dealing in milk production, processing and marketing and dairy products

(2) The Minister may refuse to register an applicant under subsection (1) if the application does not meet the requirements prescribed and revoke or suspend a registration where the registered person fails to comply with the terms and conditions of the registration; and the revocation or suspension shall be in addition to any other penalty to which the registered person may be liable under this Act.

(3) A person shall not be refused for registration solely by reason that he or she has not previously been engaged in any of the activities prescribed in this act.

(4) A person aggrieved by a refusal for registration or revocation or suspension of his or her

registration may appeal to the board against the decision.

(5) A registration certificate issued under this section shall be valid for one year and shall be renewable on payment of the prescribed fee.

(6) The Board may, on the recommendation of the technical persons in the concerned department, by statutory instrument, prescribe the terms and conditions for registration, including:

(a) The form and method of application for registration under this section.

(b) The fee is payable on the issuance of the registration certificate.

(7) Every holder of a registration certificate shall forward to the authority all the information that the authority shall prescribe.

5.6 Regulations for registration, Ceases and licenses

(1) The Minister may, after consultation with the Technical Persons in the concerned department, make regulations

(a) For the registration of producers for the purposes of above section;

(b) For the payment and collection of access imposed under section 6;

(c) For the granting of licenses to producers or processors and the qualifications for the granting of the licenses;

(d) prohibiting any producer or processor from engaging in the production, supplying, cooling, processing, manufacturing, distribution or sale of milk or dairy products in any case where his or her licence has been suspended or revoked;

(e) Prescribing the manner of producing, cooling, supplying, processing, manufacturing, transporting and storing of milk or dairy products;

(f) Restricting by means of quotas or any other means the quantities of milk or dairy products which may be sold or disposed of by any person;

(g) Prescribing fees or charges for services rendered under this Act by the authority or its officers or agents;

(h) providing for the licensing of premises where milk or dairy products are produced for sale and where milk is cooled, processed, manufactured, stored or from which it is distributed; and

(l) Providing for the appointment of an arbitrator to whom disputes may be referred by any person who is aggrieved by any wrongful act or omission of the authority.

6.0 RECORDS

Records shall be kept and maintained on the following:

6.1 Collection centre and processing plants

6.1.1 Registration book and cards for farmers.

6.1.2 Suppliers records indicating quality and quantity of milk

6.1.3 Approval license from relevant authorities and inspection certificate by public Health Department for handling of milk and its products..

6.1.4 Medical examination records of personnel.

6.1.5 Relevant equipment and calibration records.

6.1.6 Cleaning schedules.

6.2. HACCP protocols

6.2.1 Qualifications of the technical personnel in the plant

6.2.2 Traceability Records for animal health

6.2.3 Emergency preparedness procedures

7 TRAININGS

7.1 All milk collecting centers in conjunction with the ministry responsible for livestock shall organize milk hygiene trainings

7.2 All personnel handling milk and milk products shall be trained in principles of food hygiene.

7.3 All personnel in charge of milk collecting and distribution centers shall be qualified with a certificate in Dairy Technology

7.4 Consumer awareness campaigns shall be carried out to educate consumers to all sanitary measures including boiling of raw milk before use.

7.5 All training outlines shall be approved by the ministry.

Part II - Establishment and Administration of the Somaliland Dairy Board

1. Establishment of the Board.

There is hereby established and nominated board by the Minister of Livestock to be recognized as the Somaliland Dairy Board, which shall be a body corporate with perpetual succession and a common seal with power to sue and be sued and to purchase, hold, manage and dispose of land and other property, and to enter into such contracts as it may consider necessary or expedient..

2. Membership of the Board.

1. Director of Animal Production Department in Ministry of livestock.
2. Director of Public Health Department in Ministry of Health.
3. Director of environmental sanitation and food safety in Municipalities.
4. Director Quality Control Commission
5. Dairy producers' representatives.
6. District Based dairy Associations Representative
7. Distributors and processors of milk and milk products representatives.

The members shall elect the Chairperson and Vice-Chairperson and Secretary of the Board from among them

3. Duration of office of members of the Board.

1. The members of the Board shall be elected for a time span of three years.
2. Two members of the Board shall retire every three years in rotation; except Director of Animal production department in the ministry of livestock, Director of Public Health Department in Ministry of Health And Director of environmental sanitation and food safety in Municipalities.
3. A member of the Board shall cease to hold office –
 - a) if he delivers to the Chairman of the Board a written resignation of his office;
 - b) if he is adjudged to be of low moral integrity or suffers from pecuniary embarrassment
 - c) if the Board declares by resolution that he has been absent from three consecutive meetings of the Board without the permission of the Chair. ;
 - d) if he undergoes any term of imprisonment on conviction for an offence;
 - e) if the Board decides by simple majority to remove him from office on being satisfied that he is incapacitated by physical or mental illness or is otherwise unable or unfit to discharge the functions of a member or is unsuitable to continue as a member.

A member of the Board who retires or resigns shall be eligible for reappointment after three years of office bearers. .

5. If a member of the Board is, by reason of illness, absence or other cause, unable to perform the duties of his office, the Board may appoint by simple majority a person to be a temporary member of the Board for the period of the incapacity of the member; and any such temporary member shall have the powers and authority of a member of the Board during that period.

4. Remuneration and expenses of members of the Board.

1. The members of the Board shall serve unpaid. .
2. The Board must pay travelling allowance and other expenses which may reasonably have been incurred by the members by reason of their office activities.

5. Officers and staff.

The Board may employ an executive officer, a secretary and such other officers, servants and agents as may be necessary or desirable for the efficient conduct and operation of the Board.

6. Presiding officer at meetings.

The chairperson, or in his absence the vice-chairperson, or in the absence of both a member elected by the Board, shall preside at all meetings of the Board, and the member presiding at a meeting shall with respect to that meeting or to any business transacted thereat have all the powers of the chairman of the Board under this Act.

7. Decisions of the Board.

8. The member presiding at a meeting shall have a casting as well as a deliberative vote, and subject thereto the decision of the majority of the members present and voting at any meeting of the Board shall be deemed to be the decision of the Board.
9. The quorum of the Board shall be **four**, exclusive of the chairman or member presiding.
10. Subject to the provisions of subsection (2), no act, decision or proceeding of the Board shall be questioned on account of a vacancy in the membership thereof, or on account of the appointment of a member of the Board being defective.

8. Common seal.

The common seal of the Board shall be authenticated by the signature of the chairman of the Board or of some other member authorized by the Board to act in that behalf, together with the signature of the executive officer to the Board and the secretary to the Board, or some other person authorized by the Board to act in that behalf, and the seal shall be officially and judicially noted.

9. Execution

All documents other than those required by law to be under seal made by, and all decisions of, the Board may be signified under the hand of the chairman, the executive officer a, or of any member of the Board authorized in that behalf.

10. Meetings of the Board

- 1) The Board shall hold ordinary meetings as and when necessary, but not less than once in every three months.
- 2) Ordinary meetings of the Board shall be convened by the chairman at such times and at such places as he may deem fit.
- 3) The chairman, or in his absence the vice-chairman, shall convene a special meeting of the Board at any time upon receipt of a requisition signed by not less than four members calling upon him so to do, and the special meeting shall be held not later than twenty-one days after the receipt of the requisition.
- 4) The minutes of all board meetings shall be taken and kept by the secretary and confirmed in the next meeting and thereafter signed by both the chairman and the secretary

11. Board to regulate its own conduct

The Board may from time to time make standing orders providing for the regulation of its meetings, the conduct of its business and the duties of its officers and other employees.

Part III - Functions, Powers and Duties of the Board

- 1) The functions of the Board shall be -
 - a) Promote systematic and sustainable milk collection procedures.
 - b) Encourage formation of associations of milk producers, traders, handlers, processors
 - c) Promote the Improvement of the quality of milk and its products across the value chain
 - d) Promote the use of hygienic milk containers
 - e) Encourage use of appropriate milk transportation
 - f) Promote and improve storage and marketing facilities in local markets in collaboration with local authorities
 - g) Promote the set-up of milk quality control
 - h) Promote private dairy enterprise
 - i) Promote training and capacity building for the dairy sector
 - j) Promote consumption of milk and its products
 - k) Promote improvement of infrastructure
 - l) Promote the code of hygienic practice for production, handling and distribution of milk and milk products and any other rules and regulations of the dairy sector

m) Formulate and promote a dairy development policy proposal to be submitted to the Minister

2) In the exercise of its powers and in the performance of its functions under this Act, the Board shall act in accordance with general or special directives that may be given to it by the Minister after consultations.

3) Management

a. All funds, assets and property, movable and immovable, of the Board shall be managed and utilized by the Board in accordance with the provisions of this Act and of any regulations made thereunder, in such manner and for such purposes as in the opinion of the Board shall promote the best interests of the dairy industry.

b. The expenses of the Board shall be met from the Board's funds.

4. Power to make regulations

a. The Board may prescribe grades for any form of dairy produce, and minimum standards to which dairy produce shall conform under their authorization;

b. prescribing the manner of handling, transporting and storing of dairy produce intended for the use of or consumption by any person other than the producer thereof;

c. prescribing the areas within which retailers may sell dairy produce to consumers;

d. requiring the registration and licensing, in such manner and upon payment of such fees as may be prescribed, of distributors of dairy produce;

e. prescribing fees or charges for services rendered under this Act by the Board or its officers, servants or agents;

f. prescribing the manner in which delegates to represent registered producers for the purposes of section 19 (annual regional meeting) may be selected;

g. prescribing the forms of application, and of licenses, marks, registers and all other documents to be used for the purpose of this Act

h. prescribing the manner of marking articles intended for use in connection with dairy produce, including wrappers or packages intended to contain dairy produce;

i. prescribing the qualifications, powers and duties of inspectors and other persons appointed to exercise powers and perform duties under this Act;

4.10 for the examination, inspection, analysis and testing of dairy produce or any article used in connection with dairy produce, prescribing charges in respect thereof, and the conditions upon and the manner in which samples of such produce may be taken in collaboration with the municipality hygiene Unit.

- 4.11 authorizing the opening by prescribed persons or officers, for the purpose of inspection, of any package which contains dairy or is reasonable through to contain dairy produce;
- 4.12 authorizing the examination and inspection by prescribed persons or officers of all books and documents relating to the production, manufacture, distribution or sale of any dairy produce;
- 4.13 making different provisions with respect to different cases or classes of case, different areas, seasons or circumstances, and for different purposes of this Act and may impose conditions and restrictions.

5. General provisions with regard to regulations

Regulations made under this Act may provide for -

- a. Their application to any specified area, or class of persons, or type or description of dairy produce;
 - 1) 5.2 Empowering such authorities or persons as may be specified in the regulations to make orders or issue directions for any of the purposes for which regulations are authorized by this Act to be made;
 - 2) 5.3 The particulars, information, proof or evidence to be furnished as to any question or matter arising under this Act or regulations;
 - 3) 5.4 Imposing on any person accused of an offence under this Act or regulations the burden of proving particular facts, but not so as to impose on an accused person the general burden of proving his innocence.

6. Regional and delegates meetings.

6.1. The regions will have board representatives

- 6.1.1 The Board representatives shall at least once in every year convene a meeting (hereinafter referred to as a regional meeting) of the registered producers in each region into which Somaliland may, for this purpose, be divided by the Board.
 - 1) 6.1.2 The chairman of the Board, or in his absence a member of the Board appointed by the chairman, shall preside at every regional meeting.
 - 2) 6.1.3 The Board representatives shall at least once in every year convene a meeting of delegates of registered producers for the purpose of considering the reports and accounts specified in section 24 (4).
 - 3) 6.1.4 The Board shall give the Ministry of Livestock at least six weeks prior notification of the date upon which each annual meeting under subsection (3) is to be held.

- 4) 6.1.5 The Board may also convene other regional meetings or meetings of delegates of registered producers for such purposes and at such times as it thinks fit.
- 5) 6.1.6 The Board may from time to time make standing orders providing for the regulation of regional meetings and of meetings of delegates of registered producers.

7. Notice of meetings.

7.1 Not less than twenty-one days before the day fixed for the holding of a regional meeting or a meeting of delegates of registered producers, the Board shall send to the Ministry of Livestock and to every registered producer in the region or to every delegate, as the case may be, a notice stating -

7.1.1 The time and place appointed for the holding of the meeting; and

7.1.2 The business to be transacted at the meeting; and if the business is to include consideration of the reports and accounts then those reports and accounts shall be sent with the notice.

a) 7.2 The Board shall include in the business to be transacted at a regional meeting or a meeting of delegates of registered producers any matter of which not less than ten registered producers in the region or a delegate of registered producers, as the case may be, have given notice in writing to the Board.

b) 7.3 No business shall be transacted at a regional meeting or meeting of delegates of registered producers other than the business of which notice has been given under subsection (1) by the Board:

Provided that the accidental omission to send a notice to a registered producer or a delegate, as the case may be, shall not invalidate proceedings of the meeting.

8 Power of the Board to acquire and dispose of property.

1) 8.1 The Board may, out of its funds, purchase, take on lease, hire or otherwise acquire such land, buildings, plant, machinery and equipment as in the opinion of the Board are necessary for the performance of its functions.

8.2 The Board may sell, transfer, lease, hire, or otherwise dispose of any of its movable or immovable property. 8.3 The Board may, if it has funds, provide for the erection of such depots, factories and stores as it thinks fit.

Part IV – Financial

4.1 Board may establish an account and special funds.

4.1.1 The Board may establish in its name a bank account for the exercise of its powers and functions under the provisions of this Act or of regulations made under this Act.

4.1.2 The account shall be operated on by cheque signed by two persons authorized in that behalf by the Board.

4.2 Books of account.

The Board shall cause to be kept proper books of and other books in relation thereto in respect of all accounts its undertakings, funds, activities and property, including yearly statements of income and expenditure and balance sheets made up to the end of each financial year showing in detail the assets and liabilities of the Board, and shall prepare such other accounts as the Ministry of Livestock may require.

4.3 Audit of accounts

- a. The Ministry of Livestock shall propose three independent audit companies from which the Board shall appoint one who shall annually examine, audit and report upon the accounts of the Board.
- b. The Board shall produce and lay before the auditors all books and accounts of the Board, with all vouchers in support thereof, and all books, papers and writings in its possession or control relating thereto, and the auditors may require from all members, officers, agents and employees of the Board such information and explanation as may be necessary for the performance of their duties as auditors.
- c. The expenses of the audit shall be paid by the Board, when requested..
- d. The Executive Director shall within a period of three months after the end of its financial year submit an activity report and the auditor's report, together with the yearly statement of income and expenditure, balance sheet and such other statements of accounts, to its members.
- e.

Part V - Registration of producers, collectors (distributors), transporters, retailers

Definition of the term

The definition of the terms as given in section 3 shall apply

Requirements to Register

1. Producers, collectors (distributors), transporters, and retailers shall register with the Board by supplying the full name and address, mainly the name of district and village;

Producers, collectors (distributors), transporters, and retailers who are registered in accordance with this section shall notify the Board of any change in address.

Minister's power to amend Schedules

The Minister may, after consultation with the board and technical persons in the concerned department, amend or change contents of this Act.

Part VI. General Offences by companies

6.1 Where a person in breach of any provision of this Act or of any regulations made under this Act shall be reported to the legal system.

6.2 Appeals

A person aggrieved by a decision of the Board or of an agent of the Board may, within one month after being notified of that decision, appeal to the minister of livestock, if is not satisfied here by the decision of the minister, to the person has the right to proceed to the high court and, save as aforesaid, the provisions of that Part shall, *mutatis mutandis*, apply in relation to every such appeal.

6.3 Act additional to public health laws.

The provisions of this Act and of any regulations made thereunder shall be in addition to and not in derogation of the provisions of any written law relating to public health for the time being in force.

Part VII. Violations

7.1 Penalties

7.1.1 All violations with known penalties or committing an act which is prohibitive according to this act, or those penalties which are not prescribed by this act will be handled according to Somaliland penal code.

7.1.2 Penalties without known or definite rate or not prescribed according to this act will be issued through ministerial decree (regulations) as the need arises and will be publicized through the national gazette.

7.2 Regulations

- b. The Minister of Livestock will issue regulations as the need arises stating /prescribing all penalties and orders needed according to this act to be in line with the changing situations.
- c. Regulations will interpret, prescribe and facilitate the articles of this Act, hence any contradiction to the articles of this act and regulations are prohibitive.

7.2 Power of inspections and holding

7.2.1 The Ministry of Livestock has the responsibilities and the authority to inspect and send anybody who violates this act to the judiciary system and that person will be immediately brought in front of the court.

7.3 Article 36 penalties and fining

- a) Anybody who intentionally violates the articles of this act with three previous warnings ,whose violations causes no loss with known penalties, will be arrested between 15 days up to one year, or fine that is between 200,000 (two hundred thousand SI Sh) ShSL up to 10,000,000 million ShSL (ten million SL Sh) according to the level of violations committed.
- b) Loss with known or definite level that is due to violations committed against this Act will be handled according to the Somaliland Penal Code.

.7.4 Withdrawal from the license

- a) Anybody who intentionally habitualises to violate the articles of this act and at the same time fails to refrain from doing so, after it becomes clear that he /she has committed this violations intentionally, the Ministry will suspend/withdraw his /her license or registration. The minister will assign a committee to inspect that violations if that is needed.

.7.5 Appeal

- A. A person aggrieved by a decision of the court has the right to take appeal and will ask appeal from the court.

Part VIII Enforcement

. Annulations

Any act, regulation, Ministerial decree or orders contrary to this act is cancelled or adjusted to the meaning of this act.

Enforcements

This act will enter into effect when the parliament passes and the president signs/ratifies.