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**KITUI COUNTY GAZETTE  
SUPPLEMENT**

**ACTS, 2014**

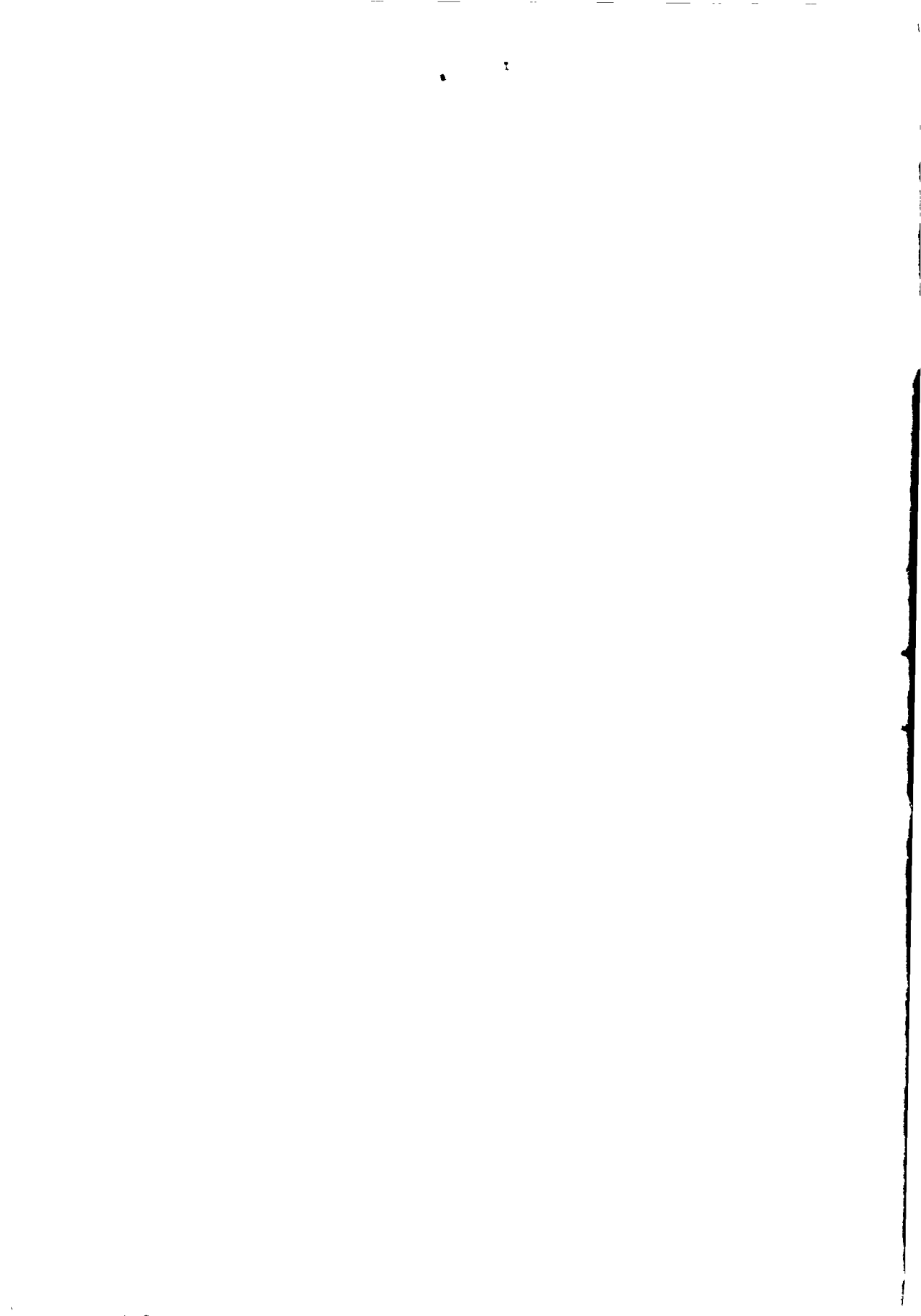
**NAIROBI, 22nd November, 2014**

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**THE KITUI COUNTY ABATTOIRS ACT**

**No. 7 of 2014**

*Date of Assent: 4th November, 2014*

*Date of Commencement: 20th February, 2015*

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## THE KITUI COUNTY ABATTOIRS ACT, 2014

**AN ACT of the Kitui County Assembly to provide for the establishment of Abattoirs, Slaughterhouses and other meat processing establishments , for the registration and licensing of Abattoirs, inspection of meat, regulation of the sale of meat and for connected purposes.**

**ENACTED** by the County Assembly of Kitui as follows -

### **PART I— PRELIMINARY**

1. This Act may be cited as the Kitui County Abattoirs Act, 2014 and shall come into operation upon publication in the County Gazette or Kenya Gazette.

Short title and commencement

2. In this part, except where the context otherwise requires—

Interpretation

“abattoir” means any place used for the slaughter of animals for human consumption;

17 of 2012

“board” means the Kitui County Public Service Board established under Section 57 of the County Governments Act.

“approved abattoir” means an abattoir in respect of which a certificate of approval has been issued by the director of agriculture following an application made to the director under section;

“county executive committee member” means the person appointed under Article 179 of the Constitution of Kenya 2010 and for the time being responsible for matters relating to agriculture, fisheries and livestock;

“county director of veterinary services” means any person employed as such by the Kitui County Public Service Board;

“dressing area” includes an area where removal of hides and internal organs of animals slaughtered is done;

“meat” means the flesh of any animal of the bovine, ovine, caprine or porcine species;

“meat inspector” means any person appointed to inspect meat or products of animal origin by the county executive member under the provisions of section of this Act;

“officer” includes director, veterinary, county officer;

“stock breeder” means the owner of any animal who takes or causes it to be taken to an abattoir with the

intention of having it slaughtered so that its flesh may be used for human consumption; and

“Veterinary officer” means a veterinarian employed in the service of the county government.

“viscera container” means a container to put all internal organs from an animal’s abdominal cavity;

## **PART II— ADMINISTRATION**

3. There is established in Kitui county different categories of abattoirs and slaughterhouses which may either belonging to the County Government of Kitui or a private entrepreneur.

Categories of  
Slaughter  
houses/Abattoirs

(2) There is established CATEGORY A Abattoirs being slaughter slabs which shall be the lowest category of local slaughterhouses and shall have:

- (a) throughput not exceeding two bovine units or camels or five units of goats or sheep or three units of pigs per day.
- (b) land size of not less than 0.5 acre
- (c) perimeter fencing of chain link with lockable gate
- (e) provision for humane killing
- (f) facilities for bleeding animals in hanging position.
- (g) suitable size and number of windows with fly screens
- (h) hand washing basins with sterilizers next to it
- (i) hot water boiler for sterilization of equipment
- (j) equipment and tools as required for purposes which include bleeding chain, spreaders, cradles, hooks, splitting axes, knives, stands and offals inspection racks.
- (k) lockable doors.
- (l) a toilet with hand wash facility
- (m) manure shed
- (n) an office space
- (p) condemnation pit under lock and key kept by inspecting officer
- (q) designs and drawings approved by Sub County Veterinary officer.

(2) There is established CATEGORY B Abattoirs being small to medium slaughterhouses and which shall have-

- (a) throughput of six to forty bovine or camels or two hundred goats/sheep or one hundred and twenty beekoners per day
- (b) land size not less than 2 acres
- (c) perimeter fence of chain link with lockable gate
- (d) adequate lighting both natural and artificial of at least five hundred and forty lux where meat is inspected and two hundred and twenty lux in other work areas
- (e) Cold room facilities of at least 10 degrees Centigrade.
- (f) provisions (d) to (p) of Category A shall apply in Category B slaughter houses.

(3) There is established CATEGORY C Abattoirs being large and premium slaughterhouses and which shall have:

- (a) land size not less than five acres(or 2.5 hectares).
- (b) throughput exceeding forty bovine or camel, two hundred goats /sheep or more than one hundred and twenty beekoners per day. The maximum throughput shall be given by the Director at the time of grading
- (c) perimeter fence of stone or brick permanent wall with lockable gates
- (d) sufficient pests and vermin control facilities
- (e) offloading ramp for humane handling of all types of animals from vehicles of different levels
- (f) a facility where livestock transport vehicles can be cleaned and sanitized
- (g) Sufficient lighting both natural and artificial of at least five hundred and forty lux where meat is inspected and two hundred and twenty in other work areas and an emergency slaughter facility.
- (h) Separate livestock entries for cattle ,sheep and goats
- (i) Slaughter process pulley on overhead rail system

with all required equipment for the purpose.

- (j) Equipment and tools should be non-corrosive
- (k) Separate area for bleeding and for dressing the carcasses with all appropriate equipment
- (l) Approved faying equipment including hide puller
- (m) Separate chillers for carcasses and red offal and another for rough offal.
- (n) Freezers of at least 10 degrees Centigrade
- (o) Detention room for retained carcasses, portions or organs.
- (p) Separate changing rooms and toilets for persons working in the slaughterhouse dirty and clean areas
- (q) Sterilization facilities for all equipment and personnel
- (r) Food quality and safety analysis and conformity laboratory or linked to a public or private one approved by competent authority.
- (s) Suitable manure shed
- (t) Sufficient incinerators or condemnation pits
- (u) Competent manager trained in Food hygiene or Meat technology or Environmental Health.
- (v) Supervising Inspecting officer trained in meat grading, Environmental health or Meat technology.

**4.** (1) The Board shall appoint a director who in effect shall recommend to the Board for appointment of meat inspectors or veterinarians for purposes of implementing the provision of this Act.

Appointment  
of meat  
inspectors

**5.** (1) No person shall maintain or operate an abattoir from which meat is sold or processed for export or local consumption unless such a person has obtained a licence for operating such an abattoir under this Act.

Requirements  
for registration  
of abattoir

(2) A licensing officer shall not grant a licence under this Act unless and until the officer is satisfied as to the following-

- (a) the premises are enclosed on all sides with a wall of permanent or semi-permanent materials, the interior of which shall be smooth, imperishable,



waterproof, unbreakable and non-corrodible;

- (b) all corners of the interior of the premises are so constructed as to be concave or convex to facilitate cleaning;
- (c) the roof is of semi-permanent or permanent material and there shall be no space between roof and walls;
- (d) the floors is of permanent, waterproof, non-slip materials and drained by means of gutters covered by removable gratings and provided with an adequate slope;
- (e) all drainage from the premises is led underground for a distance of at least one hundred meters and then disposed of in such a manner as not to cause nuisance by reason of the breeding of flies or other insects and so as to prevent access by any person or animal;
- (f) The premises are adequately lighted by windows or open spaces separated from the outside by fly-proof screens. If opening glass windows are provided, the space must be separated from the outside by fly-proof screens;
- (g) artificial lighting of such type and intensity as not to modify or distort colours are provided in any areas which are inaccessible to daylight and shall be adequate for all work to be performed therein;
- (h) adequate ventilation is provided and any spaces leading to the outside will be protected by fly-proof screens. If at ground level, these spaces shall also be rat-proof; and
- (i) entry for animals is regulated in such a way that no animal can enter the dressing area until it has been killed, washed and bled.

(3) An application for licence under this section shall be made in a prescribed form provided for under the Schedule to this Act completed in triplicate and endorsed by the county veterinary office before being forwarded to the licensing officer.

(4) A licence issued pursuant to this section shall relate to only one abattoir premises.

(5) A change in ownership or management of an abattoir licenced under this Act shall be notified to the

director within fourteen days of such change.

(6) A person who contravenes subsection (1) commits an offence and is liable upon conviction to -- Exemption

(a) a fine not exceeding five hundred thousand Kenya shillings or to an imprisonment for a term not exceeding three years or both;

(b) In the case of a subsequent offence, to a fine of five thousand shillings everyday during which the offence continues.

(7) Provisions of this Section shall not apply to Abattoirs under Sections 3(1) and 3 (3) of this Act.

(8) A person shall be required to obtain a permit under this Act to deal with any animal by-products from the slaughterhouses.

**6.** (1) a veterinary officer, with the consent of the director may grant a written exemption to a person:

- (a) Who is a small meat producer; or
- (b) Who sells insufficient meat to permit their economic transportation to approved abattoirs.

(2) a person granted an exemption under subsection 1 may;

- (a) sell carcasses meat to a buyer granted a permit under subsection 3; and
- (b) shall abide by any condition relating to hygiene and other matters that the officer granting the exemption may including in the exemption.

(3) No person may purchase carcass meat from a person granted an exemption under subsection (1) unless he or she has been granted permit in writing by a veterinary officer permitting him or her to purchase carcass meat from that exempted person or generally from persons granted an exemption under subsection (1).

(4) a person granted a permit under subsection (3) shall not export from the county , carcass meat purchased by authority of the permit.

(5) exemptions and permits granted in accordance with this section shall each be for definite period of time.

(6) a veterinary officer may at any time revoke an exemption or permit granted under this section providing the reasons in writing.

(7) A person who fails to comply with any of the provisions of this section or any condition in an exemption or permit granted in accordance with the provision of this section commits an offence and shall on conviction be liable to a fine not exceeding five hundred thousand Kenya shillings or to imprisonment for two years or to both.

7. A person who willfully disobeys or obstructs or hinders or knowingly makes any false or misleading statements either orally or in writing to an officer engaged in carrying out his duties or functions under this Act or regulations commits an offence.

Obstruction of  
officer

8. (1) The director shall be responsible for—

Responsibilities of  
the Director

(a) the control and inspection of slaughter and processing of livestock ensuring that any person operating an abattoir observe the appropriate hygiene requirements in the abattoir.

(b) The director may, in writing, designate official veterinaries, meat inspectors and other officers to carry out any function under this Act.

(c) The director may require any person working in an abattoir to undergo a medical examination and furnish a valid medical certificate.

9. (1) The meat inspector shall brand or stamp with the official stamp mark of the director in such places and in such ways as they deem advisable or necessary all carcasses, meat, offal submitted for examination and passed as healthy and fit for human consumption.

Duties of a meat  
inspector

(2) A person shall not, other than an authorized officer, stamp, brand or mark or attach to or impress on any meat, or offal with any official with any official stamp or mark or similar marking.

(3) A person shall not attach to or impress on any meat or offal any forged stamp or mark or any stamp or mark intended or liable to deceive the public or induce the belief that such meat or offal has been inspected and approved by regulations or slaughtered at the abattoir.

(4) All carcasses declared fit for human consumption shall be graded and stamped by a meat inspector or veterinary officer, according to the standards prescribed by the veterinary officer.

**PART III— REGISTRATION AND LICENSING OF MEAT  
EXPORT PROCESSING ESTABLISHMENTS**

**10.** (1) Despite any other provisions of this Act, no person shall maintain or operate a meat export processing establishment unless it is registered and licensed in accordance with this Act.

Registration and  
licensing of meat  
export  
processing  
establishments

(2) For the purposes of this part, "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.

(3) A person who contravenes sub section (1) commits an offence and upon conviction is liable to a fine not exceeding five million or to an imprisonment term of five years or both.

**11.** (1) An application for a license under this part shall be in writing to the director and in the prescribed form and shall be accompanied by the prescribed fee.

Application for a  
license

(2) The director may after consultation with the county veterinary officer—

- (a) issue a processing establishment license, in accordance with this Act;
- (b) refuse to issue the license on any ground which may appear to the director to be sufficient and inform the applicant in writing the reasons;
- (c) cancel, vary or suspend any licence if in the finding of the director, the licence is found to have contravened the Act or regulations made under the Act for the operation of the processing establishment.

**12.** (1) A person who—

- (a) manufactures or prepares or processes any part of animal carcass for sale in contravention of this Act under this part;
- (b) buys, sells, offers for sale, transport or has possession of any meat which to the person's knowledge or belief has been manufactured or prepared otherwise than in accordance with this part, commits an offence and is liable upon conviction to a fine not exceeding five million shillings, or to an imprisonment term not exceeding five years or both.

Illegal  
manufacture,  
processing

(2) If a person is in possession or has control of meat for which the person is unable to account to the satisfaction of a person authorized under this Act, shall be deemed to have manufactured, prepared or processed the meat for sale otherwise than in accordance with this Act until the contrary is proved.

(3) If a person is convicted of an offence under this part, the court shall order that any illegal manufactured, processed or prepared meat and any vehicle, vessel or other conveyance in relation to which an offence has been committed shall be forfeited to the county government, unless in the case of a vehicle, vessel or other conveyance, the court sees good reason, to be recorded in writing, not to do so.

**13.** (1) The director shall issue licenses to applicants subject to such lawful conditions as the director may determine.

Issue of licences

(2) Every licence shall specify the premises upon which the business specified in the licence may be carried on.

(3) There shall be payable for the issue of licenses under this Act such provided in the approved Finance Act.

(4) The licensing officer shall, at least thirty days before granting a licence under this Act, give notice of the proposed grant in the County Gazette and in such other manner as the officer may determine.

(5) The notice referred to in subsection (4) shall—

- (a) specify the name or other particulars of the person or class of persons to whom the licence is to be granted;
- (b) state the purpose for the proposed licence and indicate the date such licence is proposed to be issued to the successful applicant; and
- (c) invite objections to the proposed grant of licence and direct that such objections be lodged with the director within fourteen days next following the date of the notice.

(6) The licensing may after considering the objections, if any, made under this section, grant the licence applied for, subject to such terms and conditions as may be specified therein.

(7) The issuance of a licence to an applicant under this

Act shall not be withheld without reasonable cause.

(8) A licence issued under this Act shall not be transferable.

(9) The director shall ensure that an upto date register is kept and maintained for all licences issued pursuant to this part.

14. An application for the renewal of a licence under this Act shall be made to the director not later than the first day of the month of December in which the current licence is due to expire but, despite the foregoing, a late application may be made upon payment of a late application fee as may be prescribed by the director.

Application for  
renewal of a  
licence

15. (1) A licence issued under this Act shall be subject to such conditions as the director may determine and as are specified in the licence and to any conditions which may be prescribed.

Conditions of a  
licence

(2) The director may at any time during the validity of a licence—

(a) vary the conditions of the licence; or

(b) impose conditions or further conditions on the licence as provided under this Act or regulations made under this Act.

16. (1) Meat shall be inspected by either a meat inspector or veterinary officer at the abattoir at the time of slaughter for the purpose of ascertaining whether it is fit for human consumption. The whole carcass together with all the offal, head, feet and hide shall be presented for inspection and be identified with the animal previously notified as intended for slaughter in accordance with section 34.

inspection of  
meat

(2) In the event of any abnormal cutting or removal of parts before inspection the whole carcass may be seized and destroyed by the meat inspector after written notice to the owner or his agent in charge of the abattoir of his intention to do so, stating his reasons.

(3) All abattoirs approved under this Act shall be liable to inspection at any time by a meat inspector or veterinary officer who may issue instructions to ensure that the provisions of this Act are carried out.

(4) the licensing officer may revoke, suspend or alter a licence issued under this Act if upon inspection it is satisfied that:

- (a) an offence under this Act or any other relevant law has been committed ;or
- (b) a condition of the licence has been breached.

**17.** (1) Notwithstanding the provisions of section 18. if upon inspection of any approved abattoir a meat inspector or veterinary officer finds that either the premises, the equipment installed or the operations carried out in the abattoir fail to comply with the provisions of this Act, they shall serve on the owner or his agent responsible for the operation of the approved abattoir a written notice specifying all alterations or improvements to the abattoir necessary to ensure that the premises, equipment and operations comply with the provisions of this Act.

Revocation  
alteration or  
suspension  
of  
licence

(2) Such notification shall specify the period of time which the owner shall be given for the purpose of effecting the said alterations or improvements, provided that such period shall not exceed 3 months from the date of the notification being received by the owner or his agent.

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

(4) it shall always be open to the holder of the certificate to show cause why such order should not be made.

**18.** (1)The holder of a licence which is revoked shall immediately surrender it to the licensing authority.

Surrender  
of  
licence

(2) A licence holder may at any time surrender the licence to the licensing authority and the licence shall cease to have effect forthwith.

**19.** (1)An applicant for or holder of a licence who is aggrieved by a decision of the director on or in respect of—

Appeals

- (a) the grant, refusal, renewal, variation or revocation; or
- (b) the conditions imposed on the grant, renewal or variation, of a licence, may appeal to the County Executive Member responsible for agriculture.

(2) An appeal under this section shall be lodged within thirty days from the date on which the appellant first received notice of the decision.

## PART IV – REQUIREMENTS OF ABATTOIRS

**20.** Every approved abattoir shall be supplied with enough lighting at a tension sufficient to provide adequate lighting, heating and cold storage to comply with the requirements of this Act. Lighting

**21.** (1) Every approved abattoir must have water quantity. Water supply

(2) Every approved abattoir shall include washing and dressing rooms with running water, with at least 1 sink, 1 shower and 1 tub for washing clothes; one of each of these facilities for every six persons employed.

(3) The dressing area and bleeding area of every approved abattoir shall be provided with a sink and soap or detergent for the washing of hands together with a hose connection.

**22.** The layout of every approved abattoir shall be such transport for carcasses in the suspended position is provided in such length and arrangement that the total number of animals to be slaughtered in one day can be dressed in one continuous operation without touching or contaminating each other. Layout

**23.** All equipment used in an approved abattoir shall be of non-degenerating metal or plastic and shall include - Equipment

- (a) easily washable metal or plastic wheeled containers for the removal of stomachs and intestines of slaughtered animals;
- (b) hooks, trays and tables to permit the inspection of offal and heads; and
- (c) equipment for holding, cutting, scrapping, hoisting of carcasses or their parts.

**24.** A separate room shall be designated within a county abattoir for the washing of the internal organs of slaughtered animals. Separate room for washing of internal organs

**25.** (1) There shall be sufficient cold storage space provided on the premises of each approved abattoir for the maximum number of animals which can be slaughtered in 1 day. Cold storage

(2) The temperature envisioned in subsection (1) must be shown by a thermometer and regulated in such a way that it cannot exceed 4° C or fall below 0° C.

(3) There shall also be provided adequate hanging



racks for cold storage of offal so that pieces can be hung separately without touching each other.

**26.** Where circumstances require an approved abattoir shall be provided with such stand-by facilities as will ensure that in any emergency the cold storage chamber is maintained at its correct temperature.

Stand-by  
facilities

**27.** An approved abattoir shall be provided with a steriliser in which water can be boiled at a temperature of 100° C and in which knives and other tools coming into contact with carcasses can be sterilised daily at the end of operations by placing them in the said steriliser for at least 10 minutes.

Sterilizer

**28. (1)** An approved abattoir shall have an enclosure of sufficient size to accommodate the maximum number of animals that can be slaughtered in one day and to enable such animals to have proper rest and watering while awaiting slaughter.

Provision of  
animal  
enclosures

(2) This enclosure shall be so subdivided into separate pens so that no pen holds more than 4 animals. The floors of such pens shall be of concrete.

**29.** A person who undertakes to provide or secure the provision of transport in an abattoir shall be required to obtain a certificate of transport under this Act. Such licensee shall be required to undertake transport in such a manner so as to enable the abattoir to transport carcasses of meat and ensure that meat is not contaminated

Provision of  
transport

**30.** White clean overalls and hats or other suitable head coverings shall be made available for all staff at the beginning of every working day.

Provision of  
clothing

**31.** Every person working in an abattoir shall wear clean clothes and wash his hands before and after handling any meat.

Personal hygiene

**32. (1)** Cattle must be detained in an animal enclosure provided in accordance with section 28 for a minimum period of 24 hours before slaughter.

Cattle to be  
rested before  
slaughter

(2) During the period referred to in subsection (1), the cattle shall be provided with water only and no solid foodstuffs shall be given to them.

**33.** Pigs and other animals may only be slaughtered on the same day if the pigs are slaughtered after the other animals, and on all occasions following the slaughter of pigs the whole dressing and bleeding area shall be thoroughly washed down before any other species of animal is slaughtered.

Slaughtering of  
pigs

**34.** (1) Any owner of an approved abattoir shall notify or cause to be notified a meat inspector of any intention to slaughter any animal (s) within his or her slaughterhouse for purposes of inspecting the animal (s) intended for slaughtering.

Notification of slaughter and inspection of animals

(2) Every animal intended for slaughter shall be inspected before slaughter by a meat inspector.

(3) Any animal found upon inspection to be unhealthy shall be separated from others awaiting slaughter.

(4) Any animal found by a meat inspector to be suffering from any contagious disease shall be removed from the premises of the abattoir and detained for further observation and destruction if need be at the cost of the owner.

(5) The veterinary officer may demand vaccination and isolation for specified period of time for other animals which have come into contact with infected animal.

(6) An animal suspected by an inspector to be suffering from any contagious disease and is removed from the premises of the abattoir and treated as directed by the meat inspector or veterinary officer, such animal may be allowed in the abattoir upon satisfaction by the veterinary officer that the animal is healthy.

(7) The responsibility of removal of the animal from the abattoir shall rest with the owner of the animal who shall be allowed a period of up to 12 hours in which to effect such removal. In the event of failure to remove the animal within this period the meat inspector may order the removal of the animal at the owner's expense for its immediate destruction.

(8) In consultation with the county director in charge of veterinary services, he or she may order for a closure of an abattoir where contagious disease has been detected.

**35.** (1) An adequate number of wheeled containers shall be provided so that stomachs and intestines together with their contents can be lowered from the carcass into viscera containers and moved to one side without contaminating the floor.

Use of container for viscera

(2) The viscera containers and their contents shall be identifiable with the carcasses.

**36.** (1) A meat inspector may, after giving written notice of his or her reasons for so doing to the owner of an abattoir or his agent, declare meat to be unfit for human

Destruction of unfit meat

consumption and the stock breeder.

(2) Such meat shall be destroyed by burning or such other suitable means of disposal as soon as possible after the written notice has been received by the owner of the abattoir or his or her agent.

(3) the cost of disposal under this section shall be at the cost of the stock breeder.

**37.** The owner or the agent of the owner in charge of any approved abattoir shall keep on the premises a register of animals presented for slaughter showing—

Register of  
animals  
slaughtered

- (a) origin of the animal;
- (b) species of animal;
- (c) date of arrival;
- (d) date of slaughter;
- (e) sex and age of the animal;
- (f) weight of the carcass;
- (g) grade of the carcass;
- (h) stock breeder's or his or her agent's identification document and postal address;
- (i) colour of the animal; and
- (j) other relevant particulars of the animal.

**38.** (1) All meat, fat or offal which become soiled by the contents of the alimentary tract shall be condemned as unfit for human consumption.

Condemnation  
of soiled meat

(2) Despite subsection (1) where, in the opinion of an authorized veterinary or any meat inspector, the soiling may be removed by cutting away the soiled portions, the authorized veterinary or inspector may authorize this to be done and any remaining meat, fat or offal shall be deemed to be fit for human consumption.

(3) A person shall not cut, remove or attempt to conceal any diseased or injured part.

**39.** (1) A person who, having the knowledge that he or she suffers from any notifiable or contagious disease or is knowingly exposed to infection from knowingly suffers from any notifiable infectious or contagious disease, or is knowingly exposed to infection from any such disease within 12 hours immediately before assuming duty shall not engage in the slaughter of animals, dressing of carcasses or

Human diseases