

THE UNITED REPUBLIC OF TANZANIA



FERTILIZERS AND ANIMAL FOODSTUFFS ACT, 1962

An act to regulate the Importation, Manufacture and Sale of Agricultural Fertilizers and Animal Foodstuffs

**Act 1962
No. 19**

[.....]

1. This Act may be cited as the Fertilizers and Animal Foodstuffs Act, 1962 and shall, subject to the provisions of sections 6 and 7, come into operation on such date as the Ministers may, by notice in the *Gazette*, appoint.

**Short title
and
commence
ment**

2. In this Act, unless the context otherwise requires- “analyst” means any person appointed under section 12 to be an analyst; means any person appointed under section 12 to be an analyst;

**Interpretati
on**

“animal carcass” means the dead body of any animal, bird or fish; “animal foodstuff” means food for bulls, cows, oxen, heifers, calves, sheep, goats, swine, horses, mules, donkeys, rabbits or poultry; “Commissioner” means the Commissioner for Veterinary Services; “fertilizer” means fertilizer of the soil;

“to furnish” in relation to a statutory or other statement, means to mark a container in the manner specified in section 3 or to deliver a written statement;

a container in the manner specified in section 3 or to deliver a written statement;

“Inspector” means any person appointed under section 12 to be an inspector;

“Minister” means the Minister for the time being responsible for veterinary services;

“Sterilizing plant” means a plant which is designed or used to sterilize bones and other substances derived from an animal carcass.

**Obligation
to furnish
written
statements**

3. – (1) Every person who delivers upon sale as a fertilizer or animal foodstuff any article included in the first column of the First Schedule, whatever may be the name under which the article is sold, shall clearly, conspicuously, and indelibly mark on the container in which the said article is so delivered, or shall give to the buyer at or before the time of such delivery a written statement containing the following particulars (hereinafter referred to as the statutory statement):-

- (a) the name under which the article is sold;
- (b) such particulars of the nature, substance or quality of the article as are in relation to the article mentioned in the second column of the First Schedule; and
- (c) where the article is an animal foodstuff, the name and amount of any ingredient specified in the Second Schedule:

Provided that the obligation imposed by this subsection shall not apply-

- (i) to delivery of quantities of fifty-six pounds avoirdupois or less, if the article sold is taken in the sight of the buyer from a parcel or other container bearing a conspicuous label on which are marked the particulars required by this subsection to be included in a statutory statement in respect of that article; or
- (ii) to delivery to a carrier for transportation to a destination outside Tanganyika.

(2) Any person who fails to furnish a statutory statement when he is required by subsection (1) so to do shall be guilty of an offence against this Act.

(3) If a seller furnishes a statement at any time when he is required to furnish a statutory statement, and in purported compliance with his obligation in that behalf, in which any of the particulars required by subsection (1) to be included in a statutory statement is not included, by an inspector in the prescribed manner to be a false to the prejudice of the buyer, the seller shall, unless he proves that he took all reasonable steps to avoid committing the offence and that he acted without intent to defraud, be guilty of an offence against this Act.

(4) Where a fertilizer or an animal foodstuff is sold in a quantity of fifty-six pounds avoirdupois or less from a parcel or other container which bears a label purporting to be marked in accordance with paragraphs (i) of the proviso to subsection (1), and, from analysis of a sample thereof taken by an inspector in the prescribed manner on the premises in which the parcel or other container is kept, it appears that any such particular stated on the label is false to the prejudice of the buyer, the seller shall, unless he proves that he took all reasonable

Adherence to statutory definitions in certain cases

4. – (1) Any person who sells or offers or exposes for sale as a fertilizer or an animal foodstuff an article described by a name specified in the first column of the Third Schedule, which is found by analysis of a sample taken by an inspector in the prescribed manner not to accord with the definition thereof contained in the second column of the Third Schedule shall be guilty of an offence against this Act, unless he proves that he took all reasonable steps to avoid committing the offence and that he acted without intent to defraud.

(2) An article shall not be deemed to differ from the definition thereof contained in the second column of the Third Schedule by reason only of the fact that it contains not more than one part per centum by weight of a substance or substances not mentioned in such definition being, in the case of an animal foodstuff, foodstuffs mentioned in the Third Schedule and in the case of a fertilizer, fertilizers mentioned in the Third Schedule, or in either case, inert substances.

Deleterious ingredients prohibited in animal foodstuffs

5. – (1) Any person who sells or offers or exposes for sale as an animal foodstuff any article which contains any deleterious ingredient, or has in his possession packed and prepared for the purpose of sale as an animal foodstuff any such article, shall be guilty of an offence against this Act unless he proves-

- (a) that he did not know and could not with reasonable care have known that the article contained a deleterious ingredient; and
- where he obtained the article from some other person, that on demand by an inspector he gave all the information in his power with respect to the person from whom he obtained it and as to any statutory statement supplied to him by that other person:

Provided that proceedings for an offence under this section shall not be instituted unless the article has been sampled by an inspector in the prescribed manner and the sample has been analysed in accordance with the provisions of this Act and, except in cases of an actual sale, the sample has been taken on the premises on which it was offered or exposed for sale or on which it was when packed and prepared for the purposes of sale as an animal foodstuff.

(2) Any substance mentioned in the Fourth Schedule shall, if present in any article sold, offered or exposed for sale or packed and prepared for sale as an animal foodstuff, or, where a maximum quantity with regard to the substance is indicated in the Fourth Schedule, if present in excess of that quantity, as the case may be, be deemed to be a deleterious ingredient unless the contrary is proved.

6.- (1) Any person who-

- (a) manufactures for sale, sells, offers or exposes for sale, or has in his possession for sale, as a fertilizer or animal foodstuff, any article containing bone or any other substance derived from an animal carcass which he knows or has reason to believe has neither been sterilized in a sterilizing plant licensed under the provision of section 8 nor imported into Tanganyika with the prior approval of the Commissioner or other public officer under the provisions of section 7; or
- (b) sells, offers or exposes for sale, otherwise than to the holder of a licence issued under section 8 or his agent, any bone or other substance derived from an animal carcass, which he knows or has reason to believe will be used in the manufacture of a fertilizer or animal foodstuff and has neither been sterilized in a sterilizing plant licensed under the provisions of section 8 nor imported into Tanganyika with the prior approval of the Commissioner or other public officer under the provisions of section 7, shall be guilty of an offence against this Act.

**Offences in
respect of
unsterilize
d bones,
etc.**

(2) This section shall come into operation on the expiration of six months after the date appointed by the Minister under the provision of section 1.

Restrictions on import of bones etc.

7. – (1) No person shall import into Tanganyika –

- (a) any fertilizer or animal foodstuff which contains bone or any other substance derived from an animal carcass; or
- (b) bone, or any other substance derived from, or containing any part of, an animal carcass intended to be utilized in the manufacture of any fertilizer or animal foodstuff,

without the prior approval in writing of the Commissioner or any public officer appointed by him for the purpose of granting such approval.

(2) The Commissioner or any other public officer appointed by him for such purpose may, in his discretion, grant or withhold approval to import any bone or any other such substance as is specified in subsection (1), and, without prejudice to the generality of the foregoing, may give such approval upon receipt of a certificate in the prescribed form signed by the exporter in the country of origin of the bone or other substance which is desired to import, and may make his approval subject to such conditions as he considers necessary.

(3) Any person who imports into Tanganyika any article in contravention of subsection (1) or in contravention of any condition attached to any approval granted under subsection (2), shall be guilty of an offence against this Act.

(4) This section shall come into operation on the expiration of three months after the date appointed by the Minister under the provisions of section 1.

Sterilizing plant licences

8. Every application for a licence in respect of a sterilizing plant, or for a renewal of such a licence, shall be made to the Commissioner in the prescribed manner and the Commissioner shall, upon payment of the prescribed fee, issue a licence in the prescribed form:

Provided that the Commissioner may refuse to issue a licence on any of the following grounds:-

- (a) that the applicant has been convicted of an offence against this Act or any regulation made under section 19; or
- (b) that in the opinion of the Commissioner the sterilizing plant in respect of which the application is made is not adequate or suitable for the efficient sterilizing, in the prescribed manner, of bones or other substances derived from an animal carcass.

Licences to be subject to conditions

9. Every licence issued under the provisions of section 8 shall be subject to the following conditions:-

- (a) it shall be valid from the first day of January, or such other date as may be specified therein, until the thirty-first day of December in the same year;
- (b) it shall not be transferable;
- (c) the holder shall operate the sterilizing plant in respect of which his licence is issued only on the premises, or, in the case of a licence issued in respect of a mobile sterilizing plant, in the area specified in the licence;
- (d) the holder shall maintain the sterilizing plant in such condition as may be prescribed.

Renewal, revocation or suspension of licence

10. The Commissioner may refuse to renew a licence or may suspend or revoke a licence issued under the provisions of section 8 on any of the following grounds:-

- (a) that the holder has been convicted of an offence against this Act or against any regulation made under section 19, or has contravened or failed to comply with any of the conditions which his licence is subject; or
- (b) if she is of the opinion that the sterilizing plant has become unsuitable or inadequate for the efficient sterilizing of bones or other substances derived from an animal carcass in the prescribed manner.

Appeal against decision of Commissioner

11. Any person who is aggrieved by the refusal of the Commissioner to issue a licence under section 8 or to renew such a licence, or by the suspension or revocation of such a licence by the Commissioner, may appeal in writing to the Minister within thirty days against such refusal, suspension or revocation, and the Minister's decision upon any such appeal shall be final.

12. – (1) The Minister may appoint analysts and inspectors for the purpose of this Act.

(2) A person shall not, while holding the office of inspector, engage in farming or in any business connected with the manufacture, sale or importation of articles used as fertilizers or animal foodstuffs or as ingredients in the manufacture of fertilizers or animal foodstuffs.

Appointment of analysts and inspectors

13. An inspector may at all reasonable times enter any premises, not used exclusively as a dwelling house, in which he has reasonable cause to believe that there is any article intended for sale as a fertilizer or an animal foodstuffs, or a sterilizing plant licensed under the provisions of section 8, and may take samples in the prescribed manner of any article on such premises which he has reasonable cause to believe to be such an article as aforesaid.

Powers of entry and samplings

14. The buyer of any article included in the first column of the First Schedule, or of any other article sold for use as a fertilizer or animal foodstuff shall, on payment of such fees as may be prescribed, be entitled to have a sample of the article taken by an inspector in the prescribed manner and analysed by an analyst, and to receive from the analyst a certificate of the result of his analysis:

Right of purchaser to have article sampled and analysed

Provided that any person who requires a sample to be taken under the provisions of this section shall-

(a) inform an inspector of his name and address; and

(b) make application to an inspector within fourteen days of the date on which he took delivery of the article.

15. An analyst who receives from an inspector a sample taken under the provisions of this Act shall as soon as is practicable analyse the same, and shall give to such persons as may be prescribed a report in the prescribed form specifying the result of the analysis.

Provision as to analysis of sample

16. Any person who fraudulently tampers or interferes with any article so as to procure that any sample of it taken or submitted for analysis under this Act does not correctly represent the article, or fraudulently tampers or interferes with any sample taken or submitted for analysis under this Act, shall be guilty of an offence against this Act.

Tempering with samples

17. Any person, being the owner or person entrusted for the time being with the charge and custody of any article, being a fertilizer animal foodstuff, who refuses to allow an inspector to take a sample of the article on any premises on which he is authorized under this Act to take a sample, or any person who otherwise wilfully delays or obstructs any inspector in execution of his duties under his Act or any regulations made under this Act, shall be guilty of an offence against this Act:

Obstruction of inspectors

Provided that an inspector seeking to exercise his powers under Act shall, is so required, produce evidence of his appointment authority.

Evidence

18. – (1) Any document purporting to be a report under the hand of an analyst appointed under the provisions of this Act, upon any sample duly submitted to him for analysis and report, may be admitted in evidence in any civil or criminal proceedings concerned with the article sampled without further proof, and shall be sufficient evidence of the facts stated therein unless the defendant or person charged requires that the analyst be called as a witness.

(2) Where the defendant or person charged requires that the analyst be called as a witness he shall pay any reasonable costs incurred by such analyst in attending the trial, unless the court shall otherwise direct.

(3) Any sample which has been taken in the prescribed manner by an inspector shall, unless the contrary is proved, be deemed to be of the same composition, to have the same qualities and, except in so far as the taking of the sample shall cause it to be otherwise, to possess in all other respects the same properties as the whole from which it was drawn.

**Minister
may make
regulations**

19.- (1) The Minister may make regulations for the better carrying out and giving effect to the provisions of this Act and, without prejudice to the generality of the foregoing, may make regulations-

- (a) prohibiting or regulating the sale of any article as a fertilizer or animal foodstuff, prohibiting or regulating the use of any substance in the manufacture for sale of any fertilizer or animal foodstuff, and limiting the proportions of any substances which may be included in fertilizers or animal foodstuffs;
- (b) requiring manufacturers, importer and sellers of fertilizers and animal foodstuffs to maintain records, render returns or furnish information in respect of the manufacture of or trade in fertilizers and animal foodstuffs, and prescribing the form in which such records shall be maintained and the form and manner in which such returns or information shall be rendered or furnished;
- (c) requiring the holders of licences issued under section 8 to keep records and render returns concerning the operation of sterilizing plants operated by them and the substances sterilized therein and prescribing the form in which such records shall be kept and returns shall be rendered;
- (d) regulating the manner in which fertilizers and animal foodstuffs intended for sale may be stored;
- (e) regulating the manner in which fertilizers and animal foodstuffs intended for sale shall be packed, labelled, branded, marked and sealed, and the manner in which fertilizers and animal foodstuffs may be advertised or exposed for sale;
- (f) prescribing the manner in which samples are to be taken and dealt with;
- (g) prescribing the methods by which analyses are to be carried out by analysts under the provisions of this Act;
- (h) regulating the equipment and appliances to be used in licensed sterilizing plants and their mode of operations;
- (i) prescribing the methods whereby bones and other substances derived from an animal carcass shall be sterilized in licensed sterilizing plants prior to sale or inclusion in the manufacture of fertilizers or animal foodstuffs;
- (j) prescribing the fees which may be charged for any sample taken or analysis made under this Act or for the issue or renewal of licence under this Act;
- (k) prescribing the duties under this Act of inspectors and analyst;
- (l) exempting from all or any of the provisions of this Act or any regulations made under this Act any fertilizer or animal foodstuff or any article or substance used in the manufacture of any fertilizer or animal foodstuff;
- (m) prescribing anything which is by this Act required or authorized to be prescribed.
- (n)

(2) The Minister may restrict the application of any of the regulations made under the provisions of subsection (1) to specified areas or to any class or classes of places or premises.

(3) Regulations made under the provisions of subsection (1) may require acts or things to be performed or done to the satisfaction of a prescribed person and may empower a prescribed person to issue orders to any other person requiring acts or things to be performed or done or such conditions shall be fulfilled.

(4) Regulations made under this section may fix penalties for the breach thereof not in excess of the penalties mentioned in section 21.

20. – (1) The Minister may, by notice published in the *Gazette*, add to, amend or replace all or any part of any of the Schedules to this Act. **Minister may vary Schedules**

(2) Every such notice shall be expressed to come into operation on a date specified therein, not being less than three months after the date of publication thereof.

21. –(1) Any person who commits an offence against this Act shall be liable on conviction in the case of a first offence to a fine not exceeding two thousand shillings or to imprisonment for a term not three months, or to both such fine and imprisonment, and in the case of a second or subsequent offence to a fine not exceeding three thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment. **Offences and forfeiture**

(2) Where any offence against this Act or against any regulation made hereunder committed by a body corporate is proved to have been committed with the consent or approval of any director, manager, secretary or other office of the body corporate, he, as well as the body corporate, shall be deemed to be guilty of the offence and shall be liable to be proceeded against punished accordingly.

(3) When any person is convicted of an offence against this Act, the court may order that any article which is the property of the offender and in respect of which the offence has been committed shall be forfeited to the Government.

(4) The Commissioner shall be responsible for the disposal of anything forfeited to the Government under subsection (3).

22. Section 3,4,5 and 6 of this Act shall not apply to a sale, offer or exposure for sale, when such sale is made by a bailiff, court broker or other officer in the course of executing any order or process of a court.

FIRST SCHEDULE

(Section 3)
FERTILIZERS

<i>Article</i>	<i>Particulars to be contained in Statutory Statement</i>
Ammonium nitrate and mixtures of ammonium nitrate with any article not mentioned elsewhere in this Schedule	Amount of nitrogen
Ammonium phosphate	Amounts of soluble mineral nitrogen and phosphoric acid soluble in water.
Ammonium sulphate	
A product, not otherwise mentioned in this Schedule, obtained by mixing one or more of the articles mentioned in this Schedule with any other such article with any other substance or	Total amount of phosphoric acid. Amount of phosphoric acid soluble in citric acid. Amount of the article that will pass through British Standard Sieve No. 72.
Basic slag	
Bone meal, or other product not otherwise mentioned in this Schedule treating bone, used for fertilizing purposes	Amounts of nitrogen and phosphoric acid Respectively
Burnt magnesian lime, ground or otherwise	Neutralising value.
Calcium Cyanamid	Amount of nitrogen
Calcium hydroxide; hydrated lime; slaked lime; slaked magnesian lime	Neutralising value
Chalk	None
Chalk ground	Neutralising value
Chalk screened	Neutralising value. Amount that will pass through a British Standard Sieve of $\frac{1}{3}$ in. square apertures.
Diammonium phosphate	Amount of soluble mineral nitrogen and phosphoric acid soluble in water.
Dicalcium phosphate	Amount of phosphoric acid soluble in water.
Dissolved or vitrolised bone	Amount of nitrogen, phosphoric acid soluble in water, and phosphoric acid soluble in water respectively.
Dried blood for fertilizing purposes	Amount of nitrogen.
Fish residues or other product obtained by drying and grinding or otherwise treating fish or fish waste, used for fertilizing purposes.	Amounts of nitrogen, phosphoric acid respectively.
Guano, including Peruvian and other raw guanos, poultry manure and bat guano	Amounts of nitrogen, phosphoric acid and potash respectively.
Gypsum	Amount of calcium sulphate. Amount of the article that will pass through a British Standard Sieve of $\frac{1}{3}$ in. square apertures.
Hoofs	Amount of nitrogen
Hoofs and horns	Amount of nitrogen
Limestone, ground; magnesian limestone, ground	Neutralising value. Amount that will pass through British Standard Sieve No. 72.
Meat and bone residues, or any product not specifically mentioned elsewhere in this Schedule, obtained by drying and grinding or otherwise treating bone, flesh, flesh fibre and other slaughter house residues, used for fertilizing purposes	Amounts of nitrogen and phosphoric acid respectively.

Mixed lime	Neutralizing value
Nitrate of potash	Amounts of nitrogen and potash respectively.
Nitrate of soda	Amount of nitrogen.
Phosphate rock, ground or otherwise	Amount of phosphoric acid. Amount that will pass through British Standard Sieve No. 72
Potassium salts used as fertilizers, including kainit, sylvinit, potasha manure salt, muriate of potash, sulphate of potash and sulphate of potash mangnesia	Amount of potash.
Soda phosphate	Amount of phosphoric acid soluble in citric acid. Amount of the article that will pass through British Standard Sieve No. 72.
Fusion phosphate	Amount of nitrogen. Amount of free acid if in excess of 0.025 per cent.
Sulphate of ammonia	Amount of soluble mineral nitrogen and maximum Biuret content
Urea	

The amount in each case is to be stated as a definite percentage of the dry weigh of the article, and not as a range of percentages.
Phosphoric acid, soluble phosphoric acid and insoluble phosphoric acid are to be stated in terms of phosphoric anhydride. (P₂O₅.)
Potash is to be stated in terms of Potassium oxide. (K₂O.)
Soluble carbonates are to be stated in terms of sodium carbonate. (Na₂CO₃.)
Free acid is to be stated in terms of sulphuric acid. (H₂SO₄.)
Neutralising value is to be expressed in terms of calcium oxide. (Ca₂O.)

ANIMAL FOODSTUFFS

<i>Article</i>	<i>Particulars to be contained in Statutory Statement</i>
Barley	None.
Barley meal	None.
Ben meal (including all types of beans)	Amount of protein.
Bean and pod meal	Amount fibre.
Cassava meal	None.
Clover meal	Amounts of protein and fibre respectively.
Coconut (copra) cake of meal	Amounts of oil and protein respectively
Coffee husks or hullings	Amount of fibre.
Coffee silver skin	Amounts of protein and fibre respectively .
Compound cakes or meals, that is to say, any cakes or meals (other than molassed feeds and dried molassed feet pulp) consisting of a mixture of one or more of the articles mentioned in this Schedule with any other such article or with any other substance or substances.	Amounts of oil, protein and fibre respectively.
Cotton seed	None.
Cotton seed cakes or meals, not decorticated	Amounts of oil and protein respectively.
Cotton seed cakes or meals, decorticated	Amounts of oil and protein respectively.
Dried plain beet pulp	Amount of fibre
Dried molassed beet pulp	Amounts of sugar and fibre respectively.
Dried brewery and distillery grains	Amounts of oil and protein respectively.
Dried grass	Amounts of protein and fibre respectively
Dried green fodder crops	
Dried green roughage	

Dried yeast	Amount of protein
Eleusine (finger millet or wimbi)	None.
Feeding bone flour	Amounts of phosphoric acid and protein respectively
Feeding bone meal, ground bone or any other bone product, for feeding purpose	Amounts of phosphoric acid and protein respectively.
Feeding fried blood	Amount of protein
Feeding meat and bone meal, or any other product of meat (including whatle meat) for feeding purposes	Amounts of oil, protein and phosphoric acid respectively.
Feeding meat meal, or any other product of meat (including whate meat) for feeding purposes	Amounts of oil, protein and phosphoric acid respectively.
Fish meal, white fish meal, or any other procut obtained by drying and grinding or otherwise treating fish or fish waste	Amounts of oil, protein, phosphoric acid and salt respectively.
Gram (chickpea) meal	Amounts of protein.
Kapok seed cake or meal	Amounts of protein and oil respectively.
Linseed cakes and meals of such cakes; extracted linseed meal	Amounts of oil and protein respectively.
Linseed meal	Amounts of oil
Liver meal	Amounts of oil and protein respectively.
Lucerne (Alfalfa)meal	Amounts of protein and fibre respectively.
Locust bean meal	Amounts of protein
Maize	None.
Maize cob meal	Amount of fibre
Maize, flaked	Amount of oil and protein respectively.
Maize germ cake or meal	Amounts of oil and protein respectively.
Maize gluten feed	Amounts of oil and protein respectively.
Maize husk or bran	Amounts of oil and protein respectively.
Maize meal	None.
Maize by-products not otherwise specifically mentioned in this Schedule.	Amounts of oil, protein and fibre respectively.
Malt culms	Amounts of protein and fibre respectively.
Millet, panicum and bulrush (Mawele)	None.
Millet meal	Amount fibre.
Molassed feeds (other than dried molassed beet pulp) including any foodstuffs composed of treacle or molasses with an aborbent and contiaing not less than 10 per cent sugar.	Amounts of oil and protein respectively.
Molasses	Amount of sugar
Oats	None.
Oats, burised or crushed	None.
Oats, ground	Amount of fibre
Oatmeal by-products; oat feed	Amount of fibire.
Oil cakes or meals not otherwise specifically metioned in this Schedule, which are the product of any one undecorticated substance or seed from which oil has been removed.	Amounts of oil and protein respectively.
Oil cakes or meals not ohterwise specifically metioned in this Schedule which are the products of any one decorticated or partly decorticated substance or seed from which oil has been removed.	Amounts of oil, protein and fibre respectively.
Palm kernel cake or meal	Amounts of oil and protein respectively.
Pea meal (including all types of peas)	Amount of protein
Pea and pod meal	Amounts of oil and protein respectively.

Pyrethrum marc	Amount of fibre.
Rape cake meal	Amounts of oil, protein and fibre respectively.
Rice bran or polishings; other by-products produced in milling brown rice.	Amounts of and protein and fibre respectively.
Sesame (simsim) seed	None.
Sesame cake or meal	Amounts of oil and protein respectively.
Sorghums (mtama)	None.
Sorghum meal	Amount of fibre
Soya cake or meal	Amount of oil and protein respectively.
Sunflower seed	None.
Sunflower seed cake or meal	Amount of oil and fibre respectively.
Sunflower head meal	Amount of oil and fibre respectively.
Treacle or molasses	Amount of sugar
Wheat	None.
Wheat meal; whole meal	None.
Wheat offals or millers' offals; wheat bran, pollards	Amount of oil and fibre respectively.

The amount, in each case, is to be stated as a definite percentage of the dry matter weight of the article, and not as a range of percentages.

Phosphoric acid is to be stated in terms of phosphoric anhydride (P₂O₅).

The amount of protein means the amount of nitrogen, other than ammoniacal or nitric nitrogen, if present, multiplied by 6.25 (or, in the case of pure wheat product, by 5.70).

SECOND SCHEDULE

(Section 3)

ingredients in animal food stuffs the presence and amount of which must be declared

(a) Husks, chaff, glumes, shudes, hulls, nutshells or skins of nuts, from any source, when used as separate ingredients or artificial mixtures in the manufacture of animal foodstuffs.

Where the kernels naturally associated in seeds with one or other of the above materials are present in an animal foodstuff along with the materials with which they are so associated, regard shall be had to the proportion of the above materials that might reasonably be expected to accompany such kernels when the seed from which they are derived is in its natural condition, provided that feeding in this condition is regarded as a common practice in the feeding of livestock.

(b) Wheat or rye straw, ground or otherwise.

(c) Peat or peat moss, treated or untreated.

(d) Sawdust or any other form of wood, treated or untreated.

(e) Any of the following substances not occurring naturally in any other ingredient:-

(i) hormones and synthetic hormone-like substances;

(ii) vitamins;

(iii) antibiotics;

(iv) urea;

(v) mineral supplements;

(vi) therapeutical substances and medicinal preparations.

THIRD SCHEDULE

(Section 4)

Definitions Implied on the Sale of Articles under certain Names

FERTILIZERS

<i>Name under which Article Sold</i>	<i>Implied Definition</i>
Ammonium nitrate	Ammonium nitrate for fertilizing purposes.
Ammonium phosphate	Ammonium phosphate for fertilizing
Ammonium phosphate nitrate	Ammonium phosphate nitrate for fertilizing purposes.
Basic slag	A by-product, containing phosphorus, obtained in the manufacture of steel and to which no addition has been made at the time of leaving or after it has left the furnace.
Bone meal, Grade II	Commercially pure bone, raw or degreased, which has been ground or crushed, and which contains less than 3.5 per cent nitrogen and not less than 20 per cent phosphoric acid.
Burnt magnesian lime, ground or otherwise.	Commercial calcium and magnesium oxides containing more than 5.5 per cent of magnesium (Mg.).
Calcium Cyanamide	Commercial calcium cyanamide.
Calcium hydroxide; hydrated lime; slaked lime	The product obtained by slaking burnt lime.
Chalk	Cretaceous limestone
Chalk, ground	Cretaceous limestone which has been reduced in size so that it will pass through a sieve of ¼ in. square apertures.
Chalk screened	Crataceous limestone that will pass through a sieve having apertures not exceeding 3 in. square.
Compound fertilizer; mixed fertilizer; fertilizer mixture	A product, not otherwise mentioned in this Schedule, containing two or three of the elements nitrogen, phosphorus and potassium, and obtained by mixing one or more of the articles mentioned in the First Schedule with any other such article or with any other substance or substances.
Concentrated superphosphate; double, triple and treble superphosphate; acid phosphate of lime	Phosphate rock which has been treated with sulphuric acid and phosphoric acid.
Cooper sulphate	Copper sulphate for fertilizing purposes.
Daimmonium phosphate	Diammonium phosphate for fertilizing purposes
Dissolved or vitroolised bone	Commercially pure bone which has been treated with sulphuric acid.
Dried blood	Blood which has been dried to which no other matter has been added.
Fish guano; fish manure	A product obtained by drying and grinding or otherwise treating fish or fish waste, to which no other matter has been added.

Name under which Article Sold

Gypsum

Hoofs

Hoofs and horns

Horns

Limestone, ground

Magnesian limestone, ground

Meat and bone meal; meat meal; carcass meal; meat and bone tankage

Mixed lime

Muriate of potash

Nitrate of potash

Nitrate of soda

Phosphate rock, ground or otherwise

Raw guano

Slaked magnesian lime

Soda phosphate

Fusion Phosphate

Sulphate of ammonia

Sulphate of potash

Urea

Implied Definition

Calcium sulphate dihydrate for fertilizing purposes.

The product obtained by crushing or grinding hoof, to which no other matter has been added.

A mixture of hoof and horn, crushed or ground, to which no other matter has been added.

The product obtained by crushing or grinding horn to which no other matter has been added.

Sedimentary rock consisting largely of calcium carbonate but containing not more than 3 per cent of magnesium (Mg) which has been reduced in size so that 100 per cent will pass through a sieve $\frac{3}{16}$ in. square apertures, not less than 95 per cent will pass through a sieve of $\frac{3}{16}$ in. square apertures and not less than 40 per cent will pass through British Standard Sieve No. 72.

Sedimentary rock consisting largely of calcium carbonate but containing not more than 3 per cent of magnesium (Mg) which has been reduced in size so that 100 per cent will pass through a sieve $\frac{3}{16}$ in. square apertures, not less than 95 per cent will pass through a sieve of $\frac{3}{16}$ in. square apertures and not less than 40 per cent will pass through British Standard Sieve No. 72.

The product of drying and grinding or otherwise treating bone, flesh, flesh fibre and other slaughterhouse residues to which no other matter has been added.

A product, not being a by-product or a mixture of by-products from manufacturing or other processes, obtained by mixing two or more of the forms of liming material defined in this Schedule.

Potassium chloride or a mixture of potassium chloride and potassium sulphate for fertilizing purposes.

Potassium nitrate for fertilizing purposes.

Sodium nitrate for fertilizing purposes.

The substance obtained from mineral calcium phosphate deposits, to which no other matter has been added.

The excrement and remains of any birds except poultry, containing both nitrogen and phosphorous, prepared for use by screening where necessary, but to which no addition has been made.

The product obtained by slaking burnt magnesium lime.

Phosphate rock treated by soda and heat, with a maximum of 3 per cent soluble carbonates.

Ammonium sulphate for fertilizing purposes.

Potassium sulphate for fertilizing purposes.

Urea for soil fertilizing purposes.

Name under which Article Sold

Gypsum

Hoofs

Hoofs and horns

Horns

Implied Definition

Calcium sulphate dihydrate for fertilizing purposes.

The product obtained by crushing or grinding hoof, to which no other matter has been added.

A mixture of hoof and horn, crushed or ground, to which other matter has been added.

The product obtained by crushing or grinding horn to which no other matter has been added.

Limestone, ground	Sedimentary rock consisting largely of calcium carbonate but containing not more than 3 per cent of magnesium (Mg) which has been reduced in size so that 100 per cent will pass through a sieve $\frac{3}{16}$ in. square apertures, not less than 95 per cent will pass through a sieve of $\frac{3}{16}$ in. square apertures and not less than 40 per cent will pass through British Standard Sieve No. 72.
Magnesian limestone, ground	Sedimentary rock consisting largely of calcium carbonate but containing not more than 3 per cent of magnesium (Mg) which has been reduced in size so that 100 per cent will pass through a sieve $\frac{3}{16}$ in. square apertures, not less than 95 per cent will pass through a sieve of $\frac{3}{16}$ in. square apertures and not less than 40 per cent will pass through British Standard Sieve No. 72.
Meat and bone meal; meat meal; carcass meal; meand and bone tankage	The product of drying and grinding or otherwise treating bone, flesh, flesh fibre and other slaughterhouse residues to which no other matter has been added.
Mixed lime	A product, not being a by-product or a mixture of by-products from manufacturing or other processes, obtained by mixing two or more of the forms of liming materials defined in this Schedule.
Mutriate of potash	Potassium chloride or a mixture of potassium chloride and potassium sulphate for fertilizing purposes.
Nitrate of potash	Potassium nitrate for fertilizing purposes.
Nitrate of soda	Sodium nitrate for fertilizing purposes.
Phosphate rock, ground or otherwise	The substance obtained from mineral calcium phosphate deposits, to which no other matter has been added.
Raw guano	The excrement and remains of any birds except poultry, containing both nitrogen and phosphorous, prepared for use by screening where necessary, but to which no addition has been made.
Slaked magnesian lime	The product obtained by slaking burnt magnesian lime.
Soda phosphate	Phosphate rock treated by soda and heat, with a maximum of 3 per cent soluble carbonates.
Fusion Phosphate	Ammonium sulphate for fertilizing purposes.
Sulphate of ammonia	Potassium sulphate for fertilizing purposes.
Sulphate of potash	Urea for soil fertilizing purposes.
Urea	

ANIMAL FOODSTUFFS

<i>Name under which Article Sold</i>	<i>Implied Definition</i>
Barley	Commercial pure barley, as grown.
Barley meal	The meal obtained by grinding barley, as grown, which shall be the whole grain together with only such other substances as may reasonably be expected to have become associated with the grain in the field and which contains not less than 90 per cent pure barley.
Bean meal	The meal obtained by grinding commercially pure beans of the following species:- 1. Horses, field or board beans (<i>Vicia faba</i> or <i>Faba vulgaris</i>); 2. Haricot beans (<i>Phaseolus vulgaris</i>); 3. Dolichos or lablab beans (<i>fiwi</i>) (<i>Dolichos lablab</i>); 4. Velvet beans (<i>Stizolobium</i> sp. Or <i>mucuna</i> sp.).

Bean and pod meal	The meal obtained by grinding beans together with their pods of the species mentioned above.
Cassava meal	The meal obtained by grinding commercially pure dried peeled roots of the cassava plant.
Clover meal	Whole clover, as grown, dried and ground, to which no other matter has been added.
Coffee husks or hullings	The outer covering of the dried coffee berry which has been removed from the coffee beans, and to which nothing has been added.
Coffee silver skin	The dried skin covering coffee beans after the removal of the cherry pulp and fermentation.
Compound cakes or meals	Cakes or meals (other than molassed feeds or dried molassed beet pulp) consists of a mixture of one or more of the articles mentioned in the First Schedule to this Act with any other such article or with any substance or substances.
Cotton seed	Commercially pure seed of the cotton plant after the removal of the cotton lint or fibre.
Cotton seed cakes or meals, not decorticated	The residue resulting from the removal of oil from commercially pure cotton seed, not decorticated.
Cotton seed cakes or meals from decorticated or partly decorticated cotton seed	The residue resulting from the removal of oil from commercially pure cotton seed from which the cortex, in whole or in part, has been removed.
Dried brewery grains	The article produced by drying the residues of malted and unmalted cereals used in brewing, to which no other matter has been added.
Dried distillery grains	The article produced by drying the residue from distillery mash tuns to which no other matter has been added.
Dried grass	Any product which- <ul style="list-style-type: none"> (a) is obtained by artificially drying any of the following: - clover, grass, Lucerne, sainfoin, green cereals, or any mixture consisting of any of them, and (b) is otherwise as grown (that is to say including any growths harvested therewith but with no other substance added thereto). And contains not less than 13 per cent protein calculated on the assumption that it contains 10 percent moisture.
<i>Name under which Article is Sold</i>	<i>Implied Definition</i>
Dried green fodder crops	Any product which- <ul style="list-style-type: none"> (a) is obtained by artificially drying any green crop or crops suitable for use as dried fodder for cattle or poultry and (b) is otherwise as grown (that is to say, including any growths harvested therewith but with no other substances added thereto). And contains not less than 10 per cent protein calculated on the assumption that it contains 10 per cent moisture, but is not dried grass.
Dried green roughage	Any product which complies with the definition of dried green fodder crops in all respects, except that it contains less than 10 per cent protein calculated on the assumption that it contains 10 per cent moisture.

Dried plain beet pulp	The article produced by drying the sugar beet residue produced in the manufacture of sugar from sugar beet, with or without addition of molasses. And having a content of less than 10 per cent of sugar.
Dried molassed beet pulp	The article produced by drying the sugar beet residue produced in the manufacture of sugar from sugar beet, with the addition of molasses to give a content of 10 per cent or more of sugar.
Dried yeast	An article produced by drying yeast or yeast residues, to which no other matter has been added.
Eleusine (finger millet or wimbi)	Commercially pure seed of eleusine or finger millet.
Extracted linseed meal	The residue resulting from the removal of oil from commercially pure linseed by means of a solvent.
Feeding bone flour	The product obtained by grinding commercially pure steamed bone.
Feeding bone meal; ground bone	Commercially pure bone, whether or not degreased, which has been ground or crushed.
Feeding dried blood	Blood which has been dried, to which no other matter has been added.
Feeding meat and bone meal; feeding carcass meal	The product, containing not less than 45 per cent of protein and not more than 4 per cent of salt, obtained by drying and grinding animal (including whale) carcasses or portions thereof (excluding hoof and horn) and bone, to which no other matter has been added, but which may have been preliminarily treated for the removal of fat.
Fish meal; fish residue meal	A product, containing not more than 10 per cent of oil nor more than 4 per cent of salt, obtained by drying and grinding or otherwise treating fish or waste of fish, to which no other matter has been added.
Gram (chickpea) meal	The meal obtained by grinding commercially pure gram (chickpea), as grown, of varieties of <i>Cicer arietinum</i> .
<i>Name under which Article Sold</i>	<i>Implied Definition</i>
Kapok seed cake or meal	The residue resulting from the removal of oil from commercially pure kapok seed.
Linseed cakes or the meals of such cakes	The residue resulting from the removal of oil from commercially pure linseed.
Linseed meal	The meal obtained by grinding or crushing commercially pure linseed.
Liver meal	The meal obtained by drying and grinding animal liver, to which no other substance has been added, but which may have been preliminarily treated for the removal of fat or oil.
Locust bean meal	The meal obtained by grinding or crushing, commercially pure locust beans.
Lucerne (alfalfa) meal	Lucerne (alfalfa), as grown, dried and ground, to which no other matter has been added.
Maize	Commercially pure maize, as grown.
Maize cob meal	The meal obtained by grinding whole maize cobs, as grown and including cobs, grains and outer sheath, to which no other matter has been added.
Maize, flaked	The product obtained by cooking and flaking commercially pure maize, either as grown or from which the germ, in whole or in part, has been removed.

Maize germ cake or meal	The meal or cake resulting from the grinding of maize germs or from maize germs from which the oil has been removed in whole or in part.
Maize gluten feed	A by-product resulting from the removal of starch and germ from maize, to which no other matter has been added.
Maize husk or bran	A by-product of roller-milling maize, containing the outer skin of commercially pure maize, to which no other matter has been added.
Maize meal	The meal obtained by grinding commercially pure maize, as grown.
Malt culms	The rootlets and shoots arising from the screening of malt, to which no other matter has been added.
Millet (mawele)	Commercially pure seed, as grown, of the bulrush and panicum millets.
Millet meal	Any mixture (other than dried molassed beet pulp) containing not less than 10 material and treacle or molasses.
Mollasses (treacle)	A concentrated syrup product obtained in the manufacture of sugar from sugar cane or sugar beet, to which no other matter has been added.
Oats	Commercially pure oats, as grown.
Oats, burised or crushed	The product of crushing commercially pure oats, as grown.
Oats, ground	The meal obtained by grinding commercially pure oats, as grown.
Oat feed; oatmeal by-products	The by-product of oatmeal milling consisting of hulls, flour materials, mealy matter, scree dust, all finely ground and containing not more than 27 per cent of fibre.
Oil nut cakes or meals, including coconut, copra, palm kernel and groundnut cakes meals.	The residue resulting from the removal of oil from commercially pure oil nut kernels.
<i>Name under which Article Sold</i>	<i>Implied Definition</i>
Pea meal	The meal obtained by grinding commercially pure peas of the following species:- 1. Garden peas (<i>Pisum sativum</i>) 2. Field peas (<i>Pisum arvense</i>) 3. Cow peas or Kunde (<i>Vigna catianga</i>). 4. Pigeon peas or Mbaazi (<i>Cajanus indicus</i>)
Pea and pod meal	The meal obtained by grinding peas together with their pods of the species mentioned above.
Pyrethrum marc	The steamed dried residue from extraction of dried, ground pyrethrum flowers with a light petroleum solvent.
Rape cake or meal	The residue resulting from removal of oil from commercially pure rape seed.
Rice bran; rice polishings	The by-product produced in milling polished rice from brown rice.
Sesame (simsim) seed	The commercially pure sesame seed, as grown.
Sesame (simsim) cake or meal	The residue resulting from the removal of oil from commercially pure sesame seed.
Sorghum (mtama)	The commercially pure sorghum seeds, as grown.
Sorghum (mtama) meal	The meal obtained by grinding commercially pure sorghum seed, as grown.

Soya cake or meal	The residue resulting from the removal of oil from commercially pure soya beans.
Sunflower seed	The commercially pure sunflower seed, as grown
Sunflower seed cake or meal	The residue resulting from the removal of oil from commercially pure sunflower seed.
Sunflower seed	The commercially pure sunflower seed, as grown.
Sunflower seed cake or meal	The residue resulting from the removal of oil from commercially pure flower seed.
Sunflower head meal	The meal obtained by grinding the whole flower head, including the seeds, of the sunflower plant.
Wheat	Commercially pure wheat, as grown
Wheat meal; whole meal	The meal obtained by grinding commercially pure wheat, as grown.
Wheat offals; millers' offals; wheat bran; pollards	The by-products produced when milling commercially pure wheat to produce white flour.
White fish meal	A product, containing not more than 6 per cent of oil nor more than 4 per cent of salt, obtained by drying and grinding or otherwise treating white fish or waste of white fish, to which no other matter has been added.

In the case of every article mentioned in this Schedule the definition of which includes the expression "commercially pure", it is implied that no other matter may be added.

FOURTH SCHEDULE

(Section 5)

Deleterious Ingredients in Animal Foodstuffs

- (a) Salt soluble in water, if present in an animal foodstuff in proportion likely to be injurious to the health of animals.
- (b) All poisonous substances except those naturally present in the material or materials from which the animal foodstuff is derived.
- (c) Sand, silicious matter or other insoluble mineral water not naturally associated with ingredients of the animal foodstuff which do not fall within the scope of this Schedule, or which, even if naturally so associated, are present in greater proportion than the maximum that may be expected to be due to such natural association.

For the purpose purposes of this paragraph the term "insoluble" shall imply insolubility in hydrochloric acid, as determined by a prescribed method; the term "natural association" shall be construed as applying to average commercial samples of the feeding material with which it may be claimed that a particular mineral ingredients is associated.

FIFTH SCHEDULE

(Section 3)

Limits of Variation

For Fertilizers.

*(Percentages are percentages of the whole bulk)

1. *Amount of Nitrogen*

0.5 per cent, provided that-

- (a) in the case of *Nitrate of Soda, Sulphate of Ammonia* and *dissolved or vitriolised bone* the limit of variation shall be 0.3 per cent, and
- (b) in the case of *Compound Fertilizers* the limit of variation shall be-
 - (i) 0.3 per cent, if the percentage stated does not exceed 4 per cent-
 - (ii) 0.5 per cent, if the percentage stated exceeds 4 percent but does exceed 5 per cent; and
 - (iii) 0.75 per cent, if the percentage stated exceeds 5 percent, and
- (c) in the case of *Guano* (including *Peruvian* and other raw guanos) the limit of variation shall be $1/5^{\text{th}}$ of the percentage stated, with a minimum of 0.25 per cent and maximum of 1.5 per cent, and
- (d) the limit of variation in amounts of nitrogen stated in articles listed in item 10 below shall be as given therein.

2. *Amounts of Soluble Phosphoric Acid.*

0.5 per cent, provided that –

- (a) in the case of *Dicalcium phosphate, Soda phosphate (Fusion phosphate)* and *Basic slag* the limit of variation shall be 1 per cent, and
- (b) in the case of *dissolved or vitriolised bone* when the total of the percentages of soluble and insoluble phosphoric acid stated amounts to 14 per cent or more, the limit of variation of soluble phosphoric acid shall be-
 - (i) 2 per cent, if the excess of the actual percentage of insoluble phosphoric acid over that stated is 1.5 per cent or more;
 - (ii) 1.5 per cent, if such excess is not less than 1 per cent but is less than 1.5 per cent;
 - (iii) 1 per cent, if such excess is not less than 0.5 per cent but is less than 1 per cent;

3. *Amounts of Insoluble Phosphoric Acid.*

0.5 per cent, except in the case of *dissolved or vitriolised bone* where the total of the percentages of insoluble and soluble phosphoric acid stated amounts to 14 per cent or more.

4. *Amounts of Phosphoric Acid.*

- (a) *Basic slag* 1 per cent.
- (b) *Guano* (including *Peruvian* and other raw guano) $1/10^{\text{th}}$ of the percentage stated, with a maximum of 2 per cent.
- (c) *Phosphate rock* – $1/20^{\text{th}}$ of the amount stated.
- (d) The limit of variation in amounts of phosphoric acid in the articles listed in item 10 below shall be as given therein.

5. *Amount of Potash*

- (a) Potassium salts used as fertilizers.
 - (i) 1 per cent, if the percentage of potash does not exceed 15 per cent;
 - (ii) 2 per cent, if the percentage of potash exceeds 15 per cent.
- (b) *Guano* (including *Peruvian* or other raw guanos) $1/5^{\text{th}}$ of the percentage stated.
- (c) *Compound fertilizers* – the limit of variation shall be-
 - (i) 0.3 per cent, if the percentage stated does not exceed 4 per cent;
 - (ii) 0.5 per cent, if the percentage stated exceeds 4 per cent;
 - (iii) 0.75 per cent, if the percentage stated exceeds 5 per cent.

6. *Amount of Copper – 1 per cent.*

7. *Amount of Calcium Sulphate – 2 per cent.*

8. *Amount of Barytes – 5 per cent.*

9. *Neutralising Values-*

1/10th of the calcium oxide value stated provided that in the case of Ground or Screened Chalk, and Limestones (ground), the limit of variation shall be 1/20th of the stated calcium oxide value.

Bone Meal or other bone product (excluding dissolved or vitriolised bone).

10. The limits of variation in the *Amounts of Nitrogen and Phosphoric Acid* in the following articles shall be as given:

(i) *Nitrogen 0.5 per cent; increasing, if the actual percentage of phosphoric acid exceeds that stated, to not more than 1 per cent at the rate of 0.25 per cent of nitrogen.*

(ii) *Fish residues (or other fish products used for fertilizing process) and Meat and Bone residues, Nitrogen, 0.5 per cent increasing if the actual percentage of phosphoric acid exceeds that stated, to not more than 2 per cent at the rate of 0.25 per cent of nitrogen for each 1 per cent of such excess of phosphoric acid; and Phosphoric acid 1 per cent; increasing, if the actual percentage of nitrogen exceeds that stated to not more than 3 per cent at the rate of 1 per cent of phosphoric acid for each 0.25 per cent of such excess of nitrogen.*

11. *Amounts that will pass through specified Sieves.*

1/20th of the amount stated.

For Animal Foodstuffs:

1. *Amount of fibre-1/8th of the amount stated*

2. *Amounts of Oil.*

1/10th of the amount stated, provided that in the case of dried brewery and distillery grains the limit of variation shall be 1/5th of the amount stated.

3. *Amounts of Protein.*

1/10th of the amount stated, provided that-

(a) *in the case of the following the limit of variation shall be 1/8th of the amount stated:-*

(i) *linseed cakes and the meals of such cakes;*

(ii) *extracted linseed meal;*

(iii) *maize, flaked;*

(iv) *maize germ cake or meal;*

(v) *maize gluten feed;*

(vi) *rape cake or meal;*

(vii) *soya cake or meal;*

(viii) *dried brewery and distillery grains, and*

(c) *in the case of malt culms the limit of variation shall be 1/5th of the amount stated.*
and

(d) *in the case of dried yeast and feeding dried blood the limit of variation shall be 1/20th of the amount stated.*

4. *Amounts of Salt-1/20th of the amount stated.*

5. *Amount of sugar.*

(a) *Treacle or molasses-1/20th of the stated, and*

(b) *Dried molassed beet pulp and molassed feeds-1/10th of the amount stated.*