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S. I. No. 18 of 2020

**REGULATION FOR BREEDER FARMS, HATCHERY
OPERATIONS AND DAY-OLD CHICKS
QUALITY IN NIGERIA**

The Governing Council of the Nigerian Institute of Animal Science (NIAS), in exercise of the power conferred on it by sections 2 and 32 of the Nigerian Institute of Animal Science Act, CAP. N160 LFN 2007, as amended by the Nigerian Institute of Animal Science (Amendment) Act 2015 and of all the Powers Enabling it in that behalf, by the approval of the Council of Nigerian Institute of Animal Science hereby makes the following Regulation :

PART I

1. This Regulation seeks to :

Scope.

Ensure that the process of breeder Farm and Hatchery Operations, as well as Production, handling, transportation and distribution of Day-Old Chicks (DOCs) are done in line with best practice that will improve welfare and livability of the birds.

2. This Regulation aims at :

Objectives.

(1) Ensuring that Breeder Farm Operators adhere to good hygiene Practices and Good Husbandry Practices.

(2) Ensuring that Breeder Farm Operators, Hatchery Operators and DOC distributors comply with proper procedure in their operations.

(3) Ensuring that good quality parent stocks are used for the production of Day-Old Chicks (DOCs).

(4) Ensuring the sustainable production of good quality DOCs.

(5) Ensuring that Hatchery Operations are done in line with good hygiene Management Practices.

(6) Ensuring that low quality DOCs are not circulated.

(7) Ensuring that DOCs are properly sexed to reduce sexing error to the barest minimum.

(8) Ensuring that proper packaging and labeling are done to guarantee traceability in case of nonconforming DOCs.

(9) Ensuring that DOCs are handled and transported in compliance with proper procedure.

Categorization of Hatcheries.

3. For the purpose of this Regulation, Hatcheries shall be categorized on the basis of their weekly output as :

- (a) Small Hatcheries with less than 20,000 DOCs per week ;
- (b) Medium with 20,000-60,000 DOCs per week ;
- (c) Large with more than 60,000 DOCs per week.

Categorization of Breeder Farm..

4. For the purpose of the Regulation, Breeder Farms shall be categorized on the basis of their flock size as :

- (a) Small Breeder Farms-1000 or less birds ;
- (b) Medium Breeder Farms-1001-5000 birds ;
- (c) Large Breeder Farms-above 5000 birds.

Registration of Breeder Farms, Hatchery and Day-Old Chicks (DOC) Operations.

5.—(1) No Person shall operate a Breeder Farm, Hatchery or DOC outlet unless such entity and premises have been registered by the Institute in accordance with the provisions of this Regulation.

(2) Each Breeder Farm, Hatchery or DOC outlet registered under this Regulation shall be :

- (a) Identified by a name and address ; and
- (b) assigned a Registration number that is to be used only in respect of that Breeder Farm, Hatchery or DOC outlet ;

(3) No Operator shall use a Registration Number other than the number assigned to that Breeder Farm, Hatchery or DOC outlet by the Institute.

Engagement of a Registered Animal Scientist (RAS) by a Breeder Farm and Hatchery.

6.—(1) As from the commencement of this Regulation every Breeder Farm or Hatchery in Nigeria shall engage the services of a RAS on a permanent or part time basis as the Technical Officer for supervising the operations of the Breeder Farm or Hatchery.

(2) The Annual Practicing License of such Officer shall form part of the documents to be submitted for registration ; and

(3) Where a Breeder Farm or Hatchery operates without enlisting the services of a Registered Annual Scientist, all the Directors and the Managers of the Breeder Farm or Hatchery shall be taken to have committed the offence of impersonation of a Registered Animal Scientist and may be proceeded against in accordance with the provision of Section 19(7) of NIAS (Amendment) Act, 2015.

PART 2

7. As from the commencement of this Regulation :

(a) No person shall operate a Breeder Farm unless such has been registered by the Institute under this Regulation ;

(b) No person shall hatch eggs or offer chicks for sale or engage in custom hatching unless such hatchery has been registered by the Institute under this Regulation ;

(c) No person shall offer for sale DOCs unless such DOCs originate from a Hatchery and a DOC outlet duly registered by the Institute under this Regulation.

(d) Every certificate of registration shall remain in force until revoked, suspended, or surrendered save that such Certificate of Registration shall be subject to renewal every three years.

8. An applicant seeking to register a Breeder Farm, Hatchery or DOC outlet shall submit to the Institute, plans and specifications showing :

(a) Location, layout and design ;

(b) Process flow (for breeder farm and hatchery) ;

(c) all room dimensions and the positions of doors, windows, stairways and drains ;

(d) source of power, lighting, heating and ventilating systems ;

(e) the location of hatchery equipment (for hatchery);

(f) in addition to the above requirements, an applicant shall submit documents showing the means of control of flies, rodents and other vermins, hygiene and biosecurity measures and waste management.

(g) an application for registration shall be made to the Registrar/ CEO, Nigerian Institute of Animal Science who, following the applicant's satisfactory compliance with all stipulated conditions, shall recommend that the applicant be issued a certificate of registration.

9.—(a) Where any Breeder Farm or Hatchery or DOC outlet is in operation and has not registered with the Institute in accordance with this Regulation, such Breeder Farm or Hatchery or DOC outlet shall be served a Notice of 30 days to comply.

(b) Where a Breeder Farm or Hatchery or DOC outlet registered under this Regulation, is non-compliant in its operations, with this Regulation and the stipulated guidelines issued by the Institute, such Breeder Farm or Hatchery or DOC outlet shall be served a Notice of 60 days to comply.

Prohibition of Unregistered Breeder Farm. Hatchery and DOC Outlet.

Issuance of Certificate of Registration for a Breeder Farm. Hatchery or DOC Outlet.

Non Compliance.

Suspension and Revocation of Certificate of Registration.

10. The Registrar may revoke or suspend a Certificate of Registration if he is satisfied that the Breeder Farm or Hatchery or DOC outlet has violated or failed to comply with any of the provisions of this Regulation after the expiration of the Notice.

Length of Suspension and Revocation of Certificate of Registration.

11. The Registrar shall revoke the Certificate of Registration or suspend the operations of a non-compliant Breeder Farm or Hatchery or DOC outlet until the Breeder Farm or Hatchery or DOC outlet has complied with the relevant provision(s) of this Regulation.

PART 3

Breeder Farm Operations.

12. The Operator of a Breeder Farm shall ;

(a) Ensure that the Breeder Farm is located as stipulated in the guidelines ;

(b) Ensure that the site and the egg stores are in compliance with the guidelines as issued by the Institute ;

(c) Construct Poultry Houses in compliance with guidelines as issued by the Institute.

(d) Ensure that the Feeding facilities and facilities for adequate water supply are sited in compliance with relevant guidelines as issued from time to time by the Institute ;

(e) Observe approved sanitary procedures with regards to the handling of eggs and of all equipment on the Breeder Farm.

Hygiene and Biosecurity.

13.—(a) Every Operator of a Breeder Farm shall ensure compliance with hygiene and biosecurity measures as stipulated in the Guidelines for Breeder Farms Operation issued by the Institute.

(b) Procedure for maintaining adequate hygiene and sanitary condition of a Breeder Farm including that of the personnel and waste disposal practices shall be in compliance with the NIAS Guidelines for Breeder Farm operation.

Personnel and Human Resources.

14. Every Operator of a Breeder Farm shall in addition to other categories of staff engage the services of a Registered Animal Scientist as Technical Officer Supervising the operations on the Farm.

Husbandry Practices.

15. An Operator of a Breeder Farm shall :

(a) Ensure that the nutrient specification for the Breeders shall comply with the specification stipulated in the NIAS Guidelines for Breeder farms issued pursuant to this Regulation.

(b) Ensure compliance with basic husbandry practices as contained in the NIAS Guidelines in the day to day operation of the Breeder Farm ;

(c) Ensure compliance with the Guidelines in the collection, handling, cleaning, disinfection and disposal of unsuitable eggs ;

(d) Ensure that major repairs inside the pen should be carried out between flocks to minimize adverse effects on welfare and/or production ;

(e) Comply with specifications provided by the Breeder companies for their breeds, specify mating ratio and ensure that the Stock density takes the local environment into account ;

(f) Keep proper record of the activities in the Poultry Farm stipulated from time to time in the Guidelines ;

(g) Ensure the existence of a written Standard Operating Procedures (SOPs) for the activities in the Breeder farm specified in the Guidelines ;

(h) Ensure that birds placed at day-old or point-of-lay come from an approved Hatchery or Breeder farm ;

(i) Ensure that where applicable, imported birds and hatchable eggs are imported through appropriate authority ;

(j) Ensure that copies of health certificates from a country of origin are present and kept for 2 years ;

(k) Ensure that the inside and outside of egg/bird delivery vehicles are cleaned and disinfected before loading and after offloading each consignment of eggs or poultry.

16. The operator of a breeder farm or hatchery shall notify the competent veterinary authority in that locality immediately, where disease is suspected. Animal Health.

17. An operator of a breeder farm shall ensure that the quality of water for use in the Breeder farm conforms with the extant regulation for potable water by Competent Authority Water Quality.

18. It shall be mandatory for the operator of a Breeder farm to comply with Pest Control Measures as stipulated in the Guidelines. Pest Control.

19.—(a) Where eggs are going to be hatched in a hatchery other than where they were produced, an operator of a breeder farm shall ensure that the eggs are marked for traceability purposes. Traceability.

(b) An operator of a Breeder farm shall keep record of destination of such eggs.

PART 4

Hatchery
Operations

20. The operator of a registered hatchery shall :

(a) acquire for incubation, or custom hatching only eggs from a NIAS certified Breeder Farm.

(b) inform the Institute on prescribed forms, monthly after the time of hatching, the number and destination of DOCs ;

(c) not accept hatchable eggs unless they are packed in clean packing material and cases and the flock or registered Breeder Farm from which the eggs originated clearly indicated on the case ;

(d) maintain and retain for one year a record of each lot of eggs purchased for hatching or accepted or supplied for custom hatching, listing the name of the flock owner or operator with whom the transaction was completed, the date and number of eggs involved ;

(e) maintain a record satisfactory to the Institute listing.

(i) all egg purchases ;

(ii) the results of hatching or custom hatching, including the number of eggs set and chicks hatched ;

(iii) chick purchases and sales ;

(iv) the disposal of surplus chicks ; and

(v) such additional information as the Institute may require.

(f) report monthly to the Institute on the appropriate forms, statistical information of eggs and chicks hatched and such additional information as the Institute may require ;

(g) not incubate hatchable eggs that are not clean and sound in shell ;

(h) not sell or offer for sale DOCs or turkey poults unless they are vigorous, healthy and uniform in size.

(i) keep all setters and hachers in good working conditions ;

(j) keep the hatchery building and all equipment in sanitary condition at all times ;

(k) after each hatch, thoroughly clean the interior and exterior of all hatches and all parts of the hatcher ;

(l) promptly remove from the hatchery, refuse from each hatch and dispose of it in a manner satisfactory to the inspector and not allow such refuse to become available for human food ;

(m) thoroughly clean refuse containers after the refuse from each hatch is removed and equip the refuse containers with tight-fitting lids ;

(n) ensure that the hatchery personnel are clothed in personal protective equipment (PPE) clean garments ;

(o) provide washroom facilities for hatchery personnel ;

(p) fumigate egg and incubators according to the procedures recommended by the Institute or the manufacturer of the incubator ;

(q) notify the Institute when there is a change either in the upgrade or downgrade of equipment ;

(r) design the hatchery in a way to create different entry and exit points for hatchable eggs and DOCs, respectively ;

(s) prepare and submit for assessment, a Standard Operating Procedure (SOP) for all the operations in the hatchery. These operations include, but are not limited to, receiving of eggs, candling of eggs, setting of eggs, sexing of DOCs, and packaging of DOCs etc ;

(t) have evidence of hygiene audit.

21. The Operator of a registered Hatchery shall ensure that:

Labelling.

(a) chicks are packed in clean, standard boxes that conform to the applicable requirements for boxes specified by the Institute ;

(b) the boxes are constructed to afford proper ventilation and shall have new chick box pads in each section ; and

(c) every box of chicks packed by or shipped from the hatchery bears the abbreviation “*NIAS Reg. No.*” followed by the name of the Hatchery and the number allotted to that hatchery by the Institute, all in block letters not less than 6 mm high, batch number and date of hatch.

22.—(1) A Breeder/Hatchery Operator shall furnish the Institute prior to January 1st of every year, with a list of the names and addresses of all persons acting as his agents/distributors and shall, whenever a name or address is changed, inform the Institute of the change.

Agent/
Distributors
and Brokers.

(2) An agent or person selling chicks on his own account or for the operator of a registered hatchery shall keep and make available for inspection accurate records of the source of the chicks, purchases and sales.

23. No operator of a registered hatchery shall :

Sales and
Advertising.

(a) Use any term, description or breeding designation in respect of hatchable eggs, chicks, or hatchery, unless such which complies with the claim about such hatchable eggs, chicks, or hatchery ;

(b) have any business connection with or use his name or his firm's name in connection with any hatchery in operation, other than as a registered hatchery ; or

(c) advertise or offer for sale, chicks as sexed chicks unless the percentage of accuracy of the sexing is stated and guaranteed ; or

(d) advertise, sell, or offer for sale chicks hatched in hatchery under any name or registration number other than the name and registration number set out in his Certificate of Registration.

Hatchery
Supply
Flock.

24.—(a) Flocks supplying hatchable eggs to the hatchery shall be kept separate from all other poultry ;

(b) No hatchable eggs, chicks, poults shall be sold from a registered hatchery while it is under quarantine ;

(c) Eggs meant for hatching should be in line with the specifications in the guidelines on the hatchery.

Hatchable
Eggs.

25.—(i) Every hatchery shall keep record of Breeder farms supplying hatching eggs and their addresses ;

(ii) Vehicles used for transportation and distribution of hatchable eggs shall be :

(a) Clean, disinfected and in controlled environment to ensure preservation of the hatchable eggs ;

(b) Hatchable eggs should be transported in disinfected trays.

PART 5

Day Old
Chicks
Operations.

26. A person who handles or operates a DOC outlet shall ensure the following :

(a) The Quality of the DOCs shall conform with the quality stipulated in the Guidelines ;

(b) The weight of the DOCs shall conform with the weight stipulated in the Guidelines ;

(c) Distributors of the DOCs shall not at any time put DOCs in chick boxes other than that belonging to the company from which the DOCs originated as indicated on the chick box ;

(d) Chick boxes shall be clearly labeled and the contents shall reflect the label claim ;

(e) DOC Operators shall keep all relevant records as required by the Guidelines ;

(f) Chick boxes and materials used for packaging DOCs shall comply with the stipulations for packaging as contained in the Guidelines.

(g) Specifications for vehicles used for transportation and distribution of DOCs shall be as contained in the Guidelines ;

(h) The weather condition during transportation of DOCs shall be as provided in the Guidelines ;

(i) Stocking density for DOCs in the chick boxes shall be as provided in the Guidelines ;

(j) Chick boxes meant for transportation shall only be stacked as provided in the Guidelines ;

(k) Vehicles used for transportation and distributions of DOCs shall be :

(i) Clean, disinfected and well ventilated to provide adequate comfort for the chicks ;

(ii) Accompanied by relevant documents such as waybills, stating hatchery of origin, quantity, type and destination and health certificates.

PART 6

27.—(1) A NIAS inspector may place under detention for a period not exceeding 2 hours, packages, hatchable eggs, or DOCs that do not comply with this Regulation by attaching to each lot a numbered tag, herein after referred to as a “*detention tag*”, on which shall be written :

Detention.

(a) the words “under detention, Nigerian Institute of Animal Science” ;

(b) a brief description of the lot being detained ;

(c) the reason for detention ;

(d) the date ; and

(e) the inspector’s signature

(2) At the expiration of two hours of detention and upon failure to comply, such packages, hatchable eggs or DOCs that do not comply with this Regulation shall be confiscated by the inspector. Such confiscation shall not exonerate a person who is in such contravention from the applicable penalty under this Regulation.

(3) Immediately after attaching the detention tag the inspector shall deliver or mail to the owner of the packages, hatchable-eggs or DOCs, or his agent, a notice of detention and, where the packages, hatchable-eggs or DOCs are on premises other than that of the owner, a copy of the notice of detention shall also be delivered or mailed to the person on whose premises the packages, hatching-eggs, or DOCs are located.

(4) Notwithstanding the provision of the subsection (2) above, an Inspector may take such orders and give such directions as he /she considers

necessary for the proper preservation and safeguarding of packages, hatchable-eggs or DOCs on which the detention tag has been placed and a person to whom such an order is made or direction given shall comply with its terms.

(5) Except as authorized in writing by the Institute, no person shall alter or remove a detention tag placed on packages, hatchable eggs or DOCs by an inspector.

(6) Where an Inspector is satisfied that the packages, hatchable eggs or DOCs held under detention comply with the regulation, he shall complete a notice of release.

(7) The Inspector shall deliver or mail a copy of the notice of release to the owner of the packages, hatchable-eggs or DOCs and a copy to the person on whose premises the packages hatchable eggs or DLCs are located.

(8) The Institute or any of her agents or Inspectors shall not be held liable for any damage which occurs to the packages, hatchable-eggs or DOCs while in deteation, for failure to comply with any provision of this Regulation, or for any loss whatsoever, sustained by the owners of such packages, hatchable-eggs or DOCs arising from such detention.

Monitoring
and
Surveillance.

28.—(1) Not withstanding the provisions of any section of this Regulation, an Inspector shall have the right to enter into a hatchery operation premises whether or not such hatchery operation premises is registered by the Institute for the purposes of ensuring compliance to the provisions of this regulation.

(2) Where an Inspector in furtherance of subsection (1) is refused entry into hatchery operation premises, whether or not such premises is registered by the Institute, such refusal shall be treated as a contravention of the provisions of this Regulation and an Inspector shall consequently direct forceful entry into such premises.

Penalty.

29.—(1) A person who contravenes a provision of this regulation is guilty of an offence and liable on conviction :

(a) in the case of non-registration, to an imprisonment of 3 months or option of fine of ₦5,000,000 shall apply

(b) in the case of an individual, to a fine not exceeding ₦50,000 for first offenders and ₦100,000.00 for subsequent offenders or to imprisonment for a term not exceeding 12 months or both fine and imprisonment ; and

(c) In the case of body corporate, to a fine not exceeding ₦250,000.00 for first offenders and ₦1,000,000.00 for subsequent offenders.

(d) In the case of a severe offence and the infraction on the provisions as set out in this Regulation, the Hatchery, Breeder Farm or DOC outlet shall be sealed for a period it takes for an investigation to be completed

(2) Where the offender or one of the offenders is a Registered Animal Scientist, the provision of Part V and Schedule of Nigerian Institute of Animal Science Act (as amended) on Professional Discipline shall be applicable to him/her ;

(3) Where the offence under regulation is committed by a body corporate or firm or other Association of individuals, every :

(a) director, manager, secretary or other similar officer of the body corporate ;

(b) Partner or officer of the firm ;

(c) Trustee of the body concerned ;

(d) Person concerned in the management of the affairs of the association ; or

(e) Person who was purporting to act in the capacity referred to in this paragraph.

Is severally guilty of that offence and liable to be proceeded against and punished for that offence.

In this regulation,

Interpretation.

“Act” means the Nigerian Institute of Animal Science Act, CAP. N160 LFN 2004 as amended.

“Agent/Distributor” means a person, other than a hatchery operator, who sells chicks or hatchable eggs or receives consignments of Chicks for resale or distribution.

“Annual Practising License” means a Licence to practise the profession of Animal Science issued by the Institute annually.

“Approved Authority” means any Agency of the Government with Statutory responsibility.

“Breeder Farm” means a Poultry Farm that contains a flock or flocks of Chicken comprising Grand Parent stock for producing the Parent stock and Parent stock used only to produce commercial Day-Old Chicks.

“Competent Authority” means any Person, Officer or Authority statutorily empowered to administer a Law regulating the Industry or sector.

“*Certificate of Registration*” means a permit issued by the provision of this Regulation to operate a Breeder Farm, Hatchery or DOC Outlet.

“*Chicks*” means Chickens and other Poultry species less than 30 days old.

“*Custom Hatching*” means the Hatching of Eggs in a registered hatchery for payment where the eggs are not the property of the Hatchery Operator.

(DOCs) “*Day-Old Chicks*” means newly Hatched Poultry species that are delivered within the first 48 hours of hatching;

“*DOC Outlet*” means any Person, whether an Individual or Body Corporate, who distributes, sells or supplies DOCs from a registered hatchery whether or not such a person operates any or all of these activities from a premises.

“*Guidelines*” means current NIAS Guidelines for Breeder Farms, Hatchery Operations and Day Old Chick Quality in Nigeria.

“*Hatchable-Eggs*” means fertile eggs intended for the Production of Day-Old Chicks.

“*Hatchery*” means a Building or Portion of a Building equipped with an Incubator and used for incubation of Hatchable Poultry Eggs.

“*Hatchery Supply Flock*” - means the Breeder Farms from where Fertile Eggs are collected for Hatchery.

“*Hatchery Operations*” includes all operations dealing with any or all of operations from egg setting to final supply of DOCs to the farmer. This includes Hatchery operators, DOCs Distributors, DOC transporters..

“*Hygiene Audit*” - Means verification by the Institute that the hatchery operator has adhered to Good Hygiene Practice.

“*Inspector*” A person authorized by the Institute to enforce compliance with this Regulation.

“*Institute*” means the Nigerian Institute of Animal Science.

“*NIAS*” means Nigerian Institute of Animal Science.

“*Operator*” means the Person who is in charge of Operations of a Breeder Farm, Hatchery and Day-Old Chicks outlets and includes the owner(s) of the Hatchery, Breeder Farm and DOC Outlets.

“*Package*” means an inner or outer receptacle or covering used for containing, wrapping or covering hatchable-eggs or Day-Old Chicks.

“*Registered Hatchery*” means a Hatchery in respect of which a Certificate of Registration has been issued under this Regulation.

“*Severe Offence*” A significant contravention of the provisions of this Regulation, which in the opinion of the Institute, poses serious risk to the Poultry Industry and the Generality of the Public.

“*Sexed Chicks*” means Chicks the sex of which has been determined by examination.

“*Hatchery Operation Premises*” means any Premises where any or all of the operations of a Hatchery from Egg setting to final supply of DOCs are carried out. This includes transportation of DOCs.

“*PPE*” means Personal Protective Equipment

This Regulation may be cited as the Regulation for Breeder Farms, Hatchery Operations and Day-Old Chicks Quality in Nigeria, 2019. Citation.