

Extraordinary

S.I. No. 21 of 2017

REGULATION FOR THE FEED MILLING INDUSTRY IN
NIGERIA



In exercise of the power conferred on the Minister of Agriculture and Rural Development by Sections 2 and 32 of the Nigerian Institute of Animal Production Act, 1962 (Act No. 10 of 1962) and of all the powers enabling it in that behalf, the Minister of Agriculture and Rural Development hereby makes the following Regulations:

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S. I. No. 21 of 2017

REGULATION FOR THE FEED MILLING INDUSTRY IN NIGERIA, 2017

In exercise of the power conferred on the Governing Council of the Nigerian Institute of Animal Science (NIAS) by Sections 2 and 32 of Nigerian Institute of Animal Science Act, as amended and of all the power enabling it in that behalf, the Governing Council of the Nigerian Institute of Animal Science with the approval of the Minister of Agriculture and Rural Development hereby makes the following Regulations.

PART 1—PREAMBLE :

This Regulation Seek To :

- (1) Enable Livestock Producers to achieve expected levels of performance by delivering feed of consistent good quality to Animals.
- (2) Protect the Health of the Human Consumer of food Products derived from Livestock ;
- (3) Ensure the Wellbeing of Livestock..
- (4) Ensure the safety of Food for Human consumption through adherence to Good Animal Feeding Practice during the purchase, Manufacturing, Handling, Storage, Processing, Transporting and Sale of Feed.
- (5) Ensure distribution of quality animal feed and feed ingredients from feed-mill to farm level ; and
- (6) Ensure that Livestock Producers market food producing Animal Products that meet National and International Standards.

2. This Regulation aims, among others, to

- (1) Ensure compliance by the General Public and Feed Business operators ;
- (2) Ensure that all Operators use only ingredients listed and approved by the Institute for the Manufacture of Feed ;
- (3) Ensure that Animal Products in Nigeria conform to International Benchmarks on Animal Feed Safety ;
- (4) Ensure and promote delivery of wholesome Livestock Products and by-Products ;

Scope.

Aims and
Objectives

PART II-PREMISES REGISTRATION

Registration
of Feed
Business
Entity.

3. No Person shall submit Application for the Registration of a Feed Business entity unless the Business entity is set up in accordance with established Guidelines prescribed by the Institute ;

Prohibition
of
Unregistered
Feed
Business

4. As from the commencement of this Regulation :

(1) No Person shall operate a Business of Manufacturing, Importation, Exportation, Advertisement, Sale or Distribution of Feed in Nigeria unless his Feed Business entity and premises have been registered by the Institute in accordance with the provisions of this Regulation.

(2) No Person shall market in Nigeria any Animal Feed that is not Manufactured or Formulated in an Establishment acceptable and approved by the Institute.

(3) As from the commencement of this Regulation, no Feed shall be Manufactured, Formulated, Imported, Exported, Advertised, Sold or Distributed in Nigeria unless the premises where it is being Manufactured, Distributed or Sold has been registered by the Institute in accordance with the provisions of this Regulation.

Engagement
of an Animal
Scientist by
a Feed Mill.

5.—(1) Every Feed Business Entity in Nigeria shall have in its employment, either permanently or on part time, at least one Registered Animal Scientist as a Technical Officer supervising the operation of the Mill;

(2) The Curriculum Vitae of such Officer shall form Part of the Documents to be submitted for Registration ; and

(3) Where a Feed Business Entity operates without enlisting the Technical Service of an Animal Scientist, all the Directors and the Managers of the Feed Mill shall be taken to have committed the offence of impersonation of an Animal Scientist and may be proceeded against in accordance with the provision of Section 19(c) of NIAS (Amendment) Act, 2015.

PART III - FEEDMILL OPERATION

Facility
Planning and
Control.

6. Every Feed Mill shall-

- (i) Have a Documented Plan ;
- (ii) Be located away from Polluted Areas prone to flooding, pest infestation and presence of wastes ;
- (iii) Work plan in the Feed Mill should be in a unidirectional flow pattern ;
- (iv) Be located not less than 200 Meters from a Livestock Production Area of the Farm in the case of On-Farm Mill.

- 7.—(1) Buildings shall have adequate space and lighting.
- (2) Building, Equipment and Grounds shall be adequately and routinely maintained.
- (3) All Equipment shall be regularly calibrated for accuracy.
- (4) All Equipment shall be well designed and accurate for its intended use.
- (5) Transportation, Warehousing and Retailing of Feed shall be according to relevant guidelines of the Institute.
- 8.—(1) No Feed Business Entity shall use any Feed Ingredient not listed in the current listing of approved Feed Ingredients for feed in Nigeria released by the Institute.
- (2) All in-coming Raw Materials shall be tested for quality by the Quality Assurance Department and records maintained.
9. Every Feed Business Entity shall
- (a) Keep a Record of the Origin, Date of Receipt and Quantities of each Raw Materials received ; and
- (b) Maintain a record of result of samples of incoming raw materials to ensure compliance with contract specifications and quality standard.
- 10.—(1) Feed Business Entities shall Establish a Procedure to Monitor the Manufacturing Processes.
- (2) Feed Business Entities shall have minimum Good Manufacturing Practices (GMP) in place.
- (3) Feed Safety Policy shall be defined, reviewed and implemented by Top Management of the Feed Mill and communicated to each employee.
- (4) Each Personnel shall have access to relevant Documents for control procedures.
- (5) Monitoring Procedures shall be established to evaluate incoming Raw Materials and Finished Products.
- (6) Assays shall be performed for each batch of Raw Materials and Finished Products and copies filed for inspection purposes.
- 11.—(1) Raw Materials/Finished Products shall be properly packaged and labeled for traceability and other Label Regulatory Requirements.
- (2) Procedures for Product Traceability as required by the NIAS Minimum Operating Standard for the Feed Milling Industry shall be documented and implemented.

Infrastructure
-Building,
Equipment
and
Grounds.

Ingredient
Purchasing
Process and
Controls.

Record of
Raw
Materials
Received.

Manufactu-
ring Process.

Identification
and
Traceability.

Customer-
Related
Processes.

12.—(1) Product Specifications shall be defined within approved standards.

(2) Performance Evaluation Form and Customers' Complaint Form shall be kept to enhance customers' feedback.

Control of
Non -
Conforming
Products

13. Procedure to control Non - Conforming Products should be established and implemented.

Human
Resources/
Training.

14.—(1) Every Feed Business Entity shall maintain a Document stating the Job Descriptions, Responsibilities and Skills of its Employees.

(2) All Personnel in the employment of Feed Business Entities shall be properly trained in Standard Operating Procedures (SOPs) for restricted areas and avoid contamination or carry - over from Internal or External Sources.

(3) All Technical and Operation Staff in the Employment of Feed Business Entities shall be made to undergo Trainings prescribed by the Institute.

(4) Every Feed Business Entity shall have its Quality Assurance Unit Supervised by a Registered Animal Scientist.

PART IV

Penalty.

15.—(1) A Person who contravenes a provision of this Regulation is Guilty of an Offence and Liable on Conviction :-

(a) In the case of an Individual, to a fine not exceeding ₦50,000.00 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

(b) In the case of a Body Corporate, to a Fine not exceeding ₦250,000.00 for the first offence and ₦1,000,000.00 for subsequent offences up to a maximum of three offences after which the Feed Business Entity shall be sealed for further investigation.

(c) In the case of a severe offence and infraction on the provisions as set out in this Regulation, the Feed Business Entity shall be sealed for the period it takes for an investigation to be conducted.

(2) Where the offender or one of the offenders is an Animal Scientist, the Provision of Part V of Nigerian Institute of Animal Science Act, (as amended) on Professional Discipline shall be applicable to him or her.

(3) Where the offence under this 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 a capacity referred to in this paragraph.

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

16.—(1) “*Agrochemical*” is any Chemical used in Farming especially for Pest Control, Crop Nutrition and Soil Amendment.

Definitions.

(2) “*Batch Number*” is the number assigned to all the quantity of finished products produced in a single production run to distinguish it from another production run.

(3) “*Feed Business Entity*” includes Manufacturers and Sellers of Feeds, Vitamin/Mineral Pre-Mixtures, Pre-Biotics, Pro-Biotics, Symbiotics, Emulsifiers, Stabilizers, Gelling Agents, Toxin Binders, Antioxidants, Egg yolk Colourants, and any other activity along the Feed Delivery Chain.

(4) “*Commercial Feed Millers*” means any Person or Organization that produces Feed in a branded bag and sells directly or through distributors to the end users and also refers to Feed Plants with a minimum of 1 to 5 tons per hour installed capacity.

(5) “*Contamination*” means the introduction or occurrence of a contaminant in feed or food or the Feed or Food Environment.

(6) “*Control Measure*” is any action and activity that can be used to prevent or eliminate a Feed/Food Safety Hazard or reduce it to an acceptable level.

(7) “*Equipment*” These are solid things needed for the production process in the Feed Mill. They include but not limited to Mixer, Hammer Mill, Weighing Scales.

(8) “*Feed*” is any single or multiple Materials, whether processed, semi-processed or raw, which is intended to be fed directly to Food-Producing Animals.

(9) “*Feed Formulation*” This is the art of combining different Feed Ingredients together to meet the Nutrient Requirements of the Animal.

(10) “*Feed Ingredient*” is a component part or constituent of any combination or mixture making up a Feed, whether or not it has a nutritional value in the Animal’s Diet, including Feed Additives.

(11) “*Feed mill*” for the purposes of this Regulation, means Commercial Feed Mill, Industrial Feed Mill and On-Farm Feed Mill of a Mechanized Farm.

(12) "*Feed Safety*" includes all conditions and measures necessary to ensure the safety and suitability of Feed at all stages of the Feed Production chain.

(13) "*Hazard*" is a Biological, Chemical or Physical Agent in, or condition of, Feed or Food with the potential to cause an adverse health effect.

(14) "*Industrial Feed Millers*" means any Person or Organization that produces Feed in a branded bag and sells directly or through Distributors to the end users and also refers to Feed Plants with a minimum of five (5) Tons per hour installed capacity.

(15) "*Ingredients*" are of Plant, Animal or Aquatic Origin, or other Organic or Inorganic Substances.

(16) "*Inspection*" This is the act of looking closely at Feed Mill to ensure that regulations are obeyed and that standards are accepted in the production process.

(17) "*Labelled for Traceability*" includes production codes, batch number, manufacturer's address, best before date, list of ingredients used, batch number and other label regulatory requirements.

(18) "*Medicated Feed*" is any Feed which contains Veterinary Drugs.

(19) "*Mixer Efficiency*" This is the adequacy of a Mixer in rendering a Homogenous Product within a stated period. It is determined by testing samples from various portions of a Freshly Mixed Batch of Feed for difference in Physical Properties.

(20) "*NIAS*" means Nigerian Institute of Animal Science

(21) "*Operator*" means every Person engaged in the Business or Practice as operations of Commercial Animal rearing, Commercial Feed Miller, General Feed Miller, Toll and On-Farm Millers, and Feed Business Operator of whatever form.

(22) "*Pallet*" is a portable platform used for storage or moving of materials and packages.

(23) "*Production*" All Operations of Receipt of Materials, Production, Packaging, Repackaging, Labelling, Relabeling, Control, Release, Storage and Distribution of Premixtures, Compound Feed and Medicated Feed and the related controls.

(24) "*Quality Control*" is a system based upon sampling and testing, with the intention of ensuring compliance with specification and identifying non-conforming products.

(25) "*RAS*" means Registered Animal Scientist.

(26) "*Raw Material*" are all Materials used for Manufacturing, Processing or Blending into Feed Ingredients.

(27) "*Risk*" A function of the probability of an adverse health effect and the severity of that effect, consequential to a hazard(s) in food.

(28) "*Traceability/Product tracing*" The ability to follow the movement of feed or food through specified stage(s) of production, processing and distribution.

(29) "*Institute*" means the Nigerian Institute of Animal Science.

This Regulation may be cited as the Regulation for the Feed Milling Industry in Nigeria 2017. Citation.

MADE at Abuja this 12th day of December, 2017.

GOVERNING COUNCIL
Nigerian Institute of Animal Science.