

SPECIAL ISSUE

Kenya Gazette Supplement No. 10 (Kirinyaga County Acts No. 5)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

KIRINYAGA COUNTY ACTS, 2016

NAIROBI, 5th December, 2023

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THE KIRINYAGA COUNTY ABATTOIRS ACT, 2016

No. 5 of 2016

Date of Assent: 2nd December, 2016

Date of Commencement: 5th December, 2023

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SCHEDULE

THE KIRINYAGA COUNTY ABATTOIRS ACT, 2016

AN ACT of the County Assembly of Kirinyaga to provide for the establishment and control of abattoirs and for connected purposes

ENACTED by the County Assembly of Kirinyaga, as follows—

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Kirinyaga County Abattoirs Act, 2016.

Interpretation

2. In this Act, unless the context otherwise requires—

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

“Director” means the Director of Veterinary Services appointed pursuant to section 3;

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

“Executive Committee Member” mean the Executive Committee Member responsible for matters relating to Agriculture;

“meat” means any portion of an animal which is intended for human consumption, whether fresh, chilled or frozen or otherwise processed by any means whatsoever or included in any article of food or human consumption; and

“meat inspector” means any person who is trained in matters related to meat quality and is appointed to inspect meat or products of animal origin.

PART II—ADMINISTRATION

Appointments

3. The County Public Service Board may for purposes of this Act appoint—

- (a) a Director of Veterinary Services;
- (b) veterinary officers;
- (c) meat inspectors; and
- (d) other employees as may be necessary for the proper implementation of this Act.

Functions of the Director

4. (1) The Director of Veterinary Services shall be responsible for—
- (a) the general control and inspection of slaughtering and processing of livestock for human consumption;
 - (b) ensuring that any person operating an abattoir observes the appropriate hygiene requirements for an abattoir;
 - (c) the issuing of instructions and directives as may be necessary for the enforcement of this Act;
 - (d) the closure of any abattoir or slaughter house which is not complying with this Act; and
 - (e) the general enforcement of this Act.
- (2) The Director may in writing assign any veterinary officer, meat inspector and other officers to carry out any function under this Act.

PART III—REQUIREMENTS FOR ABATTOIRS**Abattoir site**

5. An abattoir shall—

- (a) be located in an area where is reasonably free from objectionable odors, smoke and dust;
- (b) have adequate dust-proof access ways connecting it with public roads; and
- (c) be completely separated from any other buildings used for industrial, commercial, agricultural, residential or other purposes.

Submission of drawings and specifications

6. (1) Before the commencement of construction, alteration or renovation of an abattoir, drawings and specifications for the construction, alteration or renovation shall be submitted to the Director for approval and directions.

(2) The drawings shall provide specifications of floor plans, including—

- (a) the location and features of the principal pieces of equipment, floor drains, hose connections, principal drainage lines and hand washing basins among others;

- (b) roof plans elevations, cross and longitudinal section of the various buildings including windows, principal pieces of equipment, height of ceilings and character of floors and ceilings; and
- (c) the limits of the abattoir premises, location in outline of buildings on the premises, cardinal points of the compass and roads serving the abattoir.

Construction requirements

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

- (2) An abattoir shall have—
- (a) a properly built and drained lairage erected not less than ten meters from the abattoir and equipped with adequate facilities for ante mortem inspection and special lairage for suspect animals;
 - (b) fenced cattle races from the lairage to the abattoir, properly drained and in a suitable place equipped with facilities for washing the animals;
 - (c) a distribution room of adequate size;
 - (d) a separate room for the cleaning and treatment of offal; and
 - (e) a separate room for the storage, disposal and treatment of inedible and condemned animals, carcass, meat and offal.
- (3) The owner of an abattoir shall ensure that—
- (a) materials used are impervious, easily cleaned and resistant to wear and corrosion;
 - (b) floors are constructed of dense, acid-resistant, waterproof concrete and have a wood float finish;
 - (c) walls are smooth and flat and made of smooth-surfaced portland cement plaster or other non-toxic, non-absorbent material applied to a suitable base, and walls are provided with sanitary bumpers to prevent damage by movable and other equipment;
 - (d) coves with sufficient radii to promote good sanitation are installed at the juncture of floors and walls in all rooms;
 - (e) ceilings are of good height and, as far as structural conditions permit, be smooth and flat and constructed of portland cement plaster or other acceptable impervious material;
 - (f) if the ceiling has exposed hoists, these are at least sixty centimeter on centre and be designed so that they are easy to keep clean;
 - (g) window-sills are at least one hundred and fifty centimeters from the floor and be sloped forty five degrees;
 - (h) doorways are at least one hundred and fifty centimeters wide and the doors are made of rust-resistant metal having tight soldered or welded seams;
 - (i) door jambs are covered with rust-resistant metal;

- (j) all windows, doorways and other openings that would admit insects are equipped with effective insect and rodent screens;
- (k) dressed timber are used for all exposed interior wood work, and are painted with a good non-toxic oil or plastic base paint, treated with linseed oil or with a clean wood sealer;
- (l) all parts of floors where wet operations are conducted are well drained, with at least one drainage inlet provided for each thirty five square meters of floor space;
- (m) inlets are placed under the dressing rails, if necessary together with drainage valleys, not less than seven decimal five centimeters wide, with a slope of the floor towards drainage valleys or inlets of at least two decimal five centimeters per meter;
- (n) drains for paunch and stomach contents are at least twenty centimeters in diameter; and
- (o) arrangements for the safe disposal of paunch contents, lairage manure, blood and condemned carcasses and meat are made and drawings and specifications must indicate how this will be accomplished.

Requirements for grant of a licence

8. (1) No person shall maintain or operate an abattoir or slaughterhouse from which meat is sold for consumption without a valid licence granted by the Director.

(2) A person shall not be granted a licence to maintain or operate an abattoir unless the abattoir complies with the provisions of this Act and the Meat Control Act.

Application for a Licence

9. An application for a Licence shall be made to the Director in the prescribed form and shall be accompanied by the prescribed fee.

Issue for Licences

10. (1) The Director shall issue a Licence to a successful applicant subject to such lawful conditions as the Executive Committee Member may prescribe.

(2) The issuance of a Licence to an applicant under this Act shall not be withheld without reasonable cause.

(3) A Licence issued under this Act shall not be transferable.

(4) The Director shall maintain an up to date register of all Licences issued under this section.

Application for renewal of Licence

11. An application for the renewal of a Licence under this Act shall be made to the Director not later than the first day of the month in which the current Licence is due to expire.

Conditions of licence

12. The Director may at any time during the validity of a licence—

- (a) vary the conditions of the licence; or
- (b) impose conditions or further conditions on the licence.

Revocation, alteration or suspension of licence

13. The Director may revoke, alter or suspend a Licence issued under this Act if in his opinion—

- (a) an offence under this Act, or in respect of the Licenced activity under any other written law, has been committed by the Licence holder or any employee of the Licence holder; or
- (b) a condition of the Licence has been contravened or not complied with.

Surrender of Licence

14. A Licence holder may at any time surrender the Licence to the Director and the Licence shall cease to have effect forthwith.

Lighting

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

Water supply

16. (1) Every approved abattoir must have portable and adequate water.

(2) Every approved abattoir shall include washing and dressing rooms with running water, with at least one sink, one shower and one washing tub for every six employees.

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

Equipment

17. All equipment used in an approved abattoir shall be of a non-degenerating metal or plastic and shall include—

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

Separate room for washing of internal organs

18. A separate room shall be designated within an abattoir for the washing of the internal organs of slaughtered animals.

Cold storage

19. (1) There shall be sufficient cold storage space provided on the premises of an abattoir for the maximum number of animals which can be slaughtered in one day.

(2) The temperature in the cold storage space shall not exceed four degrees celsius or fall below zero degrees celsius.

Sterilizer

20. An abattoir shall have a sterilizer in which knives and other tools with carcasses will be sterilized on a daily basis.

Provision of animal enclosures

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

(2) The enclosure shall be subdivided into separate pens and each pen shall hold a maximum of four animals.

Provision of clothing

22. White clean overalls, feet coverings and hats or other suitable head coverings shall be made available for all employees.

Personal hygiene

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

Inspection of animals

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

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

(3) Any animal suspected by a meat inspector to be suffering from any contagious disease shall be removed from the premises of the abattoir—

(a) quarantined at a designated area within the holding area of the abattoir for further observation; or

(b) stunned and destroyed in a kiln provided at the abattoir.

Use of container for viscera

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

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

Meat inspection

26. Meat shall be inspected by either a meat inspector or veterinary officer at the abattoir at the time of slaughter for the purpose of ascertaining whether it is fit for human consumption.

Destruction of unfit meat

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

(2) Meat declared unfit for human consumption shall be destroyed by burning or such other suitable means of disposal as soon as possible.

Registration of animals slaughtered

28. (1) The owner or the agent of the owner in charge of an abattoir shall keep on the premises a register of animals presented for slaughter showing—

(a) origin of the animal;

(b) species of animal;

(c) date of slaughter;

- (d) sex and age of the animal;
- (e) weight of the carcass;
- (f) grade of the carcass; and
- (g) other relevant particulars of the animal.

(2) Records of the register shall be on a monthly basis transmitted to the Director.

Notice to remedy defaults

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

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

Condemnation of soiled meat

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

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

Human diseases

31. (1) A person who knowingly suffers from any infectious or contagious disease, or is knowingly exposed to infection from any such disease within twelve hours immediately before assuming duty shall not engage in the slaughter of animals, dressing of carcasses or handling or conveyance of meat intended for human consumption.

(2) No employer shall permit any person in their employment who suffers from or who has been exposed to infection to be so engaged unless he has obtained the prior written permission of a Medical Officer.

- (3) The medical officer may—
- (a) conduct a full medical examination, which may include the examination of blood of any person engaged in the slaughtering of animals, the dressing of carcasses, and handling or conveyance of meat, every six months or whenever he deems it necessary;
 - (b) prohibit any person found to be suffering from disease being so engaged until the person has been examined and certified by a medical officer to be free from such disease or condition.
- (4) Any person engaged in work within the abattoir having any cuts, grazes or abrasions shall have such injuries covered by a clean waterproof dressing.

Perimeter fence

32. An abattoir's perimeter fence shall be constructed in such a manner that dogs, cats, birds or other predators may not gain access into the premises of the abattoir.

Exclusion of children

33. A person under the age of eighteen years shall not be admitted to any part of an abattoir where slaughtering or dressing is taking place unless authorised by the inspector and under adult supervision.

Restriction of removal of animal

34. No animal, carcass, meat or offal shall be removed from an abattoir without the prior permission of a veterinary officer or meat inspector.

PART IV—GENERAL PROVISIONS

Prohibited Acts in an Abattoir

35. No person shall in an abattoir—
- (a) change his or her clothes in any part containing meat;
 - (b) urinate, defecate or spit except in a sanitary convenience;
 - (c) blow up or inflate any carcasses or meat or handle it in any other manner that is likely to cause an infection or contamination;
 - (d) use any knife, scabbard, sharpening steel or chopper which has been used on condemned or inedible meat for preparing of edible meat;

- (e) smoke in any part of the abattoir where animals are slaughtered, inspected or kept;
- (f) enter or remaining in an abattoir while intoxicated;
- (g) bring alcohol into an abattoir.

General penalty and offences

36. A person contravenes a provision of this Act where no other penalties are provided commits an offence and is liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding three years or both.

Charges for Licences and Services

37. The fees and charges payable for Licences and services under this Act shall be as provided in the First Schedule.

Regulations

38. The Executive Committee Member may make regulations generally for the carrying out of the provisions of this Act and such regulations may prescribe any matter that needs to be prescribed under this Act.

TRANSPORT OF HIDES AND SKIN	
100	Per ton
25	Per hide
30	Per skin
1000	Per ton charges
100	Per ton charges
50	Per ton charges
200	Per ton
500	Per ton
100	Per ton

SCHEDULE

(s.37)

ITEM	SERVICE/LICENCE	UNIT OF MEASURE	CHARGES
001	MEAT INSPECTION		
	Bovine (cattle)	Per animal	200
	Porcine (pigs)	Per animal	100
	Shoats (sheep & Goats)	Per animal	50
	Poultry	Per animal	5
002	Abattoir Licence	Per year	Class A-KSh. 10,000
			Class B-KSh. 5,000
			Class C-KSh. 3,000
003	Meat carriers (containers)	Per year	Size 1mx1M-KSh. 500
			Sizes above 1x1M-KSh. 1,000
003	Slaughter man Licence	Per person	200
004	Dispatch note	Per load	200
005	Banda registration	Per premise	400
006	TRANSPORT OF HIDES AND SKIN		
		Per ton	250
		Per hide	25
		Per skin	20
		Freezer charges	1,000
		Boma charges cows	100
		Boma charges goats	50
		Upto 1 ton	250
		Not exceeding 4 ton	300
	Pickup	Above 4 tons	400