

**THE DAIRY INDUSTRY ACT, 2004
(No. 8 OF 2004)**

REGULATIONS

Made under section 32(v)

**THE DAIRY INDUSTRY (REGISTRATION OF DAIRY
INDUSTRY STAKEHOLDERS) REGULATIONS, 2007**

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**THE DAIRY INDUSTRY ACT, 2004
(No. 8 OF 2004)**

REGULATIONS

(Made under section 20(2) and 32(v))

**THE DAIRY INDUSTRY (REGISTRATION OF DAIRY)
REGULATIONS, 2006**

**PART I
PRELIMINARY PROVISIONS**

<i>Citation</i>	1. These Regulations may be cited as the Dairy Industry (Registration of Dairy Industry Stakeholders) Regulations, 2007 and shall come into operation on the date of publication in the gazette.
<i>Application</i>	2. These Regulations shall apply to all stakeholders required to be registered under

	the Act.
<i>Interpretation</i>	<p>3. In these Regulations unless the context otherwise requires;</p> <p>“Act” means the Dairy Industry Act, 2004 “Board” means the Tanzania Dairy Board established under section 8 of the Act; “Dairy” means any premise used for the production, processing or manufacturing of milk into milk products for sale and shall include owner of such dairy. “milk trader” means person who collects raw milk from a producer for sale “Minister” means the Minister responsible for livestock development; “Registrar” means the Registrar of the Board appointed under section 16 of the Act. “Stakeholder” shall ascribe to the meaning defined by the Act</p>
PART II REGISTRATION PROVISIONS	
<i>Application for registration of dairy stakeholders</i>	<p>4. (1) No person shall operate any dairy before being registered by the Board. (2) Any person who requires a registration certificate in respect of any dairy shall make an application to the Registrar in the form set out in the First Schedule to these Regulations.</p>
<i>Registration of stakeholders</i>	<p>5. (1) Any stakeholder, before being registered, shall comply with conditions as set out in the Second Schedule of these regulations. (2) Every registration certificate issued under these Regulations shall expire on the thirtieth of June of every year.</p>

	<p>(3) No transfer of ownership of certificate of registration, change of premises, type of business shall be effected unless approved by the Board. In case of any change of name, notice shall be given to the Board within a period of thirty days.</p> <p>(4) No registration certificate shall be transferred from the dairy in respect of which it was issued to any other dairy.</p> <p>(5) The registered dairy shall not be used for purposes other than those stated in the registration certificate.</p> <p>(6) Where the registration certificate has been lost or destroyed the holder may apply to the Board for consideration and the Board upon being satisfied with proof of loss or destruction of the registration certificate may issue a certified copy of the certificate. The application form and the fee payable shall be as prescribed in the first and third schedule respectively</p>
<p><i>Location, Layout and construction of dairy premises and facilities</i></p>	<p>6. (1) All dairy premises dealing with raw milk production, collection and transportation shall be located away from environmentally polluted areas and industrial activities which poses a serious threat of contaminating milk and its products and shall be of suitable design, layout and construction to facilitate easy maintenance and sanitary milk production in compliance to Tanzania Standards and any other legislation related with milk hygiene.</p> <p>(2) Dairy premises and facilities referred to under sub regulation (1) of this regulation shall have;</p> <p>(a) Sufficient space for such placement and</p>

	<p>storage of materials for sanitary operations as may be determined by the Board.</p> <p>(b) adequate areas, either by partition, location or other effective means, for those operations which may cause the contamination of food contact surfaces with undesirable micro- organisms chemicals, filth or other extraneous materials as may be determined by the Board</p> <p>(c) adequate lighting to hand washing areas, dressing and locker rooms, toilets and to all areas where raw milk is examined or stored and where equipment and utensils are cleaned as may be determined by the Board.</p> <p>(d) Adequate ventilation or control equipment to minimize odour and noxious fumes or vapours (including steam), particularly in areas where such odours and noxious fumes of vapour may contaminate milk; such ventilation or control equipment shall not create conditions that contribute to milk contamination by air borne contaminants.</p> <p>(e) Light bulbs, fixtures, sky lights or other glass suspended over exposed milk in any stage of preparation shall be of the safety type or otherwise protected to prevent the contamination of milk in case of breakage.</p>
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PART III
PROCEDURES BEFORE THE BOARD

<i>Determination by the Board</i>	<p>7. In determining the applications the Board by may:-</p> <p>(a) upon being satisfied that the conditions for registration have been fulfilled decide that</p>
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	<p>the facility in question be registered; or</p> <p>(b) order that more information or details in respect of the facility be obtained from the applicant; or</p> <p>(c) refuse the application for registration of the dairy premises and state its reason thereafter instruct the Registrar to notify the applicant the decision of the Board accordingly.</p> <p>(d) not withstanding the provisions stipulated in the second schedule, the Board may decide to refuse to grant a registration certificate for reasons stipulated under any other law</p>
<i>Certificate of registration</i>	<p>8. (1) Where the Board grants the application for registration in respect of the dairy under these regulations , it shall instruct the Registrar:-</p> <p>(a) to register the dairy in question; and</p> <p>(b) to issue a certificate of registration in respect of the dairy</p>
	<p>(2) The Certificate of Registration issued under these regulations shall be in the form prescribed in the Third Schedule which among others shall contain:-</p> <p>(a) the name, address and location of the dairy;</p> <p>(b) type of the dairy;</p> <p>(c) terms and conditions to be observed by the certificate holder.</p>
<i>Registration fee for dairy</i>	<p>9. (1) The applicant whose application for registration of dairy is granted shall upon registration pay registration fee in respect of the dairy, as prescribed in the Fourth Schedule. Training and research institutions shall not pay registration fees,</p> <p>(2) All fees payable to the Board shall be maintained in accordance with the Act.</p>

	(3) The Minister may upon recommendation from the Board amend or vary the provisions of the schedule to these Regulations.
<i>Validity of certificate of registration</i>	10. The Certificate of registration of the dairy issued under these regulations shall be valid for a period of five years upon payment of annual retention fee of ten percent of the registration fee
PART IV RENEWAL, SUSPENSION, CANCELLATION OR REVOCATION OF CERTIFICATE OF REGISTRATION	
<i>Renewal of Certificate of registration</i>	11. (1) A certificate holder may upon expiry of his certificate apply for renewal of the certificate to the Registrar on payment of non refundable prescribed fee.
	(2) Application for renewal under sub regulation (1) shall be made in the form prescribed in the First Schedule to these regulations and shall be accompanied by: (a) a copy of the expired certificate; and (b) any other documents as may be required by the Board.
	(3) The Registrar shall, after receiving the application for renewal of certificate of registration from the applicant under this regulation, prepare a brief report for submission to the Board for consideration.
	(4) The Board may, after considering the application submitted to it by the Registrar under sub regulation (3): (a) grant renewal of certificate of registration; or (b) refuse the application and give reasons which shall be notified to the applicant by the registrar.

<p><i>Cancellation or revocation of Certificate of registration</i></p>	<p>12. (1) The Board may, where the holder of certificate of registration fails to abide to the registration conditions imposed upon , cancel or revoke the certificate of registration at any time before the date of expiry.</p>
	<p>(2) Where the certificate of registration is cancelled or revoked by the Board under this regulation, the certificate holder shall with effect from the date of cancellation or revocation of his certificate cease to be a dairy.</p>
<p><i>Procedure for cancellation or revocation</i></p>	<p>13. (1) Before cancellation or revocation of the certificate of registration by the Board under regulation 11 of these regulations the Registrar shall serve a notice to the certificate holder requiring him to make presentation to the Board within thirty days from the date of notice to show cause as to why the certificate of registration should not be cancelled or revoked.</p> <p>(2) The notice issued under sub regulation (1) may, require the certificate holder to stop or refrain from doing anything related to dairy business pending hearing and determination by the Board.</p>
	<p>(3) Where the certificate holder fails to make presentation within the period specified in the notice, the Board shall proceed to determine and decide whether or not to cancel or revoke the certificate of registration; or</p> <p>(4) Where the Board decides to cancel or revoke the certificate it shall make an order that</p>

	the name of the Certificate holder be removed from the register.
	(5) Where a certificate holder has submitted his representation to the Board as required under sub regulation (1), the Board shall hear such presentation and determine on the matter accordingly.
PART V REVIEW AND APPEAL	
<i>Right of review and appeal</i>	14. (1) The Board may review its own decision upon <i>sua moto</i> or application. (2) Any person who, is aggrieved by the decision of the Board under these regulations, shall have the right to appeal to the Minister.
<i>Procedure for appeal</i>	15. (1) A person whose application for renewal of certificate of registration is not granted; or whose certificate of registration is cancelled; revoked or suspended may, within thirty days from the date of receipt of the copy of the proceedings and decision of the Board, appeal to the Minister. (2) An appeal under sub regulation (1) shall be filed to the Minister together with a copy of proceedings and decision of the Board; (3) The decision of the Minister on the appeal shall be final.
Offences and Penalties	16. Any person who contravenes the provisions of these Regulations commits an offence and upon conviction shall be liable to a fine not exceeding fifty thousand shillings or imprisonment for a term not exceeding four months or to both such fine and imprisonment
Revocation	17. General notices number 310 and 423 of 1968, 295 and 296 of 1969 are hereby revoked.

SCHEDULES

FIRST SCHEDULE

(Made under Regulation 4)

TANZANIA DAIRY BOARD

APPLICATION FOR REGISTRATION OF DAIRY STAKEHOLDERS

The Registrar
Tanzania Dairy Board
P.O.BOX 38456
Dar es Salaam.

I/We here apply for a new/renewal of a registration of my/our dairy in accordance with the Dairy Industry Act, 2004.

1. Name of applicant.....
2. Postal address
3. Full name(s) of Partners/ Directors.....
.....
.....
4. Type of dairy:.....
.....
.....
5. Situated at Plot No.....Street.....Village.....
Ward.....District.....Region.....
6. My/our dairy has capacity to produce/process/collect/store/sell/distribute/import/export/manufacture.....litres/tones per day
7. I/We shall adhere to Good Hygienic Practices, good state of repair and comply with the provisions of the Act and

Regulations made thereunder.

N.B:- False declaration under these regulations constitutes an offence

Date..... Signed.....
Applicant

Fees Tshs 5,000/= Receipt No..... of

FOR OFFICIAL USE ONLY

Registration granted/not granted.
Reasons.....

.....
Registration No.....Approved by Board meeting
No.....of.....

Date Signed by Registrar and stamp

SECOND SCHEDULE

(Made under Regulation 5)

TANZANIA DAIRY BOARD

CONDITIONS FOR REGISTRATION OF DAIRY STAKEHOLDERS

Sr. no.	Stakeholder	Conditions for registration
1.	Milk producer	(1) Capacity to produce more than 10 litres per day (2) Should have a suitable place for milking (3) Possess suitable milking utencils (4) Able to adhere to hygienic milk production (5) adhere to Good Animal Husbandry Practices
2.	Milk collector	(1) Possess suitable milk handling equipment (2) Able to adhere to hygienic milk handling (3) Possess milk cooling facilities (4) Possess basic platform milk testing facilities (5) Possess suitably designed premises
3	Milk trader	(1) Possess suitable milk handling equipment (2) Adhere to hygienic milk handling (3) Possess basic platform milk testing facilities
4.	Milk transporter	(1) Proof of permit of a milk container
5.	Milk processor	(1) Proof of possession of a valid license issued by a food regulatory body
6.	Milk / importer/ wholeseller/ / exporte/ distributor	(1) Proof of possession of a valid license issued by a food regulatory body
7.	Input supplier	(1) Proof of possession of a valid trading license

THIRD SCHEDULE

(Made under Regulation 8)

TANZANIA DAIRY BOARD

**REGISTRATION CERTIFICATE OF DAIRY
STAKEHOLDER**

This is to certify that the dairy owned by
M/S.....which is located at Plot
No.....Street.....Village.....

Ward.....District.....Region.....has been registered as
.....(Milk producer, collector, processor, dairy input
suppliers, milk retailer, trader and distributor) effective from
this ----- day of ----- 200- to 30th day of June -----
----- with registration No.

Subject to the following conditions:-

1. The manner in which the business is to be conducted must conform to the requirements of the Act and regulations thereunder.
2. This certificate is not transferable.
3. This certificate shall be displayed conspicuously in the registered dairy.

4. Failure to comply with any of these conditions shall render this certificate suspended or revoked.
5. Validity of this certificate shall depend upon payment of annual retention fee

.....
Date

.....
Signature of Registrar and stamp

FOURTH SCHEDULE

(Made under regulation 9)

TANZANIA DAIRY BOARD

REGISTRATION FEE

(A)	Milk producers	Fees
	Large scale producers: more than 500lts/day	100,000/=
	Medium scale producers: 101 – 500lts/day	50,000/=
	Small scale producers: 11 – 100lts/day	5,000/=
	Subsistence producers (up to 10 lts/day)	FREE
(B)	Milk processors	
	Large scale processors: more than 50,000lts/day	-
	Medium scale processors: 5,000 – 50,000lts/day	-
	Small scale processors 5,000 lts/day	-
	Small scale processors: 3,000 – 5,000 lts/day	-
	Small scale processors ,l000 - 3,000 lts/day	-
	Small scale processors less than 500 lts/day	-
	Cottage processors (up to 100)	-
(c)	Marketing agents:	

	(a)Milk collection/chilling centres	
	Large scale: collect more than 5,000lts/day	250,000/=
	Medium scale: collect between 1,000- 5,000lts/day	150,000/=
	Small scale: collect less than 1,000lts/day	50,000/=
	(b) Dairy products whole seller	-
(D)	Milk or dairy product importer/exporter	
	Importer	-
	Exporter	FREE
(E)	Dairy input suppliers, manufacturers and importers	500,000/=
	Milk Retailers:	
	More than 300lts/day	-
	Between 100 – 300lts/day	-
	Less than 100lts/day	-
	Dairy product Retailers	
	Supper markets	-
	Shops	-

Dar es Salaam
.....2007

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Minister for Livestock Development