

Statutory Instrument No. 47 of 1972

TOWNSHIPS PROCLAMATION
(Cap. 120)

TOWN COUNCIL REGULATIONS, 1966
(L.N. 37/1966)

FRANCISTOWN (ABATTOIR) BYE-LAWS, 1972

(Published on the 26th May, 1972)

Bye-laws made by the Francistown Town Council in exercise of the powers conferred upon it by regulation 31 of the Town Council Regulations, 1966, and of all other powers thereunto it enabling and with the approval of the Minister of Local Government and Lands.

Citation **1.** These bye-laws may be cited as the Francistown (Abattoir) Bye-Laws, 1972.

Inter-pretation **2.** In these bye-laws, unless the context otherwise requires —

“abattoir” means the municipal abattoir, and shall include the area set aside by the Council for such purpose and demarcated as such, together with any building, space, pen, enclosure and lairage therein;

“animal” means and includes any bull, ox, cow, heifer, steer, calf, sheep, lamb, goat, kid, pig or other quadruped used for the food of man;

“authorised veterinary surgeon” means a veterinary surgeon approved by the Director of Veterinary Services;

“Council” means the Francistown Town Council;

“Manager” means the person appointed by the Council to perform the functions of manager of the abattoir or any person appointed by the Council to act in his stead;

“meat” means the flesh and bone of any slaughtered animal whether in its natural state or subjected to any freezing, chilling or other preservative process, and shall also include sausages, polonies, chopped or minced meat or any other meat similarly prepared;

“meat inspector” means any person appointed by the Council after consultation with the Director of Veterinary Services for the purposes of examining any slaughtered animal intended for human consumption;

“Medical Officer” means a medical practitioner appointed by the Director of Medical Services to act as medical officer in respect of Francistown;

“offal” means and includes the stomach, intestines and other internal organs of any slaughtered animal not being red offal;

“red offal” means and includes the head, horns, feet, tail, heart, lungs, liver, kidneys and spleen of any slaughtered animal;

“slaughterman” means a person appointed as such by the Council.

3. (1) The following fees shall be paid to the Council for services rendered or facilities provided at the abattoir — Tariff of charges

Use of abattoir for slaughtering, including lairage and water, inspection and stamping of meat, use of hanging hall and power saw —

		R	c.
Ox	3	50
Sheep, lamb or goat	0	50
Pig	1	50

(2) The Council shall not be responsible for the safe custody or feeding of any animal placed in the abattoir lairages or for the safe keeping or preservation of any meat left in the abattoir after slaughter, and all contracts for the use of the abattoir or facilities thereat, whether in writing or not, shall be deemed to be entered into on that basis unless specific provision to the contrary is made therein.

4. (1) The abattoir shall be open for the receiving and slaughtering of animals during the following hours — Hours of entry

Receiving

Between 12 noon and 5 p.m. except on Fridays, Saturdays and days prior to public holidays;

Slaughtering

Between 6.30 a.m. and 12 noon except on Saturdays, Sundays and public holidays.

(2) Meat may be removed from the abattoir during the following hours —

Between 8 a.m. and 2 p.m. except on Saturdays, Sundays and public holidays.

(3) No person shall without first obtaining permission from the Manager enter the abattoir premises or any part thereof before the prescribed hours of opening or remain on such premises after the prescribed closing hour or after being requested by the Manager to leave.

(4) Without the permission of the Manager no person shall enter the abattoir premises or any part thereof unless on lawful business connected therewith.

5. (1) Every person who shall deliver any animals to the abattoir shall, on entering, hand to the Manager or other duly authorised official a correct written statement of the number and description of the animals and of the name of the owner thereof and shall, if so requested by such official, furnish such further information as may be reasonably required to facilitate identification. Delivery of animals

(2) The owner or person in charge of any animal so delivered shall have it marked with a distinguishing mark approved by the Manager so that it can be easily and quickly identified.

(3) The same identification mark shall always be used by or on behalf of each owner, and such mark shall be registered in a register provided for the purpose.

(4) The owner, or person in charge of, any bull or other dangerous animal shall, when bringing such animal to the abattoir, either have it conveyed in a suitable vehicle in which it shall be securely bound and tied up, or led by means of a chain or rope of sufficient strength.

Penning, care,
feeding and
treatment of
animals

6. (1) The owner or person in charge of any animals brought into the abattoir, except draught animals, shall pen them as and where provided by the Manager.

(2) Every owner or person in charge of any animal within the abattoir shall ensure that such animal is properly cared for and is provided with sufficient suitable food and water:

Provided that no person shall overfeed or give salt to any animal while in the abattoir.

(3) If the Manager shall discover that any animal within the abattoir has been without food and water for a period exceeding 48 hours, or if he shall be requested so to do by the owner or person in charge of any animal within the abattoir, he may cause such animal to be fed and watered and the Council may recover the cost thereof from the owner or person in charge.

(4) No person shall permit any animal in the abattoir, whether awaiting slaughter or in the process of slaughter, to be treated with any but the utmost care, or permit any cruelty or any unnecessary suffering to any animal. The Manager may, in his discretion, take summary measures to prevent any unnecessary suffering of or cruelty to animals.

Diseased
animals

7. (1) No person shall knowingly bring, or cause or permit to be brought, into the abattoir any animal suffering from any infectious or contagious disease unless with special permission of an authorised veterinary surgeon.

(2) No person found guilty of contravening this bye-law shall, by virtue of having paid the penalty prescribed for such contravention, be absolved from any liability to make good to the Council any expenses incurred in cleaning and disinfecting the abattoir premises and for any losses occasioned by his action.

(3) The Manager may refuse to admit into the abattoir any animal suffering from any infectious or contagious disease and, if he has reasonable

grounds for suspecting that any animal already admitted or for which admission is sought is suffering from any such disease, he may require or cause such animal to be examined by an authorised veterinary surgeon.

(4) The Manager may, after obtaining the opinion of an authorised veterinary surgeon, cause or order any animal which is found to be diseased, or which has been in contact with an infected or suspected animal, to be slaughtered at a place set apart for the slaughtering of diseased animals. If after slaughter the carcass is found to be fit for human consumption, the carcass shall be returned to the owner or person in charge thereof but, if it is found to be diseased and unfit for human consumption, it shall be seized and condemned.

8. No person shall without the permission of the Manager or any authorised official unpen any animal, unless for the purpose of removing it to the waiting pen or slaughter chamber. Unpenning restricted

9. The carcass of any animal dying within the abattoir otherwise than by slaughter, or arriving dead at the abattoir, or of animals less than 14 days old, shall be condemned, seized and destroyed as unfit for human consumption. Skins of animals condemned under this bye-law may be released to the owner at the discretion of an authorised veterinary surgeon. Condemnation of carcasses of certain animals

10. (1) No person shall slaughter or cause to be slaughtered at the abattoir any animal without the prior consent of the Manager. Slaughtering

(2) No person shall without the written consent of an authorised veterinary surgeon, the Medical Officer or the Manager, slaughter any animal intended for human consumption at any place within the Council's area of jurisdiction other than the abattoir.

(3) Slaughtering in accordance with a written consent referred to in subregulation (2) shall take place only at such hours and in such manner as are prescribed in these bye-laws.

(4) An authorised veterinary surgeon may, if he deems fit, authorise in writing the slaughter of any animal or animals at any place outside the abattoir in cases where, on account of religious requirements or of injuries received by any animal or for any other cause it is considered impracticable, inadvisable or undesirable to have the animal removed to the abattoir. In every such case the owner of the animal or other person or persons responsible shall comply with any conditions imposed by the authorised veterinary surgeon and shall also conform with the requirements of these bye-laws.

11. (1) Every person employed at, or making use of any facilities provided in, the abattoir shall comply with all lawful instructions given by the Manager, and any person failing to comply with such instructions may, in addition to being liable to prosecution for a contravention of this Authority of Manager.

bye-law, be required by the Manager to leave the abattoir premises forthwith.

(2) No person shall interfere with or obstruct the Manager or any of his staff or cause any disturbance within the abattoir, and any person who shall so interfere or obstruct or cause any disturbance may, in addition to being liable to prosecution for a contravention of this bye-law, be removed from the premises.

Cleanliness
and hygiene

12. (1) Every person engaged on any duties at the abattoir or making use of any facilities therein shall observe strict cleanliness in his person and attire and shall at all times wear a clean butchering coat or overall of a design approved by the Medical Officer and made of a washable material.

(2) Every slaughterman shall keep a special suit of clothes made of washable material and shall wear such suit while engaged in slaughtering any animal or dressing any carcass and for no other purpose, and shall wash such suit daily to ensure its cleanliness.

(3) No person shall hang up or deposit or cause or permit to be hung up or deposited any article of wearing apparel in any room or enclosure in which meat is slaughtered, dressed or prepared for use as food for human consumption.

Restrictions
on slaughter

13. (1) No bull, bullock, cow, heifer, steer, pig, sheep, lamb or goat shall be slaughtered on the day it enters the abattoir:

Provided that the owner or person in charge of any animal which, on arrival at the abattoir, is found to be suffering from any serious injury shall cause such animal to be slaughtered as soon as possible after arrival after having notified the Manager and obtained his consent.

(2) No person shall slaughter for human consumption any calf, lamb, kid, pig or other animal unless it is at least 14 days old, is fully developed and is in a well nourished condition.

(3) No person shall, without the consent of the Manager, slaughter or cause to be slaughtered any animal which appears to be heavy in young or which is on the point of giving birth to young.

Place for
slaughter and
dressing of
animals

14. No person shall slaughter or dress any animal in any part of the abattoir premises except in the place specially appointed and set apart for such purpose.

Manner of
slaughtering

15. (1) Every person engaged in the slaughtering of animals shall, before proceeding to slaughter, cause the head of the animal to be securely held or fastened to ensure that such animal shall be slaughtered as quickly and with as little pain as possible.

(2) No person shall slaughter or permit or suffer to be slaughtered in the abattoir any animal, the flesh of which is intended to be used as human food, except by shooting with the humane killer:

Provided that the requirement of this sub-bye-law shall not be enforced in the case of animals slaughtered for the use of Mohammedans or Jews.

(3) Slaughtering under Jewish or Mohammedan rites shall be executed and superintended by members of the Jewish or Mohammedan faith respectively, approved by the Manager; and every such person shall in every respect comply with the requirements of the Manager under these bye-laws:

Provided that nothing in these bye-laws shall interfere with the ceremonies or killing under Jewish or Mohammedan rites, but all unnecessary cruelty shall be avoided.

(4) Every person shall in the process of slaughtering any animal use only such instruments, appliances and methods as may be approved by the Manager with the object of ensuring the infliction of as little pain or suffering as practicable.

16. No person shall commence to flay or dress any slaughtered animal unless the flow of blood has ceased and all signs of life are extinct. Thereafter, however, the flaying or dressing shall be completed without delay.

Time for flaying and dressing

17. As soon as possible after an animal has been slaughtered and flayed, the slaughterman shall clearly brand or mark the carcase with the registered mark of the owner of the animal.

Carcases to be marked after slaughter

18. No person shall inflate, stuff or dress any carcase or any portion thereof with the object of giving it a deceptive appearance.

Deceptive dressing prohibited

19. All meat, fat and red offal which becomes soiled by the contents of the alimentary tract shall be condemned as unfit for human consumption:

Soiled meat to be condemned

Provided that if, in the opinion of an authorised veterinary surgeon or any meat inspector, the above-mentioned soiling may be removed by cutting away the soiled portions, the said surgeon or inspector may authorise this to be done and any meat, fat or red offal so treated shall if not otherwise unfit, be deemed to be fit for human consumption.

20. (1) No person shall remove from the immediate vicinity of the carcase of any animal slaughtered at the abattoir any portion of the hide, flesh, bone, fat or feet or of the internal organs or entrails until they have been duly examined and dealt with by a meat inspector.

Examination of animals, carcasses etc.

(2) Immediately after an animal has been slaughtered and dressed, it shall be examined and stamped as hereinafter provided and the slaughterman and his assistants shall then remove the stamped carcase and deposit it in the part of the abattoir set aside for such purpose:

Provided that no person shall deposit any carcase or portion thereof in such part of the abattoir unless and until it has been stamped.

(3) An authorised veterinary surgeon or any meat inspector may inspect and examine any animal brought into the abattoir premises for slaughter for human consumption for the purpose of ascertaining whether it be diseased, unsound or in any way unfit for human consumption.

(4) A meat inspector shall examine, handle and cut into the carcase, offal and red offal of every animal which has been slaughtered at the abattoir, immediately after it has been dressed, for the purpose of ascertaining whether it is diseased, unsound, unwholesome or in any way unfit for human consumption.

(5) In no case shall any examination of carcase, meat, offal or red offal be made except by daylight.

(6) Any animal found to be diseased, unsound or in any way unfit for human consumption upon inspection or examination under sub-by-law (3) shall be dealt with in accordance with bye-law 7 (4).

(7) The carcase of every animal condemned under bye-law 7 (4) and any part of the carcase offal or red offal of a slaughtered animal which has been found under sub-by-law (4) to be diseased, unsound, unwholesome or in any way unfit for human consumption shall be destroyed at the abattoir by the Manager or under his direction.

Concealment
of diseased or
injured parts
prohibited

21. No person shall cut away, remove or otherwise attempt to conceal any diseased or injured part of any slaughtered animal, whether slaughtered at the abattoir or not, unless he shall have obtained the permission of a meat inspector so to do.

Marking of
healthy
carcases etc.

22. (1) The meat inspector shall brand or stamp with the official mark of the Council in such places and in such ways as he may deem advisable or necessary all carcases, meat, offal and red offal submitted for examination and passed as healthy, sound, wholesome and fit for human consumption.

(2) No person, other than an official duly authorised thereto, shall stamp or brand or mark or attach to or impress on any meat, offal or red offal any official brand or mark or any similar marking; and no person shall attach to or impress on any meat or offal any forged brand or mark or any brand or mark intended or liable to deceive the public or induce the belief that such meat or offal has been inspected and approved under these bye-laws or slaughtered at the abattoir.

Removal of
meat, etc.
from abattoir
restricted

23. (1) No person shall, without the permission of the Manager, remove or cause to be removed from the abattoir any meat, offal or red offal unless and until it has been examined, approved and stamped in accordance with these bye-laws.

(2) No person shall remove from the abattoir, without the express permission of the Manager, any fat or offal unless and until it has been washed and cleaned to the satisfaction of a meat inspector.

24. No person shall introduce into the township for sale any carcase or any butcher's meat of animals (other than game) slaughtered outside the township unless such animals have been slaughtered at an abattoir approved by the Council.

Introduction of meat into township restricted

25. (1) An authorised veterinary surgeon or a meat inspector shall seize and condemn any carcase, meat, fat, offal or red offal which, as a result of examination is found to be diseased, unsound, unwholesome or unfit for human consumption.

Condemnation of meat

(2) Any carcase, meat, fat, offal or red offal seized and condemned shall, upon a certificate by an authorised veterinary surgeon, be destroyed or, alternatively, it may, at the owner's risk, be treated in such manner as the authorised veterinary surgeon may decide to render it fit for human consumption.

(3) Nothing contained in these bye-laws shall preclude any person mentioned in sub-bye-law (1) from taking action in terms of this bye-law in respect of any meat, offal or red offal which, although marked or branded as approved under these bye-laws, is subsequently found to be diseased, unsound, unwholesome or otherwise unfit for human consumption.

(4) No compensation shall be paid for any meat, carcase or animal which has been condemned, seized and destroyed.

26. (1) All meat (except such carcasses as may be held in the freezer unit) which is not removed from the abattoir premises before closing time on the day on which the animal from which it was taken was slaughtered, may be taken possession of by the Manager and destroyed or treated on behalf of the Council and sold to defray expenses.

Appropriation of meat, etc.

(2) All blood, manure, refuse, condemned carcasses or portions of condemned carcasses shall become the property of the Council.

27. (1) No person knowingly suffering from any notifiable infectious or contagious disease or who has within twelve hours previously been knowingly exposed to infection from any such disease shall engage in the slaughter of animals, dressing of carcasses or handling or conveyance of meat intended for human consumption, nor shall any employer permit any person in his employment who is so suffering or who has been so exposed to infection to be so engaged unless he has obtained the prior written permission of the Medical Officer.

Human diseases or injuries

(2) The Medical Officer shall have the power to examine (which may include examination of the blood) any person engaged in the slaughtering of animals, the dressing of carcasses or handling or conveyance of meat

whenever he shall deem it necessary to do so for the purpose of ascertaining whether such person is suffering from any disease or condition liable to contaminate the meat, as a result of which serious consequences to the health of others may occur, and may prohibit any such person found to be so suffering from being so engaged until he has been again examined and certified by a medical practitioner to be free from such disease or condition.

(3) Any person engaged in work within the abattoir having any cuts, grazes or abrasions shall have such injuries covered by a clean, waterproof dressing.

Disposal of animals of unclaimed or disputed ownership

28. The Manager may slaughter or cause to be slaughtered any animal in the abattoir which may be unclaimed or as to the ownership of which there is a dispute, and shall, in the case of any such slaughter, dispose of the carcase thereof on behalf of the Council. On ascertaining the rightful owner, the Council shall pay to him the full proceeds of such sale less the amount of any and all expenses and charges incurred in respect of such animal.

Exclusion of dogs, cats, birds, etc.

29. No person shall bring on to the abattoir premises, or permit to enter or remain thereon, any dog, cat or other animal or any birds which feed on offal, and the Manager may remove or cause to be removed from the abattoir any such animal or bird found thereon by such means as he deems advisable.

Placing of vehicles

30. All vans, lorries, wagons, carts and other vehicles brought into the abattoir shall stand in such places as the Manager shall appoint.

Exclusion of children from slaughtering, etc.

31. No child under the age of 14 years shall at any time be admitted to any part of the abattoir where slaughtering or dressing is taking place:

Provided that such child can be admitted with the prior permission of the Manager and when under the supervision of an adult.

Spitting, smoking, etc., prohibited

32. No person shall expectorate, smoke, or commit any nuisance in any part of the abattoir premises where carcasses are slaughtered, inspected or kept.

Exclusion of intoxicating liquor and intoxicated persons

33. No person shall bring, or cause, or permit to be brought any malt liquor, traditional beer, whether manufactured or home brewed, or any intoxicating liquor of any kind on to any part of the abattoir premises and no intoxicated person shall enter or remain or be permitted to enter or remain on such premises.

Removal of animals or carcasses without permission prohibited

34. No person shall remove from the abattoir any animal, alive or dead, or the carcase of any animal or any meat, offal or red offal or any other thing pertaining to an animal without the prior permission of the Manager.

35. Any person who contravenes any of these bye-laws or any direction or prohibition duly given in terms thereof shall be guilty of an offence and liable on first conviction to a fine of R50 and on any subsequent conviction to a fine of R100. Offences and penalties

Dated the 17th day of May, 1972.

J.D. HONOLD,
Town Clerk.

Approved by the Minister of Local Government and Lands on the 19th day of May, 1972.

R.N. MANNATHOKO,
*Permanent Secretary,
Ministry of Local Government and Lands.*