

**THE GAZETTE OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of June 17, 2016

SUPPLEMENT

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ANIMAL FEED (AMENDMENT)

A

BILL

to amend the Animal Feed Act, No. 15 of 1986

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Statement of Legal Effect

Clause 2 : This clause amends the long title to the Animal Feed Act, No.15 of 1986 (hereinafter referred to as the “principal enactment”).

Clause 3 : This clause replaces section 2 of the principal enactment and the legal effect of the section as amended is to provide for the general administration of the Act by the Director-General and to provide for the appointment of other officers.

Clause 4 : This clause inserts a new section 2A in the principal enactment. The new section provides for the appointment of the Registrar of Animal Feed.

Clause 5 : This clause amends section 3 of the principal enactment and the legal effect of the section as amended is to prohibit the importation or manufacture of any animal feed, without obtaining a licence.

Clause 6 : This clause amends section 4 of the principal enactment and is consequential to the amendment made by clause 5.

Clause 7 : This clause amends section 6 of the principal enactment and is consequential to the amendment made by clause 5.

Clause 8 : This clause amends section 7 of the principal enactment and the legal effect of the section as amended is to prohibit the exposure for sale, offer for sale or distribute any animal feed other than approved animal feed.

Clause 9 : This clause inserts section 7A in the principal enactment. The new section provides for the registration of premises which are used for sale, expose for sale, offer for sale, supply or distribute any approved animal feed.

Clause 10 : This clause amended section 8 of the principal enactment and is consequential to the amendment made by clause 3, clause 4 and to increase the composition of the Animal Feed Advisory Committee.

Clause 11 : This clause amended section 10 in the principal enactment and the legal effect of the section as amended is to enlarge the functions of the Committee.

Clause 12 : This clause amends section 11 of the principal enactment and is consequential to the amendment made by clause 6.

Clause 13 : This clause amends section 12 of the principal enactment and the legal effect of the section as amended is to enable the committee to make continuing studies and reports on the animal feed.

Clause 14 : This clause amends section 13 of the principal enactment and consequential to the amendment made by clause 13.

Clause 15 : This clause amends section 16 of the principal enactment and the legal effect of the section as amended is to extend protection granted to approved animal feed.

Clause 16 : This clause amends section 17 of the principal enactment and the legal effect of the section as amended is to enable any aggrieved person to appeal to any court or tribunal.

Clause 17, Clause 18 and 19 : This clauses amend respectively sections 18, 21 and 22 of the principal enactment and are consequential to the amendments made by elause 5.

Clause 20 : This clause amends section 23 of the principal enactment and the legal effect of the section as amended is to enable the Director-General to nominate any public officer to be an Authorized Officer and make the provisions to procure sapmles for analysis of any approved animal feed from any person who has such animal feed in his possession for the purpose of sale or for any other use.

Clause 21 : This clause amends section 25 of the principal enactment and the legal effect of the section as amended is to include the authorized analyst in addition to the referee analyst for the purposes of section 25.

Clause 22 : This clause amends section 28 of the principal enactment and the legal effect of the section as amended is to increase the fine.

Clause 23 : This clause amends section 31 of the principal enactment and the legal effect of the section as amended is to enable the Minister to make regulations in respect of standards for the manufacture of self mixed animal feed.

Clause 24 : This clause amends section 32 of the principal enactment and the legal effect of the section as amended is to insert definitions for the expressions “animal”, “Controller of Imports and Exports”, “Director-General”; “Distributor”, “self mixed animal feed”, “seller” and “user”.

Clause 25 : This clause amended principal enactment and the legal effect of the amendment is to substitute for the words “Director of Animal Production and Health” and “Director” of the words “Director-General of Animal Production and Health” and “Director-General” wherever these words appear.

Animal Feed (Amendment)

L.D.—O. 69/2006.

AN ACT TO AMEND THE ANIMAL FEED ACT, NO. 15 OF 1986

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Animal Feed Short title.
(Amendment) Act, No. of 2016.

5 2. Long title of the Animal Feed Act, No. 15 of 1986 Amendment
(hereinafter referred to as the “principal enactment”) is hereby of the long
amended by the substitution for the words “manufacture, title of Act,
sale and distribution of Animal Feed” of the word No. 15 of
“manufacture, sale importation for sale, distribution and use 1986.
10 of Animal Feed”.

3. Section 2 of the principal enactment is hereby repealed Replacement
and the following section is substituted therefor:— of section 2
of the
principal
enactment.

15 “Director - 2. (1) The Director-General of Animal
General of Production and Health (hereinafter referred to
Animal as the “the Director-General”) shall be
Production responsible for the general administration of
and Health. this Act.

20 (2) There may be appointed such number of
Directors, Deputy Directors, Assistant Directors
of Animal Production and Health and such
other officers as may be necessary for the
purpose of assisting the Director-General in
carrying out or giving effect to the provisions
of this Act.

25 (3) Any power, duty or function of the
Director-General under this Act may be
exercised, performed or discharged by any

Director, Deputy Director, Assistant Director of Animal Production and Health under the direction of the Director-General or by such other officer who is authorized to do so by the Director-General in writing.”.

4. The following new section is hereby inserted immediately after section 2 of the principal enactment and shall have effect as section 2A of that enactment.

Insertion of new section 2A in the principal enactment.

“Licensing authority for animal feed. 2A. (1) There shall be appointed an officer belonging to the Grade I of the Sri Lanka Animal Production and Health Service having not less than three years of active service in that Grade to be or to act as the Registrar of Animal Feed (hereinafter referred to as “the Registrar”) who shall be the licensing authority for the purposes of this Act.

(2) The Registrar shall exercise, perform and discharge any power, duty and function assigned to him under this Act, subject to the direction and control of the Director-General.”.

5. Section 3 of the principal enactment is hereby repealed and the following section is substituted therefor:—

Replacement of section 3 of the principal enactment.

“Licensing. 3. No person shall manufacture or import any animal feed except under the authority of a licence issued by the Registrar under this Act.”.

6. Section 4 of the principal enactment is hereby amended as follows:—

Amendment of section 4 of the principal enactment.

(1) in subsection (1) thereof, by the substitution for the words “Every person desirous of obtaining a licence to manufacture” of the words “Every person desirous of obtaining a licence to manufacture or import”;

(2) in subsection (2) thereof—

(a) by the deletion of paragraph (d); and

(b) in paragraph (e) by the substitution for the words “a statement of the composition of such animal feed,” of the words “a statement of the nutrient composition of such animal feed,”.

7. Section 6 of the principal enactment is hereby amended by the repeal of subsection (1) of that section, and the substitution therefor of the following subsection:—

Amendment of section 6 of the principal enactment.

“(1) The Registrar shall declare any animal feed manufactured or imported for sale on a licence issued under section 5 of this Act to be an approved animal feed (hereinafter referred to as “approved animal feed”) and assign a number in respect of such approved animal feed.”.

8. Section 7 of the principal enactment is hereby repealed and the following section is substituted therefor:—

Replacement of section 7 of the principal enactment.

7. No person shall sell, expose for sale, offer for sale or distribute any animal feed other than an approved animal feed declared under section 6.”.

9. The following new section is hereby inserted immediately after section 7 of the principal enactment and shall have effect as section 7A of that enactment.

Insertion of new section 7A in the principal enactment.

7A. No person shall sell, expose for sale, offer for sale, store, supply or distribute any approved animal feed at or from any premises unless such premises has been registered in the manner prescribed by the Registrar and a Certificate of Registration is obtained in that behalf.”.

10. Section 8 of the principal enactment is amended as follows:—

Amendment
of section 8
of the
principal
enactment.

- (1) by the repeal of paragraph (a) of subsection (1) and substitution therefor of the following :—

5 “(a) the Director-General or a person nominated by him ; and”;

- (2) in subparagraph (ii) of paragraph (b) of subsection (1) by the substitution for the word “three” of the word “five”;

- 10 (3) in subsection (2) of that section by the substitution for the words “three members.” of the words “four members.”;

- 15 (4) by the insertion immediately after subsection (3) of that section of the following new subsection which shall have effect as subsection (3A) :—

 “(3A) The Registrar shall be the Secretary of the Committee.”.

11. Section 10 of the principal enactment is hereby amended as follows:—

Amendment
of section 10
of the
principal
enactment.

- 20 (1) in paragraph (i) by the substitution for the words “manufacture, storage and preparation of animal feed for sale” of the words “manufacture, importation, storage and preparation of animal feed for sale or for use”;

- 25 (2) in paragraph (ii) by the substitution for the words “of any approved animal feed;” of the words “of any approved animal feed or any other raw material suitable of being used as animal feed;”;

- (3) in paragraph (iii) by the substitution for the words
“fix the maximum level of deleterious” of the words
“specify the maximum level, and prohibit where
required, the use of deleterious”;
- 5 (4) by the insertion immediately after paragraph (iii)
of that section of the following paragraph which
shall have effect as paragraph (iiiA):—
- “(iiiA) recommend to the Minister on matters
relating to the quality of animal feed and
10 raw materials;”.

12. Section 11 of the principal enactment is hereby amended in paragraph (c) by the substitution for the word
“composition” of the words “nutrient composition”. Amendment
of section 11
of the
principal
enactment.

13. Section 12 of the principal enactment is hereby repealed and the following section is substituted therefor:— Replacement
of section 12
of the
principal
enactment.

“Committee
to make
continuing
studies and
reports.

12. The Committee shall—

- (a) study and keep under review
matters relating to—
- (i) the production, import,
20 manufacture, sale, processing,
distribution and use of
animal feed;
- (ii) preparation of animal feed;
- (b) report on matters relating to
25 subparagraphs (i) or (ii) of
paragraph (a) from time to time to
the Minister; and
- (c) recommend to the Minister such
30 proposals as it considers necessary
or advisable for the control,

supervision, use, marketing and distribution of approved animal feed in the interest of national economy.”.

- 5 **14.** Section 13 of the principal enactment is hereby amended in subsection (1) by the substitution for the words “the production, manufacture, processing, distribution and sale of approved animal feed” of the words “the production, manufacture, importation, processing, distribution, use and
10 sale of animal feed”.
- Amendment of section 13 of the principal enactment.
- 15 **15.** Section 16 of the principal enactment is hereby amended by the substitution for the word “No alteration in the container, print or the label or” of the words “Where any approved animal feed is intended to be sold, no alteration in the container, print or the label or”.
- Amendment of section 16 of the principal enactment.
- 15 **16.** Section 17 of the principal enactment is hereby amended by the repeal of subsection (2).
- Amendment of section 17 of the principal enactment.
- 20 **17.** Section 18 of the principal enactment is hereby amended by the substitution for the words “manufacture, prepare or store any approved animal feed for sale” of the words “manufacture, import, prepare or store any approved animal feed for sale”.
- Amendment of section 18 of the principal enactment.
- 25 **18.** Section 21 of the principal enactment is hereby amended by the substitution for the word “no person shall manufacture, any approved animal feed for sale or sell” of the words “no person shall manufacture or import any approved animal feed for sale, use or sell”.
- Amendment of section 21 of the principal enactment.
- 30 **19.** Section 22 of the principal enactment is hereby amended as follows:—
- Amendment of section 22 of the principal enactment.
- (1) in subsection (1) by the substitution for the words “No manufacturer or a distributor or a commission agent or a dealer of any approved animal feed shall

sell such approved animal feed” of the words “No manufacturer or an importer or a distributor or a commission agent or a dealer of any approved animal feed shall sell such approved animal feed”.

- 5 (2) in subsection (2) by the substitution for the words
 “Where any manufacturer or a distributor or a
 commission agent or a dealer of any approved
 animal feed” of the words “Where any manufacturer
 or an importer or a distributor or a commission agent
 10 or a dealer of any approved animal feed”.

20. Section 23 of the principal enactment is hereby amended as follows:—

Amendment
 of section 23
 of the
 principal
 enactment.

- (1) by the repeal of subsection (1) and substitution therefor of the following:—

15 “(1) The Director-General may nominate any
 public officer by name or by office to be an
 Authorized Officer to carry out the provision of
 this Act and any regulations made thereunder.”

- 20 (2) by the insertion immediately subsection (1) of that
 section of the following subsection which shall have
 effect as subsection (1A):—

25 “(1A) Every authorized officer nominated
 under subsection (1) shall be deemed to be a
 peace officer within the meaning and for the
 purposes of the Code of Criminal Procedure Act,
 No. 15 of 1979.”;

- 30 (3) in paragraph (b) of subsection (2) of that section by
 the substitution for the words “any approved animal
 feed, from any person who has such animal feed in
 his possession for the purpose of sale;” of the words
 “any approved animal feed, from any person who
 has such animal feed in his possession for the
 purpose of sale or for any other use;”.

21. Section 25 of the principal enactment is hereby amended as follows:—

Amendment
of section 25
of the
principal
enactment.

- (1) in subsection (1) by the substitution for the words
“the referee analyst” of the words “the author ized
analyst or the referee analyst”;
- (2) in subsection (2) by the substitution for the words
“the referee analyst” of the words “the authorized
analyst or the referee analyst”;
- (3) in subsection (3) by the substitution for the words
“the referee analyst.” of the words “the authorized
analyst or the referee analyst.”;

22. Section 28 of the principal enactment is hereby amended in subsection (1) by the substitution for the words
“to a fine not exceeding one thousand rupees” of the words
“to a fine not exceeding fifty thousand rupees”.

Amendment
of section 28
of the
principal
enactment.

23. Section 31 of the principal enactment is hereby amended in substitution (2) by the insertion immediately
after paragraph (a) of that section of the following paragraph
which shall have effect as paragraph (aa):—

Amendment
of section 31
of the
principal
enactment.

- “(aa) prescribing the standards for the manufacture of
self mixed animal feed;”.

24. Section 32 of the principal enactment is hereby amended as follows:—

Amendment
of section 32
of the
principal
enactment.

- (1) by the insertion immediately before the definition
of the expression “animal feed” of the following
new definition:—

“ “animal” shall have the same meaning as in the
Animal Diseases Act, No. 59 of 1992;”;

- (2) by the insertion immediately after the definition of the expression “compounded feeds” of the following new definition:—

5 ““Controller of Imports and Exports” means the
 Controller of Imports and Exports appointed
 under section 2 of the Imports and Exports
 (Control) Act, No. 1 of 1969;

10 “Director-General” means the Director-General of
 the Department of Animal Production and
 Health;

 “Distributor” means a person who distributes
 animal feed obtained from a manufacturer,
 importer or a dealer to a retailer, a seller or a
 user respectively;”;

- 15 (3) by the insertion immediately after the definition of
 the expression “referee analyst” of the following
 new definition:—

20 ““self mixed animal feed” means a feed obtained
 by mixing two or more feed stuffs by any
 person to be used as a feed for animal or
 poultry in his custody;”;

- (4) by the repeal of the definition of “seller” and
substitution therefor of the following new
definition:—

25 ““seller” means any person to whom any approved
 animal feed is sold or delivered by the
 manufacturer or importer, for the purpose of
 sale by retail, and includes any person who
30 barters or supply any approved animal feed
 under the integrated contract farming
 arrangement, and the word “sell” shall be
 construed accordingly;”;

- (5) by the insertion immediately after the definition of the expression “simple feed” of the following new definition:—

5 ““user” means any person who has any animal feed in his possession to be used as a feed for animal or poultry in his custody or for the manufacture of feed;”;

25. (1) In the principal anactment and in any other written law wherever the words “Director of Animal Production and Health” and “Director” occur there shall be substituted the words “Director-General of Animal Production and Health” and “Director-General” respectively.

15 (2) Every reference to the “Director of Animal Production and Health” and “Director” in any notice, notification, contract, communication or other document under this Act shall be read and construed as a reference respectively to the “Director-General of Animal Production and Health” and “Director-General”.

20 26. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

The “Director of Animal Production and Health” and “Director” to be known as the Director-General of Animal Production and Health” and “Director-General”.

Sinhala text to prevail in case of any inconsistency.

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