

LEGAL NOTICE NO. 35 OF 2006

THE ANIMAL DISEASE ACT, 1965
(Act No. 7 of 1965)

ANIMAL DISEASE (PROHIBITION OF USE OF ANABOLIC HORMONES,
THYROSTATIC SUBSTANCES AND GROWTH PROMOTERS)
REGULATIONS, NOTICE, 2006
(Under Section 3)

In exercise of the powers conferred by Section 3 of the Animal Disease Act, 1965 the Minister for Agriculture and Cooperatives makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Animal Disease (Prohibition of use of Anabolic Hormones, Thyrostatic Substances and Growth Promoters) Regulations, 2006 and shall come into force on the date of publication.

Interpretation

2. In these Regulations unless the context otherwise requires:

“*approved laboratory*” means any laboratory authorised by the Director to process samples;

“*authorised substance*” means any substance referred to in regulation 4;

“*anabolic hormones, thyrostatic substances and growth Promoters*” include -

(a) stilbenes, stilbene derivatives, their salts and esters;

Diethystilboestrol;

Dienoestrol;

Hexoestrol;

(b) Thyrostatic substances and their de derivatives;

Thiouracil;

Methylthiouracil;

Propylthiouracil;

Tapazol

(c) Any other substances with oestrogenic or gestagenic action and their derivatives;

Oestradiol - 17B

Testosterone;

Trenbolone;

Methyltestosterone;

Nortestosterone;

Zeranol;

(d) Any anabolic hormonal or thyrostatic substances administered to any stock;

(e) Any other growth promoting substances including Zilpaterol Hydrochloride (Beta Agonist)

"Director" means the Director of Veterinary Services;

"prohibited substance" means an analbolic hormone, throstatic substance or Growth Promoter.

"stock" has the same meaning assigned to it in Section 2 of the Animal Disease Act, 1965;

"Veterinary Surgeon" has the same meaning assigned to it in regulation 1 of the Stock Diseases Regulations, 1933 and the Veterinary Surgeon's Act No. 8/1997.

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Prohibited substances

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3. Except as otherwise provided in regulation 4, no person shall without a permit issued by the Director manufacture, import, store, transport or distribute any prohibited substance for use in any stock or administer such substance to any stock.

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Permitted uses of prohibited substances

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4. (1) Except with the written authorisation of the Director, specifying the purpose and use, no person may acquire and use any prohibited substance in any stock and for any purpose.

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(2) Veterinary Surgeon may, with the written authorisation of the Director acquire and use such substances as oestradiol - 17B, testosterone, progesterone or those derivatives which readily yield the parent compound on hydrolysis after absorption at the site of application for;

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(a) therapeutic treatment only;

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(b) the synchronisation of oestrus;

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(c) the termination of unwanted gestation;

(d) the improvement of fertility and the preparation of donors and recipients for the implantation of embryos.

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(3) Any stock that is subject to treatment in the manner referred to in subregulation (1) shall be identified with such permanent mark as the Director may prescribe.

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(4) When an authorised substance is used for therapeutic treatment it shall be administered only in the form of injection by a Veterinary Surgeon and not in any other form.

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(5) Where a veterinary Surgeon use any authorised substance in the manner referred to in subregulation (1) he shall submit to the Director a report in that respect as well as keep appropriate records in relation to the use of such substance.

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(6) Any stock treated with an authorised substance in the manner referred to in subregulation (1) shall not be slaughtered for human consumption until the specified withdrawal period for the

drug administered to such stock has expired.

(7) No stock treated in the manner referred to in subregulation (1) (a) shall be admitted to an abattoir for slaughter unless it is accompanied by a written authorisation by the Director, stating the details of the therapeutic treatment administered to the stock, and such stock shall not be slaughtered unless they have been tested for residues.

Sampling and testing of stock

5. (1) The Director shall, for the purposes of testing any stock for residues of prohibited or authorised substances, determine the stock and farms to be sampled and the tests to be applied in determining the residues of prohibited or authorised substances.

(2) Samples of stock collected by an officer of the Veterinary Services Department shall be submitted by the Director to an approved laboratory for testing.

Results of tests

6. (1) The results of any test carried out on any samples by an approved laboratory shall be final.

(2) Where a laboratory test confirms the presence in stock of:

(a) a prohibited substance; or

(b) residues exceeding the maximum natural physiological levels for an authorised substance or which shows an unreasonable use of such substance, the laboratory shall notify the Director forthwith of such results.

(3) The owner of farm, the stock of which have been found with prohibited substances or residues referred to in subregulation (2) shall not move or cause to be moved such stock from the farm, unless he is authorised in writing by the Director to do so, and all the stock on the farm shall be identified in such manner as the Director may determine.

(4) All stock on such farm shall be subject to tests and -

(a) any stock found with residues exceeding the maximum natural physiological levels for an authorised substance shall not be slaughtered for human consumption until such time as the director is satisfied that the levels are below the maximum natural physiological limits; or

(b) any stock found with residues of prohibited substances shall be destroyed under the supervision of an officer of the Veterinary Services Department.

(5) The meat of any stock referred to in subregulation (4) (a) shall be tested after they have been slaughtered.

(6) The owner of any stock found with a prohibited substance or residues referred to in subregulation (2) shall be guilty of an offence and liable on conviction to a fine of Six Hundred Emalangenji or to imprisonment of two years or to both.

Offences and penalties

(7) Except as otherwise provided in regulation 6, any person who contravenes any of these Regulations shall be guilty of an offence and liable on conviction to a fine not exceeding Six Hundred

Emalangeni or two years imprisonment or to both.

Revocation of Legal Notice No. 87 of 1990

(8) Legal Notice No. 87 of 1990 is revoked.

C. T. NKWANYANA
ACTING PRINCIPAL SECRETARY
MINISTRY OF AGRICULTURE AND COOPERATIVES

MBABANE
27th January, 2006