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**NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND
CONTROL (NAFDAC)**

**ANIMAL FEED AND PET FOOD REGISTRATION REGULATIONS,
2019**

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ANIMAL FEED AND PET FOOD REGISTRATION REGULATIONS, 2019
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ANIMAL FEED AND PET FOOD REGISTRATION REGULATIONS 2019

[] Commencement

In exercise of the powers conferred on it Sections 5 and 30 of the National Agency for Food and Drugs Administration and Control Act Cap N1 Laws of the Federation of Nigeria (LFN) 2004 and Section 12 of the Food, Drugs and Related Products (Registration, Etc.) Act Cap F33 LFN 2004 and all other powers enabling it in that behalf, the Governing Council of the National Agency for Food and Drug Administration and Control with the approval of the Honorable Minister of Health makes the following Regulations -

1. Scope of application

These Regulations prescribe minimum requirements for importation, exportation, manufacture, advertisement, distribution, sale and use of animal feed and pet food in Nigeria.

2. Prohibition

- (1) Animal Feed or Pet Food shall not be manufactured, imported, exported, advertised, distributed, sold or used unless it has been registered in accordance with the provisions of these Regulations.
- (2) A person to whom a certificate of registration has been issued under these Regulations shall not lend, hire, sell, transfer or otherwise dispose of the certificate of registration to any other person without the approval of the Agency.

3. Exemption

Notwithstanding the provisions of Regulation 2 (1) of this Regulation, the National Agency for Food and Drug Administration and Control (NAFDAC) may grant;

- (a) approval for the purpose of field trial;
- (b) permit for the importation of animal feed or pet food.

4. Application for Registration

- (1) Application for the registration of Animal Feed and Pet Food shall be made by submitting a complete application form, accompanied by relevant documents as the Agency may, from time to time, prescribe and shall;
 - (a) contain the particulars and description of the Animal Feed and Pet Food, in respect of which the application is made;
 - (b) be accompanied by such fee as the Agency may, from time to time, prescribe.
- (2) The particulars and description of animal feed or pet food shall be detailed enough to consist of all administrative and technical information in sufficient details as may be required to allow the Agency make informed decision about the product.

- (3) The Agency, in considering an application-
 - (a) may ask the applicant to supply such other information as it may require to enable it reach a decision on the application;
 - (b) shall satisfy itself that there is need to have the Animal Feed or Pet Food registered in Nigeria.
 - (c) May register the animal feed or pet food in accordance with the provisions of Food, Drug and Related Products (Registration etc.) Act cap F33 LFN 2004.
- (4) The registration of animal feed or pet food under these Regulations shall, unless cancelled earlier, be valid for a period of five years and may be renewed.
- (5) The Agency shall, from time to time, publish the list of registered animal feed or pet food on the Agency's official website, notifying the registration of animal feed and pet food.
- (6) The Agency may refuse or reject an application for registration if:
 - (a) it is found that the method, facilities or controls used in the manufacture, processing, and packaging of the Animal Feed and Pet Food are inadequate to ensure and preserve its identity, strength, quality, and purity consistently.
 - (b) laboratory report for the product is unsatisfactory
 - (c) good manufacturing practice inspection report is unsatisfactory
 - (d) product labeling contravenes the Animal Feed and Pet Food Labeling Regulations 2019.

5. Disclosure of information supplied by applicant

A person shall not disclose any information supplied to the Agency in pursuance of Regulations 3 of these Regulations except;

- (a) with the written consent of the person who supplied the information; or
- (b) in accordance with the directive of the Agency; or
- (c) for the purpose of a proceeding under these Regulations.

6. Post-registration changes

- (1) Except as prescribed in these Regulations, no change shall be carried out to the terms and conditions under which Animal Feed or Pet Food was registered without a prior approval of the Agency.
- (2) Every application for change to an approved product shall be submitted to the Agency describing in detail the changes to be carried out in accordance with the requirements as may be specified by the Agency.
- (3) Depending on the type of change, the Certificate of Registration holder shall apply to the Agency about the change through a variation application along with the payment of the prescribed fee as may be determined by the Agency or by a way of notification.
- (4) Where a change is to be effected, the Certificate of Registration holder shall not distribute the Animal Feed or Pet Food unless:
 - (a) The effect of the change has been duly assessed and duly approved by the Agency
 - (b) The product label has been revised to reflect the change, where applicable.

7. **Changes requiring new application**

For the purpose of these Regulations, the following changes herein listed (or as may be prescribed by the Agency) shall require a new application:

- (a) change in the ingredient(s);
- (b) inclusion of new ingredient/additional ingredient;
- (c) or any other Changes as may be determined by the Agency

8. **Suspension or cancellation of certificate of registration**

- (1) The Agency may suspend or cancel the registration of Animal Feed or Pet Food if;
 - (a) the grounds on which the Animal Feed or Pet Food was registered were later found to be false or incomplete; or the circumstances under which the Animal Feed or Pet Food was registered no longer exist;
 - (b) any of the conditions under which the Animal Feed or Pet Food was registered has been contravened;
 - (c) the standard of quality, safety or efficacy as prescribed in the documentation for registration is not being complied with;
 - (d) the premises in which the Animal Feed or Pet Food or part thereof is manufactured, assembled or stored on behalf of the Certificate of Registration Holder are not in compliance with the requirements of current Good Manufacturing Practice (cGMP), as may be determined by the Agency.
 - (e) the Certificate of Registration Holder has given a notice to the Agency in writing of any intentions to suspend product registration for a period not exceeding the validity of the certificate of registration.
- (2) Where the registration of Animal Feed or Pet Food is suspended or cancelled, the Agency shall order the withdrawal from circulation of that Animal Feed or Pet Food and shall accordingly cause the suspension, cancellation or withdrawal to be published.
- (3) Consequent upon the provisions in Regulations 8 (1) (a), a Certificate of Registration holder may notify the Agency of his intention to resume marketing of a registered product and shall submit relevant document(s) and pay the prescribed renewal fee for product registration where the product registration certificate has expired.

9. **Field trials**

- (1) A person shall not, in the course of his business-
 - (a) import or supply Animal Feed or Pet Food, or
 - (b) procure the importation or supply of Animal Feed or Pet Food or
 - (c) procure the manufacture or assembly of Animal Feed or Pet Food, for the purpose of a field trial, unless he is a holder of an approval for field trial and the trial is to be carried out in accordance with the terms of the approval and the provisions of any Regulation in force.
- (2) Application for a field trial shall be made to the Agency in such form and manner as may be prescribed by the Agency.

10. **Inspection of manufacturing facility**

The Agency shall enter and inspect the facility for the manufacture of animal feed or pet food for the purpose Good Manufacturing Practice (GMP) inspection.

11. **Power to seal**

The Agency shall have power to seal up any premises used or being used in connection with any offence under these Regulations until such time as the regulated product is removed from the premises or such reasonable time as the Minister may determine.

12. **Offences and Penalties**

- (1) Any person who contravenes any of the provisions of these Regulations shall be guilty of an offence and liable on conviction. In case of :
 - (a) an individual, to imprisonment for a term not exceeding one year or to a fine not exceeding N500,000 or to both such imprisonment and fine; and
 - (b) a body corporate, to a fine not exceeding N750, 000.
- (2) Where an offence under these Regulations is committed by a body corporate, firm or other association of individuals every:-
 - (a) director, manager, secretary or other similar officer of the body corporate;
 - (b) partner or officer of the firm;
 - (c) trustee of the body concerned;
 - (d) person concerned in the management of the affairs of the association ;or
 - (e) person who purports to act in a capacity referred to in paragraphs (a) to (d) of this sub-regulation, is severally liable to be proceeded against and punished for that offence in the same manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

13. **Forfeiture after conviction**

- (1) A person convicted of an offence under these Regulations shall forfeit to the Federal Government-
 - (a) any asset or property constituting proceeds derived from or obtained, directly or indirectly, as a result of the offence;
 - (b) any of the person's property or instrumentalities used in any manner to commit or to facilitate the commission of the offence.
- (2) In this regulation, "proceeds" means any property derived or obtained, directly or indirectly, through the commission of the offence.

14. **Interpretation**

In these Regulations, unless the context otherwise requires:

Agency means National Agency for Food and Drug Administration and Control

Additive means any intentionally added substance to feedstuffs, premixes, feed or food, not

normally consumed as feed by itself when in combination with other substances, whether or not it has a direct or indirect nutritional value and is not classified as a medicine or an essential nutrient, which affects the characteristics of feedstuffs, feed, food, animal products, animal production or animal performance and is generally recognized or proven to be safe under the conditions of its intended use;

Animal Feed means any single or multiple materials, whether processed, semi processed or raw, which is intended to feed directly to pet animals.

Feedstuff means a product of vegetable or animal origin, in its natural state, fresh or preserved; a product derived from the industrial processing thereof; and an organic or inorganic substance, whether or not used as a carrier in a mixture. Feedstuff has the same meaning as raw material, feed ingredient or any words of similar connotation;

Manufacture means all operations of purchase of materials and products, production, quality control (QC), release, storage and distribution of pharmaceutical products, and the related controls.

Good Manufacturing Practice (GMP) means that part of quality assurance which ensures that products are consistently produced and controlled to the quality standards appropriate to their intended use and as required by the Certificate of Registration.

Label means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stenciled, marked, embossed or impressed on, or attached to a package or container of animal feed or pet food.

Labelling includes any written, printed or graphic matter that is present on the label, accompanying the animal feed or pet food, or is displayed near the animal feed or pet food, including that for the purpose of promoting its sale or disposal.

Pet animal means an animal kept in home or places outside agricultural setting primarily for a company, entertainment, pleasure, security or as an act of compassion such as cat, dog;

Pet food means any single or multiple materials, whether processed, semi processed or raw, which is intended to feed directly to pet animals.

15. **Citation**

These Regulations may be cited as Animal Feed and Pet Food Registration Regulations, 2019.

MADE at Abuja thisday of2019

Inuwa Abdulkadir Esq

**Chairman Governing Council
National Agency for Food and Drug Administration and Control (NAFDAC)**

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