

THE FOOD SAFETY ACT, 2019

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title and commencement
2. Interpretation

PART II

THE FOOD SAFETY COORDINATING COMMITTEE

3. Establishment of Food Safety Coordinating Committee
4. Functions of Committee
5. Scientific Advisory Sub-Committee
6. Functions of Scientific Advisory Sub-Committee

PART III

REGULATION OF ARTICLES

7. Prohibition sale of poisonous, unfit or adulterated food
8. Prohibition of sale of article not of nature, substance or quality required by purchaser
9. Sale and preparation of food under insanitary conditions
10. Prohibition of deception in labelling packaging and selling of food
11. Labelling, selling or advertising of food contrary to standards for food
12. Rendering food injurious to health
13. Selling food not compliant with food safety requirements
14. Prohibition of sale or advertisement of food as treatment for diseases
15. Prohibition of handling food without certificate of compliance or health inspection report
16. Prohibited sale of devices

17. Sale and preparation of devices under insanitary conditions
18. Prohibition of deception in labelling packaging and selling of device
19. Standards for devices
20. Importation of article
21. Warranty on article
22. Powers of appropriate enforcement authority
23. Orders in respect of certain articles

PART IV

REGULATORY HEALTH REQUIREMENTS

24. Regulatory clearance system
25. Application for health inspection report and certificate of compliance
26. Issuance of health inspection report and certificate of compliance
27. Notification of refusal
28. Conditions of certificate of compliance
29. Prohibition of transfer of certificate of compliance
30. Display of certificate of compliance
31. Report notices
32. Notification of occurrence of hazard
33. Renewal of certificate of compliance
34. Suspension or cancellation of certificate of compliance
35. Power of court to order cancellation of certificate of compliance and disposal of articles
36. Health clearance certificate
37. Regulatory powers of Minister
38. Register of approved health inspection applications, notifications of refusal and certificates of compliance

PART V

THE NATIONAL FOOD LABORATORY

- 39. National Food Laboratory
- 40. Functions of laboratory
- 41. Director and other staff
- 42. Certificate of analysis

PART VI

ENFORCEMENT PROVISIONS

- 43. Powers of authorised officers
- 44. Power to carry out tests and take samples
- 45. Arrest without warrant
- 46. Demanding production of certificate of compliance or health clearance permit
- 47. Search with warrant
- 48. Obstruction of authorised officer
- 49. Food safety monitoring
- 50. Protection order
- 51. Prevention order
- 52. Compliance order
- 53. Cost order
- 54. Orders initiated by public
- 55. Defect in order not bar to compliance
- 56. Investigations by public
- 57. Civil action
- 58. Protection and costs orders
- 59. Seizure of property
- 60. Restoration of property

PART VII

GENERAL PROVISIONS

- 61. Appeals
- 62. General penalty
- 63. Offences by principal officers, body corporate or unincorporate body
- 64. Regulations
- 65. Repeal of Act No. 22 of 1972 and Sections 79 and 83 of Cap. 303
- 66. Savings and transitional provisions

SCHEDULES

GOVERNMENT OF ZAMBIA

ACT

No. 7 of 2019

Date of Assent: 12th August, 2019

An Act to provide for the protection of the public against health hazards and fraud in the manufacture, sale and use of food; provide for a streamlined process for regulatory clearances for regulatory health requirements for food premises; establish the Food Safety Coordinating Committee and provide for its functions and powers; provide for health inspection reports and report notices; establish the National Food Laboratory; repeal the Food and Drugs Act, 1972 and sections 79 and 83 of the Public Health Act, 1930; and provide for matters connected with, or incidental to, the foregoing.

[12th August, 2019

ENACTED by the Parliament of Zambia

Enactment

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the Food Safety Act, 2019, and shall come into operation on the date appointed by the Minister by statutory instrument.

Short title
and
commencement

2. In this Act, unless the context otherwise requires—

Interpretation

“adulteration” means the intentional addition or subtraction of a substance to or from an article that is likely to adversely affect its quality;

“advertisement” includes a representation, by any means, for the purpose of promoting, directly or indirectly, the sale or disposal of any food or device;