THE PROTECTION FROM RADIATION ACT, 1983
(No. 5 of 1983)

REGULATIONS
Under section 40(1)

THE PROTECTION FROM RADIATION (CONTROL OF RADIATION CONTAMINATED FOODSTUFFS) REGULATIONS, 1998

1. These Regulations may be cited as the Protection from Radiation (Control of Radiation Contaminated Foodstuffs) Regulations, 1998 and shall be read as one with the Food (Control of Quality) Regulations, 1982.

2. In these Regulations unless the context requires otherwise—
   “Act” means the Protection from Radiation Act, 1983;
   “Certificate” means a written authorization issued by the Commission after a radioactivity analysis has been conducted on any commodity listed in the First Schedule;
   “Commission” means the National Radiation Commission established by section 5 of the Act;
   “exporter” means any person undertaking a trade or business by which any scheduled commodity is taken out of the country;
   “fee” means the rate designated by the Commission as certificate fee for radioactivity analysis and payable under the provisions of these Regulations or in accordance with the Act;
   “importer” means any person undertaking trade of business by which any scheduled commodity is brought into the country;
   “Minister” means the Minister responsible for matters relating to radiation protection;
   “scheduled commodity” means any foodstuff, agricultural produce or thing specified in the First Schedule.
Protection from Radiation (Control of Radiation Contaminated Foodstuffs)

G.N. No. 63 (contd.)

3. No human or animal foodstuffs or thing listed in the First Schedule shall be imported, cleared through Customs or distributed for home consumption unless an analysis under the Act has been conducted on such foodstuffs and a certificate has been issued certifying that they are free from radioactive contamination or contain levels of such contamination below the levels prescribed in the Second Schedule.

Radioactivity certificate and fees

4.—(1) A radioactivity analysis shall be made and a radioactivity analysis certificate shall be issued in respect of all the commodities specified in the First Schedule and the importer or exporter concerned shall be required to pay such fees as may be determined by the Minister in order to offset the costs of the analysis.

(2) The fees payable under this Regulation are set out in the Third Schedule.

Certificates for foodstuffs donated, etc.

5. All grants, donations or presents of foodstuffs falling under the First Schedule shall be issued with a certificate before they are distributed for consumption and fees shall be levied for the certificate under Regulation 4.

Clearance of scheduled foodstuffs

6. Any person who imports or exports any scheduled commodities shall produce a certificate in respect of every consignment prior to inward or outward clearance through customs as the case may be.

Sampling

7.—(1) All importers and exporters including Government departments and Non-Government Organizations shall make available to the Commission adequate samples of the scheduled commodities they wish to export or import, and no clearance through Customs shall be effected unless and until a certificate has been issued in respect of the commodities.

(2) The sampling of commodities under these Regulations shall made according to procedures and form set out in the Third and Fourth Schedules.

Duty to comply with directions of Commission

8. Every importer and exporter of any scheduled commodity shall comply with such directions as the Commission may give in order to facilitate the issuance of a certificate.

Offences and penalties

9. Any person who contravenes any provision of these Regulations or fails to comply with any direction given by the Commission shall be guilty of an offence and shall on conviction be liable to a fine not exceeding seven thousand shillings or its equivalent in US dollars or to a prison term not exceeding six months or to both such fine and imprisonment.
10. (1) No foodstuffs specified in the First Schedule shall be imported or cleared for home consumption where the radiation levels exceed the limits indicated in the Second Schedule or as revised from time to time.

(2) Any imported foodstuffs or commodities found contaminated in excess of the levels referred to in subregulation (1) shall be refused entry and shall be destroyed or returned to the country of origin at the expense of the importer.

11. The Minister may on the recommendations from the Commission alter the fees to be paid under these Regulations by order published in the Gazette.

FIRST SCHEDULE

Regulation 3

Description of commodity

Milk (all types of milk and milk products).
Meat (all types of meat and meat products).
Fish (all types of fish and marine foods).
Fruits and fruit products.
Vegetables and edible oils.
Wheat and wheat products.
Tea.
Rice.
Mushrooms.
Tobacco.
Animal feeds of all types.
Beans.
Maize and maize products and all types of cereal
Coffee and coffee products.
Fertilizers.
Biscuits, chocolates and sweets.
Barley and barley products.
Infant foods.
Salt and sugar.
Spices.
All types of human foods not listed above.

SECOND SCHEDULE

Regulation 3

Intervention Levels for Control of Foodstuffs
Joint WHO/IAEA Standards

Levels for beta/gamma emitters: Bq/kg or Bg/l levels for actinides are shown in brackets

Joint WHO/IAEA
Foodstuff

<table>
<thead>
<tr>
<th></th>
<th>Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Milk and infant foods</td>
<td>Sr—90 100</td>
</tr>
<tr>
<td>2. All other foods</td>
<td>Sr—90 1000</td>
</tr>
<tr>
<td>Total gamma</td>
<td>1000 (10)</td>
</tr>
</tbody>
</table>


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THIRD SCHEDULE

Regulation 4(3)

FEES

Per consignment of net weight not exceeding 5 tonnes .......... Shs. 100,000/-

Per consignment of net weight exceeding 5 tonnes .......... Shs. 50,000/- plus Shs. 50,000/- for every additional 5 tonne or part thereof

FOURTH SCHEDULE

Regulation 7(2)

RECOMMENDED PROCEDURES FOR SAMPLING AND SAMPLE HANDLING

Sampling is one of the most common sources of analytical error. The results of analysis will be meaningful only if the sub-sample analyzed is representative of the sample submitted for analysis and the sample submitted is representative of the bulk of material sampled.

1. Recommended Procedures for Sampling and Sample Handling:

(a) It is recommended that random sampling should be done on the whole bulk of the (material) consignment intended for export or import, by taking as many sub-samples as possible from various points of the consignment and combine the sub-samples together to make a representative sample of 1—2 kg. for solid/powder samples and/or 1—2 litres for liquid samples.

(b) The quantity of the representative sample shall be based on the net amount of the whole material in the consignment intended for export or import. It is recommended that at least a total of 2 kg of the material has to be sampled from each (500,000 kg) or 1000 packs of the same material in the consignment, and at least 5 tinned, bottled or boxed material has to be sampled from each 100 (packages) packs of the same material in the consignment.

(c) Sample collection equipment, containers and sample preparation areas must be kept clear to avoid contamination.

(d) Disposable containers should be used whenever possible (plastic bags, aluminium foils, etc.) are recommended for collection of samples.

(e) In order to avoid cross contamination of samples, it is important that all samples collected for radioactivity analysis be packed into tight containers such as polyethylene bags or plastic/grass containers with screw caps. It is further recommended that liquid samples should be packed separately and if possible overpacks may be used.

(f) Collected (representative) samples must be submitted to the NRC laboratory at least 2—3 days after the end of a sampling process.

(g) When samples are taken, a label should be prepared and attached to the sample container. The label should contain the information: Sample description, Sample location (where it was sampled), Time and date where the sample was taken amount of sample (in kg or litres) fresh weight, Name of the person who took the sample, as shown in First Schedule.

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(h) For each sample taken, packed and prepared for delivery to NRC for radioactivity analysis, the form Fifth schedule part B should be filed with particulars of the consignment, signed and submitted with the respective sample.

2. Recommendations for Storage of Sample(s):

Samples must be handled in a manner which prevents or minimizes changes. This is essential particularly if many types of food involved are perishables.

(a) After collection the samples must be properly stored to avoid degradation, spoiling or other decomposition and to avoid contamination.

(b) Short periods of storage before analysis may require refrigeration, freezing or addition of a preservative. Fresh milk is usually stored in a refrigerator. A preservative such as formalin or sodium azide (3—5 ml of 5% solution per litre) can be added to prevent souring if longer periods of storage is anticipated.

(c) Sample containers must be suitable for storage without deration especially when acids are added to liquid samples. Absorption of most radionuclides from solutions is less in polyethylene than on glass.

FIFTH SCHEDULE

Regulation 7(2)

SAMPLE RECORD FORM

(A) Sample record/sample label data:
1. Sample identity/mark.
2. Sample description.
3. Sample location (where it was samples)
4. Amount of sample (in kg or litres) fresh weight.
5. Time and date when the sample was taken.
6. Name of person who took the sample.

(B) Particulars of Consignment as Declared by Exporter/Importer:
   (i) Description of Goods/Articles: ...........................................................
   (ii) Quantity: ..................................................................................
   (iii) Consignment No. or Shipping Mark: ...................................................
   (iv) Exporter/Shipper: ..............................................................
   (v) Consignee: ..............................................................................
   (vi) Shipping Vessel: ............................................................
   (vii) Point of Exit/Entry: ..........................................................
   (viii) Destination: .........................................................................

Comments:

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..............................................................................................................

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Sales Tax (Remission) (Matsushita Electric Company (East Africa) Ltd.)

G.N. No. 63 (contd.)

Declaration:

I declare that the representative samples to the particulars above has been taken by me in accordance with the procedures in the fourth Schedule and to the best of my knowledge is a true representative sample of the consignment above.

Name and Signature: ........................................... Date:................................................

Dar es Salaam, 7th February, 1998

JACKSON MAKWETA, Minister of Science, Technology and High Education

GOVERNMENT NOTICE No. 64 published on 20/2/98

THE SALES TAX ACT, 1976
(No. 13 of 1976)

ORDER

Made under section 28(1)

THE SALES TAX (REMISSION) (MATSUSHITA ELECTRIC COMPANY (EAST AFRICA) LIMITED) ORDER, 1998

1. This Order may be cited as the Sales Tax (Remission) (Matsushita Electric Company (East Africa) Limited) Order, 1998 and shall be deemed to have come into operation on the twenty ninth day of December, 1997.

2. With effect from the effective date the whole of the sales tax payable on the raw materials including packing material required for the manufacture of the dry cell batteries imported or purchased prior to clearance through customs by or behalf of Matsushita Electric Company (East Africa) Limited is hereby remitted.

3. This Order shall expire on the thirty first of December, 1998.

Dar es Salaam, 19 February, 1998

DANIEL A. N. YONA, Minister for Finance

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