

**PEST CONTROL OF PRODUCE (SPECIAL POWERS)
DECREE 1968**



Decree No. 30

[29th May 1968]

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) Any person specially authorised by the Federal Commissioner for Trade (in this Decree hereafter referred to as “the Commissioner”) as a pest control inspector of produce may, in the performance of his duties at all reasonable times on production of his authority, enter buildings of any description and vehicles within a port area, or board while it is in port or within port approaches, any ship for the purpose of inspecting the condition of the holds thereof or the produce stored therein.

(2) The power of entry conferred by subsection (1) above shall include the power to fumigate for the purpose of eradicating or controlling pest infestation of produce ; and in the exercise of his powers, an inspector may condemn produce if he is of opinion that no other means of control are suitable to the case, and thereafter the provisions of section 9 of the Produce (Enforcement of Export Standards) Act 1959 (which relates to export of damaged produce) shall have effect in proper case, or if the Commissioner thinks fit a destruction certificate may be issued.

2. It shall be an offence against this Decree for any person—

(a) who fails to comply with any requirement of an inspector in the lawful exercise of his authority, or

(b) who interferes with or otherwise hinders an inspector in the execution of his duty ;

and in respect of any such offence it shall, in the case of a first offence, be punishable by a fine of not less than £100 or more than £500 or by imprisonment for a term not less than 12 months, and in respect of any subsequent conviction by imprisonment without the option of a fine for a term of not less than 2 years or more than 5 years ; and where the offence is a continuing one by a penalty of £10 for every day during which the offence continues.

3.—(1) The Commissioner may, after consultation with the Produce Inspection Board if he thinks it necessary, make regulations generally for the purposes of this Decree, and by the same or any other regulations may prescribe fees for inspection of produce under this Decree.

(2) The Commissioner may by order published in the Federal Gazette declare “port areas” for the purposes of produce inspection under this Decree.

Commence-
ment.

Special
powers of
pest control
inspectors of
produce.

1959
No. 21.

Offences.

Regulations,
etc.

Citation,
application
and interpretation.

1959
No. 21.

4.—(1) This Decree may be cited as the Pest Control of Produce (Special Powers) Decree 1968.

(2) Powers under this Decree shall be exercisable in addition to the powers conferred by the Produce (Enforcement of Export Standards) Act 1959 so however that any provisions of the Act aforesaid inconsistent with the corresponding provisions of this Decree shall be read subject to this Decree.

(3) This Decree shall apply to all ports in Nigeria and, in respect of territorial waters, to port approaches.

(4) In this Decree,—

“port” means any port of shipment for produce in Nigeria and includes any international airport and port area shall likewise include any such airport ;

“produce” has the meaning assigned by section 3 of the Produce (Enforcement of Export Standards) Act 1959 whether intended for export from or import into Nigeria.

MADE at Lagos this 29th day of May 1968.

MAJOR-GENERAL Y. GOWON,
*Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria*