

Serial Number **38/1936.**

**THE DAIRY-PRODUCE GENERAL REGULATIONS, 1933,
AMENDMENT NO. 4.**

Enacting authority : His Excellency the Governor-General in Council.
Act pursuant to which the regulations were made : The Dairy
Industry Act, 1908.

Date on which the regulations were made : 30th day of September, 1936.
Date of notification in *Gazette* : 1st day of October, 1936.

REGULATIONS.

1. (1) These regulations may be cited as the Dairy-produce General Regulations, 1933, Amendment No. 4.

(2) These regulations shall be read together with and be deemed to form part of the Dairy-produce General Regulations, 1933* (hereinafter referred to as "the principal regulations"), as amended by the Dairy-produce General Regulations, 1933, Amendment No. 1, the Dairy-produce General Regulations, 1933, Amendment No. 2, and the Dairy-produce General Regulations, 1933, Amendment No. 3 (hereinafter respectively referred to as "Amendment No. 1," "Amendment No. 2," and "Amendment No. 3").

(3) These regulations shall come into force on the day following notification in the *Gazette* of the making hereof.

2. Clause 13 of the principal regulations is revoked.

3. Clause 14 of the principal regulations is amended by revoking, following the words "the certificate of registration," the words "and license."

4. Clause 15 of the principal regulations (as amended by clause 4 of Amendment No. 3) is further amended by revoking paragraph (b) of subclause (1) thereof, and substituting the following paragraph :—

"(b) No internal combustion engine, no steam-engine, and no water-heater the heating medium of which is oil or other combustible fuel shall be in the same room as the releaser or cream separator."

5. Clause 19 of the principal regulations is amended by adding thereto the following additional subclause :—

"(6) No occupier of a supplying dairy and no owner or manager of a manufacturing dairy shall fit or use or cause to be fitted or used in any pipe or on any part of a milking-machine through which milk or

* Principal regulations : *Gazette*, 18th May, 1933, Vol. II, page 1341.

Amendment No. 1 : *Gazette*, 27th July, 1933, Vol. II, page 1941.

Amendment No. 2 : *Gazette*, 22nd February, 1934, Vol. I, page 430.

Amendment No. 3 : *Gazette*, 12th September, 1935, Vol. III, page 2573.

cream is conveyed any tap or other similar fitting unless such tap or other similar fitting is smoothly finished and free from shoulders and crevices and is properly coated with tin or other approved covering on all parts with which the milk or cream comes into contact when such tap or fitting is open.”

6. Clause 31 of the principal regulations is amended by inserting, following the words “ at a rate of,” the words “ at least.”

7. Clause 35 of the principal regulations (as revoked and replaced by clause 5 of Amendment No. 1 and revoked and replaced by clause 8 of Amendment No. 3) is revoked, and the following clause substituted :—

“ 35. As soon as practicable after the arrival at any manufacturing dairy registered as a cheese-factory, creamery, or skimming-station of any milk supplied thereto, and in any case on the same day on which it was received, the owner of such manufacturing dairy shall, subject to the provisions of clause 56 hereof, grade such milk or cause it to be graded in accordance with the provisions of these regulations.”

8. Clause 48 of the principal regulations (as amended by clause 7 of Amendment No. 1 and by clause 9 of Amendment No. 3) is further amended by revoking the words inserted by clause 7 of Amendment No. 1.

9. Clause 48A of the principal regulations (as inserted by clause 10 of Amendment No. 3) is revoked, and the following clause substituted :—

“ 48A. (1) The owner of every manufacturing dairy registered as a cheese-factory, creamery, or skimming-station shall, with respect to all milk received from each supplier, indicate or cause to be indicated on the sheet or docket on which the weight of milk received from each supplier is recorded the grade assigned to such milk in accordance with these regulations.

“ (2) The respective grades of Finest and Second Grade shall be indicated either by the letter ‘ X ’ and the letter ‘ S ’ respectively written or stamped on the sheet or docket opposite the entry thereon of the weight of milk received from each supplier or by the provision on such sheet or docket of separate columns bearing respectively the words ‘ Finest,’ ‘ First Grade,’ and ‘ Second Grade.’ ”

10. Clause 51 of the principal regulations is revoked, and the following clause substituted :—

“ 51. (1) Payment to each supplier in respect of all graded milk supplied to and accepted by the owner of any cheese-factory shall be so made that—

“ (a) Where payment is made on any other basis than that referred to in paragraph (b) of this subclause the rate shall be at least $\frac{1}{2}$ d. per pound of butterfat less for milk graded as second grade than for milk graded as first grade ; or

“ (b) In any case where payment is made on the calculated quantity of cheese produced determined by reference to the percentage of butterfat and casein contained in the milk the rate shall be at least 0.2 pence per pound of calculated cheese less for milk graded as second grade than for milk graded as first grade.

“(2) Nothing in this clause shall be deemed to restrict the owner of any cheese-factory from making, if he thinks fit, a higher payment for milk graded as finest than for milk graded as first grade.”

11. Clause 52A of the principal regulations (as inserted by clause 9 of Amendment No. 1 and replaced by clause 11 of Amendment No. 3) is revoked.

12. Clause 58A of the principal regulations (as inserted by clause 14 of Amendment No. 3) is amended by inserting, following the words “the curing room” in subclause (2) thereof, the words “the manufacturing room.”

13. Clause 58B of the principal regulations (as inserted by clause 14 of Amendment No. 3) is amended by inserting, following the words “to be so treated,” the words “the rinds of which are badly cracked or.”

14. The principal regulations are amended by inserting next after clause 66 thereof the following additional clause :—

“MANUFACTURE OF DAIRY-PRODUCE.

“66A. (1) No person, being the owner or manager of any registered manufacturing dairy, shall—

“(a) Install in his dairy any appliance intended for use in the manufacture of dairy-produce unless such appliance is installed in compliance with these regulations ; or

“(b) Use any appliance for any purpose in relation to the manufacture of dairy-produce unless such appliance complies with these regulations.

“(2) Every appliance which is installed in any manufacturing dairy shall, subject to the next succeeding subclause hereof, be installed in the position in the dairy where it can be most economically and efficiently used for the purpose for which it is required in the manufacture of dairy-produce.

“(3) No appliance shall be installed in any manufacturing dairy in any position which, regard being had to the nature of the appliance, is, in the opinion of the Director, likely to contaminate any dairy-produce for the time being deposited in such dairy or which in any other respect is in the opinion of the Director unsatisfactory.

“(4) No glass thermometer shall be used in any manufacturing dairy unless such thermometer is enclosed in an approved metal or other protector so constructed that the portion of the protector enclosing the bulb in which the mercury or other chemical is contained is perforated or slotted to provide free contact of the bulb of the thermometer when any liquid in which it is for the time being used :

“Provided that any thermometer which is provided with a metal container for holding the mercury or other chemical shall be deemed to comply with the requirements of this subclause.”

15. Clause 77 of the principal regulations (as amended by clause 20 of Amendment No. 3) is further amended by revoking the last sentence of paragraph (f) thereof, and substituting the following :—

“For each of the three wire bindings there shall be not less than five staples which shall be astride the wire on each side, top, and bottom of the box. The end staples shall be not more than $1\frac{3}{4}$ in. from the corner to which they are adjacent and the other staples shall be evenly spaced throughout the wiring on the box.”

16. Clause 79 of the principal regulations is revoked, and the following clause substituted :—

“ 79. (1) No person, whether as principal or agent, shall export beyond New Zealand or pack for export beyond New Zealand any butter unless it is wrapped with wrapping-paper in accordance with these regulations.

“ (2) All butter for export shall be wrapped with—

“ (a) Two thicknesses of vegetable parchment paper of the best quality, free from loading with glucose or other soluble matter, and weighing not less than twenty-eight pounds per ream ; or

“ (b) Two thicknesses of vegetable parchment paper of the quality prescribed in paragraph (a) hereof but weighing not less than seventeen pounds per ream and having between the two sheets of such paper aluminium or other approved foil of not less than 0·009 inch gauge, the paper and foil to be closely bonded together with a suitable wax adhesive.

“ (3) Notwithstanding anything in subclause (1) of this clause, it shall be lawful for any person with the prior written consent of the Minister and subject to such conditions as may be prescribed in such consent to pack butter for export and export butter beyond New Zealand which has been wrapped with any wrapping-paper or other material other than the kind and quality of wrapping-paper prescribed in these regulations.”

17. Clause 107A of the principal regulations (as inserted by clause 11 of Amendment No. 1 and replaced by clause 27 of Amendment No. 3) is amended by inserting, following the words “ shows any mould growth,” the words “ or cracks.”

18. Clause 118 of the principal regulations is revoked, and the following clause substituted :—

“ 118. (1) As soon as practicable after the testing is completed the tester shall make with ink or indelible pencil an accurate record showing the name or number of each supplier whose milk or cream was tested and opposite thereto the percentage by weight of butterfat as ascertained by testing the sample pursuant to clause 124 hereof. He shall also date and sign the record and file it at the manufacturing dairy or at the owner's office.

“ (2) In recording the percentage by weight of butterfat contained in any sample the percentage of butterfat recorded against the name of each supplier shall be recorded at the actual reading from the Babcock or Gerber test bottle or, in the case of cream, at the nearest 1 per centum and, in the case of milk, at the nearest 0·1 per centum to the actual reading :

“ Provided that where in the case of cream the percentage of butterfat as read from the test bottle is an exact half of 1 per centum, or in the case of milk an exact half of 0·1 per centum, the nearest 1 per centum or nearest 0·1 per centum to the actual reading, as the case may be, shall be deemed to be the next 1 per centum or 0·1 per centum respectively below the actual reading.

“ (3) The owner shall retain all such records for at least eighteen months after the close of the financial year of the manufacturing dairy and shall keep them open for examination at reasonable hours

by any Inspector and so far only as they relate to milk or cream sold by any supplier shall so keep them open for examination by that supplier."

19. Clause 127 of the principal regulations is revoked, and the following clause substituted :—

" 127. (1) The owner shall at or prior to the time of each payment or account rendered in respect of milk or cream to any of his suppliers furnish such supplier with a statement of the weight and test of his milk or cream and the number of pounds of butterfat computed therefrom for each part-monthly testing period covered by the payment or account ; or when payment is based on the weight and test of each can or single delivery with a detailed statement of the weights, tests, and pounds of butterfat of the several lots being paid or accounted for.

" (2) For the purposes of this clause the number of pounds of butterfat to be furnished to each supplier in any such statement in respect of each can or single delivery or each part-monthly testing period shall be computed to at least one decimal place or to the quarter of a pound nearest to the weight of the butterfat as so computed, and the total pounds of butterfat to be paid or accounted for in any month shall be the aggregate number of the pounds of butterfat recorded in such statement computed as aforesaid."

20. Clause 128 of the principal regulations is revoked, and the following clause substituted :—

" 128. (1) Every owner of a cheese-factory or creamery shall, within twenty-one days after the close of each month in which he has manufactured any butter and/or cheese, forward to the Director or to the officer of the Department of Agriculture appointed by the Director in that behalf a return signed and dated by him and showing in respect of each creamery and/or cheese-factory owned by him—

- (i) The total number of the pounds of butterfat credited to suppliers of milk and/or cream during the immediately preceding month and subsequently manufactured into creamery butter :
- (ii) The percentage which the total number of the pounds of butterfat credited to suppliers of milk during that month and subsequently manufactured into creamery butter bears to the total number of the pounds of butterfat credited to all suppliers during that month and subsequently manufactured into creamery butter :
- (iii) The total number of the pounds of butterfat contained in milk or cream, other than whey cream, credited to suppliers during that month and subsequently sold :
- (iv) The total number of the pounds of milk credited to suppliers during that month and subsequently manufactured into cheese :
- (v) The total number of the pounds of butterfat credited to suppliers during that month and subsequently manufactured into cheese :
- (vi) The total number of the pounds of creamery butter and/or cheese manufactured from milk and/or cream credited to suppliers during that month :

- (vii) The yield in pounds of creamery butter and/or cheese manufactured from each pound of butterfat credited to suppliers during that month :
- (viii) The percentage which the number of the pounds of butterfat recovered in whey cream separated from the whey derived from milk credited to suppliers during that month bears to the total number of the pounds of butterfat credited to all suppliers during that month for the manufacture of cheese.

“(2) For the purposes of subclause (1) hereof the weight of cheese shall be—

“(a) The packed weight as furnished to the Grader pursuant to clause 88 hereof ; or

“(b) The average weight of each cheese of the same class as shown by the Grader’s weights for the previous consignment multiplied by the total number of cheeses manufactured and in either case plus the weight of any cheese of the same or of a different class which has been manufactured during the month to which the return relates and sold or held in stock.

“(3) For the purposes of subclause (1) hereof milk, cream, and butterfat shall be deemed to be credited to a supplier on the day on which such milk or cream or the milk or cream producing such butterfat was received from the supplier.”

21. The Schedule to the principal regulations is amended by deleting the forms numbered 3 and 4 thereof.

Issued under the authority of the Regulations Act, 1936.
These regulations are administered by the Agriculture Department.

(Ag. No. 3426.)