

1956/182



**THE DAIRY PRODUCE REGULATIONS 1938,  
AMENDMENT NO. 12**

C. W. M. NORRIE, Governor-General

**ORDER IN COUNCIL**

At the Government Buildings at Wellington this 29th day of October 1956

**Present:**

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Dairy Industry Act 1952, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

**REGULATIONS**

1. (1) These regulations may be cited as the Dairy Produce Regulations 1938, Amendment No. 12, and shall be read together with and deemed part of the Dairy Produce Regulations 1938\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of January 1957.

2. Regulation 3 of the principal regulations is hereby amended as follows:

(a) By revoking subclause (2), and substituting the following subclauses:

“(2) In every supplying dairy, other than a supplying dairy of the type known as the external race type, all the walls surrounding the milking shed, other than a raised milk stand, shall be made of concrete or other approved material to a height of not less than 4 ft. from the floor of the milking shed.

\*S.R. 1938/91

Reprinted with Amendments No. 1 to 8: S.R. 1954/33

Amendment No. 9: S.R. 1954/72

Amendment No. 10: S.R. 1954/121

Amendment No. 11: S.R. 1955/195

“(2A) The interior surface of all walls made of concrete or other approved material in every supplying dairy and all other work made of concrete or other approved material in the milking shed, separator room, or milk collecting room (including any portion of the top surface of any such wall which is exposed) shall be finished to a smooth plane surface with a steel tool.

“(2B) The interior, dummies, partitions, walls, and roof of the milking shed of every supplying dairy shall be constructed of material with a smooth surface or shall be painted to the satisfaction of an Inspector. If any such dummies or partitions are constructed of timber, the timber shall be dressed.”:

- (b) By omitting from subclause (5) the words “All separation of cream from milk”, and substituting the words “The handling and storage of milk and the separation of cream from milk”:
- (c) By inserting, after subclause (5), the following subclauses:

“(5A) The interior of the releaser room or milk storage room of every supplying dairy shall be lined or finished so as to provide a smooth surface impervious to water and shall at all times be kept clean.

“(5B) The ceiling or roof interior of the releaser room or milk storage room of every supplying dairy shall be constructed of material with a smooth surface so as to be dust proof.

“(5c) All openings for ventilation or other purposes in the releaser room or milk storage room of every supplying dairy shall be adequately protected, so far as is practicable, against the entry of flies.

“(5D) The surroundings of every supplying dairy shall be kept in a sanitary condition and the traffic of stock shall be controlled so as to prevent contamination from dust or mud.

“(5E) The holding yard of every supplying dairy shall not extend around or in front of the releaser room or milk storage room.”

3. Regulation 4 of the principal regulations is hereby amended as follows:

- (a) By omitting from the proviso to subclause (1) the words “vacuum tank or”.
- (b) By inserting, after subclause (2), the following subclause:
 

“(2A) No bail releaser shall be used in any bail of the milking shed of any supplying dairy unless the milking machine is fitted so as to operate with an alternative releaser in a separate room.”
- (c) By revoking subclause (5), and substituting the following subclause:

“(5) On every milking machine other than a one-cow machine, a self-draining vacuum tank shall be fitted to provide for convenient flushing of the milk and air sections. Every vacuum tank shall be fitted as closely as possible to the vacuum pump at a convenient height from the floor of the milking shed and

every pipe and pump connection shall be fitted to the body of the tank. The self-draining device shall be a hinged flap at the base of the sloping bottom of the vacuum tank."

(d) By omitting from subclause (6) the words "as straight as possible, and, if it is reasonably practicable, shall be independent of each other", and substituting the words "as short as possible."

(e) By revoking subclause (8), and substituting the following subclause:

"(8) The following provisions shall apply with respect to milk pipes of milking machines used in supplying dairies:

"(a) The milk pipe of every milking machine used in the supplying dairy shall be in lengths as provided by the fitting of a union to each bail not exceeding 8 ft. of the milking shed and shall be supported by a suitable bracket on each length:

"(b) The unions used to connect the lengths of milk pipe shall be of an approved type and the ends of each section of pipe shall be carefully butted:

"(c) No rubber sleeve shall be used to connect sections of milk pipe on any milking machine with the exception of the connection between the milk pipe and the releaser:

"(d) No metal sleeve and rubber ring combination shall be used to connect lengths of milk pipe:

"(e) The milk pipe of every milking machine shall be comprised of straight lengths of piping."

(f) By revoking subclause (10).

(g) By revoking subclause (12), as from the 1st day of June 1957, and substituting the following subclause:

"(12) An electric water heater shall not be deemed to be a suitable plant for the purposes of subclause (11) of this regulation unless it complies with the following requirements:

"(a) It is of an approved type and has a thermostat fitted which is so adjusted that the supply of electricity is cut off at a temperature of not less than 206 degrees Fahrenheit and not more than 212 degrees Fahrenheit and is renewed at a temperature of not less than 196 degrees Fahrenheit:

"(b) In the case of a supplying dairy from which no dairy produce, except cream, is at any time supplied to any manufacturing dairy, and where the capacity of the milking machinery installed does not exceed that set out in the first column of Table A set out herein, the water heater shall be of a capacity sufficient to provide at each milking not less than the quantity of hot water set out in the second column of the said table, and the element shall be of a rating not less than the appropriate rating set out in the third column of the said table.

"TABLE A

Plant	Amount of Hot Water Required (196° to 206°F)	Minimum Rating of Heating Element
Single Unit Machines—	Gallons	Watts
2 sets of cups .. .. .	18	900
3 sets of cups .. .. .		
4 sets of cups .. .. .		
5 sets of cups .. .. .	25	1,200
6 sets of cups .. .. .		
7 sets of cups .. .. .		
8 sets of cups .. .. .	33	1,500
Double Unit Machines—		
2 (4 sets of cups) .. .. .	18	900
3 (6 sets of cups) .. .. .	25	1,200
4 (8 sets of cups) .. .. .		
5 (10 sets of cups) .. .. .		
6 (12 sets of cups) .. .. .	33	1,500

"(c) In the case of a supplying dairy from which milk is at any time supplied to any manufacturing dairy and where the capacity of the milking machinery installed does not exceed that set out in the first column of Table B set out herein, the water heater shall be of a capacity sufficient to provide at each milking not less than the quantity of hot water set out in the second column of the said table, and the element shall be of a rating not less than the appropriate rating set out in the third column of the said table.

"TABLE B

Plant	Amount of Hot Water Required (196° to 206°F)	Minimum Rating of Heating Element
Single Unit Machines—	Gallons	Watts
2 sets of cups .. .. .	25	1,200
3 sets of cups .. .. .		
4 sets of cups .. .. .		
5 sets of cups .. .. .	33	1,500
6 sets of cups .. .. .		
7 sets of cups .. .. .		
8 sets of cups .. .. .	40	2,000
Double Unit Machines—		
2 (4 sets of cups) .. .. .	25	1,200
3 (6 sets of cups) .. .. .	33	1,500
4 (8 sets of cups) .. .. .	40	2,000
5 (10 sets of cups) .. .. .		
6 (12 sets of cups) .. .. .		
	45	2,250

“(d) In any case where the capacity of the milking machinery installed in any supplying dairy is of a capacity other than that set out in Table A of paragraph (b) of this subclause, the capacity of the water heater and the rating of the heating element shall be of such capacity and rating respectively as is approved:

“(e) No dairy water heater shall be connected direct to a water supply unless it is of an approved type.”

(h) By inserting, after subclause (12) (as substituted by paragraph (g) of this regulation), the following subclause:

“(12A) No person shall install or reinstall a used electric water heater in any way without a prior permit in writing from the Director. No permit under this subclause shall be given after the 31st day of July 1959 unless the water heater is of an approved type.”

(i) By omitting from subclause (14) the word “tinned”.

(j) By omitting from subclause (16) and subclause (17) the words “vacuum pump” wherever they occur.

(k) By inserting, after subclause (18) (as substituted by regulation 4 of the Dairy Produce Regulations 1938, Amendment No. 2), the following subclause:

“(18A) Every milking machine and milk pumping equipment shall include fittings and be erected in a manner which will enable them to be dismantled and assembled in a manner convenient for inspection and cleaning.”

(l) By inserting, after subclause (23), the following subclause:

“(23A) All milk tubing rubberware shall comply with the standard specifications No. 519.”

4. (1) Notwithstanding the provisions of subclause (12) of regulation 4 of the principal regulations (as substituted by regulation 3 (g) of these regulations) the said subclause (12) shall not apply to any electric water heater which, on the commencement of this regulation, is installed in any supplying dairy unless the electric water heater is, in the opinion of an inspector, inadequate for the purpose for which it was installed.

(2) Subclause (13) of regulation 4 of the principal regulations is hereby revoked.

(3) This regulation shall come into force on the 1st day of June 1957.

5. Regulation 5 of the principal regulations is hereby amended as follows:

(a) By inserting, after the words “used in milking or” in subclause (1) (as inserted by regulation 5 of the Dairy Produce Regulations 1938, Amendment No. 1), the words “or in connection with any operation associated with milking or”.

(b) By revoking subclause (2), and substituting the following subclause:

“(2) Every person, being the occupier of a supplying dairy, shall ensure that all cans used for the conveyance of milk or cream to any manufacturing dairy are properly clean immediately before being used for that purpose.”

6. Regulation 10 of the principal regulations is hereby amended as follows:

- (a) By inserting in subclause (3), after the words "through which milk or cream is conveyed", the words "or separators or milk vats."
- (b) By inserting in subclause (6), after the words "All cream", the words "or milk."
- (c) By inserting, after subclause (6), the following subclause:  
    "(6A) Every conveyance used in or about any supplying dairy for the conveyance of milk or cream shall at all times be maintained in a thoroughly clean and sanitary condition and no such conveyance shall be used to carry dairy produce together with any other substance likely to contaminate dairy produce."

7. The principal regulations are hereby amended by inserting, after regulation 10, the following regulation:

**"REGULATION 10A—APPROVAL OF CONTAINERS FOR BUTTER SOLD IN  
NEW ZEALAND**

"No person licensed under the Butter and Cheese Marketing Regulations 1948\* as a distributor of butter by wholesale shall deliver any butter unless the container in which the butter is packed has been approved in that behalf by the Director of the Dairy Division of the Department of Agriculture.

"(2) Any approval under this section may be general in its application and may relate to any type or class of container so long as the container conforms with specifications and conditions specified in the approval."

8. Regulation 21 of the principal regulations is hereby amended by revoking subclause (5), and substituting the following subclauses:

"(5) Any water used in a creamery which comes into contact with any cream or any butter or any part of the butter making equipment shall be regularly treated with approved chemicals and filtered so as to ensure its purity, suitability, and freedom from harmful bacteria. Sufficient quantities of the required chemicals shall be automatically added by suitable mechanical dosing equipment which shall be maintained in good working order.

"(5A) All tanks in which water is stored at any manufacturing dairy shall be maintained in a clean condition and kept free of sediment, rust, or other harmful material, and shall be protected at all times with a suitable cover to prevent contamination by rodents, birds, filth, or other foreign matter."

T. J. SHERRARD,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations make miscellaneous amendments to the Dairy Produce Regulations 1938. Their main purpose is to amend the requirements of the principal regulations relating to milking sheds and equipment so as to provide additional safeguards to health. They also amend the previous specifications relating to water heaters and require water used in a creamery and which comes into contact with cream or butter or butter making equipment to be treated and filtered to ensure its purity and freedom from harmful bacteria.

The regulations also prohibit the delivery of butter in New Zealand by licensed wholesale distributors unless the containers in which the butter is packed have been approved by the Director of the Dairy Division, Agriculture Department.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 November 1956.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 6187.)