

Serial Number 1952/74



THE FOOD HYGIENE REGULATIONS 1952

FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington, this 23rd day of
April 1952

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Health Act 1920 and the Food and Drugs Act 1947 His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

PART I—PRELIMINARY

1. (1) These regulations may be cited as the Food Hygiene Regulations 1952.

(2) These regulations shall come into force on the 1st day of August 1952.

2. These regulations are divided into Parts as follows:—

Part I—Preliminary. (Regulations 1 to 8.)

Part II—Registration of Food Premises. (Regulations 9 to 18.)

Part III—Places for the Manufacture, Preparation, Packing, and Sale of Food. (Regulations 19 to 23.)

Part IV—Conduct of Food Premises. (Regulations 24 to 31.)

Part V—Bakehouses and Cake Kitchens. (Regulations 32 to 37.)

Part VI—Preparation and Sale of Meat. (Regulations 38 to 45.)

Part VII—Delicatessens. (Regulations 46 and 47.)

Part VIII—Milk Stores and Raw Milk Bottling Plants. (Regulations 48 to 58.)

Part IX—Manufacture and Sale of Ice Creams and Milk Ices. (Regulations 59 and 60.)

Part X—Storage, Packing, and Pulping of Eggs and the Drying of Egg Pulp. (Regulations 61 to 64.)

Part XI—Places for the Manufacture of Syrups, Aerated Waters, and Beverages. (Regulations 65 to 67.)

Part XII—Appeals. (Regulation 68.)

Schedule—Regulations and Notices Revoked.

3. (1) The regulations and notices specified in the Schedule hereto are hereby revoked.

(2) All offices, appointments, orders, certificates, notices, requisitions, records, instruments, and generally all acts of authority and all other documents, matters, acts, and things, and all periods of time, that originated or had effect under any of the regulations or notices hereby revoked and are subsisting or in force on the commencement of these regulations shall enure for the purposes of these regulations as fully and effectually as if they had originated under the corresponding provisions of these regulations, and accordingly shall, where necessary, be deemed to have so originated.

(3) All matters and proceedings commenced under the regulations and notices hereby revoked and pending or in progress on the commencement of these regulations may be continued, completed, and enforced under these regulations.

Interpretation

4. In these regulations, unless the context otherwise requires,—

“Appliance” includes the whole or any part of any utensil, machinery, instrument, apparatus, or article used or intended for use in or for the making, keeping, preparing, or supplying of any food :

“Approved” means approved by the Medical Officer of Health or an Inspector, or, in relation to any matter relating to any premises required by these regulations to be registered by the local authority, approved by any officer appointed by the local authority to examine and approve works :

“Delicatessen” means any place or building where prepared foods such as cooked meat, cooked pastry containing meat, pasties, savouries, and similar foods are prepared or sold :

“Food” includes every article which is used for food or drink by man, or which enters into or is used in the composition or preparation of any such article, and also includes flavouring matters and condiments :

“Infectious disease” means an infectious disease within the meaning of the Health Act 1920 ; and includes any other disease that is infectious :

Expressions defined in the Health Act 1920 or the Food and Drugs Act 1947 have the same meaning as in those Acts.

5. For the purposes of these regulations, food shall be deemed to be for sale which, having been ordered, purchased, or sold, is held for delivery to the purchaser or is in process of delivery to the purchaser by the vendor or any employee or agent of the vendor.

Use of Premises for Manufacture or Packing of Food

6. (1) After the expiration of twelve months from the coming into force of these regulations, no person shall use any premises for the manufacture, preparation, or packing of any article of food for sale unless—

- (a) The premises are registered by the local authority under the provisions of these regulations ; or
- (b) In the case of premises not required by these regulations to be registered by the local authority, the use of the premises for that purpose is approved in writing by a Medical Officer of Health :

Provided that this regulation shall not apply to any premises for the time being registered, in respect of such manufacture, preparation, or packing as aforesaid, under any other enactment.

(2) On the first occasion on which a local authority issues a certificate of registration in respect of any particular premises under the provisions of these regulations, the local authority shall supply a copy of these regulations to the person to whom the certificate is issued.

(3) For the purposes of this regulation the term "packing" does not include the wrapping in paper of simple or uncompounded foods that are weighed, counted, or measured in the presence of the purchaser, or the packing on retail premises of dry foods in unsealed packages for sale thereon.

Enforcement of Penalties

7. Any Inspector may at all reasonable times enter on any land or premises and inspect and examine any food for sale, including any food that is held or stored for sale, or deposited for preparation for sale, or, having been sold, is held for delivery to the purchaser or is in process of delivery to the purchaser.

8. (1) Every person commits an offence against these regulations who—

- (a) Does or commits or attempts to do or commit any act, matter, or thing contrary to any provision of these regulations :
- (b) Fails or omits to do or to provide any thing required to be done or to be provided by him under these regulations :
- (c) Fails or omits to comply with any request or direction properly made or given under these regulations.

(2) Every person who commits an offence against these regulations for which no penalty is provided elsewhere than in this regulation shall be liable on summary conviction to a fine not exceeding £20 and, if the offence is a continuing one, to a further fine not exceeding £5 for every day or part of a day during which the offence continues.

PART II—REGISTRATION OF FOOD PREMISES

9. Nothing in this Part of these regulations shall apply to the Crown.

10. No person shall use any premises—

- (a) As a bakehouse ; or
- (b) As a cake kitchen ; or
- (c) As a meat room ; or
- (d) For the sale of meat or fish ; or
- (e) As a delicatessen ; or
- (f) For the storage of milk pending retail sale ; or
- (g) For the bottling of raw milk ; or
- (h) For the retail sale of milk ; or
- (i) For the manufacture or packing of ice cream or milk ices ; or
- (j) For the sale of ice cream or milk ices ; or
- (k) For the manufacture or bottling of cordials, syrups, aerated waters, or beverages,—

or for any two or more of the abovementioned purposes, unless the premises are for the time being registered by the local authority in accordance with these regulations and subject to such conditions as to licence as the local authority may by by-law prescribe, or, in the absence of such by-laws, until he has obtained the permission in writing of the Medical Officer of Health subject to such conditions as the Medical Officer of Health may require in accordance with these regulations.

11. (1) Every application for the registration by a local authority of any premises, as required by the last preceding regulation, shall be made to the appropriate local authority in writing under the hand of the proprietor or manager of the food premises and shall contain all such particulars as the local authority may in any case require, and shall be accompanied by the prescribed fee.

(2) On receipt of an application for the registration of any premises, the local authority, on being satisfied that the premises comply with the requirements of these regulations in respect thereof, shall register the premises for the appropriate purpose or purposes and shall, on payment of the prescribed fee, issue to the applicant a certificate of registration accordingly.

12. (1) In the case of premises registered under these regulations for the first time, the certificate of registration may be expressed to expire upon such date as the local authority, for administrative reasons, may fix. Subject as aforesaid, every certificate of registration, unless it is sooner cancelled pursuant to these regulations, shall endure for a period of twelve months, and shall expire on such date as the local authority may by by-law prescribe for the expiry in each year of such certificates.

(2) Every certificate of registration shall contain the particulars specified in clause (2) of regulation 16 hereof, except that it shall not be necessary to repeat therein the names of the previous holders thereof or the dates of any previous renewals of the first certificate of registration.

13. (1) Subject to the provisions of regulation 17 hereof, any such certificate may from time to time be renewed upon payment of the prescribed fee, and upon application in the same manner and upon and subject to the same terms and conditions as may be prescribed with respect to the issue thereof.

(2) A fresh certificate of registration shall be issued on every renewal of registration.

14. The local authority may at any time during the currency of any certificate of registration, upon application by the holder thereof and upon payment of the prescribed fee, but subject to the restriction imposed by regulation 17 hereof, transfer it to any other person nominated by him; and in the event of any proposed changes in the proprietorship of the premises, or of any other alteration affecting the particulars of registration, the holder of the certificate shall make application to the local authority to have the alteration recorded in the record of registration and endorsed upon the certificate of registration, which shall be produced for the purpose.

15. The fees payable on applications for certificates of registration and upon the issue, renewal, and transfer of certificates shall be such as the local authority may by by-law prescribe.

16. (1) Every local authority shall keep a record of all registered premises, and of all certificates of registration and all renewals thereof issued by it.

(2) The record shall in every case show—

(a) The name and address of the holder of the certificate of registration, who in every case shall be the actual occupier of the premises:

(b) The situation of the premises:

(c) A description of the premises:

- (d) The purpose or purposes for which the premises are registered :
 - (e) The date of the first registration under these regulations and the dates of any renewals thereof :
 - (f) Every transfer of the certificate of registration to any other person :
 - (g) A statement of any conditions subject to which the certificate of registration or any renewal was granted.
- (3) The record shall be available at all reasonable times for inspection by any officer of the Department of Health.

Provisional Registration

17. (1) The provisional registration of premises provided for in regulations 53 (c) and 60 (a) hereof shall be made upon and subject to the following terms and conditions, namely:—

- (a) No certificate of provisional registration shall be issued to any person in respect of any premises other than a person who at the date of the notification in the *Gazette* of the making of these regulations was the proprietor of the same registered premises in which unbottled milk or ice cream or milk ices not enclosed in sealed packages were being sold together with the articles specified in paragraph (c) of regulation 53 hereof or in paragraph (a) of regulation 60 hereof, as the case may require :
 - (b) No local authority shall transfer any certificate of provisional registration to any person :
 - (c) Every certificate of provisional registration shall contain all the particulars required to be contained in a certificate of registration, and in addition shall contain the statement that the certificate is a certificate of provisional registration only and is not transferable to any other person.
- (2) Every holder of a certificate of provisional registration shall cause it to be posted conspicuously in a public part of the premises to which it relates.
- (3) Every local authority shall keep a record of all provisionally registered premises. The record shall be kept separate from the record of registered premises required by clause (1) of regulation 16 hereof.

Cancellation of Registration

18. (1) If at any time a local authority has grounds for the belief that any premises registered or provisionally registered under these regulations no longer conform to the requirements of these regulations, it may cause to be served upon the holder of the certificate of registration or provisional registration in respect of the premises a notice requiring him, within a time to be stated therein, to effect such alterations or repairs, being specified in the notice, as are necessary for the purpose of ensuring that the premises conform to the said requirements.

(2) Unless, within the time so stated, the holder of the certificate complies with the terms of the notice, the local authority may cause to be served upon him a second notice calling upon him to show cause why his certificate of registration or provisional registration should not be revoked.

(3) After service of the second notice the local authority may, unless the noncompliance is explained on grounds satisfactory to it, revoke the certificate, or decline to renew it or to issue a fresh certificate until it is satisfied that the premises have been altered or repaired so as to conform to the requirements of these regulations.

PART III—PLACES FOR THE MANUFACTURE, PREPARATION, PACKING, AND SALE OF FOOD

19. (1) No person shall use any room or place for or in connection with the manufacture, preparation, or packing of food for sale unless that room or place—

- (a) Is well constructed and in good repair and, as far as may be practicable, offers no entrance or harbourage for rats or mice :
- (b) Has floors in good repair and constructed of approved material suited to the process or work carried on, and, where liquids are likely to be spilled thereon, has floors that are constructed of an approved impervious material and are properly graded and drained. Where the floors are constructed of impervious material as aforesaid, the material shall be carried up the walls to a height of not less than 3 in. in such a manner that the angles between the floor and the walls are concavely rounded off :
- (c) Has walls of which the internal surfaces are finished with an approved material having a smooth even surface capable of being readily cleaned ; and, where the walls are subject to wetting or fouling, has walls that are finished with an approved impervious material to a height of not less than 6 ft. from the floor level and, if an Inspector so requires, are painted a light colour :
- (d) Has a ceiling, horizontal or otherwise, that is constructed with a smooth surface so as to be dustproof and, if so required by an Inspector, is painted a light colour :

Provided that if suitable provision is made for the regular cleaning of the roof timbers by means of approved suction apparatus it shall be sufficient compliance with this paragraph if the roof timbers are dressed and painted :

- (e) Is lighted and ventilated in accordance with the by-laws of the local authority or, in the absence of by-laws in that behalf, to the satisfaction of an Inspector :
- (f) Is provided with sufficient privy accommodation for persons employed on the premises. Such privy accommodation shall be separate for each sex, shall be convenient to the place of work, shall be adequately lighted and ventilated, and shall at all times be kept clean and in good repair :
- (g) Is provided with wash-hand basins in the ratio of one to every ten employees or part of such number of employees, together with a sufficient supply of soap, hot and cold water, and clean towels or other approved hand-drying equipment ; or is provided with equivalent hand-washing facilities with warm water, soap, and clean towels to the satisfaction of the Inspector. If possible, paper towels shall be provided :
- (h) Is provided with drainage to the satisfaction of the Inspector :

- (i) Is provided with facilities for storing outdoor clothing so that there shall be no contamination of food by contact with the clothing, and, where the number of persons employed is four or more of either sex, is provided with changing rooms separate for each sex :
- (j) Has adequate provision, including hot and cold water and sinks or other approved equipment, for the cleaning of all appliances :
- (k) Is provided with adequate and approved facilities for the cleaning and storage of all bottles, jars, cans, and other similar containers used for containing moist food for sale :
Provided that facilities for cleaning containers need not be available on the premises if the containers are cleaned in an approved manner at some other approved place and are protected from contamination until used :
- (l) Is not in direct communication with any sleeping apartment or with any stable, urinal, or privy, or has not in it an opening into any drain or sewer :
- (m) So far as may be practicable, is used only for the purposes of the manufacture, preparation, or packing of food for sale.

(2) No person shall use for or in connection with the manufacture, preparation, or packing of food for sale any place which is at any time used as a sleeping apartment, or in which any animal is kept, or which is or has been used for any purpose which would be likely to contaminate the food or to affect injuriously its wholesomeness or cleanliness.

20. No person shall use any place for the manufacture, preparation, or packing of food for sale unless in every yard, pathway, and cartway connected therewith such area as may be prescribed or indicated by by-law, or, in the absence of any by-law in that behalf, by an Inspector, is provided with a covering of concrete, asphalt, or other hard and dustless even surface suitably graded and drained.

21. No person shall use any shop in which food, other than food in sealed containers, is sold unless the shop is provided with wash-hand basins in the ratio of one to every ten persons or part of such number of persons employed, together with a sufficient supply of soap, hot and cold water, and clean towels or other approved hand-drying equipment. If possible, paper towels shall be provided.

22. Where any premises, including any auction mart, used for the sale of any food or for the manufacture, preparation, display, storage, or packing of any food for sale are, by reason of their state, situation, construction, or disrepair, in a condition whereby the food may be exposed to contamination or taint or may become dirtied or deteriorated the owner or occupier of the premises shall, on receipt of a notice signed by the Medical Officer of Health requiring him so to do, cease to use the premises, or cleanse, reconstruct, or repair the premises as directed in the notice and within the time specified in the notice.

23. No person shall use any premises for or in connection with the manufacture, preparation, or packing of food for sale, or for or in connection with the sale of food, unless there is maintained in every privy and toilet room a notice calling upon every person engaged in the handling of food to wash his hands thoroughly before commencing work, and again before handling food at any time after using the privy.

PART IV—CONDUCT OF FOOD PREMISES

Manufacture, Preparation, Packing, and Sale of Food

24. (1) No person shall use or permit to be used for or in connection with the manufacture, preparation, packing, storage, offering or display of food for sale any premises unless there is maintained in some conspicuous place in the premises a notice printed in plain capital letters in the following or similar words :—

“ DOGS

“ DOGS ARE NOT PERMITTED ON THESE PREMISES.”

(2) No person being the occupier or for the time being in charge of any premises used for any such purpose as aforesaid shall permit any dog to enter or to be in or upon the premises.

(3) No person for the time being in charge of any dog shall permit the dog to enter or to be in or upon any such premises as aforesaid.

25. No person shall use or permit to be used for the manufacture, preparation, and packing of food for sale any room or place except in accordance with the following provisions :—

- (a) The premises shall at all times be kept clean and free from rubbish, in good repair, free from foul odours, and, as far as practicable, free from rats, mice, and other vermin and from flies and other insects :
- (b) Food for sale, and every receptacle and appliance used for or in connection with the sale, manufacture, preparation, storage, or packing of any food for sale, shall at all times be kept clean and free from contamination by damp or by foul odours, and shall be protected, as far as practicable, against the access of rats, mice, and other vermin and of flies and other insects, and of dust :
- (c) There shall be provided suitable metal receptacles in which all waste or refuse shall be placed. The receptacles shall be emptied and cleaned at such intervals as may be necessary to prevent a nuisance arising from the contents, and shall be kept covered except when being filled or emptied :
- (d) Every table and bench, and every part of any truck, trolley, or other appliance which comes into direct contact with any moist or readily perishable food for sale, shall have an approved impervious smooth surface free from cracks and capable of being easily cleaned :
- (e) All appliances, benches, tables, trolleys, and other furniture which come into direct contact with moist or readily perishable food shall be scrubbed with hot water and a suitable detergent at the end of each day's work :
- (f) All shelves and all cupboards in which food or appliances are stored shall at all times be kept clean and free from rubbish :
- (g) Every yard and passage-way shall be kept clean and free from any accumulation of boxes, tins, rubbish, and any material which may offer harbourage for rats or which is or may become offensive :
- (h) No defective, damaged, or unused appliance shall be kept in any such room or place other than damaged appliances awaiting necessary repairs :
- (i) Sweepings, ashes, and rubbish shall be removed daily from every such room or place.

26. No occupier or manager of or person employed in any shop where food is sold shall permit or suffer the shop to be used as a receiving depot for clothing or footwear, or for parcels :

Provided that this regulation shall not apply to the reception of parcels for transmission by post in any case where the premises are used as a post office.

Containers and Appliances

27. (1) No person shall sell any food so packed—

- (a) That it can come into contact with paper or other material that is not clean ; or
- (b) If it is food which is ordinarily consumed in the state in which it is sold, that it can come into contact with any writing or printing on any paper or material.

(2) No person shall keep, carry, spread or use, or permit to be kept, carried, spread or used, any preparation containing arsenic, strychnine, or any other poison so as to expose any food intended for sale to risk of contamination therewith :

Provided that nothing in this clause shall be construed to prevent the proper use of spraying or dusting mixtures containing any poison for the purpose of controlling the attacks of insects or other pests upon fruit or vegetables.

(3) No person shall use any receptacle or appliance in connection with the preparation, manufacture, storage, packing, carriage, or delivery of any food for sale unless the receptacle or appliance is constructed of such material and in such manner as to be easily cleaned.

(4) No person shall use in the preparation, manufacture, storage, packing, carriage, or delivery of any food for sale any appliance which is badly worn, rusted, or corroded, or is in such a condition that it cannot be readily cleaned.

(5) No person shall use or permit to be used in the preparation, packing, storage, or delivery of any food or drug for sale,—

- (a) If it is a moist food or drug, any packing, container, or appliance having a surface composed of lead or zinc, unless the surface is not in contact with the food :
- (b) Any package, container, or appliance which yields to its contents any poisonous or injurious substance :
- (c) Any package or container made wholly or partly of soldered tinplate, unless the solder is external and is not capable of coming into contact with any contents of the container, or unless the whole interior surface is lacquered in accordance with paragraph (d) of this clause :
- (d) Any package or container made wholly or partly of tinplate of which the interior is lacquered, unless it is so lacquered that the lacquer entirely and continuously covers such part of the interior surface as consists of tinplate or solder :
- (e) If it is sugar, or flour or meal prepared from cereals or vegetables, any sack or bag that has previously been used for any purpose, unless the sack or bag has been properly cleaned by washing :

Provided that a sack or bag may be used more than once for packing flour or meal without washing if—

- (i) It is in a sound condition ;
- (ii) It is subjected after its last use as a container for flour or meal to a dry process of cleaning approved by a Medical Officer of Health ; and
- (iii) The surface of the sack or bag in contact with the flour has not been exposed to contamination.

(6) Every container used for containing moist food for sale shall be adequately cleaned and kept clean before being used, and also on each occasion on which it is used, and before it is again used, to contain food.

(7) No person shall use for the preparation of food for sale any vessel or copper which is used for boiling clothes or for any other purpose which may contaminate or taint the food.

Food Vehicles

28. (1) No person shall use for the carriage or delivery of food any vehicle or conveyance which is not clean.

(2) No person shall use any vehicle or conveyance, being a vehicle or conveyance ordinarily used for the carriage of food, for the carriage of any live animal, or of any matter or material whereby the wholesomeness, cleanliness, and freedom from contamination of any food carried or usually carried therein would be or might be endangered.

(3) No person shall use any vehicle or conveyance for the carriage or delivery of food, being food which is not completely enclosed in a wrapper, unless the vehicle or conveyance is constructed of such material and in such a manner as to be easily cleaned, and is used solely for the carriage or delivery of one class of food.

Persons Handling Food

29. (1) Every person engaged in the handling of food for sale shall wear a clean washable overall.

(2) Unless satisfactory provision is otherwise made for the provision and maintenance of such overalls as aforesaid, it shall be the responsibility of the employer to provide and maintain them.

(3) Every person who is engaged in the manufacture, preparation, or packing of food for sale, shall, when so engaged, keep his hands and his body and clothing clean, and shall, before commencing work and on every occasion after visiting any privy and before resuming work, wash his hands thoroughly with soap and clean water.

(4) Every person packing or serving food for sale shall take care to avoid any unnecessary contact with the food during such packing or serving, and for that purpose shall comply with the following requirements :—

- (a) He shall not serve unwrapped sweets or any sticky substance with his fingers, but shall use a scoop or other suitable implement for the purpose :
- (b) He shall not serve bacon, ham, cheese, cooked meat, or bakers' smallgoods with his fingers, but shall use a fork, tongs, or other suitable implement for the purpose :
- (c) He shall not blow into any bag or wrapper :

- (d) He shall not permit any customer to handle with his fingers any food which he himself is prohibited by these regulations from handling with his fingers :
- (e) He shall not place, so that it can come into contact with food for sale, any ticket, label, or other article which is not clean or which is likely to contaminate the food.
- (5) No person shall spit, or smoke or chew tobacco, while engaged in the sale of food or in the preparation, manufacture, or packing of food for sale.
- (6) No person who is suffering from any communicable disease, or who is a carrier of any infectious disease, or who is suffering from any condition causing a discharge of pus or serum from any part of the head, neck, hands, or arms, shall engage in the manufacture, preparation, packing, or handling of any food for sale or of any article used or likely to be used as a food, or of any material or article used or likely to be used as a wrapper or container for a food.
- (7) No person who is in contact with any person suffering from a communicable disease shall engage in any activity to which clause (6) of this regulation applies if he is forbidden to do so by the Medical Officer of Health.

30. (1) Every person who sells any food which is ordinarily consumed in the state or condition in which it is sold shall, while it is in his possession or under his control, protect the food from dust, flies and other insects, and any unwholesome matter by storage in covered receptacles, or by covering with gauze, or by other effectual means.

(2) No person shall expose or display without adequate protection against contamination any food, being food that is ordinarily consumed in the state in which it is sold, in any of the following ways, namely :—

(a) Outside any shop :

(b) On any counter, except for the necessary period of time required to serve and wrap the food :

(c) In any portion of a shop to which the public has access where the food is so placed as to make possible its contamination by the breath or clothing of any customer :

(d) In any shop window.

(3) No person shall deposit or display at a lower level than 18 in. above the ground, in any street, open space, or other place to which the public have access, any food for sale, unless the food is adequately protected against pollution by dogs.

(4) No person shall enclose, carry, or store, in such a way as to contaminate it, any food for sale in any bag, sack, or similar receptacle that is not clean or that has been used otherwise than for the carriage or storage of similar foodstuffs.

31. Every person who is engaged in the sale of food or in the manufacture, preparation, storage, packing, or delivery of food for sale, and by whose act, default, or sufferance such food becomes or is likely to become infected, polluted, or tainted, is guilty of a breach of these regulations.

PART V—BAKEHOUSES AND CAKE KITCHENS

32. In this Part of these regulations,—

“ Bakehouse ” means any premises on which bread, pastry, or cakes are baked for sale ; and includes any portion of any such premises used for the storage of yeast or flour or the kneading or working of dough :

“ Cake kitchen ” means any premises on which pastry, cakes, or other bakers’ smallgoods are cooked or prepared for sale, or where sandwiches or other similar foods for sale are prepared for consumption.

Requirements for Bakehouses and Cake Kitchens

33. No permission shall be granted for the use of any premises as a bakehouse or as a cake kitchen, and no person shall use any room or place for any such purpose, except in accordance with the provisions of Parts III and IV of these regulations and the following provisions, namely :—

- (a) The portion of the floor immediately in front of every baker’s oven that is heated by means of solid fuel shall be made of cement concrete finished smoothly with cement mortar, tiles, or other even and non-inflammable material, for a distance of not less than 6 ft. from the oven :
- (b) Ovens shall be so constructed or cased as to prevent the accumulation of rubbish on the top or sides thereof :
- (c) An adequately lighted and ventilated store room shall be provided in which butter, margarine, cooking fats, dried fruits, jam, eggs, egg pulp, milk, flavouring and colouring substances, and other articles of food or ingredients used in baking shall be kept when not in use. All food contained therein shall be adequately protected from dust, vermin, and flies and other insects :
- (d) Every room or compartment in which flour is stored shall be free from damp ; and no person shall store any other food-stuffs in any room in which flour in sacks is stored :
- (e) Troughs, bins, and other appliances, if fixed, shall be so placed and fitted as to leave no spaces below or at the sides or back which cannot be readily inspected and cleaned, and, if movable, shall be provided with wheels to facilitate removal for cleaning purposes :
- (f) Flour and other food shall, as far as practicable, be protected from dust, vermin, and insects ; and no food shall be placed on the ground or floor or on any place other than a table, bench, rack, or shelf well above the ground level.

Wrapping of Bread

34. No person shall sell any bread by retail sale unless it is enclosed in clean wrapping paper or other suitable material in such manner—

- (a) As to prevent its coming into contact with any writing or printing or with human hands ; and
- (b) As to prevent its contamination by dust or flies :

Provided that, until such date as may be notified in that behalf by the Minister of Health by notice published in the *Gazette*, the requirements of this regulation shall not apply where the bread is conveyed direct from the bakehouse to the dwelling of the consumer.

35. After such date as may be notified in that behalf by the Minister of Health by notice published in the *Gazette*, no person shall remove from any bakehouse any bread intended for sale unless each loaf is enclosed in a wrapper of paper or other suitable material in such a manner as to protect it from contamination.

Conveyance and Sale of Bread, Cakes, and Pastry

36. (1) No person shall remove from any bakehouse or cake kitchen any bread, cakes, pastry, or other food for sale unless the food is adequately protected from rain, dust, and flies.

(2) No person shall remove in any vehicle from any bakehouse or cake kitchen any bread, cakes, pastry, or other food for sale except in accordance with the provisions of regulation 28 hereof.

37. No person shall sell any sandwiches, cakes, pastry, or other bakers' smallgoods unless the food is enclosed in clean paper or in clean cartons not previously used for any purpose, or is enclosed in a clean receptacle which is capable of being easily cleaned and is kept clean.

PART VI—PREPARATION AND SALE OF MEAT

38. For the purposes of regulations 39, 40, and 45 hereof—

“Meat” means the edible parts of any mammal, fish, fowl, crustacean, or mollusc ordinarily used for human consumption and includes any food containing meat :

“Meat room” means any room or place used for the boning, mincing, curing, canning, salting, or other process of preparation of meat for sale.

39. No permission shall be granted for the use of any meat room, and no person shall use any meat room, except in accordance with the provisions of Parts III and IV of these regulations and the following provisions, namely :—

- (a) The floor of every meat room shall be constructed of an approved impervious material and shall be properly graded and drained. The material with which the floor is constructed shall be carried up the walls to a height of not less than 3 in. in such a manner that the angles between the floor and the walls are concavely rounded off :
- (b) The floor of every meat room shall be thoroughly cleaned with hot water at least once each working day, and shall at all times be kept in a state of reasonable cleanliness :
- (c) All meat and other articles of food, except when being processed, shall be adequately protected by storage in a refrigerator or other approved compartment or in suitable receptacles, and shall at all times be protected from contamination by dust, and by rats and mice, and by flies and other insects :
- (d) No bones or waste matter of any kind shall be kept longer than twelve hours in any meat room.

40. (1) In this regulation,—

“Meat pickling preparation” means any substance used in the preparation of meat and containing nitrite or nitrate, or both nitrite and nitrate :

“Nitrate” includes sodium nitrate and potassium nitrate :

“Nitrite” includes sodium nitrite and potassium nitrite.

(2) No person shall keep, or cause or permit to be kept, in any retail butcher's shop, or in any meat room associated therewith, any nitrite or any meat pickling preparation containing nitrite :

Provided that this clause shall not apply to any substance in which the proportion of nitrite does not exceed $\frac{1}{2}$ per cent by weight.

(3) No person shall keep any nitrate, or cause or permit any nitrate to be kept, in any retail butcher's shop, or in any meat room associated therewith, unless it is kept in accordance with the following requirements, namely :—

- (a) It shall be kept in a container of metal or glass or cardboard :
- (b) The container shall bear a label setting out explicit directions as to the manner in which the contents shall be used.

Butchers' Shops and Fishmongers' Shops

41. For the purposes of regulations 42, 43, and 44 of these regulations,—

“Fish” means fresh fish, smoked fish, crustaceans, or molluscs ; but does not include salted fish or kippered herrings :

“Meat” means butchers' meat, unwrapped rabbits, or unwrapped poultry ; but does not include canned meat, cooked meat, sausages, or cured ham or cured bacon.

42. No permission shall be granted for the use of any premises for the retail sale of meat or fish, and no person shall use any premises for any such purpose, except in accordance with the provisions of Parts III and IV of these regulations and the following provisions, namely :—

- (a) The floor shall be of tiles, cement concrete, or other approved material impervious to water and having a smooth surface :

Provided that, with the approval of the local authority or the Medical Officer of Health, in any premises licensed before the coming into force of these regulations, flooring boards laid on a firm foundation and tightly clamped together may be used :

- (b) Tables, benches, shelves, and all appliances which come into contact with meat or fish for sale, shall, as far as practicable, be impervious to water, and shall be kept clean :
- (c) Ventilation shall be provided to the satisfaction of the Inspector, and, where possible, such ventilation shall be by means of openings extending to within 1 ft. of the ceiling and communicating directly with the open air in at least two walls of every room ; and every ventilation opening and every window (not being a window fitted with a fixed glazed sash) shall be fitted with a covering, of wire gauze or other suitable material, that will exclude flies :

Provided that if all meat or fish for sale is stored in fly-proof receptacles or under fly-proof coverings such covering as aforesaid shall not be required on the ventilation openings and windows :

- (d) If required by the Inspector, a self-closing door shall be fitted in every doorway of every room in such a manner as to exclude flies as far as possible :

Provided that if all meat or fish for sale is stored in fly-proof receptacles or under fly-proof coverings the doors need not be self-closing :

- (e) No bones or waste matter of any kind shall be kept longer than twelve hours in the shop.

43. No person shall sell any meat or fish so packed that it can come into contact with paper or other material that is not clean, or with any writing or printing on any paper or other material.

44. The occupier of every butcher's shop to which any carcass or part of a carcass of meat is delivered shall provide approved coverings, made of strong light-coloured material, for the head, neck, and shoulders of the persons carrying the meat from the vehicle to the shop. It shall be the duty of the occupier to ensure that all such coverings are left at the shop after being used and are washed before being used again.

Transport of Meat

45. (1) No person shall use for the conveyance of meat any vehicle or receptacle which is not so constructed as to be easily cleaned, or which is used for the conveyance of anything likely to taint or contaminate the meat.

(2) No person shall convey or deliver or cause to be conveyed or delivered any meat unless, while it is being conveyed or delivered, it is kept so covered and enclosed as to be protected from dust, flies, and other sources of contamination.

(3) No person shall convey or cause to be conveyed any cooked meat from the place where it is prepared to another place for sale unless—

(a) It is enclosed in clean paper and such outer wrapper or container as will adequately protect it from contamination; or

(b) It is conveyed in a clean receptacle of an approved type and material and is protected from contamination.

(4) No person shall use twice for the packing of cooked meat any such outer container or wrapper as aforesaid if it is made of cardboard or similar absorbent material.

(5) No person shall use for the packing of cooked meat any wooden container that is not clean.

(6) No person shall during the transport or delivery of any carcass or portion of a carcass deposit it on any roadway or wharf or railway platform, or on the floor of any railway wagon, or on the deck of any vessel, or on any similar surface open to traffic, unless the carcass or portion, as the case may be, is enclosed in a clean receptacle or cover:

Provided that it shall not be necessary to cover any carcass or portion of a carcass that is suspended during transit so that no portion can rest on any such roadway, wharf, platform, floor, deck, or surface as aforesaid.

(7) No person shall convey any carcass or portion of a carcass in any vehicle unless it is protected from contamination caused by coming into contact with any unclean portion of the floor of the vehicle by one of the following methods:—

(a) All carcasses or portions of carcasses shall be loaded and unloaded from the side of the vehicle; or

(b) All carcasses or portions of carcasses shall be slung or suspended from the roof of the vehicle in such a way as to avoid contact with the floor; or

(c) A clean sheet of canvas or other suitable material shall be placed between the carcasses or portions, as the case may require, and the floor of the vehicle in such a way that it can be rolled

back to facilitate loading and unloading. The sheet shall be washed after each time of using; and no person while engaged in loading or unloading carcasses shall walk upon it; or

(d) Each carcass or portion of a carcass shall be enclosed in a wrapper that is adequate to protect it from contamination; or

(e) By some other method approved by an Inspector.

(8) Every person engaged in the handling or transport of meat shall take measures to prevent the meat from coming into direct contact with his head and neck, by wearing the protective covering specified in the last preceding regulation.

(9) No person shall use any vehicle for the retail sale of meat unless the vehicle—

(a) Is so constructed as to be easily cleaned, and, with due regard to the necessity for ventilation, is so constructed as to prevent access of flies and dust to the interior; and

(b) When containing meat for sale, is kept closed, except during the loading, unloading, or sale of meat.

(10) No person shall use any vehicle for the carriage of any meat unless the vehicle is kept clean and in good repair, and is thoroughly cleaned at the completion of each working day on which it is used.

(11) Every person who receives for sale any fish, crustaceans, or molluscs contained or packed in any receptacle intended to be used again for containing fish, crustaceans, or molluscs shall thoroughly clean the receptacle or cause it to be cleaned as soon as the contents are removed therefrom.

(12) No person shall pack for sale any fish, crustaceans, or molluscs in any receptacle that is not clean.

(13) No person shall pack for sale any fish, crustaceans, or molluscs in any wooden case unless the case is so constructed that the contents are protected from contamination.

PART VII—DELICATESSENS

46. For the purposes of this Part of these regulations, the term "meat" shall have the same meaning as in regulation 38 hereof.

47. No permission shall be granted for the use of any premises as a delicatessen, and no person shall use any premises as a delicatessen, except in accordance with Parts III and IV of these regulations and the following provisions, namely:—

(a) Cooked meat, cooked pastry containing meat, pasties, savouries, and similar foods containing meat which are ordinarily consumed in the state in which they are sold shall be stored, kept, or displayed in a separate part of the shop away from foods which are not in sealed containers or which are not completely enclosed in a wrapper:

Provided that a case with a glass front and a top and sides shall be deemed to be a separate part of a shop for the purpose of this paragraph:

(b) No raw bacon, raw sausages, or other uncooked meat, not being raw bacon, raw sausages, or uncooked meat completely enclosed in a wrapper, shall be kept in close proximity to any cooked meat or in any compartment containing cooked meat:

- (c) No knife or slicing machine shall be used to cut up any cooked meat unless it has been thoroughly washed since having been used to cut up uncooked meat; and every knife or slicing machine shall be thoroughly washed at least once each working day:
- (d) No person shall handle any cooked meat, cooked pastry containing meat, pasties, savouries, or similar food containing meat unless he has washed his hands since handling any article which would be likely to contaminate them:
- (e) No person shall sell any uncooked poultry or uncooked rabbit in any shop or place in which cooked meat, cooked pastry containing meat, pasties, savouries, or similar foods containing meat are sold unless the poultry or rabbit, when delivered to the shop, is enclosed completely in a wrapper of paper or other suitable material and remains so enclosed until sold.

PART VIII—MILK STORES AND RAW MILK BOTTLING PLANTS

48. For the purposes of this Part of these regulations, unless the context otherwise requires, the term "milk" means cows' milk or goats' milk, whether raw or pasteurized; and includes cream.

49. No permission shall be granted for the use of any premises for the storage of milk pending retail sale or for the bottling of raw milk for sale, and no person shall use any premises for any such purpose, except in accordance with the following provisions:—

- (a) All floors shall be constructed of concrete or other impervious and easily cleaned materials and shall be so finished as to be impervious to moisture; and faces of concrete shall be finished to a smooth plane surface. The floors shall be adequately graded so as to drain into channels, which shall discharge in an approved manner over a gully trap. Angles between floors and walls shall be rounded off in a manner that will prevent the lodgment of dirt and enable the premises to be thoroughly cleaned with an ordinary scrubbing broom:
- (b) Interior walls and the interior surfaces of external walls shall be made of or lined with tiles, cement, or other material so finished by painting or otherwise as to present a smooth surface and to be impervious to moisture; and faces of concrete shall be finished to a smooth plane surface with a steel tool:
- (c) Ceilings, if any, and roofs of rooms not provided with complete ceilings, shall be dustproof, and shall on the under surface have a smooth surface capable of being washed without damage to the surface:
- (d) All rooms shall be provided with adequate ventilation and with adequate natural and artificial lighting:
- (e) All doors opening to the outer air shall, as far as practicable, be self-closing:
- (f) All windows, doors, and other vents and openings to the outer air shall, as far as practicable, be covered with screens of wire gauze or other suitable material that will exclude flies:

- (g) Adequate privy accommodation shall be provided, in rooms not opening directly into any room in which milk or equipment or containers are handled, treated, or stored, and all doors of such rooms shall be self-closing :
- (h) Conveniently adjacent to every privy there shall be provided adequate hand basins furnished with waste pipes and with pipes to supply hot water and cold water :
- (i) In all cases where more than 50 gallons of milk are stored at any one time, refrigerated storage shall be provided and used. The refrigerated storage space shall be constructed with impervious walls, floor, and ceiling, and shall be so constructed as to permit floor drainage to fall to the door opening or openings, and shall be provided with mechanical cooling equipment which permits adequate access to all parts of the store and equipment for easy cleaning.

50. No person shall store or bottle raw milk for sale in any premises that are not at all times maintained in accordance with the following requirements :—

- (a) The floors shall at all times be kept clean :
- (b) All walls and ceilings shall be kept clean by washing :
- (c) In every privy a conspicuous notice shall be posted directing employees to wash their hands immediately after using the privy :
- (d) Conveniently adjacent to hand basins there shall be kept toilet soap and a nailbrush, and for each employee a separate towel or other suitable means of drying hands :
- (e) Every hand basin shall be furnished with an adequate supply of warm running water and shall not be used for any purpose other than personal ablutions :
- (f) An adequate supply of potable water shall at all times be available :
- (g) All plumbing, and all door hinges, fastenings, and other working or moving parts of the premises, including fittings and fixtures, shall at all times be maintained in good, sound, and efficient working order :
- (h) All surfaces of floors, walls, and ceilings that may become chipped, cracked, or pervious to moisture or roughened shall immediately be put into repair so as to comply with the requirements of these regulations :
- (i) All fly-screens shall be kept in good and efficient repair and condition, and shall at all times be kept in position, except during actual ingress and egress through doors :
- (j) All rooms shall be kept adequately lighted and ventilated :
- (k) The whole of the premises and all fittings and fixtures thereof and all equipment shall at all times be kept clean and in good order and condition :
- (l) No substance by which milk is likely to be contaminated shall be stored, treated, or handled on the premises :
- (m) Every open-surface cooler shall either be situated in a dust-proof room or else be provided with a tightly fitting shield capable of protecting the surface of the cooler from contamination.

51. No person shall bottle raw milk for sale, or cause or permit raw milk to be bottled for sale, otherwise than in accordance with the following provisions, namely :—

- (a) No person shall use any bottle as a container for milk unless the bottle is sterilized in accordance with these regulations :
- (b) No person shall use any bucket, can, shute, pipe, cooler, or other similar appliance made of copper, brass, steel (other than an approved stainless steel), or iron through or in which milk is passed or placed in or about the bottling premises, unless all surfaces of every such appliance which are brought into direct contact with the milk are properly coated with tin or other covering to the satisfaction of an Inspector :
- (c) No person shall use any machine bottle filler for the purpose of bottling milk unless the machine is so constructed that it may be readily taken apart and cleaned, and unless the machine is thoroughly cleaned immediately after each occasion on which it is so used :
- (d) No person shall use any carton as a container for milk unless the carton has not been used previously for that or any other purpose, and unless all unused cartons have been stored under sanitary conditions :
- (e) No person shall use any cap disk to seal any bottle which has been filled with milk unless the disk has been kept in a sealed sanitary container until required for use ; and no such disk shall be used which has been used previously for that or any other purpose :
- (f) No person shall cap by hand any bottle filled with milk. Every such bottle shall be capped by a mechanical appliance designed for the purpose :
- (g) No person shall use any bottle as a container for milk for sale unless the bottle has been cleaned and sterilized, before each occasion on which it is so used, in accordance with the following process :—
 - (i) It shall first be rinsed in cold water ; then
 - (ii) Thoroughly washed in a warm approved detergent solution ; then
 - (iii) Thoroughly rinsed in hot water ; then
 - (iv) Placed in a sterilizing chest and there subjected to steam at a temperature, as indicated by a thermometer placed at the bottom of the chest, of not less than 210° F. for a period of not less than fifteen minutes ; and then
 - (v) Removed from the sterilizing chest and placed neck downwards in a dustproof compartment to drain :

Provided that any other method of sterilization by hot water or steam may be used which gives a residual bacterial plate count of not more than 1 per millilitre of bottle capacity, and which is approved by the Medical Officer of Health :

Provided also that, subject to the approval of the Medical Officer of Health, an alternative method of sterilization by means of chlorine may be used on condition that the process is wholly mechanically effected, that no residual chlorine remains in any bottle at the completion of the process, and that the process ensures a residual bacterial plate count of not more than 1 per millilitre of bottle capacity :

- (h) No person shall have in his possession, or in or about his premises, ready for filling with milk any bottle which has not been sterilized in accordance with these regulations :
- (i) Provision shall be made for the cleaning and sterilization by steam or boiling water, or both, of all utensils, containers, and appliances used in connection with the storage of milk pending sale or the bottling of raw milk for sale ; and all such utensils, containers, and appliances shall be thoroughly cleaned and sterilized immediately after use :
- (j) Every person who stores milk pending sale, or who bottles raw milk for sale, shall at all times keep clean every place in which the milk is stored or bottled, and shall do all things necessary to protect the milk from contamination by dirt, dust, flies, or any animal.

52. Any Inspector, or any officer under the Food and Drugs Act 1947, shall have access at all reasonable times to any premises where a process of sterilizing milk bottles for the bottling of raw milk is carried on, and may select and take away for examination or testing any bottle or bottles, and may do such other things or require such demonstrations as he thinks fit in order to test the efficiency of the sterilizing process used on the premises.

Milk Shops

53. No permission shall be granted for the use of any premises for the retail sale of milk, and no person shall use any premises for the retail sale of milk, except in accordance with Parts III and IV of these regulations and the following provisions, namely :—

- (a) Milk for sale in shops shall be kept in an approved compartment which shall be used for that purpose only. Every such compartment, other than a refrigerator, shall be adequately lighted and ventilated :
- (b) No person shall sell milk in any room which is used as a living room, kitchen, or sleeping room, or which opens directly off any sleeping room, or in any room which is in direct communication with any privy, urinal, or stable or which has in it any opening into any drain or sewer :
- (c) No person shall sell milk, other than bottled milk, in any place in which is stored, kept, or sold any petrol, kerosene, or plants or plant seedlings, or any vegetables, fish, or meat except vegetables, fish, and meat in hermetically sealed packages :

Provided that provisional registration of premises to which this paragraph applies may be made, in accordance with the provisions of regulation 17 hereof, during such time as the premises are occupied by the person who occupied them at the date of the notification in the *Gazette* of the making of these regulations, and under such provisional registration the sale of milk other than bottled milk may be made on the premises subject to such conditions as the Inspector may require :

- (d) No person shall refill any container used for milk unless it has been cleaned and sterilized :
- (e) No person shall sell milk of which the temperature exceeds 60° F. (15.6° C.).

Persons Handling Milk

54. (1) Every person who sells milk shall at all times keep clean every place in which the milk is sold and all fittings and appliances used in connection with the sale of milk.

(2) Every person who sells milk shall do all things necessary to protect the milk from dirt and dust, and from contamination by flies or any animal.

(3) Every person who sells milk by retail, or delivers milk for retail sale in containers which are used repeatedly shall rinse every such container, or cause it to be rinsed, in every part as soon as possible after it is emptied.

(4) No person shall allow his hands or arms or any part of his clothing to come into contact with any milk for sale.

(5) No person shall apply to his mouth or drink from any vessel or utensil which contains or which comes in contact with any milk for sale.

(6) No person shall use for containing or measuring any milk for sale any vessel with any rough, broken, or rusty edge or surface.

(7) No person shall deposit any substance, other than milk, in any milk can or milk churn which is used or to be used for containing milk for sale.

(8) No person shall tamper with any cap, disk, or other device used for closing any bottle containing milk for sale after it has been affixed to any such bottle and before delivery of the bottle to the customer.

(9) No person selling bottled milk shall sell to any customer any less quantity of milk than the whole contents of any bottle.

(10) No person shall have in his possession while engaged in the sale of milk any cap, disk, or other sealing device capable of being used for sealing any bottle containing milk.

(11) No person while carrying milk for sale in or on any vehicle shall carry or convey in the same vehicle water or stale milk or any other fluid capable of being used for diluting or mixing with milk.

55. (1) No person shall deposit on any footpath, roadway, or public open space any milk in bottles, unsealed cans, or other unsealed receptacles unless the milk is left in charge of some responsible person.

(2) No person shall deposit any bottled milk for sale in any place where the milk, before delivery to the purchaser, is exposed to the direct rays of the sun.

56. No person shall, after the 1st day of July 1953, use any vehicle for the conveyance of milk unless the vehicle complies with the requirements of regulation 28 hereof and, in the case of bottled milk, is so equipped as to protect the milk from the effects of the sun's rays.

57. It shall be the duty of every person who sells milk by retail or delivers milk for retail sale to comply with the following requirements, namely :—

(a) All appliances used in connection with the distribution or delivery of the milk shall be kept clean :

(b) All milk dippers, measures, and plungers shall, when not in actual use, be kept in an approved covered receptacle. Every such receptacle shall be made of impervious material and shall be so constructed as to be easily cleaned and sterilized :

- (c) Every milk dipper, measure, and plunger used in connection with the distribution or delivery of the milk, and every receptacle in which any dipper, measure, or plunger is kept, and every milk container, shall daily be cleaned and then sterilized by immersion in boiling water.

58. No person shall bottle raw milk intended for sale except on premises registered in accordance with these regulations or in accordance with any other enactment to which regulation 6 of these regulations refers.

PART IX—MANUFACTURE AND SALE OF ICE CREAMS AND MILK ICES

59. No permission shall be granted for the use of any premises for the manufacture or packing of ice cream or milk ices for sale, and no person shall use any premises for any such purpose, except in accordance with the provisions of Parts III and IV of these regulations and the following provisions, namely :—

- (a) An adequately lighted and ventilated store room shall be provided in which all the dry ingredients, flavouring, colourings, wrappers, and cartons used in connection with the manufacture, packing, or storing of ice cream or milk ices shall be stored and protected from contamination by rats and mice, dust, and flies or other insects :
- (b) All appliances which come in contact with any ice cream or milk ice during its preparation, manufacture, or packing shall be cleaned and sterilized by steam, boiling water, or other approved method at least once each working day :
- (c) No person engaged in the manufacture, packing, or sale of ice cream or milk ices for sale shall permit his hands to come in contact with any ice cream or milk ice :
- (d) No person shall use for transporting ice cream or milk ices any vessel unless it is so constructed as to permit of every part of the interior of the vessel being seen and adequately cleaned, and unless it is provided with a lid or covering which protects the interior from dust, rain, and contamination :
- (e) Every person who sells ice cream or milk ices from a container which is to be used again for containing ice cream or milk ices shall rinse or cause to be rinsed every part of the container as soon as possible after it has been emptied :
- (f) No person shall deposit any substance, other than ice cream or milk ices, in any container which is to be used again for containing ice cream or milk ices :
- (g) No person shall manufacture, store, or deposit any ice cream or milk ice for sale, or store or deposit the ingredients thereof, in any vessel which is not clean :
- (h) Every person engaged in the manufacture or sale of ice cream or milk ices shall at all times maintain all vessels and appliances used for containing or coming into contact with ice cream or milk ices, or the ingredients used in the manufacture of ice cream or milk ices, in a condition of cleanliness, and shall at all times do all things necessary to protect the contents thereof from dust, flies, and contamination :

- (i) Every vessel used for containing ice cream, milk ices, or any milk or cream used in the manufacture of ice cream or milk ices for sale, shall be cleaned as soon as possible after it has been emptied.

60. No permission shall be granted for the use of any premises for the sale of ice cream or milk ices, and no person shall use any premises for any such purpose, except in accordance with the following provisions :—

- (a) No person shall sell any ice cream or milk ices, other than ice cream or milk ices in sealed packages, in any place in which is stored, kept, or sold any petrol, kerosene, plants or plant seedlings, or any vegetables, fish, or meat except vegetables, fish, and meat in hermetically sealed packages, or any other substance by which ice cream or milk ices may be contaminated :

Provided that provisional registration of premises to which this paragraph applies may be made, in accordance with the provisions of regulation 17 hereof, during such time as the premises are occupied by the person who occupied them at the date of the notification in the *Gazette* of the making of these regulations, and under such provisional registration the sale of ice cream and milk ices otherwise than in sealed packages may be made on the premises subject to such conditions as the Inspector may require :

- (b) Ice cream for sale and milk ices for sale shall be kept in a refrigerator which shall at all times be kept clean :
- (c) All dishers or servers used in the retail sale of ice cream or milk ices shall be made of metal and shall have no moving parts :
- (d) All dishers or servers, when not in actual use, shall be kept either in running water or free from water in an approved covered receptacle made of impervious material and capable of being easily cleaned and sterilized :
- (e) No disher or server, and no receptacle in which any disher or server is kept, shall be used for a longer period than four hours before being again washed and sterilized :
- (f) Ice cream, milk ices, and the cones or wafers in which ice-cream or milk ices are sold, shall at all times be protected from contamination by dust and by flies and other insects :
- (g) No person engaged in the sale of ice cream or milk ices shall permit his hands or arms, or any part of his clothing, to come in contact with any ice cream or milk ice :
- (h) No person shall sell any ice cream or milk ice which, after having been once frozen, has run down or melted and has been again frozen :
- (i) No person shall refill with ice cream or milk ices for sale any used package which is made wholly or in part of wood, paper, cardboard, or similar absorbent material :
- (j) No person shall sell or permit to be sold any unwrapped ice cream or milk ice in any theatre, picture theatre, or place of public entertainment unless the ice cream or milk ice is contained, before sale, in an approved receptacle capable of protecting the ice cream and milk ices from contamination, and is distributed for sale and sold from such a receptacle as aforesaid.

PART X—STORAGE, PACKING, AND PULPING OF EGGS AND THE DRYING OF EGG PULP

61. (1) Every person engaged in the storage or packing of eggs for sale, or keeping eggs for sale, shall do all things necessary to protect the eggs from exposure to conditions of temperature and damp which may hasten decomposition or the development of the ovum.

(2) No person shall pack any eggs for sale with materials which may taint the eggs.

62. No person shall use or permit to be used any premises for the pulping of eggs for sale or the drying of egg pulp for sale except in accordance with the provisions of Parts III and IV of these regulations and the following provisions, namely :—

(a) Adequate provision, including boiling water, troughs, sinks, or other approved equipment, shall be made for the cleaning and sterilizing of appliances and containers :

(b) There shall be adequate provision of means for the accurate candling of eggs :

(c) The floor shall be thoroughly cleaned with hot water and a detergent at least once each working day, and shall at all times be kept in good repair and in a reasonable state of cleanliness :

(d) Every receptacle and appliance used in connection with the pulping of eggs or the packing of egg pulp for sale or the drying of egg pulp for sale shall be made of impervious material and shall be so constructed as to be easily cleaned and sterilized :

(e) Every appliance, including every trough, tub, and container, used in the pulping of eggs or the drying of egg pulp shall be effectively cleaned and sterilized after use and so covered or placed as to prevent dust or dirt accumulating therein while not in use. Appliances which have been contaminated by any tainted or decomposed egg shall be cleaned and immersed in boiling water until sterilized before being used again :

(f) Containers used for packing pulped eggs or dried egg pulp shall be clean and sterile and incapable of imparting odour to the contents :

(g) All waste matter and refuse shall be deposited in suitable metal receptacles which shall be emptied and scalded out at least once each working day and shall be kept covered, except when being filled or emptied.

63. No person shall carry out the pulping of eggs except in accordance with the following provisions :—

(a) Every egg which has a dirty shell shall be washed clean before being pulped :

(b) Every egg shall be examined by the candling process immediately before breaking, and, where practicable, a further visual examination shall be made after breaking :

(c) Where eggs are broken by hand they shall be broken into a container capable of holding not more than six eggs :

(d) Every egg that is not wholesome shall be discarded :

(e) Where any broken egg is not wholesome, the contents of any container into which it has been broken shall be discarded, and the container shall be cleaned and sterilized before being used again :

- (f) No shell drainings shall be included in any egg pulp :
 (g) All egg pulp shall be dried or frozen as soon as practicable after the eggs are broken.

64. No person shall use any mechanical appliance for the breaking of eggs or the pulping of eggs or for the drying of egg pulp for sale unless the use of the appliance has been approved in writing by a Medical Officer of Health.

PART XI—PLACES FOR THE MANUFACTURE OF SYRUPS, AERATED WATERS, AND BEVERAGES

65. No permission shall be granted for the use of any premises for preparing, manufacturing, or bottling cordials, syrups, aerated waters, or beverages for sale, and no person shall use any premises for any such purpose, except in accordance with the provisions of Parts III and IV of these regulations and the following provisions, namely :—

- (a) Containers and other appliances in which liquid charged with carbon dioxide may flow or be held, if made of copper, shall have the internal surface coated with tin; and no such container or appliance shall be used if the tin coating is damaged or eroded :
 (b) Pipes or appliances made of lead or of tinned lead or tin lined lead shall not be used.

66. No person shall manufacture or prepare any syrup except in a room that complies with the following requirements, namely :—

- (a) The floor of every such room shall be constructed of approved impervious material and shall be properly graded and drained. The material of which the floor is constructed shall be carried up the walls to a height of not less than 3 in. in such a manner that the angles between the floor and the walls are concavely rounded off :
 (b) The walls of every such room shall have internal surfaces of approved material having a smooth even surface capable of being readily cleaned, and shall be of impervious material for a height of not less than 6 ft. from floor level, and shall be painted a light colour :
 (c) Every such room shall have a ceiling constructed with a smooth surface and painted a light colour.

67. No person shall use for the storage of any articles other than syrup, or for any purpose other than the making of syrup, any room in which syrup is manufactured or prepared.

PART XII—APPEALS

68. (1) Any person, being a person to whom these regulations apply, who is dissatisfied with any decision or requirement of an Inspector under these regulations may appeal therefrom in writing to the Medical Officer of Health within seven days after receiving notification of the Inspector's decision or requirement. On any such appeal the Medical Officer of Health may confirm, reverse, or modify the decision or requirement.

(2) If on any such appeal the appellant objects to the decision of the Medical Officer of Health thereon, he may, within seven days after receiving notification of that decision, apply to a Magistrate to have his objection heard and determined. On the hearing of the application the Magistrate may make such order as he thinks fit, and every such order shall be final and binding on all parties.

SCHEDULE

[Reg. 3

REGULATIONS AND NOTICES REVOKED

Subject Matter or Title.	Published in <i>Gazette</i> .	
Regulations under the Health Act 1920 to prevent the Contamination of Food during Manufacture and Sale (dated 21 July 1924)	24 July 1924, Vol. II, page 1710.	
Amending Regulations under the Health Act 1920 to prevent the Contamination of Food during Manufacture and Sale (dated 1 February 1926)	18 February, 1926, Vol. I, page 425.	
Amending Regulations under the Health Act 1920 as to Bottling of Milk (dated 7 June 1935)	20 June 1935, Vol. II, page 1728.	
Amending Regulations under the Health Act 1920 as to Bottling of Milk (dated 3 June 1936)	11 June 1936, Vol. II, page 1123.	
Amending Regulations under the Health Act 1920 as to Carriage and Storage of Milk and Cream (dated 1 July 1936)	9 July 1936, Vol. II, page 1300.	
Regulations under the Health Act 1920 as to Dogs in Shops (dated 29 July 1936)	6 August 1936, Vol. II, page 1527.	
	Published in Statutory Regulations.	
	Serial Number.	Page.
The Health (Food) Amending Regulations 1941 ..	1941/260	843
The Health (Food) Amending Regulations 1946 ..	1946/210	592
The Health (Bread Wrapping) Extension Notice 1947 ..	1947/85	323
The Health (Bread Wrapping) Extension Notice 1947, No. 2	1947/130	485
The Health (Bread Wrapping) Extension Notice 1947, No. 3	1947/145	518
The Health (Bread Wrapping) Extension Notice 1947, No. 4	1947/176	610
The Health (Bread Wrapping) Extension Notice 1947, No. 5	1947/193	638
The Health (Food) Amending Regulations 1947 ..	1947/199	651

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 consolidate and amend the various regulations made between 1924 and 1947, under the Health Act 1920, for the prevention of the contamination of food during manufacture and sale.

These regulations are made under the Food and Drugs Act 1947 as well as the Health Act. They contain a number of new provisions requiring the registration of food premises not at present subject to registration, higher standards of cleanliness in food premises and in the handling and delivery of food, and additional measures to be taken to prevent contamination of food.

The regulations come into force on 1 August 1952.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24th day of April 1952.

These regulations are administered in the Department of Health.

(H.H. 52/2.)