



THE FOOD HYGIENE REGULATIONS 1974, AMENDMENT NO. 3

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 30th day of November 1981

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 117 of the Health Act 1956 and section 46 of the Food and Drug Act 1969, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Food Hygiene Regulations 1974, Amendment No. 3, and shall be read together with and deemed part of the Food Hygiene Regulations 1974* (hereinafter referred to as the principal regulations).

(2) Except as provided in regulation 5 of these regulations, these regulations shall come into force on the 1st day of January 1982.

2. Interpretation—Regulation 2 (1) of the principal regulations is hereby amended by revoking the definition of the term “milk”, and substituting the following definition:

“‘Milk’ includes any liquid form of the milk or cream of a cow or goat; but does not include—

“(a) Sealed packages of ultra heat treated milk; or

“(b) Milk sold in tins that are hermetically sealed.”.

*S.R. 1974/169
Amendment No. 1: S.R. 1976/268
Amendment No. 2: S.R. 1980/266

3. Cleaning of utensils in eatinghouses—(1) Regulation 35 of the principal regulations is hereby amended by omitting the words “Subject to regulations 36 and 37 of these regulations,”.

(2) Regulation 35 of the principal regulations is hereby further amended by revoking paragraph (a), and substituting the following paragraph:

“(a) By washing them in a washing machine containing water at a temperature of not less than 60°C, containing an adequate amount of soap or other detergent, and then by rinsing for not less than 10 seconds in clean water at a temperature of not less than 77°C:

“Provided that the Medical Officer of Health may approve of a washing machine where sanitising is effected otherwise than by moist heat.”.

4. Rinsing machines—(1) The principal regulations are hereby amended by revoking regulation 37, and substituting the following regulations:

“**37. Hot water rinsing machines**—For the purposes of regulations 35 and 36 of these regulations, every hot water rinsing machine shall conform with the following requirements:

“(a) It shall be equipped with an automatic detergent dosing device; and

“(b) It shall be equipped with baskets, trays, or other suitable containers, designed and constructed so that all utensils, glasses, and jugs can be loaded in such a manner that the surfaces of the utensils, glasses, and jugs are subjected to complete wetting during the operation of the machine; and

“(c) It shall be fitted with a temperature control device so that it will not operate unless the rinsing water in the rinse water supply tank is at a temperature of not less than 83°C, and the time of exposure to the rinsing water is not less than 10 seconds:

“Provided that the Medical Officer of Health may accept a temperature control device which inactivates the machine when the rinse water is below 77°C where the machine is of such design that it is not necessary to allow for heat loss before contact of the rinse water with the utensils; and

“(d) It shall be fitted with a thermometer or other efficient temperature measuring device located so as to measure accurately the temperature of the water used for rinsing, and situated so that it can be easily and readily observed.

“**37A. Chlorine chemical rinsing machines**—For the purposes of regulations 35 and 36 of these regulations, every chlorine chemical rinsing machine shall conform with the following requirements:

“(a) It shall be equipped with an automatic detergent dosing device, and an automatic chlorine chemical dosing device; and

“(b) It shall be equipped with baskets, trays, or other suitable containers, designed and constructed so that all utensils, glasses, and jugs can be loaded in such a manner that the surfaces of the utensils, glasses, and jugs are subjected to complete wetting during the operation of the machine; and

- “(c) The water to which the chlorine chemical is added and which is used for rinsing the utensils shall be at a temperature of not less than 50°c and contain not less than 50 and not more than 75 milligrams per litre of available chlorine; and
- “(d) The rinsing water described in paragraph (c) of this section shall be adequately dispensed over all utensils for a period of not less than 30 seconds during the rinsing cycle; and
- “(e) The machine shall be equipped with a visual and dependable flow indicating device, or other means obvious to the operator, to easily verify the operation of the detergent and chlorine chemical feeders; and
- “(f) It shall be equipped with a control device that will inactivate the machine if the chlorine concentration in the rinse water is below 50 milligrams per litre:
“Provided that the Medical Officer of Health may waive this requirement where the machine is fitted with a control system that ensures that the correct amount of chlorine is added to the rinse water.”

5. Saving—Regulation 4 of these regulations shall not apply to hot water rinsing machines that have been ordered or acquired before the 1st day of July 1982.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

Regulation 2 excludes ultra heat treated milk from the definition of “milk” in regulation 2 of the principal regulations. The effect is to exclude this product from the refrigeration requirements that apply to milk.

Regulation 3: Subclause (1) removes some unnecessary words. *Subclause (2)* allows the Medical Officer of Health to approve washing machines that sanitise dishes otherwise than by means of moist heat; for example, chlorine chemical rinsing machines.

Regulation 4 prescribes a new standard for hot water rinsing machines and for chlorine chemical rinsing machines.

Regulation 5 provides that hot water rinsing machines ordered or acquired before 1 July 1982 do not have to meet the new standard.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 3 December 1981.

These regulations are administered in the Department of Health.