

AUSTRALIAN CAPITAL TERRITORY.

Regulations 1959. No. 2.

Regulations under the *Public Health Ordinance 1928-1951*.*

I, DONALD ALASTAIR CAMERON, the Minister of State for Health, hereby make the following Regulations under the *Public Health Ordinance 1928-1951*.

Dated this sixteenth day of March, 1959.

DONALD A. CAMERON
Minister of State for Health.

AMENDMENTS OF THE PUBLIC HEALTH (DAIRY) REGULATIONS.†

1. Regulation 4 of the Public Health (Dairy) Regulations is amended— Interpretation.
 - (a) by omitting from the definition of "dairy herd" in sub-regulation (1.) the word "used" (second occurring) and inserting in its stead the words "and any other cattle kept";
 - (b) by omitting paragraph (a) of the definition of "dairy" in sub-regulation (1.) and inserting in its stead the following paragraph:—
 - "(a) the keeping, stalling, grazing, feeding or milking of a dairy herd used or intended to be used for the purpose of producing milk or cream for sale;";
 - (c) by inserting in the definition of "factory" in sub-regulation (1.), after the word "bottling," the word "packaging,";
 - (d) by omitting the definition of "milk" in sub-regulation (1.) and inserting in its stead the following definition:—
 - "'milk' means the lacteal secretion of a cow;"; and
 - (e) by omitting from the definition of "seal" in sub-regulation (1.) the word "bottle" and inserting in its stead the word "container".
2. Regulation 11 of the Public Health (Dairy) Regulations is amended Pasteurized milk standard. by omitting from sub-regulation (5.) the words "in a full sealed pint bottle".
3. Regulation 13 of the Public Health (Dairy) Regulations is amended Cream standard. by adding at the end thereof the following sub-regulations:—
 - "(6.) Cream shall not be taken from milk unless the milk complies with the standards prescribed by sub-regulations (1.), (2.), (5.), (6.) and (7.) of regulation 10 of these Regulations.

* Notified in the *Commonwealth Gazette* on 2nd April, 1959.

† Regulations 1957, No. 5.

“(7.) No coliform bacteria shall be revealed when a sample of the cream is subjected to the coliform test referred to in sub-regulation (4.) of regulation 11 of these Regulations.

“(8.) In the case of cream in the cold room of a factory, it shall disclose a satisfactory keeping quality determined in the same manner as is prescribed in relation to pasteurized milk by sub-regulation (5.) of regulation 11 of these Regulations.”

4. Regulation 14 of the Public Health (Dairy) Regulations is repealed and the following regulation inserted in its stead:—

Labelling of
pasteurized
milk.

“14. A person shall not sell pasteurized milk, or a substance represented to be pasteurized milk, in a bottle or carton unless—

- (a) there are legibly embossed or printed on the bottle or carton, in not less than twelve point lettering—
 - (i) the words ‘ Pasteurized Milk ’;
 - (ii) the name of the person at whose premises the milk contained in the bottle or carton was pasteurized; and
 - (iii) the contents by fluid measurement;
- (b) there is legibly embossed on the disc, cap or device used for sealing the bottle, or there is legibly embossed or printed on the carton, in eight point lettering, a mark or sign, approved by the Director-General, correctly indicating the day of the week on which the milk was placed in the bottle or carton; and
- (c) there are on the bottle or carton or on any disc, cap or device used for sealing the bottle or carton, no other words, marks or signs which have not been approved by the Director-General.”

Labelling of
skim milk.

5. Regulation 15 of the Public Health (Dairy) Regulations is amended by omitting the words “ (not being a bulk container) ”.

Labelling of
cream.

6. Regulation 16 of the Public Health (Dairy) Regulations is amended—

- (a) by omitting from sub-regulation (1.) the words “ (not being a bulk container) ”; and
- (b) by inserting after paragraph (b) of sub-regulation (1.) the following paragraph:—
 - “(ba) there is legibly embossed on the disc, cap or device used for sealing the container, or there is legibly embossed or printed on the container, in eight point lettering, a mark or sign, approved by the Director-General, correctly indicating the day of the week on which the cream was placed in the container;”.

Labelling and
sale of cream
mixture.

7. Regulation 17 of the Public Health (Dairy) Regulations is amended by omitting from sub-regulation (1.) the words “ (not being a bulk container) ”.

Containers
to have
owner's name
impressed or
embossed.

8. Regulation 38 of the Public Health (Dairy) Regulations is amended by inserting in sub-regulation (1.), after the word “ container ” (second occurring), the words “ , or an abbreviation of the name of the owner approved by the Director-General,”.

9. Regulation 45 of the Public Health (Dairy) Regulations is repealed and the following regulation inserted in its stead:—

“45. The occupier of a factory at which milk is enclosed in a container shall provide approved equipment for the purpose of filling and sealing the containers.”

Filling, &c.,
and sealing
equipment.

10. Regulation 51 of the Public Health (Dairy) Regulations is amended by omitting from sub-paragraph (ii) of paragraph (c) of sub-regulation (1.) the word “bottle” and inserting in its stead the words “bottle or carton”.

Storage, &c.,
of milk.

11. Regulations 54 and 55 of the Public Health (Dairy) Regulations are repealed and the following regulations inserted in their stead:—

“54. The occupier of a factory where milk or cream is bottled or placed in cartons shall ensure that—

Obligations of
occupier of
milk bottling
or packing
factory.

- (a) a bottle in a damaged or obviously offensive condition is not received into the factory or used;
- (b) a dirty, damaged or torn carton, or a carton which has been received into the factory in a wrapping which has been damaged or torn, is not used;
- (c) milk is not placed in a bottle or carton except by means of an approved mechanical bottle filler or carton filler;
- (d) every bottle or carton is, immediately after being filled, tightly and securely sealed—
 - (i) by means of a metal cap overlapping the mouth of the bottle or carton; or
 - (ii) in such other approved manner as will protect the milk or cream in the bottle or carton from contamination by dirt, dust, insects or any other thing;
- (e) the seal—
 - (i) is applied to the bottle or carton by means of an approved mechanical appliance; and
 - (ii) is not touched by a person during the process of sealing;
- (f) every carton and every disc, cap, device or metal intended for use in sealing a bottle or carton containing milk or cream—
 - (i) is stored in a sealed hygienic container;
 - (ii) is kept free from contamination; and
 - (iii) is kept in a dry place until it is required for use;
- (g) the seal is kept clean and protected from contamination from the time when the original package in which it is contained is opened until the time when the sealing process is completed;
- (h) the equipment for filling the bottles or cartons and its operations are such that a uniform composition is placed in each bottle or carton during the filling operation; and
- (i) no carton, disc, cap or metal is used which has been previously used for bottling or packing milk or cream or for any other purpose.

Cleaning and sterilizing of milk cans and bottles.

“55.—(1.) The occupier of a milk factory where milk intended for sale is bottled shall ensure that—

- (a) approved machinery or equipment for washing and sterilizing bottles is provided and maintained in an efficient state; and
- (b) each bottle is cleansed and sterilized by means of that machinery or equipment, and examined visually for cleanliness, immediately before it is filled.

“(2.) The occupier of a milk factory where milk intended for sale is bottled or placed in cartons shall ensure that—

- (a) approved machinery or equipment for washing and sterilizing milk cans is provided and maintained in an efficient state; and
- (b) each milk can is cleansed and sterilized by means of that machinery or equipment immediately after its contents have been removed and also immediately before it is used to contain pasteurized milk.

“(3.) The occupier of a milk factory in which the machinery or equipment referred to in either of the last two preceding sub-sections is provided shall ensure that there are provided to the satisfaction of the Director-General on the machinery or equipment indicating thermometers which indicate the temperature of any solution through which bottles or cans placed in the machinery or equipment pass for cleansing.

“(4.) The occupier of a factory where milk intended for sale is bottled or placed in cartons shall ensure that a bottle or carton, as the case may be, a milk can or other milk container does not leave his possession or control unless it is in a thoroughly clean and undamaged condition and free from any offensive odour.”.

Sterilization, &c., of equipment.

12. Regulation 57 of the Public Health (Dairy) Regulations is amended—

- (a) by omitting the words “where milk or cream is bottled”; and
- (b) by omitting the word “bottling” and inserting in its stead the words “placing into bottles or cartons”.

Rejection of certain milk and cream delivered to factory.

13. Regulation 58 of the Public Health (Dairy) Regulations is amended—

- (a) by omitting the word “bottled” and inserting in its stead the words “placed in bottles or cartons”; and
- (b) by omitting from clause (B) of sub-paragraph (iii) of paragraph (c) the words “less than 2½ hours” and inserting in their stead the words “less than 5½ hours”.

14. After regulation 59 of the Public Health (Dairy) Regulations the following regulation is inserted:—

Delivery of milk or cream.

“59A.—(1.) A milk vendor shall not deliver milk or cream in a container with a capacity exceeding one pint to a milk shop unless the container is sealed in an approved manner at a factory and is delivered to the milk shop in the sealed state in which it leaves the factory.”.

Overalls to be worn.

15. Regulation 61 of the Public Health (Dairy) Regulations is amended by omitting the word “bottling” and inserting in its stead the words “placing into bottles or cartons”.

16. Regulation 78 of the Public Health (Dairy) Regulations is repealed and the following regulation inserted in its stead:—

“ 78.—(1.) A person shall not sell or deliver milk or cream in or into a bottle or carton if the bottle or carton, or any disc, cap or device used for sealing the bottle or carton, has embossed or printed on it the word ‘milk’ or the word ‘cream’ unless the bottle or carton—

Containers in which milk or cream is sold to be filled in factory and not to be dirty or damaged.

- (a) has been filled with the milk or cream at a factory; and
- (b) is delivered to the customer in the sealed state in which it leaves the factory.

“(2.) A person shall not sell or deliver milk or cream in a bottle that has become dirty or damaged, or in a carton that has become dirty, damaged or torn, after it leaves a factory.”

17. Regulation 82 of the Public Health (Dairy) Regulations is repealed and the following regulation inserted in its stead:—

“ 82.—(1.) A person shall not engage in the retail distribution of milk or cream from any vehicle to a person or place, not being a milk shop or school, except between the hours of eleven o’clock in the evening of one day and half-past seven o’clock in the morning of the next succeeding day.

Delivery hours.

“(2.) A person shall not deliver milk or cream—

- (a) to a school on any day except between the hours of half-past eight o’clock in the morning and twelve noon of that day; or
- (b) to a milk shop on any day except between the hours of half-past eight o’clock in the morning and four o’clock in the afternoon of that day.”

18. Regulation 92 of the Public Health (Dairy) Regulations is amended—

Procedure with samples.

- (a) by omitting from paragraph (a) the words “the milk or cream for analysis” and inserting in their stead the words “the sample for analysis”;
- (b) by omitting from paragraph (b) the words “a sample of the milk or cream” and inserting in their stead the words “the sample”; and
- (c) by omitting from sub-paragraph (i) of paragraph (c) the words “each sample” and inserting in their stead the words “the sample”.

19. Regulation 93 of the Public Health (Dairy) Regulations is amended by omitting sub-regulation (1.) and inserting in its stead the following sub-regulation:—

Special provisions covering samples.

“(1.) Where the owner of milk or cream, or his agent or servant, or a person in charge of milk or cream, a portion of a sample of which milk or cream an authorized officer intends to submit for analysis, does not accept the offer of a portion of the sample, the authorized officer shall submit the sample without division to an analyst and shall advise him that the sample is undivided.”

20. Regulation 100 of the Public Health (Dairy) Regulations is amended by omitting from sub-regulation (1.) the words “milk vendor” and inserting in their stead the words “dairyman or milk vendor”.

Evidence.

By Authority: A. J. ARTHUR, Commonwealth Government Printer, Canberra.

238/59.—2