

PUBLIC HEALTH ORDINANCE.

PUBLIC HEALTH (DAIRY) REGULATIONS.*

REGULATIONS 1961. No. 7.†

1. Regulation 3 of the Public Health (Dairy) Regulations is amended Parts. by inserting, after the words—

“Part VI.—Production, Preparation and Distribution of Milk and Cream (Regulations 50-86).”,

the words—

“Part VIA.—Sale of Milk that has not been Pasteurized (Regulation 86A).”

2. Regulation 4 of the Public Health (Dairy) Regulations is amended— Interpretation.

(a) by adding at the end of the definition of “milk vendor” in sub-regulation (1.) the words “and a retail milk distributor”; and

(b) by inserting in sub-regulation (1.), after the definition of “registered”, the following definition:—

“‘retail milk distributor’ means a person carrying on (otherwise than as a dairyman or the occupier of a milk shop or factory) the business of the carriage, delivery or distribution of milk or cream intended for sale;”.

3. Regulation 5 of the Public Health (Dairy) Regulations is amended by omitting sub-regulation (3.) and inserting in its stead the following sub-regulation:— Dairy men, milk vendors and retail milk distributors to be licensed.

“(3.) The provisions of paragraphs (b) and (c) of sub-regulation (1.) of this regulation do not apply to a retail milk distributor.”.

4. Regulation 6 of the Public Health (Dairy) Regulations is amended— Licensing of dairymen, &c., and registration of premises.

(a) by omitting from sub-regulation (1.) the words “Form 1” and inserting in their stead the words “Form 1 or Form 1A”; and

(b) by inserting at the end of sub-regulation (4.) the words “, or, in the case of a retail milk distributor, a licence which may be in accordance with Form 2A”.

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 Regulation 14 of the Public Health (Dairy) Regulations is repealed and the following regulation inserted in its stead:—

“14. The occupier of a factory shall not sell pasteurized milk, or a substance represented to be pasteurized milk, in a bottle or carton— Labelling of bottles and cartons.

(a) except—

(i) in a bottle sealed, in accordance with these Regulations, with a disc, cap or device of a colour approved by the Director-General for use by that occupier; or

(ii) in a carton of a colour approved by the Director-General for use by that occupier;

* Regulations 1957, No. 5, as amended by Regulations 1959, No. 2.

† Made under the Public Health Ordinance 1928-1951 on 23rd May, 1961; notified in the Commonwealth Gazette and commenced on 22nd June, 1961.

(b) unless there are legibly embossed on the bottle or embossed or printed, in a colour approved by the Director-General for use by that occupier, on the 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;

(c) unless there is legibly embossed on the disc, cap or device used for sealing the bottle, or there is legibly embossed or printed, in a colour approved by the Director-General for use by that occupier, on the carton, in eight point lettering, the word denoting the day of the week not later than which the milk contained in the bottle or carton is required by these Regulations to be sold; and

(d) unless 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.”

Vehicles.

6. Regulation 37 of the Public Health (Dairy) Regulations is amended—

(a) by omitting from sub-paragraph (iv) of paragraph (c) of sub-regulation (1.) the word “ and ” (last occurring); and

(b) by adding at the end of paragraph (c) of sub-regulation (1.) the following word and sub-paragraph:—

“; and (vi) is kept, when not in use, in an enclosed garage the floor of which is constructed of impervious material.”

Storage, &c., of milk.

7. Regulation 51 of the Public Health (Dairy) Regulations is amended by omitting from sub-regulation (1.) the words “ A dairyman ” and inserting in their stead the words “ Subject to the next succeeding regulation, a dairyman ”.

8. After regulation 51 of the Public Health (Dairy) Regulations the following regulation is inserted:—

Storage of milk and milk bottles, &c. by retail milk distributor.

“ 51A.—(1.) Notwithstanding anything contained in the last preceding regulation, a retail milk distributor shall not store or keep for sale, or cause or permit to be stored or kept for sale, milk or cream at any premises or place other than a registered factory.

“ (2.) A retail milk distributor shall cause all empty containers, crates or other equipment awaiting return to the factory to be kept in an enclosed room set aside for that purpose.”

Cleaning and sterilizing of cans and bottles.

9. Regulation 55 of the Public Health (Dairy) Regulations is amended—

(a) by omitting from sub-regulation (1.) the words “ milk factory ” and inserting in their stead the word “ factory ”;

(b) by omitting from sub-regulation (1.) the words “ milk intended ” and inserting in their stead the words “ milk or cream intended ”;

- (c) by omitting from sub-regulation (2.) the words "milk factory" and inserting in their stead the word "factory";
- (d) by omitting from sub-regulation (2.) the words "milk intended" and inserting in their stead the words "milk or cream intended";
- (e) by omitting from paragraph (a) of sub-regulation (2.) the words "milk cans" and inserting in their stead the word "cans";
- (f) by omitting from paragraph (b) of sub-regulation (2.) the words "each milk can" and inserting in their stead the words "each can";
- (g) by adding at the end of paragraph (b) of sub-regulation (2.) the words "or cream";
- (h) by omitting from sub-regulation (3.) the words "milk factory" and inserting in their stead the word "factory";
- (i) by omitting from sub-regulation (4.) the words "milk intended" and inserting in their stead the words "milk or cream intended"; and
- (j) by omitting from sub-regulation (4.) the words "a milk can or other milk container" and inserting in their stead the words "a can or other container".

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

"78.—(1.) A milk vendor shall not supply milk or cream in a bottle or carton unless the bottle or carton—

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

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

"(2.) A person shall not sell or deliver milk or cream in a bottle that is dirty or damaged, or in a carton that is dirty, damaged or torn."

11. Regulation 83 of the Public Health (Dairy) Regulations is repealed and the following regulation inserted in its stead:—

"83.—(1.) A milk vendor shall not sell milk on a day other than the day on which it has been pasteurized or the next succeeding day.

Pasteurized milk to be sold fresh.

"(2.) A milk vendor (not being a retail milk distributor or the occupier of a factory) shall, from the time any milk is received by him until the time the milk is sold by him, cause the milk to be stored at a temperature not exceeding forty degrees Fahrenheit."

12. After Part VI. of the Public Health (Dairy) Regulations, the following Part is inserted:—

"PART VIA.—SALE OF MILK THAT HAS NOT BEEN PASTEURIZED.

"86A.—(1.) A milk vendor shall not sell milk unless it is pasteurized milk.

Sale of unpasteurized milk.

“(2.) The last preceding sub-regulation does not apply to a milk vendor—

- (a) who is, for the time being, authorized by notice in writing by the Director-General to sell milk that has not been pasteurized; and
- (b) who sells the milk in accordance with the conditions, if any, specified in the notice.”.

The Schedule.

13. The Schedule to the Public Health (Dairy) Regulations is amended by omitting Forms 1 and 2 and inserting in their stead the following forms:—

FORM 1. Regulation 6.

AUSTRALIAN CAPITAL TERRITORY.
Public Health Ordinance 1928-1951.
PUBLIC HEALTH (DAIRY) REGULATIONS.

**APPLICATION FOR REGISTRATION OF DAIRY, FACTORY OR MILK SHOP
AND FOR LICENCE AS A DAIRYMAN OR AS A MILK VENDOR (NOT
BEING A RETAIL MILK DISTRIBUTOR).**

The Director-General of Health:

I, _____, hereby make
application for the registration of the dairy factory situated at _____
milk shop _____
and for a licence as a dairyman and transmit herewith
milk vendor (occupier of a factory) and milk vendor (occupier of a milk shop)
the sum of _____ being the prescribed fee
for the year ending the thirty-first day of December, 19 _____.

Signature
Date

FORM 1A. Regulation 6.

AUSTRALIAN CAPITAL TERRITORY.
Public Health Ordinance 1928-1951.
PUBLIC HEALTH (DAIRY) REGULATIONS.

APPLICATION FOR LICENCE AS A RETAIL MILK DISTRIBUTOR.

The Director-General of Health:

I, _____, hereby make
application for a licence as a retail milk distributor and transmit herewith the sum
of _____ being the prescribed fee for the year
ending the thirty-first day of December, 19 _____.

Signature
Date

FORM 2.

Regulation 6.

AUSTRALIAN CAPITAL TERRITORY.

Public Health Ordinance 1928-1951.

PUBLIC HEALTH (DAIRY) REGULATIONS.

**LICENCE AS A DAIRYMAN OR AS A MILK VENDOR (NOT BEING A
RETAIL MILK DISTRIBUTOR).**

This Licence authorizes _____ to

_____ dairyman
carry on the business of milk vendor (occupier of a factory) under and subject
milk vendor (occupier of a milk shop)
to the provisions of the *Public Health Ordinance 1928-1951*, and the Regulations
under that Ordinance, on and from the _____ day of _____, 19____,
until the 31st day of December, 19____, unless this Licence is sooner cancelled in
accordance with the provisions of the Regulations.

Date

Director-General of Health.

FORM 2A.

Regulation 6.

AUSTRALIAN CAPITAL TERRITORY.

Public Health Ordinance 1928-1951.

PUBLIC HEALTH (DAIRY) REGULATIONS.

LICENCE AS A RETAIL MILK DISTRIBUTOR.

This Licence authorizes _____ to carry on
the business of a retail milk distributor under and subject to the provisions of the
Public Health Ordinance 1928-1951, and the Regulations under that Ordinance, on
and from the _____ day of _____, 19____, until the
31st day of December, 19____, unless this Licence is sooner cancelled in accordance
with the provisions of the Regulations.

Date

Director-General of Health.
