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Crown Law Department,
Perth, 14th January, 1969.

THE undermentioned Regulations made under the provisions of the Margarine Act, 1940, and amended from time to time up to and including the 29th November, 1968, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

W. J. ROBINSON,
Under Secretary for Law.

MARGARINE ACT, 1940.

MARGARINE ACT REGULATIONS.

Published in the *Government Gazette* on the 28th February, 1941, and incorporating the amendments thereto published in the *Government Gazette* on the 29th February, 1952, and the 3rd December, 1965; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister, dated 13th January, 1969.

MARGARINE ACT, 1940.

REGULATIONS.

1. These regulations may be cited as the Margarine Act Regulations.

Interpretation.

2. In these regulations the terms used, if not inconsistent with the context, shall have the meanings stated in section 6 of the Margarine Act, 1940, and also—

“Approved,” if not otherwise expressed, means approved by an inspector;

“Margarine factory” means any building or place where margarine is manufactured or where fats (whether of animal or vegetable origin) are treated or prepared preparatory to the manufacture of margarine.

Licenses to Manufacture.

3. (1) Every application for a Table Margarine License or for a Cooking Margarine License (as the case may be) shall be in writing in the Form No. 1 in the Appendix to these regulations.

(2) Such application shall contain the particulars indicated in the said form and shall be signed by the applicant and shall be accompanied by the appropriate license fee.

Reg 4.
Amended by
G.G. 3/12/65,
p. 4062.

4. Subject to the proviso to section 19 of the Act, the annual license fee for a Table Margarine License or for a Cooking Margarine License shall be Two dollars.

5. Subject to section 17 of the Act—

(a) a Table Margarine License shall be in the Form No. 2 in the Appendix to these regulations; and

(b) a Cooking Margarine License shall be in the Form No. 3 in the said Appendix.

6. Every license granted under the Act shall be so granted in respect of the margarine factory specified in the application for such license.

Reg. 7.
Amended by
G.G. 3/12/65,
p. 4062.

7. (1) The Minister shall cause to be kept a register, in which particulars shall be entered of every license granted and of the cancellation or transfer of any such license.

(2) Such register shall be open to inspection by the public, at such times and on such days as the Minister may determine, on payment of an inspection fee of ten cents.

8. (1) A license granted under the Act shall not be cancelled, as provided for in section 24 of the Act, until after a report in writing has been made to the Minister by the Director of Agriculture that such license is liable to cancellation.

(2) Upon receipt of such a report the Minister shall cause to be served upon the holder of such license a notice in writing calling upon such holder to show cause why his license should not be cancelled, and appointing a day, time, and place on and at which such holder will be heard.

(3) The holder of a license who has received such notice may, before the time appointed therein, by writing under his hand sent to the Minister, show cause as aforesaid, or, on the day and at the time and place appointed by the notice, may appear before the person then present, being either the Minister, or some other person appointed by the Minister, for the purpose, either in person or by his solicitor or agent, and show cause as aforesaid.

(4) After the holder of the license has shown cause as aforesaid, the Minister shall consider the representations made by the holder of the license, and thereafter shall determine whether the license shall be cancelled or not.

(5) Where the Minister decides that the license shall be cancelled, a memorandum of such cancellation shall be entered in the license register, and notice of the cancellation shall be served upon the holder of the license in the Form No. 4 in the Appendix to these regulations.

Sale or Lease of Margarine Factory.

9. (1) When any margarine factory in respect whereof a current license under the Act has been issued is transferred or leased by the holder of such license to another person, the holder of such license shall, within fourteen days after such transfer or lease, notify the Director of Agriculture of such transfer or lease, and of the name and address of the transferee or lessee, as the case may be.

(2) Any such transferee or lessee intending to use the margarine factory which has been transferred or leased to him as a margarine factory, shall, before so using the same, either obtain a transfer to him of the current license granted in respect thereof, or otherwise, make application for and obtain a new license under the Act in respect of such margarine factory.

Permits to Export Margarine.

10. (1) Any person who desires a special permit under section 27 of the Act authorising him to manufacture table margarine for export, may make application to the Minister for such special permit.

(2) The application shall be in writing in the Form No. 5 in the Appendix to these regulations, shall be signed by the applicant, and be sent or delivered to the Director of Agriculture.

(3) Every special permit granted under section 27 of the Act shall be in the Form No. 6 in the said Appendix.

11. Every person who intends to export beyond the State margarine manufactured within the State shall, at least three clear days (exclusive of Sundays and public holidays) before so exporting such margarine, give to an inspector notice in writing, in the Form No. 7 in the Appendix to these regulations, of his said intention.

12. No person shall export or attempt to export from the State any margarine manufactured within the State, unless and until an inspector has examined the same and has issued a certificate, in the Form No. 8 in the Appendix to these regulations, that in relation to the margarine about to be exported all the requirements of the Act and of these regulations have been complied with.

Standard for Margarine.

13. Margarine shall contain not less than one part potato starch or Queensland arrowroot (*canna edulis*) per 1,000 parts of margarine, or, alternatively, not less than five parts per centum by weight of sesame oil. It shall not contain more than 16 parts per centum of water and shall conform with the general standard for edible fats and oils. It shall not contain any other substance,

except salt (sodium chloride) other than substances made from animal or vegetable fats or oils. The sesame oil, which is added to margarine, shall give the chemical reaction as prescribed in the regulations made under the Health Act, 1911-1937¹.

Reg 14.
Amended by
G.G. 29/2/52,
p. 570.

14. The fatty portion of cooking margarine shall conform with the following chemical and physical criteria, namely:—

Reichert Meissl No.	Not greater than 1.0
Polenske No.	Not greater than 2.5
Iodine value	Not greater than 50.0
Specific gravity	Not greater than 0.937
Artificial butter flavour	Nil.

Labelling of Table Margarine.

15. Where the words "Table Margarine" are written or printed on packages of table margarine, as provided for in section 30 of the Act, they shall be so written or printed in capital letters equivalent in size to bold face sans-serif capital letters of not less than 30 points face measurement.

16. (1) Where in any store, shop, stall, in market or other place the words "Margarine sold here" are displayed on a sign as provided for in subsection (1) of section 32 of the Act, such words shall be so displayed in bold face sans-serif capital letters of not less than 24 points face measurement.

(2) Where in any hotel, cafe, restaurant, tearoom, or other place the word "Margarine" is displayed on any vessel, or the words "Margarine is served here" are displayed on any sign, as provided for in subsection (2) of section 30 of the Act, such word or words shall be so displayed in bold sans-serif capital letters of not less than 18 points face measurement, where the word "margarine" is displayed, and of not less than 24 points face measurement, where the words "margarine is served here" are displayed.

Labelling of Cooking Margarine.

17. Where the words "Cooking margarine for cooking purposes only" are written or printed on packages of cooking margarine, as required by section 31 of the Act, they shall be so written or printed in capital letters equivalent in size to bold face sans-serif capital letters of not less than 18 points face measurement.

Fee for Examination of Margarine.

Reg. 18.
Amended by
G.G. 3/12/65,
p. 4062.

18. A fee shall be payable by the manufacturer for every examination by an inspector under the Act, or these regulations of margarine manufactured by such manufacturer, at the rate of one cent per hundredweight, or any part of one hundredweight, of the quantity of margarine so examined.

Sale of Cooking Margarine in which the Fatty Content Consists of Less than 90 per cent. Beef or Mutton Fat.

19. The persons or the class of persons to whom the holder of a Cooking Margarine License may sell cooking margarine, which contains beef fat or mutton fat, or beef fat and mutton fat, in a quantity of between seventy-five and ninety per centum by weight of the total quantity of fat and oil contained in such margarine, as provided for in section 26 of the Act, shall be the following, that is to say:—(a) Pastrycooks; (b) Biscuit manufacturers; (c) Confectioners.

¹ Now Health Act, 1911-1968.

Returns by Margarine Manufacturers.

20. Every manufacturer of margarine shall send or deliver monthly to the Department of Agriculture, so as to be received by the Chief, Division of Dairying, not later than the 20th day of each and every month, a return, in the Form No. 9 in the Appendix to these regulations, in relation to the margarine manufactured by him during the month next preceding the month in which such monthly return is made.

Books to be kept in Margarine Factory.

21. The holder of every license issued under the Act shall cause to be kept in his margarine factory, or at a place or premises approved by the Minister, the following books, which shall be made up at the end of each calendar month and shall be available at all times for examination by an inspector:—

- (a) a Manufacturing Book, showing the weight in pounds of margarine manufactured daily, and which shall be signed daily by the employee or agent of the manufacturer who carries out the process of manufacture;
- (b) a Margarine Stock and Sales Book, showing on each day the opening stock on hand, the margarine manufactured, oils, or fats used in the manufacture of margarine, consignments, sales, donations, and closing stock on hand.

Storage of Foreign Materials in Margarine Factories.

22. No materials or substances other than those required for use in connection with the manufacture of margarine shall be stored or kept in rooms or places used for the manufacture or storage of margarine.

Provisions Relating to Margarine Factories.

23. In relation to every margarine factory, the following provisions shall apply:—

- (a) Sanitation:—The factory shall be so situated that good sanitation as regards disposal of sewage and freedom from the ill-effects of noxious trades is permanently and economically possible.
- (b) Proximity to Pigsties:—The factory shall be situated not less than 200 yards of a pigsty, where less than twenty-five pigs are kept, and not less than 300 yards of a pigsty where twenty-five or more pigs are kept, and, where pigs are grazed in paddocks and are allowed plenty of room, the factory shall be situated not less than 100 yards of the nearest boundary fence of any such paddock.
- (c) Proximity to Slaughter-house:—The factory shall be situated not less than 200 yards of a slaughter-house, and if pigs or sheep are kept in a slaughter-house for the purpose of being killed there for more than six hours prior to being killed, the factory shall be situated not less than 300 yards of such slaughter-house.
- (d) Floors:—The floors in the factory where the margarine is manufactured shall be of impervious material, such as concrete, shall be smooth on the surface, and be so graded that the washings will be readily run away into suitably made drains.
- (e) Walls:—In order that the walls of manufacturing rooms shall not become offensive in any way, they shall be of impervious material, and be capable of being washed down to a height of at least six feet.
- (f) Ceilings:—Every manufacturing room shall be provided with a ceiling so constructed as to follow the contour of the roof and, where deemed necessary, as to prevent the deposit of unnecessary and avoidable dust.

- (g) Ventilation:—Every manufacturing room and storage room shall be so ventilated that a reasonably pure atmosphere always obtains therein.
- (h) Water:—Water used in connection with the manufacture of margarine shall be obtained from a pure source, shall be free from avoidable organic matter and from deleterious mineral matter.
- (i) Cool-storage Rooms:—The cool-storage rooms in margarine factories shall be kept free from unnecessary moisture; and any drip from thawing ice shall be carried away in suitably arranged open guttering.
- (j) Disposal of Sewage:—Factory sewage shall be disposed of and in a manner which will preclude the possibility of such sewage contaminating the atmosphere surrounding the factory. Open concrete drains shall, wherever possible, be used for carrying away factory washings.
- (k) Protection from Flies:—The manufacturing room shall have all the doors and windows thereof fitted with fly-proof metal gauze.
- (l) Atmosphere:—No building or premises shall be passed or approved by an inspector as being suitable for use as a margarine factory, if through, proximity to any noxious trade centre, or through any other cause whatsoever, the atmosphere surrounding the factory becomes or is likely to become tainted in a manner which can be detected by the sense of smell by an odour which, when absorbed, would be detrimental to the flavour of the margarine manufactured in such factory.
- (m) Size:—The manufacturing room shall have a floor space of at least 336 square feet, and the height between the floor and the lowest portion of the roof shall be at least 12 feet.
- (n) Water Supply:—The factory shall be provided with an ample supply, both of cold water and of boiling water, and also with steam for the washing and sterilisation of all equipment used in the manufacture of margarine and for the cleansing of the manufacturing room.

Breach of Regulations.

Reg. 24.
Amended by
G.G. 3/12/65,
p. 4062.

24. Any person who is guilty of any contravention of any of these regulations shall be liable to a penalty of not exceeding the sum of forty dollars, and, in addition, if such contravention is of a continuing nature, to a daily penalty not exceeding four dollars for every day or part of a day during which such contravention continues.

Amended by
G.G. 3/12/65,
p. 4062.

APPENDIX.

Forms.

Form 1.

Western Australia.

MARGARINE ACT, 1940.

Application for a License to Manufacture Margarine.

To the Director,
Department of Agriculture,
Perth.

Application is hereby made for a License to manufacture (a)
Margarine for the year ending 31st December, 19.....

The particulars are as follows:—

1. Full name of applicant
2. Full postal address
3. State whether applicant is owner, lessee, or agent
4. Area of land on which factory is built
5. Where situated
6. Name of manager or person in charge
7. Power—boiler engine
8. Other power, particulars of
9. Water supply
10. Drainage, system of
11. Walls—material
- Roof—material
- Ceiling—material
12. Facilities for washing utensils and factory
13. Total manufacture of (a)..... margarine during previous
12 months, in cwts.....

Enclosed herewith is the sum of two dollars (\$2) being the fee prescribed.

(Signature).....
Owner or authorised agent.

Date.....

Note: Nos. 7-12 need only be filled in for the first application, unless altera-
tions have been made during the year.

(a) Insert "Table" or "Cooking," as the case may require.

Form 2.

License No.....

Western Australia.

MARGARINE ACT, 1940.

License for the Manufacture of Table Margarine.

This is to certify that, of, has been
granted a License under the provisions of the Margarine Act, 1940, to manu-
facture tons of Table Margarine for each quarter of the year
ending 31st December, 19....., in premises situated at
which have been inspected and approved by an authorised officer.

Director of Agriculture.

Chief, Division of Dairying.

Note: This license must be renewed within 15 days of its expiration.

Form 3.

License No.....

Western Australia.

MARGARINE, ACT, 1940.

License for the Manufacture of Cooking Margarine.

This is to certify that, of, is licensed as a manufacturer of Cooking Margarine, under the provisions of the Margarine Act, 1940, for the year ending 31st December, 19....., and that the manufacturing premises, situated at, have been duly inspected and approved by an authorised officer.

Director of Agriculture.

Chief, Division of Dairying.

Note: This license must be renewed within 15 days of its expiration.

Form 4.

Western Australia.

MARGARINE, ACT, 1940.

Notice of Cancellation of License.

To (a).....

of (b).....

You are hereby notified that the (c) Margarine License No. (d)....., and dated the day of 19....., issued to you under the abovementioned Act has, upon the order of the Minister, acting in accordance with the said Act and the regulations, been cancelled as from and including the day of 19.....

Director of Agriculture.

(a) Full name of licensee; (b) Address; (c) Insert "Table" or "Cooking," as the case may require; (d) Insert number of license.

Form 5.

Western Australia.

MARGARINE, ACT, 1940.

Application for Special Permit to Export Table Margarine.

Application is hereby made for a special permit to manufacture.....tons of Table Margarine as under, and which is to be submitted for export beyond Australia.

Statement of Table Margarine to be Exported.

Brand.....

No. of packages, including weight.....

Date of manufacture.....

.....
.....

Registered cold store in which margarine may be examined.....

.....
Signature of Licensed Manufacturer.

.....
Witness to signature of agent or owner.

Form 6.

Western Australia.

MARGARINE ACT, 1940.

Special Permit to Export Margarine.

This is to certify that (a) of (b) being the holder of Table Margarine License, No. (c), dated the day of19....., is hereby permitted, pursuant to his application in that behalf, dated the day of19....., to export from Western Australia (d) tons of table margarine manufactured by him during the year ending the day of19.....

Director of Agriculture.

(a) Name of manufacturer; (b) Address; (c) Insert license number; (d) Insert quantity.

Form 7.

Western Australia.

MARGARINE, ACT, 1940.

Notice of Intention to Export Margarine.

To The Director of Agriculture.

I (a), of (b), being the holder of Table Margarine License, No. (c), dated the day of19....., hereby give you notice that, under the authority of the special permit granted to me, and dated the day of19....., I intend to export from Western Australia to (d), on or about the (e) day of19....., (f) tons of table margarine, by means of (g) transport.

The said margarine is available for inspection at (h)

Dated the day of19.....

Manufacturer.

(a) Name of manufacturer; (b) Address; (c) Insert number of license; (d) Insert place of destination; (e) Proposed date of export; (f) Insert quantity; (g) "Sea," "rail," or "road," as the case may be; (h) Insert name of place where margarine may be examined.

Form 8.

Western Australia.

MARGARINE, ACT, 1940.

This is to certify that cases of margarine, branded Registered No....., and shipped per SS..... to on, have been examined and found to comply with the conditions and restrictions applicable under the Margarine Act, 1940, and regulations thereto:—

Brand.	No. of Cases of each Weight.			Code Mark.	Date of Manufacture.
	.....lb.	.....lb.	.....lb.		
Net Weight of Sample Boxes					

Dated at Western Australia, this day of 19.....

Officer of the Department of Agriculture.

Form 9.

Western Australia.

MARGARINE ACT, 1940.

Form of Statement showing the quantities of Margarine Manufactured and Fats and Oils used therein during the calendar month ending

Name of Licensee

Address of Factory

Quantity of margarine brought forward from previous month	.....	lbs.
Quantity of margarine manufactured	.....
Quantity of margarine sold	.....
Quantity of margarine carried forward	.....
Quantity of mutton fat used	.....
Quantity of beef fat used	.....
Quantity of vegetable fats or oils used	.....

.....
Factory Manager.

Date..... 19.....

This return must be received by the Chief, Division of Dairying not later than the 20th day of the month following that for which the return is made.