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Crown Law Department,  
Perth, 14th July, 1971.

THE undermentioned Regulations made under the provisions of the Milk Act, 1946, and amended from time to time up to and including the 1st April, 1971, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General.

W. J. ROBINSON,  
Under Secretary for Law.

MILK ACT, 1946.

### MILK ACT REGULATIONS.

(Published in sets of regulations in the *Government Gazette* as follows:—

- On the 21st February, 1947, regulations cited as the Milk Act, 1946, Regulations No. 1;
- On the 18th July, 1947, regulations cited as the Milk Act, 1946, Regulations No. 2;
- On the 12th December, 1947, regulations cited as the Milk Act, 1946, Regulations No. 3;
- On the 15th October, 1948, regulations cited as the Milk Act, 1946-1947, Regulations No. 4;
- On the 18th March, 1949, regulations cited as the Milk Act, 1946-1948, Regulations No. 5;
- On the 3rd June, 1949, regulations cited as the Milk Act, 1946-1948, Regulations No. 6;
- On the 22nd July, 1949, regulations cited as the Milk Act, 1946-1948, Regulations No. 7;
- On the 17th March, 1950, regulations cited as the Milk Act, 1946-1948, Regulations No. 8; and
- On the 2nd February, 1962, regulations cited as the Milk Act, 1946-1960, Regulations No. 9;

and reprinted as amended up to the 1st March, 1965, in the *Government Gazette* on the 27th April, 1965, and incorporating the amendments thereto published in the *Government Gazette* on the 23rd June, 1965; the 19th August, 1965; the 10th January, 1966; the 7th September, 1966; the 8th February, 1967; the 7th December, 1967; the 7th May, 1968; the 5th September, 1968; the 22nd January, 1969; the 14th March, 1969; the 31st October, 1969; the 16th June, 1970 and the 22nd October, 1970 and reprinted pursuant to the Reprinting of Regulations Act, 1954.)

[Note.—In this reprint the regulations are numbered in arithmetical progression without reference, except by footnotes, to the sets of regulations referred to above in which the reprinted regulations were respectively published, and the provisions contained in each set of regulations citing those sets as specified above have been omitted from this reprint.]

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General, dated 13th July, 1971.

MILK ACT, 1946.

## MILK ACT REGULATIONS.

### PART AI.

#### Interpretation.

- Part AI. AI. In these regulations, the terms specified hereunder shall bear the meaning defined, unless the context indicates otherwise:—
- Added by *G.G.* 22/7/49, p. 1610.
- “Act” means the Milk Act, 1946-1948.<sup>2</sup>
- “Regulation” means any Regulation made under, and for the purpose of, the Milk Act, 1946-1948.<sup>2</sup>
- “Board” means The Milk Board of Western Australia.
- “Chairman” means the Chairman of The Milk Board of Western Australia.
- “Secretary” means the Secretary of The Milk Board of Western Australia.
- “Inspector” means an Inspector appointed or acting under the authority of the Milk Act, 1946-1948.<sup>2</sup>
- “Dairyman” means the holder of a Dairyman’s License issued by the Board.
- “Milk Vendor” means the holder of a Milk Vendor’s License issued by the Board.
- “Dairy” means the premises described in a Dairyman’s License.
- “Treatment Plant” means the premises described in a Treatment License.

### PART I.<sup>1</sup>

- Regulation 1. 1. (1) The classification specified by the Board of the business or calling of a dairyman shall be a classification determined according to the average daily quantity of milk sold by the applicant for a dairyman’s license during the year ended 31st March immediately preceding the date of commencement of the license applied for.
- Substituted by *G.G.* 22/6/61, p. 1881.
- (2) Where in any case the Board considers that it is not practicable to determine the classification on the basis referred to in sub-regulation (1) of this regulation, the Board may in its absolute discretion determine, and is hereby authorised to determine, the classification on a basis other than that so referred to.
- Regulation 2. 2. (1) Every application for a dairyman’s license shall be made to the Board and shall be in the Form No. 1 in the First Schedule to these regulations.
- Substituted by *G.G.* 22/6/61, p. 1881.
- (2) A license to carry on business as a dairyman shall be in the Form No. 7 in the First Schedule to these regulations.
- Regulation 3. 3. (1) The license fee payable for a dairyman’s license shall be the amount calculated at the rate of one dollar thirty-five cents (\$1.35) per gallon on the average daily quantity of milk sold by the applicant for such license during the year ended 31st March immediately preceding the date of commencement of the license applied for.
- Substituted by *G.G.* 22/6/61, p. 1881.
- Amended by *G.G.* 23/6/65, p. 1834, *G.G.* 10/1/66, p. 84, *G.G.* 7/5/68, p. 1312.
- (2) The minimum license fee payable for a dairyman’s license shall be six dollars (\$6).

<sup>1</sup> Part I comprising regulations 1 to 11 (inclusive) first published in the *Government Gazette* on 21st February, 1947, pp. 338-342, in the set of regulations cited as the Milk Act, 1946, Regulations No. 1.

<sup>2</sup> Now Milk Act, 1946-1970.

4. (1) The classification specified by the Board of the business of selling milk as a milk vendor under and by the authority of a milkman's license shall be a classification determined according to the average daily quantity of milk sold by the applicant for such a license during the year ended 31st March immediately preceding the date of commencement of the license applied for.

Regulation 4.  
Substituted  
by G.G.  
22/6/61,  
p. 1881.

(2) Where in any case the Board considers that it is not practicable to determine the classification on the basis referred to in subregulation (1) of this regulation, the Board may in its absolute discretion determine, and is hereby authorised to determine, the classification on a basis other than that so referred to.

5. (1) The license fee payable for a milkman's license shall be the amount calculated at the rate of eighty cents (80c) per gallon on the average daily quantity of milk sold by the applicant for such license during the year ended 31st March immediately preceding the date of commencement of the license applied for.

Regulation 5.  
Substituted  
by G.G.  
22/6/61,  
p. 1881.  
Amended by  
G.G. 23/6/65,  
p. 1834;  
G.G. 10/1/66,  
p. 84;  
G.G. 7/5/68,  
p. 1312.

(2) The minimum license fee payable for a milkman's license shall be six dollars (\$6).

(3) Where the applicant for a milkman's license is a dairyman and during the year ended 31st March immediately preceding the date of commencement of the milkman's license applied for, sold milk which he produced, or purchased from other dairymen or from other milk vendors, or from both, the license fee payable by the applicant for that milkman's license shall be the aggregate of the amount calculated at the rate of two dollars fifteen cents (\$2.15) per gallon on the average daily quantity of milk of his own production which such applicant sold during the year ended 31st March immediately preceding the date of commencement of the license applied for, to consumers and to milk vendors who were not the holders of a treatment license, and the amount calculated at the rate of eighty cents (80c) per gallon upon the average daily quantity of milk which he so purchased during the year referred to and sold to consumers or to milk vendors, or to both.

6. [Revoked by G.G. 4/10/62, p. 3298.]

7. (1) The classification specified by the Board of the business of selling cream as a milk vendor under and by the authority of a cream vendor's license shall be a classification determined according to the average daily quantity of cream sold by the applicant for such a license during the year ended 31st March immediately preceding the date of commencement of the license applied for.

Regulation 7.  
Substituted  
by G.G.  
22/6/61,  
p. 1882.

(2) Where in any case the Board considers that it is not practicable to determine the classification on the basis referred to in subregulation (1) of this regulation, the Board may in its absolute discretion determine, and is hereby authorised to determine, the classification on a basis other than that so referred to.

8. (1) The license fee payable for a cream vendor's license shall be the amount calculated at the rate of two dollars (\$2) per gallon on the average daily quantity of cream sold by the applicant for such license during the year ended 31st March immediately preceding the date of commencement of the license applied for.

Regulation 8.  
Substituted  
by G.G.  
22/6/61,  
p. 1882.  
Amended by  
G.G. 7/5/68,  
p. 1312.

(2) Where the applicant for a cream vendor's license is a cream vendor who is the holder of a dairyman's license and during the year ended 31st March immediately preceding the date of commencement of the cream vendor's license applied for, sold cream which he produced, or purchased from other dairymen, or from milk vendors, or from other cream vendors, or from any one or more of them, the license fee payable by that cream vendor for that cream vendor's license shall be the aggregate of the amount calculated at the rate of nine dollars (\$9) per gallon on the average daily quantity of cream of his own production which such applicant

sold during the year ended 31st March immediately preceding the date of commencement of the license applied for, to consumers or to milk vendors or other cream vendors, or any one or more of them, who were not the holders of a treatment license and the amount calculated at the rate of two dollars (\$2) per gallon upon the average daily quantity of cream which he so purchased during the year referred to and sold to consumers or to milk vendors or other cream vendors.

(3) The minimum license fee payable for a cream vendor's license shall be two dollars (\$2).

Regulation 9.  
Substituted  
by G.G.  
22/6/61,  
p. 1883.

9. (1) The classification specified by the Board of the business of selling milk as a milk vendor under and by the authority of a milk shop license shall be a classification determined according to every quantity of one thousand gallons, or part of that quantity, of milk sold by the applicant for such a license during the year ended 31st March immediately preceding the date of commencement of the license applied for, from the premises in respect of which the application for the license is made.

(2) Where in any case the Board considers that it is not practicable to determine the classification on the basis referred to in subregulation (1) of this regulation, the Board may in its absolute discretion determine, and is hereby authorised to determine, the classification on a basis other than that so referred to.

Regulation  
10.  
Substituted  
by G.G.  
15/10/64,  
p. 3547.  
Amended by  
G.G. 7/5/68,  
p. 1312.

10. The license fee payable for a milk shop license shall be five dollars (\$5).

Regulation  
11.  
Substituted  
by G.G.  
22/6/61,  
p. 1883.

11. (1) The classification specified by the Board of the business of selling milk as a milk vendor under and by the authority of a milk store license shall be a classification determined according to every quantity of one thousand gallons, or part of that quantity, of milk sold by the applicant for such a license during the year ended 31st March immediately preceding the date of commencement of the license applied for, from the premises in respect of which the application for the license is made.

(2) Where in any case the Board considers that it is not practicable to determine the classification on the basis referred to in subregulation (1) of this regulation, the Board may in its absolute discretion determine and is hereby authorised to determine, the classification on a basis other than that so referred to.

Regulation  
11A.

11A. The license fee payable for a milk store license shall be two dollars (\$2).

Added by  
G.G.  
22/6/61,  
p. 1883.  
Substituted  
by G.G.  
15/10/64,  
p. 3547.  
Amended by  
G.G. 7/5/68,  
p. 1312.

Regulation  
11B.  
Added by  
G.G.  
22/6/61,  
p. 1883.

11B. (1) Every application for a milk vendor's license shall be made to the Board and shall be in one of the Forms Nos. 2, 3, 4 and 5 in the First Schedule to these regulations.

(2) A license to carry on business as a milk vendor shall be in one of the forms Nos. 8, 9, 10 and 11 in the First Schedule to these regulations.

11C. (1) The classification specified by the Board of business of treating milk shall be classification determined according to the type of treatment to be performed by the licensee under a treatment license if granted to him.

Regulation  
11C.  
Added by  
G.G.  
22/6/61,  
p. 1883.

(2) A classification so determined by the Board may be—

- (a) a classification of the business of treating milk in premises situated within the metropolitan area;
- (b) a classification of the business of treating milk in premises situated outside the metropolitan area where the treatment of milk does not include pasteurisation, bottling or packing of milk;
- (c) a classification of the business of treating milk in premises situated outside the metropolitan area where the treatment of milk includes pasteurisation, bottling or packing of milk.

(3) Where in any case the Board considers that it is not practicable to determine the classification on the basis referred to in subregulation (1) of this regulation, the Board may in its absolute discretion determine, and is hereby authorised to determine, the classification on a basis other than that so referred to.

11D. (1) Every application for a treatment license shall be made to the Board and shall be in the Form No. 6 in the First Schedule to these regulations.

Regulation  
11D.  
Added by  
G.G.  
22/6/61,  
p. 1884.

(2) A treatment license shall be in the Form No. 12 in the First Schedule to these regulations.

11E. (1) The license fee payable for a treatment license where the treatment of milk is to be performed in premises situated within the metropolitan area shall be the amount calculated at the rate of sixty cents (60c.) per gallon on the average daily quantity of milk treated by the applicant for such license during the year ended 31st March immediately preceding the date of commencement of the license applied for.

Regulation  
11E.  
Added by  
G.G.  
22/6/61,  
p. 1884.  
Amended by  
G.G. 23/6/65,  
p. 1834;  
G.G. 7/5/68,  
p. 1312.

(2) The license fee payable for a treatment license where the treatment of milk is to be performed in premises situated outside the metropolitan area and the treatment does not include pasteurisation, bottling or packing of milk shall be the amount calculated at the rate of fifteen cents (15c.) per gallon on the average daily quantity of milk treated by the applicant for such license during the year ended 31st March immediately preceding the date of commencement of the license applied for.

(3) The license fee payable for a treatment license where the treatment of milk is to be performed in premises situated outside the metropolitan area and the treatment includes pasteurisation, bottling or packing of milk shall be the amount calculated at the rate of thirty cents (30c.) per gallon on the average daily quantity of milk treated by the applicant for such license during the year ended 31st March immediately preceding the date of commencement of the license applied for.

(4) The minimum license fee payable for a treatment license shall be forty dollars (\$40).

11F. (1) (a) In considering the grant or refusal of a license the Board may require the applicant to attend before it and answer such questions and supply such additional information relating to the application as it thinks necessary, and may require an inspection of and report on the premises of the applicant.

Regulation  
11F.  
Added by  
G.G.  
22/6/61,  
p. 1884.

(b) The Board may require the applicant for any license to supply it either verbally or in writing within a time specified by the Board such additional information relating to the application as the Board thinks necessary.

(c) Any person who fails to supply such information required by the Board as aforesaid commits an offence against these regulations.

(2) No license shall be granted in respect of premises which do not, or in which the plant in such premises does not, conform to these regulations and to the regulations or by-laws of any local authority, statutory board, body or authority.

Regulation  
11G.  
Added by  
G.G.  
22/6/61,  
p. 1234.

11G. (1) Every license shall be issued by the Board and be held by the licensee, and shall continue in force subject to the Act and regulations from time to time made thereunder.

(2) Any licensee desiring to transfer his license shall first apply to the Board in writing for approval of the transfer and shall furnish the Board with such particulars concerning the transaction as the Board may require.

#### PART II.<sup>1</sup>

[Regs. 12 to 33 inclusive revoked by G.G. 7/5/68, p. 1312.]

#### PART III.<sup>2</sup>

##### Appeals.

34. Any person aggrieved by a decision of the Board and desirous of appealing therefrom under the provisions of section 32 or section 35 of the Act shall lodge notice of appeal in the Form No. 25 in the Third Schedule to these regulations together with a statement of the grounds of the appeal, with the Minister, and serve a copy of such notice and of the statement of the grounds of the appeal on the Board at its office within 21 days after the appellant has been informed of the decision against which he desires to appeal.

The Minister shall cause to be sent to the appellant and the Board notice of the date, time and place fixed by him for the hearing of the appeal which date shall be not less than ten days from the service of such notice. If either party neglects to appear on the date and the time fixed for hearing the appeal, the Minister may—

- (a) where the appellant fails to appear dismiss the appeal;
- (b) where the Board fails to appear, hear the appeal or adjourn it to some other date.

On the hearing of the appeal the appellant shall open his case, but shall not raise any ground of appeal other than those contained in the statement served with his notice of appeal.

#### PART IV.<sup>2</sup>

[Heading revoked by G.G. 19/8/65, p. 2366.]

35.<sup>3</sup> [Revoked by G.G. 19/8/65, p. 2366.]

36.<sup>3</sup> [Revoked by G.G. 18/3/49, p. 504.]

#### PART V.<sup>2</sup>

[Regulations 37 to 60 inclusive revoked by G.G. 19/8/65, p. 2366.]

<sup>1</sup> Part II comprising regulations 12 to 33 (both inclusive) first published in *Government Gazette* on 18th July, 1947, pp. 1292-1298, in the set of regulations cited as the Milk Act, 1946, Regulations No. 2.

<sup>2</sup> Part III comprising regulation 34, Part IV comprising regulations 35 and 36 and Part V comprising regulations 37 to 60 (both inclusive) first published in the *Government Gazette* on 12th December, 1947, pp. 2273-2276, in the set of regulations cited as the Milk Act, 1946, Regulations No. 3.

<sup>3</sup> Regulation 35 was substituted and regulation 36 was revoked by the set of regulations published in the *Government Gazette* on 18th March, 1949, p. 504, and cited as the Milk Act, 1946-1948, Regulations No. 5.

PART VI.<sup>1</sup>

## The Board.

61. The Board shall meet at such times and places as the Board shall from time to time appoint.

62. The Board may regulate its own proceedings.

63.<sup>2</sup> Members of the Board, other than the Chairman, shall be paid a fee of \$625 per annum.

Regulation  
63.  
Substituted  
by  
G.G. 19/8/65,  
p. 2366.  
Amended by  
G.G. 7/5/68,  
p. 1312.  
G.G. 22/1/69,  
p. 207.

64.<sup>2</sup> In addition to the fees payable under regulation 63 of these regulations members of the Board when attending a meeting of the Board or when engaged on the business of the Board, shall be paid travelling allowance and car mileage rates on the same scale and under the same conditions applicable from time to time to officers classified in Group 1 of the Public Service of the Government of Western Australia.

Regulation  
64.  
Substituted  
by  
G.G. 13/6/52  
p. 1524.  
Amended by  
G.G.  
31/10/69,  
p. 3403.

Provided that the approval of the Board shall be obtained before a member engages on any business of the Board other than attendance at a Board meeting, for which any allowance or transport expenses are payable.

PART VII.<sup>3</sup>

## The Functions, Authorities and Duties of Inspectors.

65. Any Inspector appointed under the Act may at any time enter the premises of any person holding a license thereunder, or the premises of any person who is reasonably supposed to be carrying on business without a license in contravention of the Act.

66. The authorities and duties of Inspectors shall be—

- (a) to inspect and report on the health of the animals in the possession of dairymen licensed under the Act;
- (b) to inspect and report on the premises, plant, machinery, appliances, containers, vehicles and other things used or reputed to be used in connection with the production, transport, treatment, supply, sale and distribution of milk;
- (c) to give special attention to the conditions of cleanliness in all of the operations performed at any dairy, Treatment Plant or milk store inspected by them;
- (d) to inspect and report on the methods used in the transport of milk;
- (e) to perform such other duties not inconsistent with the terms of the Act and the Regulations as the Board may deem necessary or advisable for ensuring the carrying out of the terms of the Act.

67. Any Inspector may at any time examine and take samples of any milk or cream or any chemical or other substance or article used or likely to be used in connection with the production, sale, distribution or treatment of milk or cream and submit any sample to an analyst.

<sup>1</sup> Part VI comprising regulations 61 to 64 (both inclusive) first published in the *Government Gazette* on 15th October, 1948, pp. 2533-4, in the set of regulations cited as the Milk Act, 1946-1947, Regulations No. 4.

<sup>2</sup> Regulations 63 and 64 were substituted by the set of regulations published in the *Government Gazette* on 3rd June, 1949, p. 1228, and cited as the Milk Act, 1946-1948, Regulations No. 6.

<sup>3</sup> Parts VII to XIX (both inclusive) comprising regulations 65-152 (both inclusive) first published in the *Government Gazette* on 22nd July, 1949, pp. 1610-19, and cited as the Milk Act, 1946-1948, Regulations No. 7.

68. Any Inspector may at any time take samples of milk or cream, or of any water or fodder or of any materials used in connection with the production, treatment, sale or distribution of milk or cream.

69. Any inspector may request the driver or person in charge of any vehicle on which the Inspector reasonably suspects there is any milk or cream—

- (a) if the vehicle is in motion, to stop the vehicle;
- (b) to keep the vehicle stationary for such time and in such place as an Inspector may reasonably require; and the driver or person in charge as aforesaid shall comply with every such request.

70. An Inspector may stop and enter any vehicle used for the transport, distribution or delivery of milk to or in any Dairy Area and examine and take samples of any milk or cream thereon whether such milk or cream is in a sealed container or otherwise.

71. If the driver or person in charge of any vehicle fails to comply with a request of any Inspector under these regulations he shall be guilty of an offence against these Regulations.

#### PART VIII.<sup>1</sup>

##### Records and Returns.

72. Every person holding a license under the Act shall, as and when required by the Board or its chairman—

- (a) furnish to the Board such returns as the Board may require relating to the production, receipt, purchase, delivery, treatment, or sale of milk handled by such person;
- (b) permit the Board to have access to and make extracts from all books, documents, and records relating thereto.

73. Every dairyman shall keep complete records indicating the quantity of milk supplied, sold and distributed on every day by him to milk vendors carrying out business in any Dairy Area, and to consumers in any Dairy Area.

74. Every milk vendor shall keep complete records indicating the quantity of milk purchased and received by him on every day from dairymen, and the quantity of milk supplied, sold and distributed by him on every day to consumers in any Dairy Area. Such records shall also disclose the names and addresses of the persons from whom he acquired the milk so supplied or distributed.

75. Every holder of a license or licenses under the Act shall keep and maintain complete records from day to day—

- (a) of the quantities of milk and cream produced, purchased, sold and/or treated by him;
- (b) of the names and addresses of persons to whom milk and cream is sold by him and the quantities sold to each person and of persons for whom milk and cream is treated by him and the quantities treated for each person;
- (c) of the amounts received or charged in account by him in respect of every sale and/or treatment of milk and cream; and
- (d) of the gross proceeds derived by him from the carrying on of his business in the exercise of his license or licenses.

76. On or before the tenth day of every calendar month, every holder of a license or licenses under the Act shall deliver to the Board at its office a return in writing on a form provided by the Board and signed by the licensee, showing separately—

- (a) the quantity of milk and the quantity of cream produced, purchased, sold, and/or treated by him during the immediately preceding calendar month;
- (b) the gross proceeds derived by him in respect of the milk and cream sold by him during the immediately preceding calendar month;

<sup>1</sup> See footnote <sup>3</sup> to Part VII.



- (c) the gross proceeds derived by him in respect of the milk and cream treated by him during the immediately preceding calendar month;
- (d) the gross proceeds derived by him during the immediately preceding calendar month from the carrying on of his business in the exercise of his license or licenses;
- (e) any other particulars which the Board may require relating to milk and cream produced, purchased, sold and/or treated by him during the immediately preceding calendar month.

77. If any licensee fails or neglects to furnish any monthly returns as required by Regulation 76 or if any such return, when furnished, appears to the Board to be incorrect, any Inspector may at all reasonable times enter the premises whereon or wherefrom the licensee conducts his business and inspect his books and other records and obtain the particulars mentioned in Regulation 76. The licensee shall make available to such Inspector on such premises all his books and other records.

78. No licensee shall make or allow to be made any entry in his books or other records, or deliver or allow to be delivered to the Board, any return which is false in any material particular.

#### PART IX.<sup>1</sup>

##### Penalties.

79. (a) Every person who by act or omission commits a breach of any of the Regulations for the time being in force under the Milk Act, 1946-1948,<sup>2</sup> commits an offence and is liable to a penalty not exceeding one hundred dollars and not less than four dollars.

Regulation  
79.  
Amended by  
G.G.  
7/5/68,  
p. 1312.

(b) Any person convicted of a breach of any of the Regulations for the time being in force under the Milk Act, 1946-1948,<sup>2</sup> who after conviction continues by act or omission to commit the breach for which he was convicted shall be liable to a daily penalty not exceeding four dollars for every day on which he continues to commit such breach after such conviction.

80. Every person who obstructs or interferes with any Inspector in the execution of his duties under any of the Regulations for the time being in force under the Milk Act, 1946-1948,<sup>2</sup> commits an offence and is liable to a penalty not exceeding one hundred dollars.

Regulation  
80.  
Amended by  
G.G.  
7/5/68,  
p. 1312.

#### PART X.<sup>1</sup>

##### Serving of Notices and Orders.

81. The giving or serving of a notice, order, demand or requirements by the Board may be effected by the giving or serving of such notice, order, demand or requirements in the name of the Board by the Chairman, Secretary or by any Inspector or any person authorised by the Board in that behalf in the manner hereinafter prescribed.

82. Any such notice, order, demand or requirements required or authorised to be given or served under the Milk Act, 1946-1948,<sup>2</sup> may be given or served—

- (a) by delivering the same or a true copy thereof to the person to whom it is directed or at his residence or premises, or
- (b) where directed to the owner or occupier of premises used for or in connection with the business of a dairyman or milk vendor or the holder of a Treatment License by delivering the same or a true copy thereof to some person on the premises apparently in charge thereof or if there is no person on the premises to whom it can be delivered by fixing the same or a true copy thereof on some conspicuous part of such premises, or
- (c) by post.

<sup>1</sup> See footnote 3 to Part VII.

<sup>2</sup> Now Milk Act, 1946-1970.

83. Such order, notice, demand or requirements may be in the form of a letter signed by or in the name of the Chairman, Secretary or in or to the effect of Form No. 27 in the Fifth Schedule to these Regulations signed by any person authorised by the Board to give or serve any such notice, order, demand or requirements on its behalf.

#### PART XI.<sup>1</sup>

##### Examination and Rejection of Milk.

84. The Board, or any inspector may reject for human consumption any milk which is not, or is believed not to be fresh, clean and wholesome or which is adulterated, or any milk which has been supplied, forwarded, or stored in any insanitary, unclean or rusty container.

85. If an Inspector is satisfied that any milk or cream inspected by him is unfit for human food, he may add thereto sufficient methyl violet or tannate of iron to render it unsaleable for human consumption, but not necessarily unfit for use as a food for animals.

86. Any person who uses, sells, exposes for sale, offers for sale, or has in his possession with intent to sell for human consumption as milk, any milk which has been rejected for this purpose by the Board or any Inspector, shall be guilty of an offence against these Regulations.

87. Every holder of a Treatment License and every holder of a Milk Vendor's License shall subject all milk received from dairymen to a complete physical examination on receipt at his premises.

88. All sour, excessively off-flavoured, adulterated, watered, impure, contaminated or unwholesome milk, or milk which is delivered in insanitary, unclean, or rusty containers, shall not be accepted for consumption or use as milk.

89. Milk not accepted for human consumption as milk shall be returned without delay by the holder of the Treatment License or Milk Vendor's License to the dairyman by whom it was forwarded.

90. The holder of a Milk Treatment License or Milk Vendor's License shall affix a tag on which shall be stated the reason for such rejection to each can containing milk rejected by him.

91. Every holder of a Treatment License and every holder of a Milk Vendor's License who receives milk from dairymen shall cause sediment tests of each dairyman's milk to be taken at least once during every week, and shall keep a record from day to day of the quantity of milk rejected for human consumption and the name and address of the dairyman whose milk was rejected. He shall produce such records to any Inspector when requested so to do.

92. The Board may condemn and prohibit the use in relation to the production, treatment, carriage, sale or distribution of milk, any vehicle, plant, machinery or container used or reputed to be used for any of the aforesaid purposes.

93. Any Inspector may prohibit the use in relation to the production, treatment, carriage, sale or distribution of milk, any vehicle, plant, machinery, container used or reputed to be used for any of the aforesaid purposes.

94. Where the Board has condemned any vehicle, plant, machinery, container as aforesaid the Board or any Inspector may place thereon a mark that such vehicle, plant, machinery, container as aforesaid has been condemned.

95. Any person who, without the previous consent in writing of the Board or an Inspector uses in connection with milk any vehicle, plant, machinery, container condemned or prohibited under these regulations by the Board or by any Inspector shall be guilty of an offence against these Regulations.

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<sup>1</sup> See footnote <sup>3</sup> to Part VII.

PART XII.<sup>1</sup>

[Regulations 96 to 103 inclusive revoked by G.G. 19/8/65, p. 2366.]

PART XIII.<sup>1</sup>

## Sale and Transport of Milk.

104. The Board may from time to time fix the minimum prices per gallon for milk and cream supplied in accordance with the provisions of section 26 of the Act.

105. As soon as practicable after the minimum price or prices have been fixed as aforesaid, the Board shall publish the same in the *Government Gazette*.

106. The minimum price to be paid by milk vendors to dairy-men for milk supplied other than cream shall be the price fixed by the Board as aforesaid.

107. The minimum price to be paid by milk vendors to dairy-men for cream supplied shall be the price fixed by the Board as aforesaid.

[Former Reg. 107A added by G.G. 7/12/67, p. 3372. Revoked by G.G. 5/9/68, p. 2637.]

107A. The minimum price to be paid by milk vendors to dairy-men for milk supplied for the production of cream shall be the price fixed by the Board as aforesaid.

Regulation  
107A.  
Added  
by G.G.  
22/10/70,  
p. 3258.

108. No dairyman shall sell and no milk vendor shall purchase milk or cream wholesale at prices which are less than the minimum prices fixed by the Board as aforesaid.

109. Forthwith after receiving any milk or cream, a milk vendor shall give notice in writing to the dairyman or intermediary if any from whom he receives it, stating the quantity thereof accepted by him as milk or cream, and also stating whether the remainder of the milk or cream has been rejected by him or accepted as butterfat, or for any and what other purpose. The said notice shall be served at the place of business of the dairyman or intermediary if any or posted in time to enable him to receive the same not later than the day on which he receives the empty cans which contained the said milk or cream.

110. A milk vendor shall pay the price of milk and cream purchased by him (less permitted deductions for rail freight and road transport as provided in Regulation 112) at the following times:—

- (a) As to milk and cream purchased between the first and fifteenth days inclusive of any month, payment shall be made on or within four days after the fifteenth day of that month.
- (b) As to milk and cream purchased between the sixteenth and last days inclusive of any month, payment shall be made on or within four days after the last day of that month.

111. (1) Subject to subregulation (2) of this regulation, a dairyman shall not deliver milk to a milk vendor except in milk cans which are his own property and which are clearly labelled or marked with—

- (a) the name and address of the dairyman; or
- (b) the number allotted by the Board to the dairyman for the purpose.

Regulation  
111.  
Amended  
by G.G.  
8/2/67,  
p. 431.

(2) A dairyman may, with the approval of the Board and upon complying with such conditions as the Board imposes at the time of granting its approval, deliver milk to a milk vendor in milk cans the property of that milk vendor.

<sup>1</sup> See footnote <sup>3</sup> to Part VII.

(2a) Where in any prosecution instituted under these regulations evidence is given that milk has been delivered to a milk vendor in a milk can labelled or marked in a manner referred to in sub-regulation (1) of this regulation, any milk contained in that milk can shall, in the absence of proof to the contrary, be deemed for the purposes of these regulations to have been, at the time of the delivery, the property of the dairyman whose name and address is labelled or marked on the milk can, or to whom the number labelled or marked on the can has been allotted by the Board, as the case requires.

(3) Upon receiving milk in a milk can belonging to a dairyman, a milk vendor shall promptly empty and thoroughly cleanse the can and forthwith return it to the owner thereof, or to the intermediary if any from whom he received it.

112. (1) In this regulation the words "Siding of origin" mean the railway siding in a Dairy Area from which milk is consigned to a railway station in a Dairy Area, and the word "Destination" means the railway station in a Dairy Area to which the milk is consigned.

(2) A milk vendor shall be entitled to deduct from the amount chargeable against him by a dairyman for any quantity of milk or cream sold to him by the dairyman, such a sum as shall be equivalent to the actual rail freight paid on the said milk or cream from the siding of origin to the destination, and such road transport charges as are permitted by these Regulations to be charged.

(3) The Board may from time to time fix the maximum charge to be made against dairymen for road transport of milk and cream from a milk store or Treatment Plant in the country to the siding of origin. The charge fixed as aforesaid shall include the charge for returning the empty can from siding of origin to milk store or Treatment Plant.

(4) The Board may from time to time fix the maximum charge to be made against dairymen for road transport of milk and cream from destination to milk store or Treatment Plant in a Dairy Area. The charge fixed as aforesaid shall include the charge for cleaning and returning the empty can to the destination.

(5) The Board may from time to time fix the maximum charge to be made against milk vendors for road transport of milk from milk store or Treatment Plant outside the Metropolitan Area to milk store or Treatment Plant in the Metropolitan Area. The charge fixed as aforesaid shall include the charge for cleaning and returning the empty can to the milk store or Treatment Plant outside the Metropolitan Area.

(6) The Board may from time to time fix the maximum charge to be made against dairymen for road transport of milk and cream from dairy to milk store. Such charge shall include the charge for cleaning and returning the empty can to the dairy.

(7) As soon as practicable after fixing maximum charges as aforesaid, the Board shall publish notice of same in the *Government Gazette*, and such charges shall take effect as from and including the date of such publication or from such later date as may be specified in the notice.

(8) Milk may be transported by—

- (a) the Commissioner of Railways;
- (b) a licensed dairyman provided that it is milk produced by himself;
- (c) a licensed milk vendor provided that it is milk purchased by himself;
- (d) a holder of a Treatment License;
- (e) any person who has obtained a certificate from the Board that the vehicle and other facilities provided by him are suitable for the transport of milk.

(9) No person other than the persons mentioned in paragraph (8) of this Regulation shall transport milk.

(10) (a) Unless otherwise provided in these Regulations, no milk vendor shall make charges against any dairyman, excepting for the services aforesaid, nor make charges in excess of the maximum charges fixed by the Board as aforesaid.

(b) No other person shall make charges against any dairyman for the road transport of milk or cream in excess of the maximum charges fixed by the Board as aforesaid.

113. Regulations Nos. 104 to 112, inclusive, shall not apply to a transaction where the dairyman or milk vendor concerned proves to the satisfaction of the Board or any Court that the milk or cream sold or purchased by him was neither intended for resale nor resold for consumption or use as milk or cream in a Dairy Area.

114. Every person who desires to obtain a certificate from the Board that his vehicles and other facilities are suitable for the transport of milk shall make application in writing to the Board for such certificate.

115. The Board may at any time cancel any certificate granted to any person under and for the purpose of these Regulations.

116. Any person engaged in the transport of milk shall submit his vehicles for inspection at any time or place when required by the Board.

117. Every person engaged in the transport of milk shall keep complete records from day to day—

- (a) of the names and addresses of all persons whose milk is transported by him;
- (b) of the quantity of milk transported for each person;
- (c) of the amount of milk delivered to each person and from whom such milk was obtained.

118. Every person engaged in the transport of milk shall on each day give to each dairyman from whom milk is obtained for transport a receipt stating the number of milk and cream cans received for transport and the date, time and place that such cans were received and to whom they were intended to be delivered.

119. Any person who places or transports on any vehicle used for the transport of milk any carcass, livestock, article or commodity other than milk or cream or other than any utensil used or intended to be used for the transport of milk or cream without the approval of the Board first had and obtained commits an offence against these Regulations.

120. The Board may from time to time fix the maximum price or prices which may be charged for milk other than cream sold by milk vendors to other milk vendors: Provided that a different maximum price or prices may be fixed—

- (a) in respect of milk other than cream sold in different Dairy Areas or parts thereof; and
- (b) according to differences in grade, quality, description or quantity or place of delivery.

Separate prices may be fixed for milk other than cream which is sold in bottles or other containers provided by the milk vendor who sells the milk to the other milk vendor.

121. The Board may from time to time fix the maximum price or prices which may be charged for cream sold by milk vendors to other milk vendors: Provided that a different maximum price or prices may be fixed—

- (a) in respect of cream sold in different Dairy Areas or parts thereof; and
- (b) according to differences in grade, quality, description or quantity or place of delivery.

Separate prices may be fixed for cream which is sold in bottles or other containers provided by the milk vendor who sells the cream to the other milk vendor.

122. As soon as practicable after fixing prices as aforesaid, the Board shall publish notice of the same in the *Government Gazette*, and such prices shall take effect as from and including the date of such publication or from such later date as may be specified in the notice.

123. No milk vendor shall sell milk or cream to any other milk vendor at prices which are in excess of the maximum prices fixed by the Board as aforesaid.

124. The Board may from time to time fix the maximum price or prices at which milk other than cream may be sold by retail in any Dairy Area: Provided that a different maximum price or prices may be fixed—

- (a) in respect of milk other than cream delivered or sold in different Dairy Areas or parts thereof; and
- (b) according to differences in grade, quality, description or quantity.

Separate prices may be fixed for milk which is delivered in bottles or other containers provided by the milk vendor and for milk which is not so delivered.

125. The Board may from time to time fix the maximum price or prices at which cream may be sold by retail in any Dairy Area: Provided that a different maximum price or prices may be fixed—

- (a) in respect of cream delivered or sold in different Dairy Areas or parts thereof; and
- (b) according to differences in grade, quality, description or quantity.

Separate prices may be fixed for cream which is delivered in bottles or other containers provided by the milk vendor and for cream which is not so delivered.

Regulation  
125A.  
Added by  
G.G.  
25/6/54,  
p. 1152.

125A. No milk vendor shall sell milk or cream by retail in a Dairy Area at a price which is in excess of the maximum price fixed by the Board as provided for in these regulations.

126. As soon as practicable after fixing prices as aforesaid, the Board shall publish notice of the same in the *Government Gazette*, and such prices shall take effect as from and including the date of such publication or from such later date as may be specified in the notice.

Regulation  
126A.  
Added by  
G.G.  
22/10/70,  
p. 3258.

126A. The Board shall, by publication in the *Government Gazette*, give notice of the minimum price or prices fixed by the Board for the purposes of paragraph (Lb) of subsection (1) of section 26 of the Act, which minimum price or prices shall take effect from the date of such publication or such later date as may be fixed in the notice.

Regulation  
126B.  
Added by  
G.G.  
22/10/70,  
p. 3258.

126B. No person shall sell milk or cream to the State or the Commonwealth, any department, authority, agency or instrumentality of the State or the Commonwealth, any public or private hospital, or to any school or other institution approved by the Minister for the purposes of paragraph (Lb) of subsection (1) of section 26 of the Act at a price or prices less than the minimum price or prices fixed by the Board.

127. The Board may from time to time fix the maximum rate or rates which may be charged by any person for any particular services connected with the treatment of milk: Provided that a different rate or rates may be fixed for milk treated in different Dairy Areas or parts thereof.

128. As soon as practicable after fixing the maximum rate or rates as aforesaid, the Board shall publish notice of the same in the *Government Gazette* and such rates shall take effect as from the date of such publication or from such later date as may be fixed in the notice.

129. No person shall make charges against any other person for any particular services connected with the treatment of milk in excess of the maximum rate or rates fixed by the Board as aforesaid.

129A. Where milk or cream is sold in a sealed bottle, the vendor shall not make any charge for the supply of the bottle without the approval of the Board.

Regulation  
129A.  
Added by  
G.G. 27/5/64,  
p. 2281.

#### PART XIV.<sup>1</sup>

##### Contracts.

130. (a) All milk supplied or sold by dairymen to milk vendors shall be supplied and/or sold under and by virtue of the provisions of a contract in writing between the parties concerned except with the consent of the Board which consent may be given only for the purpose of meeting seasonal or daily requirements.

Regulation  
130.  
Amended  
by G.G.  
14/3/69,  
p. 939.

(b) Every dairyman shall apply to the Board for its approval of all contracts in which he is interested before executing the same, and not less than seven days before commencing to deliver milk thereunder respectively.

131. No dairyman shall supply or sell any milk to any milk vendor, and no milk vendor shall accept delivery of or purchase any milk from any dairyman, except in pursuance of a contract in writing approved by the Board as aforesaid, or with the consent of the Board in exercise of the powers granted under Regulation 130.

Regulation  
131.  
Amended  
by G.G.  
14/3/69,  
p. 939.

132. Regulations 130 and 131 shall not apply to a transaction if the dairyman or milk vendor concerned proves to the satisfaction of the Board or of any Court that the milk sold or purchased by him was neither intended for resale nor resold for consumption as milk.

#### PART XV.<sup>1</sup>—PERMITTED DAILY QUANTITIES AND QUOTAS.

133. In this Part of these regulations, unless the contrary intention appears—

“permitted daily quantity” means the maximum quantity of milk of his own production that a dairyman may, under the terms of a contract made for the purposes of Regulation 130, supply daily in a quantity period;

“permitted quota” means the maximum quantity of milk of his own production that a dairyman may, under the terms of a contract made for the purposes of Regulation 130, supply daily in a quota period;

“quantity period” means the period from the 1st day of March to the 31st day of May in the same year, both dates inclusive; and

“quota period” means the period from the 1st day of June to the last day of February in the next following year, both dates inclusive.

134. The Board may, in respect of each year, fix the permitted daily quantity.

135. The Board may, in respect of each year, fix the permitted quota.

Part XV.  
Substituted  
G.G. 14/3/69,  
pp. 939-40.

<sup>1</sup> See footnote <sup>3</sup> to Part VII.

136. The Board may fix a permitted daily quantity or permitted quota, as the case requires, for a new supplier.

137. Where a dairyman disposes of portion of his dairy business to another dairyman he shall so advise the Board by notice in writing and include in the notice a description of that portion and the name of that other dairyman.

138. Where a dairyman acquires portion of the dairy business of another dairyman he shall so advise the Board by notice in writing and include in the notice a description of that portion and the name of that other dairyman.

139. The Board may—

- (a) reduce the permitted daily quantity or permitted quota, as the case requires, of a dairyman who disposes of portion of his dairy business to another dairyman; and
- (b) increase the permitted daily quantity or permitted quota, as the case requires, of a dairyman who acquires portion of the dairy business of another dairyman.

140. The Board may, from time to time during a quantity period increase or reduce the permitted daily quantity.

141. The Board may, from time to time during a quota period, increase or reduce the permitted quota.

142. Except where it is fixed for a new supplier or where it is increased or reduced pursuant to these regulations, the permitted daily quantity shall be the average daily quantity of milk of his own production that the dairyman has, under the terms of a contract made for the purposes of Regulation 130, supplied during the months of November, December, and January last preceding the quantity period.

142A. Except where it is fixed for a new supplier or where it is increased or reduced pursuant to these regulations, the permitted quota shall be the average daily quantity of milk of his own production that the dairyman has, under the terms of a contract made for the purposes of Regulation 130, supplied during the months of March, April, and May last preceding the quota period.

142B. Upon fixing a permitted daily quantity pursuant to Regulation 134 or a permitted quota pursuant to Regulation 135 the Board shall, by ordinary pre-paid post, give to the dairyman notice of that quantity or quota, as the case requires.

142C. Where, within fourteen days after receiving, pursuant to Regulation 142B, notice of a permitted daily quantity, a dairyman produces evidence to the Board that the quantity is less than that to which he is entitled under the provisions of Regulation 142, the Board may adjust the quantity to conform to those provisions.

142D. Where, within fourteen days after receiving, pursuant to Regulation 142B, notice of a permitted quota, a dairyman produces evidence to the Board that the permitted quota is less than that to which he is entitled under the provisions of Regulation 142A, the Board may adjust the permitted quota to conform to those provisions.

142E. Except as otherwise provided in these regulations, a dairyman shall not, under the terms of a contract made for the purposes of Regulation 130, supply or sell to a milk vendor, on any day in a quantity period, a greater amount of milk of his own production than his permitted daily quantity for that period.

142F. Except as otherwise provided in these regulations, a milk vendor shall not, under the terms of a contract made for the purposes of Regulation 130, accept delivery of or purchase from a dairyman, on any day in a quantity period, a greater amount of milk of the dairyman's own production than his permitted daily quantity for that period.



142G. Except as otherwise provided in these regulations a dairyman shall not, under the terms of a contract made for the purposes of Regulation 130, supply or sell to a milk vendor, on any day in a quota period, a greater amount of milk of his own production than his permitted quota for that period.

142H. Except as otherwise provided in these regulations, a milk vendor shall not, under the terms of a contract made for the purposes of Regulation 130, accept delivery of or purchase from a dairyman, on any day in a quota period, a greater amount of milk of the dairyman's own production than his permitted quota for that period.

142I. Except where he is also a milk vendor, a dairyman shall not sell or supply to a milk vendor milk that the dairyman has not produced.

#### PART XVI.<sup>1</sup>

##### Direction to Supply Milk.

143. (a) The Board may issue directions or orders to any dairyman, milk vendor or other person to supply and sell milk in reasonable quantities to any other person or class of persons or any authority, organisation or other body.

(b) Any such direction or order shall be in the Form No. 28 in the Fifth Schedule and shall be issued under the hand of the Chairman.

(c) Any such direction or order shall be served at least three days prior to the day or the first day upon which the supply and sale of milk therein specified is to be made.

(d) Failure to comply with any such direction or order or any provision thereof shall be an offence against these Regulations.

#### PART XVII.<sup>1</sup>

##### Distribution of Milk.

144. The distribution of milk in the Metropolitan Area shall be carried out only between the following hours on any day—

(a) To consumers outside the districts defined in the Sixth Schedule to these Regulations—between 1 a.m. and 9.30 a.m.

(b) To consumers within either of those districts—between 1 a.m. and 12 noon.

(c) To holders of milk shop or milk store licenses outside those districts between 1 a.m. and 9.30 a.m.

(d) To holders of milk shop or milk store licenses within either of those districts—between 1 a.m. and 12 noon.

Provided that—

(a) the Board may at any time and from time to time grant to any licensed milk vendor a permit in writing under the hand of the Chairman authorising such milk vendor to distribute milk to such consumers and/or to such holders of milk shop or milk store licenses as are named or mentioned in this Regulation, to be specified in the permit; and

(b) the Board may at any time and without stating any reason, cancel any permit granted by the Board as aforesaid to any milk vendor by notice in writing under the hand of the Chairman served on such milk vendor.

145. No person shall distribute milk between the hours of 9.30 a.m. on one day and 1 a.m. on the following day—

(a) to any consumer in the Metropolitan Area outside the districts defined in the Sixth Schedule to these Regulations, or

(b) to any holder of a milk shop or milk store license in the Metropolitan Area outside those districts, unless he holds a current and uncanceled permit from the Board authorising him so to do, and is distributing milk in accordance with the authority granted by such permit.

<sup>1</sup> See footnot <sup>3</sup> to Part VII.

146. No person shall distribute milk between the hours of 12 noon on one day and 1 a.m. on the following day—

- (a) to any consumer in the Metropolitan Area within either of the districts defined in the Sixth Schedule to these Regulations, or
- (b) to any holder of a milk shop or milk store license in the Metropolitan Area within either of those districts unless he holds a current and uncanceled permit from the Board authorising him so to do and is distributing milk in accordance with the authority granted by such permit.

147. Nothing in Regulations 144 to 146 inclusive shall prevent any person holding the appropriate license from distributing cream in the Metropolitan Area at any hour.

#### PART XVIII.<sup>1</sup>

##### Milk for Manufacturing.

148. Every person who desires to acquire milk or cream solely for the purpose of manufacturing, and desires to obtain from the Board a certificate of exemption in accordance with the provisions of section 29 subsection (4) of the Act shall make application in writing to the Board, and in such application shall state the purpose for which such milk or cream acquired by him is to be manufactured.

149. Every person who has received from the Board a certificate of exemption in accordance with the provisions of section 29 subsection (4) of the Act shall furnish to the Board at or within ten days after the end of every calendar month a return in writing signed by him showing separately the quantity of milk and the quantity of cream purchased during the immediately preceding calendar month together with the names and addresses of the persons from whom such milk and cream was purchased and the manner in which and the purpose for which such milk and cream was manufactured.

150. Every application for a certificate of exemption as aforesaid shall be in the Form No. 30 in the Fifth Schedule to these Regulations.

151. Every certificate of exemption as aforesaid shall be in the Form No. 31 in the Fifth Schedule to these Regulations.

#### PART XIX.<sup>1</sup>

##### Milk Not for Use as Milk.

152. (a) In this Regulation "year" shall mean the period of twelve months commencing on the first day of July and ending on the thirtieth day of June next following.

(b) Any person who in any year intends to produce for sale in any district or to bring into any district for sale any milk other than milk for use as milk, shall give notice thereof in writing to the Board on the Form No. 29 in the Fifth Schedule, and shall within ten days after the expiration of every calendar month in such year, deliver to the Board at its office a return in writing on a form provided by the Board, showing the quantity of milk so produced and/or brought into any district during such month, and the manner of its disposal.

#### PART XX.<sup>2</sup>

153. Nothing contained in these Regulations shall excuse any person from compliance with the provisions of the Health Act, 1911-1948,<sup>3</sup> or any regulations made from time to time thereunder.

##### MINIMUM STANDARD OF QUALITY FOR MILK.

154. Milk shall be the lacteal fluid product of an animal where such fluid is intended for human consumption or use. It shall be clean and fresh, and shall be obtained by completely emptying the udder of the healthy animal, properly fed and kept, excluding that got during thirty days immediately before, and five days immediately following on, parturition. It shall contain not less than eight and

Heading substituted by G.G. 11/5/61, p. 1146. Regulation 154. Substituted by G.G. 11/5/61, p. 1146.

<sup>1</sup> See footnote 3 to Part VII.

<sup>2</sup> Part XX comprising regulations 153 to 385 (both inclusive) first published in the *Government Gazette* on 17th March, 1950, pp. 591-613, and cited as the Milk Act, 1946-1948, Regulations No. 8.

<sup>3</sup> Now Health Act, 1911-1970.

five-tenths parts per centum of solids not fat and not less than three and two-tenths parts per centum of milk fat and not less than eleven and seven-tenths parts per centum of total solids. Its freezing point shall not lie between Zero Centigrade and 0.54 degrees Centigrade below zero as determined in the Hortvet Cryoscope. It shall not contain any added water. It shall not contain any pathogenic micro-organisms. It shall not contain more than five hundred thousand micro-organisms in one millilitre. It shall not be treated by heat except for the purpose of being made into pasteurised milk. The bacterial condition of milk shall be such that when subjected to the reductase test carried out in the manner prescribed in the Eighth Schedule to these regulations it shall not completely discolourise the methylene blue in less than four hours.

#### Pasteurised Milk.

155. (a) Pasteurised milk shall be milk which has been efficiently heat-treated either by the holding method or by the high-temperature short-time method respectively hereinafter described and which has not been more than once heated as so described and which has not otherwise been treated by heat and which is free from living coliform bacilli.

Regulation  
155.  
Substituted.  
by  
G.G. 11/5/61,  
p. 1146.

Provided that a parcel of milk shall be deemed to be free from living coliform bacilli if upon examination of a portion thereof containing one-tenth of a millilitre no living coliform bacilli are found therein.

(b) By the "holding method" the temperature of the milk is raised to not less than one hundred and forty-five degrees Fahrenheit and not more than one hundred and fifty degrees Fahrenheit and retained at not less than one hundred and forty-five degrees Fahrenheit and not more than one hundred and fifty degrees Fahrenheit for at least thirty minutes and immediately and rapidly reduced to forty degrees Fahrenheit or less and maintained with protection from contamination at forty degrees Fahrenheit or less until the milk is removed from the premises wherein it was pasteurised for delivery.

(c) By the "high-temperature short-time method" the temperature of the milk is raised to not less than one hundred and sixty-two degrees Fahrenheit and not more than one hundred and seventy-five degrees Fahrenheit for at least fifteen seconds and immediately and rapidly reduced to forty degrees Fahrenheit or less and maintained with protection from contamination at forty degrees Fahrenheit or less until the milk is removed from the premises wherein it was pasteurised for delivery.

(d) No milk shall be deemed to be efficiently heat-treated within the meaning of this regulation if, when it was subjected to the phosphatase test applied as described in the Ninth Schedule hereto, it gives a reading exceeding 2.3 Lovibond blue units.

(e) Pasteurised milk shall not contain more than fifty thousand micro-organisms in one millilitre.

(f) The bacterial condition of pasteurised milk shall be such that when subjected to the reductase test carried out in the manner prescribed in the Eighth Schedule to these regulations it shall not completely discolourise the methylene blue in less than four hours.

#### Labelling.

156. (a) There shall be legibly embossed on every bottle or written on every container containing pasteurised milk or in or on the label attached to every such container in twenty-four point lettering, the words "Pasteurised Milk," and the name of the holder

of the Treatment License at whose premises the milk contained in every such bottle or container was pasteurised. Alternatively, the words specified in the last preceding sentence shall be legibly written or embossed in eight point lettering on the disk, cap, or device used for sealing each bottle.

(b) There shall be legibly written in seventy-two point lettering on a label attached to every container of not less than two gallons capacity used in the sale or distribution of pasteurised milk, the words "Pasteurised Milk."

(c) No words or marking other than the words required by paragraph (a) of this Regulation and the day of the week upon which the milk is delivered shall be written on the disk, cap, or device used for sealing any bottle containing pasteurised milk, except such words or marking as may from time to time in any particular case be approved by the Board by permission in writing given to a person proposing to sell pasteurised milk in a bottle so sealed, and any such permission may, by notice from the Board to such person, be at any time withdrawn.

Heading substituted by G.G. 11/5/61, p. 1147.

#### MINIMUM STANDARD OF QUALITY FOR CREAM.

Cream Mixture or Thickened Cream. Regulation 157. Substituted by G.G. 31/10/69, p. 3404.

157. (1) Cream Mixture or Thickened Cream is cream with or without the addition of sugar and containing gelatine, modifying agents as set out in subregulation (2) of this regulation, succrate of lime, or any preparation of rennin, singly or in combination, in total proportion not exceeding one part per centum.

Modifying agents.

(2) Modifying agents for the purposes of subregulation (1) or this regulation are Gum Acacia, Gum benzoin, Gum tragacanth, Gum karaya, Gum guar, Gum locust bean, Agar agar, Irish Moss, Pectin and Alginates (excluding Propylene Glycol derivatives).

Devonshire or Clotted Cream.

(3) Devonshire Cream or Clotted Cream is that portion of the milk of cows which has been produced by the scalding, cooling and skimming of milk or cream.

No foreign substance in cream.

(4) Cream other than Cream Mixture or Thickened Cream shall not contain any foreign substance.

Limited foreign substances in Cream Mixture or Thickened Cream.

(5) Cream Mixture or Thickened Cream shall not contain any foreign substance other than those mentioned in subregulations (1) and (2) of this regulation.

Cream to be sold according to type and milk fat content.

(6) Cream shall be sold under one or other of the type designations set out in subregulation (7) of this regulation and shall contain not less than the number of parts per centum of milk fat set out opposite the designation in that subregulation.

Cream types and milk fat contents.

(7) Cream types and their respective minimum parts per centum of milk fat content are as follows:—

- "Rich Cream"—48;
- "Whipping Cream"—40;
- "Cream"—35;
- "Reduced Cream"—25;
- "Light Cream"—18;
- "Cream Mixture" or "Thickened Cream"—35; and
- "Devonshire Cream" or "Clotted Cream"—48.

pH value.

(8) The pH value of any type of cream shall be not greater than 7.0 .

(9) Devonshire or Clotted Cream and pasteurised cream shall contain not more than 50,000 micro organisms per millilitre and not more than 10 coliform micro organisms per millilitre.

Bacterial standard for Devonshire, Clotted and Pasteurised Cream.

(10) Unpasteurised cream other than Devonshire or Clotted Cream shall contain not more than 500,000 organisms per millilitre and not more than 100 coliform organisms per millilitre.

Bacterial standard for unpasteurised cream other than Devonshire or Clotted Cream.

#### Pasteurised Cream.

Regulation 158.

158. (a) Pasteurised cream shall be cream which has been efficiently heat-treated either by the holding method or by the high-temperature short-time method, hereinafter respectively described and which has not been more than once heated as so described and which has not otherwise been treated by heat.

Substituted by G.G. 11/5/61, p. 1147-8. Amended by G.G. 31/10/69, p. 3404.

(b) By the "holding method" the temperature of the cream is raised to not less than one hundred and forty-five degrees Fahrenheit and not more than one hundred and fifty degrees Fahrenheit and retained at not less than one hundred and forty-five degrees Fahrenheit and not more than one hundred and fifty degrees Fahrenheit for at least thirty minutes and immediately and rapidly reduced to forty degrees Fahrenheit or less and maintained with protection from contamination at forty degrees Fahrenheit or less until the cream is removed from the premises wherein it was pasteurised for delivery.

(c) By the "high-temperature short-time method" the temperature of the cream is raised to not less than one hundred and sixty-two degrees Fahrenheit and not more than one hundred and seventy-five degrees Fahrenheit for at least fifteen seconds and immediately and rapidly reduced to forty degrees Fahrenheit or less and maintained with protection from contamination at forty degrees Fahrenheit or less until the cream is removed from the premises wherein it was pasteurised for delivery.

(d) No cream shall be deemed to be sufficiently heat treated within the meaning of this regulation if, when it is subjected to the phosphatase test applied as described in the Ninth Schedule hereto, it gives a reading exceeding 2.3 Lovibond blue units.

[*(e) and (f) revoked by G.G. 31/10/69, p. 3404.*]

#### Cream-labelling.

159. (1) When a container of cream is packed for sale the holder of the Treatment License at whose premises the cream was packed shall, subject to subregulations (2) and (3) of this regulation, show or cause to be shown on the container, the label attached to it, or the disc, cap, or device for sealing, as the case may be—

Particulars on container of cream for sale. Regulation 159. Substituted by G.G. 31/10/69, p. 3404-5.

- (a) the type of cream;
- (b) where the cream has not been pasteurised or scalded, the word "Unpasteurised", preceding the type name;
- (c) where the cream is Cream Mixture or Thickened Cream, the name of the modifying agent and the word "Added", both following the type name;
- (d) the number of parts per centum of milk fat content of the cream;
- (e) figures or letters in accordance with a code approved by the Board signifying the date on which the cream was packed; and
- (f) the name of the holder of that Treatment License.

(2) In respect of a bottle of cream packed for sale the particulars required to be shown pursuant to subregulation (1) of this regulation—

- (a) shall be legibly embossed on the bottle with particulars (a), (b) and (c) in twenty-four point lettering and particulars (d), (e) and (f) in eight point lettering; or
- (b) shall be legibly written or embossed on the disc, cap, or device for sealing the bottle with all particulars in eight point lettering.

(3) In respect of a container of cream, other than a bottle, packed for sale the particulars required to be shown pursuant to subregulation (1) of this regulation shall be legibly written on the container or label attached to it with particulars (a), (b) and (c) in twenty-four point lettering and the other particulars in eight point lettering.

(4) Where a person proposes to sell cream in a bottle sealed by a disc, cap, or other device the Board may give him permission in writing to include on the disc, cap, or other device words or markings in addition to those required under subregulation (1) of this regulation but may at any time withdraw the permission by notice in writing to that person.

(5) A word or marking other than those required by subregulation (1) of this regulation or permitted pursuant to subregulation (4) of this regulation shall not be placed on a disc, cap, or device used for sealing a bottle of cream for sale.

(6) The word "Rich" or any similar word shall not be conjoined with the word "Cream" or be embossed on any bottle containing cream for sale or written or embossed on the disc, cap, or device used for sealing such a bottle or written on any container containing cream for sale or on the label attached to such container unless the cream contains not less than 48 parts per centum of milk fat.

#### THE TREATMENT OF MILK.

160. No person shall use any word or term, stating or indicating, either verbally or in writing, that milk is pasteurised unless such milk has been pasteurised and handled in accordance with the provisions of these Regulations.

#### Conditions in Regard to Buildings and Equipment.

161. (a) Every person intending to establish, erect, reconstruct, alter, or enlarge any building or premises used or intended to be adapted for use for the treatment of milk shall submit to the Board for approval a description, plan and specification of the proposed building or premises which he intends to establish, erect, reconstruct, alter, or enlarge and shall submit to the Board such other information or particulars as the Board may require.

(b) No person shall commence establishment, erection, reconstruction, alteration, or enlargement of any building or premises until the Board has notified him in writing that the Board has approved of the aforesaid description, plan and specifications thereof.

(c) No person establishing, erecting, reconstructing, altering or enlarging any such building shall make any material departure from the description, plan and specifications as approved by the Board either before or during establishment, erection, reconstruction, alteration, or enlargement of the building or premises or at any later time without previous notice in writing from the Board that the Board has consented thereto.

162. The location of every place or premises used or intended to be used for the treatment of milk shall be satisfactory to the Board, and shall be free from any objectionable conditions, including smoke, fumes, dust, odours, flies, and any other conditions of a nature which might injuriously affect the milk.

163. (a) All outside openings in every building forming part of a place or premises used for the treatment of milk, shall be effectively screened, or otherwise protected against the entrance of flies.

(b) The openings through which cans, crates and other articles are placed in rapid succession shall be equipped with flaps, fans or similar devices to exclude flies.

(c) Every room in which the treatment or handling of milk is conducted, or in which machinery or equipment is operated, shall be adequately lighted by natural or artificial light or both. Every room shall be adequately ventilated.

164 (1) The floors of every room in which milk is treated, handled or stored, shall be constructed of brick, stone or concrete, or other impervious material approved by the Board, and the surface shall be smooth, readily cleansed, sloped to suitable convenient outlets and free from joints and depressions in which water or dirt may collect, and the joints between walls and floors shall be coved.

(2) Floors shall be kept clean and free from materials and equipment not regularly used in the room.

(3) Suitable trap drains of sufficient size and so located as to rapidly remove drainage, shall be provided.

(4) The walls and ceilings of rooms in which milk is treated, handled or stored, shall have smooth surfaces of impervious and washable material, light in colour and such surfaces shall be kept clean.

165. (1) Separate rooms shall be provided in every place or premises used for the treatment of milk for—

- (a) cleansing, pasteurisation, separation, grading, cooling, refrigerating, bottling, or packing of milk;
- (b) cleansing and bactericidal treatment of containers;
- (c) examination, testing.

(2) Cans of unpasteurised milk shall not be stored in the room in which pasteurisation is carried out.

166. (a) Self-closing doors shall be provided on every place or premises where milk is treated and such doors shall not open directly into any garage, living quarters, public office, street, laneway, yard.

(b) Window and door screens shall be tight-fitting and shall be kept in good repair.

(c) Cleansed utensils and containers shall be stored in a room which is kept free from flies, dust, odours and other contamination.

167. Every holder of a Treatment License shall provide suitable washing facilities for his employees, and such facilities shall be conveniently located and shall not be used in any way in connection with the treatment or handling of milk, or cleansing of any equipment or utensils used for treatment, storage or distribution of milk. Such facilities shall be contained in a room which shall be separate from, and shall not open directly into any room in which milk is treated.

168. Every holder of a Treatment License shall provide for his employees satisfactory sanitary conveniences located convenient to his premises, and such conveniences shall comply in all respects with the provisions of the Health Act, 1911-1948,<sup>1</sup> and any Regulations made thereunder.

169. (a) Every holder of a Treatment License shall provide adequate and satisfactory water and drainage facilities at the place or premises used by him for the treatment of milk.

(b) All wastes and drainage from such place or premises shall be disposed of in a sanitary manner.

<sup>1</sup> Now Health Act, 1911-1970.

170. Refuse shall not be permitted to accumulate in, on, or near any place or premises used for treatment of milk except in properly covered receptacles.

171. No stables shall be erected or maintained nearer than one hundred and fifty feet of any place or premises where milk is treated.

172. Every holder of a Treatment License shall provide to the satisfaction of the Board at the place or premises used by him for the treatment of milk—

- (a) sanitary bottling and capping equipment;
- (b) adequate milk cooling facilities;
- (c) adequate cold storage facilities;
- (d) adequate facilities for cleansing bottles, bottle crates, containers and equipment used in the treatment and handling of milk;
- (e) facilities for rapid cooling of milk to forty degrees Fahrenheit and such facilities shall be easily cleansed, protected against flies, dust and other contamination.
- (f) adequate stationary wash and rinse vats and other facilities for bactericidal treatment;
- (g) facilities for storage of utensils, piping and equipment used in the treatment and handling of milk to prevent contamination;
- (h) adequate water heating facilities and steam as required by the Board shall be provided for the cleansing operations;
- (i) Such other equipment as the Board may consider necessary for the treatment of milk.

173. Every holder of a Treatment License shall establish and maintain at his premises a laboratory to the satisfaction of the Board for the purpose of testing and examining samples of milk.

174. (a) Every holder of a Treatment License shall provide at his premises to the satisfaction of the Board adequate facilities for cleansing and storage of cans, measures, containers and utensils used by milk vendors conducting their business from such premises aforesaid.

(b) Such storage facilities shall be flyproof, adequately ventilated and lit, and shall be provided with metal can racks.

(c) Separate storage enclosures or compartments shall be provided for each milk vendor aforesaid.

175. (a) All equipment and containers used in the handling, treatment, or storage of milk shall be so constructed and kept in repair as to facilitate cleansing and bactericidal treatment, and any surfaces of such equipment and containers with which milk comes in contact shall be of smooth, non-corroded metal or vitreous material, free from accumulation of milk solids and other foreign substances, self-draining and readily accessible for cleaning, and every joint in any such equipment or container shall be made flush with the surface or otherwise constructed, so as to avoid open seams.

(b) The parts of the equipment shall be so arranged that as little milk-piping as possible is required.

(c) Any equipment used for treatment or storing milk shall be constructed of such material and so maintained as not adversely to affect the quality or taste of the milk.

176. If in the opinion of the Board the whole or part of any pasteuriser, mechanical bottle washer, mechanical bottle filler or any machinery, equipment, utensil used in the treatment of milk is unsuitable or is likely to have a deleterious or contaminating effect on milk or cream no person may use such article in the treatment of milk unless or until it is so altered as to meet with the approval of the Board.



177. No milk or cream intended for any product or use other than milk or cream as defined in the Act and these Regulations shall be handled or processed in any premises used for the treatment of milk unless equipment entirely separate from equipment used in the treatment of milk or cream is used and the handling or processing is carried out in a separate room, except with the written approval of the Board first had and obtained.

178. Every inlet valve and every outlet valve and every pipe connected to every pasteuriser, every vat or tank used for the storage of milk, shall comply with the following conditions:—

- (a) Every valve and pipe line used in inlet and outlet connections shall be of metal not affected by milk to the extent of corroding or pitting the material, and shall not affect the flavour of milk by electrolysis or by other means.
- (b) Every surface of any equipment which comes in contact with milk shall be smooth and free from pits, crevices, cracks, open seams or threads.
- (c) Shall be constructed to prevent pocketing.
- (d) Every part shall be readily disassembled for cleaning.
- (e) Every pipe line between any inlet valve and pasteuriser or vat or tank shall be as short as possible and shall be sloped or otherwise arranged to drain freely.
- (f) Every outlet valve shall have the valve seat either flush with the inner wall of the pasteuriser or so closely coupled that all milk in the valve pocket is within the influence of the agitation created by the stirring equipment.
- (g) Every valve shall be provided with necessary stops and guides to insure proper operation.

179. All milk piping and connections shall comply with the following conditions:—

- (a) Be of such size and material that they may be readily cleansed.
- (b) Be smooth, free from corrosion and all joints shall be flush.

180. Milk shall be filtered or strained before pasteurisation only and no filters, other than metal screens, shall be placed on the outlet side of any pasteuriser or be used on milk after pasteurisation.

181. The cover of every pasteuriser shall be kept closed during pasteurisation and until all milk contained therein is removed except in case of emergency.

- (a) Milk cooling equipment shall be provided of sufficient capacity and type to cool the milk from each pasteuriser or holding vat in a period not exceeding one and one-half hours.
- (b) All milk shall be cooled to forty degrees Fahrenheit or lower and held at or below this temperature until delivery.
- (c) Regenerative heater-coolers shall be so constructed and maintained as to prevent access of the unpasteurised milk into the pasteurised milk.
- (d) Solder shall not be used on the metal separating the pasteurised milk from the unpasteurised milk.

182. No bend shall be made in any single length of pipe line. Where a change of direction is necessary it shall be made by means of a cross piece, square junction or approved sanitary bend.

183. No open trough shall be used to convey any milk from or to any pasteuriser, holding tank, or bottle-filling machine.

184. Every milk-receiving vat shall be so placed and protected as to prevent contamination of the milk.

## Pasteurising Methods.

185. Every person who, in pasteurising milk uses the holding method shall employ the following method of control:—

- (a) Indicating thermometers and recording thermometers to the satisfaction of the Board each accurate to half a degree Fahrenheit, shall be installed and used on each holder.
- (b) A minimum milk temperature of one hundred and forty-five degrees Fahrenheit shall be maintained continuously throughout the holding period.

186. Every person who in pasteurising milk uses the high-temperature short-time method shall employ the following method of control:—

- (a) As many suitable indicating thermometers and recording thermometers as may be required by the Board, each accurate to half a degree Fahrenheit, shall during the whole of the pasteurising process be kept inserted in suitable places in the apparatus as required by the Board.
- (b) At the stage in the process of pasteurisation where the milk is passing the outlet of the heater, it shall have a temperature of not less than one hundred and sixty-two degrees Fahrenheit.

187. Equipment used for pasteurising by the high-temperature short-time method shall be provided with such devices as may be necessary to permit accurate testing of the fifteen seconds holding-time period and with a thermostatic control device which shall automatically divert the flow of milk which has not been retained at a temperature of not less than one hundred and sixty-two degrees Fahrenheit for at least fifteen seconds.

188. All holding equipment where considered necessary by the Board shall be provided with agitators so designed as effectively to agitate the whole of the milk in the vat, tank or holding vessel.

189. Irrespective of method, every person pasteurising milk shall employ the following method of control:—

- (a) An indicating thermometer, and not a recording thermometer, shall be used by the person carrying out the pasteurisation as the index of temperature.
- (b) The temperature shown by each recording thermometer shall be checked daily by the person carrying out the pasteurisation against that shown by the corresponding indicating thermometer and shall be adjusted to read at no time higher than the indicating thermometer.
- (c) No thermometer shall be used as a recording thermometer if it shows a reading higher than that shown by the corresponding indicating thermometer.

190. (a) The temperature of the milk in the pasteuriser at any time shall be taken as that shown on the indicating thermometer and not that shown on the recording thermometer.

(b) The bulbs of the thermometers shall be placed as close together as practicable and at the point of lowest temperature in the pasteuriser or holder.

191. (a) Every holder of a Treatment License shall provide and connect to every recording thermometer attached to every pasteuriser or holder a chart on which shall be legibly recorded mechanically the temperature of all stages of the pasteurising process, the length of time of each process and the date on which such process was carried out.

(b) No chart as aforesaid shall be used for more than one day except with the previous permission in writing of an Inspector.

192. (1) The person in charge of the process of pasteurisation shall on each day on which pasteurisation is being carried out sign the chart mentioned in the immediately preceding Regulation and shall ensure that the following information is recorded thereon:—

- (a) The date of each operation of the pasteuriser or holder.
- (b) The number of the pasteuriser or holder, if more than one is in use, to which the recorder was attached.
- (c) A recording of the indicating thermometer at some time corresponding with a marked point in the holding period.

(2) Where more than one recording thermometer is in use, the chart shall be numbered in such a manner as to indicate the recording thermometer which was used for such chart.

(3) Every holder of a Treatment License shall keep in good order on his premises every chart for a period of three months after the day when the record thereon was made.

193. Immediately prior to pasteurisation being commenced, the holder of a Treatment License shall on each such occasion cause the flow diversion valve attached to every pasteuriser to be tested to determine the cut-in and cut-out responses with the recording thermometer.

194. Every thermometer shall have an etched mark on the outside bulb casing, showing the minimum immersion depth, and such bulb shall be of adequate length to ensure complete immersion.

195. Every indicating thermometer shall be calibrated by legible engraving on the glass stem of such thermometer.

196. (a) Milk which has come into contact with contaminated machinery or has overflowed from routine operations shall not be used for human consumption.

(b) If any milk passes through equipment without proper treatment, such equipment shall be sterilised before it is used again.

197. No pasteurised milk shall come into contact with or be placed in any vat, tank, pipe, bottle filling machine, bottle capping machine, pump, or any other equipment or container whatsoever used for unpasteurised milk, unless such vat, tank, pipe, bottle filling machine, bottle capping machine, pump or other equipment or container aforesaid has been effectively sterilised immediately prior to being used for pasteurised milk.

198. All equipment used in the treatment and handling of milk when assembled shall be given a bactericidal treatment by steam or other method as approved by the Board, immediately prior to the commencement of each day's operations.

199. (a) All bottles, cans, containers and equipment shall be stored after cleansing, in such manner as to protect against drainage, dust, flies and other contamination.

(b) After cleansing the interior of every container and any surface thereof exposed or intended to be exposed to milk, shall be protected against manual contact and any other sources of contamination.

200. (a) All containers, utensils and other equipment used in the treatment, handling, storage, sale, distribution, or transportation of milk shall be thoroughly cleansed after each use.

(b) All demountable apparatus, including valves and pipe fittings, shall be taken down daily for cleansing, and after cleansing shall be stored on racks or other places protected from contamination.

201. Every holder of a Treatment License shall thoroughly cleanse and subject to effective bactericidal treatment to the satisfaction of the Board, every tank, can or other container in which milk is delivered to his premises immediately after emptying such tank, can or other container aforesaid.

202. No person shall in any premises used for the treatment of milk commence to pasteurise milk received for pasteurisation more than two hours after it is received in such premises unless it has forthwith on receipt been cooled to a temperature of forty degrees Fahrenheit or less and maintained until commencement of pasteurisation at a temperature of forty degrees Fahrenheit or less.

203. Every pasteurising and treatment operation shall be under the direct supervision of a person holding a certificate of competency from the Board.

#### Inspection of Premises and Equipment.

204. Every holder of a Treatment License shall at all times permit any Inspector, or other person authorised in writing by the Board, to enter upon the premises used by such licensee for the treatment of milk and to inspect the condition of such premises and any machinery and equipment contained therein, and to test or to require such demonstrations as such Inspector or other person aforesaid deems necessary for the purpose of testing the efficiency of such machinery and equipment, and in particular the accuracy of thermometers, and to examine charts and other records, and to initial any chart examined by such Inspector or other person aforesaid, and such licensee shall afford all reasonable facilities and assistance in any such inspection, testing and examination.

#### CONDITIONS IN REGARD TO TESTS BY HOLDERS OF TREATMENT LICENSES.

205. Every holder of a Treatment License shall on three days in every week and on such additional days as the Board may require, take a truly representative sample of the milk received by him from each dairyman whose milk is supplied to him on such days and—

- (a) shall subject a portion of such sample to the reductase test which shall be carried out in the manner prescribed in the Eighth Schedule to these Regulations. Such reductase test shall be commenced not more than two hours after the time at which the sample is taken excepting only where the portion subjected to such test has been kept continuously at a temperature between thirty-two degrees and fifty degrees Fahrenheit from the time of taking the sample until the commencement of the test in which case such test may be commenced after the time aforesaid, but not longer than sixteen hours after such time;
- (b) shall subject a portion of such sample to a test to determine the percentage by weight of butter fat, and solids-not-fat contained in the sample. The daily amounts taken as aforesaid shall until such sample is tested be kept in a tightly stoppered glass bottle plainly labelled with the dairyman's name and preserved or kept continuously at a temperature sufficiently low to prevent souring;
- (c) where a dairyman delivers milk in the morning and in the evening on any day the sample taken as aforesaid may at the option of the holder of the Treatment License be representative of the milk delivered in the morning or in the evening;
- (d) immediately after each such test is completed the holder of the Treatment License aforesaid shall cause to be made an accurate record in ink or indelible pencil showing the name of each dairyman whose milk was tested and whether the milk was delivered in the morning or in the evening, the date on which such milk was delivered, and the result of each such test;
- (e) the licensee aforesaid shall retain all such records for at least twelve months after their making and shall submit them for examination by any Inspector when requested so to do.

CONDITIONS IN REGARD TO PERSONS ENGAGED IN THE  
TREATMENT OF MILK.

206. (a) Every person whose work brings him into contact with the treatment, or handling of milk, or the handling of containers or equipment used in the treatment, storage or handling of milk, shall be free from, and shall not be a carrier of, any disease which may be spread through the medium of milk.

(b) Every such person shall satisfy the Commissioner of Public Health or the Medical Officer of Health of the Municipality or Road District in which the milk is treated as to his freedom from such diseases, and shall submit to such examinations and tests as the Commissioner of Public Health or the Medical Officer of Health or the Board may require.

(c) When any holder of a Treatment License believes or suspects that any employee is suffering from any such disease such licensee shall forthwith notify the Board, the Commissioner of Public Health, or the Medical Officer of Health of the Municipality or Road District in which the milk is treated.

(d) Upon evidence satisfactory to the Board that any such person has failed to satisfy any of the requirements of this Regulation, the Board may direct the licensee as aforesaid to see that such person is not employed in any work which may bring him into contact with the treatment or handling of milk or the handling of containers or equipment used in the treatment, storage, or handling of milk and every such licensee shall carry out the direction of the Board.

207. Every person employed in any place or premises used for the treatment of milk shall be clean in habits, wear clean, washable outer garments, and keep his hands and person clean while engaged in work in such place or premises.

208. No person shall spit, smoke or use tobacco in any form in any part of any place or premises used for the treatment of milk.

CONDITIONS IN REGARD TO BOTTLING OF MILK.

209. No person shall bottle or cause or permit milk to be bottled or placed in any carton or other container as approved by the Board otherwise than in accordance with the following conditions:—

- (a) Such bottle has been thoroughly cleansed and sterilised as provided in these Regulations.
- (b) The bottle is clean and sterile internally immediately before filling.
- (c) The bottle has been examined visually as to cleanliness as required by these Regulations.
- (d) The bottle is filled or partly filled by means of a mechanical bottle filler as approved by the Board.
- (e) The bottle is tightly and securely sealed with a metal cap overlapping the mouth of the bottle or in such other manner as approved by the Board as to protect the milk therein from contamination by dirt, dust, insects, or any other means; provided that where a carton or other container other than a bottle is used it shall be mechanically filled and tightly and securely sealed in a manner as approved by the Board.
- (f) The seal is applied to the bottle by means of a mechanical appliance approved by the Board and such seal is not touched by the human hand during the process of sealing.
- (g) The seal is clean and is protected from contamination from the time of the opening of the original package in which it is contained to the completion of the sealing process.

“Seal” for the purposes of these Regulations includes any cover used or intended to be used for closing the mouths of bottles containing milk for sale.

- (h) Bottling shall be done in mechanical equipment which does not expose the milk to contamination during the operation.
- (i) The equipment and the operation shall be such that a uniform mixture of the milk is placed in each bottle.
- (j) No pasteurised milk shall be bottled or come in direct contact with bottling equipment used for unpasteurised milk unless such equipment has been effectively sterilised immediately prior to being used for pasteurised milk.

210. Every bottle-filler used for the purpose of bottling milk shall be so constructed that it may be readily taken apart and cleansed and shall be thoroughly cleansed to the satisfaction of an inspector immediately after each occasion on which such bottle-filler is so used.

211. Where cartons are used as containers for milk no such carton shall be used which has been used previously for that or any other purpose. All such cartons shall be purchased and kept in sealed sanitary containers before being filled with milk.

212. (a) All cap-disks, or metal intended for use in sealing bottles or other containers in which milk has been placed shall be purchased and kept in sealed sanitary containers and shall be kept free from contamination and in a clean dry place until required for such use.

(b) No such cap-disk or metal as aforesaid shall be used which has been used previously for that or any other purpose.

213. No person shall sell any milk in any bottle which has not been sterilised in accordance with these Regulations.

214. No person shall sell milk in any bottle or in any carton which has not been filled or partly filled in accordance with these Regulations.

215. No person shall sell milk in any bottle or in any carton which has not been sealed in accordance with these Regulations.

216. No person shall sell milk in any bottle or in any carton or in other container which is unclean or which contains any dirt, dust, insect, substance, or thing other than milk.

217. No person shall tamper with any cap-disk, or other device used for sealing any bottle, carton or other container, containing milk after it has been affixed to any such bottle, carton or other container before delivery of the bottle, carton or other container to a consumer.

218. No person shall have in his possession whilst engaged in the actual distribution of milk for sale, or in or upon any vehicle used in the distribution of milk, any cap-disk or seal for sealing any bottle, carton or other container containing milk, or which has previously been used for that purpose.

219. No bottle shall be used as a container for milk unless such bottle is sterilised in accordance with these Regulations.

220. Every bottle used as a container for milk shall be cleansed and sterilised in accordance with the following conditions and after each occasion on which such bottle is so used before it is again used for milk:—

- (a) first rinsed in cold water; then
- (b) thoroughly washed in a warm suitable detergent solution as approved by the Board; then
- (c) thoroughly rinsed in hot water; then

- (d) placed in a sterilising 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 two hundred and ten degrees Fahrenheit for a period of not less than fifteen minutes; and then
- (e) removed from the sterilising chest and placed neck downwards in a dust-proof compartment to drain.

Provided that any other method of sterilisation by boiling water or steam may be used which gives a residual bacterial plate count of not more than one per millilitre of bottle capacity and provided further that such method is approved by the Board and provided further that, subject to the approval of the Board an alternative method of sterilisation by means of chlorine compounds may be used on condition that the process is wholly mechanically effected, that no residual chlorine compound remains in any bottle at the completion of the process and that the process ensures a residual bacterial plate count of not more than one per millilitre of bottle capacity.

221. (a) No person shall place in any mechanical bottle washer for cleansing any bottle which is in an obviously offensive condition or which contains any matter, substance, thing, or material other than milk or cream.

(b) No person shall place in any mechanical bottle washer for cleansing any bottle which contains an accumulation of sour milk or cream.

222. (a) There shall be placed on every mechanical bottle washer indicating thermometers as required by the Board which shall indicate the temperature of any solution through which all bottles placed in such bottle washer for cleansing shall pass. Such indicating thermometers shall be placed in such a position which enables the person in charge of such machine or any Inspector readily to read the temperatures displayed by such thermometers.

(b) The clock face of such thermometers shall bear a mark indicating the approved mean temperature of each such solution.

223. No person shall have in his possession or in or about his premises ready for filling with milk any bottle which has not been sterilised in accordance with these Regulations.

224. Any Inspector shall have access at all reasonable times to any premises where a process of sterilising milk bottles is carried on and such Inspector may select and take away for examination or testing any bottle or bottles which have undergone a sterilisation process and such Inspector shall be empowered to do such other things or to require such demonstrations as he may deem fit and necessary in order to test the efficiency of the sterilising process used on the premises.

225. Any holder of a Treatment License or any person by whose act, default, sufferance, or use or operation of any process of sterilisation permitted by these Regulations the required sterility is not secured commits an offence against these Regulations.

226. (a) Every bottle, carton, or container containing milk or cream shall state thereon the nett volume of the contents of such bottle, carton, or container.

(b) Provided that nothing contained in this Regulation shall excuse any person from compliance with the provisions of the Weights and Measures Act, 1915-1941.<sup>1</sup>

227. No person shall sell any milk in any bottle which is chipped, cracked or damaged.

228. No person shall place any milk or permit any milk to be placed in any bottle which is chipped, cracked, or damaged.

<sup>1</sup> Now Weights and Measures Act, 1915-1969.

229. Every holder of a Treatment License shall provide adequate facilities as required by the Board for the examination of sterilised bottles before such bottles arrive at any bottle filling machine.

230. Every holder of a Treatment License shall ensure that every bottle after sterilising is examined visually as to cleanliness before every such bottle arrives at any bottle filling machine.

#### CONDITIONS IN REGARD TO DAIRIES.

##### Milking Shed.

231. Every dairyman shall provide a proper milking shed in which his cows shall be milked. Such milking shed shall comply with the following conditions:—

232. The site in which every milking shed is erected shall be approved by an Inspector.

233. No person shall after the coming into force of these Regulations erect or construct, or re-erect or reconstruct, any buildings or premises for use as a milking shed and its appurtenances upon any site unless such site is approved for that purpose by an Inspector.

234. No person shall after the coming into force of these Regulations erect or construct or re-erect or reconstruct, any buildings or premises for use as a milking shed and its appurtenances except in accordance with plans submitted to and approved by the Board prior to the commencement of the erection or construction, or re-erection or reconstruction of such buildings or premises.

235. The roof of every milking shed shall be constructed of corrugated asbestos or corrugated galvanised iron or tiles or other material approved by the Board. The roof shall be waterproof, and the lowest part of such roof shall be not less than seven feet in the clear above the floor.

236. There shall be provided to the roof of every milking shed sufficient guttering and down pipes to enable all rain water to be adequately removed. Such down pipes shall discharge into either a tank or drain to such milking shed as required by the Board or an Inspector.

237. The walls of such milking shed shall be constructed of brick, dressed stone or concrete or other materials approved by the Board. Provided that iron walls may be used only if they rest on a brick, dressed stone or concrete wall not less than four feet in height. All concrete, dressed stone or brick walls shall be smooth rendered with cement to a height of at least four feet above the floor.

238. (a) The floor of every milking shed shall be built of concrete and on a hard durable foundation, to be permanently water-proof. The surface of such floor shall be not less than five inches above the adjoining ground.

(b) Such floor shall slope over its whole length with a fall of one in one hundred in the direction opposite to the milk room, and shall also slope with a fall of one in eighty in the direction opposite to the feeding troughs to an open rectangular coved drain laid the whole length of the milking shed, such drain shall not be less than twelve inches wide and not less than one inch deep nor more than two inches deep.

(c) Such drain shall be connected to an open rectangular coved drain not less than twelve inches wide and not less than three inches deep which shall be constructed of concrete to a distance of not less than thirty feet from the milking shed or as required by an inspector. Provided that where considered necessary by an Inspector he may require such drain to discharge into an impervious sump or trapped gully. Such drain shall at all times be kept cleansed and in a sanitary condition to the satisfaction of an Inspector.



239. Every milking shed shall, to the satisfaction of the Board, be provided with adequate windows or openings for daylight and with adequate ventilation, and all means of lighting and ventilation shall at all times be maintained in clean, clear and efficient order and condition, and the whole premises kept clean to the satisfaction of an Inspector.

240. The upper portion of all interior walls and roof of every milking shed shall be thoroughly painted with two coats of suitable paint. The lower portion of all interior walls to a height of four feet shall be tarred or painted with bitumenistic paint as required by an Inspector and shall from time to time be repainted or re-tarred when so directed by an Inspector.

241. (a) All bails and divisions of bails and uprights in every milking shed shall be constructed of iron or steel or dressed sawn hardwood.

(b) The bails of every milking shed shall be thoroughly painted with two coats of suitable paint or thoroughly tarred, and shall from time to time be repainted or re-tarred when so directed by an Inspector.

(c) All uprights shall be set in a cement bed rest of a height of at least three inches above the floor.

242. All feeding troughs in any milking shed shall be constructed of iron or concrete and built so as to be easily cleansed, as required by an Inspector.

243. No feed mixing bin shall be constructed or placed in any milking shed; all feed storage and feed mixing rooms shall be divided off from the milking shed.

244. Every milking shed shall be equipped with an adequate pure water supply, and water tap and hose for cleansing purposes.

245. The ground space of every stockyard and of every race or other yard used in connection with any milking shed shall be concreted to the satisfaction of an Inspector, and every such stock yard, race, or other yard shall at all times be kept drained, cleaned, and in a sanitary condition to the satisfaction of an Inspector.

246. All droppings, manure, excrement, filth, and other impurities or offensive matter shall be scraped, swept, or otherwise collected together and removed from every milking shed immediately after each milking.

247. Every dairyman shall cause the ceiling or the underside of the roof and the interior surface of the walls and the floor of every forage or feed store and feed-mixing room, and every feed trough or bin or receptacle used for mixing feed on his premises to be kept clean.

248. Every dairyman shall at all times ensure that milk and every receptacle and appliance used for or in connection with the production, sale, preparation, storage of any milk for sale, be kept clean and free from contamination by foul odours, and be protected from access by rats, mice, and other vermin, from flies or other insects and from dust.

249. Every dairyman shall ensure that all brushware, cloths, troughs or vessels used in the cleansing of receptacles, utensils, appliances or equipment used in the production of milk or cream, or as the case may be, for the washing of cows' teats and udders or the milker's hands, shall be kept in a clean wholesome condition.

250. No dairyman shall use or allow to be used on the teats of cows in milk or on any utensils used in the production, storage or sale of milk any poisonous or markedly odourous disinfectants.

## MILKING MACHINES.

251. The following conditions shall be observed in regard to milking machines:—

Every firm, agent, or person about to erect for use in any dairy a milking machine, vacuum pump, an engine intended to drive a milking machine, or any dairyman about to erect in his dairy a milking machine, vacuum pump, an engine intended to drive a milking machine, or about to re-erect a milking machine, vacuum pump, an engine intended to drive a milking machine, any of which has been used previously, shall forthwith notify the Board.

252. No person shall erect or re-erect in any dairy a used milking machine or vacuum pump until the same has been inspected and passed by an Inspector.

253. No person shall in any dairy which does not comply with the requirements of these Regulations erect any milking machine or milking machinery, or any engine intended to drive a milking machine.

254. No person shall install or cause to be installed any releaser milking machine on any dairy unless the releaser is placed in an approved milk room.

255. No person shall install an internal combustion engine, or steam engine, or reciprocator, or any mechanical pulsator drive in any milk room, and no pump may be installed in any such milk room.

256. No dairyman shall operate a milking machine unless there is provided and maintained near the milking shed an adequate and suitable supply of water and an approved plant for the boiling of water or the supply of steam for the thorough cleansing and sterilisation of the machine and its appurtenances.

257. No person shall install or operate on any dairy a milking machine unless such machine complies with the following conditions:—

The vacuum tank shall consist of two easily detachable parts.

The connections between the vacuum pump and the vacuum tank and the vacuum tank and the releaser shall be so installed and maintained as to be easily detachable and as short as practicable.

The main milk pipe line, the main vacuum pipe line, and the metal part of drop tubes, shall be of stainless steel or other metal or substance approved by the Board.

The releaser and the vacuum tank shall be of stainless steel or other metal or substance approved by the Board. No bend or curve shall be made in any metal piping of a milking machine; where a change of direction is essential in any vacuum pipe line it shall be effected by means of a right angled cross of a design approved by an Inspector.

The main vacuum pipe line where required by an Inspector shall be fitted with a flushing tap at the furthest point from the releaser.

The main milk pipe line and main vacuum pipe line shall each have a sufficient fall toward the releaser which fall shall be maintained as regular as possible so as to cause their effective drainage by gravitation.

The main milk pipe line shall be in a straight line.

No iron piping, whether galvanised or not, shall be used in the vacuum or milk releaser system.

The vacuum pump, vacuum tank, and releaser shall be so installed and maintained that all lines of pipe shall be as straight as possible.

All pipes shall be coupled in lengths in a manner approved by an Inspector to enable them to be easily taken down for cleansing.

The main milk pipe line shall be in sections, each not more than eight feet in length where vacuum is not applied to the milk pipe line.

The metal portion of any drop tube shall be not longer than five feet, and no rubber tubing shall be in lengths of more than four feet. The main milk pipe line and main vacuum pipe line shall not be less than one inch internal diameter. The metal tubing for purely pulsator or master pulsator pipe lines or the metal drop tubes shall be (a) not more than five feet in length and not less than five-eighths of an inch internal diameter or (b) not more than four feet in length and not less than half an inch internal diameter. All taps, claws, unions, pulsators and rubber and other fittings, shall be of a material, design, construction and finish approved by the Board or an Inspector, and shall be fitted in a manner approved by an Inspector to enable them to be easily taken apart for cleansing.

258. All rubber pipe lines or rubber fittings attached to any milking machine shall be kept at all times in a clean condition.

259. No person shall use or permit to be used on any milking machine, any rubber pipe lines or rubber fittings which are cracked, perished, softened, or mis-shapen, or are in a condition which may contaminate any milk.

260. Milk shall be released into a vat in the milk room, except only where the bucket type of milking machine is used.

261. No belt may drive through an opening in any wall of any milk room: where any part of a milking machine or a separator is required to be driven inside the milk room, this shall be done by a shaft through a wall of the milk room as approved by an Inspector.

262. Every milking machine shall be dismantled at least once during every week, or more often, as required by the Board or an Inspector.

No teat cups, when not in use, shall be permitted to be exposed, except in a milk room.

263. Milking machines shall be cleansed in the following manner after each milking on every day:—

A pre-rinse of cold water followed by drawing through all parts and pipes of boiling water to which caustic soda has been added in the proportion of one to one and a half tablespoonsful of caustic soda to each four gallons of boiling water, followed by the drawing through all parts and pipes of boiling water in a proportion of one gallon to each set of teat cups. Provided that any other detergent may be used in lieu of caustic soda as aforesaid, if the required condition of cleanliness is obtained to the satisfaction of an Inspector.

#### MILK ROOMS.

264. No person shall after the coming into force of these Regulations erect or construct, or re-erect or re-construct, any buildings or premises for use as a milk room and its appurtenances upon any site unless such site is approved by an Inspector.

265. No person shall after the coming into force of these Regulations erect or construct, or re-erect or re-construct, any buildings or premises for use as a milk room and its appurtenances except in accordance with plans submitted to and approved by the Board prior to the commencement of the erection or construction or re-erection or re-construction of such building or premises.

Regulation  
265A.  
Added by  
G.G. 27/5/64,  
p. 2282.  
Regulation  
266.  
Amended  
by G.G.  
27/5/64,  
p. 2282.

265A. No dairyman shall install or cause or permit to be installed in his dairy any refrigerated farm milk tank unit unless and until he has first obtained the approval in writing of the Board to do so.

266. (a) Every dairyman shall provide at his dairy a milk room which shall comply with the following conditions:—

(b) It shall be erected on a site approved by an Inspector.

(c) It shall be erected in accordance with plans submitted to and approved by the Board prior to the commencement of the erection of such milk room.

(d) It shall be not less than ten feet square in area, and eight feet in height measured from the top of the finished floor to the lowest part of the ceiling provided that the Board may approve of a milk room containing a smaller area if it considers the circumstances so warrant, provided also that where a refrigeration chamber or a refrigerated farm milk tank unit is installed a larger area may be required.

(e) The walls of such milk room shall be constructed of brick, dressed stone or concrete or other impervious material as approved in writing by the Board.

(f) The internal surface of the walls shall be finished with an even surface of tiles, cement, or other material impervious to water with all angles coved and shall from time to time, if and when so directed by an Inspector, be painted with suitable paint or enamel and shall at all times be kept clean.

(g) The floor shall be constructed of concrete or other impervious material laid so that the lowest part of its surface is at least six inches above the adjacent ground, finished with a smooth surface and so graded as to carry all fluids spilt thereon to discharge into an adequate and efficient drain to the satisfaction of an Inspector.

(h) Ventilation openings or windows shall be provided in at least two walls, and the total area of such openings shall be not less than one-eighth part of the total floor area. Such openings or windows shall be so fitted with perforated zinc or other suitable material as to exclude flies. The door shall be hung so as to be self-closing.

(i) The ceiling shall be constructed of asbestos or flat iron or other material as approved by the Board with all joints covered by suitable battens.

(j) The roof shall be constructed of corrugated asbestos, corrugated galvanised iron or tiles or other material as approved by the Board.

(k) The roof shall be gabled or have a two feet air space between ceiling and the roof. A central educt vent shaft shall be carried up vertically from the ceiling to a point two feet above the roof of the milking shed. Such educt vent shall be constructed of not less than 24 gauge galvanised iron and be not less than nine inches in diameter, hooded, and fly-proofed at the bottom, and fitted with a cowl at the top.

267. Every milk room shall contain a rack constructed of galvanised iron or other metal as approved by an Inspector of sufficient size and length to provide adequate storage for all milk cans and utensils used by the dairyman.

268. No internal combustion engine or steam engine or reciprocator or mechanical pulsator drive or pump shall be installed in any milk room.

269. Except for doors, windows and ventilators no milk room shall contain any openings except openings of such size as are required to provide for the transmission of such necessary connecting pipes to the milking machine or for the transmission of motive power. Every such opening shall be flyproof.

270. No belt shall drive through any opening in a wall of any milk room.

271. The entrance to any milk room shall not be directly from a milking shed.

272. Every milk room shall be equipped with sufficient milk strainers and such strainers shall be constructed of metal and contain gauze and provide for the use of cotton wool pads.

273. Every milk room shall be equipped with a milk cooler as approved by an Inspector and such milk cooler shall be properly connected with a cold water supply.

274. Every milk room shall—

- (a) be well and properly drained to the satisfaction of an Inspector;
- (b) be at all times kept thoroughly clean and free from objectionable odours; and
- (c) be at all times kept free from rats, mice, insects, and other vermin.

275. No person shall place in any milk room or allow to remain in any milk room, any sour milk or sour cream, cheese, clothing, or any substance, material or thing by which milk or cream may be contaminated.

#### STERILISING ROOM.

276. (a) Every dairyman shall provide at his dairy a sterilising room on a site approved by an Inspector. Such room shall comply with the following conditions:—

(b) It shall be effectively roofed so as to be waterproof and of a size approved by the Board for the requirements of these Regulations.

(c) The floor shall be of concrete or other impervious material finished with a smooth surface and so graded as to carry all fluid spilt thereon to discharge into an adequate and efficient impervious drain to the satisfaction of an Inspector.

(d) It shall be well lit and ventilated.

(e) It shall contain a copper which shall be properly bricked in, or a boiler of a capacity approved by an Inspector, capable of supplying ample boiling water or steam for the sterilising of all plant utensils, equipment and vehicles used by the dairyman.

(f) It shall contain a metal wash trough of a capacity to the satisfaction of an Inspector.

(g) It shall contain draining racks constructed of galvanised iron or other metal as approved by an Inspector.

(h) No dairyman shall allow any such copper or wash trough to be used for washing or boiling, body or bed clothing or for any purpose other than specified in this Regulation.

277. Every dairyman shall cause every vessel, receptacle, utensil, strainer, cooler, or any other article used by him for containing or manipulating milk to be thoroughly cleansed immediately after it has been used, and to be sterilised with steam or clean boiling water immediately before again being used.

278. Every dairyman shall cause every vehicle used by him for the carriage of milk to be thoroughly cleansed immediately after use on every day.

#### CONDITIONS TO BE OBSERVED IN REGARD TO MILKING.

279. Every dairyman shall take adequate steps to protect all milk from infection or contamination during the process of milking and during the subsequent handling of milk at his dairy.

280. Every person who is engaged in the production of milk or cream shall wear clean washable clothing and shall maintain personal cleanliness.

281. No person shall use in the production of milk any can, container, utensil, or appliance which is not free from dents or other damage such as would interfere with the easy and thorough cleansing thereof, and which is not in a sound, clean and wholesome condition, and in such a state of repair as to prevent leakage.

282. No person shall stop with paper, soap, rag, or other temporary stopping any hole or crack in any container or utensil used for the production, storage or conveyance of milk or cream.

283. Every dairyman shall provide at his milking shed during the time of milking an ample supply of clean water, receptacles, cloths, soap and towels wherewith to cleanse and dry the teats and udders of the milking animals and the hands of the persons engaged in the milking.

284. Every dairyman shall ensure—

- (a) that the under part of the udder of each animal shall be kept free of long hair;
- (b) that prior to the milking of each animal all dirt and foreign matter shall be removed from the flanks and udders and the udder and teats properly washed, cleansed and dried by the use of clean water and clean cloths and maintained in a clean condition until such an animal has been milked, and,
- (c) that the hands of each person engaged in milking are properly cleansed by the use of clean water, soap and clean towel immediately before he draws milk from each animal.

285. Every dairyman shall provide a metal strainer and cotton-wool pads, and all milk immediately after milking shall be strained by passing through a cotton-wool pad and strainer. All pads used for the straining of milk shall be destroyed immediately after use.

286. The first jets of milk drawn from any teat shall be milked into a stripping cup and destroyed.

287. No dairyman shall mix with any milk intended to be used for human consumption the milk from any animal within thirty days before or five days after parturition, nor shall he mix with any milk intended for human consumption the first jets of milk drawn from any teat.

288. Every dairyman shall cause all milk immediately after milking to be strained in the manner prescribed in these Regulations and water cooled by the flow over type of milk cooler to as low a temperature as possible.

289. No swine shall be kept or be permitted to be or to approach or to remain within three hundred feet of any dairy premises, milking shed or milk room.

290. No dairyman shall permit any calf or any cattle to be housed under the same roof as that which covers the milking bails at any dairy, or within seventy-five feet of a milking shed, dairy building or milk room.

291. No person shall permit any swine, dog, cat, fowl, or other domestic animal or bird to have access to or remain in any milking shed, dairy building, or milk room; and no fowlhouse or bird roost shall be permitted to exist within one hundred and fifty feet of any dairy premises wherein milk or cream is handled, kept or stored.

292. No dairyman shall use as a stable or enclosure for horses any structure within one hundred and fifty feet of any building used in the production of milk or cream.

293. If in the opinion of an Inspector the condition, construction or situation of, or material used in any piggery, stable, fowl-house, or similar building or if any condition whatever under which swine or any other domestic animals or birds are kept or enclosed on any dairy is detrimental or likely to be detrimental to the quality of any milk on such premises, the owner shall forthwith make such alteration as may be required by notice in writing from an Inspector.

294. No dairyman shall permit on his premises any accumulation of manure within one hundred and fifty feet of any building or structure where milk is produced, cooled, handled or stored unless such manure is enclosed in an impervious flyproof bin not less than fifty feet from such building.

295. Every dairyman shall cause any tank or other receptacle which may be provided on his dairy for containing water to be emptied and cleansed as often as may be necessary to prevent the contamination of any water that may be kept therein.

296. No dairyman shall permit the pollution of any water supply on any dairy.

297. No dairyman shall permit any nuisance to be committed or to exist on his dairy.

298. No person shall allow to remain in or adjacent to any milk room or milking shed, sterilising room, any article, matter, or substance of a character likely to endanger the purity or quality of the milk or cream produced, deposited, or stored therein, and every dairyman shall at all times maintain the surroundings of such milk room or milking shed or sterilising room in a clean and sanitary condition.

299. No dairyman shall install any appliance in his dairy premises in a position which, or use any such appliance in a manner which, having regard to the nature of the appliance, is, in the opinion of an Inspector, likely to contaminate any milk or cream produced or for the time being deposited in such dairy premises or which in any other respect is, in the opinion of an Inspector, unsatisfactory.

300. Every person having for the time being the actual possession or custody of all milking-machines, cans, coolers, or other vessels whatsoever used in or about any dairy, whether for the receiving or storing or for the distribution of milk or cream, shall thoroughly cleanse or cause such milking plant and appliances to be thoroughly cleansed immediately after use.

301. Every dairyman shall cause his premises together with buildings, drains, fittings, apparatus, machinery, utensils, receptacles and vehicles, tools and appliances to be kept in good repair and in a clean condition.

302. All cans, utensils, containers, or appliances used in connection with milk or cream shall be made of stainless steel or other material approved by an Inspector. All metal joints and seams shall be floated and finished with a smooth surface. The inner surface of any can or utensil or container shall be effectually covered by a process of tinning or other method approved by an Inspector so that any milk or cream contained therein shall not come into contact with any base metal or other material which in the opinion of an Inspector may exercise a harmful influence on such milk or cream. All cans, utensils, containers, and appliances shall be constructed so as to permit of thorough cleansing and sterilising where necessary.

303. If in the opinion of the Board the whole or part of any milking machine, separator, appliance, receptacle or other apparatus used in the production of milk or cream, is unsuitable, by reason of its design, construction or material or is likely to have a deleterious or contaminating effect on milk or cream, no person may use such article for such purpose unless or until it is so altered as to meet with the approval of the Board. An Inspector may seize any such unsuitable article, if authorised by the Board so to do.

304. No person shall use, in connection with milk or cream, any utensil which has been condemned or ordered by an Inspector to be repaired. Until such repairs are effected no person shall tamper with any condemnation mark placed on any utensil.

305. No person shall smoke or expectorate in any milk room, sterilising room or milking shed.

306. No stagnant water, which by its situation is likely to contaminate any milk or cream, shall be permitted to remain upon any dairy premises.

307. Every milking shed, cow bail, yard or stable on any dairy shall be kept in a clean and wholesome condition.

308. No dairyman shall permit any cattle to have access to impure water, rubbish or refuse.

309. No dairyman shall feed or permit to be fed to his cows any musty, unsound, decayed or unwholesome food which may injuriously affect the milk or health of the cows, and if an Inspector has reasonable grounds for supposing that any cattle food on the premises is unsound or unfit for use as food he may require the owner to remove such food from the dairy premises and refrain from using it for dairy purposes.

310. (a) If an Inspector shall at any time consider that the water used in or upon any dairy for any purpose is unfit for use he may, by notice in writing under his hand given to the dairyman, require the dairyman to remedy the defect within the time specified in that behalf in such notice or to abstain from using such water in or upon such dairy for all or any of the purposes connected therewith.

(b) Immediately on receipt of such notice the dairyman shall proceed to comply with the requirements thereof.

311. Every dairyman shall provide adequate sanitary conveniences, but he shall not erect, use or suffer or permit to be used, any such conveniences within one hundred and fifty feet of any building where milk or cream is produced or within that distance of any water supply that might become contaminated by seepage or drainage therefrom, unless such conveniences are connected to the sewerage system of a sewerage authority or provided with a septic tank system installed in accordance with the provisions of the Health Act, 1911-1948.<sup>1</sup> Every convenience shall be constructed in accordance with and shall comply with all relevant regulations made under the Health Act, 1911-1948.<sup>1</sup>

312. The situation, construction and condition of every sanitary convenience shall be subject to the approval of an Inspector and every dairyman shall ensure that such sanitary conveniences are used on all necessary occasions.

#### PROTECTION OF MILK OR CREAM FROM INFECTION.

313. No dairyman shall—

- (a) if suffering from an infectious disease, or having recently been in contact with a person so suffering, milk any cow or handle any vessel used for or containing milk or cream, or in any way take part or assist in the production, storage, or distribution of milk or cream; or
- (b) allow or permit any person so suffering or having recently been in contact with a person so suffering as aforesaid to milk any cow or to handle any vessel used for or containing any milk or cream or allow such person in any way to take part in or assist in the production, storage, or distribution of milk or cream,

unless and until, in either case, all danger of the communication of the infection to milk or cream or of its contamination has ceased.

<sup>1</sup> Now Health Act, 1911-1970.



314. It shall be the duty of every dairyman to notify the Board, the Commissioner of Public Health, Medical Officer of Health forthwith—

- (a) if any member of his family or any person employed on or about his dairy is attacked by or is suffering from any infectious disease;
- (b) if any of the cows of such dairyman appear to be suffering from any infectious disease or disorder of any nature tending to contaminate or injuriously affect the milk.

If the Board considers it advisable in the interests of the public health so to do, the Board shall notify such dairyman that any milk or cream derived from cows depastured on his dairy shall not be removed therefrom, or may give such other notifications as the Board thinks necessary in the interests of public health. Such notification shall remain in force until revoked in writing by the Board.

315. Every person who is engaged in the production, treatment, preparation, carriage, or delivery of milk for sale shall, when so engaged, maintain his clothing and his body in a state of cleanliness.

316. No person who is suffering from any infectious 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 production, treatment, preparation, sale, carriage or delivery for the sale of milk, and no person who is in contact with any infectious disease shall so engage if forbidden to do so by the Commissioner of Public Health or Medical Officer of Health or the Board.

317. Every person who is engaged in the production, treatment, sale, preparation, or delivery of milk for sale, and by whose act, default, or sufferance such milk becomes or is liable to become infected, polluted, or tainted commits an offence against these Regulations.

#### SALE AND DELIVERY OF MILK.

318. (a) Every milk vendor shall conspicuously paint and maintain upon every vehicle used by him for the distribution or sale of milk, in letters not less than two and a half inches in height and of proportionate breadth, his name and address, or, if a Company, the name and registered address of such Company, upon both sides of each such vehicle.

Regulation  
318.  
Amended by  
G.G. 10/3/64,  
p. 1054.

(b) No person shall carry milk into or in any district in or upon any vehicle unless such vehicle has legibly and conspicuously painted upon it the name of the milk vendor as provided in this Regulation.

319. No person shall carry or convey or cause to be carried or conveyed milk for sale or to be delivered pursuant to sale—

- (a) in or by means of an upholstered motor car or other upholstered vehicle;
- (b) on or by means of any motor cycle or push cycle.

320. Every milk vendor shall cause each can or other utensil of more than one quart capacity used by him in connection with his business as a milk vendor, to be conspicuously inscribed with his name and address.

321. No milk vendor shall sell, deliver or have in his possession milk contained in any bottle or carton which bears the name of any other milk vendor not being the holder of a Treatment License who shall have placed or caused to be placed in such bottle or carton the milk contained therein and supplied the same to the first-mentioned milk vendor.

322. All pasteurised milk or pasteurised cream sold shall be delivered in clear glass bottles or other containers satisfactory to the Board, and every such bottle or container shall be labelled in accordance with the provisions of Regulations 156 and 159 as the case may be.

323. All unpasteurised milk or cream sold shall be delivered in clear glass bottles or other containers satisfactory to the Board, and every such bottle or container shall be labelled with the words "raw milk" or "raw cream" as the case may be.

324. No person shall sell any milk which has been carried over a milk round, or any part thereof, and returned to any dairy premises or milk store.

Regulation  
325.  
Amended by  
G.G. 16/6/70,  
p. 1684.

325. (a) No person engaged in the carriage, delivery, or sale of milk shall have, at the same time and in the same vehicle, any water or skim milk except skim milk in sealed containers packaged and labelled in accordance with the provisions of the Health Act, 1911 and the regulations made under that Act.

(b) No person shall adulterate any milk with water, skim milk or any other matter.

(c) No person shall sell any milk which has been adulterated with water, skim milk or any other matter.

326. No person shall use in the sale of milk or in the preparation of milk for sale, any utensil, receptacle, or appliance which is damaged, rusty, or unclean.

327. No person shall use any utensil, receptacle, appliance, or vehicle in connection with the production, treatment, preparation, carriage, or sale of milk, unless such utensil, receptacle, appliance, or vehicle is constructed of such material and in such manner as to be easily cleansed and kept clean.

328. Every person who sells milk shall at all times keep clean every place in which milk is sold and all utensils, fittings, appliances, and vehicles used in connection with the sale of milk.

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

330. Every person who sells milk shall protect such milk from dirt, dust or rain and from contamination by vermin, insects, or any animal.

331. No person shall use any vessel with rough, broken, cracked or rusty edges or surfaces for containing, measuring, or selling milk.

332. No person shall use for containing, measuring, storing, or conveying milk any vessel unless it is so constructed as to permit of every part of the interior of the vessel being seen and adequately cleansed, and unless it is provided with a lid or covering which shall protect the interior from dust or rain or contamination by vermin, insects, or any animal.

333. No person shall use or cause or suffer to be used for closing or for helping to close any can, or other vessel containing milk, any rag or canvas or any material which is absorbent or is liable to contaminate milk.

Regulation  
334.  
Substituted  
by G.G.  
11/5/61,  
p. 1148.

334. (a) No person shall sell any milk which does not comply with the standard prescribed by these Regulations.

(b) No person shall sell any cream which does not comply with the standard prescribed by these Regulations.

335. When an Inspector so demands any person being in possession of any milk for sale or for delivery upon sale shall correctly state to such Inspector his name and address, and, if the milk is in possession of such person for delivery upon sale, such person shall state also to the Inspector the name and address of the seller, and the name and address of any purchaser.

336. (a) Every person who consigns or sells milk to a milk vendor shall, prior to despatch or sale, cause the cans or other receptacles in which the milk is conveyed, to be closed securely by means of a leaden seal, or a lock, or by any other means as required by an Inspector, unless such milk be delivered personally to the milk vendor by the dairyman who produced the same or by the vendor thereof.

(b) Any person who breaks or tampers with any such seal, lock, or other means prescribed in paragraph (a) of this Regulation other than an Inspector or the consignee or his agent aforesaid, shall be guilty of an offence against this Regulation.

337. No person shall use any utensil for measuring milk for sale unless such utensil is seamless and has legibly engraved or stamped thereon to the satisfaction of an Inspector the capacity of such utensil.

338. No person shall leave or cause to be left any bottle or carton or other container containing milk on any road, public highway, lane, or in any place whereby any such bottle, carton, or other container aforesaid may be exposed to heat or to contamination by dirt, dust, rain, or by any other means.

339. No person shall sell, or exchange, or offer, store, keep, expose, advertise, or deliver for sale or exchange, or authorise, direct, or allow the sale or exchange of any milk or cream to which a false trade description is applied, or bearing a description which, or the advertised description of which, is misleading, or if relied on might cause injury or danger to health.

340. A trade description shall be deemed to be applied to any milk or cream if it is—

- (a) applied to the article itself; or
- (b) applied to any covering, label, or thing used in connection with the article; or
- (c) applied to any article by way of advertisement.

“Covering” includes any seal, stopper, glass, bottle, carton, vessel, box, case, frame, crate, or wrapper, and “label” includes any band or ticket.

“Advertisement” includes statements made in billheads, accounts, letterheads, circulars or pamphlets, whether issued with the article or not.

#### MILK AND DISEASE.

341. For the purposes of these Regulations infectious disease, where reference is made to any person, shall include any infectious disease as may from time to time be defined under the Health Act, 1911-1948.<sup>1</sup>

342. For the purpose of these Regulations infectious disease, where reference is made to any stock shall include the following, and such other diseases as may from time to time be prescribed:—

- Tuberculosis.
- Anthrax.
- Brucellosis.
- Contagious Streptococcic Mastitis.
- Contagious Staphylococcic Mastitis.

#### CONDITIONS TO BE OBSERVED IN REGARD TO EQUIPMENT, UTENSILS, AND THE CLEANSING THEREOF.

343. (a) Every dairyman and every holder of a Treatment License and every holder of a Milk Vendor's License shall cause all parts of all receptacles, utensils, appliances and equipment used in the production, treatment, sale or delivery of milk, and which come in contact with milk, to be cleansed and sterilised promptly after each use, first by immersion or flushing in cold water, then

<sup>1</sup> Now Health Act, 1911-1970.

by scrubbing in hot water containing washing soda in the proportion of a heaped tablespoon of soda to four gallons of water or in hot water containing a detergent approved by an Inspector, and finally by immersion in boiling water or subjection in an efficient manner to steam for at least two minutes, and then drained in a manner approved by an Inspector. Provided that all such articles may be cleansed and sterilised by other method approved by an Inspector that releaser milking machines shall be cleansed and sterilised in accordance with the approved methods contained in Regulation 263.

(b) When not in use and after cleansing and sterilisation, all such articles shall be stored or kept in such a manner as to remain clean and protected from contamination by dust, animals, birds, insects, vermin, foreign matter and the like.

(c) Any person handling any utensil, appliance, can, bottle or other container which has been cleansed and sterilised shall do so in a manner that will as far as practicable avoid contamination of any part which comes in contact with any milk or cream.

344. Unless made of stainless steel or other material approved by an Inspector, all cans, utensils, containers or appliances used in the production of milk or cream, shall have surfaces coated with pure tin or other surfaces approved by an Inspector, and every owner of any such article shall maintain such tinning or other such approved surfaces to such a degree as will preclude milk or cream from coming into contact at any time with the base metal. Wherever practicable all such articles shall be of seamless construction and the owner thereof shall not use any receptacle, the seams and joints of which have not been floated and finished with a smooth surface.

345. (a) The owner of any can used in the supply, production, or sale of milk shall within six inches of the top, or on the shoulder thereof, legibly and indelibly stamp into, or engrave his name and address in letters of at least half an inch in height. The lid of every such can shall be marked in a similar manner on the top. On the change of ownership of any can, the can and its lid may not be used in the supply of milk unless and until the previous owner's name and address have been cancelled by the stamping into or engraving of a line not greater in thickness than one-eighth of an inch throughout the length of each.

(b) No person other than the owner may use any such milk can for any purpose whatsoever.

346. No person shall supply or sell milk or cream in a can unless the can in which the milk or cream is contained is fitted with a lid which shall be free from cracks and dents and of such size and in such condition as to fit closely enough to prevent undue spillage and yet be removed with reasonable ease.

347. Every Milk Vendor and every holder of a Treatment License shall cause all cans used for the storage, sale and delivery of milk for sale to be cleansed according to the following conditions where mechanical can washers are used:—

- (a) pre-rinse with cold water but water used for such pre-rinsing shall not enter or be allowed to enter the washing solution containing the detergent as provided in paragraph (b) of this Regulation, followed by
- (b) washing with hot water to which has been added a detergent approved by the Board, followed by
- (c) steaming or sterilising by boiling water, followed by
- (d) the removal of all moisture or condensation by a final draught of hot pure air under pressure.

348. Where in the opinion of any Inspector any container used, reputed to be used, or intended to be used for the production, storage, sale, or distribution of milk is unfit for each or any such purposes, or in the opinion of any Inspector is likely to contaminate,

or cause the contamination of any milk placed therein any Inspector may seize and retain any such container. Provided also that any Inspector may also seize the contents of any such container as aforesaid.

349. (a) Where any container has been seized or retained by an Inspector, the owner of such container shall be notified of its seizure or retention and the reason therefor.

(b) Provided the owner gives an assurance in writing within one month of such notice that the container will be repaired or otherwise rendered suitable before again being used as aforesaid for milk or cream, or that it will not again be used for milk or cream, as the case may be, the container may be returned to him.

(c) If after such assurance has been given, the container is again used without being repaired or otherwise rendered suitable, it shall be destroyed.

(d) If no assurance as provided be received within the prescribed period, the container shall be destroyed.

(e) A container may be destroyed by perforation or other means which will render it unusable for any purpose connected with milk or cream.

(f) Any person, who, having given an assurance as herein provided, does not conform to such assurance, shall be guilty of an offence against these Regulations.

350. Where the content of any seized container is also seized any Inspector may add thereto sufficient methyl violet or tannate of iron to render it unsaleable for human consumption, but not necessarily unfit for use as a food for animals.

#### MILK SHOPS.

351. The following conditions shall apply to the holders of Milk Vendor's-Milk Shop Licenses and to the holders of Milk Vendor's-Milk Store Licenses:—

352. Unless with the written permission of the Board first had and obtained no holder of a Milk Shop License shall receive, store or sell at his premises any milk except in sealed bottles or other containers approved by the Board.

353. Every holder of a Milk Shop License and every holder of a Milk Store License shall provide in his premises to the satisfaction of an Inspector sufficient water, under pressure, and drainage and other facilities for the washing of the hands of persons engaged in the receipt, handling, storage and sale of milk and the cleansing of all utensils and equipment used in the storage and sale of milk.

354. Every holder of a Milk Shop License when required by an Inspector shall provide to the satisfaction of an Inspector a seamless measure on which shall be stamped the capacity of such measure.

355. Every holder of a Milk Shop License and every holder of a Milk Store License shall provide to the satisfaction of an Inspector adequate refrigerated storage facilities for milk.

356. No person shall deposit nor keep any milk, or any milk vessel, implement, utensil or article used in the storage, handling or sale of milk—

(a) in any room or place where it or they would be likely to become contaminated by impure air, or by any offensive, noxious, or deleterious gas or substance, or

(b) in any room used as a kitchen, bedroom, or living room, or

(c) in any room or building or part of a building communicating directly by door, window, ventilation or otherwise with any room used as a bedroom, living room, or kitchen, or

in which there may be any person suffering from any infectious disease or which may have been used by any person suffering from any such disease, and may not have been properly disinfected.

357. No holder of a Milk Shop License and no holder of a Milk Store License shall keep or cause or suffer any milk to be placed in any vessel, receptacle, or utensil, which is not thoroughly clean and the surface with which such milk comes in contact is smooth and which contains no dents, chips, or cracks.

358. Every holder of a Milk Shop License and every holder of a Milk Store License while engaged in the receipt, handling or storage of milk shall maintain himself and his clothing in a clean state.

359. No holder of a Milk Shop License and no holder of a Milk Store License shall handle, store or sell in his premises any fruit, vegetables, thing, article, or substance by which milk may be contaminated unless such fruit, vegetable, thing, article, or substance is stored in such premises to the satisfaction of an Inspector.

360. Every holder of a Milk Shop License and every holder of a Milk Store License shall cleanse and keep in a cleanly state to the satisfaction of an Inspector at all times all articles, utensils and equipment used in the handling and storage of milk.

361. Every holder of a Milk Shop License and every holder of a Milk Store License shall cause the premises in which milk is received and stored, handled and sold by him to be kept fly-proof at all times to the satisfaction of an Inspector.

362. No holder of a Milk Shop License and no holder of a Milk Store License shall act as a receiving agent for laundry work or dry cleaning or allow any material which is intended to be laundered or dry cleaned to remain on his premises.

363. No holder of a Milk Shop License and no holder of a Milk Store License shall maintain or permit to be maintained any library in any room from which milk is sold.

364. Every holder of a Milk Shop License and every holder of a Milk Store License shall at all times ensure that milk and every receptacle and appliance used for or in connection with the sale, preparation, storage of any milk for sale, be kept clean and free from contamination by foul odours, and be protected from access by rats, mice and other vermin, from flies and other insects and from dust.

365. Every holder of a Milk Store License and every holder of a Milk Shop License who sells milk for consumption on his premises shall provide suitable facilities as required by the Board or any Inspector for the cleansing of all glasses or other drinking vessels in which milk is supplied to consumers for consumption on his premises. Such glasses or other drinking vessels shall be thoroughly cleansed after use and shall be kept clean; no such glass or vessel shall be deemed to be cleansed unless all traces of milk or foreign matter have been removed from it and such glass or vessel has been subjected to complete cleansing by mechanical or other means, as required by the Board or any Inspector.

#### CERTIFICATE OF COMPETENCY.

366. (a) For a certificate of competency to be held by persons who qualify for employment in the carrying out of specified technical operations in connection with or incidental to the treatment of milk there shall be an examination. Such examination may be in two parts, theoretical and practical.

(b) The examination in theory may be oral and written, and shall include such subjects as the Board may determine.

(c) The practical examination may include the examination and testing of milk, the treatment of milk and such other subjects as the Board may determine.

367. (1) The Board may grant a certificate of competency as aforesaid to any person holding either of the undermentioned qualifications, but such certificate may be limited to any period stated therein. Any such person shall submit himself for examination if required by the Board so to do:—

- A Degree of Bachelor of Science (Agric.)
- A Diploma in Dairying obtained from an approved Agricultural College or School.
- A Sanitary Inspector's Certificate obtained from the Royal Sanitary Institute and
  - (a) a Milk and Cream Tester's Certificate and a Cream Grader's Certificate obtained from any Australian or New Zealand Department of Agriculture; or
  - (b) a Cheese and Condensary Operator's Certificate obtained from any Australian or New Zealand Department of Agriculture; or
  - (c) any similar qualifications to the satisfaction of the Board.

(2) Provided that no certificate of competency shall be issued as aforesaid unless the applicant satisfies the Board of his knowledge of the Milk Act, 1946-1948,<sup>1</sup> and the Regulations made thereunder and complies with such other conditions as the Board may require.

Provided further that the Board may grant to any person engaged in the treatment of milk, and who has been continuously so engaged for a period of three years immediately prior to these Regulations a certificate of competency as aforesaid if the Board is satisfied of the fitness of such person to carry out specified technical operations in connection with or incidental to the treatment of milk, but such certificate may be limited to the period stated therein provided, however, that any such person shall submit himself for examination when required by the Board so to do.

368. Any certificate of competency issued by the Board as aforesaid may be cancelled by the Board at any time.

369. The employment in places used for the treatment of milk of any person in the carrying out of the undermentioned specified technical operations is hereby prohibited unless such person holds a certificate of competency from the Board:—

The examination, pasteurisation, separation, testing, grading, cooling, refrigerating, bottling or packing of milk.

The supervision of the cleansing and sterilising of plant, machinery, appliances, containers and other things used or reputed to be used in connection with the treatment of milk.

370. Any person commits an offence against these Regulations who employs any other person in the carrying out of the aforesaid specified technical operations in connection with or incidental to the treatment of milk who is not the holder of a certificate of competency issued by the Board.

371. Every application for a certificate of competency shall be in the Form No. 33 in the Tenth Schedule to these Regulations.

372. Every certificate of competency shall be in the form No. 34 in the Tenth Schedule to these Regulations.

#### SIZE OF LETTERS.

373. (a) Wherever in these Regulations the size of letters to be used is prescribed by reference to a number of "points" the reference shall be deemed to be to the system of type-measurement in which

<sup>1</sup> Now Milk Act, 1946-1970.

a point of height is one seventy-second part of an inch in accordance with the specimen letters subjoined and shall be deemed to be a reference to height of type-face irrespective of height of type-body.

**72 Point**

**PASTEURISED**

**24 Point**

**PASTEURISED**

**8 Point**

**PASTEURISED**

(b) A requirement of height of letters expressed in point-measurement shall be sufficiently complied with if the characters used do not deviate by more than one-tenth from the prescribed height.

(c) The lettering of words required by these Regulations shall be in bold-faced capital sans-serif letters.

(d) All letters shall be of proportionate breadth according to established type-founding practice.

(e) A requirement as to height of letters shall be sufficiently complied with by the use of letters of a greater height than the height prescribed in this Regulation.

(f) All lettering shall contrast clearly with its background.

#### LABORATORY AND SAMPLING.

374. The Minister may approve of qualified persons as analysts or bacteriologists under the Act.

375. Any person performing the duties of an analyst or a bacteriologist, under these Regulations, without being so appointed, shall be guilty of an offence against these Regulations.

376. Any Inspector may take, seize, or purchase a sample of any milk or cream and submit the same to an analyst or to a bacteriologist.

377. If, when any Inspector applies to purchase any milk or cream from any person having the same for sale, or the servant or agent of such person, and tenders the price for the quantity which he requires for the purpose of analysis or examination, such person, or his servant or agent, refuses to sell the same, he, and also the servant or agent, if any, shall be guilty of an offence against this Regulation.

378. (a) Every Inspector who purchases any milk or cream, with the intention of submitting the same to analysis or examination shall forthwith notify to the seller or his servant or agent selling the same his intention to have the same analysed or examined, and shall offer to divide the milk or cream so purchased into three



parts to be then and there separated, and each part to be marked and sealed or fastened up in such manner as its nature permits by the purchaser in the presence of the seller or his servant or agent, and, if such seller or his servant or agent so desires, with the seal or distinguishing mark of such seller or his servant or agent as well as of the Inspector.

(b) The purchaser shall, if required so to do, proceed accordingly, and shall deliver one of the parts to the seller or his servant or agent; he shall afterwards retain one of the parts for future comparison and submit the third part to the analyst or bacteriologist, if he deems it necessary to have the milk or cream analysed or examined.

(c) If the seller or his servant or agent, having accepted the offer of the purchaser to divide such milk or cream, prevents or attempts to prevent the completion of the proceedings prescribed by this Regulation, whether by departing from where the purchase was made or otherwise, then the purchaser may proceed as if the offer had not been accepted.

(d) If the seller or his servant or agent does not accept the offer of the purchaser to divide such milk or cream, the analyst receiving the same shall divide it into two parts, and shall seal or fasten up one of the parts, and cause it to be delivered to the purchaser, either when he receives the same or when he supplies his certificates to the purchaser; and such purchaser shall retain the part so delivered to him, and produce the same if any proceedings are afterwards taken in the matter.

(e) The analyst or bacteriologist shall give a certificate of the result of his analysis or examination in the Form Number thirty-two in the Seventh Schedule to these Regulations and in any proceedings before any court the production of a certificate purporting to be signed by the analyst or bacteriologist shall be sufficient evidence of the identity of the milk or cream analysed or examined and of the result of the analysis or examination, without proof of the signature of the person appearing to have signed the same.

(f) Provided that in any proceedings the defendant may require the analyst or bacteriologist to be called as a witness, and the part of the milk or cream retained by the person who purchased the same to be produced.

(g) The court before which any complaint is made, or any appeal is heard, may cause the milk or cream to be sent to an analyst or bacteriologist to make an analysis or examination thereof and give a certificate to the court of the result.

(h) The costs of any analysis or examination shall be paid as the court in its discretion directs.

(i) An Inspector purchasing any milk or cream under these Regulations may require the seller to state his name and address, and, if default is made in complying with the requisition, the seller shall be guilty of an offence against this Regulation.

379. (a) In any proceeding under these Regulations the production of a certificate purporting to be signed by a bacteriologist or analyst appointed under this Act that any milk or cream is diseased, deleterious to health or unwholesome, or unfit for human consumption shall, without further proof, be sufficient evidence of the facts therein stated, but the defendant may require that the bacteriologist or analyst shall be called as a witness.

(b) The production of a certificate purporting to be signed by a bacteriologist, an analyst, or other person authorised to grant the same shall be sufficient prima facie evidence of the facts therein stated.

380. The person purchasing any milk or cream for analysis or examination pursuant to the provisions of these Regulations need not use the exact words of such Regulations so long as it appears

to the justice that the seller was substantially informed of such person's intention to have such milk or cream analysed or examined.

381. Where any sample consists of an unopened bottle or carton, the provisions of Regulation 378 insofar as those provisions relate to the dividing of any sample shall not apply.

382. Provisions as to sampling for the Reductase Test:—

- (a) When the milk is in bottles or other containers not exceeding one quart in capacity the sample shall consist of one such bottle or other container which shall be delivered intact to the analyst or bacteriologist.
- (b) When the milk is in containers exceeding one quart in capacity it shall be thoroughly stirred before sampling. The sample shall be taken from well below the surface of the milk. The instruments used for stirring and sampling shall be sterile. The sample shall be poured into a sterile bottle which shall thereupon be immediately stoppered. The part of the stopper which may come into contact with the milk shall be sterile.
- (c) The bottle or container containing any sample of milk as defined in this Regulation, shall be transferred forthwith to an insulated container, artificially cooled, for transport to the analyst or bacteriologist. The sample shall be so transported with the least possible delay.
- (d) On arrival at the analyst or bacteriologist, any such sample of milk shall be removed from the insulated container and, if the test is not then immediately begun, the milk shall be kept in an ice-cooled box or under refrigerated conditions for a period not exceeding twenty-four hours and the test may be begun at any time within that period.

383. For the purpose of identification of the sample by the analyst or bacteriologist, the person taking the sample shall mark it with a number or other suitable identification mark and shall at the time of sampling enter in a book or on a paper, which shall accompany the sample, the following particulars:—

- (a) The identification number or mark.
- (b) The name and address of the holder of the license by whom the milk was consigned, or by whom it was being delivered, or on whose premises the sample was taken, or from whom it was taken.

#### INTERPRETATION.

384. In these Regulations the terms specified hereunder shall bear the meaning defined, unless the context indicates otherwise:—

“Analyst” means any person approved and registered as an analyst as required by these Regulations.

“Bacteriologist” means any person approved and registered as a bacteriologist as required by these Regulations.

385. Unless otherwise herein provided these Regulations shall apply to both milk and cream.

#### PART XXI.<sup>1</sup>

##### SCHEME FOR MILK IMPROVEMENT.

Regulation  
386.  
Amended by  
G.G. 3/4/63,  
p. 1017.

386. When in pursuance of the provisions of section 62 of the Act the Governor has authorised the adoption by the Board of a scheme for milk improvement, the Board, in any case where milk sold by a dairyman has on two occasions within a period of three

<sup>1</sup> Part XXI comprising regulations 386 to 389 (both inclusive) first published in the *Government Gazette* on 2nd February, 1962, pp. 356-7, and cited as the Milk Act, 1946-1960, Regulations No. 9.

months been found upon analysis made in accordance with these regulations to be of a quality less than the minimum standard of quality prescribed by these regulations and is again so found on any subsequent occasion within a period of twelve months from the first of those two occasions to be of such lesser quality, may by notice in writing to the dairyman prohibit him from supplying milk for consumption or treatment until he satisfies the Board that he is able to supply milk produced in his dairy that is of a quality not less than such minimum standard and the Board consents to his resuming the supplying of milk.

387. Whenever it prohibits a dairyman from supplying milk pursuant to regulation 386 of these regulations, the Board shall forthwith notify in writing the milk vendor whom that dairyman was supplying with milk, whether under a contract in writing or with the consent of the Board or under any other arrangement, that such dairyman is prohibited from supplying milk, and by such notice shall prohibit the milk vendor from purchasing or receiving milk from that dairyman until the Board by subsequent notice in writing permits the milk vendor so to do.

388. The Board may at any time by notice in writing authorise and permit a dairyman who is prohibited pursuant to these regulations from supplying milk to resume the supplying of milk to such extent as the Board approves, upon the Board being satisfied in such manner as it may require that the milk to be supplied by that dairyman is of a quality not less than the minimum standard referred to in regulation 386 of these regulations, and thereupon the Board shall notify each milk vendor who has been prohibited under these regulations from purchasing or receiving milk from that dairyman that he is no longer so prohibited.

389. (1) Any dairyman who after having been given the notice referred to in regulation 386 of these regulations supplies any milk to a milk vendor for consumption or treatment during such time as he is prohibited by the Board from so doing commits an offence against these regulations and is liable on conviction to the penalty prescribed under Part IX of these regulations.

Regulation 389. Amended by G.G. 21/3/62, p. 725.

(2) Any milk vendor who after having been given the notice referred to in regulation 387 of these regulations purchases or receives milk from the dairyman specified in that notice during such time as the milk vendor is prohibited by the Board from so doing commits an offence against these regulations and is liable on conviction to the penalty prescribed under Part IX of these regulations.

THE FIRST SCHEDULE.

Form 1.

Milk Act, 1946 (as amended).

APPLICATION FOR A DAIRYMAN'S LICENSE.

To the Milk Board of Western Australia:

I, ..... of ..... hereby apply for a License as a Dairyman. The particulars of my business are set out hereunder.

- (1) Where are premises situated from which business is carried on?  
.....
- (2) In which Dairy Area are your dairying premises situated?  
.....
- (3) Where is grazing land situated?.....
- (4) What is area of enclosed grazing land?.....
- (5) How many dairy cows have you?.....

First Schedule. Amended by G.G. 22/6/61, pp. 1885-90; G.G. 27/5/64, p. 2282; G.G. 22/10/70, pp. 3259-60.

- (6) What is your estimated production in gallons per day for the periods.....
  - (a) March to May? .....
  - (b) November to January?.....
- (7) What was the average daily quantity of milk sold by you to a milk vendor who also holds a treatment license during the immediately preceding year ended 31st March?.....
- (8) Are you also a Milk Vendor? If so, in what district or districts is milk distributed?.....
- (9) If also a Milk Vendor or a Cream Vendor what was the average daily quantity of milk and/or cream of your own production sold by you to consumers or to Milk Vendors during the immediately preceding year ended 31st March? .....
- (10) Have you previously held a License? .....
- If so, from which Licensing Authority? .....
- For what period?.....

Dated ..... Signature .....

Note.—The License Fee must be paid before this application can be considered.

Form 2.

Milk Act, 1946 (as amended).

Milk Vendor.

APPLICATION FOR A MILKMAN'S LICENSE.

To the Milk Board of Western Australia:

I, ....., of ..... hereby apply for a Milkman's License. The particulars of the business are set out hereunder.

- (1) Name and address of depot or place from which business is conducted.....
- (2) District in which you will operate .....
- (3) The average daily quantity of milk and/or cream sold in above district during the immediately preceding year ended 31st March was.....
- (4) Have you previously held a License for this District? .....
- If so, from which Licensing Authority?.....
- For what period?.....
- (5) Are you operating in more than one District? If so, state names of such Districts .....
- (6) The average daily quantity of milk and/or cream sold in each of those districts during the immediately preceding year ended 31st March was.....
- (7) If also a dairyman:
  - (a) What was the average daily quantity of milk and/or cream of your own production sold by you to milk vendors and/or consumers in each of the above districts during the immediately preceding year ended 31st March? .....
  - (b) What was the average daily quality of milk and/or cream which you purchased from other dairymen or milk vendors and sold to consumers or other milk vendors in each of the above districts during the immediately preceding year ended 31st March? .....
- (8) Number and description of vehicles used in the disposal of milk.....
- (9) Address at which vehicles are kept.....
- (10) From whom do you obtain supplies?.....
- (11) What provision is made for storing milk? .....

Dated ..... Signature .....

Note.—The License Fee must be paid before this application can be considered.

Form 2A

Milk Act, 1946 (as amended)

Milk Vendor

APPLICATION FOR A MILKMAN'S LICENSE—RESTRICTED

To the Milk Board of Western Australia

I, ..... of ..... hereby apply for a Milkman's License.—Restricted, to sell milk and/or cream to the bodies or persons specified in the particulars of the business set out hereunder.

- 1. Name and address of depot or place from which business is conducted
2. District in which you will operate
3. Name and address of each body or person to whom milk and/or cream is to be sold in the above District (if necessary, attach list):
4. The average daily quantity of milk and/or cream sold in above district during the immediately preceding year ended 31st March was
5. Have you previously held a License for this District? If so, from which Licensing Authority? For what period?
6. Are you operating in more than one District? If so, state names of such Districts.
7. The average daily quantity of milk and/or cream sold in each of those districts during the immediately preceding year ended 31st March was
8. If also a dairyman: (a) What was the average daily quantity of milk and/or cream of your own production sold by you to milk vendors and/or consumers in each of the above districts during the immediately preceding year ended 31st March? (b) What was the average daily quantity of milk and/or cream which you purchased from other dairymen or milk vendors and sold to consumers or other milk vendors in each of the above districts during the immediately preceding year ended 31st March?
9. Number and description of vehicles used in the disposal of milk
10. Address at which vehicles are kept
11. From whom do you obtain supplies?
12. What provision is made for storing milk?

Dated..... Signature.....

NOTE: The License Fee must be paid before this application can be considered.

## Form 3.

Milk Act, 1946 (as amended).

Milk Vendor.

## APPLICATION FOR A CREAM VENDOR'S LICENSE.

To the Milk Board of Western Australia:

I, ....., of .....,  
 hereby apply for a Cream Vendor's License. The particulars of  
 the business are set out hereunder.

- (1) Name and address of depot or place from which business is conducted.....
  - (2) District in which you will operate.....
  - (3) The average daily quantity of cream sold in above district during the immediately preceding year ended 31st March was.....
  - (4) Have you previously held a License for this District?.....  
 If so, from which Licensing Authority?.....  
 for what period?.....
  - (5) Are you operating in more than one district? If so, state names of such districts.....
  - (6) The average daily quantity of cream sold in each of those districts during the immediately preceding year ended 31st March was.....
  - (7) If also a dairyman:
    - (a) What was the average daily quantity of cream of your own production sold by you to other cream vendors, milk vendors and/or consumers in each of the above districts during the immediately preceding year ended the 31st March?.....
    - (b) What was the average daily quantity of cream which you purchased from other dairymen or cream vendors or milk vendors and sold to consumers or other cream vendors or milk vendors in each of the above districts during the immediately preceding year ended 31st March.....
  - (8) Number and description of vehicles used in the disposal of cream.....
  - (9) Address at which vehicles are kept.....
  - (10) From whom do you obtain supplies?.....
  - (11) What provision is made for storing cream?.....
- Dated ..... Signature .....

Note.—The License Fee must be paid before this application can be considered.

## Form 4.

Milk Act, 1946 (as amended).

Milk Vendor.

## APPLICATION FOR A MILK SHOP LICENSE.

To the Milk Board of Western Australia:

I, ....., of .....,  
 hereby apply for a Milk Shop License. The particulars of the  
 business are set out hereunder.

- (1) Address of shop in which milk is sold.....
- (2) District in which shop is situated.....
- (3) The quantity of milk sold from the above premises during the immediately preceding year ended 31st March was .....
- (4) From whom do you intend to obtain milk?.....
- (5) What provision is made for storing milk?.....

- (6) What facilities exist for the sterilising and cleansing of utensils and equipment?.....
  - (7) What containers and utensils are used?.....
  - (8) Have you previously held a License?.....  
If so, from which Licensing Authority?.....  
For what period?.....
- Dated..... Signature.....

Note.—The License Fee must be paid before this application can be considered.

Form 5.

Milk Act, 1946 (as amended).

Milk Vendor.

APPLICATION FOR A MILK STORE LICENSE.

To the Milk Board of Western Australia.

I, ....., of ..... hereby apply for a Milk Store License. The particulars of the business are set out hereunder.

- (1) Address of store in which milk is sold.....
- (2) District in which store is situated.....
- (3) The quantity of milk sold from the above premises during the immediately preceding year ended 31st March was .....
- (4) From whom do you intend to obtain milk?.....
- (5) What provision is made for storing milk?.....
- (6) What facilities exist for the sterilising and cleansing of utensils and equipment?.....
- (7) What containers and utensils are used?.....
- (8) Have you previously held a License?.....  
If so, from which Licensing Authority?.....  
For what period?.....

Dated ..... Signature.....

Note.—The License Fee must be paid before this application can be considered.

Form 6.

Milk Act, 1946 (as amended).

APPLICATION FOR A TREATMENT LICENSE.

To the Milk Board of Western Australia:

I/We ....., of ..... hereby apply for a Treatment License. The particulars of the business are set out hereunder.

- (1) Address of premises in which milk is treated.....
- (2) Type of treatment adopted.....
- (3) The average daily quantity of milk treated during the immediately preceding year ended 31st March was.....
- (4) Where application is made for a treatment license for premises situated outside the metropolitan area please state how much of the above quantity was pasteurised, bottled or packed .....
- (5) Is milk or cream purchased for butter making, cheese making, for the manufacture of condensed milk or ice cream?.....

(6) Have you previously held a License?.....  
If so, from which Licensing Authority?.....  
For what period?.....

Dated..... Signature.....

Note.—The License Fee must be paid before this application can be considered.

Form 7.

No.....  
Milk Act, 1946 (as amended).

LICENSE OF DAIRYMAN.

This is to certify that..... is licensed under the provisions of the Milk Act, 1946 (as amended) to carry on the classification specified by the Board pursuant to Regulation 1 of Part I of the Milk Act, 1946, Regulations No. 1, of the business or calling of a Dairyman for the year ending 30th June, 19....., in premises situated at ..... in the ..... Dairy Area described in the First Schedule to a notice constituting Dairy Areas, published in the *Government Gazette* pursuant to the Act, and to supply, by wholesale, milk produced on such premises for consumption or treatment in the district of.....

This license is issued by the Board and is accepted and held by the licensee upon and subject to the said Act and Regulations made from time to time thereunder.

Dated this ..... day of..... 19.....

The Milk Board of Western Australia.

Secretary.

Form 8.

No.....  
Milk Act, 1946 (as amended).

Milk Vendor.

MILKMAN'S LICENSE.

This is to certify that..... is licensed as a Milkman under the provisions of the Milk Act, 1946 (as amended), for the year ending 30th June, 19....., to carry on the classification specified by the Board pursuant to Regulation 4 of Part I of the Milk Act, 1946, Regulations No. 1, of the business of selling milk in the district of..... from.....

This license is issued by the Board and is accepted and held by the licensee upon and subject to the said Act and Regulations made from time to time thereunder.

Dated this ..... day of..... 19.....

The Milk Board of Western Australia.

Secretary.

ORIGINAL

Form 8A.

Milk Act, 1946 (as amended).  
Milk Vendor.

MILKMAN'S LICENSE—RESTRICTED.

This is to certify that..... is licensed as a Milkman under the provisions of the Milk Act, 1946 (as amended), for the year ending 30th June, 19....., to carry on the classification specified by the Board pursuant to Regulation 4 of



Part 1 of the Milk Act, 1946, Regulations of the business of selling milk in the district of..... to from ..... to the bodies or persons specified hereunder:

.....

This license is issued by the Board and is accepted and held by the licensee upon and subject to the said Act and Regulations made from time to time thereunder.

Dated this..... day of ....., 19..... THE MILK BOARD OF WESTERN AUSTRALIA. Secretary.

Form 9.

No.....

Milk Act, 1946 (as amended).

Milk Vendor.

CREAM VENDOR'S LICENSE.

This is to certify that..... is licensed as a Cream Vendor under the provisions of the Milk Act, 1946 (as amended), for the year ending 30th June, 19 ....., to carry on the classification specified by the Board pursuant to Regulation 7 of Part I of the Milk Act, 1946, Regulations No. 1, of the business of selling cream in the district of.....

This license is issued by the Board and is accepted and held by the licensee upon and subject to the said Act and Regulations made from time to time thereunder.

Dated this ..... day of.....19.....

The Milk Board of Western Australia.

Secretary.

Form 10.

No.....

Milk Act, 1946 (as amended).

Milk Vendor.

MILK SHOP LICENSE.

This is to certify that..... is licensed under the provisions of the Milk Act, 1946 (as amended), to carry on the classification specified by the Board pursuant to Regulation 9 of Part I of the Milk Act, 1946, Regulations No. 1, of the business of selling in a shop situated at..... in the district of..... milk for consumption on or off such premises for the year ending 30th June, 19.....

This license is issued by the Board and is accepted and held by the licensee upon and subject to the said Act and Regulations made from time to time thereunder.

Dated this ..... day of..... 19.....

The Milk Board of Western Australia.

Secretary.

Form 11.

No.....

Milk Act, 1946 (as amended).

Milk Vendor.

MILK STORE LICENSE.

This is to certify that..... is licensed under the provisions of the Milk Act, 1946 (as amended), to carry on the classification specified by the Board pursuant to Regulation 11 of Part I of the Milk Act, 1946, Regulations No. 1 of the business of selling in a milk store situated at..... in the district of....., milk for consumption in such premises for the year ending 30th June, 19.....

This license is issued by the Board and is accepted and held by the licensee upon and subject to the said Act and Regulations made from time to time thereunder.

Dated this ..... day of..... 19.....

The Milk Board of Western Australia.

Secretary.

Form 12.

No.....

Milk Act, 1946 (as amended).

TREATMENT LICENSE.

This is to certify that..... is licensed under the provisions of the Milk Act, 1946 (as amended), to carry on the classification specified by the Board pursuant to Regulation 11C of Part I of the Milk Act, 1946, Regulations No. 1, of the business of treating milk in the following manner, namely..... at premises situated at..... in the district of..... for the year ending 30th June, 19.....

This license is issued by the Board and is accepted and held by the licensee upon and subject to the said Act and Regulations made from time to time thereunder.

Dated this ..... day of ..... 19.....

The Milk Board of Western Australia.

.....  
Secretary.

SECOND SCHEDULE.

[Second Schedule—Forms Nos. 13 to 24 inclusive revoked by G.G. 7/5/68, p. 1312.]

THIRD SCHEDULE.

Form No. 25.

Milk Act, 1946.

Third  
Schedule  
added by  
G.G.  
12/12/47,  
p. 2275.

NOTICE OF APPEAL.

(Regulation 34.)

To the Hon. the Minister for Agriculture,  
Department of Agriculture,  
Perth.

I,..... of..... being aggrieved by the decision of the Milk Board of Western Australia delivered to me on the ..... day of....., to wit.....

.....  
desire pursuant to \*subsection (1) of section 32 or subsection (3) of section 35 of the Milk Act, 1946, to appeal to you against such decision.

\*Strike out whichever words do not apply.

Dated this..... day of..... 19.....

Note.—This notice of appeal must be accompanied by a statement of the grounds of the appeal upon which the appellant relies.

Form No. 26.

Milk Act, 1946.

NOTICE OF HEARING OF APPEAL.

(Regulation 34.)

Between

....., Appellant.

and

Milk Board of Western Australia, Respondent.

Take notice that this appeal will be heard at.....o'clock on the..... day of ..... 19....., at.....  
Clerk to the Minister.

Dated this..... day of..... 19.....

To.....  
the abovementioned appellant  
of.....

And to the Milk Board of Western Australia,  
the abovementioned respondent, whose office  
is situated at....., Perth.

FOURTH SCHEDULE.

[Revoked by G.G. 19/8/65, p. 2366.]

THE FIFTH SCHEDULE.

Fifth Schedule.

Added by G.G. 22/7/49, pp. 1618-9.

Amended by G.G. 7/5/68, pp. 1312.

Form No. 27.

Milk Act, 1946-1948.<sup>1</sup>

Regulation 83.

Notice, Order, Demand, or Requirements under The Milk Act, 1946-1948.<sup>1</sup>

To ..... of..... TAKE NOTICE that the Milk Board, in pursuance of the powers vested in it by the Milk Act, 1946-1948,<sup>1</sup> hereby requires you within a period of.....days from the date hereof forthwith to.....

Dated at ..... this ..... day of ..... 19 .....

Form No. 28.

Milk Act, 1946-1948.<sup>1</sup>

Regulation No. 143.

To.....

You are hereby ordered to supply and sell.....gallons of milk to .....on.....

Failure to comply with this order or any provision thereof constitutes a breach of the Milk Act Regulations.

Penalty for any such breach shall be not less than \$4 and not more than \$100, with a daily penalty not exceeding \$4 for every day in respect of any such breach which still continues after conviction.

Dated the ..... day of ..... 19 .....

..... Chairman.

Form 29.

Notice.

(Regulation No. 152.)

The Secretary, The Milk Board of Western Australia, Perth.

Dear Sir,

Please take notice that I/we intend, during the year ending on the thirtieth day of June, one thousand nine hundred and ..... to produce for sale in the district of.....\* to bring into the district of..... for sale a quantity of milk other than milk for use as milk.

Dated the ..... day of....., one thousand nine hundred and.....

Yours faithfully,

\*Strike out words not required.

<sup>1</sup> Now Milk Act, 1946-1970.

Form 30.

Milk Act, 1946-1948.<sup>1</sup>  
(Regulation No. 150.)

To The Milk Board of Western Australia,  
Perth.

I/we,....., of....., hereby make application to the Board for a Certificate of Exemption from the operation of the Milk Act, 1946-1948,<sup>1</sup> as all milk or cream acquired by me/us is so acquired solely for the purpose of manufacturing.

The purpose for which milk and cream is acquired by me/us is for.....

Date.....

Form 31.

Milk Act, 1946-1948.<sup>1</sup>  
(Regulation No. 151).

CERTIFICATE OF EXEMPTION.

To....., of.....

You are informed that in accordance with the provisions of section 29, subsection (4) of the Milk Act, 1946-1948,<sup>1</sup> the Board hereby exempts you from the operation of the Milk Act, 1946-1948,<sup>1</sup> for the period of....., subject to the following conditions:—

You are reminded that section 29 of the Act provides:—

If any person shall fail to comply with or observe any of the conditions relating to such certificate as aforesaid, the Board may, in its absolute discretion, forthwith revoke such certificate.

Provided that such person as aforesaid shall from time to time to furnish to the Board as and when required, returns and other information relating to all milk and cream acquired by him, and shall at all times permit an inspector to enter upon such person's premises and inspect his books and other records relating to his acquisition of milk and cream.

.....  
Chairman.

Dated.....

SIXTH SCHEDULE.

(A) All that portion of the City of Perth bounded by lines starting from a point on the right bank of the Swan River situate in prolongation south-south-easterly of the western side of Spring Street and extending north-north-westerly to and along that side and onwards to the northern side of Mount Street; thence east-north-easterly along that side to the southern side of St. George's Terrace; thence west-north-westerly along that side to a point situate in prolongation south-south-easterly of the western side of St. George's Place; thence north-north-westerly to and along that side to a point situate in prolongation south-south-westerly of the western side of George Street; thence north-north-easterly to and along that side and onwards to the northern side of Wellington Street; thence generally east-south-easterly along that side to the eastern side of Lord Street; thence generally south-south-westerly along that side, the northern, eastern and southern sides of Victoria Square and the eastern side of Victoria Avenue and onwards to the right bank of the Swan River aforesaid, and thence generally west-north-westerly downwards along that bank to the starting point.

Sixth  
Schedule.  
Added by  
G.G. 22/7/49,  
p. 1619.  
Substituted  
by G.G.  
16/3/61,  
p. 691-2.

<sup>1</sup> Now Milk Act, 1946-1970.

(B) All that portion of the City of Fremantle bounded by lines starting from a point on the southern side of Marine Terrace situate in prolongation south-south-easterly of the western side of Cliff Street and extending north-north-westerly to and along that side to the southern side of Phillimore Street; thence easterly along that side to the western side of Mouatt Street; thence north-north-westerly in prolongation of that side to the northern side of Phillimore Street aforesaid; thence generally north-easterly along that side and the north-western side of Elder Place to a point situate in prolongation north-westerly of the north-eastern side of Edward Street; thence south-easterly to and along that side and the eastern side of Parry Street and onwards to the southern side of Holdsworth Street; thence generally south-westerly along that side of the south-western side of Queen Street; thence north-westerly along that side to the south-eastern side of Henderson Street; thence south-westerly along that side and onwards to the south-western side of South Terrace; thence north-westerly along that side to the south-eastern side of Essex Street; thence south-westerly along that side and onwards to the south-western side of Marine Terrace aforesaid; and thence generally north-westerly and generally west-south-westerly along that side to the starting point.

Seventh  
Schedule.  
Added by  
G.G. 17/3/50,  
p. 611.  
Amended by  
G.G. 7/9/66,  
p. 2413.

THE SEVENTH SCHEDULE.

Form 32.

\*Bacteriologist's

Analyst's Certificate under the Milk Act, 1946-1948.<sup>1</sup>

I, the undersigned, an \*Analyst/Bacteriologist appointed under the Milk Act, 1946-1948,<sup>1</sup> do hereby certify that on the ..... day of ....., 19 ....., there was delivered to me personally by \*(or I received by registered post from) (a) ..... \*an Inspector appointed under the Milk Act, 1946-1948,<sup>1</sup> (or an officer appointed for the purposes of the said Act) a sample of ..... for \*examination/analysis in a (b) ....., and that I have \*examined/analysed the same (c) (and in such \*examination/analysis have followed the method prescribed for the \*examination/analysis of ..... in the Regulations under the said Act) and that the result of my \*examination/analysis is as follows:

..... As witness my hand at ....., this ..... day of ....., 19 .....

..... \*Analyst/Bacteriologist.

\*Strike out whichever words are not required.

(a) Insert the name and address of the officer from whom sample was received.

(b) State the nature of the package in which the sample was enclosed, how it was labelled and marked, and, if sealed, describe impress of seal, if any.

(c) Delete where method of analysis is not prescribed.

Eighth  
Schedule.  
Added by  
G.G. 17/3/50,  
p. 611-2.

THE EIGHTH SCHEDULE.

Reductase Test.

Reagent.

1. Methylene Blue tablets manufactured under arrangements made by the Minister of Food or the Minister of Health, England, shall be used for the test. A solution shall be prepared by adding one tablet to two hundred millilitres of cold, sterile, glass-distilled water in a sterile flask, and by shaking until the tablet is com-

<sup>1</sup> Now Milk Act, 1946-1970.

pletely dissolved and making up the solution to eight hundred millilitres with cold, glass-distilled water. The resultant solution shall be stored in a stoppered flask in a cool, dark place, and shall not be used if—

- (a) it has been exposed to sunlight; or
- (b) a period of two months has elapsed since the date of preparation.

2. The amount of methylene blue required for a day's work shall be poured off from the stock bottle into a suitable glass container. The pipette used for transferring the methylene blue solution to the tubes of milk shall not be introduced into the stock bottle.

#### Apparatus.

3. (a) Test tubes shall conform to the British Standard Specification No. 625 (1935) 152/16 Nominal six inches by five-eighths inch, having an internal diameter of thirteen and five-tenths plus or minus five-tenths of millimetre and being accurately marked at ten millilitres. They shall be plugged with cotton wool, or covered with closely fitting aluminium caps, or stored in such other way as may prevent contamination.

(b) Pipettes shall be one millilitre straight-sided blow-out delivery pipettes and shall be plugged with cotton wool at the upper end.

(c) Glassware, and rubber stoppers, shall be sterile before use.

#### Method of Carrying Out the Test.

4. The sample of milk shall be thoroughly mixed by inverting and shaking the sample bottle, the mouth of which shall be flamed, and the milk shall then be poured into a test tube up to the ten millilitre mark, leaving one side of the interior unwetted with milk. One millilitre of methylene blue solution shall be added without letting the pipette come into contact with the milk in the tube or with the wetted side of the interior of the tube. After a lapse of three seconds, the solution remaining in the tip of the pipette shall be blown out. The tube shall be closed with a rubber stopper with aseptic precautions. The tube shall then be slowly inverted twice so that the whole column of contained air rises above the level of the milk, and placed within five minutes in a water bath. The water in the bath shall be kept above the level of the milk in the test tubes, and its temperature, which shall be thirty-seven plus or minus one degree Centigrade, shall be maintained as nearly uniform as possible by means of a reliable automatic thermo-regulator. The interior of the bath shall be kept completely dark.

5. To indicate when decolourisation is commencing, and when it is complete, two control tubes shall be used for comparison with each batch of tubes containing the milk under test. One control tube shall be prepared by immersing in boiling water for not less than three minutes a properly plugged test tube containing one millilitre of tap water and ten millilitres of a mixture of milk having a fat content and colour similar to that of the milk being tested, and a second control tube shall be prepared by immersing in boiling water for not less than three minutes a properly plugged test tube containing one millilitre of methylene blue solution and ten millilitres of a mixture of milk having a fat content and a colour similar to that of the milk being tested.

6. The tubes containing the milk under test and the control tubes shall be inspected at half-hourly intervals. At these inspections—

- (a) any tube in which the milk has become decolourised shall be removed from the water bath;
- (b) any tube in which decolourisation has begun shall remain without inversion in the water bath until decolourisation is complete; and
- (c) all other tubes in the water bath shall be inverted once and replaced.

7. The time, within the limit of four hours, at which decolourisation is observed, shall be recorded.

8. The milk shall be regarded as decolourised when the whole column of milk is completely decolourised or is decolourised up to within five millimetres of the surface. A trace of colour at the bottom of the tube may be ignored provided that it does not extend upwards for more than five millimetres.

#### Interpretation.

9. A sample shall be regarded as satisfying the reductase test if it fails to decolourise the methylene blue in four hours.

### THE NINTH SCHEDULE.

#### PHOSPHATASE TEST FOR PASTEURISED MILK.

##### Sampling.

Except where a sample consists of an unopened bottle or carton, the milk to be sampled shall be well mixed and the sample shall be collected with aseptic precautions in a sterile bottle.

##### Reagents.

*Buffer-substrate:* Buffer-substrate solution shall be prepared at the strength of one and nine-hundredths grams of disodium phenyl phosphate and eleven and fifty-four hundredths grams of sodium diethyl barbiturate in one litre of distilled water saturated with chloroform. Alternatively buffer-substrate tablets may be used to make up a solution of the same strength and a few drops of chloroform added. The solutions shall be kept in a cool, dark place, and shall not be kept longer than three days.

*Test Reagent:* Add one volume of Folin and Ciocalteu's reagent to two volumes of a five per cent solution of sodium hexametaphosphate.

##### Method of Carrying Out Test.

To ten millilitres of the buffer-substrate solution contained in a test-tube, add five-tenths of a millilitre of well-mixed milk. Add three drops of chloroform, stopper the tube, mix the contents and incubate at thirty-seven plus or minus one degree Centigrade for twenty-four hours plus or minus two hours. At the end of this time, cool, add four or five tenths millilitres of the test reagent, mix, allow to stand for three to five minutes, and filter into a test-tube marked at ten millilitres. To ten millilitres of the filtrate, add two millilitres of a fourteen per cent. solution of pure anhydrous sodium carbonate, mix and place the test-tube for exactly two minutes in boiling water (kept boiling). Cool and read the colour, using a comparator or a tintometer.

##### Control Tests.

Keep the remainder of all milk samples in a refrigerator. After completing the test carry out control tests on those samples which have given a positive phosphatase reaction.

Mix thoroughly ten millilitres of the buffer-substrate solution with four and five-tenths millilitres of the test reagent, add five-tenths of a millilitre of milk and mix. Allow to stand for three to five minutes, and filter into a test-tube marked at ten millilitres. To ten millilitres of the filtrate, add two millilitres of the sodium carbonate solution, mix and place the tube for exactly two minutes in a boiling water bath (kept boiling). Cool and read the colour developed. The colour shall not exceed one and five-tenths Lovibond blue units.



## Precautions.

(a) Phenols, disinfectants containing phenols, and soap containing carbolic acid shall be kept at a safe distance from the test reagents and apparatus.

(b) The use of bottle caps made from phenolic resins shall be avoided.

(c) New rubber stoppers shall be tested for phenolic impurities before use.

(d) All glassware shall be clean.

(e) Contamination of pipettes by saliva shall be avoided.

(f) A fresh pipette shall be used for each sample of milk.

(g) All reagents shall be kept in a cool, dark place and well protected from dust.

(h) All tests shall not be carried out in direct sunlight.

(i) Freshly boiled distilled water shall be used throughout.

(j) Samples which show a taint or clot on boiling shall not be tested.

## Test of Reagents.

The purity of the reagents shall be tested by performing a blank test without milk, with each batch of samples tested. The colour shall not exceed five-tenths Lovibond blue units.

## THE TENTH SCHEDULE.

Form No. 33.

Milk Act, 1946-1948.<sup>1</sup>

Tenth  
Schedule.  
Added by  
G.G. 17/3/50,  
p. 613.

To the Milk Board of Western Australia.

I,....., hereby apply  
for a certificate of competency under the Milk Act, 1946-1948.<sup>1</sup>

I am at present employed at.....

I have been employed at.....  
during the period.....

I am the holder of the following certificates:—

.....

.....

.....Signature of applicant.

.....Address.

Date.....

Form No. 34.

Milk Act, 1946-1948.<sup>1</sup>

## CERTIFICATE OF COMPETENCY.

Perth,....., 19.....

No.....

This Certificate of Competency under the Milk Act, 1946-1948,<sup>1</sup>  
is issued to.....

.....  
Chairman,  
The Milk Board of Western Australia.

<sup>1</sup> Now Milk Act, 1946-1970.