



# Government Gazette

OF

## WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 38]

PERTH: TUESDAY, 27th APRIL

[1965

Crown Law Department,  
Perth, 14th April, 1965.

THE undermentioned regulations made under the provisions of the Milk Act, 1946-1964, and amended from time to time prior to the 1st March, 1965, are reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,  
Under Secretary for Law.

MILK ACT, 1946-1964.

### 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 incorporating the amendments published in the *Government Gazette* on the 28th November, 1947, the 18th March, 1949, the 3rd June, 1949, the 22nd July, 1949, the 13th June, 1952, the 18th July, 1952, the 19th June, 1953, the 13th November, 1953, the 25th June, 1954, the 4th February, 1955, the 27th June, 1957, the 16th March, 1961, the 11th May, 1961, the 22nd June, 1961, the 21st March, 1962, the 4th October, 1962, the 3rd April, 1963, the 10th March, 1964, the 27th May, 1964 and the 15th October, 1964; and reprinted pursuant to the provisions of 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 Minister for Justice dated 14th April, 1965.

# MILK ACT, 1946.

## REGULATIONS.

### PART AI.

#### Interpretation.

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

"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.

"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  
substituted  
by G.G.  
22/6/61  
p. 1881.

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.

(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 2  
substituted  
by G.G.  
22/6/61  
p. 1881.

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.

(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  
substituted  
by G.G.  
22/6/61  
p. 1881.

3. (1) The license fee payable for a dairyman's license shall be the amount calculated at the rate of eleven shillings (11s.) 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.

(2) The minimum license fee payable for a dairyman's license shall be three pounds (£3) except where the applicant sells milk to the holder of both a milk vendor's license and a treatment license, in which case the minimum license fee payable for the dairyman's license shall be ten pounds (£10).

<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, 1946-1964.

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 six shillings and eightpence (6s. 8d.) 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.

(2) The minimum license fee payable for a milkman's license shall be—

- (a) seven pounds ten shillings (£7 10s.) where the license is for a district situated within the metropolitan area; and
- (b) two pounds (£2) where the license is for a district not so situated.

(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 seventeen shillings and eightpence (17s. 8d.) 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 six shillings and eightpence (6s. 8d.) 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. [Subs. by G.G. 22/6/61, p. 1882, 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 one pound (£1) 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.

(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 four pounds ten shillings (£4 10s.) 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 one pound (£1) 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 one pound (£1).

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 sub-  
stituted by  
G.G. 22/6/61  
p. 1883.  
G.G.  
15/10/64  
p. 3547.

10. The license fee payable for a milk shop license shall be one pound (£1).

Regulation  
11 sub-  
stituted 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 added  
by G.G.  
22/6/61  
p. 1883.  
Substituted  
by G.G.  
15/10/64  
p. 3547.

11A. The license fee payable for a milk store license shall be one pound (£1).

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

11B. (1) Every application for a milk vendors 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 five shillings (5s.) 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.

(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 one shilling and threepence (1s. 3d.) 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 two shillings and sixpence (2s. 6d.) 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 twenty pounds (£20).

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. 1884.

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>

12. Every licensed dairyman when required by a notice in writing from the Chief Inspector of Stock or any person acting under his authority shall muster or cause to be mustered all of the dairy cattle kept by him as such for the purpose of inspection, recording and tuberculin testing, and shall render to the Inspector of Stock making such inspection and to the veterinary surgeon carrying out such tests, all reasonable assistance in connection with the handling of the cattle. The notice shall be in accordance with Form No. 13 of the Second Schedule hereto.

Regulation  
13.  
Amended  
by G.G.  
28/11/47  
p. 2183.

13. Each head of dairy cattle inspected shall be identified by means of a metal eartag bearing the letter T and a serial number. Such eartag shall be securely attached to the right ear by an Inspector of Stock or other person authorised by the Chief Inspector of Stock and shall not be used for the identification of any cattle other than dairy cattle kept by a licensed dairyman.

14. When any dairy cattle have been inspected pursuant to section 44 of the Act, the Inspector of Stock making such inspection shall forthwith furnish a report to the Chief Inspector of Stock setting forth the particulars of the description, eartag number and firebrands of each of the cattle inspected. Such report shall be accompanied by a statement by a veterinary surgeon certifying that he has subjected each of the animals described to the tuberculin test and indicating which of these animals in consequence of the application of such test or upon inspection, were found to be diseased. The report of the Inspector of Stock and the statement of the veterinary surgeon shall be in accordance with Form No. 14 of the Second Schedule hereto.

15. Dairy cattle giving a positive reaction to the tuberculin test or which, upon inspection, are found to be showing clinical evidence of disease shall be branded with a broad arrow above the letter T which shall be imprinted on the right cheek.

16. When any dairy cattle have been subjected to the tuberculin test and have in consequence been found to be suffering from disease the Chief Inspector of Stock shall notify the Chairman of the Milk Board and the Commissioner of Public Health to the effect of Form No. 15 in the Second Schedule hereto.

17. Whenever any dairy cattle are found upon inspection or by the application of the tuberculin test to be suffering from disease the Chief Inspector of Stock, or an Inspector of Stock acting under his authority shall forthwith notify the dairyman accordingly and shall order him to remove all such cattle from the herd for immediate slaughter and to hold them in isolation pending the date of such removal. The notice shall be in accordance with Form No. 16 of the Second Schedule hereto. By such notice the dairyman shall be required either to destroy the cattle on his dairy at his own expense within the meaning of the word "destroy" in the Stock Diseases Act, 1895, or to convey or consign them to an abattoir specified by the Chief Inspector of Stock or an Inspector of Stock acting under his authority.

<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.

18. In addition to the notice served under the preceding regulation the Chief Inspector of Stock may, if he thinks it necessary, and at the request of the Commissioner of Public Health shall serve upon the licensed dairyman a further notice directing him to cease the supply or distribution from his dairy of milk produced by his dairy cattle until the receipt of further directions from the Board. The notice shall be in accordance with Form No. 17 of the Second Schedule hereto. When any such notice is served upon a licensed dairyman the Chief Inspector of Stock shall at the same time forward written notification of the fact to the Chairman of the Milk Board.

19. When any dairy cattle are required to be removed to an abattoir for slaughter in accordance with regulation 17 of these regulations, and transport by road is necessary and the distance to the abattoir specified in the notice (Form No. 16) by the Chief Inspector of Stock does not exceed 15 miles, the cost of such transport shall be borne by the Board. Provided that in districts where rail transport is not considered suitable by an Inspector of Stock, the Board may approve of payment of the cost of road transport for a distance exceeding 15 miles.

In all other cases the dairyman shall deliver the cattle to the nearest railway siding and consign them to the abattoir specified, the cost of rail freight only being borne by the Board. Provided that when the distance from the dairyman's property to such railway siding exceeds eight miles, the Board may approve of the conveyance of the cattle to the siding by road transport and subject to such approval the Board shall pay the cost as determined by an Inspector of Stock.

20. A licensed dairyman whose cattle have been ordered to be taken to an abattoir for slaughter pursuant to section 51 of the Act, shall, if required by the Inspector under whose orders the cattle are to be destroyed, not less than three days prior to the removal of such cattle from his dairy, notify the Chief Inspector of Stock to the effect of Form No. 18 in the Second Schedule hereto. Such notice shall specify the date of consignment, the method of transport to the employed and the place from which the cattle are to be consigned.

21. When any dairy cattle owned by a licensed dairyman are destroyed pursuant to section 46 of the Act, such dairyman may claim against the Board for payment of compensation in respect of the loss sustained by him by the destruction of the said cattle. An application for compensation must be made in writing to the Chairman of the Board in or to the effect of Form No. 19 in the Second Schedule hereto and shall contain particulars of the description and of the value of each of the animals destroyed. Such application must be made within 21 days after the destruction of the animal or animals in respect of which compensation is claimed.

22. Where, pursuant to section 61 of the Act, a claimant elects to appeal to the Minister against the refusal of the Board to pay to the claimant the amount of compensation claimed by him, such appeal shall be forwarded to the Minister in accordance with Form No. 20 in the Second Schedule hereto and within seven days of the receipt of notice that the claim has been so refused.

23. When any dairy cattle pursuant to section 51 of the Act have been ordered to be taken to an abattoir for slaughter and sale of the carcase, the Chief Inspector of Stock shall notify the officer-in-charge of such abattoir to the effect of Form No. 21 of the Second Schedule hereto. Such notice shall contain particulars of the description of the cattle including the fire brands and any paint numbers employed by the Inspector for the purposes of identification and shall state the approximate date of consignment.

24. Upon the receipt of the notice given under the preceding regulation and the cattle referred to therein the officer-in-charge at the abattoir to which such cattle are consigned or his deputy shall give instructions for the slaughter of the animals and the realisation of the carcasses.

25. When any dairy cattle have been slaughtered at an abattoir pursuant to section 51 of the Act, the officer-in-charge of such abattoir shall notify the Chairman of the Board accordingly and shall forward to him the proceeds of the sale of the carcasses after deducting slaughtering charges and other expenses actually incurred in relation to the destruction of such dairy cattle. The notice shall be to the effect of Form No. 22 of the Second Schedule hereto.

26. When any dairy cattle kept by a licensed dairyman are destroyed at an abattoir or elsewhere by reason of suffering from disease, the ear-tags shall be removed therefrom at the time of slaughter and shall be forwarded to the Chief Inspector of Stock.

27. In the event of the loss or death of any dairy cattle which have been found to be suffering from disease and have been ordered to be destroyed by an Inspector of Stock the dairyman shall immediately notify the Chief Inspector of Stock and where the death of any such animal has occurred shall remove the ear-tag and forward it to the Chief Inspector of Stock.

28. When any herd of dairy cattle has been tuberculin tested pursuant to section 44 of the Act, and the animals giving a positive reaction to such test have been removed from the herd for slaughter, such remaining cattle shall not thereafter be allowed to stray on any public road, reserve or unfenced land or to depasture on any common or other land where they may come into contact with untested cattle.

29. A licensed dairyman whose herd of dairy cattle has been tested and in consequence thereof is free of disease shall not permit any other cattle to be introduced into such herd unless such cattle have been subjected to and have passed the tuberculin test immediately prior to the date of introduction or have been purchased from a similarly tested herd.

30. When it is intended to introduce any cattle other than tuberculin tested cattle as defined in the preceding regulation into a tuberculin tested herd the dairyman shall notify the Chief Inspector of Stock to the effect of Form No. 23 in the Second Schedule hereto and shall, if such cattle have been brought to his dairy, hold them in isolation pending the application of a tuberculin test by a veterinary surgeon.

31. When any dairy cattle have been tuberculin tested pursuant to section 44 of the Act and these regulations, the Chief Inspector of Stock shall, if requested by the dairyman, furnish a certificate setting forth the results of such test.

32. Every licensed dairyman, notwithstanding that his herd has been tuberculin tested as required under section 44 of the Act and these regulations, shall notify the Chief Inspector of Stock of any animal visibly suffering from disease or showing symptoms whereby it may reasonably be suspected of suffering from disease.

33. When from time to time he is requested by the Board to furnish a report setting forth the particulars required by section 50 of the Act, the Chief Inspector of Stock shall furnish such particulars in accordance with Form No. 24 of the Second Schedule hereto.



PART III.<sup>1</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>1</sup>

## Compensation Fund.

35.<sup>2</sup> (a) The rate at which any licensed dairyman may contribute to the Compensation Fund shall be one-thirtieth of one penny for every gallon of milk sold by him and one farthing for every gallon of cream sold by him.

(b) The contributions may be paid monthly within the first ten days of each calendar month and shall be calculated upon the quantity of milk or cream, or where applicable, of milk and cream, sold by the licensed dairyman during the last preceding calendar month.

(c) Any licensed dairyman who fails to contribute at the rate and within the periods prescribed by this regulation shall for the purposes of section fifty-three of the Act, be deemed not to have contributed to the Compensation Fund in accordance with the provisions of the Act and these Regulations during the year commencing on the first day of July in which the failure occurs.

36.<sup>2</sup> [Revoked by G.G. 18/3/49, p. 504.]

PART V.<sup>1</sup>

## Election of Members of the Board.

37. The first election of elective members of the Board shall be held on a date to be fixed by the Board and thereafter in the same month in each alternate year.

38. Nominations for the positions of two members of the Board as representatives of the dairymen shall be called for by advertisement in three consecutive issues of a daily newspaper published in Perth.

39. Candidates for one of the positions shall be nominated by dairymen who are duly licensed under the Milk Act, 1946, to carry on business in the Metropolitan Dairy Area and the South-West Coastal Dairy Area.

Regulation 35 substituted by G.G. 18/3/49, p. 504.

Amended by G.G. 18/7/52, p. 1774, G.G. 13/11/53, p. 2273, G.G. 4/2/55, p. 224.

<sup>1</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>2</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.

40. Candidates for the other position shall be nominated by dairymen who are duly licensed under the Milk Act, 1946, to carry on business in any Dairy Area outside the Dairy Areas mentioned in regulation 39.

41. Nominations shall be in writing on forms similar to the appropriate form in the Fourth Schedule to these regulations, and must be signed by two dairymen who will, if they still hold their respective licenses, be qualified under the provisions of section 15, subsection 2, of the Milk Act, 1946, to vote at the election in respect of which the nomination is made. The form must also be signed by the candidate himself as evidence of his consent to stand for election.

42. Nominations for elections shall be in the hands of the returning officer not later than noon on a date twenty-one days before the date on which the election is to be held.

43. The scrutiny and count of all ballot papers as required by the regulations hereinafter contained shall be made at the office of the Board, and the result of the election shall be declared in the manner hereinafter specified.

44. If only one candidate is nominated by dairymen of the areas defined in regulation 39 he shall be declared elected by the returning officer on the date appointed for the holding of the election.

45. If only one candidate is nominated by dairymen of the areas defined in regulation 40 he shall be declared elected by the returning officer on the date appointed for the holding of the election.

46. If more candidates than one are nominated by dairymen of the areas defined in regulation 39 the returning officer shall prepare ballot papers on which shall be printed in alphabetical order the names of all candidates nominated by such dairymen.

47. If more candidates than one are nominated by dairymen of the areas defined in regulation 40 the returning officer shall prepare ballot papers on which shall be printed in alphabetical order the names of all candidates nominated by such dairymen.

48. The ballot papers so prepared shall be posted or delivered by the returning officer at least fourteen days before the date appointed for the holding of the election to every elector of the areas defined in regulations 39 or 40, as the case may be, who is qualified to vote for candidates nominated by dairymen of that class.

49. Every elector shall vote on and by the ballot paper so forwarded to him by writing the numeral 1 opposite the name of the candidate for whom he votes and, if there are more than two candidates, he shall place the numeral 1 opposite the name of the candidate for whom he votes as his first preference, and he shall give contingent votes for all the remaining candidates by placing the numerals 2, 3 and so on (as the case requires) opposite their names, so as to indicate by such numerical sequence the order of his preference.

50. After recording his votes every elector shall place his ballot paper in a plain envelope, which shall be sealed by the elector and enclosed unmarked in another envelope, addressed to the returning officer. The signature and license number of the elector shall be written inside the lastmentioned envelope in spaces which shall be provided for the purpose. The envelopes shall be supplied by the Board.

51. All envelopes containing ballot papers shall be delivered or posted to the returning officer at the office of the Board at its address in Perth, and shall be in the hands of the returning officer not later than noon on the date appointed for the holding of the election. Every envelope posted as aforesaid shall be properly stamped, and if it is not so stamped the returning officer may refuse to accept the ballot paper therein contained.

52. The Board shall, on or before the date appointed for the holding of the election, appoint a returning officer and two scrutineers, who shall not be members of the Board.

53. As soon as possible after noon on the date of the election the returning officer shall open all envelopes (except the sealed envelopes containing ballot papers) in the presence of the scrutineers, and shall check the signatures and license numbers of the electors.

54. If the returning officer is satisfied that an elector is duly qualified to vote, and that his signature is genuine, he shall hand the sealed envelope containing the ballot paper to the scrutineers, who shall place it, unopened, with all other similar envelopes containing ballot papers submitted by dairymen of the same class in a ballot box provided for the purpose. Separate ballot boxes shall be used for the ballot papers submitted by the dairymen of each class.

55. When all the signatures and numbers have been checked as aforesaid, the scrutineers shall remove all the sealed envelopes from each ballot box, and count the votes appearing on the ballot papers therein contained, using the preferential system of counting in the same manner as it is for the time being adopted and used in connection with the election of members of the Legislative Assembly of Western Australia.

56. If it appears to the scrutineers or either of them that any ballot paper is informal, they shall submit the ballot paper to the returning officer who may accept or reject it, and whose decision shall be final.

A ballot paper shall be informal:—

- (a) If the elector has not in casting his votes complied in every respect with the preceding regulations; or
- (b) if the ballot paper has upon it any mark or writing which in the opinion of the returning officer will enable any person to identify the elector; or
- (c) if it does not indicate the elector's vote.

57. The returning officer shall keep a record of the number of informal votes.

58. As soon as the counting is complete the returning officer shall declare the candidate in each class who obtained the greatest number of votes (counted as aforesaid) to be elected, and shall report the result in writing to the Chairman of the Board, and shall, as soon as possible after the making of the aforesaid declaration, cause the names of the successful candidates to be advertised in the *Government Gazette*.

59. (a) If and whenever it becomes necessary to hold an election for the purpose of filling a vacancy in the office of an elected member of the Board, nominations for the vacant position shall be called for as soon as possible after the vacancy occurs.

(b) Candidates for the vacant position shall be nominated by dairymen of that one of the classes mentioned in regulations 39 and 40 to which the dairymen belonged who nominated the member whose office became vacant.

(c) Nominations shall be in the hands of the returning officer not later than noon on a date twenty-one days before the date on which the election is to be held.

(d) Regulations 41 to 58 inclusive shall apply *mutatis mutandis* to elections held under this regulation.

60. Candidates elected shall assume office on the day following the publication of their names in the *Government Gazette* as the successful candidates.

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.

Regulation  
63 amended  
by G.G.  
27/6/57  
p. 2136.

63<sup>2</sup>. With effect from the 1st March, 1957, members of the Board other than the Chairman shall be paid a fee of £200 per calendar year. The fee payable to the Chairman for attendance at Board meetings shall be £2 2s. per sitting.

Regulation  
64 sub-  
stituted by  
G.G. 13/6/52  
p. 1524.

64<sup>3</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.

Provided that the approval of the Board and of the Minister 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.

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.

<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.

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 on 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 3 on page 1108.

- (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 fifty pounds and not less than two pounds.

(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 two pounds 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 fifty pounds.

#### 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 on page 1108.

<sup>2</sup> Now Milk Act, 1946-1964.

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.

<sup>1</sup> See footnote 3 on page 1108.

PART XII.<sup>1</sup>

## Contributions Towards the Expenditure of the Board.

96. In this part of the Regulations the term "year of assessment" shall mean the year during which a license issued by the Board to a licensee is in force.

97. In or prior to every year of assessment the Board shall—

- (a) prepare an estimate of the expenditure to be incurred by it during the year of assessment in the administration of the Act and in carrying out its duties and functions, and an estimate of the income available to meet such expenditure which it anticipates that it will derive from sources other than contributions from licensees under this Part of the Regulations, and shall deduct the amount thereof from the estimated expenditure. The balance remaining shall be the expenditure towards which the Board may collect contributions from licensees under section 40, subsection (1) of the Milk Act, 1946-1948.<sup>2</sup>
- (b) determine the sum which every licensee shall contribute towards the expenditure aforesaid, by fixing the amount which he shall pay to the Board in respect of every 5s. of the gross proceeds derived by him during the year of assessment from the carrying on of his business in the exercise of his license or licenses.

98. (1) The Board may fix uniform amounts to be paid to the Board by members of each of the following classes of licenses in respect of every 5s. of the gross proceeds derived by them during the year of assessment from the carrying on of their business in the exercise of their licenses:—

- (a) Dairymen who do not hold any license from the Board other than a Dairyman's License.
- (b) Dairymen who hold a Milk Vendor's License as well as a Dairyman's License but no other license from the Board.
- (c) Dairymen who hold a Treatment License as well as a Dairyman's License but no other license from the Board.
- (d) Dairymen who hold a Milk Vendor's License and a Treatment License as well as a Dairyman's License.
- (e) Milk Vendors who do not hold any license from the Board other than a Milk Vendor's License.
- (f) Milk Vendors who hold a Treatment License as well as a Milk Vendor's License but no other license from the Board.
- (g) Persons holding a Treatment License who do not hold any other license from the Board.

(2) The amount fixed as provided in this Regulation for payment to the Board by licensees who are members of one class may be different from the amount fixed for payment by licensees who are members of another class.

(3) The amounts fixed for payment to the Board by licensees who are members of any of the above classes in respect of every five shillings of the gross proceeds derived by them during the year of assessment from selling milk and cream produced by themselves may be different from the amounts fixed for payment by such licensees in respect of every five shillings of the gross proceeds derived by them during the year of assessment from selling milk and cream which they have not themselves produced.

99. The amounts fixed by the Board under Regulations 97 and 98 shall not exceed 1½d. in respect of every 5s. of the gross proceeds derived by a licensee during the year of assessment from the carrying on of his business in the exercise of his license or licenses.

<sup>1</sup> See footnote 3 on page 1108.

<sup>2</sup> Now Milk Act, 1946-1964.



100. As soon as practicable after the amounts mentioned in Regulations 97 and 98 have been fixed, the Board shall publish a table of such amounts in the *Government Gazette*.

101. If any licensee proves to the satisfaction of the Board that he follows a different method or practice in carrying on his business from the methods or practices generally followed by other licensees carrying on the same class of business and that in consequence thereof the sum which he is required to contribute towards the expenditure mentioned in Regulation 97 is unfair or excessive, the Board may grant to such licensee in respect of contributions already paid or in respect of contributions to be paid by him in the year of assessment in accordance with the amounts fixed by the Board under these Regulations, and applicable to such licensee, a rebate of such amounts as the Board may recommend and the Minister may approve.

102. At or within ten days after the end of every calendar month of the year of assessment, every licensee shall pay to the Board an instalment on account of his total contribution for that year. Such instalment shall be computed at the appropriate amount in respect of every 5s. of the gross proceeds derived by the licensee from the carrying on of his business in the exercise of his license or licenses during that month.

103. Nothing in Regulations 97 to 102 inclusive, shall affect the holder of any Milk Vendor's license, who sells milk by retail to consumers in a shop occupied by him as a shop and who has complied with the provisions of section 41 of the Act.

#### 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.

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.

<sup>1</sup> See footnote 3 on page 1108.

- (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) Every milk can shall be labelled to the satisfaction of the Board with the name and address of the dairyman to whom it belongs.

(2) No dairyman shall deliver milk to a milk vendor except in milk cans which are his own property or the property of the milk vendor to whom he delivers the same.

(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 who 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.

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.

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

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.

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;

(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 in writing of the Board.

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>

## Limitation of Sales.

133. (a) Subject to Regulations 134 to 138 (both inclusive) of these regulations, the Board may fix the permitted daily quantity of milk of his own production that may be sold or supplied during the period of twelve months commencing on the first day of March in each year by any dairyman holding the appropriate license or licenses to milk vendors and to consumers.

Regulation  
133 substituted by  
G.G. 27/5/64  
p. 2281.

(b) The Board may at any time by notice in writing forwarded by ordinary prepaid post to any dairyman cancel the permission given to that dairyman to sell or supply the permitted daily quantity of milk fixed by the Board under this Regulation.

134. (a) Except as provided in paragraphs (b), (d) and (f) of this regulation, the permitted daily quantity of each dairyman in respect of any twelve-monthly period shall be the average daily quantity of contract milk sold or supplied by him during the last preceding months of November, December and January, subject to any percentage increase or decrease determined by the Board.

Regulation  
134 amended  
by G.G.  
27/5/64  
p. 2281.

(b) The permitted daily quantity for any dairyman who sells any portion of his business as a dairyman after the coming into force of these Regulations shall be fixed by and at the discretion of the Board.

(c) Any dairyman who sells portion of his dairying business shall advise the Board in writing of the name of the dairyman who acquired such portion of his dairying business, and the portion so acquired. The Board may then reduce the permitted daily quantity fixed for the dairyman who sells portion of his dairying business by an amount corresponding to the portion sold by such dairyman.

(d) The permitted daily quantity for any dairyman who purchases any portion of another dairyman's business after the coming into force of these Regulations shall be fixed by and at the discretion of the Board.

(e) Any dairyman who purchases any portion of another dairyman's business shall advise the Board in writing of the name of the dairyman from whom he purchased portion of his dairying business and the quantity represented by such portion.

(f) The permitted daily quantity for any dairyman who is a new supplier shall be fixed by and at the discretion of the Board.

135. Upon fixing the permitted daily quantities pursuant to these regulations, the Board shall give notice by ordinary prepaid post to each dairyman stating the permitted daily quantity of milk

Regulation  
135 substituted by  
G.G. 27/5/64  
p. 2282.

<sup>1</sup> See footnote 3 on page 1108.

of his own production that such dairyman may, if he holds the appropriate license or licenses, sell or supply to milk vendors and consumers.

Regulation  
136 amended  
by G.G.  
27/5/64  
p. 2282.

136. If any dairyman considers that the permitted daily quantity mentioned in the notice given to him as aforesaid is less than the minimum prescribed in Regulation 134, he may within 14 days after receiving such notice, produce evidence to the Board establishing that he is entitled under Regulation 134 to supply or sell a greater daily quantity of milk of his own production than the quantity fixed as aforesaid, and the Board, if satisfied that such evidence is correct, shall increase the permitted daily quantity which he may supply or sell as aforesaid so as to conform with Regulation 134.

Regulation  
137 amended  
by G.G.  
27/5/64  
p. 2282.

137. From time to time and at any time after fixing permitted daily quantities as aforesaid, the Board may reduce the same.

Regulation  
138 amended  
by G.G.  
27/5/64  
p. 2282.

138. From time to time and at any time after fixing permitted daily quantities as aforesaid, the Board may increase the same if satisfied that the requirements of milk vendors or consumers in the metropolitan area warrant such increase.

Regulation  
139 sub-  
stituted by  
G.G. 27/5/64  
p. 2282.

139. If and whenever permitted daily quantities are increased pursuant to these Regulations, the Board shall give notice by ordinary prepaid post to each dairyman concerned, stating the permitted daily quantity of milk of his own production that such dairyman may, if he holds the appropriate license or licenses, sell or supply to milk vendors and consumers.

Regulation  
140 sub-  
stituted by  
G.G. 27/5/64  
p. 2282.

140. No dairyman shall on any day sell or supply to any milk vendor or consumer milk of his own production in a quantity greater in the aggregate than the permitted daily quantity fixed pursuant to these Regulations by the Board in relation to the business of that dairyman.

141. No dairyman who is not also a licensed milk vendor shall supply or sell to any milk vendor any quantity of milk produced by any person other than himself.

142. [Revoked by G.G. 27/5/64 p. 2282.]

#### 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 the 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.

<sup>1</sup> See footnote 3 on page 1108.

- (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.

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.

---

<sup>1</sup> See footnote 3 on page 1108.

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.

Heading  
substituted  
by G.G.  
11/5/61  
p. 1146.

Regulation  
154 sub-  
stituted by  
G.G. 11/5/61  
p. 1146.

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 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 decolorise 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.

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.

Regulation  
155 sub-  
stituted by  
G.G. 11/5/61  
p. 1146.

<sup>1</sup> See footnote 3 on page 1108.

<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, 1911-1964.



(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 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) 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 decolorise 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.

#### MINIMUM STANDARD OF QUALITY FOR CREAM.

157. (a) Cream shall be that portion of milk in which, either through rest or mechanical separation, the greater part of the milk fat has become concentrated. It shall contain not less than forty parts per centum of milk fat and shall not contain any added substance.

(b) The bacterial condition of cream 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 decolorise the methylene blue in less than four hours.

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

Regulation 157 substituted by G.G. 11/5/61 p. 1147.

Regulation  
158 sub-  
stituted by  
G.G. 11/5/61  
p. 1147-8.

#### Pasteurised Cream.

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 and which is free from living coliform bacilli.

Provided that a parcel of cream 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 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) Pasteurised cream shall not contain more than fifty thousand and micro-organisms in one millilitre.

(f) The bacterial condition of pasteurised cream 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 decolorise the methylene blue in less than four hours.

#### Cream-labelling.

159. (a) There shall be legibly embossed on every bottle or written on every container containing pasteurised cream or in or on the label attached to every such container, in twenty-four point lettering the words "Pasteurised Cream" and the name of the holder of the Treatment License at whose premises the cream contained in every such bottle or container was pasteurised. Alternatively, the word or 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) Where any container of not less capacity than one gallon is used in the sale or distribution of pasteurised cream, there shall be written in seventy-two point lettering on a label borne on such container the word "Pasteurised" or, alternatively, the word "Pasteurised Cream."

(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 cream is delivered shall be written on the disk, cap, or device used for sealing any bottle containing pasteurised cream, 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 cream in a bottle so sealed, and any such permission may, by notice from the Board to such person, be at any time withdrawn.

## 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, re-constructing, 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, lane-way, 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.

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 businesses from such premises aforesaid.

<sup>1</sup> Now Health Act, 1911-1964.

(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 that shown by 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 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.

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 re-construction 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

<sup>1</sup> Now Weights and Measures Act, 1915-1964.

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 covered drain laid the whole length of the milking shed, such drain shall be not 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 covered 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 odorous 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.

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.

Regulation  
266 amended  
by G.G.  
27/5/64  
p. 2282.

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

<sup>1</sup> Now Health Act, 1911-1964.

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.

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 cause 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.

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.

(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 sub-  
stituted 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 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

<sup>1</sup> Now Health Act, 1911-1964.

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 if 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 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**

<sup>1</sup> Now Milk Act, 1946-1964.

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 proceeding 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 the 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 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

<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.

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.

Form 1  
substituted  
by G.G.  
22/6/61  
p. 1885.

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?.....
- (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  
substituted  
by G.G.  
22/6/61  
p. 1885.

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 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?.....
- (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 3  
substituted  
by G.G.  
22/6/61  
p. 1886.

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 4  
 substituted  
 by G.G.  
 22/6/61  
 p. 1887.

Form 5  
substituted  
by G.G.  
22/6/61  
p. 1887.

## 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  
substituted  
by G.G.  
22/6/61  
p. 1888.

## 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 7  
substituted  
by G.G.  
22/6/61  
p. 1888.

Amended by  
G.G. 27/5/64  
p. 2282.

## 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.

Form 8  
substituted  
by G.G.  
22/6/61  
p. 1888.

## 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 9  
substituted  
by G.G.  
22/6/61  
p. 1889.

Form 10  
substituted  
by G.G.  
22/6/61  
p. 1889.

Form 10.

No. ....

Milk Act, 1946 (as amended).

Milk Vendor.

**MILK SHOP LICENSE.**

This is to certify that.....  
of..... 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  
substituted  
by G.G.  
22/6/61  
p. 1889.

Form 11.

No. ....

Milk Act, 1946 (as amended).

Milk Vendor.

**MILK STORE LICENSE.**

This is to certify that.....  
of..... 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 dis-  
trict of..... milk for consump-  
tion 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  
substituted  
by G.G.  
22/6/61  
p. 1890.

Form 12.

No. ....

Milk Act, 1946 (as amended).

**TREATMENT LICENSE.**

This is to certify that.....  
of..... is licensed under the  
provisions of the Milk Act, 1946 (as amended), to carry on the classi-  
fication 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.

## The Second Schedule.

Form No. 13.  
(Regulation 12.)

MILK ACT, 1946.

Form 13  
added by  
G.G. 18/7/47  
p. 1294.

To (Licensed Dairyman).....  
Address .....

I desire to inform you that an Inspector of Stock and a Veterinary Surgeon of or approved by this Department will visit your dairy on ..... 19..... at ..... for the purpose of inspecting and submitting your dairy cattle to the tuberculin test and you are hereby required to muster and yard such cattle at the time and date mentioned and to render all reasonable assistance in connection with the handling of these animals.

.....  
Chief Inspector of Stock.

Date.....

Note.—“Dairy Cattle” refers to any bull over the age of 9 months and any cow or heifer over the age of 12 months used for dairying purposes.

Form No. 14.  
(Regulation 14)

MILK ACT, 1946.

Form 14  
added by  
G.G. 18/7/47  
p. 1294-5.

Chief Inspector of Stock,  
Department of Agriculture, Perth.

I desire to inform you that on ..... 19..... I inspected the dairy cattle more particularly described hereunder as required by section 44 of the Milk Act, 1946. The cattle are kept by ..... of .....

## Particulars of Cattle.

Identification No. (Eartag).	Name	Sex	Colour	Breed	Age	Brands	Remarks

Date.....

.....  
Inspector of Stock.

I hereby certify that on ..... 19..... I submitted each of the dairy cattle described in the above schedule to the tuberculin test.

The following animals gave a positive reaction to this test and in my opinion are diseased. Eartags Nos. ....

The following animals were showing clinical evidence of disease .....

Date.....

.....  
Government Veterinary Surgeon.  
Approved Veterinary Surgeon.

Form 15  
added by  
G.G. 18/7/47  
p. 1295.

Form No. 15.  
(Regulation 16.)

MILK ACT, 1946.

The Chairman, Milk Board of Western Australia.  
Commissioner of Public Health.

I desire to advise that the dairy herd of.....  
..... address .....  
was subjected to the tuberculin test on.....19.....  
(No.).....head of dairy cattle were tested  
(No.).....of which gave positive reactions  
(No.).....of these cattle were showing clinical evidence  
of disease.

Date.....

.....  
Chief Inspector of Stock.

Form 16  
added by  
G.G. 18/7/47  
p. 1295.

Form No. 16.  
(Regulation 17.)

MILK ACT, 1946.

STOCK DISEASES ACT, 1895.

To (Licensed Dairyman).....  
Address .....

You are hereby notified in accordance with provisions of the  
Milk Act, 1946, and the Stock Diseases Act, 1895, and the Regula-  
tions thereunder that the dairy cattle more particularly described  
hereunder having been found to be suffering from disease must  
be removed from your herd for the purpose of slaughter and you  
are hereby required to (a) destroy such cattle, or (b) to isolate such  
cattle and deliver them to.....for convey-  
ance per.....to the abattoirs at.....  
.....on or before the.....day of  
.....19..... or .....

Particulars of Cattle.

Identification Eartag No.	Name	Sex	Colour	Breed	Brands	Value

Date.....

.....  
Inspector of Stock.

I certify that.....of the animals  
described above were destroyed in my presence on the property.

.....  
Inspector of Stock.

Date.....

Form No. 17.  
(Regulation 18.)

MILK ACT, 1946.

Form 17  
added by  
G.G. 18/7/47  
p. 1295-6.

To (Licensed Dairyman).....  
Address .....

Further to the notice served upon you in accordance with Regulation 17 (Form 16) of the Milk Act, 1946, ordering you to remove the diseased dairy cattle specified therein from your herd for slaughter, you are hereby directed to cease forthwith the supply or distribution from your dairy of milk produced from your dairy cattle until you receive further directions from the Board.

.....  
Chief Inspector of Stock.

Date.....

Form No. 18.  
(Regulation 20.)

MILK ACT, 1946.

Form 18  
added by  
G.G. 18/7/47  
p. 1296.

The Chief Inspector of Stock,  
Department of Agriculture, Perth.

I desire to inform you that I have now made arrangements for the removal from my property of the.....head of dairy cattle ordered to be slaughtered at the..... abattoirs on.....19.....

The cattle will be forwarded by rail/motor vehicle from..... to..... on.....19..... and will be consigned to the Chief Inspector of Stock.

.....  
Licensed Dairyman.

Date.....

Form No. 19.  
(Regulation 21.)

MILK ACT, 1946.

Form 19  
added by  
G.G. 18/7/47  
p. 1296.

The Chairman,  
Milk Board of Western Australia, Perth.

I hereby make application for compensation for the dairy cattle destroyed on.....day of.....19..... at.....

Particulars of Cattle.

Identification Eartag No.	Name	Sex	Colour	Breed	Age	Brands	Value

I.....of.....  
.....in the State of Western Australia.....  
do solemnly and sincerely declare that I am the owner of the dairy

cattle described in the above schedule and that the information contained therein is to the best of my knowledge and belief correct in every particular and I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Date.....

Declared at ..... in the }  
State of Western Australia }  
day of }  
One thousand nine hundred and }

Before me

.....  
Licensed Dairyman.

Form 20  
added by  
G.G. 18/1/47  
p. 1296.

Form No. 20.  
(Regulation 22.)

MILK ACT, 1946.

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

I, ..... of .....  
.....being aggrieved by the amount of .....  
compensation offered to me by the Milk Board for payment of cattle  
as described hereunder which have been found to be diseased, and  
having failed to agree with the Board as to the amount of compen-  
sation to be paid to me, do hereby appeal against the refusal of the  
Board to pay to me the amount of .....  
compensation claimed by me.

Particulars of Cattle.

Eartag No.	Name	Sex	Colour	Breed	Age	Brands	Com- pensa- Offered	Amount Claimed

Signature.....

Date.....

Form 21  
added by  
G.G. 18/1/47  
p. 1297.

Form No. 21.  
(Regulation 23.)

MILK ACT, 1946.

The Controller of Abattoirs,  
Officer-in-Charge,

.....Abattoirs,

The undermentioned dairy cattle owned by .....  
of .....having been found to be diseased  
have been ordered to be forwarded to the abattoirs at .....  
for slaughter and will be consigned from .....  
to .....by rail/motor vehicle on or about  
.....19.....



I shall be glad if you will take delivery of these cattle upon arrival and arrange for their slaughter and sale of the carcasses.

Particulars of Cattle.

Paint No.	Eartag No.	Description	Brands

Date.....

Chief Inspector of Stock.

Form No. 22.  
(Regulation 25.)

MILK ACT, 1946.

Form 22  
added by  
G.G. 18/7/47  
p. 1297.

The Chairman,  
Milk Board of Western Australia, Perth.

The dairy cattle referred to hereunder were slaughtered at the abattoirs at ..... on ..... 19..... in accordance with the requirements of the Milk Act, 1946, and the regulations thereunder.

Owner.....  
Address.....

Particulars of cattle.....

The sum of £..... forwarded herewith represents the proceeds derived from the sale of the carcasses of the above-mentioned animals.

Controller of Abattoirs,  
Officer-in-Charge,

Abattoirs

Date.....

Form No. 23.  
(Regulation 30.)

MILK ACT, 1946.

Form 23  
added by  
G.G. 18/7/47  
p. 1297.

Chief Inspector of Stock,  
Department of Agriculture, Perth.

I desire to inform you that I have purchased the undermentioned dairy cattle which I intend to introduce into my dairy herd at.....

Bulls (No.).....  
Cows (No.).....  
Heifers (No.).....

These cattle are being held in isolation pending the application of the tuberculin test.

Licensed Dairyman.

Date..... Address.....

Form 24  
added by  
G.G. 18/7/47  
p. 1298.

Form No. 24.  
(Regulation 33.)

MILK ACT, 1946.

The Chairman,  
Milk Board of Western Australia, Perth.

The following particulars relating to the herds of dairy cattle  
inspected during the period.....19 to.....  
are forwarded for your information:—

Particulars.

Date of Inspection	Owner	Number of Cattle Inspected	Description and num- ber found to be or sus- pected of being diseased	Number Slaughtered	Date Slaughtered

Date.....

Chief Inspector of Stock.

Third Schedule.

Form No. 25.

Milk Act, 1946.

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 state-  
ment of the grounds of the appeal upon which the appellant relies.

Form 26  
added by  
G.G. 12/12/47  
p. 2275.

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.

## NOMINATION FORM A.

Fourth  
Schedule  
added by  
G.G. 12/12/47  
p. 2275.

The Returning Officer,  
c/o The Milk Board of Western Australia,  
Perth.

Dear Sir,

We, the undersigned, being dairymen who are duly licensed under the Milk Act, 1946, to carry on business as dairymen in the ..... Dairy Area, do hereby nominate (name), (address), (occupation) to stand for election as a representative of the dairymen on the Milk Board of Western Australia.

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

Signatures, addresses and occupations of  
Nominators.

I, the abovenamed candidate, do hereby consent to stand for election as a representative of the dairymen on the Milk Board of Western Australia.

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

.....  
Signature of Candidate.

I,..... of..... in the State  
of Western Australia, do solemnly and sincerely declare—

That I hold a current license as a dairyman under the Milk Act, 1946, and am actively engaged in the production of milk, and am eligible for election as a member of the Milk Board of Western Australia in accordance with the provisions of section 11, paragraph (b), subparagraph 1 of the Milk Act, 1946,

and I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at..... in the  
State of Western Australia this.....  
day of..... one  
thousand nine hundred and.....

Before me:

## NOMINATION FORM B.

The Returning Officer,  
c/o The Milk Board of Western Australia,  
Perth.

Dear Sir,

We, the undersigned, being duly licensed under the provisions of the Milk Act, 1946, to carry on business as dairymen in the ..... Dairy Area do hereby nominate (name), (address), (occupation) to stand for election as a representative of the dairymen on the Milk Board of Western Australia.

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

Signatures, addresses and occupations of  
Nominators.

I, the abovenamed candidate, do hereby consent to stand for election as representative of the dairymen on the Milk Board of Western Australia.

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

.....  
Signature of Candidate.

I,..... of..... in the State  
of Western Australia, do solemnly and sincerely declare—

That I hold a current license as a dairyman under the Milk Act, 1946, and am actively engaged in the production of milk, and am eligible for election as a member of the Milk

Board of Western Australia in accordance with the provisions of section 11, paragraph (b), subparagraph 1 of the Milk Act, 1946,  
and I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at..... in the  
State of Western Australia this.....  
day of..... one  
thousand nine hundred and.....  
Before me:

Form 27  
added by  
G.G. 22/7/49  
p. 1618.

The Fifth Schedule.

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.....

<sup>1</sup> Now Milk Act, 1946-1964.

Form 28  
added by  
G.G. 22/7/49  
p. 1618.

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 £2 and not more than £50, with a daily penalty not exceeding £2 for every day in respect of any such breach which still continues after conviction.

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

Chairman.

<sup>1</sup> Now Milk Act, 1946-1964.

Form 29  
added by  
G.G. 22/7/49  
p. 1618.

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.

Form 30.  
Milk Act, 1946-1948.<sup>1</sup>  
(Regulation No. 150).

Form 30  
added by  
G.G. 22/7/49  
p. 1619.

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 .....

<sup>1</sup> Now Milk Act, 1946-1964.

Form 31.  
Milk Act, 1946-1948.<sup>1</sup>  
(Regulation No. 151).

Form 31  
added by  
G.G. 22/7/49  
p. 1619.

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 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 .....

<sup>1</sup> Now Milk Act, 1946-1964.

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-west-  
erly along that side, the northern, eastern and southern sides of  
Victoria Square and the eastern side of Victoria Avenue and on-  
wards 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.  
Amended by  
G.G. 19/6/53  
p. 1248.  
substituted  
by G.G.  
16/3/61  
p. 691-2.

(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 to 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.

#### The Seventh Schedule.

Form 32.

Form 32  
added by  
G.G. 17/3/50  
p. 611.

##### \* Bacteriologist's

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

I, the undersigned, an \*Analyst/Bacteriologist appointed under the Health Act, 1911-1948, and 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.....

..... \*Analysit/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.

<sup>1</sup> Now Milk Act, 1946-1964.

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 completely 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.

Ninth  
Schedule.  
added by  
G.G. 17/3/50  
p. 612-3.

#### 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>

Form 33  
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.....

<sup>1</sup> Now Milk Act, 1946-1964.

## 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, 1946-1964.

Form 34  
added by  
G.G. 17/3/50  
p. 613.

