

Serial Number 1945/103



THE MILK TREATMENT REGULATIONS 1945

C. L. N. NEWALL, Governor-General

By his Deputy,

MICHAEL MYERS

ORDER IN COUNCIL

At the Government House at Wellington, this 8th day of
August, 1945

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Health Act, 1920, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

PART I.—PRELIMINARY

1. These regulations may be cited as the Milk Treatment Regulations 1945.

2. These regulations shall come into force on the 15th day of August, 1945, save that Regulation 6 hereof shall not apply to persons carrying on in the district of any local authority the business of pasteurizing milk for sale as pasteurized milk in any premises used for that purpose at the date of enactment of these regulations or to persons using for that purpose in the district of any local authority equipment that was so used at the date of enactment of these regulations until these regulations are applied by the Minister of Health to that district by notice published in the *Gazette*.

3. In these regulations, unless inconsistent with the context,—

“Chart” means a recording thermometer chart :

“Equipment” includes all apparatus, machinery, pumps, vehicles, containers, utensils, piping, thermometers, and other articles used in the reception, storage, treatment, bottling, or canning of milk for pasteurization or pasteurized milk :

“Holding method” and “high-temperature short-time method” mean respectively the methods so described in regulations made under the Sale of Food and Drugs Act, 1908 :

“Milk” includes cream.

4. The requirements of these regulations are in addition to and not in derogation from the requirements set out in the regulations made under the Health Act, 1920, by Order in Council of the 21st day of July, 1924, as heretofore amended, save that in case of conflict between these regulations and the regulations aforesaid the provisions of these regulations shall prevail.

5. Nothing in these regulations shall excuse any person from compliance with by-laws of a local authority, or any other legally constituted authority, whether relating to the requirement of a license or any other matter so far as such by-laws are not in conflict with these regulations.

PART II.—REQUIREMENTS AS TO PREMISES

6. No person shall carry on the business of pasteurizing milk for sale as pasteurized milk in any premises that do not comply with the following requirements:—

- (a) All floors shall be constructed of concrete or other impervious and easily cleaned materials and shall be so finished as to be impervious to moisture, and faces of concrete shall be finished to a smooth plane surface. The floors shall be adequately graded so as to drain into channels, which shall discharge in a satisfactory manner over a gully-trap. Angles between floors and walls shall be rounded off in a manner that will prevent the lodgment of dirt and enable the premises to be thoroughly cleansed with an ordinary scrubbing-broom:
- (b) Interior walls and the interior surfaces of external walls shall be made of or lined with tiles, cement, or other material so finished by painting or otherwise as to present a smooth surface and to be impervious to moisture, and faces of concrete shall be finished to a smooth plane surface with a steel tool:
- (c) Ceilings, if any, and roofs of rooms not completely ceiled shall be dustproof, and shall on the under surface have a smooth surface capable of being washed without damage to the surface:
- (d) All rooms shall be provided with adequate natural and artificial lighting and ventilation to the satisfaction of the Medical Officer of Health:
- (e) All doors opening to the outer air shall, as far as practicable, be self-closing:
- (f) All windows, doors, and other vents and openings to the outer air shall, as far as practicable, be covered with screens of wire gauze or other suitable material that will exclude flies:
- (g) Adequate privy accommodation shall be provided in rooms not opening directly into any room in which milk or equipment or containers are handled, treated, or stored, and all doors of such rooms shall be self-closing:
- (h) Conveniently adjacent to any privy accommodation there shall be provided adequate hand basins furnished with waste-pipes and with pipes to supply hot water and cold water.

7. No person shall carry on the business of pasteurizing milk for sale as pasteurized milk in any premises that are not at all times maintained in accordance with the following requirements:—

- (a) The floors shall at all times be kept clean :
- (b) Walls and ceilings shall be kept clean by washing :
- (c) In every privy a conspicuous notice shall be posted directing employees to wash their hands immediately after using the privy :
- (d) Conveniently adjacent to hand basins there shall be kept toilet soap and nail-brush, and for each employee a separate towel or other suitable means of drying hands :
- (e) Every hand basin shall be furnished with an adequate supply of warm running water and shall not be used for any other purpose than personal ablutions :
- (f) An adequate supply of potable water shall at all times be available :
- (g) All plumbing and door-hinges and fastenings and other working or moving parts of the premises, including fittings and fixtures, shall at all times be maintained in good, sound, and efficient working-order :
- (h) All surfaces of floors, walls, and ceilings that may become chipped, cracked, or pervious to moisture or roughened shall immediately be put into repair so as to comply with the requirements of these regulations :
- (j) All fly-screens shall be kept in good and efficient repair and condition and shall at all times be kept in position, except during actual ingress and egress through doors :
- (k) All rooms shall be kept adequately lit and ventilated :
- (l) The whole of the premises and all fittings and fixtures thereof and all equipment shall at all times be kept in clean order and condition :
- (m) No substance by which milk is or may be liable to be contaminated shall be stored, treated, or handled in the premises.

PART III—REQUIREMENTS AS TO EQUIPMENT

8. No person shall use for the purpose of pasteurizing milk for sale as pasteurized milk any equipment that does not comply with the following requirements:—

- (a) All milk-piping fittings and connections shall be of suitable material and design and of such interior dimensions as to be easily cleaned with a brush :
- (b) The parts of the equipment shall be so arranged that as little milk-piping as possible is required :
- (c) All open-surface coolers shall be either situated in a dust-proof room or else be provided with tightly fitting shields capable of protecting the surface of the cooler from contamination :
- (d) Equipment used for pasteurizing by the high-temperature short-time method shall be provided with such devices as may be necessary to permit testing of the fifteen seconds time period thermostatic control and with some device which shall automatically divert the flow of milk which has not been retained at a temperature of not less than 162° F. (72.2° C.) for at least fifteen seconds.

- (e) All holding-equipment shall be so designed that the difference in temperature between the hottest and coolest portions of the milk for the time being contained therein does not exceed 1° F. :
- (f) Unless a Medical Officer of Health has signified in writing that he is satisfied that equality of temperature is sufficiently attained by design of equipment, all holding-equipment shall be provided with agitators so designed as effectively to agitate the whole of the milk in the vat, tank, or holding-vessel.

9. No person shall, for the purpose of pasteurizing milk for sale as pasteurized milk, use any equipment that is not at all times maintained in accordance with the following requirements :—

- (a) All equipment shall be maintained in a clean condition in proper working-order and free from corrosion or incrustation :
- (b) Immediately before every occasion on which it is used every part of the equipment shall be sterilized :
- (c) At least once in every six hours during use all equipment used for pasteurizing milk by the holding method shall be cleaned and sterilized :
- (d) If an open-surface cooler is situated elsewhere than in a dust-proof room the shield of the cooler shall be kept properly in place at all times whilst the cooler is in use.

10. Every person who, in pasteurizing milk for sale as pasteurized milk, uses the holding method shall employ the following method of control :—

- (a) Satisfactory indicating thermometers and recording thermometers, each accurate to half a degree Fahrenheit, shall be installed and used in each holder. Thermometer equipment may be transferred from one holder to another, provided the required thermometer equipment is in place on any holder during the entire period of filling, heating, holding, and emptying :
- (b) A minimum milk temperature of 145° F. (62·8° C.) shall be maintained continuously throughout the holding-period.

11. Every person who in pasteurizing milk for sale as pasteurized milk uses the high-temperature short-time method shall employ the following method of control :—

As many suitable indicating thermometers and recording thermometers as may be reasonably necessary, each accurate to half a degree Fahrenheit, shall during the whole of the pasteurizing process be kept inserted in suitable places in the apparatus.

12. Irrespective of method, every person pasteurizing milk for sale as pasteurized milk shall employ the following mode of control :—

- (a) An indicating thermometer, and not a recording thermometer, shall be used by the person carrying out the pasteurization as the index of temperature :
- (b) The temperature shown by each recording thermometer shall be checked daily against that shown by the corresponding 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 :
- (d) No chart shall be used for more than one day except with the previous permission in writing of a Medical Officer of Health :
- (e) All charts shall be kept in good order on the premises where the pasteurization is carried out for at least three months after the day when the record thereon was made :
- (f) There shall be written in ink in every chart on the day it is used the following particulars :—
 - (i) Date ;
 - (ii) Readings of corresponding indicating thermometer taken at least once in every three hours whilst milk is being treated and the precise time of each reading ;
 - (iii) Signature of person by whom the readings were taken.

13. The person in charge of any equipment shall at all times permit any officer of the Department of Health, or other person authorized in writing by the Director-General of Health, to enter upon the premises in which such equipment is installed and to inspect the condition of the premises and equipment and to test the efficiency thereof, and in particular the accuracy of thermometers and to examine charts and other records and to initial any chart examined by him, and shall afford all reasonable facilities and assistance in any such inspection, testing, and examination.

PART IV.—CONDUCT OF BUSINESS

14. No person carrying on in any premises the business of pasteurizing milk for sale as pasteurized milk shall commence to pasteurize milk received for pasteurization more than four hours after it is received in the premises unless it has from the time of receipt been held in a room with an air temperature of 40° F. or less, or has forthwith on receipt been cooled to a temperature of 45° F. (7·2° C.) or less and maintained until commencement of pasteurization at a temperature of 45° F. (7·2° C.) or less.

15. No person shall at any time after the 1st day of January, 1947, carry on the business of pasteurizing milk for sale as pasteurized milk unless the actual process of pasteurization is at all times conducted under the immediate and continuous personal supervision of a person who has undergone for not less than eight weeks a full-time course of instruction and practical training in the treatment and processing of milk conducted at Massey Agricultural College and has undergone that course to the satisfaction of the Professorial Board of the said college.

16. No person shall carry on the bottling of pasteurized milk for sale or the capping of pasteurized milk bottled for sale except in the premises where the milk was pasteurized or otherwise than by means of mechanical equipment.

17. No person shall carry on the business of pasteurizing milk for sale unless every person engaged in the treatment, handling, storage before and after pasteurization, and bottling of the milk wears at all times whilst so engaged clean overalls and clean head-covering.

18. No person shall deliver to the consumer pasteurized milk that has at any time after removal from the pasteurizing premises reached a temperature exceeding 60° F. (15·6° C.).

19. No person shall in the production of pasteurized milk use any milk the flow of which in any equipment has been diverted as described in paragraph (d) of Regulation 8 hereof.

PART V.—PENALTY

20. Any person who commits an offence against these regulations is liable to a fine not exceeding £50.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 9th day of August, 1945.

These regulations are administered in the Department of Health.