

**PUBLIC HEALTH
(FOOD AND DRUGS) REGULATIONS 1960
(G.N.S 162 of 1960)**

In exercise of the powers conferred upon him by sections 51, 54 and 60 of the Public Health Ordinance 1960 [Ord. 7/60.] and all other powers thereunto him enabling, the Director of Medical Services has made the following regulations:

Citation.

1. These regulations may be cited as the Public Health (Food and Drugs) Regulations 1960 and shall come into force on the date* on which the Public Health Ordinance 1960 shall come operation.

PART I
PRELIMINARY

- 2-3. (Repealed).

PART II
LABELLING
GENERAL LABELLING REGULATIONS

- 4-16. (Repealed).

PART III
PRESERVATIVES AND COLOURING MATTERS

* In force 1st January 1961 – See G.N.S 156/60.

17-21. (Repealed).

PART 1V
MISCELLANEOUS PROVISIONS

22-31. (Repealed).

PART V
A. THE PREPARATION AND STORAGE OF FOOD GENERALLY

Interpretation.

32. (1) In this Part —

“contamination” includes contamination by odour; and “contaminated” shall be construed accordingly;

“equipment” includes apparatus, furnishings and utensils;

“food factory” means any of the trades set out in Schedule F;

“food room” means any room in a food factory in which any person engages in the handling of food or in the cleaning of equipment used in connection with the sale or preparation of food, but does not include a room used as a sleeping-place if the only handling of food which occurs in such room is in the course of serving food thereto or at the request of any person occupying the room as a sleeping-place;

“infectious” or contagious disease” includes amoebiasis, anthrax, bacillary dysentery, cerebro-spinal meningitis, chicken-pox, cholera, diphtheria, erysipelas, leprosy, measles, paratyphoid fever, plague, poliomyelitis, puerperal pyrexia, scarlet fever, small-pox, tuberculosis, typhoid fever, typhus, whooping cough and yellow fever;

“licensee” means the person for the time being holding a licence issued under any written law in respect of any trade;

“preparation” includes manufacture and any form of treatment, packing and storage.

(2) A person shall be deemed for the purposes of these Regulations, to engage in the handling of food if for the purpose of the business of a food factory he carries out or assists in the preparation, transport, wrapping, exposure for sale, service or delivery of food.

(3) For the purposes of these Regulations, the supply of food otherwise than by sale, at, in or from any place where food is supplied in the course of a business, shall be deemed to be a sale of that food.

Food factories to be repaired and cleaned to the satisfaction of the Health Officer.

33. The owner, licensee, occupier or keeper of a food factory which by reason of its state of disrepair or uncleanliness is such that the food therein is, in the opinion of the Health Officer, likely to become contaminated or be rendered unclean shall, on receipt of a notice from the local authority requiring him so to do, cease to use such factory until it has been repaired or cleansed to the satisfaction of the Health Officer.

Refuse in food factories to be kept in proper receptacles.

34. No owner, licensee, occupier or keeper of any food factory shall keep or allow to be kept therein or adjacent thereto, except in some proper receptacle any dirt, dung, bones, ashes, night-soil, filth or any noxious or offensive matter or shall suffer such receptacle to be in a filthy or noxious state.

Food rooms to be swept, washed and painted.

35. At such times as the local authority may direct, the owner, licensee, occupier or keeper of a food factory shall cause all movable articles to be removed from any food room in the food factory, and the walls, floor, ceiling and roof of such rooms to be swept and all filth and rubbish to be removed from the room, and the whole room to be thoroughly cleansed, painted or lime-washed and all necessary repairs to be made.

Food rooms and equipment to be kept clean.

36. The owner, licensee, occupier or keeper of a food factory shall cause all food rooms and all equipment therein to be kept at all times clean and free from any deleterious substance, contamination and pollution.

Food to be protected from rats, flies and dust.

37. The owner, licensee, occupier or keeper of a food factory shall cause all food therein to be at all times kept clean and to be protected from rats and other vermin and as far as practicable from flies and dust.

Food factories not to be used for any other purposes.

38. The owner, licensee, occupier or keeper of a food factory shall not permit the food factory to be used for any other purpose or trade without the consent in writing of the local authority.

Latrine and washing accommodation in food factories.

39. There shall be provided in situations approved by the local authority such reasonable latrine and washing accommodation, for the use by persons employed in a licensed food factory, as the local authority may direct.

Clean water to be available in food factories.

40. There shall be at all times within a food factory a sufficient supply of water, clean and free from any harmful chemical or bacterial contamination.

Lighting in food rooms.

41. There shall be provided in every food room in a food factory such suitable and sufficient means of lighting as the local authority may direct.

Ventilation in food rooms.

42. Except in the case of a humidity and temperature controlled chamber, there shall be provided in every food room in a food factory such suitable and sufficient means of ventilation as the local authority may direct.

No excreta permitted in food rooms.

43. No owner, licensee, occupier or keeper of a food factory shall cause or allow to be brought into, placed in or carried through any food room in such food factory any night-soil or any receptacle for urine or excreta.

Table, etc., used for the sale or preparation of food.

44. No owner, licensee, occupier or keeper of a food factory shall sit, stand or lie upon any table, shelf or tray used for the sale, preparation, carriage, or delivery of food in such food factory nor shall he allow any other person to sit, stand or lie down upon any such table, shelf or tray.

No person to sleep within any food room.

45. The owner, licensee, occupier or keeper of a food factory shall not sleep, nor shall he permit any other person to sleep, in any food room in such food factory.

Clothing and persons of those handling food to be clean.

46. Every person who is engaged in the handling of food shall, when so engaged, maintain his clothing and his body in a state of cleanliness.

Use of tobacco by food handlers prohibited.

47. Every person who is engaged in the handling of food shall, when so engaged, refrain from the use of tobacco or snuff.

No diseased person to enter any food room.

48. No person suffering from any contagious or infectious disease or any disease of the skin which is offensive shall enter any food room in a food factory or take part in or assist in any way in the sale or preparation of any food for sale.

Spitting prohibited.

49. No person shall spit within a food factory.

No live animal or bird to be kept in any food room.

50. The owner, licensee, occupier or keeper of a food factory shall not keep nor permit to be kept, any live animal or bird in any food room in such food factory.

Packing of food to be clean.

51. No person shall sell any food so packed that it can come into contact with any paper or any other material which is not clean or which is liable to contaminate the food; nor, in particular, (without prejudice to the generality of the foregoing) shall allow any printed material, other than printed material designed exclusively for wrapping food, to come into contact with any food other than uncooked vegetables.

Poisons.

52. No person shall keep, carry, spread or use, or suffer to be kept, carried, spread, or used in any food factory, any preparation containing any poison or other toxic substance, so as expose any food intended for sale to risk of contamination therewith.

Persons working in food factories required to be medically examined.

53. (1) The owner, licensee, occupier or keeper of any food factory or any employee or other person working therein or engaged in the handling of any food may be required by the local authority to undergo a medical examination as to his or her fitness to be so engaged.

(2) Such examination shall be carried out by a Government Medical Officer or by a registered medical practitioner appointed either generally or specially by the local authority, who shall report thereon to the local authority.

(3) If any person so examined is found by the examining officer to be suffering from a contagious or infectious disease or any disease of the skin which is offensive or is, in the opinion of the examining officer, likely to be a source of infection, the local authority shall forthwith disqualify the person examined from working in a food factory or engaging in the handling of food until such time as it is certified by the examining officer that he has been cured or is no longer likely to be a source of infection.

(4) Any person so required who refuses to submit to any medical examination or, who, having been examined and disqualified, continues to work in a food factory or in the handling of any food, shall be guilty of an offence against these Regulations.

(5) The owner, licensee, occupier or keeper of a food factory who, having been notified in writing by the local authority that a person working in such food factory has refused to submit to a medical examination or having been examined, has been disqualified from working in such food factory permits such person to continue to work in, or remain within any food room of, such food factory, shall be guilty of an offence against these Regulations.

B. SPECIAL REQUIREMENTS RELATING TO STALLS

Equipment in stalls to be kept clean.

54. The owner, licensee occupier or keeper of a stall shall cause all equipment used in connection with the sale or preparation of food to be kept at all times clean and free from any deleterious substances, contamination and pollution.

Application of certain previous regulations to stalls.

55. Out of regulations 33 to 53 inclusive only regulations 33, 34, 37, 40, 43, 44, 46, 47, 48, 49, 50, 51, 52 and 53 shall apply in the case of a stall.

PART VI PENALTIES

Penalties.

56. Every person who contravenes or fails to comply with or commits an offence against any of these Regulations shall be liable on conviction to a fine not exceeding for any one offence the sum of five hundred ringgit or in the case of a continuing offence the sum of fifty ringgit for every day during which such offence is continued.

SCHEDULE A
(Regulation 18)

COLOURING MATTERS WHICH MAY NOT BE ADDED TO
ARTICLES OF FOOD

1. Metallic Colouring Matter —
Compounds of the following metals —

Antimony	Copper
Arsenic	Mercury
Cadmium	Lead
Chromium	Zinc

2. Vegetable Colouring Matter —
Gamboge

3. Coal Tar Colours —

*Number in Colour Index of
Society of Dyers and
Colourists, 1954*

		<i>Name</i>	<i>Synonyms</i>
7	...	Picric Acid	Carbozotic Acid
8	...	Victoria Yellow	Saffron Substitute Dinitrocresol
9	...	Manchester Yellow	Naphthol Yellow Martius Yellow Imperial Yellow

12	...	Aurantia	Rosolic Acid
724	...	Aurine	Yellow Coralline

SCHEDULE B

(Regulation 19)

ARTICLES OF FOOD WHICH MAY CONTAIN PRESERVATIVES AND THE NATURE AND PROPORTION OF THE PRESERVATIVES IN EACH CASE

The articles of food specified in the first column of the following table may contain the preservative specified in the second column in proportions not exceeding the number of parts per million specified in the third column —

	<i>Food</i>	<i>Preservative</i>	<i>Parts per million</i>
1.	<i>Beverages:</i>		
	Alcoholic		
	(a) Beer	Sulphur dioxide	70
	(b) Cider	Sulphur dioxide	200
	(c) Wines	Sulphur dioxide	450
	Non-Alcoholic		
	(d) Coffee extract	Benzoic acid	450
	(e) Cordials, wines and fruit juices, sweetened or unsweetened	Either Sulphur dioxide or Benzoic acid	350 600

(f)	Unsweetened grape juice and non-alcoholic wines made from such grape juice	Either Sulphur dioxide, or Benzoic acid	1,200 2,000
(g)	Ginger beer (brewed)	Benzoic acid	120
(h)	Soft drinks		
	(i) Carbonated	Sulphur dioxide Benzoic acid	70 120
	(ii) Non-carbonated	Sulphur dioxide Benzoic acid	300 500

2. *Fruit:*

(1)	Crystallised glaze or cured fruit (including candied peel)	Sulphur dioxide	100
(2)	Dried fruit.		
	(a) Apricots, peaches, nectarines, apples and pears	Sulphur dioxide	2,000
	(b) Raisins and sultanas	Sulphur dioxide	750
	(c) Fruit and fruit pulp (not dried) for conversion into jam or crystallised glaze or cured fruit as defined in items in 2(1) and 2(2)(d) -		

	(a) Cherries	Sulphur dioxide	3,000
	(b) Strawberries and raspberries	Sulphur dioxide	2,000
	(c) Other fruit	Sulphur dioxide	1,500
	(d) Fruit and fruit pulp not otherwise specified in this Schedule	Sulphur dioxide	350
3.	Gelatine	Sulphur dioxide	1,000
4.	Jam (including marmalade and fruit jelly prepared in the way in which jam is prepared)	Sulphur dioxide	40
5.	Pickles and sauces made from fruit or vegetables	Benzoic acid	250
6.	Starches, prepared including cornflour (maize starch)	Sulphur dioxide	100
7.	Sugar (including solid glucose and cane syrups)	Sulphur dioxide	70
8.	Syrup, corn (liquid glucose)	Sulphur dioxide	100
9.	<i>Vegetables dehydrated:</i>		
		Sulphur dioxide	3,000
	(a) Cabbage		
	(b) Potatoes (including mashed potato powder)	Sulphur dioxide	550

	(c) Other dehydrated vegetables	Sulphur dioxide	2,000
10	Sausages and sausage meat containing raw meat, cereals and condiments	Sulphur dioxide	450

SCHEDULE C

(Regulation 22(1))

LICENCE TO IMPORT FOOD WHICH CONTAINS SACCHARIN GLUCIN OR
SIMILAR ARTIFICIAL SWEETENING SUBSTANCES

Licence is hereby granted to (trading under the
name or style of) to import an article of food
known by the trade or proprietary name of which
has been artificially sweetened with

This licence expires on

*Director-General of Customs and Excise,
Sabah.*

Date 19

SCHEDULE D

(Regulation 23)

LICENCE TO IMPORT INTO SABAH SEPARATED OR SKIMMED MILK

Licence is hereby granted to (trading
under the name or style of) to
import into Sabah lb. of separated or
skimmed milk for the following purpose —
This licence is issued subject to the following conditions and restrictions —

Director-General of Customs and Excise,
Sabah.

Date 19

SCHEDULE E

(Regulation 28)

MAXIMUM AMOUNTS OF ARSENIC, COPPER AND LEAD IN FOODS

No article of food specified in the first column of the following table shall contain more than the amounts of the substances specified in parts per million, in the second, third and fourth columns respectively —

	<i>Food</i>	<i>Arsenic</i> (As)	<i>Copper</i> (Cu)	<i>Lead</i> (Pb)
(a)	<i>Beverages:</i>			
	(ii) Not specified below	0.1	2	0.2
	(ii) Alcoholic liquors not otherwise specified	0.1	2	1
	(iii) Beer, Cider Stout	0.2	7	1
	(iv) Brandy, Gin, Rum Whisky and other alcoholic liquors exceeding 70 per cent proof spirit	0.1	5	0.5
	(v) Concentrated soft drinks intended for consumption after dilution	0.5	7	0.5
	(vi) Concentrates used in the manufacture of soft drinks	0.5	20	2
	(vii) Fruit and vegetable juices (including tomato but not including lime and lemon)	0.5	2	-
	(viii) Lime and lemon juice	0.5	2	2
	(ix) Wines	0.1	7	1
(b)	<i>Other Foods:</i>			
	(i) Not specified below	1	20	2
	(ii) Canned fish and meat	1	20	5

(iii) Caramel	5	30	5
(iv) Chemicals used as ingredients or in the processing or preparation of food —			
(a) For which the B.P. or B.P.C. specifies a limit.			
		<i>Current B.P. or B.P.C. limit</i>	
(b) Other chemicals ...	2	20	10
(c) Chalk (Creta) ...	4	20	10
(v) Chicory, dried or roasted	4	30	2
(vi) Cocoa Powder (calculated on the fat free substance)	1	70	5
(vii) Coffee beans	1	30	2
(viii) Colourings (calculated on the dry colouring matter) except caramel	5	30	20
(ix) Curry powder	1	20	10
(x) Edible oils and fats	1	20	0.5
(xi) Flavourings	1	30	10
(xii) Gelatin, edible	2	30	5
(xiii) Herbs and spices, dried	5	20	10
(xiv) Ice-cream	0.5	20	1

(xv) Sugar —			
(a) Refined white (sulphated ash not more than 0.03 per cent and dextrose	1	20	0.5
(b) Other	1	20	5
(xvi) Tea	1	150	10
(xvii) Tomato ketchup	11	20	2
(xviii) Tomato puree (or the dried tomato solids)	1	100	20
(xix) Yeast and yeast extract (on dry matter)	1	60	5

SCHEDULE F

(Regulation 32)

TRADES BEING FOOD FACTORIES

1. Canning, bottling or packing in air-tight containers of any food. Sugar-refining.
Milling, processing, and storage for wholesale trade of rice and any other grain or flour.
2. The keeping of a —
 coffee shop;

 eating house;

 restaurant;

dairy;

curry shop.

3. The preparation for sale or sale or storage of —
 - meat and meat products;
 - fish and fish products;
 - prepared or manufactured articles of food made from the flesh or other part of fowls or other birds;
 - fresh vegetables.
4. The preparation or manufacture for sale or sale of —
 - aerated, carbonated, flavoured and medicinal water;
 - ice cream and full cream ice;
 - ice.
5. The preparation or manufacture of —
 - cooked food for sale off the premises;
 - bread, biscuits and other bakery products;
 - cakes, including bean cakes;
 - confectionery;
 - pastes made from flour, including wheat, rice or bean flour and including vermicelli “mee” and similar products;
 - sago and tapioca and products made therefrom;
 - any edible products made from soya beans, groundnuts, coconuts and other pulses and nuts involving a process other than simple drying or cooking;

butter, cheese, margarine;

coffee and tea (including packing, except packing in a retail shop for immediate sale);

edible oils and fats, including ghee, lard, dripping palm oil, and groundnuts oil;

fruits juices, flavouring essences and syrups;

jams and jellies;

milk and cream, reconstituted;

milk powders;

dried eggs, egg powders;

compound articles of food consisting principally of milk or egg powder;

pickles and sauces;

vinegar;

salted and preserved fruits and vegetables.