

**PUBLIC HEALTH
(MILK AND DAIRIES) REGULATIONS 1960
(G.N.S 163 of 1960)**

In exercise of the powers conferred upon him by section 70 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:

PART I
CITATION, COMMENCEMENT AND INTERPRETATION

Citation.

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

Interpretation.

2. In these Regulations —

“animals” includes poultry;

“contamination” includes infection with living organisms and viruses, and

“contaminated” shall be construed accordingly;

“dairy” includes any farm, cowshed, milking-house, milk store, milk shop, or other premises from which milk is supplied on or for sale, or in which milk is kept or used for the purpose of sale or manufacture into butter, cheese, dried milk or condensed milk for sale, or in which vessels for the sale of milk are kept, but does not include a shop from which milk is supplied only in the properly closed and unopened

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

vessels in which it is delivered to the shop, or a shop or other place in which milk is sold for consumption on the premises only;

“dairyman” includes an occupier of a dairy, a cow-keeper, and a purveyor of milk;

“dairy farm” means any farm, cowshed or other premises being a dairy on which milk is produced from cows;

“dairy farmer” means a dairyman who produces milk from cows;

“distributor” means a person trading as a dairyman elsewhere than at or from premises in relation to which he is dairy farmer;

“milk” means cow’s milk intended for sale or sold for human consumption, and includes cream, skimmed milk and separated milk;

“milking-house” means any building or part of a building or any shed in which cows are milked;

“milk room” means any part of a dairy, not being a milking-house, in which milk is cooled, processed, handled, or stored or manufactured into milk products, or which is used for the cleansing or storage of milk utensils;

“notifiable disease” means gastro-enteritis and any disease notifiable under the Ordinance;

“Veterinary Officer” means a Government Veterinary Officer, not below the rank of Senior Veterinary Assistant.

PART II INSPECTION OF DAIRY FARMS AND CATTLE

Inspection and confinement or securing of cattle.

3. (1) So far as may be practicable, inspections by a Veterinary Officer shall be made not less than once in every six months of dairy farms and of cattle used for milk production and of such animals in contact with such cattle as the Veterinary Officer may consider necessary.

(2) Where any Veterinary Officer gives notice in writing to a dairy farmer of his intention to inspect the cattle or other animals on a dairy farm, the dairy farmer shall

cause such cattle to be confined or secured so that a proper veterinary examination may be made.

Veterinary Officer may require cows to be milked and may take samples.

4. A Veterinary Officer making an inspection of cattle for the purpose of these Regulations may require any cow to be milked in his presence and may take samples of the milk and may require that the milk from any particular teat be kept separate and he may take separate samples thereof.

Discarding of unfit milk.

5. (1) A Veterinary Officer may, if he considers the milk of any cow is unfit for human consumption, give notice in writing to the owner and such milk shall be discarded and not used for human consumption or mixed with other milk for human consumption.

(2) Any notice given under paragraph* (1) of this regulation shall operate for such period not exceeding one week from receipt of the notice as may be specified therein, but may be renewed for a further period or periods of one week on subsequent inspection.

Disposal, isolation or treatment of diseased cattle and discarding of milk.

6. A Veterinary Officer, if he considers that a cow or other animal in contact with cattle on a dairy farm is suffering from a disease which might be transmitted by milk may, by notice in writing, instruct the owner of the dairy farm to dispose of, isolate or treat such animal and the owner shall comply with such instructions and the milk of such animal shall not be used for human consumption until the Veterinary Officer withdraws such notice upon being satisfied that the milk of the animal in respect of which it is served is no longer likely to transmit such disease.

Testing of animals.

7. A Veterinary Officer may in the course of his inspection subject any animal on a dairy farm to any reasonable test to satisfy himself that the animal is free from disease transmissible by milk.

* See Corrigenda at page LXXv of 1960 Annual Volume.

Veterinary Officer to inform local authority.

8. A Veterinary Officer shall inform the local authority the result of all inspections within the area of that local authority which he carries out under these Regulations.

PART III

GENERAL PROVISIONS RELATING TO BUILDING AND WATER SUPPLIES

Unfit buildings not to be used.

9. (1) No person shall use as a milking-house, milk room or for the handling, processing or storage of milk, any building or part of a building, which in the opinion of the Health officer is so situated as to lead to the risk of contamination of the milk.

Adequate lighting and ventilation.

(2) Any building or part of a building used as a milking-house, milk room or for the handling, processing or storage of milk shall be provided with suitable and sufficient means of ventilation and lighting.

Water hygiene.

10. (1) All premises shall be provided with a supply of water suitable and sufficient for the requirements of these Regulations.

(2) Every receptacle used for the storage or conveyance of water shall be emptied and cleansed as often as may be necessary to prevent the pollution of the water and to maintain it in a suitable condition for the purpose for which it is required.

(3) The water supply used for the watering of cows shall, as far as is reasonably possible, be protected against contamination caused by the drainage of foul water or otherwise.

Construction of milking-houses in respect of cleaning and drainage.

11. (1) No occupier of any building, part of a building or shed shall use it as a milking-house unless —

- (a) those parts of the surface of the floor liable to soiling by cows are impervious and constructed of such material and in such a manner as

to render it practicable to remove any liquid matter which may fall thereon and to prevent, as far as is reasonably practicable, the soiling of the cows;

- (b) the floor is so sloped and provided with gutters or channels of some impervious material as to ensure that any liquid matter which falls on the floor, or in the gutters or channels is thereby conveyed to a suitable drain outside the building and thence to a suitable place of disposal, but nothing in this regulation shall be deemed to prohibit the practice of providing for the absorption of such liquid matter into some removable material which is afterwards disposed of outside the building;
- (c) those parts of the surface of any walls liable to soiling or infection by cows are impervious and capable of being readily cleansed.

(2) This regulation shall apply in the areas specified in the Schedule to these Regulations.

Conditions of cleansing in places where milk is handled, etc..

12. (1) The occupier of any milk room or building or part of a building in which milk is handled, processed or stored or is kept or used for the purpose of sale or manufacture into butter, cream, cheese, dried milk or condensed milk for sale, shall -

- (a) cause the interior thereof and any furniture and fittings therein to be cleansed as often as may be necessary to maintain them at all times in a state of thorough cleanliness;
- (b) cause the floor thereof to be constructed of such material and in such a manner as to render the surface impervious so that it is practicable to remove any liquid matter which may fall thereon, and cause such floor to be so sloped as to convey such liquid matter to a suitable and properly trapped drain;
- (c) cause the surface of any wall or part of a wall liable to splashing by milk or otherwise to be smooth and impervious; and
- (d) cause such floor and any such wall or part thereof to be cleansed with water at least once everyday.

(2) The regulation shall apply in the areas specified in the Schedule to these Regulations.

PART IV
PROVISIONS RELATING TO THE PRODUCTION OF MILK

General hygiene of milking-houses.

13. Every dairy farmer shall —
- (a) cause every part of the interior of every milking-house in his occupation to be kept in such a state of cleanliness as will prevent contamination of the milk;
 - (b) cause all dung and other offensive matter to be removed at least once everyday from any milking-house in his occupation; and
 - (c) cause the approach and access to any milking-house or milk room to be kept free from any accumulation of dung or offensive matter.

Hygiene precautions to be taken when cows are milked.

14. Every dairy farmer shall cause the following precautions to be taken in connection with the milking of cows —
- (a) no dusty matter shall be moved in the milking-house during the milking or within half an hour before the milking commences, in such manner as to cause risk of contamination of the milk;
 - (b) milking shall be carried out in a good proper light, whether in the day time or in the hours of darkness;
 - (c) before milking is begun all dirt on or around the flanks, tail, udder and teats of each cow shall be removed and the udder and teats shall be kept thoroughly clean during milking;
 - (d) the hands of the milker shall be thoroughly washed and dried before milking and shall throughout the milking be kept clean, free from contamination and, as far as practicable, dry;

- (e) all milking stools shall be kept thoroughly clean;
- (f) the foremilk of each cow shall be separately drawn into a receptacle for immediate visual examination and shall be subsequently discarded in such a manner as to avoid risk of infection; and
- (g) immediately after milking the milk shall be placed in a covered receptacle.

PART V
PROVISIONS WITH REGARD TO CONTAMINATION OF MILK

Duty of persons to report notifiable disease.

15. Every person having access to milk or to churns or other milk receptacles in or about any dairy as soon as he becomes aware that he or any other member of his household is suffering from any notifiable disease shall notify the occupier of such premises of the fact and the occupier shall forthwith notify the Health Officer of the local authority within whose area the premises are situated.

Health Officer may examine persons and require them to cease work at a dairy.

16. (1) Where the Health Officer has cause to suspect that any of the persons in or about any dairy who have access to the milk or to the churns or other milk receptacles is suffering from or has recently been in contact with a person suffering from a disease liable to cause contamination of milk, he may give notice to the occupier of such premises that he considers it necessary to make an examination of any or all of such persons; and where he gives such notice the said occupier and every person concerned shall give to the Health Officer all reasonable facilities for making such examination.

(2) Where from the result of such examination or otherwise the Health Officer is of the opinion that the employment of any such person is likely to lead to the spread of any disease, he may give notice in writing to that effect to the occupier of the premises, and to the person concerned requiring that, during a period to be specified in such notice the person to whom the notice relates shall not milk cows or handle vessels used for containing milk or in any way take part in the production, processing distribution or storage of milk.

Health Officer may order the sale of milk to be stopped.

17. (1) Where the Health Officer has reasonable grounds for suspecting that any person is suffering from disease caused by the consumption of milk from any dairy or that the milk at any dairy is contaminated with disease communicable to man, he may by notice in writing to the occupier of the premises require that no milk from those premises, or that no such milk therefrom as is specified, shall be sold for human consumption.

(2) Any such notice shall —

- (a) operate for such period not exceeding one week from the receipt of the notice as may be specified therein, but may be renewed for a further period or periods of one week provided that the Director shall have given his approval in writing to such renewal; and
- (b) be withdrawn forthwith upon the Health Officer by whom it was served being satisfied that the milk in respect of which it was served is no longer likely to cause disease through contamination.

PART VI

GENERAL PROVISIONS FOR PROTECTING MILK AGAINST CONTAMINATION

Conditions under which milk may not be handled, processed or stored.

18. (1) Milk shall not be handled, processed or stored in any place where it is liable to become contaminated. In particular it shall not be handled, processed or stored —

- (a) in any room used as a living-room or sleeping-room; or
- (b) in any room or part of a building which communicates directly with any sanitary convenience, cesspool or receptacle for ashes or other refuse.

(2) Vessels containing milk shall be properly covered or the milk shall be otherwise effectively protected from dust, dirt, flies or other sources of contamination.

(3) No foul or noxious matter or soiled bed or body clothing shall be conveyed through any part of a building used for the keeping or storage of milk.

Hygiene of persons dealing with milk.

19. (1) Every person engaged in the milking of cows or the distribution or measuring of milk or otherwise having access to milk or to churns or other milk receptacles, shall keep his outer clothing and person clean at all times when so engaged.

(2) The occupier of all premises where milk is produced, handled, sold or stored, shall provide thereon facilities for persons mentioned in paragraph (1) of this regulation to wash and cleanse themselves, including an adequate supply of soap, clean towels and clean water:

Provided that this paragraph shall not apply in relation to premises where no milk is kept otherwise than in sealed containers.

Milk not to be processed in places liable to contamination.

20. No person shall carry out any process of cooling, bottling, sterilizing or pasteurizing milk or any other process connected with milk, or keep any appliances connected with any such process, in any place where the milk would be liable to contamination arising from any cowshed, stable, manure-heap or otherwise.

Exclusion of certain animals from milk premises.

21. (1) No person shall keep any swine or poultry in any milking-house.

(2) No person shall keep any animal in any milkroom or room in which milk is processed, handled or stored or in which utensils used in connection therewith are kept.

PART VII

PROVISIONS RELATING TO THE CLEANING AND STORAGE
OF VESSELS, UTENSILS AND APPLIANCES

Milk receptacles to be capable of being readily cleansed.

22. No person shall use, or cause to be used, for the reception, measurement, storage or delivery of milk any milk tanker, churn, vessel or other receptacle the interior surface of which is incapable of being readily cleansed.

Cleansing of milk receptacles.

23. (1) Every dairy farmer or distributor shall ensure that every vessel (including the lid) used for containing milk shall, immediately after use, be thoroughly cleansed, and shall, immediately before use, be in a state of thorough cleanliness.

(2) Every dairy farmer or distributor shall cause any appliance used for any purpose for which it is brought into contact with milk to be cleansed immediately after use and to be immediately before use in a state of thorough cleanliness.

(3) All vessels and appliances after cleansing shall, when not in use, be stored in a clean place, and shall be protected from dust and dirt.

PART VIII
CONVEYANCE AND DISTRIBUTION OF MILK

Conditions relating to the closure of milk receptacle during conveyance and distribution.

24. Every person shall cause every milk tanker, vessel or other receptacle in which he despatches milk to be provided with a lid without openings, which shall be so constructed and fitted as to prevent the access to the milk or dirt, dust or rain-water or the return to the interior of the receptacle of any milk which may have been splashed above the lid.

Milk receptacles not to be opened during conveyance or distribution.

25. (1) Except in pursuance of any written law, no person shall open any vessel or other receptacle containing milk in the course of conveyance or distribution:

Provided that this regulation shall not be deemed to prohibit a dairyman or his agent from opening a vessel or other receptacle containing milk on final delivery on a wholesale or retail sale.

Closure of bottles or cartons in which milk is to be delivered.

(2) Every person shall cause every bottle or carton in which he intends to deliver milk to consumers to be filled and closed on a dairy; and no person shall remove or tamper with any disc or other device used for closing the bottle at any time after it has left such premises and before it is delivered to the consumer.

Protection of milk from heat or contamination.

26. Every person engaged in the sale, conveyance or distribution of milk shall use all practicable precautions for preventing the milk from being unnecessarily exposed to heat and from being contaminated by dirt, dust, rain-water or otherwise.

Carts, lorries or other vehicles used in the conveyance of milk.

27. The interior of every cart, lorry or other vehicle when used for the conveyance of milk shall be kept clean. No live animal or bird or any article likely to contaminate the milk shall be conveyed in such a vehicle at the same time as the milk, and no such vehicle which has been used for the conveyance of offensive matter shall be used for the conveyance of milk until that vehicle has been thoroughly cleansed and purified.

PART IX
PENALTY

Penalty.

28. Any person who contravenes or fails to comply with any of the provisions of these Regulations or any notice thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding for any one offence the sum of two hundred ringgit or in the case of a continuing offence the sum of twenty ringgit for every day during which such offence is continued.

SCHEDULE
(Regulations 11 and 12)

The urban areas of Kota Kinabalu, Sandakan and Tawau together with any premises situated outside these areas which convey or distribute milk into these areas.