

Milk Trade Regulations 1967

GN 15/1968

Repealed by [\[Act No. 1 of 1998\]](#)

27th January

Regulations made by the Minister under Section 193(V) of the Public Health Act

1. These Regulations may be cited as the Milk Trade Regulations, 1967.

2. In these regulations unless the context otherwise requires—

(i) “Depot” means any premises where skimmed milk may be sold for human consumption and for that purpose approved by the Permanent Secretary;

(ii) “Milk” means cows’ milk and includes whole milk, toned milk and skimmed milk but does not include condensed milk and milk powder;

“Milk Plant” means any premises or establishment where milk or milk products are collected, handled, processed, stored, pasteurised or sterilised, bottled or prepared for distribution and sale;

“Pasteurise” means

- (a) to retain milk at a temperature of not less than 62.78°C or 145°F and not more than 65.55°C or 150°F for at least thirty minutes and immediately cool it to a temperature of not more than 10°C or 50°F; or
- (b) to retain milk at a temperature of not less than 72.22°C or 162°F for at least fifteen seconds and immediately cool it to a temperature of not more than 10°C or 50°F; or
- (c) to retain milk at such temperature and for such period as may be specified by the Permanent Secretary and immediately cool it to a temperature of not more than 10°C or 50°F ;

and the words “pasteurised and pasteurisation” shall be construed accordingly;

“Sanitary Officer” means any officer authorized by the Permanent Secretary to act under the Public Health Act, or any regulations made thereunder;

“Skimmed milk” means milk skimmed or separated;

“Sterilise” means to filter or clarify, homogenise and to heat and maintain milk at a temperature of not less than 100°C or 212°F for such period as to ensure that it will comply with the turbidity test prescribed by the Permanent Secretary; and the words

“sterilised” and “sterilisation” shall be construed accordingly:

Provided that the heat treatment shall be carried out in bottle and after treatment the bottles sealed with an air tight seal;

“Toned milk” means the product prepared from whole milk and other milk constituents in accordance with specifications laid down by the Permanent Secretary and containing not less than 1.5 per cent milk fats and not less than 9 per cent milk solids other than milk fats and having the same bacterial condition as pasteurised whole milk;

“Whole milk” means milk, which has not been subjected to any process of separation, transformation, or alteration.

(2) The hawking, possession, exposure, deposit, delivery, or offer, for sale, of milk for human consumption, or for the preparation of human food, shall be deemed to constitute a sale of milk, and any person doing an act which constitutes a sale of milk, as above, shall be deemed to be a milk seller.

3. (1) No milk other than whole milk, skimmed milk or toned milk shall be sold for human consumption.

(2) Whole milk shall not be sold for human consumption unless—

- (a) it shall contain not less than three per cent of milk fat;
- (b) it shall contain not less than eight and a half per cent of milk solids other than milk fat;

and it shall not contain any added water, or preservative or other substances.

(3)(i) Skimmed milk shall not be sold for human consumption unless-

- (a) it shall contain not less than eight point seven per cent of milk solids other than milk fat and does not contain any added water or other substances;
- (b) it is sold in a depot or public market between the hours of 6 a.m. and 6 p.m.

(ii) The hawking of skimmed milk is prohibited.

(4) No toned milk shall be sold for human consumption unless it has been pasteurised or sterilised before such sale.

(5) No boiled milk shall be sold except in duly licensed hotels, restaurants, tea shops and refreshment rooms for consumption on the premises only.

(6) No milk which is dirty or obtained from any cow suffering from any form of tuberculosis or from any contagious disease shall be sold for human consumption.

(7) For the purposes of this regulation the expression "per cent" shall mean the number of grammes of milk fat, or of milk solids other than milk fat, as the case may be, as are contained in one hundred grams of milk.

4. (1) All milk sellers in each district shall be registered in a register to be kept by the Sanitary Authority who shall from time to time correct and revise such register. Application for registration shall be made by the milk seller, and the Sanitary Authority shall deliver to him a certificate of registration which the milk seller shall be bound to produce at the request of any sanitary officer.

(2) Any milk seller who sells the milk of his own cows shall have to declare to the Sanitary Authority the number of cows kept by him and the place where they are kept. The Sanitary Authority shall enter those particulars on the certificate delivered under the provisions of the preceding paragraph and the milk seller shall be bound to notify forthwith to the Sanitary Authority whenever any of the aforesaid particulars is varied so that a new entry may be made on the certificate.

5. (1) Every milk seller, other than a seller of pasteurised or sterilised milk, shall have conspicuously painted on the side of every milk vessel an indication as to the kind of milk contained therein. Such indication shall be by means of black letters on a white background, each letter being at least five centimetres high and, except for the letter "I" at least two centimetres broad, and every part of each letter shall be at least four millimetres broad.

(2) The name and surname of every milk seller, other than a seller of pasteurised or sterilised milk, as borne on the certificate prescribed in the preceding article shall be conspicuously painted in black on the side of the vessel or vessels containing his milk. The letters shall be three centimetres in height, every part of every letter shall be three millimetres broad and the total width of the space taken by every letter, except in the case of the letter "I", shall be one centimetre.

(3) In case the vessel containing the milk is too small to allow the provisions of the above paragraphs to be strictly complied with, the particulars laid down in such paragraphs shall be embossed on such vessel or be legibly written or painted on a label securely affixed to such vessel.

6. (1) No person shall hawk milk for sale except in vessels which shall be of a capacity either of one litre or less than one litre or of more than fifteen litres.

(2) Every person who consigns milk to another person, shall cause such milk to be carried in a churn or vessel which shall be effectively closed and sealed at the time it leaves his premises.

(3) Any consignor who forwards milk not complying with the standards set forth in regulation 3 of these regulations shall be guilty of an offence:

Provided that it shall be a defence for a person charged under this regulation, in respect of a sample of milk taken after the milk has left his possession, to prove that the churn or vessel in which the milk was contained was effectively closed and sealed at the time it left his possession, but had been opened before the person by whom the sample was taken had access to it.

7. No person affected with any infectious or contagious disease, and no person under seventeen years of age, shall attend to or milk cows, or carry or handle milk vessels, or in any way take part in the handling or preparation of milk for sale.

Amended by [\[Act No. 13 of 1952\]](#)

8. No milk seller shall employ or allow any person affected with an infectious or communicable disease, or any person under seventeen years of age, to take part in the sale of milk or in the manipulation or preparation of milk for sale.

Amended by [\[Act No. 13 of 1952\]](#)

9. It shall be lawful for the Sanitary Authority, when he shall consider that the milk sold by any milk seller is likely to cause any infectious or communicable disease, to make an order in writing prohibiting the sale of such milk for such time as he may consider necessary. Any milk seller, to whom such an order has been notified, shall be held responsible for any infringement of such order by any person whether employed by him or not.

Amended by [\[Act No. 13 of 1952\]](#)

10. (1) No milk seller shall keep milk for sale or allow such milk to be kept in a sleeping room or in any place communicating directly with a sleeping room, or in any place likely to cause the contamination of the milk.

(2) All vessels and utensils used to hold milk for sale or in the preparation of milk for sale shall at all times be kept clean and shall be washed at least once a day with clean boiling water. Such vessels shall not be used for any other purpose by any milk seller while registered as such, or by any person employed by him in his trade.

11. No milk seller or any person employed by him shall, at any time, wash any of the vessels or utensils used in his trade in or with unclean water or place unclean water in such vessels or utensils.

12. All persons engaged in or carrying on the milk trade shall, while attending to such trade or to any manipulation or preparation of milk for sale, be dressed with clean clothes and have their hands clean.

13. Whenever the Sanitary Authority or a sanitary officer shall have reason to believe that a person found in possession of milk intends to sell the said milk, he may prosecute such person for any contravention of these regulations alleged to have been committed at the time, and in any such prosecution the onus of proving that the milk was not intended for sale shall lie on the person found in possession of the milk.

14. (1) Cows whose milk is intended for sale shall be kept in cow-sheds constructed in accordance with the Building Regulations published under Government Notices Nos. 207 and 210 of 25th October, 1919. Such cows shall at all times be kept in a clean state and their udders shall be washed previous to milking.

(2) Cowsheds in which are cows whose milk is intended for sale shall be cleaned at least once a day and shall be kept clean to the satisfaction of the Sanitary Authority.

(3) No pigs, dogs or poultry shall be kept in, or allowed access to, any such cowshed, or any place where milk is kept or prepared for sale.

(4) The milk seller shall be held responsible for any contravention of the provisions of this regulation.

15. It shall be lawful for the Sanitary Authority to seize and destroy any milk sold, or kept, handled or prepared for sale in contravention of any of the above regulations 3 to 14 inclusive and a sanitary officer or other person duly authorized by the Sanitary Authority may seize and detain any such milk pending examination or enquiry by the Sanitary Authority.

16. It shall be lawful for the Sanitary Authority when he shall consider it necessary—

- (a) to order any milk seller who keeps cows to produce a certificate from a duly qualified veterinary surgeon, to the effect that his cows have been examined by the said veterinary surgeon and found to be free from tuberculosis or any infectious or communicable disease;
- (b) to order any milk seller who keeps cows to cause his cows to be submitted to the tuberculin test by any duly qualified veterinary surgeon and to produce a certificate from the said veterinary surgeon with respect to the result of the said test;
- (c) to cause any cow the milk of which is sold or intended to be sold to be examined or submitted to the tuberculin test by the Government veterinary surgeon at the expense of Government.

Amended by [\[Act No. 13 of 1952\]](#)

17. (1) A cow shall, upon being certified to be affected with tuberculosis, be isolated and destroyed within the period fixed by the Sanitary Authority:

Provided that a compensation not exceeding fifty rupees shall be allowed by Government to the owner of such cow.

(2) A cow shall, upon being certified to be suspected of suffering from tuberculosis, be isolated until it has again been submitted to the tuberculin test, and during the period of isolation the sale of milk of such cow is prohibited.

(3) If the milk of a cow suffering or suspected of suffering from tuberculosis be sold, the owner of such cow shall be guilty of a breach of these regulations.

18. Samples of milk for purposes of analysis may be purchased or taken in accordance with the following procedure, that is to say—

- (a) The Sanitary Authority or any sanitary officer may request a milk seller to sell to him, at a price not exceeding fifty cents a litre, milk for purposes of analysis by the Government Chemist, and such milk seller shall not refuse to sell, at the aforesaid price, milk for purposes of analysis.
- (b) Where milk is consigned by any milk seller to any other person, the Sanitary Authority or any sanitary officer may in the absence of the milk seller take samples of such milk, while it is in transit, but he shall in such case at the first available opportunity by registered post or otherwise notify to the milk seller his intention to have the sample of milk analysed by the Government Chemist.
- (c) The Sanitary Authority or sanitary officer shall, on obtaining a sample of milk under this regulation, divide such sample into three parts to be immediately marked and sealed or fastened up; and shall deliver to the milk seller or forward by registered post or otherwise to the consignor, as the case may be, one of the said parts, he shall retain one part for future comparison and shall forward the third part to the Government Chemist for necessary analysis.

19. (1) The preparation of toned milk, and the pasteurisation of milk shall not be carried out except at a milk plant in respect of which there is in force a permit to that effect which may be issued by the Permanent Secretary and may be renewed annually.

(2) Pasteurised or sterilised milk shall only be sold in containers approved by the Permanent Secretary, which shall be marked or labelled to indicate the name of the milk plant where the milk was processed, the kind of milk contained therein and, in the case of pasteurised whole milk the date on which the milk is offered for sale. Such containers shall be sterilised and closed or sealed by mechanical equipment to the satisfaction of the Permanent Secretary and shall be of such colour as he may direct.

(3) All milk subjected to pasteurisation shall be properly stored and kept at all times at a temperature of 10°C or 50°F or less until it is delivered or sold for human consumption.

(4) The Permanent Secretary or any person authorised by him in writing may at any time inspect a milk plant.

(5) Any permit granted or renewed under this regulation may be suspended or revoked by the Permanent Secretary on any of the following grounds—

- (a) that the premises to which the permit relates are no longer being used for the purpose for which the permit was originally issued;
- (b) that the holder has during a period of twelve months after the issue or renewal of such permit been convicted under these Regulations for three or more separate offences committed in or in connection with the premises for which a permit has been granted.

20. (1) The whole of the apparatus in which milk is pasteurised, including the cooler, shall be so constructed as to afford protection to such milk from any risk of atmospheric contamination by dust or otherwise.

(2) All piping, fittings and connections shall be of stainless steel and of suitable design, and of such interior dimensions as to be easily cleaned.

(3) The temperature of milk or of the medium by which such milk is to be maintained at any temperature shall be automatically controlled.

(4) Any apparatus in which milk is to be heated to and maintained at a temperature of more than 65.55°C or 150°F shall be provided with a device which shall automatically divert the flow of any milk which is not raised to or maintained at the authorised temperature.

(5) Such indicating and recording thermometers as the Permanent Secretary shall consider necessary shall be installed in suitable places in the apparatus in which the milk is pasteurised so as to indicate the temperatures at which such milk is retained and to which it is cooled.

(6) All temperature charts of recording thermometers shall be dated and shall be preserved for a period of not less than one month.

(7) (a) Accurate records shall be kept of the quantities, the quality, the nature, and the source of milk received at the plant and the quantities of pasteurised or sterilised milk and milk products leaving the plant;

(b) Such records shall be preserved for 12 months following the calendar year to which such records relate and the Permanent Secretary or any officer authorised by him shall be allowed, at any time, to have access to them.

21. (1) Any sample of milk taken after pasteurisation and before delivery to the consumer shall satisfy the phosphatase test as prescribed by the Permanent Secretary and shall contain no coliform bacillus in 0.01 millilitre.

(2) Any sample of milk taken after pasteurisation and on the day of, but before, delivery to the consumer shall be kept in an insulated container without artificial cooling until it reaches the laboratory, and shall satisfy the methylene blue test as prescribed by the Permanent Secretary.

22. (1) In the case of sterilisation of milk such thermometers and pressure gauges as the Permanent Secretary shall consider necessary shall be installed in suitable places in the apparatus so as to indicate the temperature or pressure to which such milk is raised or subjected as the case may be.

(2) A sample of milk taken after treatment and before delivery to the consumer shall satisfy the turbidity test as prescribed by the Permanent Secretary.

23. The owner or manager of any Milk Plant shall at all times permit any Health or Food Inspector, or any person authorised in writing by the Permanent Secretary to enter upon the premises in which any equipment is installed and to inspect the condition of the

premises and its equipment and to test or to require such demonstrations as he deems necessary for the purpose of testing the efficiency of the equipment, and in particular the accuracy of the thermometers and to examine charts and other records and to initial any chart examined by him and to perform any of the tests mentioned in regulation 18© and such owner or manager shall afford all reasonable facilities and assistance required for any such inspection, testing or examination.

24. Any person who acts in breach of or fails to comply with any of the provisions of these regulations shall be liable on conviction to a fine not exceeding one thousand rupees and imprisonment not exceeding six months.

25. Offences under these regulations may be prosecuted by the Sanitary Authority or by any Health or Food Inspector.

26. [Spent]