



BERMUDA

PUBLIC HEALTH (FOOD) REGULATIONS 1950

SR&O 7 / 1950

[made under section 156 of the Public Health Act 1949 and brought into operation on 25 February 1950]

TABLE OF CONTENTS

1	Citation
2	Interpretation; saving
3	Food unfit for human consumption
4	Minister may make orders
5	Licence for victualling establishment
6	Suspension; revocation of licence for victualling establishment
7	Certificates for food handlers
8	Communicable disease
9	Deliveries
10	Requirements for victualling establishment
11	Refreshment shops; itinerant restaurants
12	Restaurants
13	Bakeries
15	Aerated water manufactories
16	Artificially sweetened aerated water
17	Approved cans or bottles
18	Manufactured milk
18A	Importation and sale of manufactured milk
19	Frozen desserts; ingredients
20	Aerated water; ingredients of syrup
21	Aerated water; artificial sweeteners
22	Offences
	FIRST SCHEDULE
	Forms

PUBLIC HEALTH (FOOD) REGULATIONS 1950

Citation

1 These regulations may be cited as the Public Health (Food) Regulations 1950.

Interpretation; saving

2 (1) In these regulations, unless the context other requires—

“aerated water” includes any carbonated non-alcoholic drink, mineral water, soft drink, distilled water, brewed ginger beer, brewed infusion, or other bitters, but does not include any malt liquor or other alcoholic drink;

“bakery” includes any room or place used for the preparation of any food of which flour or meal is the principal ingredient, other than a room or place which is part of a restaurant or private house where any such food is prepared for consumption therein;

“Chief Environmental Health Officer” has the meaning given in section 2(1) of the Public Health Act 1949;

“Chief Medical Officer” *[deleted by 2018 : 66 s.2]*;

“food store” includes any shop, grocery, confectionery, delicatessen, market, butcher shop or similar premises where food intended for consumption elsewhere is stored and offered for sale;

“frozen confection” means a frozen food or that part of a frozen food product that is prepared—

- (i) mainly from milk or milk derivatives or edible oils and fats other than milk fat;
- (ii) with or without sugar (or other sweetening agents approved by the Chief Environmental Health Officer) water, eggs, or other food or colouring matter;
- (iii) without agitation accompanying the freezing;

“frozen dessert” includes ice cream, frozen confection, milk sherbet, ice sherbet, ice milk and frozen yoghurt;

“frozen yoghurt” means a frozen food that—

- (i) is made from milk or milk derivatives;
- (ii) is made with or without sugar (or other sweetening agents approved by the Chief Environmental Health Officer) fruit nuts or other safe and suitable ingredients approved by the Chief Environmental Health Officer;
- (iii) is made with agitation accompanying the freezing;
- (iv) is cultured with a culturing agent approved by the Chief Environmental Health Officer;

“ice cream” means a frozen food that is made—

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (i) from milk or milk derivatives or edible oils and fats other than milk fat;
- (ii) with or without sugar (or other sweetening agents approved by the Chief Environmental Health Officer) water, eggs, or other food or colouring matter;
- (iii) with agitation accompanying the freezing;

“ice milk” means a frozen food that is prepared from similar ingredients and in a similar manner to ice cream, except that its content of fat and total solids is less than that of ice cream;

“ice sherbet” means a frozen food which is prepared from water and sugar without any milk solids, whether or not other food, colouring matter or flavouring is added;

“itinerant restaurant” includes—

- (i) any restaurant operating for a temporary period in connection with a fair, carnival, circus, public exhibition or similar gathering;
- (ii) any moveable stand or vehicle from which food is sold; and
- (iii) any kitchen in which food is prepared for any such restaurant, stand or vehicle;

“manufactured milk” means any product having the general appearance of milk but which has been reformed by the addition of liquids to milk solids and whether or not there is added any other substance to the product;

“manufactory” means any place where manufactured milks, frozen desserts or aerated waters are manufactured;

“milk” means whole fresh milk which has not undergone any process other than a process for the purification of the milk by pasteurization or otherwise and includes cream and skimmed milk within the meaning of the Public Health (Milk and Dairy-farm) Regulations 1952 [*title 11 item 1(g)*];

“milk sherbet” means a frozen food which is prepared from milk or milk derivatives, water and sugar, whether or not other food, colouring matter or flavouring is added;

“Minister” means the Minister of Health and Social Services;

“refreshment shop” means any place where food (other than alcoholic drink) is offered for sale for consumption on the premises, and where seating accommodation is provided for fewer than ten customers;

“restaurant” includes any hotel, boarding house, guest house, dining-room, club, cafe, luncheonette, soda fountain, bar or other establishment where food is sold for consumption on the premises, and where seating accommodation is provided for ten or more customers;

PUBLIC HEALTH (FOOD) REGULATIONS 1950

“single service”, in relation to utensils or towels, means to be used once only; and the expression “multi-service” shall be construed accordingly;

“snowball” means any food prepared by the addition of syrup and flavouring to shaved or chipped ice;

“utensil” includes any container, receptacle, tool, implement or other article used in the preparation, manufacture, storage or sale of any food;

“victualling establishment” includes a bakery, food store, itinerant restaurant, manufactory, refreshment shop, restaurant and any other establishment where food is prepared, manufactured or stored preparatory to its being offered for sale, or is offered for sale or sold, whether by wholesale, retail or auction.

(2) Nothing in these regulations shall be construed so as to derogate from—

(a) the Public Health (Milk and Dairy-farm) Regulations 1952 [*title 11 item 1(g)*]; or

(b) the Public Health (Slaughter of Animals) Regulations 1945 [*title 11 item 1(h)*].

[Regulation 2 paragraph (1) definition “Chief Environmental Health Officer” inserted by 2016 : 46 s. 5 effective 27 July 2016; Regulation 2 para (1) definition “Chief Medical Officer” deleted, definition “Chief Environmental Health Officer” deleted and replaced, definitions “frozen confection”, “frozen yoghurt” and “ice cream” amended by 2018 : 66 s.2 effective 10 January 2019]

Food unfit for human consumption

3 (1) No person shall—

(a) manufacture or prepare; or

(b) store or have in his possession; or

(c) sell or offer for sale, whether by wholesale or by retail or by public auction,

any food for human consumption which is unfit for human consumption.

(2) No person shall import into Bermuda any food—

(a) which has been manufactured or prepared under insanitary conditions; or

(b) which has been adulterated; or

(c) which is not permitted to be sold, or whose sale is restricted, in the country from which it is exported.

(3) No person shall bring into Bermuda any food which is unfit for human consumption:

Provided that, where the written permission of the Chief Environmental Health Officer is obtained to do so, such food may be brought into Bermuda—

(a) for the purpose of destruction; or

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (b) for the purpose of conversion for some use other than human consumption, subject to such conditions as the Chief Environmental Health Officer may think fit to impose.
- (4) In this regulation—
 - (a) the expression “unfit for human consumption”, in relation to any food, means adulterated, unwholesome, injured, tainted or spoiled; and
 - (b) the expression “adulterated”, in relation to any food, means—
 - (i) having added any substance which reduces the quality of the food; or
 - (ii) having one constituent substituted for another; or
 - (iii) having any valuable constituent abstracted; or
 - (iv) having added any colouring matter or other substance for the purpose of concealing any inferiority in the food; or
 - (v) having added any injurious substances as a preservative; or
 - (vi) being falsely labelled.

(5) Where food imported into Bermuda is found to be unfit for human consumption, the Chief Environmental Health Officer may, on payment of such fee as may be prescribed under the Government Fees Act 1965 [*title 15 item 18*], issue a certificate to that effect.

[Regulation 3 amended by 2018 : 66 s.2 effective 10 January 2019]

Minister may make orders

- 4 (1) The Minister may, by an Order made under this regulation—
 - (a) prohibit or restrict, in such manner as may be provided in the Order, the sale of any food intended for human consumption which contains additives shown to the satisfaction of the Minister to produce cancer or be otherwise deleterious to health; and
 - (b) amend the application of regulation 3 in relation to such persons as may be provided in the Order and subject to such conditions as may be so provided.
- (2) Any food which is the subject of an Order made under paragraph (1)(a) shall be deemed to be an adulterated food for the purposes of regulation 3.
- (3) *[deleted as inconsistent with section 172 of the Public Health Act 1949 as amended by 1977:35]*
- (4) *[deleted as inconsistent with section 172 of the Public Health Act 1949 as amended by 1977:35]*

Licence for victualling establishment

- 5 (1) No person shall operate a victualling establishment unless—

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (a) there is in force in respect of the establishment a valid licence granted under this regulation; and
- (b) the licence is displayed in the establishment in a place readily visible to the public:

Provided that the Minister may exempt any person from the requirement of obtaining a licence or may grant a temporary licence or may make such other order as to him appears expedient in the circumstances, in respect of any of the establishments hereinafter mentioned—

- (i) a private house occupied by a family, in which not more than five boarders are kept under private arrangement, and in which there is no catering to the public;
- (ii) a home bakery, which sells products baked in the home to not more than ten regular customers;
- (iii) a vendor of local produce, including vegetables, fruit or fish;
- (iv) a welfare, church or benevolent organization which temporarily carries on the business of a victualling establishment for a short period.

(2) Application for a licence or temporary licence to operate a victualling establishment shall be made to the Chief Environmental Health Officer in Form A in the First Schedule.

(3) A licence may be granted by the Chief Environmental Health Officer in Form B in the First Schedule in pursuance of this regulation, and any such licence shall, unless suspended or revoked remain valid and in force until the end of the thirty-first day of March next succeeding the date of issue.

(4) A licence granted as aforesaid may, upon written application being made before the sixteenth day of March in each year, be renewed by the Chief Environmental Health Officer for a period of twelve months commencing on the first day of April next succeeding the date of application.

(5) A temporary licence may be granted by the Chief Environmental Health Officer, and shall, unless suspended or revoked, remain valid and in force until the date upon which it is expressed to cease to have effect.

[Regulation 5 paragraph (1)(b)(iii) amended by 2015 : 27 s. 28 effective 1 September 2015; Regulation 5 amended by 2018 : 66 s.2 effective 10 January 2019]

Suspension; revocation of licence for victualling establishment

6 (1) Where a person, to whom a licence or temporary licence has been granted under regulation 5, contravenes or fails to comply with any provisions of these regulations or with any order, instruction or condition lawfully made, given or imposed by any person under the authority of these regulations, then in any such case the licence or temporary licence-

- (a) may be suspended by the Chief Environmental Health Officer for such period as he may think fit; or

PUBLIC HEALTH (FOOD) REGULATIONS 1950

(b) may be revoked by the Minister:

Provided that—

- (i) no suspension of a licence or temporary licence shall continue to be effective after the lapse of twenty-one days from the date of the suspension unless, within that period, the suspension has been confirmed by the Minister; and
- (ii) the Minister shall afford the person to whom a licence or temporary licence was granted an opportunity to be heard by them before they revoke the licence or temporary licence or, as the case may be, they confirm its suspension.

(2) Where a licence or temporary licence has been suspended or revoked, the person to whom the licence was granted may at any time—

- (a) represent to the Chief Environmental Health Officer in writing that the circumstances occasioning the suspension or revocation have been remedied; and
- (b) apply for the restoration of the licence,

and in any such case the Chief Environmental Health Officer, if satisfied by such inspection or other investigation as he in the circumstances thinks desirable, may, with the approval of the Minister, or under any general authority delegated to him by the Minister in that behalf, restore the licence accordingly.

[Regulation 6 amended by 2018 : 66 s.2 effective 10 January 2019]

Certificates for food handlers

7 (1) No person shall engage in any work involving the handling of food in any victualling establishment in respect of which a licence or temporary licence has been granted under regulation 5 for more than fourteen days unless such person (hereinafter in these regulations referred to as a “food-handler”), holds a valid certificate issued by the Chief Environmental Health Officer and certifying that such person is free from communicable disease.

(2) A certificate issued under this regulation shall be in Form C in the First Schedule and shall be valid for a period of twelve months from the date of issue unless revoked during that period.

(3) A certificate issued as aforesaid may be revoked by the Chief Environmental Health Officer at any time—

- (a) if he considers that the state of health of the food-handler warrants that action; or
- (b) if the food-handler fails or refuses to submit himself to any medical examination ordered by the Chief Environmental Health Officer.

[Regulation 7 amended by 2018 : 66 s.2 effective 10 January 2019]

PUBLIC HEALTH (FOOD) REGULATIONS 1950

Communicable disease

8 (1) Where a food-handler in a victualling establishment or any other person employed therein—

- (a) contracts any communicable disease; or
- (b) shows any symptoms which give rise to a reasonable suspicion that he is suffering from any such disease—
 - (i) the food-handler or other employee shall immediately notify the person for the time being managing the victualling establishment; and
 - (ii) the manager shall immediately notify the Chief Medical Officer.

(2) Where, in the opinion of the Chief Medical Officer, there is a reasonable possibility of the transmission of a communicable disease by a food-handler or other employee of a victualling establishment, the Chief Medical Officer may by order require—

- (a) the immediate exclusion of the infected person from the establishment; and
- (b) a medical (and, if desirable, a laboratory) examination of the person and his associates; and
- (c) where it appears to the Chief Medical Officer that there is a danger to the public health, the closing of the establishment.

(3) In this regulation “communicable disease” has the meaning assigned to it in section 66 of the Public Health Act 1949 [*title 11 item 1*] for the purposes of Part V of that Act and also includes, for the purposes of these regulations—

- (a) contagious diseases or infections of the skin; and
- (b) any other conditions likely to lead to such diseases or infections;
- (c) chronic infection of the nasopharynx;
- (d) caries of the teeth; and
- (e) gingivitis.

Deliveries

9 Where any article of food is delivered to or from a victualling establishment in any manner, it shall be adequately protected against contamination, including contamination by dust, dirt or flies.

Requirements for victualling establishment

10 Without prejudice to anything in regulations 11 to 15, there shall be observed and maintained in respect of every victualling establishment (whether or not the establishment is licensed under regulation 5), the requirements hereinafter specified—

- (a) every victualling establishment shall be so sited and constructed that it can easily be maintained in a sanitary condition, and, unless written

PUBLIC HEALTH (FOOD) REGULATIONS 1950

permission is obtained from the Chief Environmental Health Officer, shall not be nearer than 100 feet to any stable or part thereof;

- (aa) every victualling establishment shall have adequate means of capturing, collecting and disposing of fats, oils and grease unless a written exemption is obtained from the Chief Environmental Health Officer;
- (b) any room used as a victualling establishment or part thereof—
 - (i) shall be kept clean and free from rubbish; and
 - (ii) shall not be used as living or sleeping quarters for any person;
- (c) the floor of any room used as a victualling establishment or part thereof—
 - (i) shall be sound, smooth and of such impermeable construction as to be easily cleaned;
 - (ii) shall be kept clean and in good repair; and
 - (iii) shall, in the case of a room used as an aerated water or frozen dessert manufactory, be graded to a properly trapped catch-basin;
- (d) the walls and ceiling of any room used as a victualling establishment or part thereof—
 - (i) shall be finished in a light colour;
 - (ii) shall be kept clean and in good repair; and
 - (iii) shall in the case of a room used for the preparation of food, or for the washing of utensils, have a smooth washable surface to the level reached by splash or spray;
- (e) the doors, windows and other openings into the outer air of any room used as a victualling establishment or part thereof shall be effectively screened, and all doors—
 - (i) shall be self-closing; and
 - (ii) shall open outwards;
- (f) reasonable precautions shall be taken to prevent the admission or harbouring of any rodents, insects, flies or other vermin, and at least twice in each year, or more often if the Chief Environmental Health Officer so directs, measures ordered or approved by the Chief Environmental Health Officer shall be taken to eradicate all vermin from the victualling establishment;
- (g) every room used as a victualling establishment or part thereof shall be adequately lighted by natural or artificial light, or by both natural and artificial light;
- (h) every room used as a victualling establishment or part thereof shall be adequately ventilated by means of windows, doors or ventilation ducts, in

PUBLIC HEALTH (FOOD) REGULATIONS 1950

such manner as to reduce to a minimum the condensation of water on the floor, walls or ceiling of the room, or on any equipment or articles therein;

- (i) every victualling establishment (other than a refreshment shop or itinerant restaurant) shall have, on the premises, adequate and conveniently placed water-closets for employees of such number and type as may be approved by the Chief Environmental Health Officer, and any such water-closets shall be fitted with self-closing doors and shall be kept clean, well ventilated and in good repair;
- (j) no room used as a victualling establishment or part thereof—
 - (i) shall contain or shall communicate directly with a sanitary convenience;
 - (ii) shall be in such proximity to a sanitary convenience that offensive odours therefrom can penetrate into the room;
- (k) every victualling establishment (other than a refreshment shop or itinerant restaurant) shall have, on the premises, adequate and conveniently placed hand washing facilities for employees, and in respect of such facilities—
 - (i) there shall be provided wash hand basins, running water, soap and single service towels or other drying apparatus approved by the Chief Environmental Health Officer;
 - (ii) a common towel shall not be used;
 - (iii) no employee shall resume work after using a watercloset unless he first washes his hands, and a notice to that effect shall be displayed in all waterclosets;
- (l) every victualling establishment shall be provided with a sufficient supply of good fresh water, and except in the case of itinerant restaurants, the following provisions shall have effect in respect of such supply—
 - (i) unless a water main delivering a copious supply of water approved by the Chief Environmental Health Officer is connected by pipe to the premises of the victualling establishment, there shall be provided storage tanks for rain water of a capacity not less than the capacity specified in the Second Schedule in respect of the types of victualling establishments therein severally mentioned:

Provided that where an adequate supply of well or salt water is piped into the premises of restaurants, refreshment shops or bakeries for flushing water-closets, the capacity of such storage tanks as aforesaid may be reduced by one-half;

- (ii) where well or salt water is piped into the premises it shall be contained in a separate piping system, and shall not be available for drinking, washing, or cleaning utensils; and if more than one variety of water is available all taps shall be clearly labelled in bold letters;

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (iii) running water shall be available in all parts of a victualling establishment used as a manufactory and adequate provision shall be made for the drainage and disposal of waste water;
- (iv) Where a supplementary supply of water is required for use in a victualling establishment it shall not be put into any storage tank or otherwise used unless the Chief Environmental Health Officer has first approved its source, quality, storage and transportation;
- (v) Where it appears to the Minister that any water stored in respect of a manufactory is unfit for use in any process in the manufactory, the Minister may by order require the water to be disposed of in a manner approved by the Chief Environmental Health Officer;
- (m) all show cases, display cases, windows and other installations, equipment and utensils used in connection with the operation of a victualling establishment—
 - (i) shall be constructed in such a manner as to be easily cleaned;
 - (ii) shall be kept in good repair;
 - (iii) shall be kept clean and free from dust, dirt, insects or other contaminating matter; and
 - (iv) shall be handled in a sanitary manner;
- (n) single service containers for use in a victualling establishment—
 - (i) shall be purchased only in sanitary containers;
 - (ii) shall be stored in a clean, dry place until used;
 - (iii) shall be handled in a sanitary manner; and
 - (iv) shall be used once only;
- (o) milk, manufactured milk, ice cream and frozen desserts shall only be sold in a victualling establishment—
 - (i) where refrigeration is maintained to the satisfaction of the Chief Environmental Health Officer; and
 - (ii) where, in the case of milk served as a beverage (but not as cream). the milk remains in its original container,

but this requirement shall not apply where the milk or manufactured milk is stored in and dispensed from a machine designed for that purpose and approved by the Chief Environmental Health Officer;
- (p) frozen desserts, iced beverages or snowballs shall be kept in clean, well drained and covered receptacles, which shall, while such articles of food are within, be kept covered except for such momentary openings as are necessary for replenishment or sale, but this requirement shall not apply in the case of a frozen dessert that is displayed for sale in a refrigerated

PUBLIC HEALTH (FOOD) REGULATIONS 1950

display facility of a design that adequately prevents contamination of the frozen dessert;

- (q) any container or other apparatus used to dispense frozen desserts, iced beverages or snowballs—
 - (i) shall not be made of copper or brass;
 - (ii) shall be kept thoroughly clean;
 - (iii) shall be handled in a sanitary manner; and
 - (iv) shall, when in use, be plunged in running water;
- (r) frozen desserts shall not be sold unless packaged in adequate protective containers fitted at the place of manufacture, but this requirement shall not apply where the frozen dessert is sold for immediate consumption;
- (s) iced beverages and snowballs shall not be sold in any refreshment shop or itinerant restaurant except in a container which is a single service utensil;
- (t) all food shall be stored or displayed in a victualling establishment in such manner as to be adequately protected from dust, flies, vermin, unnecessary handling, droplet infection, overhead leakage or other contamination;
- (u) no food shall be put or stored in any tin, bottle, glassware or crockery which has not been thoroughly cleansed and sterilized in clean hot water with caustic or other detergent in a manner approved by the Chief Environmental Health Officer;
- (v) adequate refrigeration facilities shall be maintained in a victualling establishment for all easily perishable food, and any such refrigeration—
 - (i) shall be kept in good order;
 - (ii) shall, while containing perishable food, be maintained at a temperature of or below 50 degrees F.;
 - (iii) shall be constructed in such manner that its drain pipe does not connect with any soil or waste pipe, but discharges into a properly trapped, open drain;
- (w) all waste shall be properly disposed of, and all garbage and trash shall be kept in suitable covered receptacles;
- (x) no animal other than a cat shall be permitted to enter any room in a victualling establishment in which food is prepared or stored;
- (y) all persons employed in a victualling establishment—
 - (i) shall wear clean washable white outer garments;

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (ii) shall keep their hands clean at all times when engaged in handling any food, or any installation, equipment, apparatus or utensil with which food comes in contact.

[Regulation 10(aa) inserted by 2016 : 46 s. 5 effective 27 July 2016; Regulation 10 amended by 2018 : 66 s.2 effective 10 January 2019]

Refreshment shops; itinerant restaurants

11 In respect of a refreshment shop or itinerant restaurant, the requirements specified in regulation 10 (with the exception of those specified in paragraph (i) and (j) thereof) shall be observed and maintained, and in addition the following requirements—

- (a) no food shall be sold or offered for sale in an itinerant restaurant, or refreshment shop—
 - (i) unless the food is in a state ready for immediate consumption; or
 - (ii) unless the food is partially prepared for consumption; or
 - (iii) if the food is raw, except in the case of fruit or vegetables; or
 - (iv) if the food is sold or offered for sale in bulk quantities:

Provided that nothing in this sub-paragraph shall apply in relation to food sold or offered for sale in a refreshment shop which is connected with, or part of, a shop selling other merchandise;

- (b) glass or china containers or serving dishes shall not be used unless there is installed on the premises equipment for washing and disinfecting utensils which conforms to the requirements of the Third Schedule;
- (c) where, in a refreshment shop, single service containers only are used, a single sink shall be installed, and any such sink—
 - (i) shall be properly trapped;
 - (ii) shall be equipped with all impervious drainboard; and
 - (iii) shall be supplied with pure drinking water;
- (d) any cone, straw or paper container used in the serving of any food—
 - (i) shall not be used more than once; and
 - (ii) shall, immediately after use, be placed in a covered sanitary receptacle;
- (e) where adequate refrigeration facilities are not maintained, no food requiring refrigeration to maintain it in a state fit for human consumption shall be sold or offered for sale;
- (f) snowballs and iced beverages shall not be sold or offered for sale unless they are, at all times during their clean and sanitary manner approved by the Chief Environmental Health Officer; and

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (g) adequate and convenient toilet and handwashing facilities shall be provided in or near to the refreshment shop or itinerant restaurant, and such facilities shall be approved by the Chief Environmental Health Officer.

[Regulation 11 amended by 2018 : 66 s.2 effective 10 January 2019]

Restaurants

12 In respect of a restaurant, the requirements specified in regulation 10 shall be observed and maintained, and in addition the following requirements—

- (a) all multi-service eating and drinking utensils shall after each use be cleaned and disinfected in accordance with the Third Schedule;
- (b) all multi-service utensils used for the preparation or serving of food shall at the end of each day's use (or more often if circumstances require) be cleaned and disinfected in accordance with the Third Schedule;
- (c) cloths used for the drying of any utensils after cleaning and disinfection shall be kept clean and shall be used for no other purpose;
- (d) adequate dressing rooms or locker space shall be provided in which clean clothing of employees may be kept; and
- (e) all soiled linen, coats and aprons of employees shall be kept in covered containers set aside for that purpose.

Bakeries

13 In respect of a bakery, the requirements specified in regulation 10 shall be observed and maintained, and in addition the following requirements—

- (a) all troughs and other utensils used in the bakery shall be capable of being moved so as to allow the floors to be completely cleaned;
- (b) all persons engaged in the preparation and mixing of ingredients in the bakery shall before beginning work and, shall as often thereafter as may in the circumstances be necessary, wash their hands and forearms thoroughly in clean hot water;
- (c) an adequate dressing room with locker space for employees shall be provided;
- (d) all soiled linen and aprons for employees shall be kept in covered containers set aside for that purpose;
- (e) any cream or custard filling for pies or pastries—
 - (i) shall be manufactured by a process approved by the Chief Environmental Health Officer; and
 - (ii) shall be kept in refrigeration;
- (f) where bread or other products of a bakery are transported from the bakery any vehicle used for the transportation—

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (i) shall be a closed vehicle; and
- (ii) shall be kept in a clean and sanitary condition; and
- (iii) shall not be used for any other purpose than the transportation of bread or other bakery products; and
- (g) where bread or any other product of a bakery is sold or delivered, it shall be wrapped in paper or some similar substance so as to be effectively protected from contamination Frozen dessert manufactories

[Regulation 13 para (e)(i) amended by 2018 : 66 s.2 effective 10 January 2019]

14 In respect of a frozen dessert manufactory, the requirements specified in regulation 10 shall be observed and maintained, and in addition the following requirements—

- (a) a frozen dessert manufactory shall not, without the permission in writing of the Minister, be used for any purpose other than the manufacture of frozen desserts;
- (b) all equipment, appliances and utensils used in the preparation or storage of frozen desserts or any ingredient thereof shall be so constructed—
 - (i) that all parts may be easily taken apart; and
 - (ii) that all parts are accessible for inspection and cleaning;
- (c) any equipment, appliance or utensil which is—
 - (i) badly worn; or
 - (ii) rusted or corroded; or
 - (iii) in such condition as to be difficult or impossible to render clean and sanitary by washing,shall not be used;
- (d) all freezing vats, mixing cans, tanks, piping and all utensils used as containers for frozen desserts or ingredients thereof, and all apparatus and equipment used in the manufacture or handling of frozen desserts, shall be taken apart and shall, before each day's use and not more than four hours before such use, be properly cleansed and disinfected with live steam, boiling water or other process of disinfection specified in the Third Schedule; and in this paragraph the expression "day's use" means use of not more than eight hours' duration, whether continuous or intermittent;
- (e) ingredients used in the manufacture of frozen desserts shall, after mixing, be pasteurized by being—
 - (i) raised to a temperature of not less than 63.3 degrees C (155 degrees F) and held at such temperature for not less than thirty minutes; or
 - (ii) raised to a temperature of not less than 71.0 degrees C (160 degrees F) and held at such temperature for not less than fifteen minutes; or

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (iii) raised to a temperature of not less than 73.8 degrees C (165 degrees F) and held at such temperature for not less than ten minutes; or
 - (iv) raised to a temperature of not less than 79.4 degrees C (175 degrees F) and held at such temperature for not less than twenty-five seconds; or
 - (v) raised to a temperature of not less than 82.2 degrees C (180 degrees F) and held at such temperature for not less than fifteen seconds; or
 - (vi) raised to some other temperature and held at that temperature for such period of time as may be approved by the Chief Environmental Health Officer,
but this requirement shall not apply in relation to ice sherbet mix, flavouring agents or culturing agents;
- (f) any mixture intended to be used in the manufacture of frozen desserts to which paragraph (e) applies shall immediately after pasteurization be cooled to a temperature of not more than 72 degrees C (45 degrees F) and shall be stored or packaged in a manner approved by the Chief Environmental Health Officer and shall be maintained at a temperature not exceeding 72 degrees C (45 degrees F) until the freezing process is commenced;
 - (g) without prejudice to anything in paragraph (f), any mixture to which that paragraph applies shall be deemed to have fulfilled the requirements of paragraphs (e) and (f) if the Chief Environmental Health Officer is satisfied that—
 - (i) the mixture has been subjected to a heat-treatment process of pasteurization comparable to the methods required by these regulations; and
 - (ii) the mixture has been cooled, packed, stored and transported in such a manner as to fulfill the requirements of these regulations; and
 - (iii) the mixture conforms to the bacteriological standards required by these regulations; and
 - (iv) following the pasteurization of the mixture, with the exception of any approved flavouring agent or culturing agent, no other ingredient has been added to the mixture,
but in any other case the mixture shall be considered as an untreated mixture and shall be subjected to pasteurization as required by these regulations;
 - (h) any frozen dessert which has melted shall not be refrozen and sold or offered for sale;
 - (i) all persons engaged in the manufacture or handling of frozen desserts—
 - (i) shall wear washable white outer clothing, which shall be kept clean;

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (ii) shall thoroughly wash their hands before mixing any ingredients;
- (iii) shall carry out all stages of the manufacture in a sanitary manner; and
- (iv) shall not touch any unwrapped frozen dessert with their hands:
 - provided that one person in each frozen dessert manufactory may be specially designated to cut and wrap frozen desserts known as “Bricks” and “Pops”, and to adjust fancy moulds;
- (j) all storage containers of frozen desserts shall be topped with clean new white or light coloured paper or other material approved by the Chief Environmental Health Officer, and such paper or other material used to line containers prior to use—
 - (i) shall be stored and handled in a sanitary manner; and
 - (ii) shall have thereon no printing unless such printing is done by means of a harmless ink; and
- (k) all hoppers, bins or other containers used for the storage in bulk of the ingredients of frozen desserts, and the packaging used for packing frozen desserts, shall be kept adequately covered to prevent contamination, whether from dust, dirt, flies or other contamination;
- (l) no frozen desserts in forms known as “Popsicles”, “Pops” or “Bricks” shall be removed for sale from the place in which they are manufactured unless such frozen desserts are completely covered by individual dust-proof containers or wrappers.

[Regulation 14 amended by 2018 : 66 s.2 effective 10 January 2019]

Aerated water manufactories

15 In respect of an aerated water manufactory, the requirements specified in regulation 10 shall be observed and maintained and in addition the following requirements—

- (a) an aerated water manufactory shall not without the permission in writing of the Minister, be used for any purpose other than the manufacture of aerated waters;
- (b) subject as hereinafter provided, in any aerated water manufactory—
 - (i) the washing of bottles;
 - (ii) the filling of bottles with aerated water;
 - (iii) the compounding and mixing of syrups; and
 - (iv) the packing of bottles containing aerated water,
 - shall when reasonably practicable, be carried out in separate rooms:

PUBLIC HEALTH (FOOD) REGULATIONS 1950

Provided that, where it is not reasonably practicable to use separate rooms, such processes shall be so arranged as not to interfere one with another;

- (c) the walls and ceilings of rooms used for the washing or filling of bottles or for the compounding or mixing of syrup —
 - (i) shall be constructed of hard material;
 - (ii) shall have a smooth hard surface which can be easily cleaned;
 - (iii) shall be painted or whitewashed; and
 - (iv) shall be maintained in a clean condition;
- (d) any water from a tank which is used—
 - (i) for washing or rinsing bottles;
 - (ii) for filling bottles; or
 - (iii) for any purpose in connection with the compounding or mixing of syrups,
shall be chlorinated or otherwise treated in a manner approved by the Chief Environmental Health Officer;
- (e) any room used for the compounding or mixing of syrups—
 - (i) shall be well ventilated and well lighted by natural or artificial light;
 - (ii) shall be completely protected against flies, vermin, dust and other contamination;
 - (iii) shall be constructed in such manner as to be easily cleaned; and
 - (iv) shall be provided with a sink with taps for hot and cold water, and any such water shall be chlorinated or otherwise treated in conformity with paragraph (d);
- (f) no bottle shall, except as a preliminary to mechanical washing, be washed by hand;
- (g) every aerated water manufactory shall be equipped with mechanical bottle washing apparatus of a type approved by the Chief Environmental Health Officer, and all bottles shall be thoroughly cleansed by such apparatus used in conjunction with a disinfecting solution specified in the Third Schedule;
- (h) every aerated water manufactory shall be equipped with apparatus for the mechanical filling, carbonation and crowning of bottles, of a type approved by the Chief Environmental Health Officer; and all bottles shall be filled, carbonated and crowned in such manner as to prevent any part of the person operating the apparatus or his clothing from touching any surface of the bottle or of its crown which comes in contact with the contents;

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (i) all vats, jars, mixing and storage tanks, pipe lines and other apparatus used in the preparation of syrups—
 - (i) shall be of sanitary construction; and
 - (ii) shall be lined with materials which resist any corrosive action by the ingredients of the syrups;
- (j) all cases, containers and conveyers used in aerated water manufactories, or for the transport of any products from a manufactory, shall be kept in a clean and sanitary condition;
- (k) in respect of the preparation and storage of syrups in an aerated water manufactory the following provisions shall have effect—
 - (i) precautions shall be taken to avoid contamination or absorption of deleterious substances;
 - (ii) all non-alcoholic colours shall be prepared only in small quantities, shall be stored so as to be protected against dust or other contamination, and shall be sterilized before use;
 - (iii) acids and flavours shall be stored in suitable containers and properly labelled and protected against contamination; and
 - (iv) all utensils and equipment shall, after use, be subjected to one or more of the disinfecting processes specified in the Third Schedule;
- (l) all bottles containing aerated waters shall be stored—
 - (i) under sanitary conditions; and
 - (ii) in such a manner as not to interfere with the proper use and sanitation of any bottling room;
- (m) all pipe lines, containers, utensils and other apparatus or equipment used in aerated water manufactories—
 - (i) shall at all times be maintained in a sanitary condition;
 - (ii) shall, after each day's use, be thoroughly washed and cleansed; and
 - (iii) shall, immediately before each day's use, be disinfected in accordance with one or more of the processes specified in the Third Schedule;
- (n) there shall be provided and used in the operation of an aerated water manufactory sufficient thermometers, acid and sugar hydrometers, gas volume testers and apparatus for ascertaining the alkalinity and causticity of the soaker solution used in the washing of bottles;
- (o) crowns for use in conjunction with aerated water bottles—
 - (i) shall be stored in dust proof containers;
 - (ii) shall unless the name is upon the bottle bear the name of the manufacturer of the aerated water; and

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (iii) shall be used once only;
- (p) all empty bottles shall, if stored in the open, be packed in such manner as not to hold water;
- (q) all broken bottles and rubbish shall be adequately disposed of in suitable containers; and
- (r) all persons employed in the mixing of syrup, filling of bottles or in any other capacity which brings them into contact with the ingredients or containers of aerated waters—
 - (i) shall be clean; and
 - (ii) shall wear clean white clothing;
- (s) any can or bottle containing artificially sweetened aerated water shall have a label thereon of a kind approved by the Chief Environmental Health Officer.

[Regulation 15 amended by 2018 : 66 s.2 effective 10 January 2019]

Artificially sweetened aerated water

16 (1) No person shall manufacture, can or bottle artificially sweetened aerated water unless—

- (a) he does so in aerated water manufactory in respect of which a licence under regulation 5 is in force; and
- (b) the licence is endorsed for the purpose by the Chief Environmental Health Officer.

(2) In this regulation “manufacture” includes any process whereby a concentrated syrup, or other mixture, is diluted to make artificially sweetened aerated water, whether that process takes place in a licensed manufactory or elsewhere.

(3) Application for an endorsement pursuant to paragraph (1)(b) shall be made in writing to the Chief Environmental Health Officer in such form and furnishing such particulars as he may require.

(4) The Chief Environmental Health Officer may make such an endorsement if he is satisfied that the premises of the manufactory in question are suitable for the manufacture, canning or bottling (as the case may require) of artificially sweetened aerated water, and that otherwise can and will be observed in, and in relation to the manufactory.

[Regulation 16 amended by 2018 : 66 s.2 effective 10 January 2019]

Approved cans or bottles

17 A person shall not (whether in a victualling establishment or elsewhere) sell, or have for the purposes of sale or other disposal in the way of trade or business, artificially

PUBLIC HEALTH (FOOD) REGULATIONS 1950

sweetened aerated water in any can, bottle, or other container unless that can, bottle or other container is of a kind or size approved by the Chief Environmental Health Officer.

[Regulation 17 amended by 2018 : 66 s.2 effective 10 January 2019]

Manufactured milk

18 (1) In respect of a manufactured milk manufactory, the requirements specified in regulation 10 shall be observed and maintained and in addition, but subject to paragraph (2), the following requirements—

- (a) a manufactured milk manufactory shall not be combined with a dairy-farm to which a dairy-farm licence has been issued under the Public Health (Milk and Dairy-farm) Regulations 1952 [*title 11 item 1(g)*] or a pasteurizing plant to which a pasteurizer's licence has been issued under those regulations unless such combination is expressly permitted by the terms of the licence issued under these regulations, and subject to any terms and conditions that may be specified in that licence;
- (b) there shall not be produced in a manufactory any manufactured milk other than manufactured milk of a type, and which has the specifications, set out in the Fourth Schedule;
- (c) any manufactured milk produced in a manufactory shall not be offered for sale or sold unless it is in a container which is substantially of a colour specified for that type of manufactured milk in the Fourth Schedule and approved by the Chief Environmental Health Officer and which designates—
 - (i) the type of manufactured milk and its constituents, as set out in the Fourth Schedule, contained therein;
 - (ii) the name or business designation of the person manufacturing the milk; and
 - (iii) the name or business designation of the person pasteurizing the manufactured milk if he is a person whose name or business designation appears on the container by virtue of paragraph (ii); and
- (d) all manufactured milk produced in a manufactory shall be pasteurized within the meaning of the Public Health (Milk and Dairy-farm) Regulations 1952 [*title 11 item 1(g)*] and accordingly, references in the Second Schedule of those regulations (which relates to the operation of pasteurizing plants) other than paragraph 26 thereof which shall not apply, shall, in their application to plant when used for the purpose of pasteurizing manufactured milk, be read and construed as though references therein to milk included references to manufactured milk.

(2) Nothing in paragraph (1) of this regulation shall prevent the production or sale of manufactured milk where the following conditions are fulfilled—

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (a) the manufactured milk is produced on the premises forming part of a refreshment shop, restaurant or itinerant restaurant, or in any naval, military or air force establishment on land of Her Majesty's Forces; and
- (b) the sale takes place, or the offer of sale is on the premises on which the manufactured milk was produced; and
- (c) the manufactured milk is sold or offered for sale in quantities bona fide required for personal refreshment or as part of a meal; and
- (d) the manufactured milk when sold or offered for sale conforms in all respects to the following specifications—
 - (i) not more than 20,000 bacteria in each millilitre;
 - (ii) not more than 10 coliform in each millilitre;
 - (iii) not less than 8.5 per cent solids other than fat;
 - (iv) not less than 3.25 per cent milk fat,

and accordingly the requirements of paragraph (1)(b), (c) and (d) shall not apply to the production or sale of manufactured milk which is in accordance with this paragraph.

(3) No person shall sell or offer for sale in a container which is substantially of a colour specified in the Fourth Schedule any manufactured milk or milk other than manufactured milk or milk of a type for which that colour is specified in the Fourth Schedule.

[Regulation 18 para (1)(c) amended by 2018 : 66 s.2 effective 10 January 2019]

Importation and sale of manufactured milk

18A (1) Notwithstanding anything contained in these regulations, no manufactured milk may be imported into Bermuda or if imported sold or offered for sale for human consumption unless it is manufactured milk of a type which has been approved in writing by the Chief Environmental Health Officer.

(2) No such approval shall be granted unless the Chief Environmental Health Officer is satisfied—

- (a) as to the source and quality of the milk;
- (b) as to the methods of heat treatment of the milk and the packing operations in respect thereof;
- (c) as to the chemical and bacteriological standard of the milk;
- (d) as to the manner and conditions under which the milk is transported to Bermuda and the distribution thereof within Bermuda;

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (e) as to the capacity, type and material of the container in which the milk is packed and that the capacity of any such container does not exceed the capacity specified in writing by the Chief Environmental Health Officer.

[Regulation 18A amended by 2018 : 66 s.2 effective 10 January 2019]

Frozen desserts; ingredients

19 (1) All frozen desserts and iced beverages shall be prepared only with pure, clean and wholesome ingredients.

(2) Subject as hereinafter provided—

- (a) frozen confection shall contain not less than 17 per cent by weight of total food solids; however where the product is described as “frozen dairy confection” it shall contain not less than 13 per cent by weight of total milk solids and not less than 32 per cent total food solids;
- (b) ice cream irrespective of the addition of any fruits, nuts, cocoa, chocolate syrup, sweetening agents, cakes or other edible or flavouring matters shall contain—
 - (i) not less than 8 per cent by weight of fat;
 - (ii) not less than 32 per cent by weight of total solids;
- (c) ice milk shall contain—
 - (i) not less than 2 per cent and not more than 7 per cent by weight of fat;
 - (ii) not less than 9 per cent by weight of milk solids other than fat;
- (d) milk sherbet shall contain not less than 5 per cent by weight of milk solids.

(3) Save as may be present by reason of the inclusion of any flavouring substance or any emulsifying or stabilizing agent, where ice cream, ice milk or frozen confection contains any fat other than milk fat, the ice cream, ice milk or frozen confection shall be clearly and distinctly described or labelled with words to the effect that the product contains non-milk fat.

(4) Where any of the aforementioned products contains no fat other than milk fat (save as may be present by reason of the use of an ingredient including any egg, any flavouring substance, or any emulsifying or stabilizing agent) the product may be labelled or described or have incorporated in its description the word “dairy”.

(5) In the absence of any such declaration, label or description indicating the nature of the fat used in any of the aforementioned products, it shall be presumed that the product has been made with milk fat.

(6) Ice cream, ice milk, frozen confection, milk sherbet and frozen yoghurt mix (prior to culturing) shall contain not more than—

- (a) 10 coliform organisms per gram;
- (b) 100,000 bacteria per gram.

PUBLIC HEALTH (FOOD) REGULATIONS 1950

(7) Ice sherbet, snowball and slush ice products shall have a yeast or mould count not exceeding 50 per gram.

(8) Ice cream and frozen yoghurt shall weigh not less than 499 grams per litre (five pounds per gallon).

(9) Without prejudice to any order made under regulation 4 or of any other provisions of these regulations—

- (a) artificially sweetened frozen desserts shall be sweetened only with an artificial sweetener approved by the Chief Environmental Health Officer and the product shall be clearly labelled or described with words to the effect that the product has been artificially sweetened;
- (b) any packaging or container for the product shall conspicuously declare the artificial sweetener used in the manufacture of the product.

(10) Without prejudice to the foregoing provisions of this regulation a frozen dessert or ice beverage—

- (a) shall not contain any antiseptic or preservative;
- (b) shall not contain any colouring or flavouring matter other than a colouring or flavouring matter—
 - (i) whose use is authorized in Canada by the Food and Drug Act of Canada;
 - (ii) whose use is authorized in the United States of America by the Food and Drug Administration of that country; or
 - (iii) whose use is authorized in the United Kingdom by the Food and Drug Act of the United Kingdom;
- (c) shall not contain more than one half of one per cent of gum tragacanth or other thickening material;
- (d) shall not contain any animal, vegetable or mineral oil, grease, fat or wax of any kind that has not been manufactured or prepared for use as a normal ingredient of frozen desserts and approved by the Chief Environmental Health Officer;
- (e) shall not contain any water which has not, within twelve hours of its use, been boiled, chlorinated or otherwise treated in a manner approved by the Chief Environmental Health Officer.

[Regulation 19 amended by 2018 : 66 s.2 effective 10 January 2019]

Aerated water; ingredients of syrup

20 A syrup used in the preparation of aerated water—

- (a) shall not contain any colouring matter other than caramel, certified coal tar, or a vegetable colour approved by the Chief Environmental Health Officer;

PUBLIC HEALTH (FOOD) REGULATIONS 1950

- (b) shall not contain any sweetening agent other than—
 - (i) edible sugar, in the form of sucrose, dextrose, invert sugar or levulose, used singly or in combination; or
 - (ii) a suitable nutritious carbohydrate; or
 - (iii) an artificial sweetener specified in the first column of the Fifth Schedule; and
- (c) shall not contain any acids other than—
 - (i) citric acid, tartaric acid or other edible organic acids or their salts;
 - (ii) phosphoric acid and its salts.

[Regulation 20 para (a) amended by 2018 : 66 s.2 effective 10 January 2019]

Aerated water; artificial sweeteners

21 An artificial sweetener shall not be employed in the manufacture of aerated water unless it is one specified in the first column of the Fifth Schedule, and any sweetener so specified shall not be employed in such manufacture in excess of the proportion specified in relation thereto in the second column of that Schedule.

Offences

22 (1) Any person who contravenes or fails to comply with any of the provisions of these regulations or any order, instruction or requirement lawfully made, given or imposed by any person under the authority thereof, commits an offence against these regulations:

Provided that where a person engaged or employed in the administration of these regulations omits to perform any duty imposed upon him as such the omission shall not constitute an offence against these regulations.

(2) Where a person commits an offence under these regulations:

Punishment on summary conviction: a fine of \$168 in respect of each offence; and in the case of a second or subsequent conviction: imprisonment for 3 months or a fine of \$840 or both such imprisonment and fine; and where any such offence as aforesaid is a continuing offence, the person guilty of the offence shall, in addition to any punishment provided in this regulation, be liable in respect of each day during which the offence continues to a fine of \$84.

(3) Notwithstanding anything in the foregoing provisions of this regulation, where, in respect of the operation of a victualling establishment, there is proved to be a contravention of or failure to comply with any provision of these regulations or any order, instruction or requirement lawfully made, given or imposed thereunder, then in any such case—

- (a) the person (if any) to whom a licence has been granted under regulation 5 in respect of the victualling establishment; and
- (b) the person for the time being acting as the manager or person in charge of the victualling establishment,

PUBLIC HEALTH (FOOD) REGULATIONS 1950

shall, without prejudice to any proceedings which may be taken against any other person, and subject as hereinafter provided, be deemed to be guilty of an offence against these regulations:

Provided that where a licence holder, manager or person in charge of a victualling establishment is charged with an offence against these regulations in pursuance of this paragraph it shall be a defence for him to prove—

- (i) that the offence occurred without his consent; and
- (ii) that the offence was not due to any act or omission on his part; and
- (iii) that he had taken reasonable steps to prevent the commission of the offence.

PUBLIC HEALTH (FOOD) REGULATIONS 1950

FIRST SCHEDULE

FORMS

FORM A

Reg .5

Application for Victualling Establishment Licence

I, of hereby make application to be granted a licence for a at in Parish, to be known as

Signature

This application must be sent in before March 16th. Victualling establishment includes a bakery, food store, itinerant restaurant, manufactory, refreshment shop, restaurant and any other establishment where food is prepared, manufactured or stored, preparatory to its being offered for sale, or is offered for sale or sold, whether by wholesale, retail or auction.

FORM B

Reg.5

Victualling Establishment Licence

..... of Parish is hereby authorized to operate a known as..... at

This licence is subject to the Public Health (Food) Regulations 1950, and expires March 31st, 19.....

Date

.....

Chief Environmental Health Officer

N.B. This Licence is not transferable and is good only for the person and premises in respect of which it is issued.

FORM C

Reg.7

Food Handler's Medical Certificate

Date

M

PUBLIC HEALTH (FOOD) REGULATIONS 1950

Age

Address

Where employed

Has passed examination..... on..... 19....

.....

Medical Practitioner

Chief Environmental Health Officer

SECOND SCHEDULE

Reg.10

Capacity of Water Storage Tanks

1 As respects restaurants - 5,000 gallons, with in addition 500 gallons capacity for every guest who can ordinarily be served at any one time.

2 As respects refreshment shops and food stores - 2,000 gallons, with in addition 200 gallons capacity for every employee in excess of two employees ordinarily employed in the shop or store.

3 As respects bakeries - 10,000 gallons.

4 As respects frozen dessert manufactories - 10,000 gallons, with in addition 500 gallons capacity for every hundred quarts in excess of two thousand quarts of frozen dessert ordinarily prepared each week in the manufactory.

5 As respects aerated water manufactories - 35,000 gallons with in addition 700 gallons for every dozen bottles in excess of fifty dozen bottles ordinarily filled each day in the manufactory.

THIRD SCHEDULE

Cleaning and Disinfection of Utensils

1 All multi-service utensils used in any victualling establishment in the preparation, manufacture, storage, sale, deliver or serving of food shall be thoroughly cleaned after each use, and such -cleaning shall be carried out—

(a) by scraping or rinsing off gross food particles prior to washing; and

(b) by washing in warm (110 to 120 degrees F.) water containing sufficient soap or detergent to remove grease or solids, which water shall be changed at such intervals as to keep it reasonably clean.

PUBLIC HEALTH (FOOD) REGULATIONS 1950

2 All utensils mentioned in paragraph 1 shall, after washing, be subjected to one or more of the following disinfecting processes—

(a) to immersion in hot water, in respect of which process the following provisions shall have effect—

- (i) two adjacent deep immersion vats shall be installed, and shall be fitted with a porcelain, metal or other impervious drainboard;
- (ii) a hot water heater (preferably thermostatically controlled) shall be provided, capable of maintaining a temperature of not less than 170 degrees F. in the water in the immersion vats;
- (iii) all utensils shall be immersed in clean hot water for not less than 2 minutes when the water is not less than 170 degrees F., or for not less than 1/2 minute when water is boiling; and
- (iv) glasses, dishes and other serving containers shall be immersed in the vats in rinsing baskets (which may be lined with wooden strips) in which they shall remain until dry, when they shall be stored in such manner as not to be contaminated before use; or

(b) to immersion in a lukewarm chlorine rinse, in respect of which process the following provisions shall have effect—

- (i) a three compartment vat shall be installed, with one compartment for washing, one for plain rinsing and one for chlorine immersion:

Provided that the compartment for rinsing may be omitted in existing installations which have a satisfactory rinsing or spraying device;

- (ii) all utensils shall be immersed for not less than 2 minutes in a lukewarm chlorine rinse containing not less than 50 p.p.m. of available chlorine if hypochlorites are used, or a concentration of equal bactericidal strength if chloramines are used, and the rinse shall be made up to a strength of at least 100 p.p.m. of hypochlorites, and shall not be used after its strength has been reduced to 50 p.p.m.;
- (iii) chlorine rinses once used shall not be used for the rinsing of utensils on another day;
- (iv) silver or silver plated utensils shall not be immersed in chlorine rinse; or

(c) to exposure in a steam cabinet, in respect of which process the following provisions shall have effect—

- (i) an indicating thermometer shall be installed so as to indicate the temperature in the coldest part of the cabinet;
- (ii) all utensils shall be exposed for not less than 15 minutes to steam at a temperature of not less than 170 degrees F. or for not less

than 5 minutes to steam at a temperature of not less than 200 degrees F.; or

(d) to exposure in an oven or hot air cabinet designed for that purpose, in respect of which process the following provisions shall have effect—

(i) an indicating thermometer shall be installed so as to indicate the temperature in the coldest part of the oven or cabinet;

(ii) all utensils shall be exposed for not less than 20 minutes to air at a temperature of not less than 180 degrees F.; or

(e) to immersion in solutions or rinses at higher temperatures or containing other bactericidal agents approved by the Chief Environmental Health Officer and subject to such conditions as he may impose.

FOURTH SCHEDULE

Type and Specification of Manufactured Milk

1 Type of manufactured milk: Filled milk:

Specification:

(a) Not more than 20,000 bacteria in each millilitre.

(b) Not more than 10 coliform in each millilitre.

(c) Not less than 8.5% solids other than fat.

(d) Not less than 3.25% vegetable fat or oil, but not including animal or milk fat.

(e) Such other ingredients normally used in the manufacture of filled milk as may be specified in writing in the licence issued under these regulations.

Colour of container: Red

2 Type of manufactured milk: Low fat filled milk:

Specification:

(a) Not more than 20,000 bacteria in each millilitre

(b) Not more than 10 coliform in each millilitre.

(c) Not more than 2% fat composed of edible oils and fats other than milk fat.

(d) Not less than 9.5% solids other than fat.

(e) Such other ingredients normally used in the manufacture of low fat filled milk as may be specified in writing in the licence issued under these regulations.

Colour of container: Pink

3 Type of manufactured milk: Filled cream:

Specification:

- (a) Not more than 20,000 bacteria in each millilitre.
- (b) Not more than 10 coliform in each millilitre,
- (c) Not less than 10% solids other than fat.
- (d) Not less than 10% vegetable fat or oil, but not including animal or milk fat.
- (e) Such other ingredients normally used in the manufacture of filled cream as may be specified in writing in the licence issued under these regulations.

Colour of container: Brown

4 Type of manufactured milk: Recombined skim or skimmed milk

Specification:

- (a) Not more than 20,000 bacteria in each millilitre.
- (b) Not more than 10 coliform in each millilitre.
- (c) Not less than 8.5% solids other than fat.
- (d) Not more than 0.5% fat which shall be milk fat.
- (e) Such other ingredients normally used in the manufacture of recombined skim or skimmed milk as may be specified in writing in the licence issued under these regulations.

Colour of container: Green

FIFTH SCHEDULE

(a) Permitted Artificial Sweeteners for Aerated Waters:

Aspartame
Saccharin
Saccharin Calcium
Saccharin Sodium

(b) Permitted Amount in finished product:

Aspartame: 50 milligrams per 100 millilitres.
Saccharin: 12 milligrams or less calculated as saccharin per fluid ounce.
Saccharin Calcium: 12 milligrams or less calculated as saccharin per fluid ounce.

PUBLIC HEALTH (FOOD) REGULATIONS 1950

Saccharin Sodium: 12 milligrams or less calculated as saccharin per fluid ounce.

[First Schedule amended by 2018 : 66 s.2 effective 10 January 2019; Third Schedule amended by 2018 : 66 s.2 effective 10 January 2019]

[Amended by:

S.R. & O. 89/1968

1970 : 390

S.R. & O. 11/1970

1976 : 7

BR 1 / 1978

BR 33 / 1979

BR 34 / 1984

BR 60 / 1984

BR 9 / 1985

2015 : 27

2016 : 46

2018 : 66]