

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 13 of 1925.

AN ORDINANCE

To provide for the Supervision of Dairies.

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act* 1909 and the *Seat of Government (Administration) Act* 1910, as follows :—

1. This Ordinance may be cited as the *Dairies Supervision Ordinance* 1925. Short title

2.—(1.) This Ordinance shall commence on a date to be fixed by the Commission by notice in the *Gazette*. Commencement.

(2.) Upon the commencement of this Ordinance, the *Dairies Supervision Act* 1901 of the State of New South Wales shall cease to apply to the Territory.

3. In this Ordinance, unless the contrary intention appears— Definitions.

“ Dairy premises ” means any building, shed, land or place used for the stalling, grazing, feeding or milking of cattle for the purpose of producing milk or cream for sale, and includes any building or place used for the purpose of depositing or storing milk or cream when so produced ;

“ Dairyman ” means the occupier of any dairy premises, and includes any person engaged in the business of the production or manufacture of milk, cream, butter or cheese for sale ;

“ Factory ” means any building, shed or place used in connexion with the manufacture of butter or cheese for sale ;

“ Milk store ” means any building, shed or stall used for the purpose of depositing, storing or exposing milk or cream for the purposes of sale ;

“ Milk vendor ” means the occupier of any milk store, and includes any person engaged in the storage or distribution of milk or cream for sale ;

C.15549.

“ Register ” means the register, kept in pursuance of this Ordinance, of dairymen, milk vendors and other persons and of dairy premises, milk stores and factories ;

“ the Commission ” means the Federal Capital Commission appointed under the *Seat of Government (Administration) Act 1924*.

The register.

4.—(1.) The Commission shall keep a register of the names and addresses of all persons engaged as dairymen or milk vendors and of the respective dairy premises, milk stores and factories used by them.

(2.) The Commission may remove from the register the names and addresses of all persons who have ceased, or become disqualified under this Ordinance, from carrying on the business of dairymen or milk vendors.

(3.) The register shall be open at all reasonable times for inspection.

Inspections
by
Commission.

5. The Commission shall cause inspections to be made, as prescribed, of all dairy premises, milk stores and factories, and the cattle, appliances and utensils therein used for the production or distribution of milk or cream or the manufacture of butter or cheese, and shall cause an entry to be made in the register of the date and result of every such inspection.

Powers of
Commission
and officers

6.—(1.) The Commission, or any officer thereto authorized by the Commission, may—

- (a) enter at reasonable times any dairy premises, milk store or factory for the purpose of making any inspection required by this Ordinance, and take away, for the purpose of examination or analysis only, samples of the milk or cream, butter or cheese, found in the premises, store or factory, and of the water of any well or other source of water supply therein ;
- (b) by notice in writing require any dairyman or milk vendor to cleanse and maintain in a sanitary condition his dairy premises, milk store or factory, and any utensils used therein ;
- (c) by notice in writing require any dairyman or milk vendor, within the time specified in the notice, to close any well or other source of water supplied or used in his dairy premises, milk store or factory, which is, in the opinion of the Commission or officer, so polluted or unwholesome as to be unfit for human consumption, and wholly to discontinue the use of the water from that well or source for any purposes whatsoever for such period as the Commission or officer directs or to fill up that well or source and keep it filled up ; and

(d) refuse or cancel the registration of any dairyman or milk vendor in respect of any dairy premises, milk store or factory which is, in the opinion of the Commission, in an insanitary condition, or in which the provisions for lighting, ventilation, drainage, lavatory and privy accommodation or water supply are not, in the opinion of the Commission, such as are necessary for health or for the cleanliness of the appliances and utensils used in the premises, store or factory or for the protection against infection or contamination of any milk, cream, butter or cheese therein.

(2.) Any person who—

(a) resists or wilfully obstructs any person in the lawful exercise of any of the powers conferred by this section ; or

(b) fails to comply with any requirement or direction of the Commission or an officer under this section,

shall be guilty of an offence.

Penalty : Twenty pounds.

7.—(1.) Any person desiring to be registered as a dairyman or milk vendor under this Ordinance may apply in writing to the Commission for registration.

(2.) The application shall state—

(a) the name and address of the applicant ;

(b) the locality of every dairy premises, milk store or factory to be used by the applicant ; and

(c) whether the applicant desires to be registered as a dairyman or milk vendor or both.

(3.) Upon receipt of the application the Commission shall, if each place proposed to be used by the applicant as dairy premises or as a milk store or factory—

(a) is approved by the Commission for use for the purpose for which it is proposed to be used—enter in the register kept under this Ordinance the name and address of the applicant and the locality of each place to be used by him as dairy premises or as a milk store or factory ; or

(b) is not approved by the Commission for use for the purpose for which it is proposed to be used—refuse the application.

8. A registered dairyman or milk vendor desiring—

(a) to discontinue the use of any place as dairy premises or as a milk store or factory ; or

(b) to use as dairy premises, or as a milk store or factory, any place other than the place or places in respect of which he is registered,

may make application in writing to the Commission for the registration of such discontinuance or of such other place.

Discontin-
uance or
change of
premises.

Sale by
unregistered
person.

9.—(1.) Any person who is not registered under this Ordinance as a dairyman or milk vendor and who sells milk or cream shall be guilty of an offence.

Penalty : Twenty pounds.

(2.) Any person who is not registered under this Ordinance as a dairyman and who manufactures for sale any butter or cheese shall be guilty of an offence.

Penalty : Twenty pounds.

Use of
unregistered
premises.

10. Any registered dairyman or milk vendor who uses as dairy premises, or as a milk store or factory, any place other than a place in respect of which he is registered, shall be guilty of an offence.

Penalty : Twenty pounds.

Affixing of
registered
name to
premises and
vehicles.

11. Every registered dairyman or milk vendor shall, in some conspicuous place, affix to and maintain upon—

(a) every dairy premises, milk store and factory in respect of which he is registered ; and

(b) every vehicle used by him for the distribution of milk, cream, butter or cheese,

in legible letters, his name and the words “ registered dairyman ” or “ registered milk vendor ”, as the case may be.

Penalty : Twenty pounds.

Notification
of infectious
disease.

12. If any person suffering from an infectious disease is upon, or enters, any dairy premises, milk store or factory, the occupier, or if there is no occupier, the owner of the dairy premises, milk store or factory, and also the medical practitioner attending that person, shall forthwith report in writing to the Commission the presence of the person upon the premises, store or factory, and the disease from which he is suffering.

Penalty : Twenty pounds.

Commission
to declare
what are
infectious
diseases.

13. The Commission may, by notice in the *Gazette*, declare, from time to time, what are infectious diseases for the purposes of this Ordinance.

Dairyman to
supply names
and addresses
of customers.

14.—(1.) If, in the opinion of the Commission, or if it is certified to the Commission by two legally qualified medical practitioners, that in their opinion, the spread of infectious disease is attributable to milk supplied by any dairyman or milk vendor, the Commission may, by notice in writing, require that dairyman or milk vendor to furnish forthwith a full and complete list of the names and addresses of all his customers, and to give such assistance to discover the residence of all or any of them as the Commission deems necessary.

(2.) Any dairyman or milk vendor who fails to comply with requirement under this section shall be guilty of an offence.

Penalty : Twenty pounds.

15. Any dairyman or milk vendor who knowingly allows any person who is suffering from an infectious disease, or any person who has recently been exposed to infection from a person so suffering—

Persons suffering from, or exposed to, infectious diseases not to take part in dairy operations.

- (a) to milk cows or to handle vessels used for containing milk, cream, butter or cheese ; or
- (b) in any way to take part in the conduct of the trade or business of the dairyman or milk vendor as far as regards the production, distribution or storage of milk, cream, butter or cheese,

before the dairyman or milk vendor has proved, to the satisfaction of the Commission, that all danger of communication of infection to the milk, cream, butter or cheese or of its contamination has ceased, shall be guilty of an offence.

Penalty : Twenty pounds.

16.—(1.) Any dairyman or milk vendor who—

- (a) stores, keeps or deposits any milk, cream, butter or cheese in any room used for sleeping or dwelling in, or in any other place or way calculated to render the milk, cream, butter or cheese unwholesome or injurious to health ; or
- (b) sells or supplies any milk, cream, butter or cheese which has been—
 - (i) produced from any diseased animal ; or
 - (ii) in any place or way exposed to infection from any person suffering from an infectious disease ; or
 - (iii) upon or in any dairy premises, milk store or factory registration of which under this Ordinance has been cancelled,

Sale of unwholesome milk forbidden.

shall be guilty of an offence.

Penalty : Twenty pounds.

(2.) The fact that a milking cow, suffering from a disease, is in the possession or custody of a dairyman or milk vendor shall be *prima facie* evidence that the milk, cream, butter or cheese sold by that dairyman or milk vendor was produced from a diseased animal.

(3.) The Commission may, by notice in the *Gazette*, declare what are diseases for the purposes of this section.

17. The Commission may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this

Regulations.

Ordinance, and in particular for prescribing penalties not exceeding Fifty pounds for any breach of the regulations.

Dated the twenty-fifth day of November, One thousand nine hundred and twenty-five.

STONEHAVEN,
Governor-General.

By His Excellency's Command,

C. W. C. MARR,
for Minister of State for Home and Territories.