

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 233.

Pure Food Regulation.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 233.

Pure Food Regulation.

MADE under the *Pure Food Act*.

PART I.—PRELIMINARY.

1. Exemptions.

The Head of State, acting on advice, may, by notice in the National Gazette, exempt any area or any person or class of persons from any provision of this Regulation, on such conditions (if any) as appear to him proper to achieve the objects of the Act in the circumstances of the particular case.

PART II.—REGULATION OF PERSONS.

2. Smoking, etc.

A person who, while engaged in the manufacture, preparation, storage or delivery of food for sale—

- (a) chews betel nut; or
- (b) chews tobacco; or
- (c) smokes; or
- (d) spits,

is guilty of an offence.

3. Handling of food.

(1) A person engaged in the manufacture, packing or serving of food for sale—

- (a) must avoid any unnecessary contact with the food that is being packed or served; and
- (b) must not—
 - (i) allow any part of his body to come into contact with unwrapped sweets, sticky substances, bacon, ham, cheese, smallgoods, cooked meat or sandwich fillings for sale; or
 - (ii) touch his mouth, eye, ear, nose or scalp with his hands; or
 - (iii) use his breath to open a bag or wrapper; or
 - (iv) wipe his hands on his clothing or on any article other than a clean towel; or
 - (v) permit any other person to handle unwrapped sweets, sticky substances, bacon, ham, cheese, smallgoods, cooked meats or sandwich fillings for sale; or
 - (vi) permit food for sale to come into contact with any substance or thing that is not clean or that may contaminate the food.

(2) A person must not engage in, or be permitted to engage in, the manufacture, packing or serving of food for sale—

- (a) whilst suffering from any type of infectious skin disorder, or any eruption or sore; or
- (b) whilst his hands are in an unclean condition.

4. Cleanliness of hands.

After visiting a urinal, privy, water-closet or other similar convenience and before resuming work, a person engaged in manufacturing, preparing, storing or serving food for sale must wash his hands thoroughly with soap and water.

PART III.—REGULATION OF PREMISES, ETC.

5. Places of manufacture, etc.

(1) A person who manufactures, prepares, packs, or stores food for sale or sells food—

- (a) in a urinal, privy or water-closet; or
- (b) in a place that is used as a sleeping apartment; or
- (c) in a room or compartment that is in direct communication with a urinal, privy or water-closet; or
- (d) in a place where any animal or bird is kept or allowed to be,

is guilty of an offence.

(2) A person who manufactures, prepares, packs or stores food for sale or sells food—

- (a) in a place, or part of a place, in which second-hand clothing is received or kept; or
- (b) in a place in which anything is kept, or in which work is carried on, that is likely to cause the condition of the food to deteriorate,

is guilty of an offence.

6. Animals in places of manufacture, etc.

(1) A person who—

- (a) takes a dog or other animal into; or
- (b) permits a dog or other animal to enter,

any premises or place that is used for or in connexion with the manufacture, preparation, storage, package, carriage or delivery of food for sale is guilty of an offence.

(2) A person who—

- (a) takes a dog or other animal into; or
- (b) permits a dog or other animal to enter or be carried in,

a vehicle that at the time is being used for or in connexion with the manufacture, preparation, storage, package, carriage or delivery of food for sale, so that it may contaminate, or may be liable to contaminate, the food is guilty of an offence.

7. Cleanliness, etc., of places of manufacture, etc.

A person who uses any premises for or in connexion with the manufacture, preparation, packaging, storage, carriage or delivery of food for sale must—

- (a) keep the premises clean, free from foul odours, rats, mice, cockroaches, flies and all other insects and vermin; and
- (b) keep all yards, sheds and outbuildings adjoining the premises free from refuse or other material likely to encourage the harbouring of rats, mice, cockroaches, flies or other insects or vermin; and
- (c) cause the walls, floors and ceilings of the premises to be constructed of material that can easily be cleansed of waste, insects or other matter likely to contaminate foodstuffs; and
- (d) keep the premises in a clean condition and in good repair.

8. Repair or reconstruction of places of manufacture, etc.

(1) This section applies to any premises that are used for the manufacture, preparation or storage of food for sale that, in the opinion of an inspector, are, by reason of their situation, construction or disrepair, such as to make contamination of the food possible.

(2) Subject to the *Building Act*, on receipt of a notice from the Head of State, acting on advice, or an inspector, the owner or occupier of any premises to which this section applies must cease to use, or reconstruct or repair, the premises as directed, and within the time specified, in the notice.

9. Supply of clean water, etc.

A person who uses a place for the manufacture, preparation or storage of food for sale shall provide and maintain—

- (a) an adequate and readily available supply of clean hot water in and for the place for cleansing all receptacles, implements, articles, utensils, tools of trade, benches, fittings, machinery and other appliances used for or in connexion with the food; and
- (b) a wash basin with an adequate supply of clean water, soap and clean towels in a convenient position in or near the place for the use of persons engaged in that operation.

10. Disposal of refuse and other waste matter.

A person who uses any place for or in connexion with the manufacture, preparation, packaging, storage, carriage or delivery of food for sale must cause—

- (a) all offensive material or trade refuse produced at the place to be immediately placed in an impervious receptacle with a close-fitting cover; and
- (b) the contents of the receptacle to be removed from the place at least twice each week or at such times as an inspector directs; and
- (c) the receptacle to be thoroughly cleansed immediately after it has been emptied; and
- (d) every receptacle kept inside an enclosed building to be emptied and cleansed each day.

11. Storage of food on the floor or ground.

(1) A person must not deposit or cause to be deposited, food intended for sale (otherwise than in sealed cans) on the ground or on a floor but all such food shall be—

- (a) placed on clean, easily washable material; and
- (b) kept at least 228.6mm¹ clear of the ground so that there is a clear space between the ground or floor and the underside of the material on which the food is kept.

(2) Subsection (1) applies only in towns and in such other areas as are declared by the Head of State, acting on advice, by notice in the National Gazette, for the purposes of this section.

12. Food exposed for sale on counter, etc.

(1) Subject to Subsection (2), a person who exposes for sale on a counter, bar or floor any food that is ordinarily consumed in the same state as that in which it is sold, and that is not enclosed or contained in a receptacle so constructed or wrapped as to protect it from contamination, is guilty of an offence.

(2) Subsection (1) does not apply in respect of fruit, vegetables or other food that it is reasonable to expect to be cleaned before being eaten.

PART IV.—FOOD, UTENSILS, ETC.

13. Cleanliness of food and appliances.

Notwithstanding anything in this Regulation, a person who—

- (a) is in possession of food for sale; or
- (b) is engaged in the manufacture, preparation, packaging, storage, carriage or delivery of food for sale,

must keep the food and everything by which its condition is likely to be influenced clean and free from dust, unwholesome matter, foul odours, vermin, flies and other insects and any other thing that is likely to cause the condition of the food to deteriorate.

14. Cleanliness, etc., of food containers, etc.

A person who uses a container, receptacle, vessel, appliance or vehicle in connexion with the manufacture, preparation, packaging, storage, carriage or delivery of food for sale that is not—

- (a) so constructed as to be easily cleansed; and
- (b) kept clean; and
- (c) kept in good repair,

is guilty of an offence.

15. Wrapping or covering of food.

(1) This section applies to any food that is ordinarily consumed in the state in which it is sold, other than fruit, vegetables or any other food that it is reasonable to expect to be cleaned before being eaten.

¹ Mettricated editorially. The original measurement was 9 in.

(2) A person who sells food to which this section applies, and an employee of any such person, who fails to protect the food from dust, flies, insects, vermin or unwholesome matter—

- (a) by storing it in covered receptacles; or
- (b) by completely wrapping it in clean white or brown paper, cellophane, plastic or other wrapping material approved by an inspector; or
- (c) by any other means approved by an inspector,

is guilty of an offence.

(3) A person who sells, stores or prepares for sale any food to which this section applies that is so wrapped or packed that it can come into contact with any wrapping or packing material that is not clean, or with any writing or printing on any material in which it is wrapped or packed, is guilty of an offence.

16. Delivery of food.

(1) A person engaged in selling or carrying food must cause all food in course of delivery or transport not otherwise packed to be protected as far as practicable from contamination.

(2) A person referred to in Subsection (1) must not permit a container or vehicle used in connexion with the selling or carrying of food to be placed or used so as to be liable to contamination.

(3) A person engaged in transporting or carrying food for sale must not sit on the food.

(4) A person engaged in selling or carrying bread must cause bread in the course of transport to be carried in a waterproof covered vehicle, or in a container constructed in such a manner as to protect it thoroughly from contamination.

(5) The owner of a vehicle that is used for the carriage or delivery of food for sale must cause his name and address to be shown on the vehicle so as to be plainly visible.

17. Food returned after delivery.

A person who sells bread, meat, fish or milk, and an employee of any such person, who—

- (a) receives into any place or vehicle that is used for the manufacture, preparation, packaging, storage, carriage or delivery of food for sale; or
- (b) sells,

any bread, meat, fish or milk that has been returned after having been previously delivered to a shop, dwelling or private consumer is guilty of an offence.

18. Poisonous substances.

(1) A person who uses, in connexion with the manufacture, storage or carriage of food for sale, a vessel or pipe composed wholly or partly of lead or zinc, or permits such a vessel or pipe to be so used, is guilty of an offence unless all internal surfaces are completely covered with a lining of tin, glass or other covering sufficient to prevent metallic contamination.

(2) A person who sells, or sends, forwards or delivers for sale, food that has adhering to it or on it arsenic or lead, or any pesticide, insecticide or weedicide, is guilty of an offence.

19. Contamination by toys, corks, etc.

(1) A person who places in any food for sale, or in any package containing food for sale—

- (a) a plastic or metallic ornament, toy, pin or other article, substance or thing, under such conditions that it is liable to contaminate the food; or
- (b) a toy, coin or other thing that if swallowed or taken into the mouth may be harmful or injurious to the consumer; or
- (c) a cork or cork-ring that is second-hand, whether or not it has been treated in any manner since the last occasion on which it was used,

is guilty of an offence.

(2) A person who sells food or a package containing food that contains any of the articles or things referred to in Subsection (1)(a), (b) or (c) is guilty of an offence.

20. Chipped food and drink containers.

A person who uses or has in his possession for use, for the delivery of food or drink for sale, a drinking vessel, plate, saucer or other container that is chipped, broken or cracked is guilty of an offence.

21. Washing of glasses.

(1) The occupier of a hotel, tavern, public bar, refreshment room, club, drinking booth or other place where food is sold for consumption must provide, to the satisfaction of an inspector, an adequate supply of hot water and sufficient—

- (a) glass washing or dishwashing machines of an approved type; or
- (b) double-bowl sinks; or
- (c) sets of two containers,

for the proper cleansing of all food or drinking vessels and utensils used in it.

(2) A person to whom Subsection (1) applies must, after a food or drinking vessel or utensil has been used and before any food is again served in the vessel, or the vessel or utensil is made available for use in eating or drinking—

- (a) thoroughly cleanse it in a machine, sink or container referred to in Subsection (1) by means of water containing soap or detergent and having a temperature of not less than 43° C; and
- (b) after cleansing, thoroughly rinse it in clean water having a temperature of not less than 75° C.

22. Receptacles used for washing of clothes.

A person who uses for the preparation of food for sale, or for the cleansing of receptacles used or intended to be used for containing food for sale, any vessel, container or copper that is used, or has been used, for the boiling or washing of clothing is guilty of an offence.

PART V.—MISCELLANEOUS.

23. Sale of pet food.

A person who sells or stores for sale, at any place used for the manufacture, preparation, packaging or storage of food for sale, animal food that consists wholly or partly of meat, and that is not packed in hermetically sealed cans, is guilty of an offence.

24. Addition of methyl violet to drip trays.

A licensee of a place licensed under the *Liquor (Licensing) Act* must ensure that all drip-trays and other utensils used for the collection of waste beer contain the colouring matter methyl violet in sufficient quantity to impart a distinct colour to all waste beer.

25. General penalty.

A person who commits an offence against this Regulation is liable to—

- (a) for a first offence—a fine not exceeding K50.00; and
- (b) for a second offence—a fine not exceeding K100.00; and
- (c) for a third or subsequent offence—a fine not exceeding K250.00,

and in addition, in the case of a continuing offence, to a fine not exceeding K10.00 for each day during which the offence continues¹.

¹ But, see, Section 35(i) of the Act.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 233.

Pure Food Standards.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

1. Interpretation—
 - "anti-oxidant"
 - "artificial sweetening substance"
 - "invalids' food"
 - "normal milk"
 - "permitted anti-oxidant"
 - "preservative".

PART II.—GENERAL MATTERS.

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5. Preservatives.
6. Anti-oxidants.
7. Flavourings and colourings.
8. Vitamins and minerals.
9. Modifying agents.
10. Poisonous metals.
11. Irradiation of food.
12. Boiler preservatives.
13. Insecticides and vermin exterminators.
14. Artificial sweetening substances.

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15. Wheat.
16. Flour.
17. Self-raising flour.
18. Gluten.
19. Rye flour.
20. Wholemeal.
21. Starch-reduced and protein-enriched flour.
22. Labelling of packages containing flour.
23. Bread.
24. Bread and flour for diabetics.
25. Corn flour.
26. Other meals.

Division 2.—Baking Powder, etc.

- 27. Baking powder.
- 28. Cream of tartar.
- 29. Acid phosphate powder or phosphate aerator.
- 30. Mixtures of cream of tartar and acid phosphate powder, etc.

Division 3.—Infants' Food, Invalids' Food, etc.

- 31. Infants' food.
- 32. Fruit juices and fruit drinks for infants.
- 33. Invalids' food.
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Division 4.—Meats and Meat Products.

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- 35. Meat.
- 36. Flesh.
- 37. Fresh or chilled meat.
- 38. Frozen meat.
- 39. Chopped or minced meat.
- 40. Sausage meat.
- 41. Corned, etc., meat.
- 42. Smoked meat.
- 43. Meat pie.
- 44. Meat extract, etc.
- 45. Meat paste.
- 46. Manufactured meat.

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- 47. Meat generally.
- 48. Chopped or minced meat.
- 49. Sausage meat.
- 50. Tripe.
- 51. Meat pie.
- 52. Meat extract, etc.
- 53. Meat paste.
- 54. Manufactured meat.
- 55. Additives, etc., generally.

Subdivision C.—Canned Meat Products.

- 56. Calculation of meat contents of cans.
- 57. Canned meat products generally.
- 58. Canned meat (solid pack).
- 59. Canned meat with cereal and condiments.
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- 61. Canned meat with pastry.
- 62. Canned sausages.
- 63. Canned meat balls, hamburger, etc.
- 64. Canned meat products, N.E.I.

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- 66. Meat extract, etc.
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- 68. Canned meat products generally.
- 69. Canned mixtures of meat and cereals, etc.
- 70. Semi-serve canned meat products.

Division 5.—Fish and Fish Products.

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- 71. Fish.
- 72. Fresh or chilled fish.
- 73. Frozen fish.
- 74. Smoked fish.
- 75. Salted fish.
- 76. Prawns and shrimps.
- 77. Fish marinades, etc.
- 78. Fish paste.
- 79. Shell fish.
- 80. Additives.

Subdivision B.—Canned Fish Products.

- 81. Canned fish products generally.
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Subdivision C.—Special Labelling Provisions.

- 83. Fish generally.
- 84. Canned fish products.
- 85. Fish marinades, etc.
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- 90. Canned rhubarb.
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- 95. Dripping.
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- 103. Pasteurized milk.
- 104. Homogenized milk.
- 105. Cream and cream products.
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- 107. Condensed milk or evaporated milk.
- 108. Yoghurt.
- 109. Reconstituted milk.
- 110. Blended milk.
- 111. Flavoured milk.
- 112. Dried milk.
- 113. Malted milk powder.
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- 134. Chocolate.
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