

**LAWS OF FIJI**

**CHAPTER 118**

**DAIRIES**

*Ordinances Nos. 27 of 1965, 7 of 1966, 48 of 1969*

**AN ACT TO REGULATE DAIRIES**

[31st December, 1965]

*Short title*

1. This Act may be cited as the Dairies Act.  
(Amended by 48 of 1969, s.4.)

*Interpretation*

2. In this Act -

"cattle" means bulls, cows, oxen, steers, bullocks, heifers and calves;

"dairy" means the buildings, yards and sheds used for the milking or herding of cattle for the purpose of producing milk to be sold or supplied or to be manufactured into any alimentary product and the land upon which such buildings, yards and sheds are constructed and includes any building in which milk is stored;

"inspector" means the Permanent Secretary for Agriculture, any agricultural officer, any veterinary officer, livestock officer, veterinary assistant, medical officer, health inspector or assistant health inspector;

"milk" means the normal sweet secretion obtained from the udder of a cow and includes cream, skimmed milk, separated milk and ghee;

"prescribed" means prescribed by regulations made under the provisions of this Act;

"proprietor" means a person in whose name a dairy is registered under the provisions of this Act and includes the agents and servants of such person. (*Section amended by 48 of 1969, s. 5.*)

*Regulations*

- 3.-(1) The Minister may make regulations to provide for -

(a) the proper management, control and sanitary condition of dairies and premises used for the storage and sale of milk and the inspection of dairies;

- (b) the registration and licensing of dairies and dairymen;
- (c) the inspection of cattle in dairies and of any pasturage used for the grazing of milch cows and for prescribing for and regulating the cleaning and drainage of dairies and other places occupied by persons carrying on the trade of dairyman;
- (d) the erection and regulation of cow sheds;
- (e) prescribing places for the milking of cows and the precautions to be taken for protecting milk against infection or contamination;
- (f) ensuring the cleanliness of vessels used for keeping milk for sale and of the milk therein;
- (g) providing that all vehicles and containers from or in which milk may be sold or offered for sale shall be marked or labelled with the name of the licensee of the dairy in which such milk has been produced;
- (h) the powers and duties of inspectors of dairies;
- (i) prescribing the fees and charges which may be charged or imposed in respect of licences and inspections issued or carried out under the provisions of this Act.

(2) Any regulation made under the provisions of this section may be applied to the whole or any part of Fiji specified in the regulation.

*Milk not to be sold unless from registered dairy*

4. Subject to any exemption which may be prescribed, no person shall offer for sale or sell any milk unless such milk originated from a registered dairy:

Provided that the provisions of this section shall not apply to the sale of milk imported into Fiji.

*Power of entry*

5. Any inspector may at any time enter upon premises to which this Act applies for the purpose of carrying out the provisions thereof or of any regulations made thereunder.

*General penalty*

6. Any person who -

- (a) disobeys any of the provisions of this Act by -
    - (i) wilfully doing any act which it forbids; or
    - (ii) refusing or wilfully omitting to do any act which it requires to be done;
- or

(b) refuses or wilfully omits to carry out any lawful order, instruction or condition made, given or imposed by any inspector under the authority of this Act,

shall be guilty of an offence against this Act and shall, where no specific penalty is provided, be liable to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment and, in the case of a continuing offence, to a fine not exceeding four dollars for each day during which such offence continues after conviction.

*(Substituted by 7 of 1966, s. 42.)*

*Controlled by Ministry of Agriculture and Fisheries*

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## **Subsidiary Legislation**

### **CHAPTER 118**

#### **DAIRIES**

#### **SECTION 3-DAIRIES REGULATIONS**

*Regulations 19th July, 1965, [in force 31st Dec., 1965]. 5th Dec., 1974, 9th Dec., 1975.*

*Made by the Governor in Council*

*Short title*

1. These Regulations may be cited as the Dairies Regulations.

*Interpretation*

2. In these Regulations, unless the context otherwise requires -

"disease" means any infectious or contagious disease specified in Parts VII or VIII of the Public Health Act;

*(Cap. 111.)*

"Permanent Secretary" means the Permanent Secretary for Agriculture and includes any officer duly authorised by him, in writing, to perform any of his functions.

*Registration of dairies*

3.-(1) No person shall keep or use any premises as a dairy or carry on business as a dairyman unless such premises are registered as a dairy under the provisions of these Regulations.