

CHAPTER 565

SUBURBAN DAIRIES AND LAUNDRIES

Ordinances AN ORDINANCE TO MAKE BETTER PROVISION FOR THE REGULATION OF DAIRIES AND LAUNDRIES SITUATED OUTSIDE THE MUNICIPAL LIMITS OF COLOMBO.

Nos. 38 of 1908,
16 of 1914,
7 of 1922,
7 of 1928,
61 of 1939,
3 of 1946,
57 of 1946,
29 of 1947.

Act
No. 12 of 1952

[1st March, 1910.]

Short title. 1. This Ordinance may be cited as the Suburban Dairies and Laundries Ordinance. 4. In this Ordinance, unless the context otherwise requires Interpretation

Application of Ordinance. 2. The provisions of this Ordinance apply only to--

- (a) dairymen, dairy farmers, cow-keepers, and purveyors of milk who sell or supply milk from dairy premises outside the Municipal limits of Colombo to persons resident within such limits ;
- (h) dairy premises, milk stores, and milk shops situated outside the Municipal limits of Colombo from which milk is sold or supplied to persons resident within the said Municipal limits ;
- (c) laundrymen resident or having their laundry premises outside the Municipal limits of Colombo who wash for persons resident within such limits ;
- (d) laundry premises situated outside the said limits in which washing is carried on for persons resident within such limits.

“ administrative region ” means an administrative region defined by Order made under section 2 of the Local Government (Administrative Regions) Ordinance ;

“ Assistant Commissioner ” means the Assistant Commissioner of Local Government for any administrative region ;

“ dairy premises ”, “ milk stores ”, “ dairyman ”, “ milk vendor ”, “ laundryman ”, and “ laundry premises ” have the same meanings as in the Municipal Dairies and Laundries Ordinance ;

“ infectious disease ”, in the sections of this Ordinance relating to dairies, means any disease which the Minister, in pursuance of section 11 of the Municipal Dairies and Laundries Ordinance, may declare to be an infectious disease ;

“ prescribed ” means prescribed by this Ordinance or by any rule made thereunder.

Limitation of the application of the Municipal Dairies and Laundries Ordinance 3. Notwithstanding the provisions of section 15 of the Municipal Dairies and Laundries Ordinance, the provisions of Chapter I of the said Ordinance shall not extend to the persons and premises mentioned in paragraphs (a) and (h) of section 2 of this Ordinance.

5. There may be appointed a suburban medical officer of health (in this Ordinance called “ the health officer ”), and such inspectors (veterinary or otherwise), clerks, Appointment of officers.

and other officers as may be necessary for carrying out the provisions of this Ordinance under the supervision of the Director of Health Services.

DAIRIES

Licence to sell milk

6. It shall be unlawful for any person having his dairy premises outside the Municipal limits of Colombo to sell or supply milk to any person resident within such limits, unless he is licensed by the Assistant Commissioner for the administrative region within which such premises are situated on the recommendation of the Director of Health Services or the health officer to carry on business as a dairyman in such premises in accordance with this Ordinance.

Form of licence and duty thereon

7. Every such licence (in this Ordinance called " a dairyman's licence ") shall be in the prescribed form, and shall expire on the thirty-first day of December next following the date when the licence was issued.

A duty of five rupees shall be chargeable upon the issue of every dairyman's licence, and shall be levied in the prescribed manner.

Penalty for selling milk without dairyman's licence

8. Any person who sells or supplies milk from dairy premises situated outside the Municipal limits of Colombo to any person resident within such limits without being licensed to carry on business as a dairyman, or, being so licensed, sells or supplies milk as aforesaid from dairy premises to which his licence does not extend, shall be guilty of an offence, and shall be liable on a first conviction to a fine which may extend to fifty rupees, and on any subsequent conviction to a fine which may extend to one hundred rupees, or to simple or rigorous imprisonment for a term not exceeding six months, or to both.

Power to inspect dairy premises.

9. The health officer or any inspector may at all reasonable times enter, inspect, and examine any dairy premises, and may take away samples of the milk there found, and of the water of any well or other source of water supply therein or thereon for the purpose of examination or analysis only.

10. If the Director of Health Services is satisfied from the health officer's report that any dairy premises are in an unclean or unwholesome condition, or that diseased cows are milked in the dairy, or that any well or other source of water supply on the dairy premises or used in connexion therewith is polluted, or if any person affected with an infectious disease is found to be in any part of the dairy premises in such circumstances that the milk is likely to be contaminated or made unwholesome, then the Director of Health Services may by notice under his hand give such directions as he may think fit to the dairyman or person in charge of the dairy premises for-

Power to require dairyman to keep dairy in a sanitary condition.

- (a) cleansing or disinfecting the dairy ; or
- (b) removing any diseased animal from the dairy premises ; or
- (c) closing any such well or source of water supply, and for such purpose the Director of Health Services may require the person in charge of the premises to discontinue the use of the water thereof for any purpose whatsoever for such period as the Director of Health Services may direct, or to fill up the said well or source of water and keep the same filled up ; or
- (d) removing any person affected with an infectious disease,

and may by the like notice forbid the sale or supply of milk from the dairy premises until such directions are complied with to his satisfaction.

11. On the appearance of any infectious disease in man or beast in any dairy premises, the person in charge, and also the medical practitioner attending the case, shall immediately notify the case to the health officer.

Infectious diseases in dairy premises.

12. Whenever it appears to the Director of Health Services that the spread of any disease is attributable to the milk supplied by any dairyman or milk vendor, he may require such dairyman or milk vendor wholly to discontinue the supply,

Discontinuance of milk on account of disease.

distribution, and sale of milk, and furnish forthwith upon demand a full and complete list of all his customers and to give such assistance to discover the residence of any of them as the Director of Health Services may require.

13. No dairyman, cow-keeper, or purveyor of milk shall knowingly allow any person suffering from any infectious disease, or having recently been exposed to infection from a person so suffering, to milk cows or to handle vessels used for containing milk, or in any way to take part or to assist in the conduct of the business of the dairyman, cow-keeper, or purveyor of milk, until he has satisfied the health officer that all danger of communication of infection to the milk or of its contamination has ceased.

14. It shall be unlawful for any dairyman or purveyor of milk to keep or deposit milk in any room used for sleeping or dwelling in, or in any other place or way calculated to render such milk unwholesome or injurious to health, or to sell or supply any milk which has been produced from any diseased animal, or which has been in any way exposed to infection from any person suffering from any infectious disease, or which has been upon or in any dairy premises from which the sale of milk has been directed to be discontinued on account of disease as provided by section 12 of this Ordinance.

15. Any person who wilfully disobeys or acts in violation of any of the provisions contained in any of the last four preceding sections, or shall resist or wilfully obstruct any person in the lawful exercise of any of the powers conferred under sections 9 and 10, or shall without lawful excuse neglect or disobey any requirement made under the provisions of sections 10 and 12 hereof, or shall neglect or refuse to obey any order or direction of the Director of Health Services made under the said sections within the time limited in that behalf by such order or direction, shall for every such offence be liable on conviction to a fine not exceeding two hundred rupees, or to simple or rigorous imprisonment for a term not exceeding two months.

16. (1) If any person who is in the employ of a dairyman licensed under this Ordinance sells, hawks about, or exposes for sale within the Municipal limits of the town of Colombo any milk which has been adulterated with water or any foreign substance whatever, such dairyman shall be deemed to be guilty of an offence, and shall be liable to pay a fine not exceeding fifty rupees.

(2) Such offence shall be triable by the Municipal Magistrate of Colombo, any law to the contrary notwithstanding.

(3) If any person when selling, hawking about, or exposing for sale milk as aforesaid has in his possession a badge issued under any rule made under this Ordinance to a dairyman licensed under this Ordinance, it shall be presumed for the purposes of this section that such dairyman is the employer of the person selling, hawking about, or exposing for sale milk as aforesaid.

Dairyman liable for acts of his employee.

Offence triable by Municipal Magistrate, Colombo.

Presumption as to dairyman being the employer of person possessing badge.

LAUNDRIES

17. (1) It shall be unlawful for any person having his laundry premises outside the Municipal limits of Colombo to wash for any person resident within such limits, unless he is licensed by the Assistant Commissioner for the administrative region within which such premises are situated on the recommendation of the Director of Health Services or the health officer to carry on business as a laundryman under this Ordinance.

(2) Every such licence shall be in the prescribed form, and shall expire on the thirty-first day of December next following the date when the licence was issued.

(3) A duty of two rupees and fifty cents shall be chargeable upon the issue of every such licence, and shall be levied in the prescribed manner.

18. Any person who washes in laundry premises situated outside the Municipal limits of Colombo for any person resident within such limits without being licensed to carry on business as a laundryman under this Ordinance, or, being so licensed washes as aforesaid in premises to which his licence

Licensing of laundries.

Penalty for keeping laundry without licence.

Persons suffering from infectious diseases prohibited from taking part in dairy operations.

Sale or supply of unwholesome milk.

Penalties.

does not extend, shall be guilty of an offence, and shall be liable to the penalty mentioned in section 8.

Director of Health Services, the health officer, or any inspector appointed under this Ordinance :

Application of the Municipal Dairies and Laundries Ordinance.

19. Sections 17 (1) (a), 17 (1) (h), 17 (1) (c), 20, 21, 22, 23, 24 and 25 of the Municipal Dairies and Laundries Ordinance shall extend to the laundrymen and laundry premises to which this Ordinance applies with the following modifications, that is to say :

Provided that any person aggrieved by any adjudication of the Magistrate may appeal therefrom to the Court of Appeal.

21. (1) The Director of Health Services may (subject to the approval of the Minister) from time to time make and when made may revoke, add to, and alter, regulations for carrying into effect the purposes of this Ordinance, and in particular-

- (a) the powers assigned to the Mayor of the Municipal Council by section 17 (1) (a) shall be exercised by the Director of Health Services or by the health officer or by any inspector appointed under this Ordinance ;
- (h) the powers assigned to the said Mayor by section 17 (1) (h) shall be exercised by the Director of Health Services or by the health officer ;
- (c) the powers assigned to the Mayor by section 17 (1) (c) shall be exercisable only by the Director of Health Services ;
- (d) in sections 20, 21, 22, 24 and 25 the words " Director of Health Services ", shall be substituted for the expressions " Municipal Council " or " Mayor of the Municipal Council " or " Mayor " ;
- (e) in section 24 " health officer " shall be substituted for " medical officer of health of the Municipality " ;
- (f) except as provided by this section, the provisions of Chapter II of the Municipal Dairies and Laundries Ordinance shall not extend to the laundrymen and laundry premises to which this Ordinance applies.

- (a) for prescribing the form of licence to be issued to dairymen and laundrymen ;
- (b) for prescribing the receptacles in which milk may be stored or removed from dairy premises ;
- (c) for requiring all vessels, receptacles, or utensils used for the reception of milk or in connexion with any dairy premises to be kept in cleanly and sanitary condition ;
- (d) for requiring that the interior surface of the walls of dairy premises is kept in a proper condition by means of plastering, whitewashing, or otherwise, and that the floors of dairy and laundry premises are kept cemented with proper provision for drainage ;
- (e) for requiring dairymen licensed under this Ordinance and their servants to wear badges when following their trade within the Municipal limits of Colombo, for prescribing the form of such badges and for the issue of such badges, and for fixing and levying fees for the same.

GENERAL

Offences.

20. All offences against this Ordinance may be heard and determined and all penalties thereunder may be imposed by the Magistrate having local jurisdiction in a summary way on the complaint of the

(2) Every such regulation when made, added to, or amended by the Director of Health Services and approved by the Minister shall be published in the Gazette and shall come into operation when so published.

(3) The breach or non-observance of any regulation so published shall be an offence, and any person convicted of such breach or non-observance shall be liable to a fine not exceeding twenty rupees, and to imprisonment of either description for a term not exceeding ten days.

Refusal and
cancellation of
licence.

22. (1) The Director of Health Services or the health officer may in his discretion refuse to recommend the issue of a dairyman's licence, or a licence to carry on business as a laundryman, if he considers that the premises in respect of which the licence is applied for are in an insanitary condition, or unfitted to be used as a dairy or laundry, as the case may be, or that the premises do not comply with the requirements of any regulations under this Ordinance.

(2) Whenever the holder of any such licence as is mentioned in the last preceding subsection is convicted of any offence against this Ordinance, the Assistant Commissioner for the administrative region within which the premises to which the licence applies are situated shall on the recommendation of the Director of Health Services or the health officer by notice in writing given to the licensee cancel and determine such licence.

23. The Minister may in his discretion direct by Order that the application of this Ordinance shall, subject to any exceptions and modifications specified in the Order, be extended to any Municipal town other than Colombo; or to any town for which an Urban Council or Town Council is constituted; and thereupon, while the Order is in force, this Ordinance shall apply accordingly.

Extension of
Ordinance to
towns other
than Colombo.