

**COUNTRY MARKETS (MACOYA OFF-HIGHWAY  
MARKET) BYE-LAWS**

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*made under section 4*

Citation. **1.** These Bye-laws may be cited as the Country Markets (Macoya Off-Highway Market) Bye-laws.

**PRELIMINARY**

Definitions. **2.** In these Bye-laws—

Second  
Schedule. “authorised produce” means articles authorised to be sold in the Market under the Second Schedule;

“Chief Executive Officer” means the Chief Executive Officer or Chief Administrative Officer of a Council howsoever called;

“cold stores” means any place or appliance used for keeping and preserving by refrigeration, any meat, fish, fruit, vegetables or other food intended for human consumption;

Ch. 25:04.

“constable” includes any member of the Police Service, any member of a Municipal Police Force within the meaning of the Municipal Corporations Act, and any member of the supplemental bodies of Police established by the Supplemental Police Act and the Special Reserve Police Act;

Ch. 15:02.  
Ch. 15:03.

“Council” means the Council of St. George East or the Municipal Council for the Regional Municipality of Tunapuna established by the Municipal Corporations Act;

“market” means the public market established by the Country Markets (Macoya Off-Highway Market) Order;

“market clerk” means the person appointed to manage the market under the jurisdiction of the Council and includes any other person for the time being performing the duties of market clerk;

“stall” includes any booth, counter, bench, stand or other erection, and any space set apart for the reception of any articles for sale;

“stall-holder” has the meaning assigned to it by bye-law 9(2).

### MARKET ADMINISTRATION

3. (1) The market clerk shall be in charge of the market and shall be under the control and direction of the Chief Executive Officer. The market clerk shall cause the market to be opened and closed at the approved times and shall be in attendance every day during the hours when the market is open.

Market clerk to have charge of market.

(2) The market clerk shall keep a correct account of all fees and revenues accruing to the market and shall, at such times as the Council may direct, pay over the monies received by him to the Chief Executive Officer or to such other person as the Council directs.

4. Every market fee or charge leviable and made payable under these Bye-laws shall be demanded and received by the market clerk and his receipt shall be a sufficient acquittance and discharge for the same. In default of the payment of any such fee, the market clerk may seize and sell at auction sufficient of any goods found in the stall for which such fee or charge is payable to satisfy such demand and all necessary costs of sale.

Collection of market fees and charges.

5. No member of the Council, or officer, or other person employed by the Council, shall be in any manner interested directly or indirectly in the sale of anything offered for sale in the market, or shall receive directly or indirectly any reward of any kind or description from the letting of stalls or places in the market or from the sale of anything therein.

No pecuniary interest by members, etc.

6. (1) The market shall be opened and closed at the times set out in the First Schedule.

Opening and closing hours. First Schedule.

(2) The Council may, by resolution, amend the First Schedule but no such resolution shall have effect until one month after notice thereof was first published in the *Gazette* and in at least one daily newspaper.

7. (1) Stalls in the Market shall be used for the sale of produce authorised to be sold under the Second Schedule and for no other purpose.

Use of stalls. Second Schedule.

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(2) Paragraph (1) does not apply to any cafeteria licensed and operated in accordance with Rules made by the Council.

Meat, fish and wholesale sections.

8. (1) The Council may by resolution designate separate sections of the Market for the exclusive sale of—

- (a) fresh meat;
- (b) fish; and
- (c) other authorised produce by wholesale.

(2) Where the Council adopts any resolution providing for the sale by wholesale of authorised produce other than fresh meat and fish in the Market, it shall fix the hours during which such selling by wholesale may be permitted.

Register of stalls.

9. (1) The market clerk shall cause all stalls in the market to be numbered in plain and legible characters and to be registered in a book to be kept for that purpose.

(2) Such book shall also contain the name, address and description of every person (in these Bye-laws, referred to as a “stall-holder”) to whom a licence to occupy a stall is granted, the date when each licence commenced, the amount of the rent, the date of termination of each licence, and the cause of termination.

(3) Subject to these Bye-laws and to any resolution adopted by the Council under bye-law 8, the market clerk shall from time to time direct what articles may be exposed for sale in the stalls in different parts of the market.

Letting of stalls.

10. (1) When any stall becomes vacant the market clerk may let the same to any approved person at such rent as shall from time to time be fixed by the Council.

(2) No vendor may occupy any stall in the market without first obtaining the consent of the market clerk.

(3) No person may become a stall-holder of more than one stall at any time unless there are vacant stalls unrented in the market.

(4) No person under the age of 17 years shall be a stall-holder.

**11.** Subject to the provisions of these Bye-laws the licence for occupancy of every stall shall be from month to month and rent in respect thereof shall, in all cases, be payable in advance. In default of payment, the stall-holder, if in possession, shall forthwith be ejected by the market clerk who may, in addition to any other remedy for the recovery of the rent, seize and sell any goods in such stall sufficient for the payment of such rent and necessary costs incidental to such sale.

Duration of licence.

**12.** The Council may cancel any licence issued under these Bye-laws where the licence-holder—

Cancellation of licence.

- (a) has assaulted any officer of the Council;
- (b) has been convicted of any offence involving violence or tending to produce disorder in a public market;
- (c) has been convicted of selling unwholesome food or of introducing unwholesome food for sale in the market; or
- (d) persists in acting in any manner contrary to the requirements of these Bye-laws.

**13.** If the occupier of any stall, on giving up possession or on being ejected, does not forthwith remove all goods belonging to him therefrom, such goods shall be removed by the market clerk and sold at the expiration of seven days from the date of such removal unless the goods are claimed within that period and all expenses incurred by the market clerk are reimbursed, but any perishable article so removed may be sold at once.

Removal of goods on termination of licence.

**14.** (1) The licence for a stall is not transferable and no stall-holder shall sublet his stall or assign or part with his right to occupy such stall to any other person.

Subletting not permitted.

(2) Where any stall-holder acts in contravention of this bye-law, his licence shall be terminated and, upon being required

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by the market clerk to do so, shall vacate the stall, remove all goods therefrom.

(3) Where any such person fails to vacate the stall in accordance with paragraph (2), the market clerk may eject such person and cause such goods to be removed from the market.

Name of stall-holder to be exhibited.

**15.** (1) The stall-holder of every stall shall, on the day he takes possession of such stall, place and, thereafter, keep exposed to public view, in such part of the front of his stall as the market clerk shall point out, his name in such plain and legible characters in such manner and form as the market clerk shall direct.

(2) No stall-holder shall be allowed to occupy and use any stall until he complies with paragraph (1).

Stalls to be occupied.

**16.** (1) Subject to the provisions of this bye-law, every stall-holder shall keep open, or occupy, or use his stall at all times.

(2) Any stall-holder who fails to keep open, or occupy or use his stall for more than six successive days without the consent of the market clerk shall be deemed to have terminated his licence and, where any rent is owing, the market clerk may seize and sell any goods in the stall sufficient for the payment thereof and necessary costs.

Remaining in market after closing.

**17.** Unless authorised by the Council, no person shall remain in the market after the closing hour. Any unauthorised person found in the market during closed hours may be arrested without warrant by any constable and shall, in addition to any penalty to which he may be subject in respect of any other offence, be liable on summary conviction to a fine of one hundred dollars.

Security of goods.

**18.** (1) All goods or articles left in the market after closing shall be at the sole risk of the persons leaving same; and the Council, its officers and employees shall not be responsible for any loss or damage occurring thereto howsoever caused.

(2) Stall-holders may, through an association approved by the Council and with the prior consent of the Council, effect

such reasonable arrangements for the security and protection of goods left in the market after closing as may be agreed with the market clerk.

### GOOD HOUSE-KEEPING

19. (1) Every stall-holder, as soon as he is finished selling for the day, shall thoroughly clean the table, scales, weights, appliances and other articles which he has used, to the satisfaction of the market clerk.

Cleansing  
of equipment.

(2) The market clerk shall see that the market stalls are properly cleaned every day before closing the market and shall cause the whole market to be cleaned and washed.

20. (1) Every stall-holder shall at all times keep such stall and the adjacent walls and passages free from refuse, garbage, offal, and dirt of every kind.

Stalls to be  
kept clean.

(2) Where a stall-holder refuses or neglects to do so, the market clerk shall cause such stall and its environs to be cleaned and, unless the stall-holder pays the expenses incurred in doing so forthwith on demand, such expenses may be recovered by the market clerk from the stall-holder by seizure and sale at auction by the market clerk of any goods in such stall sufficient for payment thereof and the stall-holder shall, in addition, be liable on summary conviction to a fine of one hundred dollars for every such refusal or neglect.

21. Every stall-holder shall cause all garbage or refuse to be deposited in the receptacles provided for that purpose.

Disposal of  
garbage.

### PROTECTION OF MARKET PROPERTY

22. (1) No fires or cooking shall be permitted in the market.

Fires and naked  
lights not  
permitted.

(2) Every person who uses any light other than an electric light in the market shall have such light enclosed in a glass shade or glass lantern.

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Damage to  
market  
property, etc.

**23.** Any person who, in the market—

- (a) breaks or damages any stall, appliance, furniture, structure or fence;
- (b) sharpens any hatchet, knife or other tool on the stalls, walls, or any brick or concrete structure or floor;
- (c) sits on any table, stall or chopping block;
- (d) defaces any sign or surface;
- (e) propels or operates any hand-truck, wheel-barrow or other vehicle recklessly or negligently; or
- (f) plays any ball game,

is liable on summary conviction to a fine of one hundred dollars.

Signs and  
advertisements.

**24.** Except for a single authorised sign bearing the name of the current stall-holder as required by bye-law 15, no signs, notices or advertisements shall be painted, affixed or placed on any part of the exterior of any stall.

No additions  
to stalls, etc.

**25.** (1) No stall-holder may add to or alter the external dimensions of any stall.

(2) Without the written consent of the Council first had and obtained, no awning or shade of any description may be affixed or erected outside any stall.

(3) Without the written consent of the Council first had and obtained, no person may paint the exterior of any stall.

(4) No articles shall be hung or placed outside any stall and all displays of articles for sale and all selling activities shall be confined within stalls.

**MAINTENANCE OF ORDER**

Obstruction  
of officers.

**26.** Every person who assaults or obstructs any person authorised to—

- (a) collect rents or fees;
- (b) inspect or seize any marketable commodity;
- (c) remove any obstructions;

- (d) extinguish any fire;
- (e) inspect any stall;
- (f) remove any disorderly person; or
- (g) perform any other duty under these Bye-laws,

in the execution of such duty, is liable on summary conviction to a fine of one hundred dollars.

**27.** (1) No person may bring any alcoholic beverage into the market. Exclusion of alcoholic beverages.

(2) No person may consume or have in his possession any alcoholic beverage while in the market.

**28.** Any person who is violent or uses obscene language or misbehaves or otherwise misconducts himself while in the market is guilty of an offence and liable on summary conviction to a fine of one hundred dollars. Use of violence, obscene language, etc.

**29.** No person shall sing or whistle to the annoyance of any other person or play any musical instrument, or any radio or other music-making device in the market. Singing, whistling, etc.

**30.** No person shall hawk, carry about or cry any articles for sale in the market, or cry out the price of any articles for sale at any stall. Prices shall be marked on labels or price lists and positioned in front of articles for sale. No person shall use any bell or other noise-making instrument in the market and, except for a sale by order of the market clerk for realising rents, fines, or other sums recoverable under these Bye-laws, no goods shall be sold by auction in any part of the market. Hawking, carrying about, etc.

**31.** No person shall loiter in the market, or stand in its passages or its immediate approaches or obstruct the free passage of other persons there-through. Loitering, etc.

**32.** The market clerk or anyone acting under his direction may remove all obstructions to and all persons obstructing any path or Removal of obstructions.

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passage in the market and, where such obstruction is caused by goods or any other articles whatsoever, may seize and impound the same until a penalty of fifty dollars and the expenses of removal and impoundment are paid to the market clerk. If not claimed within 24 hours, the goods or articles so seized may be sold by the market clerk and the proceeds paid over to the Chief Executive Officer for the use of the Council. Every person who wilfully obstructs any path or passage in or to the market is liable on summary conviction to a fine of one hundred dollars.

Inspection of stalls.

**33.** The market clerk or any person authorised by him, any Meat Inspector, a Public Health Inspector or any authorised Constable may at all times enter and inspect any stall, stand or locker in the market for the purpose of verifying whether these Bye-laws are being observed and for securing their enforcement.

Bicycles.

**34.** No person may bring any bicycle into any building in the market or park any bicycle except in a place designated and set apart for that purpose.

Vehicles in the market yard.

**35.** (1) Except with the permission of the market clerk first had and obtained, no person shall cause or permit any vehicle or animal of draught or burden to enter any part of the market other than the area reserved for the parking of vehicles.

(2) No person shall cause or permit any vehicle allowed to enter market premises for the purpose of loading or unloading to remain on the market premises longer than the time necessary for loading or unloading.

Expulsion for disorderly conduct.

**36.** (1) Any stall-holder or his assistant convicted of committing an offence involving disorderly conduct in the market may be expelled from the market by resolution of the Council and thereafter while such resolution continues in force may be treated as a trespasser if he enters the market on any occasion for any purpose without the permission of the market clerk.

(2) In this bye-law, “offence involving disorderly conduct” includes—

- (a) assault;
- (b) use of abusive or obscene language;
- (c) disorderly behaviour;
- (d) disturbing the peace by fighting;
- (e) introducing any alcoholic beverage to the market;
- (f) consuming or having alcoholic beverage in one’s possession;
- (g) obstructing any officer in the discharge of his duties under these Bye-laws;
- (h) gambling or assembling to gamble; and
- (i) uttering threats to any person.

37. All persons selling in the market shall obey the lawful orders of the market clerk or the Chief Executive Officer; and any person who in the opinion of the Chief Executive Officer conducts himself in a disorderly manner or persistently acts in contravention of these Bye-laws may on the Order of the Chief Executive Officer be forbidden to sell in the market until such time as the Council has considered and determined any request by the Chief Executive Officer or the market clerk that such person be ejected therefrom.

Suspension  
by Chief  
Executive  
Officer.

#### PUBLIC HEALTH AND SANITATION

38. All meat or fish, vegetables, fruit or other articles (whether solid or liquid) intended for human consumption exposed for sale in the market or found in the market which, in the opinion of the market clerk, the Medical Officer of Health, the Meat Inspector, or a Public Health Inspector, are of bad or unwholesome quality may be seized by any of them and destroyed and the person offering or exposing the same for sale, or the occupier or person in charge of the stall in which the same was found is liable on summary conviction to a fine of one hundred dollars.

Unwholesome  
food may be  
destroyed.

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Record of seizures.

**39.** The market clerk, the Meat Inspector, or Public Health Inspector, as the case may be, shall enter in a book kept for that purpose particulars of any article so seized.

Food handler's badges.

**40.** (1) No person may sell in the market unless—  
(a) he is in possession of a valid and subsisting food handler's badge issued under the Public Health Ordinance;  
(b) he wears and keeps such badge displayed on his person while selling.

Ch. 12, No. 4, (1950, Ed.).

(2) Any person who fails to comply with the requirements of this bye-law is liable on summary conviction to a fine of one hundred dollars.

Clean clothes to be worn.

**41.** Every person selling in the market shall be dressed in clean clothes and, in addition, every such person selling fresh meat or fish shall be properly shod and shall wear a clean apron or other protective garment which shall be replaced not less often than every morning by another clean garment.

Infectious or contagious disease.

**42.** (1) Where the market clerk suspects that a person selling in the market is suffering from any infectious or contagious disease, he shall make a report to the Chief Executive Officer, and the Chief Executive Officer may require such person to obtain a certificate from the Medical Officer of Health of the District stating whether the person is free from infectious or contagious disease.

(2) The market clerk shall refuse admittance to the market, or remove or cause to be removed from the market any such person failing to produce such certificate.

(3) The market clerk shall refuse admittance to the market or remove or cause to be removed from the market any person suffering from any infectious or contagious disease or from any skin or other disease which in the opinion of the clerk renders the person unfit to sell in the market.

43. (1) No person may prepare, sell, offer, or expose for sale in the market any prepared food intended for human consumption except in a booth or area specially designated and set apart for that purpose by order of the Council and in accordance with Rules made by the Council. Prepared foods.

(2) All appliances, freezers, churns, milk-cans, implements, bottles and other vessels, eating or drinking utensils and accessories employed in the preparation or sale of prepared food shall immediately after use and at all other appropriate times be thoroughly washed in clean running water and shall at all times be kept by the owner and every person having charge thereof in a clean and wholesome state to the satisfaction of the Medical Officer of Health.

(3) In this bye-law, “prepared food” includes: bread, cakes and pastries of all kinds, prepared dishes whether cooked or uncooked, drinks, refreshments, confectionary and condiments.

44. No person shall sell, offer, or expose for sale any authorised produce on the ground in the market or on the floor of any stall. Authorised produce may be sold, offered or exposed for sale at floor or ground level only if they are placed on or contained in suitable bags, trays, boxes, pans or other containers approved by the Medical Officer of Health, Public Health Officer, or Veterinary Surgeon for the district under the Council’s jurisdiction. No exposure of foodstuffs on floor.

45. No person shall bring or permit any dog to follow him into or to be with him in the market. No dogs allowed.

46. Every bottle containing any article for sale shall be labelled with the name and the quantity of its contents and if not so labelled may be seized and destroyed. Bottles to be labelled.

47. Paper used by any vendor in the market for the purpose of wrapping any articles sold shall be— Wrapping paper.

- (a) clean, and
- (b) not previously used for any purpose.

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SALE OF FRESH MEAT AND FISH

Fresh meat to be passed by Meat Inspector.

**48.** (1) No person shall bring any fresh meat into the market unless such meat has been passed by the Meat Inspector as fit for human consumption and marked by him in the manner approved by the Medical Officer of Health.

(2) Any meat brought into the market in contravention of this bye-law may be seized by the Medical Officer of Health, the Meat Inspector, or the market clerk and destroyed.

Removal of fresh meat to cold stores prohibited.

**49.** (1) No person shall store or allow fresh meat or fish to remain in the market after closing hours.

(2) No person shall remove any fresh meat from the market to any cold stores and no person shall sell or offer or expose for sale in the market any fresh meat which was exposed for sale on a previous day.

(3) Any meat found in the market in contravention of this bye-law may be seized by the Medical Officer of Health, the Meat Inspector, or the market clerk and destroyed.

Designated fresh meat stalls.

**50.** (1) No person shall sell or expose for sale in the market any fresh meat except at a stall set aside for that purpose.

(2) Any person who sells or exposes for sale any fresh meat in contravention of this bye-law is liable on summary conviction to a fine of fifty dollars.

Stall, etc., to be washed each day.

**51.** (1) Every person who sells meat in the market shall, at the close of business each day, wash the stall, scrape and wash the table or shambles and chopping block, and thoroughly cleanse the scale and weights which have been used by him.

(2) Any person who fails to comply with the provisions of this bye-law is liable on summary conviction to a fine of one hundred dollars.

Other offences against sanitation.

**52.** Any person who, in the market—

(a) spits on the ground or on the wall or floor of any stall or building;

- (b) urinates, defecates, or deposits filth, urine, or any other offensive matter in any place other than in the facilities provided for such purposes; or
- (c) deposits any refuse on the ground,

is liable on summary conviction to a fine of one hundred dollars.

### CONSUMER PROTECTION

**53.** (1) No vendor shall refuse to sell any meat, fish, or other authorised produce exposed or offered for sale in the market in such quantities as a purchaser may require or impose any condition on the sale of any such articles.

Conditions of sale prohibited.

(2) Any person who contravenes the provisions of this bye-law is liable on summary conviction to a fine of one hundred dollars.

**54.** Every article retailed by weight shall be properly weighed and, in all cases of dispute in respect of weight, the seller shall, if required to do so by the purchaser or intended purchaser, cause the article about which the dispute arises to be weighed in the presence of the market clerk or his assistant or a constable.

Sales according to proper weights.

**55.** No person shall sell or deliver any articles in the market of less weight, measure, or number than has been bargained for.

Less weight, measure, number.

**56.** No carcass or part of the carcass of any animal shall be sold in the market as the carcass or part of any other animal or as being a description of meat other than the true and proper description thereof.

True description of meat.

**57.** (1) No person shall by any contrivance or device, or in any manner whatever tamper with any scale, balance, beam or weight in the market, whether the scale, balance, beam or weight is the property of, or in the possession of, or under the control of, such person or not.

Tampering with scale, etc.

(2) The market clerk or any constable authorised by the Council may inspect and examine the beams, scales, weights and

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measures at any stall in the market and shall cause the same to be made correct, true and legal.

(3) Any person having in his possession in the market any false, illegal or incorrect beams, scales, weights or measures or deceptive device contrary to the standard weights or measures is liable on summary conviction to a fine of one hundred dollars and the false, illegal, or incorrect beam, weight or measure or other deceptive device may be forfeited by order of the convicting Magistrate.

(4) Any person convicted of a contravention against this bye-law is, upon being convicted of contravening this bye-law a second or any subsequent time, liable to be expelled as a seller from the market upon resolution of the Council.

MISCELLANEOUS

Prohibition of unauthorised vending.

58. (1) No person shall sell or offer for sale any authorised produce at any place within a radius of one and a half kilometres of the market except in a shop, store, warehouse or other premises established and operated for the sale of such products by the authority of or under a licence issued by the Council.

(2) Paragraph (1) does not apply to—

- (a) the sale of ground provisions, vegetables, or fruit at wholesale within the area prescribed to a registered co-operative society by any of its members, or by a registered co-operative society in any building occupied for the purpose of the society's business with the prior approval of the Council;
- (b) the sale of ground provisions, vegetables or fruit on any land within the area prescribed when they have been produced on such land.

(3) A copy in legible letters of paragraphs (1) and (2) shall be kept posted in a conspicuous place on the grounds or buildings of the market.

**59.** The market clerk shall record each day in a book kept for that purpose a statement of the amount of fresh meat and fish brought to the market for sale, the names of the persons by whom the same was brought and the quantity of fresh meat or fish brought by each such person; the book shall be exhibited daily to and its correctness certified by the Chief Executive Officer or his Chief Clerk.

Daily record of fresh meat and fish.

**60.** The Council may make Rules not inconsistent with these Bye-laws for the maintenance, protection, and efficient operation of the market and for ensuring the proper ordering and discharge of any matter herein provided for.

Power to make Rules.

**61.** One copy of these Bye-laws and of any Rules made by the Council hereunder shall be delivered free of charge to every stallholder and printed copies thereof shall be exhibited in some conspicuous place in the market.

Bye-laws and Rules to be exhibited.

**62.** Every person who in any manner contravenes or fails to comply with any provision of these Bye-laws for breach of which no other penalty is provided shall on summary conviction be liable to a fine of one hundred dollars.

General penalty.

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**Chap. 68:02**

*Country Markets*

[Subsidiary]

*Country Markets (Macoya Off-Highway Market) Bye-laws*

(Bye-law 6).

**FIRST SCHEDULE**

**HOURS OF OPENING**

1. The days and the hours between which the market shall be opened and kept open shall be as follows:

Weekdays other than Public Holidays—6:00 a.m. to 7:00 p.m.  
Sundays and Public Holidays—6:00 a.m. to 12:00 noon.

Provided that—

- (a) during the two weeks immediately preceding Christmas, the hours shall be 6:00 a.m. to 10:00 p.m. daily; and
- (b) during the week immediately preceding any other national festival when so appointed by resolution of the Council, the hours shall be 6:00 a.m. to 10:00 p.m. daily.

(Bye-Law 7).

**SECOND SCHEDULE**

**AUTHORISED PRODUCE**

1. The following and no other articles are authorised to be sold in the market:

Fresh meat of cattle, sheep, goats and pigs slaughtered in Trinidad and Tobago;  
Fresh fish;  
Eggs;  
Ground provisions, vegetables, pulses and fruits.

2. Without limiting the generality of paragraph 1 of this Schedule, none of the following is authorised to be sold in the market:

Frozen meat (whether thawed or unthawed);  
Comed, pickled, or salted meat or fish;  
Flour;  
Rice;  
Butter, margarine, lard;  
Cheese;  
Smoked herring;  
Canned or other processed foods;  
Soap or detergent.