

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 7 de 1970

JOINT REGULATION 7 of 1970

JOINT REGULATION

No. 7 of 1970.

provide for the control of the production of aerated water, ice and ice cream.

Published: Condominium Gazette No. 290.]

by the Resident Commissioners under the provisions of paragraph 2 of Article 2 and Article 7 of the Anglo-French Protocol 1914.

1. In this Regulation the following expressions shall have the meanings respectively assigned to them—

Interpretation.

"aerated water" means every kind of non-alcoholic effervescent liquid prepared for human consumption and sold in bottles, syphons, casks or other vessels, and for the purpose of this Regulation shall include non-effervescent syrups and cordials;

"ice cream" means any preparation containing cream or a product of milk sweetened or unsweetened, flavoured or unflavoured and artificially frozen, and shall include water ice;

"ice factory" means any building or part of a building or premises used for the manufacture of ice for sale to the public;

"water ice" means any preparation of water and foodstuff in a chilled or frozen condition with or without the addition of flavouring or colouring matter.

(1) No person shall maintain or carry on an aerated water factory or ice factory or manufacture ice-cream for sale unless he be in possession of a permit so to do issued by the Resident Commissioners on the recommendation of the Chief Condominium Medical Officer in the form prescribed in Schedule 1 to this Regulation.

Permit to maintain factory.

(2) No permit shall be transferred without the permission so in writing of the Resident Commissioners.

(3) Without prejudice to the provisions of subsection (2) of section 13 of this Regulation the Resident Commissioners may upon the recommendation of the Chief Condominium Medical Officer by order in writing in the form prescribed in Schedule 2 to this Regulation suspend any permit issued under the provisions of the preceding provisions of this Section.

(1) Any person wishing to obtain a permit under the provisions of this Regulation shall apply to the Resident Commissioners therefor in the form prescribed in Schedule 3 to this Regulation.

Application for permit.

Every such application shall be accompanied by a certificate signed by the Chief Condominium Medical Officer or an

...icer of the Condominium Medical Service authorised by him in  
...at behalf under the provisions of Section 4 of this Regulation, in  
...form prescribed in Schedule 4 to this Regulation that the factory  
...respect of which the said application is made complies with the  
...provisions of this Regulation.

(3) On receipt of the said application the Resident Commis-  
sioners may by Joint Decision grant or refuse it.

4. Every aerated water factory or ice factory or premises used  
for the manufacture of ice-cream, in respect of which a permit has  
been applied for under the provisions of subsection (1) and such  
application has been granted under the provisions of subsection (3)  
of Section 3 of this Regulation, shall comply with the following  
conditions—

Require-  
ments for  
factory.

- (a) the buildings shall be substantially built, and in good repair, and so constructed as to offer as far as possible no harbourage for rats, mice and other vermin;
- (b) the floors of every room within the said buildings shall be of cement, concrete, tiles or other materials impervious to water and laid with a smooth even surface suitably graded and drained;
- (c) the internal surface of the walls of every room aforesaid shall be constructed of brick, tiles, cement or other materials impervious to water and having a smooth surface:  
Provided that wood lining may be used if the lining boards are placed vertically with closely set joints painted with at least three coats of paint, not being lead-based paint, the final coat of which is light coloured;
- (d) every room aforesaid shall be suitably ceiled;
- (e) every room aforesaid and every passage in the said buildings shall be sufficiently lighted and ventilated;
- (f) there shall be provided in respect of the said buildings sufficient and suitable lavatory accommodation for the persons employed therein;
- (g) no room used for the preparation of ice or aerated waters or in the manufacture of ice-cream shall communicate directly with any room in which persons habitually sleep or any lavatory or have in it any opening into any drain or sewer;
- (h) there shall be provided a sufficient and suitable supply of hot and cold water for the cleaning of all appliances used in the process of manufacture;
- (i) the doors, windows and ventilators of all rooms within the said buildings where syrup is handled shall be provided with effective fly screens of wire gauze;
- (j) the buildings aforesaid shall be properly drained;

- (k) only filtered or sterilized water free from the risk of contamination and sufficient for the purposes of an aerated water, ice factory or premises used for the manufacture of ice-cream shall be used;
- (l) adequate storage shall be provided for all ingredients used in the manufacture of aerated waters, ice and ice-cream;
- (m) there shall be provided and maintained a portable receptacle or receptacles of a sufficient shape and size and fitted with a fitted lid or lids for the disposal of refuse and all refuse shall be placed therein.

5. Every person to whom a permit shall be granted shall—
- (a) at all times keep the aerated water factory or ice factory or premises used for the manufacture of ice-cream in a state of cleanliness, and shall keep every room on the premises, used in the processes of manufacture, free from accumulations of boxes, tins, and any material which may offer harbourage to rats;
  - (b) cause all tables, vessels, utensils, filters, and machinery to be kept in a clean and wholesome state;
  - (c) ensure that all persons employed in his aerated water factory or ice factory or premises used for the manufacture of ice-cream are clean at all times while so employed, and are dressed in a clean overall or apron made of a washable material;
  - (d) provide on the premises, for the use of employees, sufficient wash basins and a sufficient supply of soap, nail-brushes and clean towels;
  - (e) provide and maintain a supply of hot water during working hours sufficient for the purposes prescribed in this Regulation, for which such water is required.

Provisions  
as to  
cleanliness.

- (1) No person shall work or employ any other person to an aerated water factory, ice factory or premises for the manufacture of ice-cream unless that person or that other person is medically examined at least once every six months and has as a result of that examination a medical certificate to the effect that he is not suffering from any infectious or contagious disease transmittable to any person using or consuming the product of such aerated water factory, ice factory or premises used for the manufacture of ice-cream.

Health of  
workers.

Any person employed in working in an aerated water factory or premises used for the manufacture of ice-cream who contracts or appear to have contracted any gastro-intestinal disease or any other infection of the body shall be immediately removed from such employment, shall be directed to obtain medical advice therefor and shall not be permitted to resume such employment without producing a medical certificate that he is not or is no longer suffering from such complaint.

7. No animal or bird shall be kept in any aerated water factory, factory or premises used for the manufacture of ice-cream. Prohibition of animals.
8. The name of the manufacturer and the address of the aerated water factory, ice factory or premises used for the manufacture of ice-cream shall be painted and be clearly visible on any vehicle or hand-cart used for the transport of aerated water, ice or ice-cream, or for the collection of bottles used in the manufacture of aerated waters. Name and address of vehicles.
9. Every person to whom a permit has been granted for premises to be used as an aerated water factory shall— Special provision relating to aerated waters.
- (a) keep and use only bottles and containers of a type easily cleansed and which are not chipped or cracked;
  - (b) provide and maintain adequate apparatus for the cleansing and sterilising of such bottles and containers.
- The process of cleansing shall be as follows—
- (i) each bottle or container, as the case may be, shall be soaked for not less than ten minutes in a solution of caustic or washing soda of effective strength and cleanliness; then
  - (ii) rinsed in clean water; then
  - (iii) every part of the interior of the said bottle or container shall be brushed with an efficient brush; and then
  - (iv) shall be rinsed with a jet of clean water.
- Provided that any other system of cleansing approved by the Chief Condominium Medical Officer may be substituted for the process aforesaid;
- ensure that weekly, all candles are removed from the filter plant and cleansed and then boiled for not less than fifteen minutes;
  - ensure that no aerated water or any water in the process of being converted into aerated water comes into contact with any copper or lead;
  - provide and maintain separate racks for the drainage and storage of clean bottles and containers. The bottles and containers shall be stacked clear of the floor and so as not to retain water;
  - provide and maintain separate racks for unwashed or dirty bottles and containers. The bottles and containers shall be stacked clear of the floor and so as not to retain water;
  - ensure that any bottle washing process is carried out in a separate room from any filling or in a well-defined part of the same room;
  - ensure that all vessels containing syrups are adequately protected against flies and dust;

- (i) ensure that all syrup strainers in use are washed daily in clean water and are protected from dust when drying or not in use;
- (j) ensure that a hygienic process is maintained for capping filled bottles with new caps immediately after filling;
- (k) ensure that no vehicle, hand-cart or other container shall be used for the carriage of aerated water or for the collection of bottles used in the manufacture of aerated water unless it has been approved by the Chief Medical Officer.

(l) Every person to whom a permit has been granted for a building to be used as an ice factory shall—

Special provisions relating to ice.

- (a) provide and use for the reception of blocks of ice a suitably drained bench with a surface of stainless steel, formica or a similarly hard and non-porous material;
- (b) provide and use as far as is practicable metal tongs for the conveyance of blocks of ice to the storage chamber or to and from any delivery vehicle;
- (c) ensure that the containers in which the water is frozen are kept clean and that the said containers are scrubbed inside with an abrasive soap preparation not less than once a week;
- (d) ensure that blocks of ice shall be wrapped only in materials as may be approved by the Chief Condominium Medical Officer;
- (e) ensure that no vehicle, hand-cart or other container shall be used for the carriage of ice unless it has been approved by the Chief Condominium Medical Officer.

(1) No person shall manufacture or store any ice-cream or nor cause or permit it to be stored in any open shed or enclosed place.

Special provisions relating to ice-cream.

No person shall sell ice-cream unless every spoon, glass or appliance used by the customer in connection with such a sale is thoroughly cleansed in clean water.

No person shall sell any ice-cream which having been once run down or melted and which has again been frozen.

No person shall refill with ice-cream any once-used package made wholly or in part of wood, paper, cardboard or the absorbent material.

Every person to whom a permit has been granted for a building to be used for the manufacture of ice-cream—

shall ensure that all vessels used for containing ice-cream or any milk or cream used in the said manufacture shall be cleansed immediately after being emptied;

(b) ensure that no vehicle, hand-cart or container shall be used for the carriage of ice-cream unless it has been approved by the Chief Condominium Medical Officer.

2. (1) For the purpose of carrying out his duties under the provisions of this Regulation the Chief Condominium Medical Officer, or any officer of the Condominium Medical Service authorised by the said Chief Condominium Medical Officer in that behalf, at any reasonable time enter and inspect any aerated water factory, ice factory or premises used for the manufacture of ice-

Inspection of premises.

(2) Any person who obstructs any person who by virtue of the provisions of the immediately preceding subsection of this Section is authorised to enter and inspect any aerated water factory, ice factory or premises used for the manufacture of ice-cream in or upon the performance of the exercise of his duties shall be guilty of an offence.

3. (1) Where any person acts in contravention of the provisions of this Regulation he shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding A\$500.

Penalties.

(2) Where any person is convicted by a competent court of an offence under this Regulation the Resident Commissioners may by Decision either temporarily or permanently suspend any permit granted under the provisions of subsection (3) of Section 3 of this Regulation.

Every person to whom a permit has been granted for the purpose of being used as an aerated water factory, an ice factory or for the manufacture of ice-cream shall at all times display his permit and a copy of this Regulation (which said copy may be obtained upon application to the Chief Condominium Medical Officer) in a conspicuous place within the said premises.

Display of Regulation.

No provision of this Regulation shall have effect until six months after the coming into operation thereof.

Transitional provision.

This Regulation may be cited as the Joint Public Health (Aerated Water, Ice and Ice-cream) Regulation and shall come into operation on the date of its publication in the Condominium

Citation.

Dated at Vila this twentieth day of May, 1970.

LEOIS

C. H. ALLAN

Resident Commissioner of the French Republic.

Her Britannic Majesty's Resident Commissioner.

ANNEXE 1/SCHEDULE 1

No. 7 of  
1970.  
No. 7 de  
1970.  
(S. 2 (1).)

JOINT REGULATION

REGLEMENT CONJOINT

TO OPERATE

AUTORISATION D'EXPLOITATION

.....  
description of the undertaking,  
aerated water factory or

.....  
(description de l'entreprise:  
fabrique d'eau gazeuse

ice factory or  
ice cream factory)

ou fabrique de glace  
ou fabrique de crème glacée)

.....  
name of individual, firm or company)  
nomination complète de la personne ou de la société)  
by authorised to operate a factory for the manufacture of  
la présente autorisé à exploiter une fabrique

.....  
of aerated water, ice cream or ice) (d'eau gazeuse, de glace ou de crème glacée)

.....  
premises situated at..... (address)

.....  
les bâtiments sis à..... (adresse)

.....  
(date from which operation is authorised)

.....  
enter du..... (date à partir de laquelle l'exploitation est autorisée)

.....  
Issued at Vila on  
Fait à Port-Vila, le.....19.....

.....  
Commissaire-Résident  
France

.....  
Le Commissaire-Résident de  
Sa Majesté Britannique

.....  
Resident Commissioner  
of the French Republic.

.....  
Her Britannic Majesty's  
Resident Commissioner.

.....  
1) This permit may not be transferred to any person or body without the  
permission of the Resident Commissioners.

.....  
2) This permit may, under the provisions of section 2 (3) of Joint Regula-  
tion No. 7 of 1960, be suspended by the Resident Commissioners upon the  
recommendation of the Chief Condominium Medical Officer.

.....  
1) Cette autorisation ne peut être transférée à un tiers sans autorisation  
des Commissaires-Résidents.

.....  
2) Cette autorisation peut, par application de l'article 2 (3) du Règlement  
joint No. 7 de 1970, être suspendue par les Commissaires-Résidents sur  
l'indication du Chef du Service de Santé du Condominium.



ANNEXE 2/SCHEDULE 2

JOINT REGULATION

REGLEMENT CONJOINT

No. 7 of 1970.  
No. 7 de 1970.  
(S. 2 (3).)

*of Suspension of Permit*  
*de suspension d'autorisation*

operate a factory for the manufacture of  
exploiter une fabrique

.....  
ed water, ice cream or ice) (d'eau gazeuse, glace ou crème glacée)

*is hereby given that*  
*par les présentes notifié*

permit to operate a factory for the manufacture of  
autorisation d'exploiter une fabrique

.....  
ed water, ice cream or ice) (d'eau gazeuse, glace ou crème glacée)

to ..... (full name of holder of permit)  
à ..... (désignation du détenteur)

..... is suspended  
(date of issue of permit)

..... est suspendue  
(date de l'autorisation)

Further notice.  
le nouvel ordre.

Dated at Vila  
Fait à Port-Vila, le ..... 19....

Commissaire-Résident  
de France

Le Commissaire-Résident de  
Sa Majesté Britannique

Resident Commissioner  
of the French Republic.

Her Britannic Majesty's  
Resident Commissioner.

ANNEXE 3/SCHEDULE 3

JOINT REGULATION

REGLEMENT CONJOINT

No. 7 of 1970.  
No. 7 de 1970.  
(S. 3 (1).)

Application for a permit to operate a factory for a manufacture of  
demande d'autorisation d'exploitation d'une fabrique de

whether aerated water, ice cream or ice) (eau gazeuse, glace, crème glacée)

Name of applicant  
Nom du demandeur

I hereby apply for a permit to operate a factory for the manufacture of  
J'ai l'honneur de solliciter l'autorisation d'exploiter une fabrique de

whether aerated water, ice cream or ice) (eau gazeuse, glace ou crème glacée)

premises situated at  
les bâtiments sis à

address and situation of proposed factory)  
(adresse complète de l'établissement projeté)

ending on  
finissant le

(date from which permission is sought)  
(date à partir de laquelle l'autorisation est sollicitée)

I attach a certificate of the Chief Condominium Medical Officer that the  
locaux dans lesquels je compte exploiter cette fabrique répondent aux  
requirements of Joint Regulation No. 7 of 1970.

Je joint un certificat du Chef du Service de Santé du Condominium attestant  
que les locaux dans lesquels je compte exploiter cette fabrique répondent aux  
conditions fixées par le Règlement Conjoint No. 7 de 1970.

(signature of applicant)  
(signature du demandeur)

ANNEXE 4/SCHEDULE 4

JOINT REGULATION

REGLEMENT CONJOINT

No. 7 of 1970.  
No. 7 de 1970.  
(S. 3 (2).)

in accordance with the provisions of S. 3 (2) of Joint Regulation No. 7 of 1970  
en application des dispositions de l'article 3 (2) du Règlement Conjoint No. 7  
de 1970

I hereby certify that the premises situated at  
Je certifie par les présentes que les locaux sis à

.....  
(address and situation of proposed factory)  
(adresse complète de l'établissement projeté)

.....  
in respect of which  
à l'égard desquels

.....  
(name of applicant) (identité du demandeur)

.....  
I have applied for a permit to operate a factory for the manufacture of  
J'ai demandé l'autorisation d'exploiter une fabrique de

.....  
carbonated water, ice cream or ice) (eau gazeuse, glace ou crème glacée)

.....  
I comply in all respects with the provisions and requirements of Joint Regulation  
Je suis conforme en tous points aux conditions fixées par le Règlement Conjoint  
No. 7 of 1970  
No. 7 de 1970.

.....  
Signed at Vila this ..... day of ....., 19....

.....  
Signed at Vila, le ..... 19....

.....  
Chief Condominium Medical Officer,  
Le Chef du Service de Santé du Condominium,  
.....