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GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

DEPARTMENT OF HEALTH DEPARTEMENT VAN GESONDHEID

No. R. 961

23 November 2012

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT NO 54 OF 1972)

REGULATIONS RELATING TO HYGIENE REQUIREMENTS FOR MILKING SHEDS, THE TRANSPORT OF MILK AND RELATED MATTERS

The Minister of Health has in terms of section 15(1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972), as amended, made the regulations in the Schedule.

SCHEDULE

DEFINITIONS

1. In these regulations any word or expression to which a meaning has been assigned in the Act, shall bear such meaning, unless the context otherwise indicates-

“accredited service provider” means a service provider as defined in section 5 (1)(b)(i) of the South African Qualifications Authority, 1995 (Act No. 58 of 1995) read with Chapter 4 section 13 (1)(i)(i) of the National Qualifications Framework Act, 2008 (Act 67 of 2008);

“adequately ventilated and illuminated” means ventilated and illuminated by means of windows with an uninterrupted transparent area equal to at least ten percent of the floor area and with an area which can be opened equal to at least 5 percent of the floor area and so placed that cross ventilation is facilitated.

“approved milking shed” means a milking shed in respect of which a certificate of acceptability has been issued and is enforced;

“certificate of acceptability” means a certificate of acceptability as referred to in regulation 3;

“cleaning” means the removal of soil, food residues, dust, dirt, grease or other objectionable matter and “clean” or “cleaned” shall have a corresponding meaning;

“dairy stock” means cows, she-goats, ewes, mares or jenny asses used in the production of milk for human consumption and **“milk animal”** shall have a corresponding meaning;

“Director-General” means the Director-General as defined in the Act;

“disinfection” means the reduction, without adversely affecting the food by means of hygienically satisfactory chemical agents or physical methods, of the number of micro-organisms to a level that will not lead to harmful contamination of food;

“disposal system” means a subterranean or ground level tank or other vessel, sewerage system, dam or farmland into or onto which effluent maybe discharged;

“effluent” means any liquid, liquid or solid waste or liquid or solid manure emanating from a milking shed;

“hazard” means a biological, chemical or physical agent in, or condition of, food with the potential to cause an adverse health effect;

“health hazard” includes any condition, act or omission that may contaminate or spoil food so that consumption of such food is likely to be dangerous or detrimental to health;

“holder” means the person in whose name a certificate of acceptability has been issued, owner or possessor will have corresponding meanings;

“inspector” means a person authorized as such by or under section 10 of the Act.

“local authority” means a municipality as defined in section 1 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) read in conjunction with section 32 of the National Health Act, 2003 (Act 61 of 2003), and duly authorized in terms of section 23(1) of the Act;

“medical practitioner” means a medical doctor who is registered in terms of the Health Professions Council of South Africa Act, 1974 (Act 56 of 1974);

“milk” means the mammary secretion of dairy stock, obtained from one or more milking for consumption as liquid milk or for further processing;

“milking shed” means a facility as described under regulation 6;

“milking parlour” means that area of the milking shed in which dairy stock are milked;

“milk tanker” means a vehicle for the transport of milk in bulk;

“own use” with regard to milk, means milk-

- (a) that is used, or meant be used, exclusively by the owner or possessor of dairy stock or by such person’s household; or

- (b) that is provided free of charge to employees of such person for the use of such employees or their households;

“the Act” means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972), as amended;

“veterinarian” means a person registered as such in terms of the Veterinary and Para-Veterinary Professions Act, 1982 (Act 19 of 1982);

“water” means water that complies with the microbiological requirements set out in SANS 241: Water for Domestic Supplies except water that is used for washing purposes in the milking parlour;

PROHIBITION ON THE PRODUCTION OF MILK EXCEPT IN AN APPROVED MILKING SHED

2. (1) No person shall use a milking shed for the purpose of milking dairy stock in order to produce milk for human consumption, unless the milking shed in which the dairy stock are milked is an approved milking shed and such milking shed is used in accordance with the provisions of these regulations and the conditions of the certificate of acceptability issued in respect of that milking shed.
- (2) The provisions of sub regulation (1) shall not be applicable to a milking shed in which milk is produced solely for own use.
- (3) If a local authority is of the opinion that a milking shed is being used in a way which, constitutes a health hazard or that a situation has developed in the milking shed constituting such hazard, the local authority may, order in writing the owner or possessor of a existing milking shed not to remove any milk for human consumption from the milking shed until the hazard or situation has been rectified to the satisfaction of the local authority.

CERTIFICATE OF ACCEPTABILITY

Application for a certificate of acceptability

3. (1) Any person wishing to apply for a certificate of acceptability in respect of a milking shed shall apply for it in writing to the local authority in whose area of jurisdiction the milking shed is situated on a form containing at least the particulars that are substantially the same as those contained in the form in Annexure A to these regulations.
- (2) Such an application shall be submitted to the local authority in whose area of jurisdiction the milking shed is located or will be erected, together with –

- (a) a site plan with north indicated and with an indication of all adjacent and bordering buildings and their uses;
 - (b) a lay out sketch to a scale of 1:100 of all the milking shed or milk production facilities referred to in regulation 6, consisting of a floor or ground plan, a sectional view and a vertical elevation.
- (3) Upon receipt of an application referred to in regulation 3, the local authority shall without delay refer the application to an inspector or any employee of the local authority concerned for consideration.
- (4) An inspector may, in considering such an application, request such further information as he or she may deem necessary or expedient from the applicant or from any other person.
- (5) A local authority shall not consider an application for the issue of the certificate of acceptability unless a full inspection of the premises concerned has been carried out by inspector, and his report on such inspection, and recommendation on such issue, is in the possession of such local authority.
- (6) If the local authority, upon consideration of an application for the issue of a certificate of acceptability, the relevant report and recommendation by the inspector and any other documents tabled or information obtained, is satisfied that the milking shed concerned –
- (a) complies with sub-regulations 6(1),(2),(3),(4),(5) and regulation 7 of these regulations; and is deemed in all respects suitable for the production and hygienic handling of milk,
 - (b) it shall issue in the name of the applicant a certificate of acceptability, in a form that is substantially the same as the form in Annexure B of these regulations in respect of the milking shed concerned; provided that the issuance of such certificate does not constitute an approval for the applicant to use the milking shed in the absence of complying to all other relevant requirements of the authority concerned.

Conditions subject to which a certificate of acceptability is issued

4. (1) It is a condition of a certificate of acceptability –
- (a) that the milking shed may at any reasonable time be inspected;
 - (b) that the staff that are employed there and the dairy stock may at any reasonable time be inspected or examined by an inspector; and
 - (c) that the milking shed be used in accordance with the provisions of these regulations;
 - (d) that it shall be displayed in a conspicuous place or a copy thereof shall immediately be made available on request where the display thereof is impractical provided that a certificate of acceptability that is under suspension or withdrawal as provided for in regulation 5 shall not be displayed or made available;

- (e) shall not be transferable from one person to another person and from one milking shed to another milking shed;
 - (f) shall be valid only in respect of the structure and nature of handling set out in the application for a certificate of acceptability;
 - (g) may at any time be endorsed by a local authority by –
 - (i) the addition of any further restriction that may be necessary to prevent a health hazard; and
 - (ii) the removal of any restriction with regard to the method of handling;
 - (h) shall expire temporarily for the period during which a prohibition under sub-regulation 2(3) is in effect
 - (i) shall expire permanently if a prohibition referred to in sub-regulation 2(3) is not removed within a stipulated period which shall not exceed six months from the date on which a notice was issued in terms of sub-regulation 2(3);
 - (j) shall expire permanently if the provisions of sub-regulation 2(3) are not complied with
- (2) No person may make any unauthorized changes or additions to or forge a certificate of acceptability.
- (3) If the holder of a milking shed is replaced by another person, such person shall inform the local authority in writing of such replacement within 30 days after the date thereof and the local authority shall subject to the provisions of sub-regulation 2(3), issue a new certificate of acceptability in the name of the new holder.
- (4) Subject to the provisions of sub-regulation 4(3) and regulation 5, where applicable, a certificate of acceptability issued prior to the commencement of these regulations in terms of the regulations published in Government Notice No. R. 1256 of 27 June 1986 shall be deemed a certificate of acceptability issued in terms of these regulations.

Suspension or withdrawal of a certificate of acceptability

5. (1) If a local authority in whose area of jurisdiction an approved milking shed is situated, on the strength of an inspection report and the recommendation of an inspector, is of the opinion that the milking shed –
- (a) is being used in such a way that it constitutes a health hazard or that a situation has developed in the milking shed constituting a health hazard, the local authority may for as long as, in its opinion, that a hazard exists suspend the certificate of acceptability concerned and shall in writing notify the holder accordingly;
 - (b) is being used contrary to the provisions of these regulations or the terms and conditions of the certificate of acceptability, the local authority shall in writing notify the holder accordingly.

- (2) Any notice referred to in paragraph (1) shall state the particulars which shall be sufficient within reason to inform the holder concerned on what grounds the decision of the local authority is based, and shall request the holder to reply within 21 days of receipt of the notice to the allegations made in the notice.
- (3) If such a reply is received, the local authority may, after consideration of the reply so received, issue an order to the holder instructing him before a specified date to rectify the similarly specified matters complained about, and stating that if this is not done the certificate of acceptability as the case may be, may be withdrawn without further notice.
- (4) A notice issued in terms of paragraph (1), shall be served on the holder or person in charge of the milking shed concerned, and the person on whom the notice is served, shall deal, in the manner determined in the notice, with such notice and the certificate of acceptability concerned, in cases where the certificate concerned is suspended or withdrawn;
- (5) The suspension or withdrawal of a certificate of acceptability in terms of this regulation shall have the effect that as long as the certificate concerned is suspended and from the date on which the certificate is withdrawn, no milk produced or received in the milking shed concerned shall be used for human consumption.

STANDARDS AND REQUIREMENTS

Milking sheds

6. (1) (a) An approved milking shed shall consist of at least –
- (i) a milking parlour referred to in paragraph (2);
 - (ii) a milking room referred to in paragraph (3) where milk shall be received from the milking parlour, and such milk shall be stored and where it may be treated, processed and packed provided that where due to the design and construction of a milking shed all the requirements included under paragraph (3) cannot be situated within the milking room, it should be otherwise provided on the premises;
 - (iii) a change room referred to in paragraph (4); and
 - (iv) a scullery for the washing, cleaning, disinfection and sterilisation of milk containers and other unfixed apparatus and equipment used in the handling of milk.
- (b) (i) The facilities referred to in paragraph (a) shall, subject to the provisions of sub-paragraph (ii), be erected as separate rooms in one building complex or as separate detached buildings
- (ii) A scullery referred to in paragraph (a)(iv), may be erected as an integral part of a milk room or as a separate room.

- (2) In the case of a milking parlour-
- (a) there shall be no direct connection with a latrine or with a room where gases, smoke, vapors, dust or soot deposit are present or may originate owing to the nature of the activities in such room;
 - (b) which, provides standing-room of more than one row of dairy stock parallel with one another, there shall be a dividing corridor of at least one meter wide between the rows;
 - (c) the partitions, if any, that separate dairy stock from each other when they are being milked, shall be of smoothly finished, non-absorbing and corrosion resistant material, free of any open seams and cracks;
 - (d) mangers shall be arranged so that fodder which accumulates behind the mangers can be removed and be disposed of appropriately;
 - (e) where walls are provided, the exterior walls –
 - (i) shall be at least 2,4 metres high on the inside;
 - (ii) shall, at places where dairy stock are milked, extend to at least 2,1 metres above the level on which the dairy stock stand;
 - (f) the interior surfaces of the walls, if provided shall be made of impervious materials with no toxic effect in intended use;
 - (g) the ceilings, if provided or overhead structures and fixtures shall be constructed and finished to minimize the build-up of dirt and condensation, and the shedding of particles;
 - (h) the floors shall be constructed to allow adequate drainage and cleaning;
 - (i) such parlour shall be adequately ventilated and illuminated;
 - (j) such parlour shall be provided with at least one water tap with running water to which a flexible pipe may be connected for washing purposes; and
 - (k) the entrances and exists for dairy stock shall have a floor covering with an impenetrable surface connected to a disposal system, and such floor covering shall be installed in such a way that any milk animal entering or leaving the milking parlour shall walk on it for a distance of at least 4 metres.
- (3) In the case of a milking room –
- (a) such milking room shall comply *mutatis mutandis* with the provisions of sub-regulation (2 (e)(i), (f), (g), (h) and (i);
 - (b) where the scullery forms an integral part of the milking room as referred to in sub-regulation (1) (b) (ii) there shall be sufficient space to allow for the cleaning and disinfections of all milk containers, and the storage of milk;
 - (c) such milking room shall be provided with at least one sink, with hot and cold water (or temperature controlled water), and running water with the run-off connected to a disposal system;

- (d) such milking room shall be erected so that a milk tanker can be connected to a bulk farm tank through a suitable opening and the distance between the two connection points shall not exceed 6 meters;
 - (e) such milking room shall be rodent-proof;
 - (f) the doors should have smooth, non-absorbent surfaces, and be easy to clean and, where necessary disinfect;
 - (g) windows should be easy to clean, be constructed to minimize the build-up of dirt and where necessary, be fitted with removable and cleanable insect-proof screens. Where necessary windows should be fixed;
 - (h) such milking room may be equipped with a farm tank referred to in regulation 7(3) for the storage of milk.
- (4) A change room shall –
- (a) comply *mutatis mutandis* with sub-regulation (2)(e)(i), (f), (g), (h) and (i);
 - (b) have at least one hand-basin and shower provided with hot and cold running water, soap, disinfectant and disposable towels, and the used water from such hand wash-basin and shower shall adequately drain into a disposal system.
 - (c) be within easy reach of the milking parlour and milking room
- (5) Any effluent originating from a milking shed shall –
- (a) not be stored, treated or dumped in any place except in or on a suitable disposal system;
 - (b) not be conveyed to or dumped in or on a suitable disposal system in any other way than by means of a pipeline, or cement ditches or in a container;
 - (c) not be dumped so that a water source is or may be polluted by it;
 - (d) not constitute a nuisance or cause a condition that is a health hazard.
- (6) A holder shall see to it that –
- (a) in or at a milking shed -
 - (i) a nuisance or a condition that is a health hazard is not caused or does not arise;
 - (ii) no poisonous or hazardous substances or gases are stored;
 - (iii) no activity is carried on which can pollute or harm or contaminate or spoil the milk;
 - (iv) appropriate storage conditions to avoid feed contamination.
 - (b) rodents and flies, cockroaches and other insects on the premises of the milking shed are controlled.
 - (c) raw milk destined for human consumption or raw milk intended for further processing shall comply to the Regulations relating to Milk and Dairy Products, R. 1555 of 21 November 1997, published under the Act.

- (7) A milking shed shall not be used for any other purpose except the production and handling of milk.
- (8) Unfixed milk containers and other apparatus and equipment used in the handling of milk shall not be washed, cleaned, disinfected or sterilised in a place other than the scullery referred to in sub-regulation (1)(a)(iv).
- (9) No person shall smoke, use or handle tobacco in any form or eat in a milking shed except in the change room or dining room of a milking shed;
- (10) As soon as milk animal have left a milking shed, all manure shall be removed from the milking shed and from the floor, and all entrances and exits of the milking shed shall be cleaned.

Milk containers and milking machine

7. (1) A milk container shall –
 - (a) be designed and constructed in such a way that it has smooth finish, free from open seams, cracks and rust stains to ensure that, where necessary, they can be adequately cleaned, disinfected and maintained to avoid the contamination of milk;
 - (b) not be made wholly or partly of copper, or any copper alloy or any toxic material;
 - (c) be constructed in such a way that any surface that comes into contact with milk is accessible for the purpose of washing and disinfection; and
 - (d) not be used for any other purpose except the handling of milk.
- (2) A milking machine shall –
 - (a) be designed, constructed or manufactured in such a way that –
 - (i) the vacuum pipe of the machine can be drained to remove all the moisture;
 - (ii) be adequately cleaned, disinfected and maintained to avoid the contamination of milk;
 - (iii) is equipped with a device rendering visible the milk flow from each milk animal and;
 - (iv) comply with sub-regulation (1)(a), (b), (c) and (d);
 - (b) be durable and movable or capable of being disassembled to allow for maintenance, cleaning, disinfection, monitoring and, to facilitate inspection.
- (3) A bulk farm tank shall –
 - (a) be designed, constructed or manufactured in such a way that it –
 - (i) has a drainage incline leading directly to the outlet point;
 - (ii) is fitted with an outlet pipe made or manufactured and fitted in a way that all liquid can drain out of such tank, and the end of such outlet pipe shall be screw-threaded and fitted with a screw-on cap permitting such end to be shut off;

- (iii) is fitted with an automatic operated stirring mechanism capable, within five minutes of being put into operation, mixing the milk in such a tank;
 - (iv) is fitted with a thermometer capable of measuring the temperature of the milk in such tank accurately to the nearest two degree Celsius;
 - (v) is equipped to cool the milk in such tank to five degree Celsius or lower temperature within three hours, and, capable of keeping such cooled milk at a required temperature of between one and five degrees Celsius effectively;
 - (vi) is installed at a minimum distance of 0,5 metres from any roof, ceiling or wall to effectively keep the milk cool;
 - (vii) is insulated in such a way that when no cooling takes place, the temperature of the milk in such tank shall not increase by more than 3 degrees Celcius in 12 hours if the surrounding temperature is 32 degrees Celcius;
- (b) comply *mutatis mutandis* with the provisions of sub-regulation (1)(a), (b), (c) and (d);
 - (c) be able to allow for maintenance, cleaning, disinfection, monitoring, and, to facilitate inspection.
- (4) The tank of a milk tanker shall –
- (a) be designed, constructed and installed in such a way that:
 - (i) it has an incline leading to the outlet pipe so that the total contents of such tank can drain out of the tank through the outlet pipe while the vehicle itself is in a horizontal position;
 - (ii) is insulated in such a way that the temperature of the milk in such tank shall not increase by more than two degrees Celsius every 48 hours;
 - (iii) it has at least one opening fitted with dust-proof lid through which the inside of such tank can be inspected and shall be equipped so that all surfaces that come into contact with milk can be adequately cleaned, disinfected as prescribed in sub-regulation (6);
 - (c) comply *mutatis mutandis* with the provisions of sub-regulations (1)(a), (b), (c), (d) and (3)(c).
- (5) Milk containers, and other fixed and unfixed apparatus and equipment shall be so washed and disinfected after use that they are clean, that fats and milk residues are dissolved and removed and that the bacteriological count on surfaces coming into contact with milk does not exceed 10 bacteria per 100 square millimeters of such surfaces after disinfection. The swabbing of the contact surfaces shall be conducted according to SABS Standard Test Method 763: Efficacy of Cleaning Plant, Equipment and Utensils: Swab Technique.

Handling of milk

8. (1) The first/fore milk from every teat shall be taken as a sample to be tested for visual examination and shall be disposed of after testing in such a manner as to prevent contamination of the area. If such testing reveals any signs of abnormality in the milk, the milk of the animal concerned shall be kept separate and shall not be mixed with other milk nor used for human consumption.
- (2) Milk obtained from dairy stock following a minimum of four days after parturition (post-partum) shall not be added to milk destined for human consumption.
- (3) Milk shall not be transferred from one container to another by means of a third container.
- (4) Milk shall be protected from direct sunlight.
- (5) Milk shall be transferred to the milking room immediately after the stock has been milked.
- (6) Except when milk is being pasteurized or undergoing some other heat treatment process, the milk shall be cooled to a temperature of 5 degrees or lower, but above freezing point and kept at that temperature until it is removed from the milking area.

Health status of dairy stock

9. (1) Every milk animal shall be marked with a distinguishing and indelible mark, which, such could identify the animal.
- (2) A register shall be kept of each separate milk animal's diseases, each withdrawal from the dairy herd and, each return to the dairy herd for milking purposes and all veterinary examinations and treatment records with the name of the veterinarian, if involved in such examinations or treatments.
- (3) Each individual milk animal shall be examined by a veterinarian at a minimum of at least once in every two-year cycle, provided that milk animals be further examined as required; and a report shall be obtained from the veterinarian after each examination.
- (4) The milk of any milk animal that is or appears to be ill shall not be made available for human consumption until such time as the holder has made sure that the animal is not suffering from a disease mentioned in sub-regulation (5).

- (5) The milk of dairy stock that suffer from mastitis, indurations of the udder, a secretion of bloody or ropy milk or milk otherwise abnormal, tuberculosis, salmonellosis, acute fever (with the inclusion of anthrax, anaplasmosis, redwater, ephemeral fever and lumpy skin disease, septic metritis, septic multiple mange, serious tick infection or brucellosis, or that have any open or septic wounds which may contaminate milk, milk containers, or apparatus or equipment or people who work with the milk animals, shall not be made available or used for human consumption unless steps have been taken to the satisfaction of the local authority to eliminate such health hazard.
- (6) Substances and materials used in the milking process or on dairy stock shall be kept in containers that are free of foreign or toxic matter and dirt, and such containers when not in use shall be covered with tight-fitting lids. Where applicable, such substances and materials shall be approved in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947).
- (7) All flanks, udders, bellies and tails of visibly dirty milk animals shall before the milking process be cleaned, and if necessary dried with disposable or clean towel.

Personnel hygiene –Milkers and Handlers of Milk

10. (1) In addition to sub-regulation 6(4), personnel hygiene facilities shall be made available to ensure that an appropriate degree of personal hygiene can be maintained and to avoid contaminating milk, where appropriate facilities shall include-
- (a) adequate means of hygienically washing and drying hands, including hand wash basins and a supply of hot and/or cold water and soap and disinfectant;
 - (b) toilets of appropriate hygienic design; and
 - (c) adequate changing facilities for personnel;
- (2) Such facilities shall be suitably located and designed.
- (3) The hands and fingernails of every milker or handler of milk shall be washed thoroughly with soap and water, and there shall be no accumulation of grime under the nails when milk is handled.
- (4) Each person handling milk, shall daily before commencement of activities or work put on clean and undamaged over-clothes and gumboots and wear them continuously while he is handling milk in the interests of milk safety and suitability to use.
- (5) Milk, shall not be handled by any person -
- (a) who has on his or her body a suppurating abscess or a sore or a cut or abrasion, unless such abscess, sore, cut or abrasion is

- covered with a moisture proof dressing which is firmly secured to prevent contamination of the milk;
- (b) who is or who is suspected of suffering from or being a carrier of a disease or condition in its contagious stage that can be transmitted by food or animals, unless any such person immediately reports the disease or condition to the person in charge and a certificate by a medical practitioner stating that such person is fit to handle food is submitted;
- (c) whose hands or clothing are not clean.
- (6) All employees shall be subjected to personal and food hygiene training relevant to the production and handling of milk and in the case of new employees prior to the commencement of handling milk. Records of such training must be made available to an Inspector on request.
- (7) The holder of a certificate of acceptability for a milking shed shall undergo training on food safety and hygiene aspects of the production & handling of milk by an accredited service provider.

STANDARDS AND REQUIREMENTS FOR TRANSPORT OF MILK

Duties of the driver of a vehicle

11. (1) If milk that is not already packed in its final retail packaging is loaded on a vehicle at a milking shed for transport to a further distribution point, the driver of such vehicle shall-
- (a) before any milk is loaded on such vehicle:
- (i) carry out an alizarol test (68 percent alcohol) on a sample of the milk to be loaded, which sample shall be taken by himself or under his/her direct supervision from the container from which such milk will be loaded; and
- (ii) take the temperature of the milk in the tank, if the alizarol test is positive, or if the temperature from such milk in the tank exceeds five degrees Celsius, which indicate inappropriate handling and the temperature under which the milk was stored, not accept such milk for transport;
- (b) ensure that a milk tanker or milk container is cleaned and disinfected as soon as all the milk has been unloaded there from.
- (2) Samples taken in terms of paragraph 11(1)(a), shall comply to the relevant provisions of ISO 707/IDF 50:2008, Milk and milk products- guidance on sampling.
- (3) The bacteriological count on the surfaces coming into contact with milk shall not exceed 10 bacteria per 100 square millimeter of such surfaces after appropriate cleaning and disinfection has been done. The swabbing of the contact surfaces shall be conducted according to SABS Standard Test Method 763: Efficacy of Cleaning Plant, Equipment and Utensils: Swab Technique.

GENERAL PROVISIONS

Exemptions

12. (1) A local authority may exempt in writing any person from compliance with some of these regulations if in the opinion of such local authority, such non-compliance neither does nor will create a health hazard.
- (2) Such an exemption shall be subject to the conditions and valid for the period determined and stated in the said document by the local authority.

OFFENCES

14. Any person who contravenes a provision of these regulations, or allows such a contravention to take place, shall be guilty of an offence and liable for a penalty as provided for under section 18 of the Act.

COMMENCEMENT

15. These regulations –

- (a) except regulation 10 (6) and (7) shall come into operation on the date of the publication of the final regulations: and
- (b) regulation 10 (6) and (7) shall come into operation 12 months after date of final publication.

REPEAL

16. Government Notice No. R. 1256 of 27 June 1986, as amended by Government Notices Nos. R.1111 of 30 August 2002; R.217 of 9 February 1990 and R.2104 of 21 October 1988, are hereby repealed.

**DR. A MOTSOALEDI, MP
MINISTER OF HEALTH
DATE:**

ANNEXURE A
[Regulation 3(1)]

APPLICATION FOR A CERTIFICATE OF ACCEPTABILITY FOR A MILKING SHED

[In terms of the Regulations Relating to Hygiene Requirements for Milking Sheds, the Transport of Milk and Related Matters promulgated in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972
(Act No. 54 of 1972)]

1. Name and Surname of Applicant: _____
2. Physical address:
(GPS coordinates if available)

3. Postal address:

4. Telephone number: _____
5. Cellphone number: _____
6. Fax number: _____
7. E-mail address: _____
8. Description of premises:
(As stipulated on the Title Deed)

9. Number of personnel to be employed: _____
10. Maximum number of milk animals to be milked: _____
11. Name of Holder or Manager: _____

SIGNATURE OF APPLICANT

DATE

ANNEXURE B
[Regulation 3(6)(a)&(b)]

CERTIFICATE OF ACCEPTABILITY FOR MILKING SHEDS AND TRANSPORT OF MILK
(This certificate is not transferable from premises to premises or person to person)

A. ISSUING LOCAL AUTHORITY: _____

CERTIFICATE No. _____

OFFICIAL DATE STAMP

B. MILKING SHED

Name and description of premises as in application form:

Address: (Location or trading area, Erf No.):	
Address where milk is produced:	

C.

Name of the farmer:	Tel:
Tel:	Fax
Fax:	

ID NUMBER _____

D. CERTIFICATION AND RESTRICTIONS

It is hereby certified that the above-mentioned milking shed complies with the provisions of regulations 6(1)(a) made by Government Notice No. ____ of _____ in respect of the handling of milk and transport of milk in the manner specified.

Conditions subject to which a certificate of acceptability is issued in terms of regulation 4(1)(2)	

E. SIGNATURE OF INSPECTOR

		DATE
Name of inspector		
Official designation		

F. ENDORSEMENTS/EXEMPTIONS (In terms of regulation 4)		DATE	SIGNATURE OF INSPECTOR

No. R. 961

23 November 2012

**WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN
ONTSMETTINGSMIDDELS, 1972
(WET NO. 54 VAN 1972)**

**REGULASIES BETREFFENDE DIE HIGIËNEVEREISTES VIR MELKSTALLE, DIE
VERVOER VAN MELK EN AANGELEENTHEDE WAT DAARMEE VERBAND HOU**

Die Minister van Gesondheid het ingevolge artikel 15(1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die regulasies in die Bylae uitgevaardig.

BYLAE

WOORDOMSKRYWING

1. In hierdie regulasies het 'n uitdrukking waaraan in die Wet 'n betekenis geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken-

"afvloeisel" 'n vloeistof, vloeibare of vaste afval, of vloeibare of vaste mis wat afkomstig is van 'n melkstal;

"die Wet" die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972);

"Direkteur-generaal" die Direkteur-generaal soos omskryf in die Wet;

"eie gebruik", met betrekking tot melk, melk wat-

- (a) eksklusief gebruik word deur, of bestem is vir die gebruik van, die eienaar of besitter van die melkvee of sodanige persoon se huishouding; of
- (b) gratis verskaf word aan die werknemers van sodanige persoon vir die gebruik van sodanige werknemers of hulle huishoudings;

"geakkrediteerde diensverskaffer" 'n diensverskaffer soos omskryf in artikel 5(1)(b)(i) van die Wet op die Suid-Afrikaanse Kwalifikasie-owerheid, 1995 (Wet

No. 58 van 1995), saamgelees met artikel 13(1)(i)(i) van die "National Qualifications Framework Act, 2008" (Wet No. 67 van 2008);

"**geneesheer**" iemand wat ingevolge die Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974), as sodanig geregistreer is;

"**geskiktheidsertifikaat**" 'n geskiktheidsertifikaat soos genoem in regulasie 3;

"**gesondheidsgevaar**" ook 'n toestand, handeling of versuim wat voedsel kan besmet of bederf sodat die verbruik daarvan waarskynlik gevaelik of nadelig vir die gesondheid sal wees;

"**gevaar**" 'n biologiese, chemiese of fisiese middel in, of toestand van, voedsel met die potensiaal om 'n negatiewe gesondheidsgevolg te veroorsaak;

"**goedgekeurde melkstal**" 'n melkstal ten opsigte waarvan 'n geskiktheidsertifikaat uitgereik en toegepas word;

"**houer**" die persoon in wie se naam 'n geskiktheidsertifikaat uitgereik is, en het "**eienaar**" of "**besitter**" 'n ooreenstemmende betekenis;

"**inspekteur**" iemand wat by of kragtens artikel 10 van die Wet as sodanig gemagtig is;

"**melk**" die melkafskeding van melkvee, verkry uit een of meer kere se melk vir verbruik as vloeibare melk of vir verdere verwerking;

"**meikskuur**" daardie gebied van die melkstal waarin melkvee gemelk word;

"**melkstal**" 'n fasiliteit soos beskryf in regulasie 6;

"**melktenkwa**" 'n voertuig vir die vervoer van melk in groot maat;

"**melkvee**" koeie, bokooie, skaapooie, perdemerries of donkiemerries wat gebruik word in die produksie van melk vir menslike verbruik, en het "**melkdier**" 'n ooreenstemmende betekenis;

"**ontsmetting**" die vermindering, sonder om die voedsel negatief te raak, by wyse van higiënes bevredigende chemiese middels of fisiese metodes, van die getal mikroöorganismes tot 'n vlak wat nie die skadelike besmetting van voedsel tot gevolg het nie;

"**plaaslike owerheid**" 'n munisipaliteit soos omskryf in artikel 1 van die Wet op Plaaslike Regering: Municipale Stelsels, 2000 (Wet No. 32 van 2000), saamgelees met artikel 32 van die "National Health Act, 2003" (Wet No. 61 van 2003), en behoorlik daartoe gemagtig ingevolge artikel 23(1) van die Wet;

"**reiniging**" die verwydering van grond, voedselresidue, stof, vullis, vetterigheid of ander aanstootlike stof, en het "**skoon**" of "**gereinig**" 'n ooreenstemmende betekenis;

"veearts" iemand wat ingevolge die Wet op Veterinêre en Para-veterinêre Beroepe, 1982 (Wet No. 19 van 1982), as sodanig geregistreer is;

"voldoende geventileer en verlig" geventileer en verlig by wyse van vensters met 'n ononderbroke deursigtige oppervlak gelyk aan minstens tien persent van die vloeroppervlak en met 'n oppervlak wat oopgemaak kan word wat gelyk is aan minstens vyf persent van die vloeroppervlak en wat so geplaas is dat kruisventilasie gefasiliteer word;

"water" water wat voldoen aan die mikrobiologiese vereistes uiteengesit in die Suid-Afrikaanse Nasionale Standaard "SANS 241: Water for domestic supplies", uitgesonderd water wat vir wasdoeleindes in die melkskuur gebruik word;

"wegdoeningstelsel" 'n ondergrondse of grondvlaktenk of ander houer, rioolstelsel, dam of plaasgrond waarin of waarop afvloeisel afgevoer kan word.

VERBOD OP DIE PRODUKSIE VAN MELK, UITGESONDERD IN 'N GOEDGEKEURDE MELKSTAL

2. (1) Niemand moet 'n melkstal gebruik vir die doel van die melk van melkveeteen einde melk vir menslike verbruik te produseer nie, tensy die melkstal waarin die melkvee gemelk word 'n goedgekeurde melkstal is en sodanige melkstal gebruik word ooreenkomsdig die bepalings van hierdie regulasies en die voorwaardes van die geskiktheidsertifikaat wat ten opsigte van daardie melkstal uitgereik is.
 - (2) Die bepalings van subregulasie (1) is nie op 'n melkstal waarin melk alleenlik vir eie gebruik geproduseer word, van toepassing nie.
 - (3) Indien 'n plaaslike owerheid van mening is dat 'n melkstal op 'n wyse gebruik word wat 'n gesondheidsgevaar uitmaak of dat 'n situasie in die melkstal ontwikkel het wat sodanige gevaar uitmaak, kan die plaaslike owerheid die eienaar of besitter van 'n bestaande melkstal skriftelik gelas om nie enige melk vir menslike verbruik uit die melkstal te verwijder nie totdat die gevaar of situasie tot bevrediging van die plaaslike owerheid reggestel is.

GESKIKTHEIDERTIFIKAAT

Aansoek om 'n geskiktheidsertifikaat

3. (1) Iemand wat ten opsigte van 'n melkstal om 'n geskiktheidsertifikaat wil aansoek doen, moet skriftelik daarvoor aansoek doen by die plaaslike owerheid in wie se gebiedsjurisdiksie die melkstal geleë is, en op 'n vorm wat minstens die besonderhede bevat wat wesenlik dieselfde is as daardie vervat in die vorm in Aanhangsel A by hierdie regulasies.

- (2) Sodanige aansoek moet by die plaaslike owerheid in wie se gebiedsjurisdiksie die melkstal geleë is of opgerig gaan word, ingedien word tesame met—
 - (a) 'n terreinplan met noord aangedui, en met 'n aanduiding van alle nabyleeën en aangrensende geboue en hulle gebruik;
 - (b) 'n uitlegplan op 'n skaal van 1:100 van al die melkstal- of melkproduksiefasiliteite genoem in regulasie 6, bestaande uit 'n vloer- of grondplan, 'n deursneeaansig en 'n vertikale aansig.
- (3) By ontvangs van 'n aansoek genoem in regulasie 3, moet die plaaslike owerheid die aansoek onverwyld vir oorweging na 'n inspekteur of 'n werknemer van die betrokke plaaslike owerheid verwys.
- (4) 'n Inspekteur kan, by oorweging van daardie aansoek, sodanige verdere inligting van die aansoeker of 'n ander persoon versoek wat hy of sy nodig of raadsaam ag.
- (5) 'n Plaaslike owerheid oorweeg nie 'n aansoek om die uitreiking van 'n geskiktheidsertifikaat nie, tensy 'n volledige ondersoek van die betrokke perseel deur 'n inspekteur gedoen is, en sy of haar verslag van sodanige ondersoek, en aanbeveling oor daardie saak, in die besit van die plaaslike owerheid is.
- (6) Indien die plaaslike owerheid, by oorweging van 'n aansoek om die uitreiking van 'n geskiktheidsertifikaat, die tersaaklike verslag en aanbeveling deur die inspekteur en enige ander dokumente wat ingedien of inligting wat bekom is, daarvan oortuig is dat die betrokke melkstal—
 - (a) aan subregulasies 6(1), (2), (3), (4) en (5) en regulasie 7 van hierdie regulasies voldoen, en in alle opsigte geag word geskik te wees vir die produksie en die higiéniese hantering van melk,
 - (b) reik hy in die naam van die aansoeker 'n geskiktheidsertifikaat uit ten opsigte van die betrokke melkstal, in 'n vorm wat wesenlik dieselfde is as die vorm in Aanhangsel B van hierdie regulasies: Met dien verstande dat die uitreiking van sodanige sertifikaat nie geld as goedkeuring dat die aansoeker by gebrek aan voldoening aan alle ander toepaslike vereistes van die betrokke owerheid die melkstal kan gebruik nie.

Voorwaardes waaronder 'n geskiktheidsertifikaat uitgereik word

4. (1) Dit is 'n voorwaarde van 'n geskiktheidsertifikaat—
 - (a) dat die melkstal te eniger redelike tyd ondersoek kan word;
 - (b) dat die personeel wat daar in diens is en die melkvee te eniger redelike tyd deur 'n inspekteur nagegaan of ondersoek kan word;
 - (c) dat die melkstal gebruik word ooreenkomsdig die bepalings van hierdie regulasies;
 - (d) dat die geskiktheidsertifikaat in 'n opsigtelike plek vertoon word of dat 'n afskrif daarvan op versoek dadelik beskikbaar gestel moet word waar die vertoon daarvan onprakties is: Met dien verstande

- dat 'n geskiktheidsertifikaat wat opgeskort of ingetrek is, waarvoor in regulasie 5 voorsiening gemaak word, nie vertoon moet word of nie beskikbaar gestel moet word nie;
- (e) dat dit nie van een persoon aan 'n ander of van een melkstal aan 'n ander oordraagbaar is nie;
 - (f) dat dit slegs geldig is ten opsigte van die struktuur en die aard van die hantering wat in die aansoek om 'n geskiktheidsertifikaat uiteengesit is;
 - (g) dat dit te eniger tyd deur 'n plaaslike owerheid geëndosseer kan word deur–
 - (i) die byvoeging van 'n verdere beperking wat nodig is om 'n gesondheidsgevaar te voorkom; en
 - (ii) die verwydering van 'n beperking met betrekking tot die metode van hantering;
 - (h) dat dit tydelik verstryk vir die tydperk wat 'n verbod kragtens subregulasie 2(3) van krag is;
 - (i) dat dit permanent verstryk indien 'n verbod in subregulasie 2(3) genoem, nie binne 'n vasgestelde tydperk opgehef is nie, welke tydperk nie ses maande moet oorskry vanaf die datum waarop 'n kennisgewing ingevolge subregulasie 2(3) uitgereik is nie;
 - (j) dat dit permanent verstryk indien daar nie aan die bepalings van subregulasie 2(3) voldoen is nie.
- (2) Niemand mag enige ongemagtigde veranderinge of byvoegings maak aan 'n geskiktheidsertifikaat of dit vervals nie.
- (3) Indien die houer van 'n melkstal deur 'n ander persoon vervang word, moet daardie persoon, binne 30 dae van die datum daarvan, die plaaslike owerheid skriftelik van sodanige vervanging verwittig, en die plaaslike owerheid moet, behoudens die bepalings van subregulasie 2(3), 'n nuwe geskiktheidsertifikaat uitreik in die naam van die nuwe houer.
- (4) Behoudens die bepalings van subregulasie 4(3) en regulasie 5, waarvan toepassing, moet 'n geskiktheidsertifikaat, wat vóór die inwerkingtreding van hierdie regulasies ingevolge die regulasies gepubliseer by Goewermentskennisgewing No. R. 1256 van 27 Junie 1986 uitgereik is, geag word 'n geskiktheidsertifikaat te wees wat ingevolge hierdie regulasies uitgereik is.

Opskorting of intrekking van 'n geskiktheidsertifikaat

5. (1) Indien 'n plaaslike owerheid in wie se gebiedsjurisdiksie 'n goedgekeurde melkstal geleë is, op grond van 'n inspeksieverslag en die aanbeveling van 'n inspekteur, van mening is dat die melkstal–
 - (a) gebruik word op 'n wyse wat 'n gesondheidsgevaar uitmaak of dat 'n situasie in die melkstal ontstaan het wat 'n gesondheidsgevaar uitmaak, kan die plaaslike owerheid so lank as wat 'n gevær na sy mening bestaan, die betrokke

- geskiktheidsertifikaat opskort en die houer daarvan dienooreenkomsdig skriftelik kennis gee;
- (b)strydig met die bepalings van hierdie regulasies of die bepalings en voorwaardes van die geskiktheidsertifikaat gebruik word, moet die plaaslike owerheid die houer daarvan dienooreenkomsdig skriftelik kennis gee.
- (2) 'n Kennisgewing genoem in subregulasie (1) moet die besonderhede meld wat redelikerwys voldoende moet wees om die betrokke houer in te lig oor die gronde waarop die plaaslike owerheid sy besluit berus, en moet die houer versoek om binne 21 dae van ontvangs van die kennisgewing op die bewerings gemaak daarin te antwoord.
- (3) Indien so 'n antwoord ontvang word, kan die plaaslike owerheid, na oorweging van die antwoord aldus ontvang, aan die houer 'n bevel uitreik wat hom of haar gelas om die dergelike aangewese aangeleenthede waарoor gekla word vóór 'n spesifieke datum reg te stel en wat meld dat, by versuim hiervan, die geskiktheidsertifikaat sonder verdere kennisgewing ingetrek kan word.
- (4) 'n Kennisgewing uitgereik ingevolge subregulasie (1) moet aan die houer of die persoon in beheer van die betrokke melkstal beteken word, en die persoon aan wie die kennisgewing beteken word, moet op die wyse in die kennisgewing bepaal met daardie kennisgewing en die betrokke geskiktheidsertifikaat handel, in gevalle waar die betrokke sertifikaat opgeskort of ingetrek word.
- (5) Die opskorting of intrekking van 'n geskiktheidsertifikaat ingevolge hierdie regulasie het die gevolg dat, so lank as wat die betrokke sertifikaat opgeskort is en vanaf die datum waarop die sertifikaat ingetrek is, geen melk wat in die betrokke melkstal geproduseer of ontvang word, vir menslike verbruik gebruik mag word nie.

STANDAARDE EN VEREISTES**Melkstalle**

6. (1) (a) 'n Goedgekeurde melkstal bestaan uit minstens—
- (i) 'n melkskuur genoem in subregulasie (2);
 - (ii) 'n melkkamer genoem in subregulasie (3) waar melk vanaf die melkskuur ontvang word, en sodanige melk geberg moet word, en waar dit behandel, verwerk en verpak kan word: Met dien verstande dat waar al die vereistes ingesluit in subregulasie (3), vanweë die ontwerp en konstruksie van 'n melkstal, nie binne die melkkamer geleë kan wees nie, dit op 'n ander wyse op die perseel verskaf word;
 - (iii) 'n kleedkamer genoem in subregulasie (4); en

- (iv) 'n waskamer vir die was, reiniging, ontsmetting en sterilisering van melkhouers en ander los apparaat en toerusting wat in die hantering van melk gebruik word.
- (b) (i) Die fasilitete genoem in subregulasie (1)(a) moet, behoudens die bepalings van paragraaf (ii), as aparte kamers in een gebouekompleks of as aparte vrystaande geboue opgerig word.
- (ii) 'n Waskamer genoem in subregulasie (1)(a)(iv) kan as 'n integrale deel van 'n melkkamer of as 'n aparte kamer opgerig word.
- (2) In die geval van 'n melkskuur-
- (a) moet daar geen regstreekse verbinding met 'n latrine of met 'n kamer wees waar gasse, rook, dampe, stof of roetneerslag voorkom of weens die aard van die bedrywighede in sodanige kamer kan ontstaan nie;
- (b) wat staanruimte verskaf aan meer as een ry melkvee, waarvan die een parallel met die ander is, moet daar 'n skeidingsdeurgang tussen die rye wees wat minstens een meter wyd is;
- (c) moet die afskortings, indien enige, wat die melkvee van mekaar skei wanneer hulle gemelk word, bestaan uit glad afgewerkte, nie-absorberende, roesvrye materiaal, sonder enige oop nate en krake;
- (d) moet die krippe so gerangskik word dat die voer wat agter die krippe ophoop, verwijder en behoorlik mee weggedoen kan word;
- (e) waar mure voorsien word, moet die buitemure-
- (i) aan die binnekant minstens 2,4 meter hoog wees;
- (ii) op die plekke waar die melkvee gemelk word, minstens 2,1 meter reik bokant die vlak waarop die melkvee staan;
- (f) moet die binne-oppervlakte van die mure, indien voorsien, bestaan uit ondeurdringbare materiaal wat in die bestemde gebruik geen giftige gevolg het nie;
- (g) moet die plafonne, indien voorsien, of die oorhoofse strukture en vaste toebehore opgerig en afgerond word om die ophoping van vullis, kondensasie en die awerp van deeltjies te minimeer;
- (h) moet die vloere gelê word om voorsiening te maak vir voldoende dreinering en reiniging;
- (i) moet sodanige skuur voldoende geventileer en verlig word;
- (j) moet sodanige skuur voorsien word van minstens een waterkraan met lopende water waaraan 'n buigsame pyp vir wasdoeleindes gekoppel kan word; en
- (k) moet die ingange en uitgange vir melkvee 'n vloerbedekking hê met 'n ondeurdringbare oppervlak wat aansluit by 'n wegdoeningstelsel, en daardie vloerbedekking moet op so 'n wyse geïnstalleer word dat 'n melkdier wat die melkskuur in- of uitgaan 'n afstand van minstens vier meter daarop loop.
- (3) In die geval van 'n melkkamer-

- (a) moet sodanige melkkamer *mutatis mutandis* voldoen aan die bepalings van subregulasie (2)(e)(i), (f), (g), (h) en (i);
 - (b) waar die waskamer 'n integrale deel van die melkkamer vorm soos in subregulasie (1)(b)(ii) genoem, moet daar voldoende ruimte wees om voorsiening te maak vir die reiniging en ontsmetting van alle melkhouders en die opberging van melk;
 - (c) moet sodanige melkkamer voorsien word van minstens een opwasbak met warm en koue water (of water met 'n temperatuurkontrole), met die afloop wat aansluit by 'n wegdoeningstelsel;
 - (d) moet sodanige melkkamer so opgerig word dat 'n melktenkwa deur 'n gesikte opening aan 'n grootmaatplaastenk verbind kan word en die afstand tussen die twee verbindingspunte moet nie ses meter oorskry nie;
 - (e) moet sodanige melkkamer rotdig wees;
 - (f) moet die deure gladde, nie-absorberende oppervlakte hê wat maklik gereinig en, indien nodig, ontsmet kan word;
 - (g) moet die vensters maklik wees om skoon te maak, opgerig word om die ophoping van vullis te minimiseer en, waar nodig, uitgerus word met verwijderbare en reinigbare insektegaas. Waar nodig, moet vaste vensters ingesit word;
 - (h) kan sodanige melkkamer toegerus word met 'n grootmaatplaastenk in regulasie 7(3) genoem, vir die opberging van melk.
- (4) 'n Kleedkamer moet–
- (a) *mutatis mutandis* voldoen aan subregulasie (2)(e)(i), (f), (g), (h) en (i);
 - (b) beskik oor minstens een handwasbak en 'n stort, wat uitgerus is met warm en koue lopende water, seep, ontsmettingsmiddel en wegdoenbare handdoeke, en die gebruikte water uit daardie handwasbak en stort moet voldoende na 'n wegdoeningstelsel dreineer;
 - (c) maklik bereikbaar wees vanaf die melkskuur en die melkkamer.
- (5) Enige afvloeisel wat in 'n melkstal ontstaan moet–
- (a) nie in of op enige ander plek as 'n gesikte wegdoeningstelsel geberg, behandel of gestort word nie;
 - (b) nie op enige ander manier as by wyse van 'n pyplyn of sementslote of in 'n houer na 'n gesikte wegdoeningstelsel vervoer word of daarin of daarop gestort word nie;
 - (c) nie gestort word sodat 'n waterbron daardeur besoedel of besoedel kan word nie;
 - (d) nie 'n oorlas uitmaak of 'n toestand veroorsaak wat 'n gesondheidsgevaar is nie.
- (6) 'n Houer moet–
- (a) in of by 'n melkstal sorg dra dat–
 - (i) 'n oorlas of 'n toestand wat 'n gesondheidsgevaar uitmaak nie veroorsaak word of ontstaan nie;

- (ii) geen giftige of gevaarlike stowwe of gasse geberg word nie;
 - (iii) geen bedrywigheid plaasvind wat die melk kan besoedel of benadeel of besmet of bederf nie;
 - (iv) die bergingstoestande geskik is om voerbesmetting te voorkom;
 - (b) rotte, vlieë, kakkerlakke en ander insekte op die perseel van die melkstal beheer word;
 - (c) die rou melk bestem vir menslike verbruik of die rou melk bestem vir verdere verwerking aan die *Regulasies betreffende melk en suiwelprodukte*, R. 1555 van 21 November 1997, wat kragtens die Wet gepubliseer is, voldoen.
- (7) 'n Melkstal moet nie vir enige ander doel as die produksie en hantering van melk gebruik word nie.
- (8) Los melkhouders en ander apparaat wat vir die hantering van melk gebruik word, moet nie op enige ander plek as die waskamer genoem in subregulasie (1)(a)(iv) gewas, gereinig, ontsmet of gesteriliseer word nie.
- (9) Niemand moet in 'n melkstal, uitgesonnerd die kleedkamer of die eetkamer daarvan, rook, enige vorm van tabak gebruik of hanteer, of eet nie.
- (10) Sodra die melkdiere 'n melkstal verlaat het, moet al die mis uit die melkstal en van die vloer verwijder word, en moet al die ingange en uitgange van die melkstal gereinig word.

Melkhouders en melkmasjien

7. (1) 'n Melkhouer moet–
- (a) op so 'n wyse ontwerp en gemaak word dat dit 'n gladde afwerking, vry van oop nate, krake en roesvlekke, het om te verseker dat dit, waar nodig, voldoende gereinig, ontsmet en in stand gehou kan word om die besmetting van melk te voorkom;
 - (b) nie in sy geheel of gedeeltelik van koper of 'n koperallooi of 'n giftige materiaal gemaak word nie;
 - (c) op so 'n wyse gemaak word dat enige oppervlak wat met melk in aanraking kom, toeganklik is vir die doeleindeste van was en ontsmetting; en
 - (d) vir geen ander doel as die hantering van melk gebruik word nie.
- (2) 'n Melkmasjien moet–
- (a) op so 'n wyse ontwerp, opgerig of vervaardig word dat–
 - (i) die vakuumpyp van die masjien gedreineer kan word om al die vog te verwijder;
 - (ii) die masjien voldoende gereinig, ontsmet en in stand gehou kan word om die besmetting van melk te voorkom;

- (iii) die masjien uitgerus is met 'n toestel wat die melkvloeい uit elke melkdier sigbaar maak; en
 - (iv) die masjien aan subregulasie (1)(a), (b), (c) en (d) voldoen;
 - (b) duursaam en beweegbaar wees en uitmekaargehaal kan word om voorsiening te maak vir instandhouding, reiniging, ontsmetting en monitering, en om inspeksie te faciliteer.
- (3) 'n Grootmaatplaastenk moet–
- (a) op so 'n wyse ontwerp, gemaak en vervaardig word dat dit-
 - (i) 'n dreineerhelling het wat regstreeks lei na die uitlaatpunt;
 - (ii) uitgerus is met 'n uitlaatpyp wat gemaak of vervaardig en op 'n manier gemonteer is dat alle vloeistof uit daardie tenk dreineer, en die punt van daardie uitlaatpyp moet van skroefdraad voorsien en met 'n skroefdop uitgerus word wat dit moontlik maak om daardie punt af te sluit;
 - (iii) uitgerus is met 'n roermeganisme wat outomaties werk, wat in staat is om binne vyf minute nadat dit in werking gestel is, die melk in daardie tenk te meng;
 - (iv) uitgerus is met 'n thermometer wat in staat is om die melk in daardie tenk akkuraat te meet tot die naaste twee grade Celsius;
 - (v) toegerus is om die melk in daardie tenk binne drie uur af te koel tot vyf grade Celsius of 'n laer temperatuur, en in staat is om daardie afgekoelde melk effektiief by 'n vereiste temperatuur van tussen een en vyf grade Celsius te hou;
 - (vi) 'n minimum afstand van 0,5 meter van enige dak, plafon of muur geïnstalleer is om die melk effektiief koel te hou;
 - (vii) op so 'n wyse geïsoleer word dat wanneer geen afkoeling plaasvind nie, die temperatuur van die melk in daardie tenk 12 uur lank nie meer as drie grade Celsius sal verhoog as die omgewingstemperatuur 32 grade Celsius is nie;
 - (b) *mutates mutandis* voldoen aan die bepalings in subregulasie (1)(a), (b), (c) en (d);
 - (c) instandhouding, reiniging, ontsmetting en monitering moontlik maak, en inspeksie faciliteer.
- (4) Die tenk van 'n melktenkwa moet–
- (a) op so 'n wyse ontwerp, gemaak en geïnstalleer word dat:-
 - (i) dit 'n helling het wat lei na die uitlaatpyp sodat die totale inhoud van daardie tenk uit die tenk deur die uitlaatpyp kan dreineer terwyl die voertuig self in 'n horizontale posisie is;
 - (ii) op so 'n wyse geïsoleer word dat die temperatuur van die melk in daardie tenk elke 48 uur nie meer as twee grade Celsius sal verhoog nie;
 - (iii) die tenk minstens een opening uitgerus met 'n stofdigte deksel het waardeur die binnekant van daardie tenk ondersoek kan word, en moet so toegerus word dat alle oppervlakte wat

- met melk in aanraking kom voldoende gereinig en ontsmet kan word, soos voorgeskryf in subregulasie (6);
- (c) *mutatis mutandis* voldoen aan die bepalings in subregulasies (1)(a), (b), (c) en (d) en (3)(c).
- (5) Melkhouders, en ander vaste en losstaande apparaat en toerusting, moet na gebruik so gewas en ontsmet word dat hulle skoon is, dat vet- en melkresidue opgelos en verwijder is en dat die bakterietelling op oppervlakke wat met melk in aanraking kom, na ontsmetting nie 10 bakterieë per 100 vierkante millimeter van daardie oppervlakke oorskry nie. Die dep van die kontakoppervlakte moet uitgevoer word ooreenkomsdig die SABS-standaardtoetsmetode 763: *Doeltreffendheid van die reiniging van aanleg, toerusting en gebruiksvoorwerpe: Deppertegniek*.

Hantering van melk

8. (1) Die eerste of voormelk uit elke speen moet as 'n toetsmonster geneem en visueel ondersoek word, en ná toetsing mee weggedoen word op 'n wyse wat besmetting van die gebied sal voorkom. Indien sodanige toetsing enige tekens van abnormaliteit in die melk openbaar maak, moet die melk van die betrokke dier apart gehou word en nie met ander melk gemeng of vir menslike verbruik gebruik word nie.
- (2) Melk van melkvee verkry na 'n minimum van vier dae wat volg op parturisie (post-partum) moet nie by die melk gevoeg word wat vir menslike verbruik bestem is nie.
- (3) Melk moet nie by wyse van 'n derde houer van een houer na 'n ander oorgedra word nie.
- (4) Melk moet teen direkte sonlig beskerm word.
- (5) Melk moet na die melkkamer oorgedra word onmiddellik nadat die vee gemelk is.
- (6) Buiten wanneer melk gepasteuriseer word of 'n ander hittebehandelingsproses ondergaan, moet die melk afgekoel word tot 'n temperatuur van 5 grade Celsius of laer, maar bokant vriespunt, en by daardie temperatuur gehou word totdat dit uit die melkkamer verwijder word.

Stand van gesondheid van melkvee

9. (1) Elke melkdier moet gemerk word met 'n onderskeidende en onuitwisbare merk wat die dier identifiseer.
- (2) 'n Register moet gehou word van elke afsonderlike melkdier se siektes, elke onttrekking aan die melkkudde en elke terugneming in die

melkkudde vir melkdoeleindes, en alle veterinêre ondersoeke en behandelingsrekords, met die naam van die veearts indien betrokke by sodanige ondersoeke of behandelings.

- (3) Elke individuele melkdier moet minstens een keer in 'n tweejaarsiklus deur 'n veearts ondersoek word, met dien verstande dat melkdiere soos nodig verder ondersoek word; en na elke ondersoek moet 'n verslag van die veearts verkry word.
- (4) Die melk van 'n melkdier wat siek is of siek blyk te wees moet nie vir menslike verbruik beskikbaar gestel word totdat die houer seker gemaak het dat die dier nie aan 'n siekte genoem in subregulasie (5) ly nie.
- (5) Die melk van melkvee wat ly aan mastitis, verharding van die uier, 'n afskeiding van bloederige of langmelk of melk wat andersins abnormaal is, tuberkulose, salmonellose, akute koers (met ook milt siekte (antraks), anaplasmose, rooiwater, eiemere koers (eendagskoers) en knopvelsiekte), septiese metritis, septiese verspreide brandsiekte, ernstige bosluisbesmetting of brucellose, of wat enige oop of septiese wonde het wat die melk, melkhouders of die apparaat of die toerusting, of die mense wat met die melkdiere werk, kan besmet, moet nie vir menslike verbruik beskikbaar gestel of gebruik word nie, tensy stappe gedoen is tot bevrediging van die plaaslike owerheid om sodanige gesondheidsgevaar uit te skakel.
- (6) Stowwe en materiaal wat in die melkproses of op melkvee gebruik word, moet in houers gehou word wat vry is van vreemde of giftige stowwe en vullis, en daardie houers moet wanneer hulle nie in gebruik is nie, met digpassende deksels bedek word. Waar toepaslik, moet sodanige stowwe en materiaal goedgekeur word ingevolge die Wet op Misstowwe, Veevoedsel, Landboumiddels en Veemiddels, 1947 (Wet No. 36 van 1947).
- (7) Alle flanke, uiers, mae en sterte van opsigtelik vuil melkdiere moet voor die melkproses gereinig en, indien nodig, met wegdoenbare of skoon handdoeke afgedroog word.

Personeelhigiëne – melkers en hanteerders van melk

10. (1) Bykomend tot subregulasie 6(4), moet personeelhigiënefasilitete beskikbaar gestel word om te verseker dat 'n gesikte graad van persoonlike higiëne gehandhaaf word om die besmetting van melk te voorkom, waar gepaste fasilitete insluit-
 - (a) voldoende middelle vir die higiëniese was en droogmaak van hande, ook handwasbakke en 'n voorraad warm en/of koue water en seep en ontsmettingsmiddel;
 - (b) toilette met 'n gepaste higiëniese ontwerp; en
 - (c) voldoende verkleefasilitete vir personeel.

- (2) Sodanige fasiliteite moet gepas geleë en ontwerp wees.
- (3) Die hande en vingernaels van elke melker of hanteerder van melk moet deeglik met seep en water gewas word, en daar moet geen aanpaksel van vuilheid onder die naels wees wanneer melk gehanteer word nie.
- (4) Elke persoon wat melk hanteer moet daagliks, voor die aanvang van bedrywighede of werk, skoon en onbeskadigde oorklere en rubberstewels aantrek en dit tot voordeel van die veiligheid en gesiktheid van melk vir gebruik heeltyd dra terwyl hy of sy melk hanteer.
- (5) Melk moet nie deur 'n persoon gehanteer word-
 - (a) wat op sy of haar liggaam 'n etterende abses of 'n seer- of 'n sny- of 'n skaafplek het nie, tensy daardie abses, seer-, sny- of skaafplek met 'n vogdigte wondbedekking bedek is wat stewig geheg is om die besmetting van melk te voorkom;
 - (b) wat aan 'n siekte of toestand ly of vermoedelik daaraan ly, of wat 'n draer of vermoedelik 'n draer van die siekte of toestand in sy aansteeklike fase is wat deur voedsel of diere oorgedra kan word nie, tensy enige sodanige persoon onmiddellik die siekte of toestand by die persoon in beheer aanmeld en 'n sertifikaat van 'n geneesheer indien wat verklaar dat daardie persoon gesik is om voedsel te hanteer;
 - (c) wie se hande of klere nie skoon is nie.
- (6) Alle werknemers moet opleiding ondergaan in persoonlike en voedselhygiëne wat op die produksie en hantering van melk van toepassing is, en, in die geval van nuwe werknemers, vóór die aanvang van die hantering van melk. Rekords van sodanige opleiding moet op versoek aan 'n inspekteur beskikbaar gestel word.
- (7) Die houer van 'n gesiktheidsertifikaat vir 'n melkstal moet opleiding in voedselveiligheid en die higiëneaspekte van die produksie en hantering van melk ontvang wat deur 'n geakkrediteerde diensverskaffer aangebied word.

STANDAARDE EN VEREISTES VIR DIE VERVOER VAN MELK

Pligte van die bestuurder van 'n voertuig

11. (1) Indien melk wat nie reeds in sy finale kleinhandelverpakking verpak is nie, by 'n melkstal op 'n voertuig gelaai word vir vervoer na 'n verdere verspreidingspunt, moet die bestuurder van daardie voertuig-
- (a) voordat enige melk op daardie voertuig gelaai word:
 - (i) 'n alisarolproef uitvoer (68 persent alkohol) op 'n monster van die melk wat gelaai moet word, welke monster deur hom of haar of onder sy of haar direkte toesighouding uit

- die houer geneem moet word waaruit daardie melk gelaai word; en
 - (ii) die temperatuur van die melk in die tenk neem; en indien die alisarolproef positief is of indien die temperatuur van daardie melk in die tenk vyf grade Celsius oorskry, wat onbehoorlike hantering aandui en die temperatuur waaronder die melk geberg is, daardie melk nie vir vervoer aanvaar nie;
 - (b) seker maak dat 'n melktenkwa of melkhouer gereinig en ontsmet word sodra al die melk uit daardie melktenkwa of -houer afgelaai is.
- (2) Die monsters wat ingevolge regulasie 11(1)(a) geneem word, moet voldoen aan al die toepaslike bepalings van ISO 707/IDF 50:2008: *Melk en melkprodukte – riglyne oor monsterneming*.
- (3) Die bakterietelling op die oppervlakte wat met die melk in aanraking kom, moet nie nadat gepaste reiniging en ontsmetting uitgevoer is, 10 bakterieë per 100 vierkante millimeter van daardie oppervlakte oorskry nie. Die deb van die kontakoppervlakte moet uitgevoer word ooreenkomsdig die *SABS-standaardtoetsmetode 763: Doeltreffendheid van aanleg, toerusting en gebruiksvoorwerpe: Deppertegniek*.

ALGEMENE BEPALINGS

Vrystellings

12. (1) 'n Plaaslike owerheid kan 'n persoon skriftelik vrystel van nakoming van sommige van hierdie regulasies indien sodanige nienakoming na die mening van die plaaslike owerheid nie 'n gesondheidsgevaar skep of sal skep nie.
- (2) Sodanige vrystelling is onderhewig aan die voorwaardes en geldig vir die tydperk wat die plaaslike owerheid bepaal en in die betrokke dokument verklaar het.

MISDRYWE

14. Iemand wat 'n bepaling van hierdie regulasies oortree, of toelaat dat so 'n oortreding plaasvind, is aan 'n misdryf skuldig en is strafbaar met 'n boete waarvoor kragtens artikel 18 van die Wet voorsiening gemaak word.

INWERKINGTREDING

15. Hierdie regulasies –

- (a) uitgesonderd regulasie 10(6) en 10(7), tree in werking op die datum van publikasie daarvan; en
- (b) regulasie 10(6) en 10(7) tree in werking 12 maande na die datum van publikasie van die regulasies.

HERROEPING

16. Goewermentskennisgewing No. R. 1256 van 27 Junie 1986, soos gewysig by Goewermentskennisgewings Nos. R. 1111 van 30 Augustus 2002, R. 217 van 9 Februarie 1990 and R. 2104 van 21 Oktober 1988, word hierby herroep.

DR A MOTSOALEDI
MINISTER VAN GESONDHEID

**AANHANGSEL A
[Regulasie 3(1)]****AANSOEK OM 'N GESIKTHEIDSERTIFIKAAT VIR 'N MELKSTAL**

[Ingevolge die *Regulasies betreffende die higiënevereistes vir melkstalle, die vervoer van melk en aangeleenthede wat daarmee verband hou*, uitgevaardig kragtens die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972)]

1. Naam en van van aansoeker: _____
2. Fisiese adres:
(GPS-koördinate, indien beskikbaar)

3. Posadres:

4. Telefoonnummer: _____
5. Selfoonnnummer: _____
6. Faksnommer: _____
7. E-posadres: _____
8. Beskrywing van perseel:
(Soos op die transportakte uiteengesit)

9. Getal personeel wat in diens geneem gaan word: _____
10. Maksimum getal melkdiere wat gemelk gaan word: _____
11. Naam van houer of bestuurder: _____

HANDTEKENING VAN AANSOEKER

DATUM

Let wel: 'n Afskrif van 'n uitlegplan op 'n skaal van 1:100 van al die melkstal- of melkproduksiefasilitete, bestaande uit 'n grondplan, 'n deursneeaansig en 'n vertikale aansig, moet aangeheg word.

AANHANGSEL B
[Regulasie 3(6)(a) & (b)]

GESKIKTHEIDSERTIFIKAAT VIR MELKSTALLE EN VERVOER VAN MELK
(Hierdie sertifikaat is nie van perseel aan perseel of persoon aan persoon oordraagbaar nie.)

A. PLAASLIKE UITREIKOWERHEID: _____

SERTIFIKAATNO.: _____

AMPTELIKE DATUMSTEMPEL

B. MELKSTAL

Naam en beskrywing van perseel soos op aansoekvorm:

Adres: (Ligging of handelsgebied, Erfno.):
Adres waar melk geproduseer word:

C.

Naam van boer:	
Tel.:	
Faks:	

ID-NOMMER: _____

D. VERKLARING EN BEPERKINGS

Hierby word verklaar dat bogenoemde melkstal voldoen aan die bepalings van regulasie 6(1)(a) uitgevaardig by Goewermentskennisgewing No. _____ van _____ ten opsigte van die hantering en die vervoer van melk op die wyse daarin uiteengesit.

Voorwaardes waaronder 'n geskiktheidsertifikaat ingevolge regulasie 4(1) en (2) uitgereik word:

E. HANDTEKENING VAN INSPEKTEUR

	DATUM
Naam van inspekteur	
Amptelike titel	

F. ENDOSSEMENTE/VRYSTELLINGS (ingevolge regulasie 4)	DATUM	HANDTEKENING VAN INSPEKTEUR

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