

Town of Copper Cliff

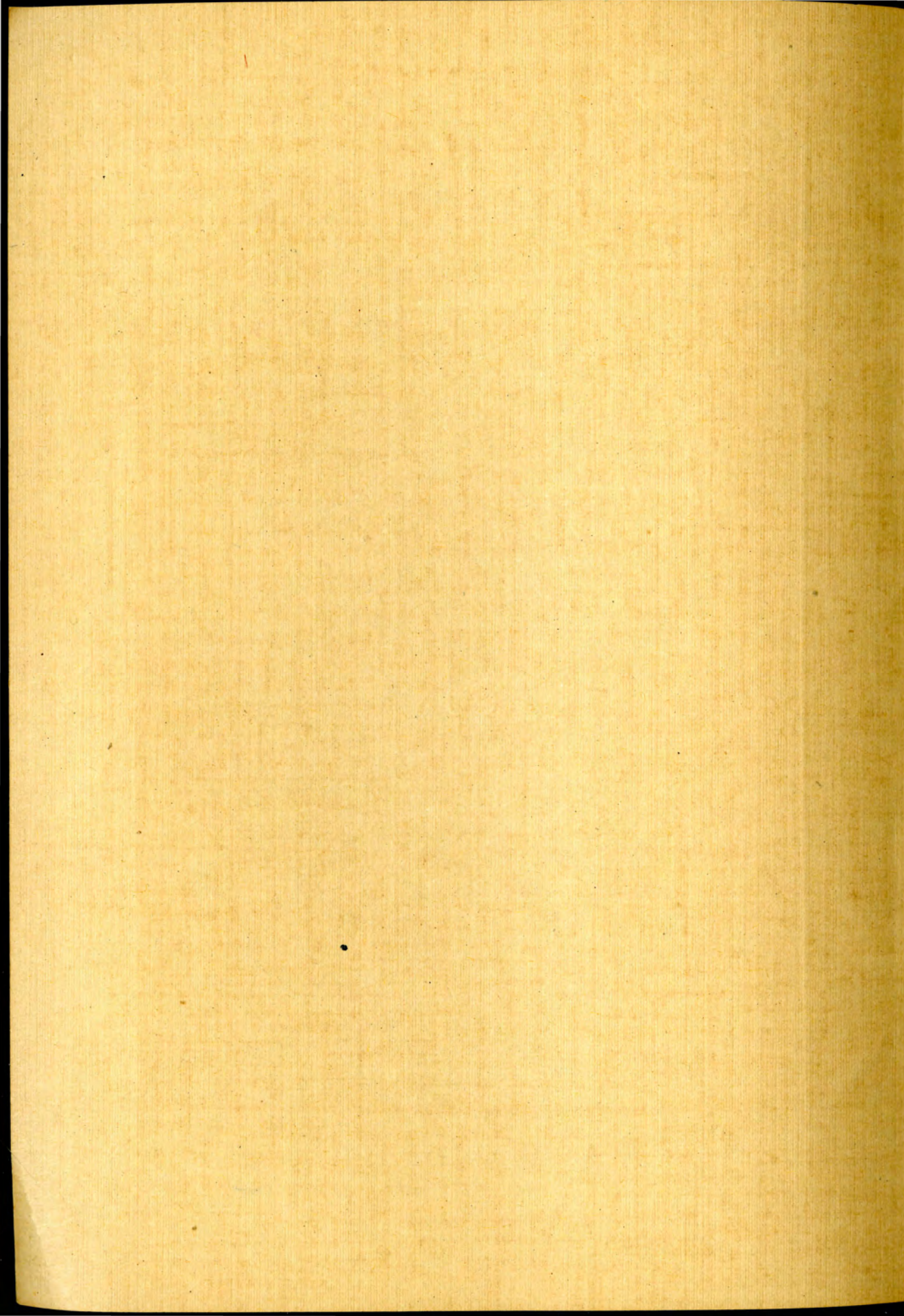
By-Law Number

80

*For Licensing and Regulating Milk and
Cream Vendors, and for providing
for the Inspection of Milk, Cream,
Cows, Cow Byres and Dairies*



Printed by
THE SUDBURY STAR
Sudbury, Ontario
1914



BY-LAW No. 80

For Licensing and Regulating Milk and Cream Vendors, and for Providing for the Inspection of Milk, Cream, Cows, Cow Byres and Dairies.

The Council of the Corporation of the Town of Copper Cliff enacts as follows:—

1.—No person shall sell milk or cream, or produce, or offer, or keep, or supply the same for sale in the Town of Copper Cliff either directly to the consumer or to shops or stores, or in wholesale quantities to any person to be afterwards sold or delivered by such person to the consumer, without having first obtained a license to do so under provisions of this By-Law.

2.—The said license shall be issued by the Medical Health Officer of the said Town of Copper Cliff, the applicant to first obtain his certificate from such officer that the applicant has, with respect to his cattle, premises and equipment, complied in all respects with the provisions of "The Ontario Milk Act," and upon payment of the fee hereinafter provided.

3.—Before applying for the said license, the applicant shall apply to the Medical Health Officer for the inspection of his cattle, premises and equipment.

4.—The Medical Health Officer shall issue a license in the form contained in Schedule "A" appended to this By-Law, to each dairyman or milk vendor applying therefor, who complies with the terms of this By-Law.

5.—The fee for every license to be issued under this By-Law shall be \$100, which fee shall entitle the licensee to the use of one wagon or vehicle for the sale or delivery of milk or cream and \$1.00 additional shall be paid for each additional wagon or vehicle used for the sale or delivery of milk or cream. All fees shall be paid to the Town Treasurer before the license is issued and every license shall continue for one year from the date of issue unless sooner revoked, and no such license shall be transferable.

6.—(a) Every milk or cream vendor who carries on his business or calling with any wagon, cart or other vehicle shall, at the time of the issue of his license, receive from the Medical Health Officer a plate bearing a number, which shall be fixed on a prominent place on the left hand side on the outside of such wagon, cart or other vehicle, and shall remain thereon during the

period for which the license is granted and no other device displaying a number shall be exhibited upon the outside of such wagon, cart or other vehicle, and such plate shall be returned to the Medical Health Officer at the expiration of the term of his license, and every such licensed person shall have his name and address legibly printed on each side of his vehicle in letters at least four inches long.

(b) Every person obtaining a license under this By-Law and who supplies milk or cream to be brought into the town and sold by any milk or cream vendor as above mentioned shall have his license number displayed on a brass plate on each can or receptacle in which milk or cream is supplied for sale by him.

7.—Every milk or cream vendor, his servant or person employed by him, shall produce and exhibit his license whenever required to do so by the Medical Health Officer of the said Town of Copper Cliff or any inspector or other person duly authorized to demand its production.

8.—Any license granted hereunder may be revoked and cancelled at any time by the Board of Health of the said Town of Copper Cliff upon its being proved, to the satisfaction of the said Board, that the holder thereof has violated or failed to comply with any provision of "The Ontario Milk Act" or this By-Law.

9.—(a) The Medical Health Officer or any inspector assigned by him shall have the power to prohibit the sale of milk for consumption within the Town of Copper Cliff, which in his judgment is produced or handled contrary to the provisions of "The Ontario Milk Act" or of this By-Law.

(b) Every such inspector shall have the right to inspect the premises of every vendor licensed to sell milk within the Town of Copper Cliff to see that the requirements of the said Act and this By-Law and the regulations enacted thereunder, are fully complied with, and to take samples of milk for examination and testing.

(c) Every such inspector shall have the right of entrance to the premises, no matter where located, of every person producing milk for sale or consumption within the Town of Copper Cliff, of fully inspecting the same, and of taking for examination and having tested samples of milk produced therein, and of the water supplied to cows or used in cleansing dairy utensils.

(d) Every such inspector shall have the right to inspect and take samples of milk for sale or consumption within the Town of Copper Cliff while in transit, and shall have the right of entrance to any premises in order to procure samples of such milk.

(e) The result of all said tests shall be open to public inspection at all reasonable times and may be published by the Medical Health Officer if he so desires.

10.—No person shall sell or offer for sale in the said Town of Copper Cliff any milk or cream which is unwholesome or unfit for human food, or any milk which has been adulterated or reduced or changed by the addition of water or other substance, or by the removal of cream, or from which stripings have been held back, or which contains less than 12 per cent. total solids, 3.25 per cent. of which must be butter fat, or the temperature of which is higher than 50 degrees Fahrenheit, nor milk known as swill milk, nor milk from cows or other animals fed upon—(a) distillery slop; (b) starch factory by-product, except gluten meal and gluten feed; (c) garbage or other like substance; but skimmed milk may be sold as such if contained in cans bearing upon their exterior the word "skimmed" placed conspicuously in letters not less than two inches in length, and served in measures also similarly marked. No person shall supply skimmed milk unless such quality of milk is asked for by the purchaser.

11.—(a) All cows producing milk for sale for domestic consumption within the Town of Copper Cliff must be kept clean. Manure must not be permitted to collect upon the tail, sides, udder, or belly of such cows. The teats and udders of all cows are to be wiped with a damp cloth before milking so as to remove thoroughly from them all manure and foreign substance which may contaminate the milk. The milkers must wash their hands before milking and must exercise reasonable care as to cleanliness of their person and clothing.

(b) All cow byres, stables, premises, and places where cows are kept shall be kept clean and dry, and thoroughly lighted, ventilated and drained; the walls and ceilings of the said stables shall be free from dust and cobwebs and accumulations of manure, and shall be whitewashed in the months of May and October in each year, and no inhabited room, workhouse, storehouse, privy, cess-pool, or urinal, and no fowl, hog, horse, sheep, or goat shall be located within the same. All yards and premises adjoining such cow byres, stables and places shall be maintained in a suitable, cleanly and sanitary condition. Manure, dirt and decayed matter shall not be allowed to accumulate in such yard or premises, and shall not be at any time in contact with the stable, dairy or milk house, or within twenty-five feet of the same and shall be removed at frequent intervals; and all such stables, yards and premises shall be kept well drained, dry, and free from pools. The milk house must have a tight, sound floor, must be kept clean, well lighted and ventilated, and must not be used for any purpose except the handling of milk.

(c) No milk or cream shall be sold from cows supplied with or having access to bad or impure drinking water. The water used in the barn for washing milk utensils must be free from contamination.

(d) All wagons, carts or vehicles used for the sale or distribution of milk in the Town of Copper Cliff shall, as often as may be necessary, be scrubbed on the inside with washing soda in hot water so as to keep them at all times

scrupulously clean. And all drivers of such wagons, carts or vehicles shall use every precaution in the distribution of the milk to their customers to keep it free from dust, dirt, bacteria, or other contamination.

(e) All cans, bottles, measures, or other vessels used for milk or cream shall be kept clean and be thoroughly washed before milk or cream is put into them. No cans, bottles, or other utensils used in the distribution of milk shall be used for any other purpose whatsoever, and all such cans, bottles, and other utensils must be thoroughly cleansed before again being used. All milk or cream, if sold in bottles or sealed receptacles by retail, shall be sold in half pint, pint, quart, one and a half quart, and two quart bottles or other sealed receptacles, imperial measure.

(f) All dairymen, milk corporations and vendors of milk or cream, and all persons offering or supplying milk or cream for sale in the Town of Copper Cliff in sealed receptacles, and all drivers of milk wagons or vehicles having the milk or cream in their possession at the time in such receptacles, shall have such receptacles marked with a permanent mark of identification (other than on any stopper used in connection therewith) in such manner that the dairyman, milk corporation, vendor of milk or cream offering or supplying such milk or cream for sale, may be easily identified. In cases where bottles are used for such purpose, such mark of identification shall be blown or cut into the body of the bottle.

(g) Every such dairyman, milk corporation, or vendor of milk or cream, shall deposit in the office of the Medical Health Officer a sample receptacle bearing the mark of identification to be placed on all receptacles used by him.

(h) In addition to any fine or penalty that may be imposed pursuant to this by-law, the license of any dairyman, milk corporation, or vendor of milk or cream, offering or supplying milk or cream for sale in the sealed receptacles, bearing any mark of identification other than on the receptacle deposited in the office of the Medical Health Officer by such dairyman, milk corporation, or vendor of milk or cream, shall be liable to cancellation by the Board of Health for a period not exceeding thirty days.

(i) The license of any dairyman, milk corporation, or vendor of milk, or cream offering or supplying milk or cream for sale in the sealed receptacles bearing no mark of identification shall be liable to cancellation by the Board of Health for the same period.

(j) All milk or cream to be sold in the Town of Copper Cliff shall be removed from the stable to a milk house as soon as drawn, and strained through several layers of cheesecloth; and if aerated, this must be done with an aerator approved by the Medical Health Officer of the Town of Copper Cliff, scrupulously clean and iced, and in a clean place free from dust and odors; the milk must then be covered and kept cold in a refrigerator or ice water vat, at a temperature not higher than 50 degrees Fahrenheit, and such ice water vat must be kept well iced and scrubbed with washing soda and hot water, twice a week.

(k) All dairies or other places where milk or cream is sold or kept for general use, shall be thoroughly drained and well lighted and ventilated and at all times kept clean throughout and in a sanitary condition.

(l) In stores or shops every refrigerator or other receptacle where milk or cream is kept or stored for sale or general use, shall be kept at a temperature not higher than 50 degrees F., shall be used for milk or cream only, and be at least twenty-five feet distant from any privy, water or other closet, stable, hog pen, or outhouse, and shall not be exposed to the air of any living or sleeping room, or of any business or other surroundings that may tend to make milk or cream foul or impure.

(m) Milk or cream must not be transferred from cans to bottles or other vessels on the street, except when transferred to the vessels of the purchaser at time of delivery, and the contents of the can must be thoroughly mixed before measuring out the quantity to be sold.

(n) The Medical Health Officer shall have authority to make, or cause to be made, from time to time, such bacteriological tests of milk produced for sale or offered for sale or consumption within the Town of Copper Cliff as he may deem necessary, and may publish such tests if he so desires.

(o) No milk or cream shall be sold from cows which may be unhealthy, sick, or receiving medicine, or with inflamed or in any way abnormal udders, or while in heat, unless kept from the rest of the herd during that period, nor from any cows within thirty days before or six days after calving, nor from any cows, which, upon physical examination by a duly qualified veterinary surgeon, shall be declared to be suffering from tuberculosis of the udder of milk glands, or whose milk, upon bacteriological or microscopical analysis is shown to contain tubercle bacilli or which is known to be suffering from splenic fever or anthrax, or any other general or local disease which is liable to render milk from such cows a menace to the public health. When any doubt arises as to any cow being affected with any of the diseases above mentioned, it shall be the duty of the inspector to notify the owner that the milk of such cow must not be sold or offered for sale until a permit to do so has been granted by the Board of Health of the Municipality in which such milk is being consumed; and upon such notice being given, no milk from such cow shall be sold until said permit has been granted.

12.—Cream shall contain 18 per cent. butter fat, and no milk shall be sold as cream containing a lesser percentage of butter fat unless such percentage is clearly shown upon the vessel from which said cream is supplied for the information of the purchaser.

13.—All dairymen and vendors of milk or cream, and all persons supplying milk or cream for sale in the Town, and all drivers of milk or cream wagons, or vehicles, having the milk or cream in their possession, at the time, shall furnish the Medical Health Officers or inspectors with such samples of milk or cream as he or they may require from time to time, and at such places as samples may be demanded from them, the quantity of milk or cream contained in any such

samples to be paid for at the current price, if payment is required therefor at the time.

14.—Every sample of milk or cream shall have a label attached to the vessel containing it, which shall have written thereon, at the time of collecting, the number of the sample, date of collection, and the initials of the inspector, who shall at once enter in a book (carried for that purpose) for future reference a corresponding number, with the name of the owner and driver from whom the said sample is obtained, but no such sample shall be used as evidence for a prosecution unless the inspector shall deliver a duplicate thereof in a sealed bottle or vessel to the person from whom said sample is obtained.

15.—Each sample shall be examined separately, according to its number by the Medical Health Officer or Inspector, who shall register the percentage of butter fat opposite the corresponding number in the book kept for that purpose, the name of the owner to be subsequently inserted.

16.—Every person vending or offering milk or cream for sale in the said Town of Copper Cliff shall give full information, if required, to the Medical Health Officer as to the source of his supply, and shall not sell milk or cream from any source condemned by the Medical Health Officer of the said town.

17.—(a) No person suffering from or who has knowingly, within a time prescribed by the regulations of the Provincial Board of Health, been exposed to diphtheria, scarlet fever, typhoid fever, erysipelas, smallpox, anthrax or venereal disease, or any infectious skin disease, shall work or assist in the production, transportation, or vending of milk, and no proprietor, manager, or superintendent of any dairy or dairy farm shall knowingly permit any person suffering or exposed as aforesaid to work or assist in the production, transportation or vending of milk, and the sale of milk produced or handled under such circumstances may be forthwith prohibited by the Inspector.

(b) Under no circumstances shall a milk vendor or his servant, employee or driver take from a quarantined house any money, can, bottle, or other utensil, or enter such house for any purpose whatever without written permission from the Medical Health Officer of the said town.

18.—All milk or cream sold, or offered, or kept, or supplied for sale in the Town of Copper Cliff, and all milk or cream which is intended to be sold, or offered, or kept, or supplied for sale in the said town, all cows and all dairies and other places from which such milk or cream is obtained, all cow byres, stables, premises, and places where cows are kept for the supply of any such milk or cream, all yards and premises adjoining such cow byres, stables, premises, and places, and the premises of any licensee under this by-law shall be subject to regular inspections by the Medical Health Officers or Inspectors, under the direction of the Local Board of Health of the Town of Copper Cliff, whether such milk or cream, cows, dairies, cow byres, stables, premises and places where cows are kept, yards and premises, are kept or situate within the Town of Copper Cliff or elsewhere and no person shall do any act to prevent such inspection.

19.—Every dairyman or vendor of milk or cream in the said town, and every person who supplies such person with milk or cream, shall permit all his milch cows and cow byres, yards and premises, and all dairies and other places in which milk or cream is sold or kept for general use, whether the same are within the limits of the town or elsewhere, to be inspected by the Medical Health Officer or any inspector of the said town, whenever any such officers may desire to do so.

20.—Every dairyman or milk vendor shall immediately notify the Medical Health Officer or an inspector upon making any change or removal of his dairy or cow byres, or any change in the source or sources of his supply of milk or cream, or any change from the particulars given in his application for a license, and in the event of his not doing so, his license may be revoked or cancelled.

21.—The proprietor of any store or shop licensed to vend milk or cream in the Town of Copper Cliff shall have his license posted up in a conspicuous place in such shop or store.

22.—The provisions of this By-Law shall apply to all dairymen and to all milk or cream vendors who sell, or produce, or offer, or keep, or supply milk or cream in the Town of Copper Cliff, either directly to the consumer, or to shops or stores, or to any person to be afterwards sold or delivered by such person to the consumer, and to milk or cream sold or offered or kept for sale by such dairymen, milk or cream vendors in the Town of Copper Cliff or elsewhere, and to all cows and dairies from which such milk or cream is obtained, whether such cows and dairies are kept in the said Town of Copper Cliff or elsewhere, and to all cow byres, yards and premises, and places where cows are kept for the supply of such milk or cream, and to the yards and premises adjoining such cow byres and places whether such cow byres and places where cows are kept are in the Town of Copper Cliff or elsewhere.

23.—(a) Any person violating any of the provisions of this By-Law or regulation passed hereunder, shall incur a penalty of not less than \$1.00 nor more than \$50.00.

(b) The Ontario Summary Convictions Act shall apply to every prosecution under this By-Law.

24.—This By-Law to come into force and take effect, January 1st, 1915.

Passed this 10th day of September, A.D. 1914.

(Signed) G. E. SILVESTER, Mayor.

(Corporate Seal)

(Signed) THOS. STODDART, Clerk.

