

S.I. 1969 No. 234

Health Services

CAP. 44

HEALTH SERVICES (RESTAURANTS) REGULATIONS, 1969

Authority : These regulations were made on 24th November, 1969 by the Minister under section 10 of the *Health Services Act*.

Commencement: 1st January, 1970.

1. These Regulations may be cited as the *Health Services (Restaurants) Regulations, 1969*.

2. For the purposes of these regulations

“restaurant” means

(a) premises where any food or drink whatever is sold to any person for consumption on the premises;

(b) a catering establishment where food or drink is sold for consumption elsewhere than on the premises;

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but does not include a stall;

“employee” means a person engaged or employed in a restaurant or a temporary restaurant in the handling of food or drink or of any utensil, and includes the proprietor and any member of his family so engaged or employed;

“proprietor” means the owner or operator of a restaurant or a temporary restaurant;

“stall” includes any stand, marquee, tent or mobile canteen;

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“suitably lighted”, when used in respect of kitchens and any room in which food is prepared, means an intensity of light equal to at least 20 foot candles on working surfaces, or at a distance of 30 inches from the floor, and in storage and refrigeration areas the intensity of light shall be equal to at least 5 foot candles;

“temporary restaurant” means a restaurant which operates for a period not exceeding 30 days;

“to sell” means to offer or expose for sale;

“utensil” includes any kitchen ware, table ware, glass ware, cutlery, containers or other equipment with which food or drink comes in contact during storage, preparation, distribution or serving.

3.(1) A person may not operate

(a) a restaurant unless he first obtains a licence from the Medical Officer of Health; or

(b) a temporary restaurant unless he first obtains a permit from the Medical Officer of Health.

(2) Before issuing such licence or permit, the Medical Officer of Health may require the applicant to submit a plan and other particulars of the building or proposed building, and of the equipment to be used therein.

(3) Such licence or permit may be cancelled by the Chief Medical Officer for failure to comply with these regulations.

(4) When a licence or permit has been cancelled under paragraph (3), the restaurant or temporary restaurant, as the case may be, may only be operated on the re-issue of a licence or permit, and the Medical Officer of Health may cause a notice to this effect to be affixed to the premises in a conspicuous position.

(5) (a) A licence issued under this regulation shall be displayed in a conspicuous position on the premises to which it relates, and, unless cancelled under paragraph (3), shall expire on the 31st day of December

next after issue, but is subject to renewal on written application to the appropriate Medical Officer of Health.

- (b) A permit issued under paragraph (1)(b) shall state the period for which it is valid.
- (6) A Medical Officer of Health or Public Health Inspector may at any time during which such restaurant is open to business, enter and inspect any restaurant or temporary restaurant and collect samples of food or other material therefrom for the purpose of bacterial or other examination.
- (4) No person may operate a restaurant unless
- (a) in rooms where food is prepared or stored, or where utensils are washed, or washing utensils or toilet fixtures and coverings are located, floors and coverings are smooth, free from cracks and crevices and constructed or laid in such a manner as to facilitate cleaning;
 - (b) the walls and ceilings of all such rooms are kept clean, in good repair and have washable surfaces finished in a light colour;
 - (c) the surfaces of serving tables, counters and food preparation tables are smooth, washable and free from cracks and crevices;
 - (d) all rooms and passage-ways are suitably lighted and ventilated;
 - (e) sleeping quarters do not open directly into any room in which food is served, stored or prepared;
 - (f) a separate room or compartment is provided for the wearing apparel of employees, and there is a separate locker or cupboard for each employee.
- 5.** Restaurants shall, to the satisfaction of the Medical Officer of Health, be provided with—
- (a) adequate toilet facilities which shall be conveniently located, accessible, sanitary and in good repair;

- (b) adequate hand washing facilities which shall include—
 - (i) wash basins,
 - (ii) running water,
 - (iii) a constant supply of soap in a suitable container or dispenser,
 - (iv) individual towels or other hand-drying equipment, and
 - (v) a suitable receptacle for used towels and waste material;
- (c) an adequate supply of potable water.

6. The Medical Officer of Health may require restaurants to be provided with refrigerated space equipped with removable racks and trays for the safe storage of perishable food.

7. The refrigerated space referred to in regulation 6 shall be maintained at a temperature of not more than 45 degrees Fahrenheit, except that frozen foods shall be stored at a temperature of Zero degrees Fahrenheit with a tolerance of five degrees Fahrenheit.

- 8.** No person may operate a restaurant unless—
- (a) suitable racks or shelves are provided for the storage of food and are placed not less than six inches above floor level;
 - (b) all food is adequately protected against contamination and is stored in such manner as to prevent transference of odours and flavours.

9. Food served to a patron shall not be served or used again in the preparation of any food whatsoever for human consumption.

10. Perishable foods shall be kept in a refrigerated space in accordance with regulation 6 or any other directions issued by the Medical Officer of Health or Public Health Inspector.

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- 11.** In every restaurant or temporary restaurant each employee shall be—
- (a) neat, tidy and clean, and
 - (b) free from—
 - (i) any disease or infection which may be spread through the medium of food, and
 - (ii) any condition of the skin which may contaminate food.
- 12.** All persons concerned with the preparation and serving of food shall wear head coverings approved by the Medical Officer of Health.
- 13.** All utensils and equipment shall be kept in good repair, sanitary, and be so constructed as to facilitate cleaning.
- 14.(1)** The use of cracked dishes, glasses or cups, or of utensils so badly worn that they cannot be properly cleaned, is prohibited.
- (2) The Medical Officer of Health or Public Health Inspector may order the removal of such articles for destruction.
- 15.** The Medical Officer of Health may require that disposable utensils be used where the water supply or washing facilities are, in his opinion or in the opinion of the Public Health Inspector, unsatisfactory.
- 16.** The Medical Officer of Health may require all cooking units to be provided with a ventilating shaft or other suitable device to carry off smoke, steam or odours and to be so constructed and maintained as to work efficiently under all weather conditions.

17. In every restaurant and temporary restaurant, facilities and equipment for the cleansing and bactericidal treatment of utensils shall be provided; minimum equipment shall be either—

- (a) mechanical equipment so designed and operated that all utensils are cleaned bactericidally and treated, or
- (b) manual equipment consisting of—
 - (i) at least one two-compartment sink of non-corrodible metal or other suitable material of sufficient size, one compartment to be used for bactericidal treatment:

provided that six months after the 1st January, 1970, manual equipment for all new and for all converted or remodelled restaurants shall consist of at least one three-compartment sink, and

- (ii) drainage racks of non-corrodible material, except where single service utensils are used exclusively.

18. All utensils for preparing or serving food shall, immediately before and after being so used, be—

- (a) washed in a detergent solution for removing grease and food particles which solution is maintained at a temperature of not less than 110 degrees Fahrenheit; and
- (b) rinsed and bactericidally treated in accordance with these regulations.

19.(1) Where manual equipment consisting of a three-compartment sink is used for the washing and bactericidal treatment of utensils, the utensils shall be—

- (a) washed in the first compartment of the sink which shall contain the detergent solution;
- (b) rinsed in the second compartment of the sink which shall contain clean water at a temperature of not less than 110 degrees Fahrenheit; and

- (c) bactericidally treated in the third compartment of the sink in accordance with these regulations.
- (2) Where a two-compartment sink is permissible under these regulations, the utensils shall be—
 - (a) washed in the first compartment of the sink which shall contain a detergent solution; and
 - (b) bactericidally treated in the second compartment of the sink.
- 20.** For the purposes of these regulations, bactericidal treatment means—
 - (a) immersion for at least two minutes in clean water at a temperature of not less than 180 degrees Fahrenheit; or
 - (b) immersion for at least two minutes in a chlorine solution containing not less than 100 parts per million available chlorine; or
 - (c) other treatment approved by the Medical Officer of Health which is equivalent to either of the methods specified in paragraphs (a) or (b).
- 21.** After the utensils have received bactericidal treatment they shall be left or put to dry in a drainage rack. No cloth, towel or similar article shall be used for drying.
- 22.(1)** A person operating a restaurant shall provide equipment for determining the strength of bactericidal solutions.
 - (2) The bactericidal solution shall be changed as often as required to provide effective bactericidal treatment.
- 23.(1)** When mechanical equipment is used for cleansing and bactericidal treatment of utensils, such equipment shall provide for washing, rinsing and bactericidal cycles.
 - (2) The Medical Officer of Health shall be provided with satisfactory evidence of the effective operation of such machines.

- 24.** Adequate measures shall be adopted to prevent the entry of flies, insects, rodents and vermin into restaurants and to maintain premises free from such pests.
- 25.** No living animal shall be permitted in any kitchen, dining room or other room where food is prepared, stored or served.
- 26.** A person shall not sleep in any room used for preparing, storing or cooking food, nor shall any such room be used for the storing of personal wearing apparel or toilet requisites or other articles which are not required in the preparation or cooking of food.
- 27.** Floors of all rooms in which food is stored, prepared or served shall be kept free from litter, and except in cases of emergency, shall be cleaned only in those periods when the least amount of food or drink is exposed.
- 28.** Dry sweeping is prohibited, and in all cleaning operations dust-arresting compounds, solutions or equipment shall be used.
- 29.** No person shall smoke or make other use of tobacco in any kitchen or other room where food is prepared.
- 30.** No person shall spit in any kitchen or other room where food is stored, prepared or served.
- 31.** No person may operate a temporary restaurant unless in the opinion of the Medical Officer of Health or Public Health Inspector the concession, booth or structure which is being so used—
- (a) is maintained and operated in a clean and sanitary manner;
 - (b) provides refrigeration for all perishable foods, unless the Medical Officer of Health directs otherwise;

- (c) provides protection for all foods, cooking facilities and utensils from dust, dirt, insects and other forms of contamination; and
- (d) provides for the washing and bactericidal treatment of all utensils other than disposable utensils.

32. Water or liquid refreshment kept in bulk for use or sale shall be drawn from a suitably covered container by means of a tap, and the container shall be of non-corrodible material and kept at all times in a clean and sanitary condition.

33. Covered metal refuse containers of non-corrodible or other suitable material shall be provided in adequate numbers and suitably located.

34. Where these regulations impose a duty or prohibition, the onus of seeing that such duty is complied with or prohibition observed shall lie on both the owner and the operator of the establishment, and in the event of a breach of these regulations the owner and the operator shall each be guilty of an offence.

35. Notwithstanding regulation 34, any person who contravenes any of the provisions of these regulations shall be guilty of an offence and shall on summary conviction be liable to a fine of five thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment, and, in the case of a continuing offence, to a further fine of two hundred dollars for each day or part thereof during which the offence continues after a conviction is first obtained.

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