

# THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS) REGULATIONS [ARRANGEMENT OF REGULATIONS]

## Regulation

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**SECTIONS 75 AND 82-THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS) REGULATIONS**  
**Regulations by the Minister**

*Government Notices*  
**108 of 1933**  
**13 of 1937**  
**190 of 1947**  
**174 of 1954**  
**291 of 1964**  
**Act**  
**51 of 1963**  
**13 of 1994**

**1.** These Regulations may be cited as the Public Health (Sale of Bakery Products) Regulations. Title

**2.** The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

*(As amended by Act No. 291 of 1964)*

**3.** In these Regulations, unless the context otherwise requires-

Interpretation

"baker" means any person who makes, stores or purveys any breadstuffs, pastry or confectionary for use by persons other than those residing on the premises on which he works;

"bakery" means any premises on which is carried on any of the processes of or incidental to baking, or the manufacture or storage of breadstuffs, pastry or confectionary for use by persons other than those residing on the premises;

"bakery product" includes bread, biscuits, rolls, tarts, cakes, pies, confectionery or sweetmeats.

*(As amended by Acts No. 13 of 1937, No. 174 of 1954 and No. 51 of 1963)*

**4.** No person shall carry on the trade of baker in any premises within the district of a Local Authority unless he shall have first obtained from the Local Authority a licence in respect of such premises.

Bakers to be licensed

**5.** Such licence may be issued for any period not exceeding one calendar year and every licence shall expire on the 31st December in the year for which it was issued.

Duration of licence

*(No. 190 of 1947)*

**6.** A licence issued under these Regulations shall not be transferable from the holder thereof to any other person without the permission of the Local Authority, and no licence shall in any case be transferable from the premises in respect of which it is granted to any other premises.

Transfers

**7.** Any person desiring a licence shall send to the Local Authority a written application on a form to be obtained from the office of the Local Authority, and shall furnish all the information required by such form.

Application for licence

**8.** No licence shall be granted unless the Medical Officer of Health certifies in writing that the premises in respect of which such licence is

Medical Officer of Health to

desired comply with the regulations governing such premises and are suitable for the purposes for which they are intended to be used.	certify premises as suitable
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<b>9.</b> The Local Authority may refuse to grant or renew any licence, or may grant such licence on such conditions as may be laid down. A breach of any conditions attached to any licence shall be deemed to be a breach of these Regulations.	Powers of Local Authority to make conditions
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<b>10.</b> The Medical Officer of Health, Health Inspector or any person authorised in writing by the Medical Officer of Health may at any time enter upon and inspect any premises used or suspected of being used as a bakery. In the course of such inspection, any such officer or person may examine any material, utensil and vessel which may be found on the premises, and the processes of manufacture employed, and may take samples of any material or ingredient used in any such processes, and, for the purposes of such inspection, may make any inquiry he deems necessary. Any person who, directly or indirectly, wilfully hinders, obstructs, resists or refuses information or gives false or misleading information to any such officer or person in the course of such inspection shall be deemed to have contravened these Regulations.	Right of entry
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<b>11.</b> In every bakery licensed under these Regulations the following provisions shall be complied with:	Requirements of licensed premises
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(a) no portion of the bakery shall be underground;

(b) the bakery shall be constructed of brick or other approved material, or, if constructed of iron, shall be brick-lined;

(c) the walls shall be plastered with cement plaster and the surface brought up to a smooth face with an iron float;

(d) the floor throughout shall be of cement concrete or other similar non-absorbent material;

(e) the height of the walls from floor to ceiling shall not be less than 3.6576 metres;

(f) an efficient dust-proof ceiling shall be constructed, and, in the case of a single storey building, the roof shall be a pitched roof;

(g) the bakery shall be properly and effectively lit and ventilated in all parts;

(h) the doors and windows shall be provided with effective fly screens of wire gauze of not less than 144 meshes to the square inch, and the said screens shall be maintained in a state of thorough repair;

(i) no door or window opening into any bakery shall be so placed as to be less than 6.096 metres from any privy and from the door or window of any stable, nor shall it communicate by door or window or otherwise with a sleeping room;

(j) the opening of the oven furnace shall be situated outside the bakery, and at least 1.8288 metres from the nearest part of any door or window of the bakery;

(k) a dressing room shall be provided in which the overalls of the employees shall be kept in a clean and sanitary condition. Such room shall be separate from any place where bakery products or materials are handled or stored, and shall be furnished with the necessary lavatory accommodation for employees to wash themselves;

(l) a proper and sufficient supply of pure water, free from risk of contamination, and proper and sufficient latrine accommodation, to the satisfaction of the Medical Officer of Health, shall be provided for all persons employed.

**12. Every person licensed under these Regulations shall-**

Duties of  
licensee

(a) at all times maintain his premises in a state of thorough cleanliness and ventilation;

(b) cause all vessels and utensils, and all carts or other vehicles, sacks, baskets or other receptacles used in his business for the preparation, conveyance or storage of flour, bread, pastry, confectionery or any other article of food to be kept in a clean and wholesome state;

(c) cause all the inside walls and ceilings of his premises to be either painted with three coats of oil or varnish or limewashed. Where oil or varnish is used, it shall be renewed at least once in every five years, and washed with hot water and soap at least once in every six months; where limewash is used, it shall be renewed at least once in every six months;

(d) cause all persons employed on his premises in making, handling or selling any bakery product to be clean and dressed in clean white overalls made of washable material, while so employed;

(e) maintain in the lavatory a sufficient supply of soap, nail brushes and clean towels for the use of his employees;

(f) provide suitable means for protecting all bakery products by glazed or fly-screened show cases or cabinets from contamination by dust, dirt or flies while retained on the bakery premises, or by means of closed cases or vehicles when in the course of conveyance through the streets of the district of the Local Authority.

*(As amended by Act No. 13 of 1937)*

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| <b>13.</b> No person shall expectorate in or upon any part of any bakery, or upon any of the fittings, fixtures, utensils or appurtenances therein.  | Expectorating prohibited                             |
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| <b>14.</b> Every baker preparing or making any bakery products shall mix all dough, batter or paste to be used in the preparation or making of such bakery products in and by means of proper and suitable mixing machines, and any such baker who shall, either himself or by his servants, mix any dough, batter or paste by hand, or in any other way than in and by means of such mixing machines shall be deemed to have contravened this regulation: | Mixing machines                                      |
| <br>   |  |
| Provided that any person as aforesaid who shall mix any batter or paste of a quantity not exceeding 4.5 kilograms in weight when prepared in a proper and suitable mixing utensil and for confectionery purposes only shall not be deemed to have contravened this regulation.   |  |
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| <b>15.</b> No person employed or working in any bakery shall fail to wash his hands with soap and water before engaging in such work.  | Every person to wash his hands before beginning work |
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| <b>16.</b> No person licensed under these Regulations shall cause or permit any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his premises or to handle in any way any bakery product or assist in its production.  | Infectious persons not to be employed                |
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| <b>17.</b> Every baker shall without delay inform the Medical Officer of Health of the occurrence of any infectious or contagious disease among any of the persons employed or residing on his premises, and shall comply with any directions the Medical Officer of Health or Health Inspector may give for the purpose of preventing the spread of such disease.   | Notification of infectious disease                   |
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| <b>18.</b> Any person licensed under these Regulations, and desiring to keep the premises in respect of which he is licensed as a tea room, coffee room, boarding-house or restaurant, shall be required to take out another licence under the regulations governing tea rooms, coffee rooms,  | Tea rooms, etc., to be licensed separately           |

boarding-houses or restaurants:

Provided that, in such case, one fee only, which shall be the higher of the two fees, shall be payable in respect of the two licenses.

**19.** Any person licensed under these Regulations shall be responsible for the due observance of these Regulations on the premises in respect of which he is licensed, and any breach thereof by any person in respect of any premises shall be deemed to be a breach by the licensee of such premises.

Responsibility of licensee for premises

**20.** A copy of these Regulations, which may be obtained on application to the office of the Local Authority, shall be fixed and maintained in some conspicuous place on all premises licensed under these Regulations.

Exhibition of Regulations

**21.** Any person guilty of an offence against or contravention of, or default in complying with, any of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default:

Penalties

Provided that the court before which any such conviction may be obtained may, in addition to or in substitution for any of the aforesaid penalties, revoke or suspend any licence obtained under these Regulations.

*(As amended by Act No. 13 of 1994)*

## **REGULATION 2 OF THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS) REGULATIONS-APPLICATION**

Notices by the Minister

The whole of the Regulations apply to-

City of Lusaka.(No. 47 of 1953)

City of Kitwe.(No. 47 of 1953)

Bancroft Mine Township.(No. 312 of 1969)

Chingola Municipality.(No. 189 of 1946)

Chipata Township.(No. 19 of 1950)

\*Chisamba.(No. 291 of 1957)

\* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

Choma Township.(No. 236 of 1951)

Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 163 of 1948)

Kalomo Township.(No. 45 of 1959)

\*Kapiri Mposhi.(No. 292 of 1957)

\* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

Kasama Township.(No. 273 of 1959)

Livingstone Municipality.(No. 23 of 1936)

Luanshya Municipality.(No. 47 of 1953)

Mansa Township.(No. 20 of 1955)

Mazabuka Township.(No. 244 of 1969)

Mufulira Municipality.(No. 47 of 1953)



Pemba Township.(*No. 163 of 1961*)

The whole of the Regulations, other than regulation 14, apply to-

Mbala Township.(*No. 164 of 1963*)

Mongu Township.(*No. 104 of 1967*)

Monze Township.(*No. 50 of 1965*)

\*Mumbwa.(*No. 221 of 1958*)

\* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.