

THE FOOD STORAGE AND PREVENTION OF
INFESTATION ACTREGULATIONS
(under section 8)THE FOOD STORAGE AND PREVENTION OF INFESTATION
REGULATIONS, 1973*(Made by the Minister on the 17th day of December, 1973)*

L.N. 474/73

PART I—Preliminary

1. These Regulations may be cited as the Food Storage and Prevention of Infestation Regulations, 1973.

2. In these Regulations unless the context otherwise requires—

(a) the expressions—

“authorized” means authorized by the Chief Food Storage Officer;

“Chief Food Storage Officer” means the person for the time being in charge of the operations of the Division;

“disinfestation” means the prevention, mitigation or eradication of infestation;

“Division” means the Storage and Infestation Division of the Ministry responsible for the time being for the administration of the Act;

“operator” means a person licensed as such in accordance with regulation 14;

“rodent-proofing” in relation to any premises, space or thing means the rendering or maintaining of those premises or that space or thing impervious to rodents;

“substance” means anything used or to be used for the purpose of disinfestation;

(b) a reference by number to a form is a reference to the form so numbered in the Fifth Schedule; and

(c) a reference to place includes a reference to vehicle.

Fifth
Schedule.

PART II—Storage

3.—(1) Stacks of food in containers which are not waterproof shall rest upon dunnage which consists either of members not less than four inches in height so arranged that no part of any container in

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the bottom layer of the stack touches the floor or ground, or of material known to be waterproof which has been approved by the Chief Food Storage Officer as being suitable for this purpose.

(2) Stacks of food in containers shall be clear of—

- (a) all walls by at least two feet;
- (b) all vertical columns and all buttresses by at least one foot;
- (c) all ceilings by at least four feet; and
- (d) all horizontal girders by at least two feet.

(3) Except as otherwise provided by these Regulations an inspector may require that any food not contained in a container shall be so heaped upon satisfactory dunnage that it is—

- (a) not in contact with any wall, buttress, column or roof support;
- (b) not in direct contact with the floor or ground.

(4) This regulation shall not apply with respect to bins, silos or any other structure designed and used for bulk storage nor with respect to vehicles designed or adapted for the carrying of articles in bulk.

(5) In this regulation the expression—

“clear of” when used in any provision in relation to a surface of a stack means that general line or level of such surface is to be distant from the specified object by the distance specified in that provision, and that no individual container is to approach such object to a point distant from that object less than three-fourths of such specified distance;

“dunnage” means any material or thing laid on the floor or ground as a base for a stack or heap of food in order to protect that food from the transmission of moisture through the floor or ground or from any dirt or other contamination;

“satisfactory” in relation to any dunnage means that the Chief Food Storage Officer is satisfied that that dunnage fulfils or is capable of fulfilling the particular purpose for which it is used or required.

PART III—Buildings

4.—(1) Any building used for the manufacture or storage of food, or in which food is kept for sale, shall be of sound construction and shall be maintained in sound condition. The fabric of walls (other

than partition walls) and the roof shall be weatherproof, and floors shall be impermeable; and all interior wall surfaces and floors shall be so finished as to provide a reasonably smooth surface, shall be maintained in good condition, and shall be free from open cracks, crevices, holes or any other conditions of disrepair, whether similar to the foregoing or not, such as might induce rodents, insects or mites to harbour therein.

(2) In any building in which food is kept for sale, stored, or manufactured, all interior surfaces shall be completely cleaned once in every year or at such more frequent intervals as may be necessary and shall be maintained in a clean condition, and may be required to be white-washed or repainted so often as the Chief Food Storage Officer thinks necessary.

(3) In any building in which any article to which the Act applies is kept for sale or stored, all open spaces between the junction of a wall and the roof shall, where other adequate means of ventilation exist or can be created, be permanently and completely blocked.

(4) In any such building as is specified in paragraph (2) any openings for ventilation shall be covered on the outside with quarter inch mesh wire and shall either—

- (a) be fitted with adjustable valves or louvres; or
- (b) be fitted on the inside with hinged shutters having retaining bolts; or
- (c) be provided with some other form of fitted draught-proof covers capable of being firmly attached to the openings from the inside.

5. The provisions of the First Schedule shall apply to buildings in which any article to which the Act applies is kept for sale, stored, or manufactured, and to buildings intended to be used for any such purpose.

First
Schedule.

PART IV—Disinfestation—General Provisions

6. All containers in which food has been packed, stored, or kept, and which are not destroyed immediately after use, shall forthwith be properly cleaned and if necessary disinfested. Such destruction, cleaning and disinfestation shall be carried out in such manner and within such time as the Chief Food Storage Officer may determine.

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7. Any person who but for this regulation would be required by section 7 of the Act to give notice of infestation to the Minister shall be exempt from the requirements imposed by that section if but only if—

- (a) where he proposes himself to carry out or cause to be carried out any disinfestation involving the use of any substance, he gives notice to the Chief Food Storage Officer of the substances and methods to be used, and the Chief Food Storage Officer is satisfied that the methods and substances proposed to be used are adequate;
- (b) where he proposes to employ an operator for the purposes of remedying infestation in any premises, vehicle or article to which the Act applies, he gives notice to the Chief Food Storage Officer of the name and address of the operator to be employed.

8.—(1) Where at any time any place in which food is or is likely to be kept for sale, stored or manufactured, or any vehicle in which food is carried, or any food, is treated with any of the substances specified in Parts I, II, III and IV of the Second Schedule, the owner or person in charge of the treated place, vehicle or food shall keep a record of the treatment, and shall produce all such records for inspection if so required by an inspector.

Second
Schedule.

(2) Where any treatment—

- (a) is carried out by the owner or person in charge of the place, vehicle or food, he shall make and keep a record including the following particulars—
 - (i) information identifying the treated place, vehicle or food;
 - (ii) the name of the substance used;
 - (iii) the method and rate of application;
 - (iv) in the case of a fumigant, the dosage rate, the period of duration of the fumigation, and the method of fumigation (that is to say, whether under gas-proof sheets, or in a gas-tight chamber or as a general fumigation of a building or part of a building);
 - (v) the date of the treatment;

- (b) is carried out by an operator who is not the owner or person in charge as aforesaid in accordance with his licence, the record provided by that operator pursuant to paragraph 14 of the Third Schedule shall be sufficient.

PART V—Use of Toxic Substances

9. Subject to the provisions of regulations 10, 11 and 12—

- (a) substances other than those specified in Parts I and II of the Second Schedule shall not be used for direct application to food, or for application to permeable containers holding food, or for any kind of treatment which could result in the formation of a deposit of the substance on the surface of any exposed food or any food in permeable containers; and
- (b) substances other than those specified in Parts I, II, III, and IV of the said Second Schedule shall not be used for any purpose or in any circumstances in premises where food is or is likely to be kept for sale, stored or manufactured.

Second
Schedule.

10. No person other than operators or persons employed to and working under the direct supervision of such operators shall use any of the substances referred to in sub-paragraphs (a), (b), (c) and (d) for any such purpose or in any such manner or place as is therein respectively specified; and any such substance shall be used only in accordance with the licence granted to the operator concerned and subject to any relevant provisions of these Regulations—

- (a) substances specified in Part V of the Second Schedule, for the treatment of food or for application to the surfaces of unlined or otherwise unprotected cloth sacks or bags or other permeable bags or packages containing food;
- (b) substances specified in Part VI of the Second Schedule, for the treatment of food, or in any place where food is kept for sale, stored or manufactured;
- (c) substances specified in Part VII of the Second Schedule, for the disinfection of any premises in which food is kept for sale, stored or manufactured;
- (d) substances specified in Part VIII of the Second Schedule, for use in any place wherein food is kept for sale, stored or manufactured, for such purposes and in such manner as to ensure that no food which is exposed or is contained in a