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HIGH COMMISSIONER'S NOTICE No. 24 of 1930.

The subjoined regulations, issued by the Resident Commissioner in terms of section one (1) of the Dairies and Dairy Produce (Bechuanaland Protectorate) Proclamation, No. 1 of 1929, have been approved by His Excellency the High Commissioner and are published for general information.

By Command of His Excellency the High Commissioner.

B. E. H. CLIFFORD,  
Imperial Secretary.

High Commissioner's Office,  
Capetown, 1st March, 1930.

BECHUANALAND PROTECTORATE DAIRIES AND DAIRY PRODUCE REGULATIONS.

1. These regulations shall apply within the following Magisterial Districts, as defined by High Commissioner's Notice No. 119 of 1923, or any notice amending that notice:—

- (1) Francistown.
- (2) Ngwato.
- (3) Tuli Block.
- (4) Gaberones.
- (5) Kweneng.
- (6) Ngwaketsi.
- (7) Lobatsi.

2. Save as is herein specially provided, the provisions of these regulations shall not apply in respect of dairy produce which, being intended for consumption on the premises whereon it is produced, is not sold or offered, or exposed for sale, or kept for purposes of sale.

3. In these regulations, unless inconsistent with the context—

“Administration” shall mean the Administration of the Territory;

“creamery butter” shall mean butter manufactured in a registered butter factory, and shall comply with such standards of grading as shall be from time to time prescribed;

“cooking butter” shall mean all butter which is presented for export clearly marked cooking butter on two sides of the case or box;

“dairy produce” shall mean milk, condensed milk, cream, ice-cream, butter, whey butter and cheese, and shall include also margarine and all substitutes for butter made from vegetable or animal fats or a combination of vegetable and animal fats, or any product of milk or cream not contained in a hermetically sealed vessel;

“dealer in dairy produce” shall mean every person who produces for sale, barter, or export, or who sells, barter, or exports dairy produce or who offers or exposes it for sale, barter, or export;

“domestic purposes” shall be taken to include agricultural and business as well as domestic and household purposes;

“ice-cream” shall mean any frozen product made from cream or milk and water, with or without the addition of any other food or of any flavouring, and includes any frozen product intended for human consumption of which cream or milk and water form a part;

“ inspector ” or “ inspecting officer ” shall mean the dairy expert to the Bechuanaland Protectorate Government, or any person appointed in writing by the Resident Commissioner;

“ milk-blended butter ” shall mean renovated and milled butters, in the process of reworking of which water, milk, or cream, or a mixture of any of these liquids, or any extraneous ingredients are used;

“ milled butter ” shall mean butter which is a mixture, or blend, of two or more butters of different grades, qualities or makes, which has been subjected to a process of reworking either mechanically or otherwise and has been mixed or blended at a place other than where originally manufactured or packed;

“ person ” shall include any body of persons corporate or unincorporate;

“ prescribed ” shall mean prescribed by these regulations;

“ process butter ” shall mean butter that has been melted, clarified, or refined and reworked by any process whatsoever, with or without the addition of water, milk, cream, or milk fat, or any extraneous ingredients, and made to resemble “ creamery butter ” as defined in this section;

“ renovated butter ” shall mean butter which has been labelled, renewed or treated in any manner in premises other than those in which it was manufactured, with a view to eliminating any defects and restoring it in condition to make it resemble “ creamery butter ” as defined in this regulation;

“ Resident Magistrate ” shall mean the resident magistrate having jurisdiction in the district concerned;

“ Resident Commissioner ” shall mean the Resident Commissioner of the Territory or any person lawfully discharging any duty imposed on the Resident Commissioner under these regulations;

“ regulation ” shall mean any regulation made and in force under the Dairies and Dairy Produce (Bechuanaland Protectorate) Proclamation, 1929;

“ farm butter ” shall mean all butter other than creamery butter, milk-blended butter, milled butter, process butter, and renovated butter;

“ whey butter ” shall mean the product obtained by churning whey or the cream obtained from whey.

#### REGISTRATION.

4. As from a date to be fixed by the Resident Commissioner by notice in the *Gazette*, no premises shall be used for—

- (a) the collection of milk or cream (in these regulations referred to as a cream depot); or
- (b) the manufacture of butter (in these regulations referred to as a butter factory);
- (c) the manufacture of cheese (in these regulations referred to as a cheese factory); or
- (d) the manufacture of margarine (in these regulations referred to as a margarine factory); or
- (e) the manufacture of butter substitutes (in these regulations referred to as a butter substitute factory); or
- (f) the manufacture of condensed milk (in these regulations referred to as a condensed milk factory); or
- (g) the separation or handling of milk (in these regulations referred to as a creamery); or
- (h) the manufacture of ice-cream (in these regulations referred to as an ice-cream factory);

unless such premises are registered with the Administration in manner prescribed by regulation.

5. Every dealer in dairy produce shall apply to the Resident Magistrate of the district in which he carries on his business as such to be registered as a dealer in dairy produce, and the applicant shall give a description of the premises or furnish

a rough plan to be used for this purpose. Persons who were registered at the time of the taking effect of these regulations under the Bechuanaland Protectorate Public Health Dairy Produce Regulations, published under High Commissioner's Notice No. 144 of 1926, shall be considered as registered in terms of these regulations.

6. (1) It shall be the duty of the inspector to visit the premises of the applicant for registration under regulation *five*.

(2) If he is satisfied that the conditions mentioned in these regulations are being duly carried out, he shall recommend the Resident Magistrate having jurisdiction to issue a certificate of registration free to the applicant, and to assign him a number and district letter. This certificate shall be displayed prominently at the applicant's premises.

(3) If the inspector be not satisfied he shall report to the Resident Magistrate in what respect the premises fall short of the required standard, and the period allowed for alterations to be made.

(4) The inspector may, if he be satisfied that by so doing there would be no detriment to the public health, recommend the resident magistrate to issue a temporary certificate of registration for the period allowed for alterations to be made.

7. (1) No person shall carry on the business of a dealer in dairy produce unless he is the holder of a certificate of registration or a temporary certificate of registration as provided for in these regulations.

(2) Provided that in cases of emergency, such as veld fires, lack of water or veld, etc., the inspector will have the power to grant registration to buildings of a temporary nature to enable the producer to carry on his production of cream until such time as conditions will allow him to return to his registered dairy.

8. (1) The premises occupied for the purpose of the business of every dealer in dairy produce shall be inspected as often as it is deemed necessary; and, if found to be in a condition not deemed by the inspecting officer to be satisfactory, the certificate of registration may be temporarily or permanently withdrawn. The inspector may seize and cause to be destroyed any dairy produce reasonably suspected to be adulterated or to have been treated in such a manner as to prove prejudicial to the public health or to be unfit for human consumption.

(2) At least fourteen days' notice shall be given to the Resident Magistrate of the district before any new building or any portion of an existing building not included in the description furnished under regulation *five* is used or occupied for dairy purposes, and no such building or portion of a building shall be so used or occupied until it has been duly registered.

(3) Where, however, the sender shall have sent written instructions that putrescent cream, or such cream as cannot, in the opinion of the grader or inspector, be manufactured into butter fit for human consumption, shall be returned to him, the manager of the creamery or inspector shall add some substance which may be prescribed (such added substance not being such as in any way to destroy the value of such cream for animal food) and return the cream to the sender at the sender's risk and expense.

9. The Resident Commissioner may refuse to grant an application for the registration of any factory or cream depot as defined in regulation *four* if he shall consider it necessary or just to do so.

10. It shall be the duty of a registered holder of a certificate for every factory as defined by regulation *four* who has not registered a distinctive mark under Proclamation No. 4 of 1923, to brand all packages of dairy produce manufactured at his registered premises with the registration number, mentioned in clause (2) of regulation *six*.

11. (1) The name of the country of origin shall be printed on wrappers containing butter or margarine and on tins or other sealed receptacles containing cream or condensed milk in plain capital letters not less than one-quarter inch square, face measurement, and on packages, boxes, cans, or crates containing butter, cheese, condensed milk, margarine, or butter substitutes in plain capital letters not less than 1 inch square, face measurement, thus:—

Produce of.....

(2) In the case of dairy produce offered or exposed for sale or in the possession of a person for purposes of sale, not being contained in a wrapper, package, box, or crate, the name of the country of origin shall be branded on such produce in plain capital letters not less than one-half inch square, face measurement, thus:—

Produce of.....

(3) Butter shall not be packed in wrappers or containers marked to indicate a grade superior to that of the butter contained.

12. No person shall sell, offer or expose for sale, or have in his possession for purpose of sale any dairy produce manufactured from milk or cream produced by animals other than bovines unless every wrapper containing such produce has printed on it in plain capital letters not less than one-quarter of an inch square, face measurement, the name of the contents preceded by the name of the class of animal from which the same has been produced. If such produce is packed in packages, boxes, or cases, all such containers must be distinctly and durably marked or branded with the name of the contents preceded by the name of the class of animal from which the same has been produced on two sides in plain capital letters not less than one inch square, face measurement.

13. After the date of promulgation of these regulations, butter exported from the Bechuanaland Protectorate shall be exported under its specific designation as defined in regulation *three*.

#### ADMINISTRATIVE POWERS.

14. (1) Subject to the provisions of these regulations, an inspector may at all reasonable times—

- (a) enter and inspect any premises, place, or vehicle where dairy produce is stored or produced which is intended for sale and inspect all dairy produce found therein or thereon, and all utensils, machinery, or apparatus therein or thereon or used in connection therewith;
- (b) take samples thereat or thereon of dairy produce, or of any article used in connection with dairy produce;
- (c) enter and inspect any cooling chamber or vehicle used for the storage or carriage of dairy produce;
- (d) for the purposes of inspection and of taking samples open any package which contains or is suspected of containing dairy produce;
- (e) transmit or deliver to a person designated under these regulations for such examination as is in these regulations mentioned, any sample of dairy produce or of any article used in connection with dairy produce.

(2) If, after any inspection under these regulations the inspector is satisfied that—

- (a) any premises, place, or vehicle so inspected are in an unclean or unwholesome condition; or
- (b) any chemical or scales or measures or any apparatus used in testing cream or milk are not in accordance with standard or are incorrect or are otherwise unfit for the use for which they are intended; or
- (c) any churns, vats, or other utensils used for dairy produce are not fit to be so used; or

- (d) any premises used for the manufacture or storage of any vehicle used for the carriage of dairy produce is unfit for such use; or
- (e) the water used in connection with the manufacture of dairy produce is pathogenic,

he may by written order—

- (i) require the premises and all utensils, machinery, or apparatus or such cooling chamber, vehicle, or vessel (as the case may be) forthwith to be cleaned, disinfected, and rendered wholesome to his satisfaction;
- (ii) require any chemical to be made fit for the use for which it is intended or any scales or apparatus or measures aforesaid to be replaced or corrected;
- (iii) require any churns, vats, or other utensils to be replaced or made fit for the use of dairy produce;
- (iv) require any premises, place, or vehicle to be made fit for use to his satisfaction;
- (v) require any diseased live stock to be moved and the premises or vehicle disinfected to his satisfaction;
- (vi) require the supply of water for the manufacturing purposes to be discontinued until it has been rendered fit for use, or a supply of pure water to be provided;
- (vii) prohibit any utensils, machinery or apparatus, cooling chamber, or vehicle to be used for dairy produce at all or until the defects aforesaid have been remedied to his satisfaction or for such time specified in the order as he thinks necessary and may further by such written order as aforesaid prohibit the removal from any such premises of any dairy produce for such time as he thinks necessary.

15. (1) If upon any inspection the inspector is of opinion that any live stock on premises on which milk is produced or cooled or cream is separated, is so diseased as to be likely to affect injuriously dairy produce, he shall report the disease to a Government veterinary officer and in the meantime may place a temporary paint brand on all the suspected or affected animals and may prohibit the sale or use of milk from any such animals until a Government veterinary officer has declared the animal free from disease likely to affect dairy produce.

(2) If upon any such inspection aforesaid the inspector is of opinion that any person is affected with a disease of any infectious or contagious nature which is likely to contaminate dairy produce, he shall report the fact to a Government medical officer and if he certifies that such person is affected with such a disease the inspector may, by written order, order the isolation or the removal of such person for such time as the Government medical officer thinks necessary.

(3) An inspector shall have the right at all times to inspect and check the grading and testing as carried out at any butter factory and cream depôt.

16. The Resident Commissioner may from time to time designate one or more persons qualified by technical training and possessing competent knowledge, skill, and experience to carry out microscopical, bacteriological, or analytical examinations under or for the purposes of any provision of these regulations. The Resident Commissioner may also designate persons to be inspectors for the purposes of these regulations. Provided that no person shall be so designated if he is engaged directly or indirectly or has any pecuniary interest in any trade or business connected with dairy produce.

The designation of any such person shall be in writing and transmitted to and held by him.

17. Any person designated by the Resident Commissioner under the provisions of regulation *sixteen* for the performance of the duties therein mentioned relating to microscopical, bacteriological, and analytical examinations under or for the purpose of the said regulation or any amendment thereof, shall furnish a certificate in the prescribed form of the results of each such examination.

18. No person, being in the employment of any manufacturer or packer, or consignor of dairy produce, shall—

- (a) hire or lend the marks or marking instruments of his employer to any person; or
- (b) connive at or be privy to any fraudulent act in respect of such marks or marking instruments.

19. Upon the request of the inspector, every owner of a creamery, cheese factory, margarine factory, butter substitutes factory, condensed milk factory, cream depôt, dairy farm, butter factory, ice cream factory, warehouse, conveyance, or cooling chamber, and every milk vendor, shall without delay furnish the inspector with a list of the persons supplying dairy produce to such owner which will be regarded as strictly confidential. Every such owner or his agent shall give to the inspector any personal assistance and information of which he is capable to aid the inspector in discovering the cause of any defect or deterioration in dairy produce.

20. (1) Every separator-room, milk-room, cheese-room, and manufacturing-room, and room used for the storage of dairy produce shall be well ventilated and so constructed as to be capable of thorough cleansing. It shall not be used for any other purpose than that of the preparation or manufacture of dairy produce and the storing of dairy utensils. Every such room shall be linewashed or otherwise treated or disinfected as and when deemed necessary by the inspector.

(2) Every creamery, cheese factory, cream depôt, condensed milk factory, butter factory, margarine factory and butter substitutes factory shall have impervious watertight floors, shall be well ventilated and effectively drained, and shall be thoroughly disinfected as and when deemed necessary by the inspector.

(3) All whey, washings, and drainage from a creamery, cheese factory, condensed milk factory, margarine factory or butter substitutes factory, and butter factory shall be dealt with and disposed of to the satisfaction of the inspector so as not to be or to cause a nuisance or be a danger to health.

(4) Every butter factory, cheese factory, ice cream factory, cream depôt, margarine factory, and butter substitutes factory shall be provided for the use of persons employed therein with suitable and sufficient sanitary conveniences which shall be constructed and kept clean to the satisfaction of the inspector.

21. No dealer in dairy produce shall permit any water-closet, earth-closet, privy, cesspool, or urinal to be within, communicate directly with, or ventilate into any premises used for dairy produce, nor shall he keep or allow to be kept swine in any building or shed used for keeping milch animals.

22. (1) The premises on which any person may carry on the business of a dealer in dairy produce shall be provided to the satisfaction of the inspector with clean water, and be constructed so as to exclude from contact with the produce flies and other insects, and any animal whose presence would be likely to contaminate such produce, and no person shall be registered as aforesaid unless the said premises are so provided and constructed.

(2) All buildings used for storing or handling dairy produce or for separating cream shall be arranged so as not to be subject to animal or other effluvia, and shall be efficiently drained. Such buildings shall not be used for domestic purposes.

(3) All vessels, implements, and apparatus and portions thereof used in connection with the production of dairy produce must be in a good state of repair, and must on each occasion immediately after use be first cleansed in lukewarm water and then be scalded in clean boiling water, after which they must be placed in a clean, airy place and be protected from flies.

(4) All milking operations must be carried out in a cleanly manner to the satisfaction of the inspector, and all buckets used for milking must be kept solely for such purpose.

23. No dairy produce shall be kept for sale on premises which have not previously been approved of by the inspector as regards lighting, ventilation, air-space, cleansing, drainage, water supply and arrangements for excluding insects or other animals.

24. (1) No dairy produce shall be consigned for or disposed of by sale or barter in any form—

- (a) if produced by a dealer in dairy produce who is not the holder of a valid certificate of registration, except such produce as may have been produced beyond the borders of the Bechuanaland Protectorate, and is in transit;
- (b) when presenting any marked deviation from ordinary appearances as regards colour, odour, taste, or general condition;
- (c) when produced or derived from an animal manifestly the subject of constitutional, acute, or infectious disease; or suffering from abscess, inflammation, painful swelling, or other affection of the udder; or from any animal not completely recovered from the febrile state and other symptoms incident to parturition.

25. No dealer in dairy produce shall purchase or acquire any dairy produce from a person who is not so registered.

26. On the occurrence of symptoms of acute disease in any animal, or of a large and sudden diminution in the yield of milk, the milk shall be set aside and not be exposed or transmitted for sale or used in the production of any dairy produce.

27. On the occurrence in the person or family of any one employed about the milch animals or dairy, of any throat complaint affecting three or more persons or of any disease of an eruptive, infectious or contagious nature, whether affecting one person or more, the infected individual shall be isolated and the fact notified to the magistrate of the district.

28. No dealer in dairy produce or person in his employ shall allow any person suffering or suspected to be suffering from an infectious or contagious disorder, or having been in contact with any such person, to milk animals or to handle vessels used for milking or in any way to take part or assist in the production of dairy produce.

29. (1) No person shall keep pigs in styes, or shall place or allow to be placed any manure heap within a distance of one hundred yards from any creamery, cheese factory, cream depot, butter factory, condensed milk factory, margarine factory, butter substitutes factory or room used for separating purposes or storing of cream or milk, or erect or use any premises as a creamery, cheese factory, cream depot, butter factory, margarine factory, butter substitutes factory, ice-cream factory or room used for separating purposes or storing of cream or milk, within a distance of one hundred and fifty yards from any piggery, manure heap or offensive stagnant water: Provided that where in any case the inspector is satisfied that the physical characteristics of the premises require that any piggery or manure heap should be placed in a certain specified position he may, by special permit, authorize the same to be so placed and used, notwithstanding such position may be at a less distance from the creamery, cheese factory, cream depot, butter factory, ice-cream factory, condensed milk factory, margarine factory, butter substitutes factory or room used for separating purposes or storing of cream or milk as the case may be than is herein prescribed.

(2) No person shall permit any offensive or decomposing liquid to be or to flow within a distance of 100 yards from any creamery, cheese factory, cream depot, butter factory, condensed milk factory, margarine factory, butter substitutes factory, or room used for separating purposes or storing of cream or milk unless in a drain properly constructed to the satisfaction of the inspector.

30. (1) No person shall sell, or offer or expose for sale, or have in his possession for purposes of sale, any dairy produce manufactured outside the Bechuanaland Protectorate if upon such produce or upon the wrapper, package or box containing it there appear the words "Bechuanaland Protectorate" or any mark registered under these regulations, or any words or marks stating or implying that such produce has been manufactured in the Bechuanaland Protectorate.

(2) No person shall sell, or offer or expose for sale, or have in his possession for purposes of sale, any dairy produce manufactured outside a registered butter factory or registered cheese factory if upon such produce or upon the wrapper, package, or box containing it there appear words or marks stating or implying that such produce has been manufactured in a registered butter factory or registered cheese factory.

31. (1) All cases containing butter, butter substitutes, or margarine, manufactured in (1) a registered butter factory, (2) a butter substitutes factory, or (3) a margarine factory, whether packed in bulk or in packets, which are required to be branded with the registered number of the premises in which the butter, butter substitutes, or margarine, has been manufactured, shall be branded with such number on the outside of the top right-hand corner of one side of the case in figures not less than one inch square enclosed in a circle, thus:—

(68)

(2) All wrappers containing butter, butter substitutes, or margarine manufactured in (1) a registered butter factory, (2) a butter substitute factory, or (3) a margarine factory which are required to have shown on such wrappers the registered number of the premises in which the butter, butter substitutes, or margarine has been manufactured, shall have printed thereon such number, in letters large enough to be clearly read, thus:—

"Registered No....."

(3) All cheeses which are required to be branded with the registered number of the premises in which the same have been manufactured, shall be branded or marked with such number on the side of the cheese in figures not less than one inch square enclosed in a circle, thus:—

(68)

(4) All crates and boxes or cases containing cheese, which are required to be branded with the registered number of the premises in which such cheese has been manufactured shall be branded or marked with such number on the outside of one side of the box or case, and as regards crates, on one or other of the ends, in figures not less than one inch square enclosed in a circle, thus:—

(68)

32. Premises used for precooling and cold storing butter and cheese for export must be approved by the Administration, and, if found suitable for the purpose, a certificate of fitness in the form set forth in the Schedule hereto shall be issued

accordingly. Such premises will be inspected for constructional suitability and adequacy of refrigerating plants. Walls of such premises should, as far as possible, be finished in a non-permeable substance. Insulated rooms intended for storing butter or cheese, together with all air trunks, cooling, batteries, etc., must be separated from rooms containing fruit, meat, or any other odorous substance by a clear space or solid impervious wall. Doors or other openings into such rooms in which butter or cheese is stored must not be placed in a common corridor, and must be situated in the open at least twenty feet away from any opening from chambers containing odorous material. Chambers which have within the previous six months contained citrus fruit, apples, pineapples, meat, or other matter, in the opinion of the Administration detrimental to butter or cheese, shall not be used for storing butter or cheese; and such chambers shall be whitewashed and disinfected to the satisfaction of the inspector before being utilized for the storage of butter or cheese.

33. (1) Butter shall conform to the following standard:—

(a) It shall be the clean non-rancid product obtained by the churning of cream or milk, and shall—

- (i) in the case of butter manufactured in a registered butter factory, contain at least eighty per cent., of milk fat and not more than sixteen per cent. of water;
- (ii) in the case of butter not manufactured in a registered butter factory, contain at least eighty per cent. of milk fat and not more than eighteen per cent. of water;

(b) it shall not contain any foreign substance: Provided that it may contain common salt (sodium chloride) in a proportion not exceeding four per cent., anatto as a colouring matter, and boron compounds as a preservative in a proportion not exceeding one-half per cent., calculated as boric acid.

(2) A butter substitute shall consist of nothing except renovated, milled, milk-blended or process butter containing not more than eighteen per cent. of water, and no fat save pure milk fat.

34. Ice-cream shall conform to the following standard:—

(a) Ice-cream manufactured from cream or milk and water with or without sugar, natural flavouring, skimmed milk, condensed milk, milk powder, skimmed milk powder, butter, egg yolk, harmless vegetable colouring matter, stabilizer in the form of gelatine and/or vegetable gums must contain not less than 10 per cent. milk fat and not less than 18 per cent. total milk solids and not more than 1 per cent. total stabilizer.

(b) Ice-cream manufactured as set forth in clause (a), but containing in addition sound ripe fruits and/or nuts and/or other foodstuffs must contain not less than 8 per cent. milk fat and 16 per cent. total milk solids and not more than 1 per cent. total stabilizer.

35. (1) No person shall extract any portion of the milk fat from milk sold or intended for sale to a cheese factory which is purchasing such milk for the purpose of manufacturing it into cheese.

(2) No person, being the owner or occupier of a registered cheese factory shall extract such portion of the milk fat from milk purchased for the purpose of converting such milk into whole milk cheese as shall reduce the bulk below three per cent. butter fat. For the purpose of these regulations, all cheese manufactured in a registered cheese factory shall be regarded as whole milk cheese except such cheese as is clearly labelled or marked before being sold in such a manner as to clearly indicate that it has been manufactured from skimmed milk or partially skimmed milk, as the case may be.

36. (1) Every butter substitutes factory shall be constructed and erected in terms of the provisions of these regulations and shall be fully equipped with essential machinery and appliances to the satisfaction of the Resident Commissioner.

(2) The term "butter factory" appearing in these regulations shall mean a properly constructed and fully equipped butter-making establishment in which creamery butter is produced, such premises to be duly registered as prescribed under these regulations.

37. All wrappers used or intended to be used, in premises registered under these regulations in connection with the sale of dairy produce, must be submitted to the Resident Commissioner for purpose of record.

38. (1) The following special provisions shall apply in respect of the manufacture or sale of the substance made from vegetable or animal fats and commonly known under the name of margarine whether or not it is known, manufactured or sold under another name:—

- (a) It shall not, if containing any milk fat, or milk, be sold.
- (b) If it contains any colouring matter it shall not be sold.
- (c) It shall not be manufactured on the same premises as those on which butter or any butter substitute is manufactured.

(2) In the case of margarine or any butter substitute, the following provisions shall apply:—

- (a) Every package or other receptacle must be distinctly and durably marked or branded with the trade name of its contents on both sides in printed capital letters not less than one and a half inches square.
- (b) Every wrapper must have distinctly printed on it in plain capital letters one-third of an inch square, face measurement, the trade name of its contents and no other printed matter; except the registered number of the premises on which the butter substitute or margarine has been manufactured, and the net weight of the contents of such wrapper.

(3) The substance made from vegetable or animal fats and commonly known under the name of margarine, whether or not it is known, manufactured or sold under another name shall not contain more than 16 per cent. of water and not more than 4 per cent. common salt (sodium chloride).

39. (1) All cream purchased by butter factories or cream depots for the purpose of converting it into butter shall be graded for manufacture into different qualities of butter, ~~and the difference in the price paid must not be less than two pence per pound, according to the grade in which the cream is placed.~~ All cream shall be graded under one or other of the following classes:—

- First grade;
- Second grade;
- Third grade;

and the class in which the cream has been placed must be stated on the receipt which the owner of every creamery and cream depot is required to render to the vendor of the cream.

Any cream not considered fit to be placed in any of the above classes shall be dealt with as follows:—

- (a) If in the opinion of a certificated cream grader or inspector under these regulations such cream can be converted into butter fit for culinary purposes, it may be so utilized and the price paid to the supplier of such cream shall be lower than that which prevails for third grade cream at the time such cream is received; but

(b) If in the opinion of a certificated cream grader or inspector under these regulations such cream is unfit to be converted into butter for sale for culinary purposes, it shall forthwith and without undue delay be destroyed.

(c) Where, however, the sender shall have sent written instructions that putrescent cream, or such cream as cannot, in the opinion of the grader or inspector, be manufactured into butter fit for human consumption, shall be returned to him, the manager of the creamery or inspector shall add some substance which may be prescribed (such added substance not being such as in any way to destroy the value of such cream for animal food) and return the cream to the sender at the sender's risk and expense.

(2) On the first day of every month the owner or manager of every butter factory or cream depot drawing supplies from the Bechuanaland Protectorate shall notify the officer deputed by the Resident Commissioner to receive such information of the various prices he has decided to pay during the ensuing month for the different classes of cream described in these regulations, and any alteration in such prices which is made during that month shall be immediately notified to the officer as above described.

(3) No person shall grade cream until he has passed an examination in grading and has obtained a certificate of proficiency approved of by the Resident Commissioner.

Provided that temporary permission may be given to persons capable in the opinion of an inspector of grading cream but who have not obtained a certificate of qualification to grade cream, until the date of the examination next following the date of application for temporary permission, but such permission shall not extend beyond the first opportunity for examination.

40. Any person holding a certificate in cream grading who grades cream into a different grade from that in which the cream should have been graded under these regulations commits an offence and on conviction thereof his registration within the Bechuanaland Protectorate shall be cancelled and his name erased from the list of certificate holders, provided that such person may appeal to the Resident Commissioner for reinstatement as a registered certificate holder, and the Resident Commissioner may, if he deems it expedient, again place his name on the list of registered certificate holders.

41. (1) At every butter factory, cream depot, or other premises where cream is purchased for the purpose of converting it into butter, such cream shall be paid for according to the milk-fat content of same.

(2) A receipt for all cream supplies shall be rendered by the owner of every butter factory and cream depot to the vendor of cream setting forth the number of cans of cream received, percentage of milk fat contained therein and the total number of pounds of milk fat for which payment will be made, and shall not be in any form or contain any descriptive words other than are approved by the inspector under these regulations.

Any vendor of cream shall have the right to have his cream tested in his presence not oftener than once a fortnight.

(3) (a) All cream test results shall be entered against the name of the owner of the cream tested by the persons performing the work of testing in a recognized book kept solely for such purpose. Such book shall be in form and manner approved of by an inspector under these regulations, and shall further contain any such other particulars as may be required by him.

(b) The test results of each day's work shall be correctly dated and bear the signature of the person who actually performed the work of testing.

(c) No alterations except such as are justifiable and which shall bear the initials of the person responsible for the testing shall be allowed in the test record book or on any extract made therefrom.

43. The owner or manager of every butter factory shall deliver to the inspector, whenever required so to do, a correct return showing the amount of commercial butter actually churned from each grade of cream purchased, together with particulars of the amount of milk fat actually credited to its cream suppliers during any calendar month, and any such other particulars as may be required by him. Such return shall be in form and manner as approved of by the inspector under these regulations. The inspector shall be given every reasonable facility to compare such returns with the records or statements entered in any of the books used by such owner or manager.

44. No person shall be employed in the testing of cream and milk until he has passed a practical examination in testing and has obtained a certificate of proficiency approved of by the Resident Commissioner. Provided that temporary permission may be given to persons who are capable in the opinion of the inspector of testing milk or cream, but who have not obtained a certificate of qualification to test milk or cream until the date of examination next following the date of application for temporary permission but such permission shall not extend beyond the first opportunity for examination.

45. Any person holding a registered certificate in milk and cream testing who makes, states or enters in the test book an incorrect test result commits an offence and on conviction thereof his registration certificate shall be cancelled and his name erased from the list of registered certificate holders, provided that such person may appeal to the Resident Commissioner for reinstatement as a registered certificate holder, and the Resident Commissioner may, if he deems it expedient, renew his registration and again place his name on the list of registered certificate holders.

#### METHODS OF TESTING MILK AND CREAM.

46. The testing of milk may be either by the Babcock system or by the Gerber system.

(i) *Babcock system.*—The test according to this system shall be carried out as follows:—17.6 cubic centimetres of a well mixed sample of the milk to be tested, at a temperature of approximately 70° F., are transferred by means of the standard pipette to the standard test bottle and thereto 17.5 cubic centimetres of sulphuric acid of specific gravity not less than 1.82 nor more than 1.84 are added. The bottle is then gently shaken until the curd is completely dissolved. The bottle is then at once placed in the centrifugal machine and whirled for at least four minutes at the minimum speed set forth in the following table, viz.:—

<i>Diameter in inches of revolving wheel.</i>	<i>Minimum Revolutions per minute.</i>
10	1080
12	980
14	910
16	850
18	800
20	760
22	725
24	695

Hot water is now added until the bottle is filled to near the scale on the neck. The bottle is again whirled at not less than the minimum speed for not less than one minute. Hot water is now again added until the column of fat comes within the upper and lower limits of the scale marked on

the neck of the bottle. The bottle is again whirled in the centrifugal machine for at least one minute at not less than the minimum speed laid down.

The fat is measured from the lower line of separation between the fat and the water to the top of the fat layer, and not to the lowest point of the meniscus. In all cases the temperature at which the fat is measured shall be as near as possible 140° F.

(ii) *Gerber system*.—The test according to this system shall be carried out as follows:—

10 cubic centimetres of sulphuric acid of specific gravity, not less than 1.820 nor more than 1.825 are transferred by means of the standard acid pipette to the standard Gerber test bottle. 11 cubic centimetres of a well mixed sample of the milk to be tested at a temperature of approximately 70° F. are added thereto by means of the standard milk pipette without allowing any admixture to take place. 1 cubic centimetre of pure amyl alcohol having a specific gravity of not less than 0.815 nor more than 0.818 is then added by means of the standard alcohol pipette in such a manner as to cause as little admixture with the milk as possible. The test bottle is now closed with a good india-rubber stopper, and the whole well shaken in an up and down direction till all the curd is dissolved.

The test bottle is then placed in water at a temperature of between 155° F. and 160° F. for at least five minutes, but not more than 15 minutes, after which it is placed in the Gerber centrifugal machine and whirled at a speed of approximately 2,000 revolutions per minute for five minutes. The tube is then removed from the machine and again placed in water at a temperature of between 155° F. and 160° F. for at least two minutes before reading the percentage of fat.

If the fat layer be not perfectly clear, or if it be coloured pink, or if there should be a plug of fluffy matter beneath it, the test must be repeated.

(iii) The testing of cream shall be by the Babcock system, and the quantity of cream used for the test shall be 9 grammes, which quantity shall be weighed. The person performing the test shall enter up in the recognized book kept solely for the purpose of recording cream test results:

- (a) the actual percentage of fat read;
- (b) the result after multiplying (a) by 2.

The method of carrying out the testing of cream by the Babcock system shall be as follows:—

Using a weighed sample, 9 grammes of a well mixed sample of cream are placed in a standard test bottle, and thereto are added 17.5 cubic centimetres of sulphuric acid of the same strength as that used in testing milk by the Babcock system. The remainder of the process is identical with that detailed in section (i) of this regulation for the testing of milk, excepting that in reading the result the fat is measured from the lowest line of separation between the fat and the water to the lowest point of the meniscus at the top of the fat layer.

#### METHOD OF TAKING SAMPLES OF MILK AND CREAM FOR TESTING PURPOSES.

47. The method of taking samples of milk and cream for testing purposes shall be such as to ensure thorough mixture of the whole of the contents of the containing receptacle, and shall further be subject to the approval of an inspector under these regulations.

48. (1) Every test bottle, pipette, and measuring glass used in connection with the testing of milk or cream shall bear the assizement marks of the Government of the Union of South Africa or Southern Rhodesia.

(2) Any glassware as above detailed found in the possession of any person whatsoever, after the date on which these regulations come into force, not bearing the aforementioned assize-ment mark will be immediately destroyed.

(3) The person in possession of such glassware will be deemed guilty of an offence under these regulations.

(4) (a) No unauthorized person shall mark any test bottle, pipette or measuring glass used in connection with the testing of milk or cream in a manner which would indicate that it is accurate in accordance with these regulations.

(b) No person shall sell or offer for sale any test bottle, pipette or measuring glass used in connection with the testing of milk or cream unless it has been so tested and marked accurate as provided in this regulation.

(c) No person shall use any test bottle, pipette or measuring glass in connection with the testing of milk or cream if such testing is for the purpose of determining the value or the relative value of the said milk or cream, unless such test bottle, pipette or measuring glass has been tested and marked accurate as provided in this regulation.

(d) Nothing in these regulations shall apply to burettes or measures used in connection with the making of cream or milk tests for the measuring of sulphuric acid.

49. Three months after the date of promulgation of these regulations, all thermometers imported into the Bechuanaland Protectorate intended to be used in connection with dairying operations, which contain a paper scale must have an ineffaceable mark on the outside of the glass exactly opposite the 100° Fahrenheit marks on such scale.

50. A person shall be guilty of an offence against these regulations—

(1) (a) if, being the occupier of premises registered under these regulations he sells or offers or exposes for sale or has in his possession for purposes of sale as butter, any article which does not conform to the standard as regards the percentage of milk fat or water prescribed by regulation *thirty-three* for butter manufactured in a registered creamery; or

(b) if, not being the occupier of premises registered under these regulations, he sells or offers or exposes for sale or has in his possession for purposes of sale as butter any article which does not conform to the standard as regards the percentage of milk fat or water prescribed by regulation *thirty-three* for butter not manufactured in a registered creamery; or

(c) if (whether or not he is the occupier of premises registered under these regulations) he sells or offers or exposes for sale or has in his possession for purposes of sale as a butter substitute any article which is not a butter substitute as defined in regulation *thirty-three*.

(2) Who shall consign or dispose of by sale or barter any dairy produce—

(a) if produced by a dealer in dairy produce who is not the holder of a valid certificate of registration except such produce as may have been produced beyond the borders of the Bechuanaland Protectorate;

(b) when presenting any marked deviation from ordinary appearances as regards colour, odour, taste, or general condition;

(c) when produced or derived to his knowledge from an animal manifestly the subject of constitutional, acute, or infectious disease; or suffering from abscess, inflammation, painful swelling, or other affection of the udder; or from any animal not completely recovered from the febrile state and other symptoms incident to parturition.

(3) For the purposes of sub-section (1), a person shall be presumed to be in possession for purposes of sale of an article if it be stored or kept on his premises or elsewhere on his behalf, or has been, or is in course of being dispatched from his possession or premises whether on sale or otherwise, and the onus shall lie on such person of proving that such article is not intended for sale.

(4) Any person contravening any provision of this regulation shall be guilty of an offence.

51. Creamery butter may be exported beyond the Protectorate borders subject to the following conditions:—

(a) Three grades shall be applied to the qualities of creamery butter intended for export. The designations of such grades shall be—

- First grade;
- Second grade;
- Third grade.

The grading shall be accordingly to the following scale of points:—

Flavour and aroma	50 points.
Texture, including body grain and moisture	30 points.
Colour	10 points.
Salting	5 points.
Finish	5 points.

And for the purpose of differentiating the grades:—

- First grade butter shall score 90 to 100 points.
- Second grade butter shall score 80 to 89 points.
- Third grade butter shall score 70 to 79 points.

Butter scoring below 70 points may be exported, provided that it is clearly marked "Cooking Butter" on two sides of the cases or boxes containing the same.

(b) Butter intended for export shall be packed in boxes or cases, which, in the opinion of the inspector, are suitable and of sufficient strength; such cases or boxes shall contain, in the case of butter packed in bulk 56½ lb. net weight of butter, and in the case of butter packed in pats 50½ lb. net weight of butter. Each box or case shall be clearly marked "56 lb. net" in the case of butter packed in bulk, and "50 lb. net" in the case of butter packed in pats. Should the inspector on inspection find a less weight of butter contained in any case or box than that required under this regulation, such case or box shall be marked by him "underweight."

(c) On each box or case of creamery butter shall also be indicated, by means of a series of letters or figures placed on the top left hand corner, the date of manufacture of the contents, and the number of the churning, together with the number of boxes or cases in the consignment from each churning. To enable the inspector to determine what the letters or figures indicate, the exporters thereof shall supply to the Dairy Expert to the Bechuanaland Protectorate Government the key to such letters or figures and, should the code used be at any time altered, the nature of such alteration shall at once be communicated to that officer.

Exporters marking their boxes or cases with a registered brand shall inform the Dairy Expert whether such brands represent First Grade, Second Grade, Third Grade, or Cooking Butter, and exporters not using registered brands shall mark their boxes or cases in such a manner as to indicate to the inspector how the contents have been graded by the manufacturer. For this purpose the letters A, B, and C shall be used to designate first grade, second grade, and third grade, respectively, such letters immediately to precede the word "bulk" or "pats" on the boxes or cases.

- (d) An inspector may take such samples of butter submitted for export as he may consider necessary for the purposes of examination, inspection or analysis, and all cases or boxes from which samples have been taken for analysis shall be stamped "samples taken."

52. (1) No person shall bring any animal, not being a draught animal properly inspanned, within a distance of 50 yards of any building wherein dairy produce is handled or manufactured, except with the permission of the inspector in writing previously obtained.

(2) No person shall cause or permit to continue any conditions within 100 yards of any building wherein dairy produce is handled or manufactured which in the inspector's opinion are detrimental to the public health or the quality of the product concerned.

53. (1) The owner or manager of every cheese factory, butter factory, condensed milk factory or creamery shall not allow any whey or butter-milk to be conveyed from the premises in any utensil which is being used to convey milk or cream to such cheese factory, butter factory, condensed milk factory or creamery. Any owner or manager who fails to comply with the instructions contained in this paragraph shall be deemed guilty of an offence.

(2) All milk and cream cans or vessels used in the transport of milk or cream from the place of production to a creamery, cheese factory, butter factory, condensed milk factory, cream depot, or retail vendor shall contain the name and address of the producer legibly inscribed thereon, together with his registered number and any cans used for the conveyance of whey from a cheese factory, or butter-milk from a butter factory shall be marked "whey" or "butter-milk" as the case may be.

54. All dealers in dairy produce operating in the Protectorate, and all creameries or cream depots in the Bechuanaland Protectorate drawing supplies from the Bechuanaland Protectorate shall at all times render to the Resident Commissioner or to any other designated officer such information as may be required for statistical purposes.

55. Whenever it shall be certified by two legally qualified medical practitioners that the spread of infectious disease is in their opinion attributable to the dairy produce supplied by any dealer in dairy produce, such dealer in dairy produce shall furnish to the magistrate of the district, upon demand, a full and complete list of the names and addresses of all persons to whom he has supplied dairy produce within such period as may be specified, and shall give such assistance to discover the residence of all or any of them as may be deemed necessary.

56. (1) On tendering to any person selling or manufacturing or keeping, preparing, exposing or offering for sale, or possessing for purpose of sale any dairy produce, as defined in these regulations, or to his agent or to any person at the time being in charge of such article, an amount of money not less than the current market value thereof, any inspector may, either personally or by an assistant or deputy, purchase samples of any such article.

Regulation 51 of the Bechuanaland Protectorate Dairies and Dairy Produce Regulations (published under High Commissioner's Notice No. 24 of 1930) is hereby amended by inserting, immediately after paragraph (d) thereof, the following additional paragraphs:—

- (e) Butter may be graded and branded according to grade by an inspector either at the factory at which it was manufactured or at any other suitable place approved by the inspector.
- (f) When butter has been so examined and graded, the inspector may stamp the boxes and cases containing such butter with a distinctive mark showing the grade.
- (g) If such grading and branding has been performed at the owner's request or if the grading and branding is necessary to enable such butter to be exported beyond the boundaries of the territory, the owner of any butter so graded and branded shall pay a fee therefor of 3d. (threepence) per box or case of 56 lb. net in the case of butter packed in bulk, and 50 lb. net in the case of butter packed in pats.

(2) The inspector may require any such person to show and permit the inspection of any package which contains or is suspected of containing dairy produce, and may require the said person to take and supply him with samples from any particular package, provided that where any dairy produce is kept for retail sale in a closed package, no person shall be required to sell less than one complete package.

(3) In the case of the inspector purchasing or otherwise procuring any sample of dairy produce with the intention of submitting it to analysis or examination under these regulations he shall, on the same being handed over to him, notify such intention to any person then present, being the owner or his agent or servant or other person at the time being in charge of the article.

(4) The inspector shall then divide the sample into two approximately equal parts and shall label, or mark and seal, and fasten up each part in such a manner as its nature will permit and shall then tender one of such parts to the owner, agent, servant, or person aforesaid, and shall transmit the second part to an analyst lawfully designated by the Resident Commissioner under the powers vested in him by these regulations who, after removing therefrom such portion as he may require for analysis or examination shall seal up the remainder and retain it until any prosecution instituted in connection with the sample has been concluded. If the tender of the first part is not accepted, the inspector shall himself retain this part until any prosecution instituted in connection with the sample has been concluded.

(5) Where the article is in package form and where one package does not contain sufficient for purposes of analysis when divided as aforesaid, additional packages, the property of the same person and purporting to contain a similar article and similarly labelled, may be purchased or procured and the contents of two or more such packages may be mixed together by the inspector and the mixture divided and dealt with as hereinbefore provided.

(6) Where any article so sampled or any package containing the same bears a label or has attached to it or is packed in or accompanied by any printed matter referring to it, a specimen of such label or printed matter, or a true copy thereof, certified by the inspector, shall be included in the sealed package containing the sample forwarded to an analyst.

(7) Where a sample of milk or cream is purchased or obtained under these regulations by an inspector he may, for the purpose of preventing decomposition pending analysis, add to the part tendered for transmission to an analyst a preservative of such kind and in such quantity as the Resident Commissioner may from time to time direct, and shall offer to the owner, agent, servant, or person aforesaid, to add an equal quantity of the same preservative to the part intended to be returned to him, and, if requested so to do, shall proceed accordingly.

Such preservative shall be taken from a sealed packet bearing the certificate of an analyst under the dairy regulations as to the composition of the preservative contained therein, which packet shall be opened in the presence of the owner or his agent or servant or the person in charge of the article sampled. Whenever such preservative is found by an analyst to have been added to any sample received from the inspector under these regulations, he shall state in his certificate that such is a preservative authorized by the Resident Commissioner to be added by inspectors taking samples under these regulations, but need not state the amount of such preservative found.

(8) Any sample, labelled or marked and sealed and fastened up as hereinbefore provided, may be transmitted to an analyst in any convenient way.

(9) Any person who contravenes or makes default in complying with any requirement of these regulations shall be guilty of an offence and liable on conviction to the penalties prescribed by section *two* of the Dairies and Dairy Produce (Bechuanaland Protectorate) Proclamation of 1929.

57. When any person is convicted of an offence against or a contravention of or default in complying with any provision of these regulations, the following costs shall be recoverable from him in addition to any penalty imposed, namely:—

- (a) the postage, railway carriage or other reasonable charge, if any, paid for transmission of the sample to the inspector, analyst, tester or examiner;
- (b) the fee, if any, charged under the prescribed tariff for analysis, examination, or testing.

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SCHEDULE I.

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The certificate of examination which is required to be furnished in terms of regulation *seventeen* shall be in the following form:—

DAIRIES AND DAIRY PRODUCE REGULATIONS FOR THE  
BECHUANALAND PROTECTORATE.

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*Certificate of Examination*

of.....

To.....

I, the undersigned, analyst under the Dairies and Dairy Produce (Bechuanaland Protectorate) Regulations, do hereby certify that I received on the.....day of.....19...., from..... of..... a sample of..... for analysis, and having analysed the same, declare the result of my examination to be as follows:—

.....  
.....

I am therefore of the opinion that.....

.....  
I certify that the said sample was securely sealed with the inspector's official seal.

As witness my hand this.....day of.....19...., at.....

.....  
Analyst under the Dairies and Dairy  
Produce (Bechuanaland Protectorate)  
Regulations.

SCHEDULE II.

CERTIFICATE FOR COLD STORAGE CHAMBERS FOR EXPORT OF  
BUTTER AND/OR CHEESE.

This is to certify that the chambers herein described in  
the premises situated at.....  
and owned or utilized by.....  
for the storage of butter and/or cheese intended for export,  
have been duly examined by me and are in every respect  
suitable for the purpose.

Description of chambers.....  
.....

Date of inspection.....19...

.....  
Inspector.

Approved.

.....  
Resident Commissioner.