

*Amended by  
By-law  
# 881*

BY-LAW NUMBER 875.

BEING a By-LAW for regulating milk, ~~or~~ buttermilk or cream produced for sale, offered for sale or sold within the Municipality of the city of North Bay passed in accordance with the provisions of the Ontario Milk Act.

The Council of the Corporation of the City of North Bay enact as follows:-

1. No milk will be allowed to be sold in the city of North Bay unless such milk has been produced, handled and distributed in compliance with the regulations set out in this By-Law.

2. As to the production of Milk and as to Dairy farms:-

CARE OF MILCH COWS

(a) Milch cows must be kept clean and must not be abused in any way.

HEALTH OF COWS

(b) No milk shall be sent forward or sold from any milch cows that has any ailment that would affect the quality or wholesomeness of the milk and any cow subject to such ailment shall be removed and kept separate from the milking herd and no milk shall be brought into North Bay except in cans sealed with seals containing the initials or name of the producer.

FOOD FOR COWS

(c) Only clean, wholesome food shall be given to milch cows. No strong flavored food which will affect the odor or taste of the milk shall be fed to Milch cows at any time.

WATER FOR COWS

(d) All water supplied or available to milch cows for drinking, and all water used in cleansing utensils, must be clean, pure, and protected from any danger of pollution.

SANITARY CONDITIONS OF STABLES

(e) The stable in which milch cows are kept, or in which they are milked, must be kept clean, and in a sanitary condition. It must be well lighted, well ventilated, and so constructed as to be free from dust. It must be provided with efficient manure gutter which must be kept properly cleaned night and morning before milking. The floor must be made tight and be provided with proper slope for drainage. No other animals shall be kept in the stable.

MILK HOUSES

(f) A milk <sup>Room</sup> ~~house~~ separate from the other ~~buildings~~ must be provided which shall be used only for the purpose of storing the milk, and it must be kept cool, clean and sanitary. There must be no direct communication between it and the stable or the barnyard or any living room.

*Amendment  
By-law 88,  
MMS*

BY-LAW NUMBER 875EXCLUDED MILK

(g) No milk shall be forwarded to North Bay for sale obtained from any cow within six weeks before and within five days after calving.

SMALL ANIMALS

(h) Cats and dogs must be excluded from cow stable and milk houses.

MILKERS

(i) Milkers must be in good health, be free from contagion of any kind, must be cleanly dressed and must be personally clean at the time of milking and of handling the milk in the milk house.

Any milker in whose family any disease occurs must be absent himself or herself at once from the dairy and stable until the Department of Health certifies it is safe for him or her to return.

UTENSILS AND COOLING

(j) All milk utensils must be kept thoroughly clean and sterilized before use, and the process of milking and of handling the milk in the stable and milk house be such as will ensure a supply of clean fresh milk.

Milk must not be allowed to stand in the stable, but shall at once be removed to the milk house, strained through a sterilized gauze, and cooled to a temperature of 45 degrees Fahrenheit, and kept at or below that temperature until shipped.

MILK CANS

(k) All milk cans must be closed tight and sealed in the milk houses before being sent forward to North Bay from the milk house.

AS TO DAIRIES IN NORTH BAY

3. The following sections apply to vendors of milk and to dairies in the City of North Bay:-

(a) No seal shall be broken on any can until the can is received in the bottling room. There must also be separate rooms for washing cans, bottles and utensils. If this washing room is connected with the bottling room, the doors must close tight automatically. The room for bottling milk must be well lighted and well ventilated, separate entirely from any room in which engine boiler and wash vats are located, and must not be used for any manufacturing of cheese, butter or other products. These rooms for receiving and bottling the milk must be kept cool and sanitary.

FLOORS AND DRAINAGE

(b) The floors of all rooms in dairies for receiving or handling milk must be constructed of concrete or of some non-absorbant material. They must be graded towards one or more suitable drains provided with efficient traps.

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Drainage - All drains must be of earthenware or iron with gas-tight joints. They must be continuous from the floor level to the point of disposal and must be properly trapped. All drain pipes must be protected against freezing. All drains must be discharged at a distance of not less than 500 feet from the dairy, unless it be discharged at a nearer point into a properly constructed cesspool or sewer. All space beneath the dairy must be kept dry and clean. All strainers in the floor directly over the drainage pipes must be at least six inches in diameter, and must be so constructed that they can be readily opened and the drains cleaned.

MILK PUMPS AND PIPES

(c) All milk pumps, pipes, machinery and apparatus used for the distributing or handling the milk must have smooth interior surface, be constructed and installed so that they can be readily taken apart, and be thoroughly cleaned after each using, and be kept in a clean and sanitary condition. All clarifiers and all steam and water pipes within the milk rooms of the dairy must be painted and kept clean.

MILK VATS

(d) All receiving and weighing and storage vats for handling milk must be made of smoothly tinned metal. They must have all joints soldered smooth and flush with surface. They must be kept in good repair, and thoroughly cleaned and sterilized after using. These vats must be provided with tin covers so constructed that they will not interfere with the handling of milk, and be kept covered as much as practicable when in use.

MILK CANS AND BOTTLES

(e) All cans and bottles, after using or after being emptied of milk, must be thoroughly cleaned and sterilized, and must be protected from contamination. Any can used for returning skim milk, whey or food of any kind, must not be used for milk. Milk cans must be used exclusively for milk. Any can used for returning skim milk or whey from the dairy to the producer must be painted some distinct color and plainly marked with the words "Not to be used for milk", the letters of which shall not be less than two inches in height. All empty milk cans must be cleaned, sterilized and sealed at the dairy before being returned.

COOLING TANKS

(f) Tanks in which milk is cooled must be constructed of some non-absorbent material and kept water tight. All tanks must be supplied with clean fresh water, and with sufficient ice to cool the milk and maintain it at a temperature of not more than 45 degrees Fahrenheit, and must be kept in a clean and sanitary condition.

MILK

(g) Milk that shows signs of any dirt or impurity must not be received at any dairy.

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No milk shall be held, or offered for sale, or sold for human consumption, the temperature of which is above 45 degrees Fahrenheit, or that contains bacteria which, in the opinion of the Medical Health Officer is or may be injurious to the public health and no milk shall be received, held for sale, offered for sale or sold in the City of North Bay for human consumption which contains less than 12 per centum of total solids of which 3.25 per centum shall be butter fat.

HANDLERS OF MILK

(h) All persons engaged in or about the dairy or in the handling or delivery of milk must be clean and free from any disease. Any case of contagious disease of a person employed about or in connection with a dairy or in the family of such person or in any family receiving milk and known to the dealer to be suffering from such disease must be reported at once to the medical health Officer by such dealer.

GLASS BOTTLES

(i) All milk sold in the city of North Bay must be delivered in sealed cans or glass bottles tightly stoppèd, or other receptacle approved of by the Medical Health Officer, but dairies which sell milk, cream and butter only, and no other commodities may sell loose milk in the dairy only.

4. (a) Only "Certified" and "Pasteurized" milk can be lawfully sold, held for sale or offered for sale for human consumption within the limits of the Municipality of North Bay.

(b) No person shall place any preservative in milk or cream intended for human consumption or sell or offer for sale to any vendor milk from which any part of the butter fat has been removed, or to which water has been added, or to which has otherwise been changed from its normal condition, without previously giving notice in writing of such change to such vendor.

5.

CERTIFIED MILK

It shall be <sup>un</sup>lawful to apply the term "Certified" to any milk which does not comply with the following standard:-

(a) It shall be from cows semi-annually subject <sup>ed</sup> to the tuberculin test and found without reaction.

(b) It shall contain not more than 10,000 bacteria per cubic centimetre from June to September, both inclusive, and not more than 5,000 bacteria per cubic centimetre from October to May, both inclusive.

(c) It shall be free from blood, pus or disease, producing organisms.

(d) It shall be free from disagreeable odor or taste.

(e) It shall have undergone no pasteurization or sterilization, and be free from chemical preservatives.

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(f) It shall be cooled to 45 degrees Fahrenheit or under, within half an hour after milking, and kept at that temperature until delivered to the consumer.

(g) It shall contain twelve to thirteen per cent of milk solids, of which at least three and one half per cent is butter fat.

(h) It shall be from a farm, the herd of which is inspected monthly by the veterinarian, and the employees of which are examined monthly by a physician.

6. Inasmuch as unpasteurized milk or cream is or may be prejudicial to public health, it is hereby enacted that on and after the passing of this By-Law and subsequent approval by the minister of Agriculture, it shall be unlawful for any person, firm or corporation to sell, hold for sale, or offer for sale for human consumption, any milk, buttermilk, or cream that has not been scientifically pasteurized, to the satisfaction of the Medical Health Officer.

7. PASTEURIZED MILK

(a) It shall not be lawful to apply the word "pasteurized" to any milk unless all portions have been subjected for at least twenty and not more than thirty minutes to a temperature of not less than 140 and not more than 150 degrees Fahrenheit and then and at once cooled to 45 degrees Fahrenheit or under and kept at that temperature until delivered to the consumer; and the process of pasteurization shall be subject to inspection by the Local Medical Officer of Health or such inspector as he may designate; provided always that all such milk shall in all other respects be subject to all the terms and conditions of this Act.

(b) Every pasteurizing plant in the city must have a self-recording automatic thermometer installed under the supervision and approval of the medical officer of health--the thermometers to be controlled by the said officer and either he or such inspector as he may designate shall carry the key thereby assuring his department that the thermometers cannot be tampered with.

(c) In connection with the sale of Milk by the glass at restaurants and Hotels for immediate use, it is provided that no milk, cream or buttermilk shall be sold to patrons except in original sealed containers.

8. MILK VENDORS LICENSE

The Medical Officer of Health shall issue a license to each dairyman or milk vendor applying therefor who complies with the terms of this By-Law, and upon payment of the sum of \$1.00 to the City Treasurer, which license shall be for one year only, from the first day of January until the 31st day of December unless sooner revoked.

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9. (a) Any person convicted of a breach of any of the provisions of this By-Law shall forfeit and pay, at the discretion of the convicting Magistrate, a penalty not exceeding (exclusive of costs) the sum of Fifty Dollars and not less than the sum of one dollar, for each offense, and in default of payment of the said penalty and costs forthwith, the said penalty and costs, or costs only, may be levied by distress and sale of goods and chattels of the offender, and in case of their being no distress found out of which such penalty can be levied, the convicting Magistrate may commit the offender to the common gaol of the City of North Bay with or without hard labor for any period not exceeding six calendar months unless the said penalty and costs (if any) including costs of the said distress and the committal and conveyance of the offender to the said gaol are sooner paid.

10. By-Law Number 375 and amending By-Law and all previous By-Laws or regulations inconsistent herewith are hereby repealed.

11. This By-Law shall take effect on the 15th day of May, 1928, approved in writing by the Minister of Agriculture. *upon being*

Read a first time in Open Council this 5th day of  
March, A.D. 1928.

Read a second time in Open Council this 19th day of  
March, A.D. 1928.

Read a third time and Passed this 19th day of  
March, A.D. 1928.

*E. L. Curran*  
.....  
MAYOR

*Wm. A. Snyder*  
.....  
CLERK.