

Ice Cream (Heat Treatment) Ordinance, 1947.
(12th July, 1947)

THE COURT, on the recommendation of the States Board of Health and having heard the Law Officers of the Crown thereon, hereby orders:

Commence-
ment

1.—This Ordinance shall come into operation on the 1st day of August, 1947, with the exception of subparagraph (iv) of paragraph (b) of Article 4 which shall come into operation on a date to be appointed by the Medical Officer of Health (hereinafter referred to as “the Authority”).

Definitions

2.—In this Ordinance:—

“ice-cream” includes water ices and any article under whatever description it is sold, which is so similar to ice-cream as to constitute a substitute therefor;

“ingredients” includes sugar and dried egg, but does not include colouring or flavouring materials or fruit, nuts, chocolate or other similar substances; and

“complete cold mix” means a product capable of being manufactured into ice-cream with the addition of water only, which is sent out by the manufacturer in airtight containers, and has been made by evaporating a liquid mixture which has already been submitted to heat treatment comparable with that prescribed in this Ordinance.

3.—There shall be kept at the office of the Authority a register to be called “the Ice-Cream Manufacturers Register” and any person or Company intending to manufacture ice-cream intended for sale for human consumption shall before beginning such manufacture supply to the Authority in writing his name or in the case of a Company, the Company’s name and the address at which such manufacture is intended to be carried on, and shall further inform the Authority immediately in writing of any change in the particulars so supplied.

4.—The following requirements shall be observed in the manufacture of ice-cream intended for sale for human consumption:—

- (a) Where a complete cold mix is used which is reconstituted with wholesome drinking water and to which nothing is added other than colouring or flavouring materials, fruit, nuts, chocolate or other similar substances, the reconstituted product shall be converted into ice-cream within one hour of reconstitution.
- (b) In any other case, after the ingredients have been mixed together the following provisions shall apply:—
 - (i) the mixture shall not be kept for more than one hour at any temperature which exceeds 45° Fahrenheit before being subjected to heat treatment in accordance with the next following sub-paragraph;
 - (ii) the mixture shall be subjected to heat treatment as follows:—

It shall be raised to and kept at a temperature of not less than 150° Fahrenheit for 30 minutes or alternatively of not less than 160° Fahrenheit for 10 minutes;
 - (iii) after the mixture has been subjected to heat treatment as aforesaid it shall be reduced to a temperature of not more than 45° Fahrenheit within 1½ hours and shall be kept at such

temperature until the freezing process is begun;

- (iv) the manufacturers shall use such indicating and recording thermometers as the Authority considers requisite for indicating and recording the temperature to or at which the ice-cream is raised, kept or reduced;
- (v) the manufacturers shall preserve the records of any thermometers used to record the temperatures to or at which ice-cream is raised, kept or reduced for a period of not less than one month and shall produce the same to the Authority whenever required in writing so to do;
- (vi) all apparatus used for the purposes of this Article shall be installed, maintained and operated to the satisfaction of the Authority.

Conditions of sale

5.—Ice-cream shall not be sold or offered for sale unless either:—

- (a) It has been kept at a temperature not exceeding 28° Fahrenheit since it was frozen; or
- (b) If its temperature has risen above 28° Fahrenheit at any time since it was frozen, it has again been subjected to the treatment prescribed by subparagraphs (i), (ii) and (iii) of paragraph (b) of Article 4 and after having again been frozen, has been kept at a temperature not exceeding 28° Fahrenheit.

Protection from dirt, etc., and cleansing of utensils

6.—Ice-cream shall be protected from dirt, dust or other contamination at all times during its manufacture, storage and distribution and all apparatus and utensils brought into contact with ice-cream during its manufacture, storage or distribution shall be thoroughly cleansed immediately after use and shall at all times be kept clean.

Inspection of premises where ice-cream is manufactured

7.—The Authority or any person duly authorised by him in writing may at any time with or without previous notice enter any premises including any van or mobile structure, whereon he has reason to believe that ice-cream

is being manufactured, for the purpose of examining the same and ascertaining whether such manufacture is carried on in accordance with the provisions of this Ordinance and any person refusing or failing to admit the Authority or any person so authorised by him shall be deemed to be guilty of an offence punishable under Article 8 of this Ordinance.

8.—Any person failing to comply with any of the provisions of this Ordinance shall be guilty of an offence and shall be liable on conviction in the case of a first offence, to a fine not exceeding £20 and in the case of a subsequent offence, to a fine not exceeding £100 or to imprisonment with or without hard labour for a term not exceeding 3 months or to both such fine and imprisonment. Penalty for
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PROVIDED that it shall be a defence for a person charged with an offence under sub-paragraph (iii) of paragraph (b) of Article 4 which is alleged to have been committed before the 1st day of August, 1948, to prove that before the date of the alleged offence suitable apparatus to enable him to comply with the provisions of that sub-paragraph has been ordered by him or on his behalf, that all reasonable steps had been taken to secure delivery of the same and that the same had not been delivered, and further that he had taken all practicable steps to comply as far as possible with the provisions of the said sub-paragraph.