**FOOD AND DRUGS ACT AMENDMENT BILL 1953**

**Legislative Council, 27 August 1953, page 529**

Second reading

**The Hon. A. L. McEWIN (Minister of Health)—**I move—

That this Bill be now read a second time.

Section 27 of the Food and Drugs Act requires vendors of milk to be licensed by the appropriate local authority or by the Central Board of Health and, among the powers given by section 61 to the Governor to make regula­tions, is included a power to make regulations relating to the licensing of cowkeepers, dairy­men and vendors of milk and for ancillary matters. These licensing provisions must be read in conjunction with section 39 of the Metropolitan Milk Supply Act which provides that the holder of a milk producer’s licence or a milk treatment licence under that Act and the premises upon which he is licensed to produce milk or cream or, as the case may be, he is licensed to treat milk, are not to be subject to section 27 of the Food and Drugs Act or to any regulations made under section 61 of that Act. The provisions of section 27 of the Food and Drugs Act apply only to the sale of milk and not to the sale of cream, although it should be noted that the Metropolitan Milk Supply Act applies both to milk and cream.

The Central Board of Health has recommended that the operation of section 27 of the Food and Drugs Act be extended to include the sale of cream and has pointed out that cream should be regarded as being in the same category as milk and that it is subject to the same possibilities of contamination as milk. It is considered that if the control of the sale of milk is necessary in the interests of public health, similar control is also necessary in the case of cream. Accordingly, clause 2 amends section 27 of the Food and Drugs Act so as to extend the scope of the section to include the sale of cream, whilst clause 3 extends, in a corresponding manner, the power given by section 61 to the Governor to make regulations. Clause 2 is drafted on the basis that every licence to be issued under section 27 will, in future, be a licence relating to. the sale of both milk and cream. In practice, most vendors of cream are also vendors of milk and it is considered that the one licence should suffice for both commodities.

It is also provided by clause 2, in conformity with this policy, that every., existing milk licence will, whilst it remains in force, be deemed to include cream. Thus, if a person now holds a milk vendor’s licence this will automatically apply to the sale of cream. If, however, a person sells cream only and not milk he will be required to obtain a licence under the section which will, as will all future licences, be a licence covering the sale of both milk and cream.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.