

CHAPTER 231
HEALTH SERVICES
HEALTH RULES
(SECTION 29)

<i>G.N. 71/1935</i>	<i>G.N. 205/1956</i>
<i>G.N. 77/1937</i>	<i>G.N. 72/1957</i>
<i>G.N. 196/1939</i>	<i>G.N. 85/1957</i>
<i>G.N. 280/1939</i>	<i>G.N. 133/1960</i>
<i>G.N. 338/1939</i>	<i>G.N. 105/1961</i>
<i>G.N. 193/1946</i>	<i>G.N. 17/1962</i>
<i>G.N. 301/1946</i>	<i>G.N. 172/1962</i>
<i>G.N. 111/1947</i>	<i>G.N. 62/1963</i>
<i>G.N. 9/1951</i>	<i>G.N. 296/1964</i>
<i>G.N. 239/1951</i>	<i>S.I. 31/1966</i>
<i>G.N. 252/1951</i>	<i>S.I. 36/1974</i>
<i>G.N. 42/1954</i>	<i>S.I. 7/1976</i>
<i>G.N. 62/1964</i>	<i>S.I. 26/1986</i>
<i>G.N. 173/1955</i>	<i>S.I. 69/1989</i>
<i>G.N. 85/1956</i>	<i>9 of 1991</i>

[Commencement 20th April, 1935]

1. These Rules may be cited as the Health Rules. Title

PART I
PREVENTION AND ABATEMENT OF
NUISANCES

2. In these Rules, the word “nuisance” shall be deemed to include any of the following — Interpretation.
- (a) any premises or part thereof of such construction or in such a state as to be or likely to become a nuisance or injurious or dangerous to health; *G.N. 77/1937.*
- (b) any pool, ditch, gutter, water course, sink, cistern, water or earth closet, privy, urinal, cesspool, drain, dung pit or ash pit, so situated or so foul or in such a state as to be a nuisance, or injurious or dangerous to health;
- (c) any well, cistern, tank, vat, tub or other water receptacle or water supply so situated or constructed or kept in such a state as to be a nuisance or injurious or dangerous to health;
- (d) any stable, cowhouse, cowshed, pigsty, pigeon cote, or other building in which any animal or animals or birds are kept in such a manner or in such numbers as to be a nuisance or injurious or dangerous to health;
- (e) any accumulation or deposit of any rubbish, refuse, offal, carrion, filth, manure, or other matter or thing in any public place or in any other place so as to be a nuisance or injurious or dangerous to health;

- (f) any house or part of a house so over-crowded or kept in such a filthy condition as to be injurious or dangerous to the health of the inmates;
- (g) any churchyard, cemetery, or burial ground so situated or crowded or otherwise so conducted as to be offensive or dangerous to health;
- (h) any weeds, bush or undergrowth on any premises occupied or unoccupied or on any unoccupied building provided that ornamental plants and vines shall not be regarded as bush.

G.N. 9/1951.

Vessel in harbour deemed a house.

3. Any ship or other vessel lying in any harbour, creek, bay, slip or other place within The Bahamas shall be deemed for the purpose of these Rules to be a house. The master or officer in charge shall be deemed the occupier thereof.

Information of nuisance.

4. Information of the existence of a nuisance may be given to the Minister by any person. All such complaints should preferably be in writing if possible.

Inspections by health officers.

5. (1) A health officer shall make systematic and thorough inspections of every part of the district to which he is appointed, including all premises, yards, lots; of all wells, tanks, cisterns, water closets, drains, privies, cesspools, and every part of such premises; of all public wells, water supplies, drains, swamps, wharves, and beaches; of all premises, markets, slaughter houses, shops or places used for the manufacture, preparation or sale of any article used for food or drink.

(2) He shall give immediate attention to any complaint of any nuisance arising in his district.

(3) He shall keep such registers as may be necessary to show the nature of every complaint received and the manner in which he dealt with it, and the condition of all premises inspected by him in the course of each day with the result of any action taken.

(4) He shall report, producing his registers, as required, to the Chief Medical Officer, from whom he will receive instructions from time to time.

Order of abatement of nuisance.

6. (1) Whenever in the course of his inspections or as a result of any complaint, any nuisance, or sanitary defect, or breach of these Rules, is found to exist on any premises by a health officer, an order for the abatement of the

nuisance, or sanitary defect or breach of the Rules, shall forthwith be served on the owner or occupier of the premises:

Provided that where the sanitary defect is in the nature of a structural defect or where the tenancy is of shorter term than one year such order shall, unless otherwise provided in the Rules, be served on the owner of the premises but in all other instances on the occupier.

(2) Every order so issued shall be served by delivering the same or a copy thereof to some person on the premises in respect of which it is made or if no person can be found thereon upon whom to serve the same by affixing such order or copy thereof upon some conspicuous part of such premises.

7. All such orders shall be in writing and may be signed by any health officer and shall state the time in which the nuisance shall be abated and the measures which are to be taken to place the premises in a sanitary condition and to prevent the recurrence of the nuisance.

Order to be in writing.

8. When upon re-inspecting the premises a health officer finds that the terms of the order have not been complied with in the time or manner specified in the order he shall immediately acquaint the Minister with the circumstances of the case and the Minister shall if he thinks fit forthwith issue instructions to the health officer for the necessary legal proceedings to be taken by him in the name of the Minister.

Legal proceedings.

9. When an order to abate a nuisance has not been complied with in the time specified in the order, the owner or occupier against whom it is made shall be liable on summary conviction to a penalty of thirty dollars and a further penalty of fifteen dollars for every day during the continuance of his default and the Minister by his duly authorised servants or agents or other persons delegated by him for this purpose may at any reasonable time during the daytime enter such premises and remove or abate the nuisance and do all such matters and things as may be necessary for carrying such order into effect and all expenses so incurred shall be recoverable summarily by the Minister from the owner or occupier and shall be a charge against the owner or occupier of the land as the case may be and against the land itself.

Penalty for non-compliance with order.
*G.N. 172/1962.;
S.I. 36/1974.*

Premises on
which animals
kept to be clean
and sanitary.
G.N. 62/1963.

10. (1) Every person who keeps or causes to be kept any pig, goat, sheep, cow or horse, or any poultry, pigeons or other birds shall ensure that the premises in which such animals or birds are kept are maintained in a clean, wholesome and sanitary condition and that no pollution of any water supply is likely to result and that no nuisance is likely to arise.

(2) No person shall keep goats, pigs, horses or cattle within that area delineated as follows —

All that part of New Providence bounded on the north by the Harbour of Nassau, on the east by Mackey Street, on the south by an imaginary line starting at a point approximately three hundred and eighty yards to the south of the junction of Mackey Street and Shirley Street and continuing in a straight line to the southeast corner of the grounds of the Princess Margaret Hospital, thence southwardly to Prison Lane, thence to the southern boundary line of the police barracks, thence in a straight line westwardly to the junction of Dillet Street and Blue Hill Road and following the centre of Dillet Street and Meeting Street to Nassau Street, and on the west by Nassau Street and also the whole of Paradise Island and also Potters Cay and all other islets and says in the Harbour of Nassau:

Provided, however, that if the permission in writing of the Minister is obtained it shall be lawful, where such exists at the coming into operation of these Rules, to keep in the area defined in this paragraph pigsties, cowsheds, pens, and sheep, goats, pigs, cattle and horses not less than fifty feet away from the nearest boundary line of the premises.

(3) Notwithstanding the provisions of paragraph (2) of this rule, it shall be lawful for the Minister to grant permission in writing to the owners for the time being of that area of Paradise Island comprising the tract of land known as Saratogo and a portion of the tract of land known as Howelton or the Nassau Dry Dock and delineated on the diagram annexed to an Indenture of Conveyance dated the sixth day of March 1953, and recorded in the Registry of Records in Book K.20 at pages 44 to 46 and thereon coloured pink and also the lots numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of a Plan of eleven lots of Paradise Island laid out by the Surveyor

General of the Colony and filed in the Crown Lands Office of the Colony as No. 73 and also a tract of land comprising 5 acres being a portion of Lot No. 8 of the said Plan No. 73 the said tract being delineated on the diagram annexed to an Indenture of Conveyance dated the twenty-third day of December 1941, and recorded in the Registry of Records in Book G. 13 at pages 440 to 443 and thereon coloured pink and also another tract of land comprising 5 acres being a portion of the said Lot No. 8 of the said Plan No. 73 the said tract being delineated on the diagram annexed to an Indenture of Conveyance dated the fourth day of April 1941, and recorded in the Registry of Records in Book A.15 at pages 189 to 191 and thereon coloured pink to keep horses thereon subject to the following conditions —

- (a) all stables shall be situated at least two hundred feet from any other building whether occupied or not;
- (b) the site and construction of the stables shall be subject to the approval of the Minister;
- (c) any permission granted by the Minister under this paragraph may be revoked if the stables are found to cause a nuisance;
- (d) permission to keep horses under this paragraph shall only be granted for one year at a time.

(4) It shall be unlawful to keep sheep, goats, pigs, cattle and horses or pigsties, cowsheds, pens or stables within one hundred feet of any occupied building in all that part of New Providence outside the area as laid down in paragraph (2) of this Rule:

Provided however that if the permission in writing of the Minister is obtained, it shall be lawful, where such exists at the coming into operation of these Rules, to keep in the area defined in this paragraph pigstys, cowsheds, pens and sheep, goats, pigs, cattle and horses not less than fifty feet away from the nearest boundary line of the premises.

(5) Notice in writing shall be given by a health officer to any person guilty of breach of this rule and any such person shall be deemed to commit a separate offence for every day during which any such contravention continues after service of notice upon such person.

Maintain premises free from garbage, etc.

S.I. 31/1966

11. (1) It shall be the duty of every owner, occupier or tenant of any lot or premises to maintain the same in a clean and wholesome condition and free from any accumulation which may lead to nuisance by collecting all trash, rubbish, kitchen refuse, garbage and disused containers of whatever kind and depositing the same in the container or drum provided by the contractor responsible for the removal and disposal of garbage or, where no such container or drum is provided, in a suitable receptacle provided by the owner, occupier or tenant and placed not more than ten feet from the edge of the road.

(2) Before depositing for removal by the contractor aforesaid any cardboard or wooden boxes, the owner, occupier or tenant, as the case may be, of any premises shall cause the same to be flattened in such manner as to be easily handled and packed by the contractor.

Sponge not to cause a nuisance.

G.N. 77/1937.

12. It shall be the duty of all occupiers of all lots or premises which are used for clipping sponge or for the preparation of sponge for shipment or sale, to see that all sponge intended for sale is so kept as to cause no nuisance, and that no refuse sponge or rubbish of any description is allowed to accumulate on such premises or litter streets or public places.

No garbage, etc. to be deposited on side streets.

G.N. 62/1954.;

G.N. 172/1962.

13. (1) Every person who shall deposit the carcass of any animal, any putrid substance, filth, offal, garbage, refuse, or rubbish of any description on or by the side of any street, road, or lane, or on any unoccupied lot, or in any other place other than on a recognised dumping ground shall be liable on summary conviction to the penalties prescribed by section 41 of the Health Services Act.

(2) The Minister acting through his proper officers or any agent may remove any of the items referred to in paragraph (1) of this rule and dispose of them in an appropriate manner; and the expenses of any work done by or at the direction of the Minister under this rule shall be paid by any person against whom a conviction is recorded under paragraph (1) of this rule with reference to such items, and if such person fails to pay such expenses within ten days of his conviction under paragraph (1) of this rule or if at the time of such conviction an account of such expenses has not been rendered to him then within ten

days after such account is rendered to him such person shall be liable on summary conviction to a further fine of four dollars.

5 of 1987, r. 2.

14. Every person who shall, either personally or by a servant or other person on his behalf or over whom he exercises control, throw, place or allow to be thrown or placed, or drain or allow to be drained into any public drain or gutter; or upon any public thoroughfare, in any town or settlement any waste water from any bath, lavatory, sink, or urinal, or any soap suds, pickle, or other impure offensive liquid or solid substance shall be liable on summary conviction to a penalty not exceeding twenty pounds, or four months' imprisonment.

No waste water to drain into public drain.
G.N. 172/1962.

15. (1) No creek, pool, pond, water hole or other similar place in the vicinity of any town or settlement in The Bahamas may be used for cleaning sisal after an order from the Minister prohibiting the use of the same.

Sisal cleaning.

(2) Every person cleaning sisal in any creek, pool, pond, water hole or other similar place shall from time to time as often as may be required remove all refuse matter which may have accumulated in the place where the sisal has been cleaned and dispose of it as the Minister may direct.

PART II CONSTRUCTION AND USE OF SANITARY APPLIANCES

16. (1) No privy, earth closet, cesspool, septic tank, or container of similar nature shall be constructed until a permit in writing for constructing such privy, earth closet, cesspool, septic tank or container of similar nature, has been obtained from the Minister, nor shall any of the above be put to the use for which it is intended until it has been inspected by a health officer and he has certified in writing that compliance has been made with the terms of the permit and these Rules.

Permit in writing to be obtained before constructing privy, etc.
G.N. 77/1937.

(2) It shall not be lawful to erect or commence to erect or cause to procure to be erected or commenced any building or to make any material change in the use of any building or land within The Bahamas without first having obtained the sanction of the Minister as to the layout of sanitary conveniences, the drainage and plumbing work, privy closet, activated sludge process by diffused air, rated

G.N. 105/1961.

aeration and any other means for the reception, treatment and disposal of any foul matter.

G.N. 296/1964.

(3) On the receipt of a building permit from the Ministry of Works no person shall commence work until temporary toilet facilities are provided. A permit for installation of temporary toilet facilities must be obtained from the Ministry of Health and should state the type, number and location of such facilities. All such toilet installations shall be removed as soon as permanent toilet facilities are available:

Provided that this paragraph shall not apply to any construction work where not more than eight workers are employed save where a public nuisance condition arises.

Position of privy,
etc.

G.N. 77/1937.;
G.N. 105/1961.

17. (1) No privy, earth closet, cesspool, or other dry toilet shall be placed inside or within a distance of twelve feet of any dwelling house, kitchen, public building or any building in which any person may be employed in any manufacture, trade or business or within a distance of twelve feet of any boundary of the property.

(2) No septic tank shall be placed inside or within a distance of six feet of any dwelling house, kitchen, public building or any building in which any person may be employed in any manufacture, trade or business or within a distance of six feet of any boundary of the property:

Provided that where a septic tank has a capacity of over one thousand eight hundred gallons then the distance from any dwelling house, kitchen, public building or any building in which any person may be employed in any manufacture, trade or business or from any such boundary of the property shall be determined by the Minister.

(3) Where the system of sewage disposal is a mechanical one or activated sludge process, rated aeration or any other mechanical or chemical means for the reception, treatment and disposal of sewage and sewage effluent then the plant must be sited not less than fifty feet from any hotel, dwelling house, kitchen, public building or any building in which any person may be employed in any manufacture, trade or business and fifty feet from any boundary of the property.

(4) Privies, earth closets, cesspools and individual mechanical sewage disposal plants shall not be connected to the main sewage system.

(5) For the purpose of this rule “dwelling house” shall be deemed to include hotel, lodging house and any other such building.

18. No privy, earth closet, cesspool, septic tank or container of similar nature shall be constructed at a distance of less than twelve feet from any tank, or less than fifty feet from any well or spring used or likely to be used for drinking or domestic purposes or for the manufacture of drink or food. And none of the above shall be constructed in any position which may render the water in any such tank, well or spring, liable to pollution. No privy pit may be constructed in such a position or of such depth or in such a manner as to allow the entrance into it of the ground or subsoil water.

Privy, etc., not to be near domestic water.
G.N. 77/1937.

19. Every privy or earth closet shall be provided with a window of at least two feet by one foot, exclusive of the frames, opening directly into the open air or adequate means of constant ventilation.

Privy to have window.

20. (1) Every privy or earth closet shall be so constructed and so placed that any pit connected therewith shall be protected from any rainfall or the drainage of any waste water or liquid refuse from any adjacent premises, and the occupier of any premises on which there is a privy or earth closet shall see that the contents of any pit connected therewith shall not at any time be exposed to any rainfall or the drainage of any waste water or liquid refuse from any adjoining premises.

Privy pit to be protected from surface drainage.

(2) If any privy or earth closet be so constructed as to expose the contents to any rainfall or drainage, the owner shall immediately remedy such insanitary condition in such manner as the Minister shall order, and if the owner fail to do so, the Minister shall cause the insanitary condition to be remedied and all expenses thereby incurred shall be recovered summarily from the owner.

(3) Every privy must be so placed as to be easily accessible for cleaning purposes and must be at least two feet six inches wide and six feet deep.

21. The occupier, and if unoccupied, the owner, of any premises on which there is a privy or earth closet shall see that ashes, dust, dry earth, quicklime, carbolic acid, or other deodorant is applied to the contents of any pit

Deodorant to be applied.

connected therewith in such quantities and as often as may be necessary to keep such privy or earth closet in an inoffensive and sanitary condition.

Requirements for
a pail closet.

22. If the receptacle for filth is to be a removable one the whole space beneath the seat must be flagged or cemented at a height of at least three inches above the adjoining ground. The seat of the privy, the aperture of the seat, and the space beneath the seat shall be so placed and so arranged and shall be of such dimensions, as to admit of a suitable receptacle being so placed and fitted beneath the seat, that the deposit upon the floor or sides of the space beneath the seat, or elsewhere other than in the receptacle, of any filth which may fall or be passed through the aperture of the seat, is prevented and that easy access is allowed for removing the receptacle and cleaning the space around it.

Order may be
made if privy
insanitary.
G.N. 77/1937.;
G.N. 239/1951.

23. If at any time a health officer finds that any privy, earth closet, cesspool, septic tank or container of similar nature is constructed in such a manner or place or in such a condition that the use thereof for the purpose for which it is intended is endangering or is likely to endanger the public health or cause a nuisance, an order may immediately be issued on the owner of the premises on which such privy, earth closet, cesspool, septic tank or container of similar nature may be for making such alterations in the construction thereof as the Minister may deem necessary to remedy the insanitary condition or for cleaning or closing, or demolishing, the privy, earth closet, cesspool, septic tank or container of similar nature and if the owner fails to comply with the order within the time specified in the order the Minister may cause the terms of the order to be carried into effect and all expenses thereby incurred shall be recoverable summarily from the owner.

Permit to be
obtained to clean
out privy.

24. The occupier, and if unoccupied, the owner, and in the case of premises held under a weekly tenancy or for a term not exceeding six months, the owner, and in the case of a lease, the lessee, of any premises on which there is a privy or earth closet, shall, whenever the Minister or any health officer so orders, cause to be cleaned out and cleansed every such privy or earth closet:

Provided, however, that no privy or earth closet may be cleaned out until a permit in writing has been obtained from a health officer or an order has been issued by the

Minister and the emptying and cleaning shall be done in such manner and at such time as the permit or order may direct.

25. No water closet or other sanitary or plumbing fixture shall be installed, laid or constructed unless a permit in writing for installing, laying or constructing such water closet, or other sanitary or plumbing fixture has been obtained from the Minister where such water closet or other sanitary or plumbing fixture is connected or intended for connection to the sewerage system. Nor shall any water closet or other sanitary fixture be put to the use for which it is intended until it has been inspected by a health officer and he has certified in writing that the terms of the permit and these Rules have been complied with.

Permit in writing to be obtained before installing.
G.N. 77/1937.

26. Every compartment containing a water closet, urinal or slop sink shall be situated on an external wall and be lighted and ventilated by means of a window two feet by two two feet exclusive of the frame opening directly into the open air and be accompanied by an intervening ventilated space when deemed necessary by the Minister.

W.c. to have window.
G.N. 85/1957.;
G.N. 105/1961.

Where the construction of a bathroom or water closet compartment entirely within a building is unavoidable in the opinion of the Minister, it shall be soundly constructed and ventilated mechanically by an exhaust system separate from any other system to the satisfaction of the Minister.

27. (1) Every water closet shall be furnished with a separate cistern or flushing box of at least two gallons' capacity, which shall be so constructed, fitted and placed as to be the only direct connection between the water closet and the general water supply of the house.

Specification for a water closet.

(2) A suitable flushing apparatus shall be supplied so that the pan, basin, or other receptacle connected with the water closet may be thoroughly cleansed and all solid and liquid filth effectually removed.

(3) A proper pan or receiver shall be provided and kept clean. It shall be so made as to receive and contain a sufficient quantity of water and to allow all filth to fall free of the sides and directly into the water in the receiver.

(4) No container or "D" trap shall be introduced under the pan.

Adequate water.

28. No water closet shall be installed unless provision is made for an adequate supply of water for flushing purposes being available at all times.

Soil pipe.

G.N. 77/1937.

29. The soil pipe from every water closet shall be at least four inches internal diameter. It shall be continued upwards without diminution in its diameter and, unless unavoidable, without bend or angle to such a height and in such a position as to afford by means of its open end a safe outlet for sewer air. There shall be no trap between the soil pipe and the drain, nor any trap other than that forming part of the apparatus of a water closet in any part of the soil pipe.

Waste pipe.

G.N. 77/1937.

30. (1) The waste pipe from every bath, sink, not being a slop sink, or lavatory basin and every pipe carrying off waste water into the house drain shall be taken through an external wall of the building in which such bath, sink, or basin is placed, to discharge into the drain. If the premises are already connected to the sewerage system, the waste water from all other sanitary fixtures shall also discharge into the sewerage system.

(2) The waste pipe from any slop sink or urinal must comply with the provisions applicable to the soil pipe from a water closet. No frigidaire, ice box or receptacle for food shall be connected either directly or indirectly to the drainage system.

Sewage pipe.

G.N. 77/1937.

31. All drains constructed for sewerage must be of an internal diameter of at least four inches. They must be laid on a solid bed with proper fall and proper watertight joints. All trench work shall be kept open until the piping has been inspected and passed. The plumbing system shall be tested with water or as may be required by a health officer. No drain shall, if it is possible for it to be laid otherwise, pass under or through a building, but if no other route is practicable the drain must be laid in a direct line for the whole distance beneath or through the building and ventilated at each end of this portion of its course in the same manner as the soil pipe as specified in rule 29.

Inlet to w.c. to be trapped.

G.N. 77/1937.

32. (1) Every inlet to any water closet drain except those for ventilation shall be properly trapped. Every trap shall be connected with a vent and such trap not be of a greater distance than five feet from its vent.

(2) The open ends of all ventilating pipes shall be screened with fine wire mesh.

33. Every drain which directly communicates with a septic tank must be provided with a suitable vent and clean-out as near as practicable to the point at which the drain is connected with the septic tank and with a clean-out at the base of the stack.

Drain.
G.N. 77/1937.

34. Every cesspool, privy, earth closet, septic tank or container of similar nature shall be constructed in such a manner and be of such dimensions and of such material as the Minister may specify in any permit issued under these Rules.

Construction to comply with permit.
G.N. 77/1937.

35. (1) The occupier, or if unoccupied, the owner, of any premises on which there is a cesspool, shall see that carbolic acid or other deodorant is applied to the contents of such cesspool as often as may be necessary to prevent such cesspool giving forth offensive odours.

Deodorant to be applied and permit to be obtained to clean out cesspool.

(2) The occupier and, if unoccupied, the owner, and in the case of premises held under a weekly or monthly tenancy or for a term not exceeding six months the owner, and in the case of a lease, the lessee, of any premises on which there is a cesspool shall cause such cesspool to be emptied of its contents and properly cleaned out as often as may be necessary or whenever the Minister or a health officer so orders:

Provided, however, that no cesspool shall be emptied unless a permit in writing has been issued by the Minister and the emptying and cleaning shall be done in such manner and at such time as may be directed in the permit or order.

36. If at any time a health officer finds a water closet, water closet drain or cesspool constructed in such a manner or in such a place that the use thereof for the purpose for which it is intended is polluting or is likely to pollute any water which is used or is likely to be used for drinking or domestic purposes or for the manufacture of food or drink or is causing or is likely to cause a nuisance or injury to health, an order shall immediately be issued by the Minister on the owner of the premises on which such water closet, water closet drain or cesspool may be for the closing of the same or for the making of such alterations in

Order may be made if w.c. insanitary.

the construction thereof as will prevent such pollution of any water, or such nuisance, or the Minister may order that the well or spring or other water supply containing polluted water be closed or cleansed, or the Minister may order each or all these several things to be done and if the owner fail to do the things ordered within the time specified in the order, the Minister shall cause the water closet, water closet drain, or cesspool, well or spring or other water supply to be closed, altered or cleansed and all expenses thereby incurred shall be recovered summarily from the owner.

PART III WELLS, TANKS, CISTERNS

Permit in writing to be obtained before construction.

37. No well or tank shall be dug or constructed until a permit in writing has been obtained from a health officer nor shall any well or tank be put to the use for which it is intended until it has been inspected by a health officer, and he has certified in writing that the terms of the permit and these Rules have been complied with.

Well not to be within 50 ft. of privy.

38. No well, the water from which is likely to be used for drinking purposes, or for the manufacture of drink or food, shall be dug within a distance of less than fifty feet from any privy or earth closet or within such distance from any water closet, water closet drain, or cesspool as the Minister may specify in any permit issued under these Rules.

Tank not to be within 12 ft. of privy, etc.

39. No tank shall be dug or constructed within a distance of less than twelve feet from any privy or earth closet or within such distance from any water closet, water closet drain, or cesspool as the Minister may specify in any permit issued under these Rules.

Stone curbing.

40. All wells or tanks must be curbed with a stone curbing which must not be less than twelve inches in height from the surface of the surrounding ground, and such curbing shall be so constructed and placed as to protect the water in the well or tank from surface drainage or other impurities.

Public swimming pools and similar structures.

41. (1) It shall not be lawful for any person to construct or to add to or modify, or to operate or to continue to operate any public swimming pool, public bath

house or any structure intended to be used for public swimming or bathing purposes without an unrevoked permit so to do from the Minister.

G.N. 105/1961.

(2) Any person desiring to construct, add to or modify, or to operate and maintain any public swimming pool, public bath house or structure intended to be used for public swimming or bathing purposes within The Bahamas shall file application for permission so to do with the Minister, which application shall be accompanied by detailed maps, drawings, specifications and descriptions of the structure, its appurtenances and operation; description of the source or sources of water supply, amount and quality of water available and intended to be used, method and manner of water purification, treatment, disinfection, heating, regulating, and cleaning; measures to insure personal cleanliness of bathers; method and manner of washing, disinfecting, drying and storing bathing apparel and towels, and all other information and statistics that may be required by the Minister.

(3) If the Minister determines as a fact that the proposed public swimming pool, public bath house or any structure intended to be used for public swimming or bathing purposes does not or may reasonably be expected not to constitute a menace to public health, he shall approve the application for permit under such conditions as he shall deem proper.

(4) In this rule —

“swimming pool” means any concrete or masonry structure, located either indoors or outdoors, used for bathing or swimming purposes, and filled with a controlled water supply, together with buildings and appurtenances used in connection therewith.

(5) A swimming pool, bath house or any structure intended to be used for swimming or bathing purposes operated by hotels, motels, tourist courts, apartment houses, clubs or institutions for their patrons, members or students shall be deemed for the purposes of this rule to be public.

PART IV
PREVENTION OF MOSQUITOES

Protection of
vessels for
storage of water
from mosquitoes.

42. (1) The owner or person in control of any cistern, vat, tank, barrel, bucket or other vessel used for the storage of water, shall protect the same from mosquitoes in the following manner, that is to say —

- (a) cisterns, vats, tanks, barrels, shall be provided with covers of wood or metal which shall fit closely, and all openings other than the delivery exit shall be screened with fine wire gauze of eighteen meshes to the inch;
- (b) buckets and other similar containers shall be completely emptied of their contents at least once in every three days.

Measures for
protection of
ponds, pools,
etc., from
mosquitoes.

(2) The owner, occupier, or person in control of any premises on which there is any well, pond, pool, pit, hole, drain, gutter, ditch, irregularity, depression or excavation made for any purpose or which by any means has occurred, in which water can accumulate and become stagnant, and in which mosquitoes can breed shall protect the same from mosquitoes in the following manner, that is to say —

- (a) stock them with mosquito-destroying fish; or
- (b) cover them with wire gauze, eighteen meshes to the inch; or
- (c) drain them off completely at least once a week; or
- (d) cover them with kerosene at least once a week; or
- (e) fill them up; or
- (f) in the case of a well, provide it with a mosquito-proof cover and a pump if this is possible, or with a mosquito-proof cover which must be kept closed at all such times as the well is not in actual use, or where neither of these measures is practicable, the well must be left completely open, no trees, bush, or weeds being permitted to overhang the openings of the well, nor any ferns or other vegetation permitted to grow on the sides of the well:

Provided that where a well is no longer used it shall be filled up or completely closed with a tightly-fitting cover.

43. Owners and occupiers or persons having control of any premises shall not permit or suffer to remain on such premises any empty tins, jars, broken crockery, or any other such things which form receptacles for water. Such tins, jars, broken crockery or other things must either be buried at a sufficient depth where this is practicable or removed entirely from the premises.

Empty tins, etc., to be removed from premises.

44. Owners or occupiers or other persons having the control of any wharf, bay lot or other premises shall not permit or suffer to remain on such premises any open boat in such a position as to allow fresh water wherein mosquitoes may breed to accumulate therein.

Open boat not to contain water.

45. The presence of mosquito larvae in water in any receptacle of any kind whatsoever on any premises shall be taken as conclusive evidence that the owner, occupier, or person in control of such premises has failed to carry into effect the requirements of the Health Rules and the owner, occupier or person in control of such premises shall be guilty of a breach of such Rules; and a health officer may turn over or cause to be turned over or otherwise emptied of water at the expense of the owner, occupier or other person having the control of any premises on which the same may be found; any boat, or vessel, or any receptacle of any kind whatsoever.

Presence of mosquito larvae constitutes a breach of Rules.

PART V NOTIFICATION AND PREVENTION OF NOTIFIABLE DISEASES

46. The following diseases must be reported at the office of the Minister:

Notifiable diseases.
S.I. 36/1986.

Acquired Immune Deficiency Syndrome (AIDS),	Dengue,
Actinomycosis,	Diphtheria,
Anthrax,	Dysentery (Amoebic and Bacillary),
Beriberi,	Erysipelas,
Cancer,	Favus,
Cerebro-Spinal Fever	German Measles,
Chickenpox,	Glanders,
Cholera, Asiatic,	Granuloma Venerum,
Climatic Bubo,	Hepatitis (all forms),
	Hookworm Infection,

Leprosy,	Smallpox,
Malaria,	Spotted Fever,
Measles	Tetanus,
Mumps	Trachoma,
Paratyphoid Fever,	Trichinosis,
Pellagra,	Tuberculosis (all forms)
Plague,	Typhoid Fever,
Poliomyelitis,	Typhus Fever,
Puerperal Fever,	Vincent’s Angina,
Rabies,	Whooping Cough
Rocky Mountain	Yellow Fever:
Scarlet Fever,	

Provided that the Chief Medical Officer may, at his discretion, require other diseases to be reported.

Method of
reporting disease.

47. (1) Every physician or other person having knowledge of any disease specified in rule 46 of these Rules shall report to the Ministry of Health the following data:

Name of disease.

Full name, age, sex, race and exact address of patient.

Exact occupation, place of employment, or school attended by patient.

Name and address of person making report.

Date of report.

(2) Such report shall be made within eight hours after the case comes under observation. A specimen sent to the Public Health laboratory for diagnosis and accompanied by the data given above shall be considered as a report.

(3) In this section, the term “other person” means in the absence of a physician, any parent, guardian, householder, keeper of a hotel or lodging house, midwife, nurse, school teacher, superintendent of any institution, master of a vessel, owner or manager of a dairy, or other person having under his care or observation a person affected or apparently affected with a communicable disease; and, in the case of a virus causing or known to cause Acquired Immune Deficiency Syndrome (AIDS), the term “other person” means, in addition, the person infected with the virus.

9 of 1991, s. 38.

48. The Chief Medical Officer shall cause a register to be kept in which shall be entered all such particulars of each case notified as may be necessary or helpful in tracing the infection and indicating the steps which have been taken to check the spread of the disease.

Register of notifiable diseases.

49. The Minister or his duly authorized representative shall make such investigation as in his judgment may be necessary to determine the presence or absence of any of the diseases named in rule 46 of these Rules, and if any such be found such measures shall be adopted as are authorized by law for the prevention of the spread of such disease and for the relief of the patient, and to those ends the Minister or his duly authorized representative may enter any premises where the presence of any such disease is suspected.

Measures for control.

50. The Minister or his authorized officer shall secure material for culture or specimens for bacteriological or other laboratory examination to assist in determining the diagnosis whenever in his judgment such procedure is necessary, and any person when requested by him shall permit such specimen to be taken.

Laboratory examinations.

51. (1) The teacher of any school, college, university, or Sunday school, having under his care any pupil who appears to be affected by any communicable disease, or has been exposed to infection, shall promptly send such pupil home or separate him from other pupils until examined by a physician. The teacher shall report the case in accordance with rule 47 of these Rules.

Measures for control of disease in schools.

(2) A pupil who has been excluded from school, college or university on account of having been affected with or exposed to a communicable disease, shall not be re-admitted to school without a permit from a health officer, except that in the case of the following diseases the pupil shall be re-admitted without a permit after the period shown below—

Re-admission to schools.

Chickenpox — After crusts have disappeared from skin.

German Measles — Seven days.

Measles — Seven days from appearance of rash.

Mumps — Two weeks from beginning of attack.

Whooping Cough — Two weeks after appearance of whoop.

(3) In the event of the presence of any disease as specified in rule 46 of these Rules, the Minister may cause to be examined any pupils, teachers or other persons employed in the schools, and may take any measures necessary to prevent the spread of disease. All school authorities and employees shall conform to all rules and regulations of the Health Services Act for the accomplishment of this end.

52. (1) Every person suffering from any of the diseases mentioned in rule 46 of these Rules shall isolate himself and every person in charge of such a person shall isolate the person of whom he is in charge in the following manner —

- (a) when the disease is —
- Anthrax,
 - Cerebro-Spinal Fever,
 - Cholera,
 - Chickenpox,
 - Diphtheria,
 - Glanders,
 - Leprosy,
 - Measles,
 - Plague,
 - Poliomyelitis,
 - Scarlet Fever,
 - Smallpox,
 - Typhoid Fever,
 - Yellow Fever,

the person affected shall be absolutely isolated;

- (b) when the disease is —
- Acquired Immune Deficiency Syndrome (AIDS);
 - Dysentery (Amoebic, Bacillary),
 - German Measles,
 - Hepatitis (all forms),
 - Hookworm infection,
 - Mumps,
 - Rabies,
 - Trachoma,
 - Tuberculosis,
 - Typhoid and Paratyphoid Fevers,
 - Whooping Cough,

the person affected shall be so restricted in movement that the disease will be not be spread from him to others;

Methods of
isolation in
various diseases.
S.I. 26/1986.

(c) when the disease is —

Dengue,
Malaria,
Yellow Fever,

the person affected shall be kept in a screened room free from mosquitoes provided that this form of isolation will be enforced only when practicable in the case of malaria.

(2) No person other than the physician or persons in charge of or in attendance on the patient shall enter any premises, room, or apartment quarantined for a communicable disease in violation of the terms of the quarantine. No person shall wilfully or negligently expose any other to a communicable disease.

53. When there is a case of “Contagious Disease” the Minister shall cause to be posted a suitable placard or placards in a conspicuous place or places on the premises, apartment or room where the disease exists, except if the case is under satisfactory hospital care, the placard may be omitted. No person shall remove such placard except with the permission of the Minister. In the case of a hotel or modern apartment, the placard should go only on the room or apartment occupied by the patient.

Placarding.

54. The minimum periods of isolation in various diseases shall be as follows:

Minimum periods of isolation.

Anthrax — Until all lesions have healed.

Cerebro-Spinal Fever — During clinical course and until two successive smears from the nose or naso-pharynx fail to show the presence of the specific organism.

Chickenpox — Until primary scabs have disappeared from the skin and mucous membrane.

Diphtheria — Until two successive cultures taken from the nose and two taken from the throat at least 24 hours apart, by a representative of the Ministry, show the absence of Klebs-Loëffler bacillus.

Cholera, Dysentery (Bacillary), Typhoid and Paratyphoid Fever — During the clinical course and until the infective organism is shown to be absent from the excreta after not less than two examinations.

Glanders — Human cases during clinical course; animals should be destroyed.

Measles — Until seven days from the appearance of the rash and until all abnormal discharge from ears, nose or mouth have disappeared.

Leprosy — During course of the disease.

Plague — Ten days or during clinical course.

Poliomyelitis — Until three weeks from the day of the receipt of the report.

Scarlet Fever — Until three weeks from the day of the receipt of the report by the Chief Medical Officer, and until all abnormal discharges from ears, nose, mouth or suppurating glands have ceased.

Septic Sore Throat — During clinical course.

Typhus Fever — During clinical course in vermin-free room.

Smallpox — Fifteen days or until all scabs have disappeared and the lesions healed.

Tuberculosis — As long as the bacillus is discharged.

Whooping Cough — Until six weeks after onset.

Yellow Fever — During the first seven days of the fever.

55. No person affected with —
 Diphtheria,
 Dysentery (Amoebic or Bacillary),
 Gonococcus Infection,
 Scarlet Fever,
 Septic Sore Throat,
 Syphilis, in a communicable form,
 Typhoid or Paratyphoid Fevers,
 Pulmonary Tuberculosis, or
 Leprosy,

or who is likely to be a carrier of these diseases, shall be employed or be present where milk or any other food is prepared, handled or sold. The Minister may examine or cause to be examined for the above-named diseases any employee or any establishment where milk or food is prepared, handled or sold. This rule applies also to tailors, dressmakers, and washers.

Rules for food
handlers.

56. (1) The Minister shall have the power to isolate or restrict the movement of any person who is known to have been exposed to any of the communicable diseases named below for a time equal to the maximum incubation period of the disease and in the manner prescribed in rule 52 of these Rules.

Method of control of contacts.

(2) For the purpose of these Rules maximum incubation periods shall be considered to be as follows:

Anthrax—7 days.

Cerebro-Spinal Fever—10 days, unless cultures from naso-pharynx fail to show meningococcus.

Chickenpox—3 weeks.

Cholera, Asiatic—7 days.

Diphtheria—7 days, unless a culture from nose and throat fail to show the presence of the Klebs-Loëffler bacillus.

Dysentery (Bacillus)—7 days.

German Measles—10 to 21 days.

Measles—16 days.

Paratyphoid Fever—10 days.

Plague—10 days.

Poliomyelitis—10 days.

Rocky Mountain Spotted Fever—10 days.

Scarlet Fever—7 days.

Smallpox—15 days.

Syphilis—4 weeks.

Typhoid Fever—21 days.

Typhus Fever—20 days.

Whooping Cough—21 days.

57. (1) The contacts of all cases of typhoid fever shall be vaccinated in the following circumstances —

Certain contacts of typhoid fever must be vaccinated.

(a) all persons employed in the care of typhoid patients, in the transport of the sick, communal kitchens, disinfection stations, dairies, laundries, mineral water factories, and other public or private institutions;

(b) the personnel of the water supply, scavenging works and health services.

(2) In the case of an outbreak the following shall be vaccinated in addition to all contacts with the disease —

(a) the personnel of public services who may be particularly exposed to chance of infection, such as hospital staff;

-
- (b) the staff and all personnel connected with the preparation, cooking and serving of food in all hotels and restaurants.

Isolation.

58. The Minister or his representatives may isolate or restrict the movement of carriers of the infectious agent of —

Cerebro-Spinal Fever,
Cholera,
Diphtheria,
Paratyphoid Fever,
Typhoid Fever,

or any communicable disease until their discharges are shown to be free from the specific organisms of the disease.

Precaution by attendants.

59. The physician or any other person permitted to visit a person affected with a communicable disease shall practice such measures of personal cleansing, disinfecting and all other precautions necessary to prevent the spread of the disease to others.

Disinfection.

60. When any person is affected with a communicable disease adequate disinfection shall begin at its onset and continue until its termination. It shall be the duty of the health officer to give specific instructions to the person attending a case or suspected case of communicable disease as to the method of disinfecting the discharge and articles used by or on the patient, and it shall be the duty of the person in charge to carry out such instructions. No articles shall be removed from quarantined premises without a permit of a health officer.

When the case has terminated the owner or occupant shall further disinfect, clean or renovate the premises as the health officer may require. Any articles which in the opinion of the Minister or his representative cannot be properly cleansed or disinfected shall be destroyed. The owner of any premises, apartment or rooms which have been occupied by a person affected with a communicable disease shall not rent the same to others or permit occupation by others until the premises have been cleansed to the satisfaction of the health officer.

When a patient suffering from leprosy is removed to a lazaretto or in the event of the death of the said leper, the building occupied by said leper may be destroyed if deemed advisable by the Minister.

61. Whenever there is a case of tuberculosis it shall be the duty of the Minister or his representative to take such proper precautions as may be deemed necessary and to give proper instructions to the patient and all other persons occupying the same premises to prevent the spread of the disease. Every person affected with tuberculosis shall dispose of his sputum, saliva, or any other discharges in a manner not dangerous to public health. Whenever a person so affected is or is likely to be a nuisance to the health of others, the Minister shall have the power to cause the removal of such person to an isolation hospital or other proper place until the danger has been removed. Upon recovery of a person having tuberculosis it shall be the duty of his physician to notify the Ministry of Health.

Precautions to be taken in case of tuberculosis.

62. When a person has died of cerebro-spinal fever, poliomyelitis, diphtheria, scarlet fever, or smallpox, no person except the undertaker and his assistants, the clergyman and others permitted by a health officer, shall enter the house until after the funeral and until after the warning placard has been removed. If the funeral is held elsewhere than at the last residence of the deceased, the funeral may be public, provided only those members of the immediate family may attend who in the opinion of the health officer are free from infection and to whom he has given permission so to do.

Rules for funerals.

63. (1) No grave in any burial ground in the Island of New Providence shall be re-opened for the purposes of interment until a written permit has been obtained from the Minister, and no such permit shall be granted until at least five years have elapsed since the last interment in the said grave.

Permission to re-open graves.

(2) The body of any person dying outside The Bahamas shall not be landed without permission of the Minister.

(3) Individuals wishing to be buried at sea shall not be so buried within ten miles of any coast.

64. Any veterinary or other person in charge of an animal affected or presumably affected with any disease communicable to human beings shall immediately notify the Minister. Whenever there is a reason to believe that any animal has rabies, such animal and all others bitten by it shall be securely confined by the owner or person in charge

Disease of animals.

for such a time as is necessary to determine whether the disease exists. Every animal which has rabies shall be killed and the body disposed of to the satisfaction of the Minister. The Minister shall have the power by Order to require the muzzling of all dogs appearing on the public highways, and may call upon the Police Department to enforce such Order.

Prohibition of
common articles.

65. The use of common drinking cups or other drinking or eating utensils or of common towels, or any other articles for common use which might spread any communicable disease is forbidden. In this rule “common” means for the use of more than one person without proper cleansing and disinfection by methods approved by the Minister.

Ships to guard
hawsers.

66. Ships from foreign ports tying up along the side of any wharf are required to guard their hawsers with ratshields to prevent rats from either leaving or boarding the said ships. Commercial aircraft must be flitted before landing at New Providence.

PART VI THE PRODUCTION, TRANSPORTATION, HANDLING, STORAGE AND SALE OF FOODS AND DRUGS

Interpretation.

67. In this Part of these Rules, unless the context otherwise requires —

“drug” means all medicines and preparations recognised in the British Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation or prevention of disease of either man or other animals;

“food” means all articles used for food, drink, confectionery, or condiment by man or other animals, whether simple, mixed or compound;

“food establishment” means any place where foods are sold, kept, stored, offered or exposed for sale, manufactured, slaughtered, prepared, or processed;

“food handler” means any person whose duties bring him in contact with foods, whereby such handling might convey disease to the consumer.

68. All food establishments shall be properly lighted and ventilated; free from dampness, clean, and free from all kinds of dirt, refuse, rubbish, useless or offensive material, ants, roaches, rats, mice or other vermin, and all windows and doors therein shall be fitted with a screen of not less than No. 16 wire mesh, each door to be provided with a self closing device.

Requirements of food establishments.

69. (1) The walls and ceilings of any room or place where foods are prepared, compounded, manufactured or processed and such places used for slaughtering, killing and dressing of animals, fish, fowl and game used for food shall be of smooth hard material, kept in good repair, clean and in a sanitary condition, and painted with oil paint in white or light colours, or lime-washed, and the floors thereof shall be smooth and watertight, and shall be kept in good repair, clean and sanitary. The floor of a place used for slaughtering or dressing any animal, fish or fowl, or for manufacturing, cleaning, washing, preparing, canning or bottling of food products, such as vegetables, fruit, salad dressing, potato chips, meat products, soda water, soda pop, ice cream, dairy products, vinegar, syrup, extracts, beverages, jelly, jam or marmalade, shall be of concrete or other impervious material and the side walls shall be of concrete or other impervious material or wainscoted with such material to a height of at least four feet. Where concrete or other impervious floors are required, such floors shall be constructed so as to facilitate proper drainage to drain pipes, traps and basins and such drainage shall be disposed of in conformity with the Licensed Plumbers Rules governing same.

Walls, ceilings and floor to be of impermeable material.

(2) Before any slaughterhouse is constructed in The Bahamas plans shall be submitted to and approved by the Minister.

G.N. 193/1946.

70. No part of the food establishment shall be used for sleeping purposes or for the stabling or housing of any animals, live fowl or fowls unless such room or rooms, place or places, are separated therefrom by solid, impenetrable walls, free from doors, windows or any other opening of any kind whatsoever. Live fowls must be housed separate and apart from any room used as a grocery, meat market or other food establishment.

Not to be used for sleeping purposes.

Food to be protected from contamination.

71. All windows, shelves, tables, cases or counters used to display food, except fruits and vegetables in their native state which are customarily peeled or cooked, shall be enclosed in such manner as to protect the food from being contaminated by the public, dust, vermin, insects, and other sources of contamination. Such enclosed windows, cases, tables, shelves, and counters shall be kept clean and in good repair.

Refrigeration to be installed.

72. There shall be sufficient facilities for proper refrigeration at a temperature not higher than forty eight degrees Fahrenheit, and all refrigerators, ice boxes, and appurtenances thereto used in any manner in connection with a food establishment shall be kept in good repair, clean and sanitary, and the water therefrom shall be disposed of in conformity with the Licensed Plumbers Rules governing same.

Disposal of garbage.

73. Garbage and waste materials shall not be allowed to become a nuisance, but shall be placed in suitable galvanized iron or other approved sanitary metal cans which are tight and which shall be kept covered with close-fitting lids. Garbage cans, after being emptied, shall be cleansed and disinfected to prevent offensive odours and make them less attractive to flies and other insects.

Protection of food exhibited.

74. No food shall be deposited or allowed to remain within eighteen inches of the surface of the floor when exhibited unless the same shall be contained in tight boxes or other receptacles adequately protected from contamination. Newspapers shall not be used for wrapping foods nor for covers on tables, shelves, drawers, etc., nor shall be permitted in any manner to come in contact with foodstuffs.

No food to be kept outside store.

75. No food shall be exhibited, stored, or kept on the outside of any store, in any doorway, yard, sidewalk, area-way or public thoroughfare, except as provided for in these Rules.

Food handlers.

76. All food handlers shall wear clean garments and keep their persons scrupulously clean at all times.

Examination of food handlers.
G.N. 85/1956.

77. Every person connected with the production, handling, storage or care of foodstuffs shall have been examined by a Government Medical Officer or a medical

practitioner and pronounced free from any contagious or infectious disease within the past six months. Health certificates shall be kept in a place convenient for examination by a health officer. Nothing in this rule shall preclude the re-examination of any person at any time when deemed advisable by an employer, Medical Officer or medical practitioner for which a nominal fee of one dollar shall be paid into the Public Treasury.

5 of 1987, Sch.

78. All machinery, utensils, tools, meat blocks, tables and other fixtures shall be kept clean, sanitary and in good repair at all times.

Tools, etc., to be kept clean.

79. (1) Sinks of a type approved by the Minister and of the number required by the Minister with drainage boards, discharge pipes connected to a drainage system and hot and cold running water taps over the sinks shall be provided to ensure effective washing and rinsing of all crockery, cutlery or any other utensil (whether of the same kind as the utensils enumerated above or not) used in the preparation and service of food except in butchers' shops:

Facilities for proper cleansing.
G.N. 173/1955.

Provided, however, that in any establishment where no food other than intoxicating liquor is sold, it will suffice to have cold running water taps only over such sink or sinks as are approved and required by the Minister to ensure detergent sterilization and effective rinsing of all glasses.

(2) Ample hot and cold water with one sink or other means satisfactory to the Minister shall be provided for the proper cleansing of all butchers' shops and all equipment therein.

80. A sufficient number of open seat flush toilets, washrooms and dressing rooms shall be provided and conveniently located for all employees and no toilet shall be located in or immediately connected with any room of a food establishment and shall ventilate to the outside of the building. All toilet rooms shall be kept clean and in good repair, with washbowls, soap, and individual towels. Common towels and common drinking cups are prohibited. All employees before beginning work and after visiting toilet rooms shall wash their hands and arms thoroughly in clean water.

Provision of sanitary conveniences for employees.

Cellar not to be used.

81. Cellars or basements shall not be used as food establishments for either manufacturing, preparing, storing, or selling foodstuffs, unless approved by the Minister.

Grease traps to be installed.

82. Adequate traps shall be installed in all food establishments where fats or oils are used in cooking or preparing foodstuffs and shall be kept skimmed to properly function.

All crockery, etc., to be thoroughly cleansed.

83. All dishes, glasses, knives, forks, spoons and other utensils or articles used in the preparation and service of food or drink after being so used shall be thoroughly washed in hot water and with soap or suitable cleansing agent and then shall be sterilized by being exposed to live steam or boiling water at a temperature of not less than two hundred and twelve degrees Fahrenheit for a period of five minutes or by being placed in an antiseptic solution approved by the Minister and then rinsed in clean water. However, in lieu of the above requirements, or when it is found impossible or inexpedient to use live steam or boiling water, sterile dishes, cups, and spoons manufactured from paper, wood or any suitable material which have been kept in dustproof containers before using, may be used for one service only. These shall be destroyed when removed from the service counter.

Straws, etc., to be protected.

84. The use of straws sugar, and toothpicks in open containers not protected from contamination by people, vermin, dust, insects and other contaminating agencies is prohibited.

Stoves, etc., to be sufficiently ventilated.

85. All ranges, stoves and ovens shall be provided with ventilating hoods and pipes or other approved mechanical means for ventilating the room or place they occupy when adequate ventilation cannot be secured by other means and shall be kept clean and sanitary.

Food not to be re-served.

86. Foods individually served to customers, or foods handled or partly consumed by customers and then returned to the kitchen or serving room, shall not be served again.

Clean cloths to be used.

87. Nothing but clean, fresh cloths shall be used for wiping and drying dishes, glasses and other utensils or be permitted to come into contact with any foodstuff.

- 88.** Milk must be kept properly refrigerated and shall be served from the original bottle only. Serving of milk.
- 89.** None other than inspected meats or meat products, except fish and poultry, shall be had in possession with intent to sell, offer or expose for sale, sold or served in the Island of New Providence. Peddling or selling of any meat, meat products or fish is prohibited upon any public thoroughfare, sidewalk, open lot, or other place that does not comply with the provisions of the Rules governing food establishments. Meats to be inspected before being exposed for sale.
- 90.** Peddling of fruits and vegetables shall be done only from screened vehicles approved by the Minister. All foods conveyed through the Island of New Providence except those which are habitually peeled or cooked before eating shall be protected from dust, dirt, flies and other insects by clean covers or other approved method and all conveyances, baskets, boxes or other receptacles in which food products are transported shall at all times be kept in a clean and sanitary condition. Peddlers of fruit, etc., must guard against contamination.
- 91.** Foodstuffs such as meat, fish, bakery goods, confectionery, fresh or dried fruits, pickled goods, preserves, etc., that are to be eaten unpeeled or uncooked or which are not wrapped in a sanitary approved wrapper shall be protected by a method approved by the Minister from dust, dirt, public handling and other forms of contamination. Food to be wrapped in approved wrapper.
- 92.** The Minister may forbid the sale of any food or drug, whether of local or foreign production, which is produced or handled in any manner under insanitary conditions. Insanitary foods may be forbidden.
- 93.** It shall be unlawful to operate certain food establishments without first obtaining a Certificate of Sanitation from the Minister under rule 102 of these Rules. Certificate of Sanitation.
- 94.** (1) No person within the Island of New Providence shall manufacture for sale therein, have possession with intent to sell, offer or expose for sale, sell, transport, or deliver any article of food or drug which is adulterated or misbranded. Adulterated foods barred.
- (2) For the prevention of danger arising to public health from the importation of articles of food or drink

intended for sale for human consumption, no person shall import into The Bahamas any such articles of food or drink in packages or cans which are not conspicuously marked with the name of the manufacturer.

Adulterated oysters defined.

95. For the purpose of these Rules, fresh oysters showing more than ten per cent of free liquor or having a *Bacillus coli* score of more than fifty or showing any other indication of the presence of harmful bacteria shall be deemed to be adulterated.

Aerated drinks.

96. For the purpose of these Rules the ingredients used in the manufacture of aerated drink products shall be pure, namely cane or beet sugar shall be used and not less than seven per cent by weight in all cases except ginger ale which shall contain not less than six per cent by weight. Artificial coal-tar colours of approved quality shall be used. Home made pigments and artificial sweeteners, such as saccharin, dulcin, and glucin are prohibited. Water used shall be distilled, boiled or filtered through a Berkefeld or Pasteur filter.

Inspection of food establishments.

97. Any health officer shall have the right at any and all reasonable times to enter upon or in any premises where there are articles of food or drugs to examine and to inspect such articles of food or drugs, and to appropriate a reasonable portion of any such food or drug product for the purpose of use as a sample and for inspection or test.

Food believed to be in violation of these Rules.

98. Any article of food or drug which a health officer may believe by reason of inspection, preliminary tests, or otherwise to be in violation of the provisions of these Rules shall be withheld from sale or disposal in any other manner at such place and in such manner as the said official may direct, until confirmative samples shall have been examined and violation of these Rules proved or disproved as the case may be.

Measures for the disposal of confiscated goods or drugs.

99. Any article of food which is found to be in violation of the provisions of these Rules shall be confiscated by or under the direction of the Minister and shall be disposed of as follows —

- (a) it shall be destroyed or rendered unfit for food or use as a drug by its owner in such manner as the Minister may prescribe and under the supervision of an officer designated by the Minister:

Provided, however, that condemned foods which may be held without creating an immediate nuisance or insanitary conditions which would affect the health or dignity of the community, shall be held under an official seizure tag or seal for a period of sixty days, so as to give the owner of same a reasonable length of time to file a claim for any interest he may have in said condemned foods, or if the violation is of such nature, that it can be corrected by suitable and proper labelling or relabelling, such labelling or relabelling shall be accomplished by the owner under the supervision of an officer designated by the Minister;

- (b) in an instance where labelling or relabelling is impracticable, proper information as to the nature of the article in question shall be conveyed to its possible purchasers, or consumers by suitable placards, signs or by similar means which have the approval of the Minister;
- (c) reconditioned foods or drugs not adulterated or misbranded within the meaning of these Rules, shall be plainly, prominently, and legibly labelled in type no smaller than three-eighths inches high with the statement “This is a reconditioned product”;
- (d) the expenses of any work done by or at the direction of the Minister under this rule shall be recoverable summarily from the owner of any article of food falling within the purview of this rule or failing him then from the occupier, owner or owners of the premises on which any article of food falling within the purview of this rule is found.

G.N. 42/1954.

100. Any advertising regarding an article of food or drugs, whether by means of signs, posters, placards, handbills, newspaper or magazine advertisements, displays or by any other means whatsoever shall be subject to the same requirements as for labels, wrappers, circulars and other descriptive matter in or on the immediate package of the article in question.

Regulations regarding advertising of food or drug.

Sanitary
accommodation
for houses, etc.
G.N. 77/1937.

101.(1) If on the report of a health officer the Minister is satisfied that sufficient sanitary accommodation has not been provided at or in connection with any building used as a dwelling house, office, shop or place of business, the Minister may by written notice to the occupier, owner or owners of the building require the said building to be provided with such number and description of sanitary conveniences as the circumstances of the case may render necessary.

(2) If the occupier, owner or owners of the said building fail to comply, the Minister, at the expiry of the time named in the notice, may condemn such building as unfit for human habitation, or cause such work to be carried out and all expenses in connection therewith shall be recoverable summarily from the occupier, owner or owners.

No person to
carry on certain
trade or be in
charge of certain
premises without
certificate.
G.N. 77/1937.

102.(1) No person shall carry on or in any way conduct or be in charge of any of the trades, businesses, callings or premises immediately hereinafter mentioned unless he shall be in possession of a certificate signed by a health officer that such business, trade, calling or premises may be conducted, carried on or used. Such certificate shall be renewable annually provided that such business, trade or calling is being conducted in a satisfactory sanitary manner. If there be a breach of any of these Rules such certificate may be revoked.

(2) The following are the trades, businesses, callings or premises to which paragraph (1) of this rule applies:

Aerated and Mineral Water Factories,
Barber Shops,
Butcher Shops,
Fish Mongers,
Ice Cream Manufactories,
Laundries,
Lodging Houses,
Restaurants,
Hotels,
Boarding Houses.
Licensed Bars,
Beauty Parlours,
Clubs,
Bakeries,
Dairies,

Chiropodists,
 Massage Parlours,
 Undertaking Parlours,

and vendors of soft drinks, ice-cream, candies, fried fish and cookies.

(3) The following businesses or trades are hereby declared to be offensive businesses or trades within the meaning of section 29 of the Health Services Act: *G.N. 338/1939.*
G.N. 193/1946.

Blood Boiler,
 Blood Drier,
 Bone Boiler,
 Soap Boiler,
 Tripe Boiler,
 Gut Scraper,
 Tallow Melter,
 Fellmonger,
 Glue Maker,
 Tanner,
 Fertiliser Manufacturer,
 Fish Canner,
 Junk Dealer,
 Barber,

and the conducting of a Slaughterhouse.

(4) An offensive business or trade may not be established without the written permission of the Minister. Such permission shall not, subject to the discretion of the Minister, be granted to conduct any such business or trade (other than that of the barber) within the City of Nassau or in area of New Providence which the Minister considers to be residential.

(5) No person shall engage in the business of collecting and disposing of trash, rubbish, garbage or waste of any kind without a licence first obtained from the Minister. *S.I. 31/1966.*

PART VII DAIRIES, MILK STORES AND THE SALE OF MILK

103. In this Part of these Rules, unless the context otherwise requires — *Interpretation.*

“dairy or dairy farm” means any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold or delivered to any person;

“disinfectant” shall be taken to mean any germicidal substance approved by the Ministry of Health;

“milk distributor” means any person who has in his possession, offers for sale, sells or delivers to another any milk or milk products for consumption or manufacturing purposes;

“milk plant” means any place or premises or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized or prepared for distribution;

“milk producer” means any person who owns or controls one or more cows a part or all of the milk or milk products from which is sold or delivered to another person;

“sterilization”, “sterilize” and similar terms as used in these Rules mean the application, following washing and cleansing, of measures for the destruction of bacteria.

Definition of milk, its contents and its products.

104. (1) Milk is hereby defined to be the whole, fresh clean lacteal secretion obtained by the complete milking of one or more healthy cows properly fed and kept, excluding that obtained fifteen days before and five days after calving, or such longer period as may be necessary to render the milk practically colostrum free, which contains not less than eight and one-half per cent of solids not fat and not less than three and one-half percent of milk fat. The name “milk” unqualified means cow’s milk.

(2) Milk fat or butter is the fat of milk.

G.N. 77/1937.

(3) Certified milk is milk which conforms with the current requirements of the Association of Medical Milk Commissions. The bacterial count shall not be above 30,000 per cubic centimetre and Coliform Bacilli absent in 0.1 cubic centimetre at any time before delivery to the consumer.

(4) Raw milk is milk from negative tuberculin and negative abortus tested cattle, the average bacterial count of which does not exceed 100,000 per cubic centimetre and

Coliform Bacilli must be absent in 0.1 cubic centimetre at any time before delivery to the consumer, such milk being produced on dairy farms conforming with all the provisions of these Rules and intended for consumption in a raw state.

(5) Raw-to-plant milk is milk intended for pasteurization, the average bacterial count of which as delivered to the plant shall not exceed 200,000 per cubic centimetre, such milk being produced upon farms which conform to all the provisions of these Rules. Raw-to-plant milk shall not be sold for consumption before pasteurization.

(6) Pasteurized milk is raw milk or raw-to-plant milk which has been produced and handled in conformity with the provisions of these Rules and whose average bacterial count did not exceed 200,000 per cubic centimetre, such milk having been pasteurized in a milk plant conforming with all the provisions of these Rules, the average bacterial count of which at no time after pasteurization and until delivery exceeds 100,000 per cubic centimetre and having Coliform Bacilli absent in 0.01 cubic centimetre.

(7) Cream, sweet cream, is that portion of milk rich in milk fat which rises to the surface of milk on standing or is separated from it by centrifugal force. It is fresh and clean. It contains not less than twenty per cent of milk fat and not more than two-tenths per cent of acid reacting substances calculated in terms of lactic acid.

(8) Skimmed milk is that portion of milk which remains after removal of the cream in whole or in part and shall contain not less than eight and one-half per cent solids not fats.

(9) Goats' milk, ewes' milk, etc. are the fresh, clean, lacteal secretions, free from colostrum, obtained by the complete milking of healthy animals other than cows, properly fed and kept, shall conform in the name to the species of animal from which they are obtained, and when intended for human consumption, shall be subject to such rules and regulations as deemed necessary by the health officers to insure a safe sanitary supply of milk.

(10) Buttermilk is the product which remains when fat is removed from pasteurized milk or cream, sweet or sour, in the process of churning. It contains not less than eight and five-tenths per cent of milk solids not fat.

(11) Butter means the food product usually known as butter, and which is made exclusively from pasteurized milk or cream, or both, with or without common salt and with or without additional colouring matter, and containing not less than eighty per cent by weight of milk fat and not more than sixteen per cent of moisture, all tolerances having been allowed for.

(12) Cheese is the sound product made from curd from the whole, partly skimmed, or skimmed milk of cows, or from the milk of other animals, with or without added cream, by coagulating the casein with rennet, lactic acid or other suitable enzyme, or acid, and with or without further treatment of the separated curd by heat or pressure or by means of ripening ferments, special moulds, or seasoning and may contain added colouring matter.

(13) Ice cream mix is the product made from milk, cream, and/or other milk products, and sugar (sucrose) with or without the addition of eggs, harmless flavouring materials, harmless vegetable colours or certified coal-tar colours, gelatin or vegetable gums, such gelatin or gum in amount not to exceed five-tenths of one percent of the weight of the mix. It shall be pasteurized by being heated to a temperature of 150 degrees Fahrenheit and held at the said temperature for thirty minutes or by flash pasteurization at 185 degrees Fahrenheit.

(14) Ice cream is the product made by freezing ice cream mix. Ice cream shall contain not less than ten per cent of milk fat.

(15) Milk products shall be taken to mean and include cream, skimmed milk, chocolate milk, malted milk, buttermilk, cultured buttermilk, Bulgarian buttermilk, acidophilus milk, evaporated, condensed or concentrated skimmed milk, sweetened condensed, evaporated milk, sweetened condensed, evaporated, concentrated skimmed milk, powdered milk, powdered skimmed milk, recombined milk, recombined skimmed milk, cheese, cottage cheese, butter, ice cream, fruit ice cream, nut ice cream, and any other product of which milk is a principal constituent or which is manufactured from milk.

(16) Any substance claimed to be any milk or milk product defined in these Rules but not conforming to its definition as given in these Rules shall be deemed to be adulterated and misbranded.

105. The terms “pasteurization”, “pasteurized”, and similar terms shall be taken to refer to the process of heating every particle of milk or milk products to a temperature of not less than 145 degrees and not above 150 degrees Fahrenheit and holding at such temperature for not less than thirty minutes in pasteurization apparatus approved by the Minister, save that approval shall be limited to such apparatus which requires a combined holder and indicating thermometer temperature tolerance of not more than one and one-half degrees Fahrenheit as shown by official tests with suitable testing equipment, and provided that such apparatus shall be operated as directed by a health officer, and so that the indicating and recording thermometers and the recording thermometer charts both indicate a temperature of not less than 147 degrees Fahrenheit continuously throughout the holding period, provided that nothing in this definition shall be construed as disbaring any other process which has been demonstrated, as of at least equal efficiency and is approved by the Minister. After pasteurization, milk must be immediately cooled to a temperature not exceeding 55 degrees Fahrenheit.

Process of
pasteurization.
G.N. 77/1937.

106. Milk which is intended for final human consumption as such, shall be classified as follows —

Milk classified.

- (a) pasteurized;
- (b) certified;
- (c) raw (farm bottled),

and shall be produced, handled and distributed as provided for in these Rules. Unpasteurized or raw milk may only be sold by dairies whose cattle have been tested and certified free from tuberculosis and abortus fever. All other milk for human consumption must be pasteurized. Cattle from which milk is obtained for sale as raw milk shall not be allowed to mingle with any herd which is not certified free from tuberculosis and abortus fever.

107. No person shall within the Island of New Providence produce, sell, offer or expose for sale, or have in possession with intent to sell, any milk or milk product which is adulterated or misbranded.

Sale of
adulterated milk
prohibited.

108. It shall be unlawful for any milk distributor, agent, employee, solicitor or any other person to add to the milk or milk product of any competitor, person, firm or corporation any substance either of animal or insect,

Addition of
substance which
tends to injure
quality of milk
prohibited.

organic or inorganic matter of a disgusting nature that may tend to affect the aesthetic sensibilities of any consumer or in any way tend to injuriously affect the quality of any milk or milk products.

Labelling of
containers.

109.(1) All bottles, cans, packages, and other containers enclosing milk or any milk product defined in these Rules shall be plainly labelled or marked with —

- (a) the name of the contents as given in the definitions in these Rules;
- (b) the word “Pasteurized” if the contents have been pasteurized;
- (c) the word “Raw” if contents are raw;
- (d) the name of the producer or distributor;
- (e) if bottled milk or cream is distributed by other than the person or firm bottling the same the names of both shall appear on the cap.

(2) The label or mark shall be in letters of a size and kind approved by the Minister and shall contain no words or marks not approved by the Minister.

Certificate to be
secured to
operate a dairy
or import milk
for sale.
G.N. 133/1960.

110.(1) It shall be unlawful for any person to operate a dairy or bring into The Bahamas for sale, or to sell, or offer for sale therein, or to have on hand with intent to sell any milk or milk product defined in these Rules excepting evaporated, condensed, or concentrated milk, sweetened evaporated, condensed or concentrated milk, evaporated, condensed or concentrated skimmed milk, sweetened evaporated, condensed or concentrated skimmed milk, powdered milk, powdered skimmed milk, malted milk, cheese or butter, who does not possess a certificate from the Minister, such certificate to be renewed annually. Any person importing milk into the Island of New Providence must first obtain authority from the Minister to do so and the imported milk must be pasteurized and obtained from a dairy which complies with the major particulars of these Rules. Such milk must be labelled “Imported Milk” or bear on the label a clear indication of the country of origin. Such certificate may be suspended or revoked by the Minister upon the violation of any of the provisions of these Rules, or in any emergency when in the judgment of the Minister the milk supply in question may become a menace to public health.

(2) The Minister may grant permission to the personal representative of a licensee who dies or makes an assignment for the benefit of his creditors or to any person purchasing the business during the currency of the licence, to continue the business until the expiration of the licence.

111. At frequent intervals a health officer shall inspect every dairy farm producing milk or cream for consumption within the Island of New Providence, and all milk plants whose milk or cream is intended for consumption within the Island of New Providence. In case of a health officer discovering the violation of any item of sanitation, he shall make a second inspection after a lapse of such reasonable time as he deems necessary for the defect to be remedied, and the second inspection shall be for the purpose of determining if the defect has been remedied. Two violations of these Rules within any one month period shall be deemed to mean that an honest effort to comply with terms of these Rules is not being made and the certificate may be suspended or revoked by the Minister.

Inspection of dairy farms and milk plants.

112. In the case of dairies not pasteurizing their milk a physical examination and tuberculin test of all cattle shall be made before any milk therefrom is sold, and at least once every twelve months thereafter by an accredited veterinarian. All diseased cattle shall be moved from the herd at once and no milk from diseased animals shall be offered for sale. All reacting animals shall be isolated at once and slaughtered under the supervision of a health officer. No additions shall be made to the herd without sanction of the Minister and such shall be tuberculin tested before the time of purchase, unless such animals possess a clean certificate of health. In case additions are made to the herd from other than fully accredited herds, then the entire herd shall be tested at the expiration of six months. No cattle may be imported into The Bahamas unless they are accompanied by a certificate from the proper Health Authorities stating that such cattle are free from tuberculosis and abortus fever. Indiscriminate removal and returning of cattle to the dairy farm is prohibited.

Tuberculin test of all cattle, where pasteurization not affected.

*G.N. 77/1937.;
G.N. 338/1939.;
G.N. 193/1946.;
G.N. 301/1946.*

113. All additions to herds the milk from which is intended for consumption as raw milk or cream, shall be tested in a manner approved by the Minister for *Brucella abortus* before adding to herd. Milk from animals that show positive evidence of infection with *Brucella* organisms shall be pasteurized before being offered for sale.

Test for *Brucella abortus*.

Requirements as
to dairy barns,
etc.

114. (1) All dairy barns where cows are kept or milked shall be well lighted naturally and shall be provided with adequate artificial lighting.

(2) All dairy barns where cows are kept or milked shall have at least four hundred cubic feet of air space per stanchion and shall be well ventilated.

(3) The floors, platforms and gutters of all dairy barns shall be constructed of concrete. They shall be graded so as to drain properly and the gutters shall be from four to six inches deep and so placed in relation to the platform that manure will usually drop into them.

(4) Mangers or feed troughs of all dairy barns shall be constructed smooth and tight, so as to be easily cleaned and kept in sanitary condition.

(5) All dairy barns where cows are kept or milked shall be ceiled. Ceilings shall be smooth and tight so as to be easily cleaned.

(6) Stanchions in all dairy barns where cows are kept or milked shall be metal, provided, however, that nothing in these Rules shall apply to stanchions now in use and which are in good repair.

(7) Rooms in which feed is stored and/or mixed shall be separated from the milking barn by solid doors which shall be kept closed as much as is practicable.

(8) The walls and ceilings of all dairy barns shall be painted or white-washed at least once a year with light coloured or white lead and oil paint and shall be kept clean and in good repair.

(9) All lots or yards immediately adjoining barns shall be well filled, graded and drained and all approaches to barns shall be well rocked or paved.

(10) Holding lots or night lots where cows are held at night or between milking period shall be located at least one hundred and fifty feet from dairy buildings. This shall not apply to pastures, which may be not closer than fifty feet from buildings.

(11) Water troughs shall be constructed of concrete or other impervious material, so constructed as to be easily drained and cleaned. The surface around them shall be so graded as to prevent water from standing in pools.

(12) Droppings and other waste shall be removed daily from cow yards which are located near the barn.

(13) Manure shall be removed daily to a distance of at least six hundred feet from dairy buildings unless otherwise satisfactorily disposed of so as to best prevent breeding of flies.

(14) Every dairy farm shall be provided with toilets of a type approved by the Minister.

115. (1) All containers or utensils used in the handling or storage of milk or milk products must be made of non-absorbent material and of such construction as to be easily cleaned, and must be in good repair. Joints and seams shall be soldered flush. All milk pails shall be of a narrow mouth design approved by the Minister, but milk machines of approved type may be used.

Utensils and equipment for handling or storage of milk, their construction, cleansing, etc.

(2) All containers and other utensils used in the handling, storage or transportation of milk and milk products must be thoroughly cleaned after each usage.

(3) All containers and other utensils used in the handling, storage or transportation of milk or milk products shall between each usage be sterilized with steam or boiling water in a manner approved by the Minister.

116. (1) The udders and teats of all milking cows shall be washed and dried before milking.

Instructions regarding milking, bottling, delivery, etc.

(2) The first three or four streams of milk from each teat shall be rejected. Such milk should be milked through a fine meshed wire strainer or black cloth to determine the presence or absence of garget and shall be collected in a separate vessel such milk must not enter the milk supply.

(3) If milk from any cow is bloody, stringy or in any wise unnatural, the milk from that cow shall be rejected and the cow shall be removed from the herd and shall not be returned until approved by the Chief Medical Officer.

(4) If dirt gets in the pail, the milk shall be discarded and the pail washed and sterilized before it is used again.

(5) Milkers' hands shall be washed and dried before milking. Finger nails shall be kept well pared and cleaned. Wet hand milking is prohibited.

(6) Milkers and milk handlers shall wear clean clothing while milking and/or handling milk.

(7) Milk stools shall be so constructed as to be easily cleaned.

(8) Milk when drawn shall be removed to the milk room.

(9) Milk coolers shall be of the type known as corrugated or tubular surface cooler, or internal tubular cooler in which the cooling medium is circulating ice water, brine or other approved cooling medium, provided, however, that nothing in this item shall be construed as disbaring any other type of cooler which has been demonstrated as of at least equal efficiency and which shall be approved by the Minister.

(10) Raw milk shall be bottled and capped upon the dairy farm where it is produced.

(11) Raw milk, if bottled, shall be delivered to the consumer, or if to be pasteurized, to the plant, in the shortest possible time, but in no case shall time of delivery exceed twenty-four hours from last milking period.

(12) Milk to be consumed in the form of whole milk shall be delivered to the final consumer within the shortest possible time, but in no case more than thirty-six hours from time of pasteurization.

Milk plant
construction.

117.(1) The floors shall be constructed of concrete or tile and shall be smooth, properly drained and kept clean and in good repair.

(2) The walls and ceilings shall be constructed of smooth impervious material. Walls and ceilings shall be frequently painted with oil paint and kept clean.

(3) All openings into the outer air shall be effectively screened to prevent access of flies. Screen doors shall open outward and be self closing.

(4) All rooms where milk or milk products are handled or processed shall be well lighted and ventilated.

Milk plant
operations to be
protected from
contamination
and flies.

118.(1) The various milk plant operations shall be so located and conducted, as to prevent any contamination of the milk or sterilized equipment. All means necessary for the elimination of flies shall be used. This requirement shall be interpreted to include separate rooms as follows —

- (a) receiving or unloading room;
- (b) pasteurizing, cooling and bottling room;
- (c) storage room;
- (d) room for washing and sterilizing containers and equipment.

(2) Pasteurized milk shall not be permitted to come into contact with equipment with which unpasteurized milk has been in contact subsequent to sterilization.

(3) Farm pasteurizing plants where both raw and pasteurized products are handled shall provide separate rooms and equipment for the handling of raw products and pasteurized products.

(4) All equipment with which milk comes in contact shall be constructed in such manner as to be easily cleaned.

119. All waste shall be disposed of in conformity with requirements of the Minister.

Disposal of waste.

120. All equipment with which milk comes in contact shall be constructed in such a manner as to be easily cleaned. All milk containers and milk apparatus shall be thoroughly cleaned after each usage and sterilized in a manner approved by the Minister, and the entire assembled equipment shall be sterilized with steam or boiling water at least once each day immediately prior to the day's run. In addition to steam and boiling water, a chlorine or chloramin solution of strength approved by a health officer may be used.

Equipment as to construction, cleansing, and sterilization.

121. Between sterilization and usage containers shall be handled in such manner as to prevent any part of the person or clothing from coming in contact with any surface with which milk or milk products come in contact. After sterilization, all bottles, cans and other containers, if not immediately used, shall be stored in such manner as to be protected from contamination.

Handling and storage of containers and apparatus.

122. Milk bottle caps shall be purchased and stored only in sanitary tubes and shall be kept there in a clean place until used. Loose caps or contaminated caps shall be destroyed.

Storage of caps.

123. Visitors, except inspectors on official duty, and employees not directly connected with filling, capping and storing of milk, shall be excluded from the bottling room while milk is being handled. Children under twelve years of age shall be excluded at all times.

Visitors excluded from bottling room.

124. Overflow milk and/or drip milk shall not be sold for human consumption.

Overflow milk.

Medical
examination.
G.N. 77/1937.

125. Every person connected with a dairy farm or milk plant whose work brings him in contact with the production, handling, storage, or transportation of milk or milk products shall have within the past six months passed a physical examination made by the Government Medical Officer and shall submit such specimens of bodily discharges as the Medical Officer may direct. Health certificates shall be kept in a place convenient for examination by a health officer. Nothing in this rule shall preclude the re-examination of any person at any time when deemed advisable by the employer or a health officer. A fee of one dollar shall be charged for each certificate and monies thus collected shall be paid into the Public Treasury.

5 of 1987, Sch.

Sickness on farm
to be notified.

126. Notice shall be sent to the Minister immediately by any milk producer or distributor upon whose dairy farm or in whose milk plant any case of sickness or any infectious, contagious or communicable disease occurs.

Water supply.

127. The water supply of any dairy, dairy farm or milk plant or any other place where milk or milk products are handled shall be potable, easily accessible, adequate and of a safe, sanitary quality.

Milk not to be
transferred from
one container to
another.

128. No milk producer or distributor shall transfer milk or milk products from one container to another upon the street or in any vehicle; or store, or in any place except a bottling or milk room especially used for that purpose, except as may be specially permitted by the Minister in the case of milk being delivered in bulk. The sale of dip milk is hereby expressly prohibited. It shall be unlawful for hotels, soda fountains, restaurants and similar establishments where milk or fluid milk products are sold or served to be consumed on the premises to sell or serve any milk or fluid milk products except in the original container in which it was received from producer or distributor, provided however that this requirement shall not apply to mixed milk drinks.

Milk to be
delivered in
identifiable
bottles.

129. All milk or milk products sold by producers, distributors, or either, to the ultimate consumer in the Island of New Providence shall be sold and delivered only in bottles or other containers having stamped thereon or blown therein the name or business name or stamp or trademark of the producer or distributor who delivers

same in the Island. It shall be unlawful for any person to use any milk bottle or other milk or milk product container for any purpose except the enclosing of milk or milk products.

130. It shall be unlawful (a) to return milk bottles or other containers in an unwashed or dirty condition or for a milk distributor to accept such returns for removal; (b) to remove milk bottles from premises in which a case of communicable disease occurs, without permission of a health officer. Such bottles shall be removed in a separate container and shall be disinfected with chemicals before being washed and sterilized with other bottles.

Milk bottles to be returned clean.

131. No person shall spit in any part of any room, vehicle or other place used for the sale, storage or handling of milk or milk products.

Spitting prohibited.

132. All vehicles used for the delivery of milk and/or milk products in the Island of New Providence shall be so constructed as to protect the milk or milk products from the sun and from contamination. Such vehicles shall be kept clean while used in transporting milk and/or milk products. No substance capable of contaminating milk or milk products shall be transported with milk or milk products.

Milk delivery vehicles.

Unless a closed or panelled body is provided, any vehicle used in transporting milk and/or milk products shall be provided with a clean, sound, waterproof tarpaulin or canvas cover, sufficiently large to entirely cover the contents of the truck and which shall be in place at all times while transporting milk and/or milk products, except while loading or unloading.

133. The Minister may cause to be destroyed any products found to be misbranded, sold without a permit or contaminated.

Misbranded products.

134. No milk or milk products may be pasteurized more than once except as may be specially permitted by a health officer.

Repasteurization.

135. The production of goats', ewes' and mares' milk for human consumption, shall be subject to such reasonable rules and regulations as are deemed necessary by the Minister to insure a safe, sanitary supply of such milk.

Milk from goats, etc.

Future dairies,
etc.

136. All dairy farm buildings, and milk plants from which milk is supplied to the Island of New Providence which are hereafter constructed, remodelled or repaired shall conform in their construction to reasonable requirements of the Minister.

Power to enforce
regulations.

137. The Minister shall have the power to adopt and enforce such reasonable rules and regulations as he may deem proper and necessary for the production, handling and distribution of milk and milk products intended for consumption within the Island of New Providence, and violations of such rules and regulations shall be subject to penalty provided for in these Rules. Milk and/or milk products shall be pasteurized when a medical officer of health shall deem such pasteurization necessary for the protection of public health.

PART VIII
BARBER SHOPS, BEAUTY
PARLOURS, MASSAGE PARLOURS,
AID CHIROPODISTS

Interpretation.

138. In this Part of these Rules, unless the context otherwise requires —

“barber shop” means any building, room, place or establishment occupied, maintained or conducted as a barber shop, tonsorial parlour, or where shaving, hair-cutting or any other tonsorial work is carried on;

“beauty parlour” is any building or part thereof wherein cosmetic art is practised, as herein defined;

“chiroprapist” is one who treats disorders of the hands and feet;

“cosmetic art” is the systematic massaging with the hands, or mechanical apparatus, of the scalp, face, neck, shoulders and hands, the use of cosmetic preparations and antiseptics; manicuring, bobbing, dyeing, cleaning, arranging, waving and marcelling of the hair, and the use of electricity for stimulating and for the removal of superfluous hair with the electric needle or by high frequency;

“cosmetician” is any person who, for compensation, practises cosmetic art or conducts or maintains a beauty parlour.

139. No person, firm, corporation or association engaged in the operation or management of a barber shop or beauty parlour within the Island of New Providence shall employ in any of said places of business, any person as barber, beauty specialist, hairdresser, manicurist, chiropodist or cosmetician who has not appeared before a Government Medical Officer within the past six months and procured therefrom a certificate of health. This rule shall apply also to peddling barbers.

Medical examination.

140. It shall be the duty of the Minister to cause to be regularly inspected such barber shop or beauty parlour and cosmetic art establishment and to set sanitary standards for the same. Upon each inspection, if the shop or parlour inspected be found in good condition, the shop or parlour shall have the right to display a certificate to be furnished by the Minister, showing that the said shop or parlour, as the case may be, is operated in compliance with the Minister’s standards. All brushes, combs, towels and other materials and instruments shall be sterilized after each use, the method of sterilization to be prescribed by the Minister.

Regular inspection of premises.

141. No barber shop or beauty parlour shall be used for a dormitory or sleeping quarters, or for the purpose of preparing or serving meals, nor shall any owner of the said shop, parlour or establishment permit said shop, parlour or establishment to be used for such purpose.

No sleeping on premises.

142. All barber shops and beauty parlours shall be open for inspection by the Minister or his authorised agents at any time during business hours.

Open for inspection.

143. A certificate to operate a barber shop or beauty parlour or to practise the trade of barber, beauty specialist, hairdresser, manicurist, chiropodist or cosmetician shall not confer upon the holder thereof the right to diagnose, prescribe for or treat diseased conditions and it shall be unlawful for said barber, beauty specialist, hairdresser, etc. to use electrolysis for any other purpose than the removal of superfluous hair. The use of radium or X-ray is prohibited for the removal of superfluous hair, warts and moles or any conditions that might be of a pathological nature.

Unlawful for barber, etc., to treat diseases.

Medical
examination of
employees.
G.N. 77/1937.

144. The owner, agent, manager or other person owning or operating a barber shop, or beauty parlour shall not act as nor employ, retain, or continue in his employ any barber, beauty specialist, hairdresser, manicurist or cosmetician unless he or any such operator as the case may be can show at any time a certificate of physical examination declaring him or such operator to be free from any contagious, infectious or communicable disease, such examination having taken place and certificate issued within the preceding one hundred and eighty days. Such examination shall be made and certificate issued by a Governmental Medical Officer at a cost of fifty cents and in the event of the said certificate being lost and satisfactory proof of such loss being given, a duplicate will be issued on payment of a fee of ten cents provided that no portion of this rule shall preclude the re-examination without additional cost of any owner or operator at any time when deemed advisable by a health officer.

5 of 1987.

One licence.

145. A barber shop and beauty parlour, as defined herein, may be operated together as one business under one licence.

PART IX LODGING HOUSES

Lodging house
keepers to abide
by regulations.

146. The owner, occupier, or keeper of every dwelling house, lodging house, or building whatsoever in The Bahamas which is let in lodgings or where lodgers are accommodated or taken in shall conform to and abide by the requirements of rule 147.

Regulations
regarding
operation of
lodging houses.
G.N. 77/1937.

147. (1) He shall not permit any room to be occupied as a sleeping room unless such room is lighted and ventilated directly from the exterior of the building and shall provide seventy square feet of floor space if the ceiling is eight feet high or in lieu thereof six hundred cubic feet of air space per person in such room. The window space shall be at least one-tenth of the area of the floor space. Bed overcrowding is prohibited. More than one person per single bed, or more than two persons over the age of ten, per double bed, constitutes bed overcrowding.

(2) He shall cause every part of such house and premises to be constantly kept at all times in thoroughly clean and wholesome condition.

(3) He shall immediately give notice in writing to the Ministry of Health on becoming aware that any person in such house is ill of any infectious disease and shall forthwith carry out in respect thereof any measures for the prevention of the spread of the disease which the Chief Medical Officer may direct.

(4) Water closets shall be in the proportion of one to twenty lodgers.

PART X SCAVENGING AND SCAVENGER'S DUTIES

148.(1) In this Part, unless the context otherwise requires —

*Interpretation.
S.I. 7/1976.*

“garbage” means all putrescible wastes and all animal or vegetable matter or residue which result from the preparation, care, or treatment of food or any decayed or unsound meat, fish, fruit, or vegetable;

“garden trash” means vegetative waste resulting from the care of lawns, shrubbery, vines and trees, and includes grass clippings, tree or shrub trimmings, vines, shrubbery and other horticultural wastes;

“owner” includes the lessee or occupier of any premises and any person acting as agent for the owner and in the case of a ship includes a charterer;

“refuse” includes rubbish, garbage, garden trash and the carcasses of dead animals;

“rubbish” means non-putrescible wastes such as unuseable, unwanted or discarded material and debris resulting from normal community or business activities and includes discarded furniture, appliances and debris or rubble.

149.(1) The Minister shall as far as practicable provide within the Island of New Providence a scavenging service for collecting and disposing of refuse.

*Scavenging
service.
S.I. 7/1976.*

(2) The scavenging service shall as far as is practicable be made available to all premises.

(3) The Minister shall by notice published in the *Gazette* make known the areas or districts for which a scavenging service is provided and such notice shall in respect of each area or district state the day or days and the hours during which refuse collection will be carried out, and any alteration in any such service shall be notified in like manner.

Owner of premises to place all refuse in receptacles for collection.
S.I. 7/1976.

150.(1) The owner of any premises where a scavenging service is provided shall cause all refuse to be made available for collection, on such day or days and between such hours as may be specified by notice as aforesaid, by placing or causing to be placed suitable receptacles in an accessible position upon or adjacent to the premises for the purpose of the collection thereof.

(2) Notwithstanding the provisions of paragraph (1) of this rule, the owner of any premises may make his own arrangements for disposal of refuse from his premises provided that the method of disposal is approved by a medical officer of health or a public health inspector.

(3) The owner of any premises in any area or district for which no scavenging service is provided shall not less than once in every seven days dispose of all refuse from his premises in a manner approved by a medical officer of health or a public health inspector.

(4) Members of the public shall be entitled to resort to the authorised dumping ground in the Island of New Providence for the purpose of disposing of their own refuse between the hours of 8 a.m. and 4 p.m. daily except on Sundays or Public Holidays.

(5) No person other than the holder of a licence issued under rule 102(5) of these Rules or a person specially authorised for that purpose by the Minister shall deposit any refuse at the dumping ground outside the permitted hours referred to in paragraph (4) of this rule.

(6) Any person who contravenes paragraph (5) of this rule shall be guilty of an offence against these Rules.

Fees for collection of refuse from business premises.
S.I. 7/1976.

151.(1) The Minister may charge such rates as are specified in the Schedule for the collection of refuse from all business premises.

(2) The Minister may, if requested in writing, enter into any agreement with any owner of business premises for the collection of refuse.

152.(1) The amount due and payable for the collection of refuse shall be due and payable on demand.

Recovery of charges for refuse collection.
S.I. 7/1976.

(2) The amount due and demanded for refuse collected shall be paid by and be recoverable summarily as a civil debt or as a contract debt, in any court of competent jurisdiction from the person to whom the service is rendered.

(3) If any owner of business premises makes default in payment of any sum payable by him the Minister may cease to collect refuse from the premises of that person until such sum, together with all the expenses incurred by the Minister have been paid.

PART XI QUARANTINE STATION AND DUTIES OF OUT ISLAND HEALTH OFFICERS

153.(1) The Minister may let for hire the various buildings comprising the Quarantine Station at Athol Island together with all furnishings appertaining thereto for the sum of four dollars for the first day and two dollars for each subsequent day:

Power to let Quarantine Station buildings.
5 of 1987, s. 2.

Provided that the Minister may at any time refuse to let without assigning any reason for such refusal and may at any time and without notice terminate such tenancy which may in no case be for a longer term than seven days.

(2) All applications from persons desirous of so hiring the Station must be in writing and addressed to the Ministry of Health, to whom all payments must be made.

(3) Any article of furniture damaged or destroyed by an occupant of the Station under this rule shall immediately be replaced by him and should any dispute arise as to the extent of the damage or the amount payable by the said occupant the decision of the Minister shall be final.

(4) The quarantine officer shall make an inventory of every article issued for the use of any person occupying the Station under this rule and at the termination of the occupancy of such person he shall immediately check the articles named in this inventory and shall at once report any discrepancy to the Minister.

Duties of the
quarantine
officer.

154. It shall be the duty of the quarantine officer or keeper of the Quarantine Station at Athol Island —

- (a) to at all times maintain the whole of the premises in a clean and sanitary condition;
- (b) to see that all bush and weeds in the vicinity of any of the station buildings are cleared away at least once in every quarter year and that no rubbish, old tins, bottles, broken crockery, or such like things are allowed to accumulate at any time;
- (c) to see that all tanks and cisterns are at all times kept in good order and that the covers and screens thereof and all guttering and spouting are maintained in an effective condition, immediately reporting any defect which may arise to the Minister;
- (d) he shall be directly responsible for all articles, the property of the Government, named in the inventory;
- (e) he shall cause all the station buildings to be thoroughly aired by opening up the doors and windows daily and to be maintained in a thoroughly clean condition and ready for instant occupation at all times;
- (f) he shall carry out all instructions by a health officer in respect of any person detained at the station and shall assist generally in the administration of any Act or Rules relating to quarantine.

Districts to be
maintained in
sanitary
condition.

155. It shall be the duty of every health officer in any Out Island to cause every part of his district to be maintained in a sanitary condition and for this purpose rigidly to enforce all enactments, rules and regulations relating to public health matters.

Infectious
diseases to be
reported.

156. The health officer shall forthwith report on the prescribed form to the Chief Medical Officer at the Ministry of Health Office at Nassau every case of notifiable infectious disease occurring in the district.

PART XII FUMIGATION

157.(1) All applications for fumigation shall be made — Application for fumigation

- (a) in the case of New Providence through the Ministry of Health except in case of emergency, when the application may be made through a health officer;
- (b) in the case of Out Islands in which a district medical officer is stationed, through such officer; and
- (c) in the case of Out islands in which no medical officer is stationed through the commissioner.

(2) Where any premises or vessels have been fumigated the person responsible for the fumigation shall, if requested, give a certificate in a form approved of by the Minister that such premises or vessels have been fumigated. In the event of a certificate being lost a duplicate may be obtained on payment of a fee of one dollar. Certificate of fumigation.

5 of 1987, Sch.

158.(1) No shipment of used mattresses, clothing, shoes, bedding or other such items shall be permitted to enter The Bahamas for sale, charitable purposes or as gifts from relatives or friends or from any source whatsoever unless accompanied by a certificate from the Health Authorities at the point of shipping stating that such items have been disinfected to their satisfaction. Importation of used clothing. etc.
G.N. 77/1957.

(2) On presentation of such certificate by the consignee it shall be lawful for the Comptroller of Customs to release the items concerned.

(3) A health officer shall be entitled to examine any shipment of any of the items listed in paragraph (1) of this rule.

(4) This rule shall not apply to the accompanied or unaccompanied personal effects of a person arriving in or returning to The Bahamas.

PART XIII GENERAL

159. All of the foregoing rules with the exception of such as are expressly stated to apply to New Providence, or any particular place, building or thing, shall apply to the whole of the Bahamas. Application of rules.

Penalty.

160. Every person who shall offend against or fail or neglect to perform or observe any of the provisions or conditions of any of the foregoing rules or shall aid or abet or in any way instigate any person to offend against or to fail or neglect to perform or observe any of such provisions or conditions or shall obstruct or interfere in any manner with the performance or observance of such provisions or conditions shall be guilty of an offence against these Rules and shall be liable on summary conviction to a penalty of thirty dollars for each offence and in the case of a continuing offence to a further penalty of fifteen dollars for every day the offence continues after written notice from the Minister unless other penalty is stipulated therein.

S.I. 36/1974.
G.N. 172/1962.

SCHEDULE (Rule 151)

PART I
SCALE OF CHARGES FOR COLLECTION OF REFUSE

S.I. 7/1976

No. of weekly Collections	Weekly Rate	Monthly Rates	Yearly Rates	No. of weekly Collections	Weekly Rates	Monthly Rates	Yearly Rates	No. of weekly Collections	Weekly Rates	Monthly Rates	Yearly Rates
HOTELS											
LARGE (more than 300 bedrooms)											
2	\$40.00	\$160.00	\$1,920.00	2	\$33.00	\$132.00	\$1,584.00	2	\$11.00	\$44.00	\$528.00
2	48	192	2,204.00	3	3700	148	1,776.00	3	15	60	720
4	59	236	2,832.00	4	40	160	1,920.00	4	19	76	912
5(25)	68	272	3,264.00	5(12)	45	180	2,160.00	5(8)	22	88	1,056.00
6	72	300	3,600.00	6	50	200	2,400.00	6	25	100	1,200.00
MEDIUM (100-299 bedrooms)											
2	\$4.00	\$16.00	\$192.00	2	\$2.62	\$10.48	\$125.76	2	\$1.50	\$6.00	\$72.00
3	6	24	288	3	4	16	192	3	2.5	10	120
4	8.5	34	408	4	5.5	21.2	254.4	4	3.25	14	168
5(12)	9.25	37	444	5(4)	7	28	336	5(2)	4.5	18	216
6	11	44	528	6	10.5	42	504	6	5.25	21	252
RESTAURANTS, and any premises licensed under the Liquor Licences Act (Ch 372)											
LARGE (Seating capacity of more than 50)											
2	\$4.00	\$16.00	\$192.00	2	\$2.62	\$10.48	\$125.76	2	\$1.50	\$6.00	\$72.00
3	6	24	288	3	4	16	192	3	2.5	10	120
4	8.5	34	408	4	5.5	21.2	254.4	4	3.25	14	168
5(12)	9.25	37	444	5(4)	7	28	336	5(2)	4.5	18	216
6	11	44	528	6	10.5	42	504	6	5.25	21	252
SMALL (up to and not exceeding seating capacity of 31)											
2	\$4.00	\$16.00	\$192.00	2	\$2.62	\$10.48	\$125.76	2	\$1.50	\$6.00	\$72.00
3	6	24	288	3	4	16	192	3	2.5	10	120
4	8.5	34	408	4	5.5	21.2	254.4	4	3.25	14	168
5(12)	9.25	37	444	5(4)	7	28	336	5(2)	4.5	18	216
6	11	44	528	6	10.5	42	504	6	5.25	21	252
ALL OTHER BUSINESS PREMISES (Other than those specified)											
LARGE (5,000 sq. ft. and over)											
2	\$10.00	\$40.00	\$480.00	2	\$8.00	\$32.00	\$384.00	2	\$3.25	\$13.00	\$156.00
3	12	48	576	3	10	40	480	3	4.75	19.00	228
4	15.5	62	744	4	12.5	50	600	4	6.5	26	312
5(12)	17.25	69	838	5(6)	14	56	672	5(2)	8	32	384
6	20	80	960	6	18	72	864	6	10	40	480

Numbers in parentheses indicate the maximum volume (cu. yds.) of refuse per collection.

**PART II
CRUISE SHIPS**

\$100 for collection of refuse in respect of the first day in port.

\$50 for collection of refuse in respect of each subsequent day.

**PART III
CARCASSES OF DEAD ANIMALS**

Collection of large animals\$20.00

Collection of small animals.....\$5.00

Rate per cubic yard for each cubic yard in excess of the stipulated maximum per pick-up \$0.50.

HOSPITAL RULES

(SECTION 29)

[Commencement 20th April, 1935]

*G.N. 71/1975
G.N. 150/1938
G.N. 211/1938
G.N. 298/1947
G.N. 141/1953
G.N. 96/1958
S.I. 148/1965
S.I. 86/1984
S.I. 96/1996*

Citation.
Fees to be collected.
S.I. 96/1996.
Schedule.
S.I. 148/1965.

1. These Rules may be cited as the Hospital Rules.

2. (1) The Administrative Secretary shall collect the fees prescribed in the Schedule to these Rules. Possible but not necessary exceptions may be made in the following cases —

- (a) persons on the permanent pauper list;
- (b) persons for whom a course of treatment has been prescribed;
- (c) urgent cases seeking admission to hospital.

S.I. 96/1996.

(2) Notwithstanding paragraph (1), the Administrative Secretary shall not collect any fees in respect of a patient who requires any ante-natal care, care connected with childbirth, post-natal care, or any other medical care associated with pregnancy, if that patient is a public patient.

S.I. 96/1996.

(3) For the purposes of paragraph (2), a “public patient” is a patient who does not engage the services of a private practitioner and who is not admitted to the private wards.