

Ordinance No. 648

AN ORDINANCE to amend and reordain Article I, as amended, Chapter XIX of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, which said chapter relates to Milk, Cream and Ice Cream and said article relates to Milk and Cream.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

1. That Article I, as amended, Chapter XIX of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, be and the same hereby is amended and re-ordained to read as follows:

ARTICLE I. Milk and Cream.

Section 1. *Definitions.*—The following definitions shall apply in the interpretation and the enforcement of this ordinance:

A. MILK.—Milk is hereby defined to be the lacteal secretion practically free from colostrum, obtained by the complete milking of one or more healthy cows, which contains not less than 8½ per cent of milk solids not fat and not less than 3¼ per cent of milk fat.

A-1. GOAT MILK.—Goat milk is the lacteal secretion, practically free from colostrum, obtained by the complete milking of healthy goats, and shall comply with all the requirements of this ordinance. The word "cows" shall be interpreted to include goats.

B. MILK FAT OR BUTTER FAT.—Milk fat or butter fat is the fat of milk.

C. CREAM.—Cream is a portion of milk which contains not less than 18 per cent milk fat.

C-1. SOUR CREAM.—Sour cream is cream the acidity of which is more than 0.20 per cent, expressed as lactic acid.

C-2. LIGHT CREAM, coffee cream, or table cream is cream which contains less than 30 per cent milk fat.

C-3. WHIPPING CREAM is cream which contains not less than 30 per cent milk fat.

C-4. LIGHT WHIPPING CREAM is whipping cream which contains less than 36 per cent milk fat.

C-5. HEAVY CREAM or HEAVY WHIPPING CREAM is cream which contains not less than 36 per cent milk fat.

C-6. HALF AND HALF is a product consisting of a mixture of milk and cream which contains not less than 11.5 per cent of milk fat.

D. SKIMMED MILK.—Skimmed milk is milk from which a sufficient portion of milk fat has been removed to reduce its milk-fat percentage to less than 3¼ per cent.

E. MILK OR SKIMMED-MILK BEVERAGE.—A milk beverage is a food compound or confection consisting of milk or skimmed milk, as the case may be, to which has been added a syrup of flavor consisting of wholesome ingredients.

E-1. RECONSTITUTED MILK OR SKIMMED-MILK BEVERAGE.—A reconstituted milk or skimmed-milk beverage is a milk or skimmed-milk beverage made from a manufactured milk product or

skimmed-milk product, as the case may be, such as dried, evaporated, condensed, or reconstituted milk or skimmed-milk.

F. BUTTERMILK.—Buttermilk is a product resulting from the churning of milk or cream, or from the souring or treatment by lactic acid or other culture of milk or skimmed-milk. It contains not less than 8 per cent of milk solids not fat.

F-1. RECONSTITUTED BUTTERMILK.—Reconstituted buttermilk is a product resulting from the souring or treatment by a lactic acid or other culture of dried, evaporated, condensed, or reconstituted milk or skimmed-milk. It contains not less than 8 per cent of milk solids not fat.

G. VITAMIN D MILK.—Vitamin D milk is milk the vitamin D content of which has been increased by an approved method to at least 400 U.S.P. units per quart.

H. RECONSTITUTED OR RECOMBINED MILK.—Reconstituted or recombined milk is a product resulting from the recombining of milk constituents with water, and which complies with the standards for milk fat and solids not fat of milk as defined herein.

H-1. RECONSTITUTED OR RECOMBINED CREAM.—Reconstituted or recombined cream is a product resulting from the combination of dried cream, butter, or butter fat with cream, milk, skimmed-milk or water.

J. HOMOGENIZED MILK.—Homogenized milk is milk which has been treated in such manner as to insure break-up of the fat globules to such an extent that after 48 hours quiescent storage no visible cream separation occurs on the milk and the fat percentage of the top 100 ml. of milk in a quart bottle, or of proportionate volumes in containers of other sizes, does not differ by more than 10 per cent of itself from the fat percentage of the remaining milk as determined after thorough mixing.

K. MILK PRODUCTS.—Milk products shall be taken to mean and include cream, homogenized milk, goat milk, vitamin D milk, buttermilk, skimmed-milk, reconstituted or recombined milk and cream, milk beverages, skimmed-milk or any of these products and used for similar purposes and designated as a milk product by the health officer.

L. PASTEURIZATION.—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 at least 143° F., and holding continuously at such temperature for at least 30 minutes, or to at least 161° F., and holding at such temperature continuously for at least 15 seconds, in approved and properly operated equipment: *Provided*. That nothing contained in this definition shall be construed as disbaring any other process which has been demonstrated to be equally efficient and is approved by the Health Officer.

M. ADULTERATED AND MISBRANDED MILK AND MILK PRODUCTS.—Any milk to which water has been added, or any milk or milk product which contains any unwholesome substance, or which as defined in this ordinance does not conform with its definition, shall be deemed adulterated. Any milk or milk product which carries a grade label unless such grade label has been awarded by the health officer and not revoked, or which fails to conform in any other respect with the statements on the label, shall be deemed to be misbranded.

N. MILK PRODUCER.—A milk producer is 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 offered for sale

O. MILK DISTRIBUTOR.—A milk distributor is any person who offers for sale or sells to another any milk or milk products for human consumption as such.

P. DAIRY OR DAIRY FARM.—A dairy or dairy farm is 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 offered for sale.

Q. MILK PLANT.—A milk plant is any place or premises or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution, except an establishment where milk or milk products are sold at retail only.

R. HEALTH OFFICER.—The term "health officer" shall mean the health authority of the City of Alexandria or his authorized representative.

S. AVERAGE BACTERIAL PLATE COUNT, DIRECT MICROSCOPIC COUNT, REDUCTION TIME, COOLING TEMPERATURE, AND COLIFORM COUNT.—Average bacterial plate count, average direct microscopic count and average coliform count shall be taken to mean the logarithmic average, and average reduction time and average cooling temperature shall be taken to mean the arithmetic average of the respective results of the last four consecutive samples, taken upon separate days, irrespective of the date of grading, or regrading.

T. PERSON.—The word "person" shall mean any individual, partnership, corporation, company, trustee, or association.

U. AND/OR.—Where the term "and/or" is used "and" shall apply where possible, otherwise "or" shall reply.

Section 2. THE SALE OF ADULTERATED, MISBRANDED, OR UNGRADED MILK OR MILK PRODUCTS PROHIBITED.—No person within the City of Alexandria shall produce, sell, offer or expose for sale, or have in his possession with intent to sell, any milk or milk product which is adulterated, misbranded, or ungraded. It shall be unlawful for any person, elsewhere than in a private home, to have in his possession any adulterated, misbranded, or ungraded milk or milk product; Provided, that in an emergency the sale of ungraded milk or milk products, may be authorized by the health officer, upon the approval of the State authority, in which case they shall be labeled "ungraded."

Adulterated, misbranded, and/or improperly labeled ungraded milk or milk products may be impounded by the health officer and disposed of in accordance with State Law.

Section 3. PERMITS.—It shall be unlawful for any person to bring into, send into, or receive into the City of Alexandria for sale, or to sell, or offer for sale therein, or to have in storage where milk or milk products are sold or served, any milk or milk products defined in this ordinance, who does not possess a permit from the health officer of the municipality of Alexandria

Every milk producer, milk distributor, and operator of a milk plant shall secure a permit. Only a person who complies with the requirements of this ordinance shall be entitled to receive and retain such a permit. Permits shall not be transferable with respect to persons and/or locations.

Such a permit may be temporarily suspended by the health officer

upon violation by the holder of any of the terms of this ordinance, or for interference with the health officer in the performance of his duties, or revoked following serious or repeated violation, after an opportunity for a hearing by the health officer and an additional person designated by the local governing body.

Section 4. LABELING.—All bottles, cans, packages, and other containers enclosing milk or any dairy product defined in Section 1 of this ordinance shall be plainly labeled or marked with (1) the name of the contents as given in the definitions in this ordinance; (2) the grade of the contents, in the case of milk and all milk products listed in Section 1 (K); the word "pasteurized" only if the contents have been pasteurized; (3) the phrase "for pasteurization" if the contents are to be pasteurized; (4) the identity of the plant at which the contents were pasteurized if the contents are pasteurized; (5) the word, "reconstituted" or "recombined" if the contents are reconstituted or recombined; and (6) in the case of Vitamin D milk the designation "Vitamin D Milk," the source of the Vitamin D, and the number of units per quart: *Provided*, That only the identity of the producer shall be required on cans delivered to a milk plant which receives only raw milk for pasteurization of one grade only and which immediately dumps, washes, and returns the cans to the producer.

The label or mark shall be in letters of a size, kind and color approved by the health officer and shall contain no marks or words which are misleading.

Section 5. INSPECTION OF DAIRY FARMS AND MILK PLANTS.—Prior to the issuance of a permit and at least once every six months thereafter, the health officer shall inspect all dairy farms and all milk plants whose milk or milk products are intended for consumption within the City of Alexandria. In case the health officer discovers the violation of any requirement he shall make a second inspection after a lapse of such time as he deems necessary for the defect to be remedied, but not before the lapse of three days, and the second inspection shall be used in determining compliance with the grade requirements of this ordinance. Any violation of the same requirement of this ordinance on such reinspection shall call for immediate degrading suspension of permit and/or court action.

One copy of the inspection report shall be posted by the health officer in a conspicuous place upon an inside wall of one of the dairy farm or milk plant buildings, and said inspection report shall not be defaced or removed by any person except the health officer. Another copy of the inspection report shall be filed with the records of the health department.

Every milk producer and distributor shall, upon the request of the health officer, permit him access to all parts of the establishment, and every distributor shall furnish the health officer, upon his request, for official use only, a true statement of the actual quantities of milk and milk products of each grade purchased and sold, together with a list of all sources, records of inspections and tests, and recording thermometer charts.

Section 6. THE EXAMINATION OF MILK AND MILK PRODUCTS.—During each six months period at least four samples of milk and cream from each dairy farm and each milk plant shall be taken on separate days and examined by the health officer; *Provided*: That in the case of raw milk for pasteurization the health officer may accept the results of non-official laboratories which have been officially checked periodically and found satisfactory. Samples of other milk

products may be taken and examined by the health officer as often as he deems necessary. Samples may be taken by the health officer at any time prior to the final delivery of the milk or milk products. Samples of milk and milk products from stores, cafes, soda fountains, restaurants, and other places where milk or milk products are sold shall be examined as often as the health officer may require. All proprietors of such places shall furnish the health officer, upon his request, with the names of all distributors from whom their milk and milk products are obtained. Bacterial plate counts, direct microscopic counts, reduction tests, coliform determinations, phosphatase tests, and other laboratory tests shall conform to the procedures in the current edition of "Standard Methods for the Examination of Dairy Products" recommended by the American Public Health Association. Examinations may include such other chemical and physical determinations as the health officer may deem necessary for the detection of adulteration. Bioassays of the Vitamin D content of vitamin D milk shall be made when required by the health officer in a laboratory approved by him for such examinations.

Whenever the average bacterial count, the average reduction time, the average cooling temperature, or the average coliform count falls beyond the limit for the grade then held, the health officer shall send written notice thereof to the person concerned and shall take an additional sample, but not before the lapse of three days, for determining a new average in accordance with Section 1 (S). Violation of the grade requirements by the new average or by any subsequent average during the remainder of the current six months period shall call for immediate degrading, suspension of the permit and/or court action, unless the last individual result is within the grade limit.

In case of violation of the phosphatase test requirement, the cause of under-pasteurization shall be determined and removed before milk or milk products from this plant can again be sold as pasteurized milk or milk products.

Section 7. THE GRADING OF MILK AND MILK PRODUCTS. At least once every six months the health officer shall announce the grades of all milk and milk products delivered by all distributors and ultimately consumed within the municipality of Alexandria.

Grades shall be based on the following standards, the grading of milk products being identical with the grading of milk, except that the bacterial count standards shall be doubled in the case of cream and omitted in the case of sour cream and buttermilk. Vitamin D milk shall be only of Grade A pasteurized or certified pasteurized. The grade of milk product shall be that of the lowest grade milk or milk products used in its preparation.

CERTIFIED MILK—Raw—Certified milk—raw is raw milk which conforms with the requirements of the American Association of Medical Milk Commissions in force at the time of production, and is produced under the supervision of a medical milk commission reporting monthly to the health officer of the City of Alexandria.

GRADE A RAW MILK FOR PASTEURIZATION.—Raw milk produced upon dairy farms conforming with all of the following items of sanitation, and such portions of other items as are indicated therein, and the bacterial plate count or the direct microscopic clump of which, as delivered from the farm does not exceed 50,000 per milliliter, or the methylene blue reduction time of which is not less than $5\frac{1}{2}$ hours, as determined in accordance with section 6.

Item 1r. COWS, HEALTH.—A tuberculin test of all herds and

addition thereto shall be made before any milk therefrom is sold, and at least once every twelve months thereafter by a licensed veterinarian approved by the State livestock sanitary authority. Said tests shall be made and any reactors disposed of in accordance with the requirements approved by the United States Department of Agriculture, Bureau of Animal Industry, for accredited herds. A certificate identifying each animal, signed by the veterinarian or attested to by the health officer and filed as directed by the health officer shall be evidence of the above test.

Cows which show a complete induration of one quarter or extensive induration in one or more quarters of the udder upon physical examination, whether secreting abnormal milk or not, shall be permanently excluded from the milking herd: Provided, That this shall not apply in the case of a quarter that is completely dry. Cows giving bloody, stringy, or otherwise abnormal milk, but without entire or extensive induration of the udder, shall be excluded from the herd until re-examination shows that the milk has become normal.

For other diseases such tests and examinations as the health officer may require shall be made at intervals and by methods prescribed by him, and any diseased animals or reactors shall be disposed of as he may require.

Item 2r. DAIRY BARN, LIGHTING.—A milking barn, or parlor, shall be required, and in such sections thereof where cows are milked light openings shall be provided and so arranged as to insure adequate light properly distributed, and when necessary shall be provided with adequate supplementary light.

Item 3r. MILKING BARN, AIR SPACE AND VENTILATION.—Such sections of the milking barn or parlor where cows are kept or milked shall be well ventilated and shall be so arranged as to avoid overcrowding.

Item 4r. MILKING BARN, FLOORS, ANIMALS.—The floors and gutters of that portion of the barn in which cows are milked shall be constructed of concrete or other approved impervious and easily cleaned material. Floors and gutters shall be graded to drain properly and shall be provided with approved gutter drains and kept clean and in good repair. No horses, calves, swine or fowl, etc., shall be permitted in the milking barn or parlor.

Item 5r. MILKING BARN, WALLS AND CEILINGS.—The interior walls and the ceilings of the milking barn shall be smooth, shall be painted as often as may be necessary, or finished in an approved manner, and shall be kept clean and in good repair. In case there is a second story above the milking barn, the ceiling shall be tight and smooth. If feed is ground or mixed, or sweet feed is stored in a feed room or feed storage space adjoining the milking space, it shall be separated therefrom by a dust-tight partition and door. No feed shall be stored in the milking portion of the barn. In new construction, the joists or rafters that form the ceiling, of all barns, and the studding in the walls of frame buildings shall be covered with a smooth surface material (i.e.: asbestos board, T&G wood boards, gypsum board, plaster, metal), that can be easily washed or painted. Masonry and concrete walls shall be reasonably smooth to facilitate cleaning and painting. All milking barns or parlors constructed after January 1, 1950 shall be constructed according to approved plans.

Item 6r. COW YARD.—The cow yard shall be graded and drained as well as practicable and so kept that there are no standing pools of water nor accumulations of organic wastes. Swine shall be kept out and not permitted nearer than 100 feet of barn or milk house. Entrance

lanes and/or cow holding pens adjacent to the milking barn or parlor and milk house, and not under cover and properly bedded, shall be paved with concrete or other impervious material, unless other satisfactory means are used to prevent development of muddy conditions. Cows shall not be permitted in area adjacent to the milking barn or milk house except on entrance lane, (i.e. holding pen for milking barn or parlor only.)

Item 7r. MANURE DISPOSAL.—All manure shall be removed to a distance of 50 feet and stored or disposed of in such manner as best to prevent the breeding of flies therein and the access of cows to piles thereof: Provided, That in loafing or pen type barn manure droppings shall be removed or clean bedding added at sufficiently frequent intervals to prevent the accumulation of manure on cows udders and flanks and the breeding of flies.

Item 8r. MILK HOUSE OR ROOM, CONSTRUCTION AND EQUIPMENT.—(a) There shall be provided a milk house or milk room in which the cooling, handling and storing of milk and milk products and the washing, bactericidal treatment, and storing of milk containers and utensils shall be done. The milk house or room shall be provided with a tight floor constructed of concrete or other impervious material, in good repair, and graded to provide proper drainage, to a trapped drain. (b) It shall have the walls and ceilings of such construction as to permit easy cleaning, and shall be well painted or finished in an approved manner. (c) It shall be well lighted and ventilated, ceiling ventilators shall be provided. (d) It shall have all openings effectively screened, including outward-openings, self-closing doors, unless other effective means are provided to prevent the entrance of flies. (e) It shall be used for no purposes other than those specified above; shall not open directly into a stable or into any room used for domestic purposes; shall have water piped into it; shall be provided with adequate facilities for the heating of water for the cleaning of utensils; shall be equipped with two-compartment stationary wash and rinse vats. All milk houses constructed after January 1, 1950 shall be constructed according to approved plans.

Item 9r. MILK HOUSE OR ROOM, CLEANLINESS AND FLIES.—The floors, windows, walls, ceilings, and equipment of the milk house or room shall be kept clean at all times. All means necessary for the elimination of flies shall be used. A placard containing Section 13 shall be posted in the milk house.

Item 10r. TOILET.—Every dairy farm shall be provided with one or more sanitary toilets conveniently located and properly constructed, operated, and maintained so that the waste is inaccessible to flies and does not pollute the surface soil or contaminate any water supply.

Item 11r. WATER SUPPLY.—Water for all dairy purposes shall be from a supply properly located, protected, and operated, and shall be easily accessible, adequate, and of a safe sanitary quality.

Item 12r. UTENSILS, CONSTRUCTION.—All multi-use containers, equipment, or other utensils used in the handling, storage, or transportation of milk or milk products shall be made of smooth, non-absorbent material and of such construction as to be easily cleaned, and shall be in good repair. Joints and seams shall be welded or soldered flush. Woven wire cloth shall not be used for straining milk. If milk is strained, filter pads shall be used and shall not be re-used. All milk pails shall be of the seamless hooded type.

Item 13r. UTENSILS, CLEANING.—All multi-use containers, equipment, and other utensils used in the handling, storage, or trans-

portation of milk and milk products shall be thoroughly cleaned after each usage.

Item 14r. **UTENSILS, BACTERICIDAL TREATMENT.**—All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk or milk products shall, before each usage, be effectively subjected to an approved bactericidal process with steam, hot water, chemicals, or hot air.

Item 15r. **UTENSILS, STORAGE.**—All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall, unless stored in bactericidal solutions, be so stored as to drain and dry and so as not to become contaminated before being used.

Item 16r. **UTENSILS, HANDLING.**—After bactericidal treatment, containers and other milk and milk products utensils shall be handled in such a manner as to prevent contamination of any surface with which milk or milk products come in contact.

Item 17r. **MILK, UDDERS and TEATS, ABNORMAL MILK.**—Milking shall be done in the milking barn, or parlor. The udders and teats of all milking cows shall be clean and wiped with an approved bactericidal solution at the time of milking. Abnormal milk shall be kept out of the milk supply and shall be so handled and disposed of as to preclude the infection of the cows and the contamination of milk utensils.

Item 18r. **MILKING, FLANKS.**—The flanks, bellies and tails of all milking cows shall be free from visible dirt at the time of milking and the hind legs, flanks and udders shall be clipped so that the hair is kept short at all times. All brushing shall be completed before milking commences.

Item 19r. **MILKERS' HANDS.**—Milkers' hands shall be washed clean, rinsed with an effective bactericidal solution, and dried with a clean towel immediately before milking and following any interruption in the milking operation. Wet-hand milking is prohibited. Convenient facilities shall be provided for the washing of milkers' hands.

Item 20r. **CLEAN CLOTHING.**—Milkers and milk handlers shall wear clean outer garments while milking or handling milk, milk products, containers, utensils, or equipment.

Item 21r. **MILK STOOLS.**—Milk stools shall be of metal and kept clean.

Item 22r. **REMOVAL OF MILK.**—Each pail or can of milk shall be removed immediately to the milk house or straining room. No milk shall be poured in the barn unless it is protected from flies and other contamination.

Item 23r. **COOLING.**—Milk for pasteurization shall be cooled immediately after completion of milking to 50° F., or less, and maintained at that temperature until delivered and dumped; and milk which does not comply with this requirement shall be subject to rejection.

Item 24r. **VEHICLES AND SURROUNDINGS.**—All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun, from freezing and from contamination. All vehicles used for the distribution of milk and milk products shall have the distributor's name prominently displayed.

The immediate surroundings of the dairy shall be kept clean and free of health nuisances.

CERTIFIED MILK-PASTEURIZED.—Certified milk-pasteurized is certified milk-raw which has been pasteurized, cooled, and bottled in a milk plant conforming with the requirements for Grade A pasteurized milk.

GRADE A PASTEURIZED MILK.—Grade A pasteurized milk is grade A raw milk for pasteurization which has been pasteurized, cooled, and placed in the final container in a milk plant conforming with all of the following items of sanitation, which in all cases shows efficient pasteurization as evidenced by satisfactory phosphatase tests, and which at no time after pasteurization and until delivery has a bacterial plate count exceeding 25,000 per milliliter or a coliform count exceeding 10 per milliliter as determined in accordance with Section 6; Provided, That the raw milk, at no time between dumping and pasteurization, has a bacterial plate count or direct microscopic clump count exceeding 50,000 per ml., or a methylene blue reduction time of less than 5½ hours, as determined in accordance with Section 6; Provided further, That the bacterial plate count of the raw cream does not exceed 100,000 per ml. at the place of separation nor 100,000 per ml. at any time prior to pasteurization. The grading of a pasteurized milk supply shall include the inspection of receiving and collecting stations with respect to compliance with items 1p to 15p, inclusive, and 17p, 19p, 21p, 22p, and 23p, except that the partitioning requirement of item 5p shall not apply.

Item 1p. FLOORS.—The floors of all rooms in which milk or milk products are handled or stored or in which milk utensils are washed shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained, provided with trapped drains, and kept clean and in good repair.

Item 2p. WALLS AND CEILINGS.—Walls and ceilings of rooms in which milk or milk products are handled or stored, or in which milk utensils are washed, shall have a smooth, washable, light-colored surface, and shall be kept clean and in good repair.

Item 3p. DOORS AND WINDOWS.—Unless other effective means are provided to prevent the access of flies, all openings to the outer air shall be effectively screened and all doors shall be self-closing.

Item 4p. LIGHTING AND VENTILATION.—All rooms shall be well lighted and well ventilated.

Item 5p. MISCELLANEOUS PROTECTION FROM CONTAMINATION.—The various milk plant operations shall be so located and conducted as to prevent any contamination of the milk or of cleaned equipment. All means necessary for the elimination of flies, other insects, and rodents, shall be used. There shall be separate rooms for (a) the pasteurizing, processing, cooling and bottling operations, and (b) the washing and bactericidal treatment of containers. Cans of raw milk shall not be unloaded directly into the pasteurizing room. Rooms in which milk, milk products, cleaned utensils, or containers are handled or stored shall not open directly into any barn or living quarters. The pasteurizing plant, milk containers, utensils, and equipment shall be used for no purposes other than the processing of milk and milk products and the operations incident thereto, except as may be approved by the health officer.

Item 6p. TOILET FACILITIES.—Every milk plant shall be provided with toilet facilities conforming with the ordinance of the City

of Alexandria. Toilet rooms shall not open directly into any room in which milk, milk products, equipment, or containers are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. A placard containing Section 13 and a sign directing employees to wash their hands before returning to work shall be posted in all toilet rooms used by employees. In case privies or earth closets are permitted and used, they shall be separate from the building and shall be of a sanitary type constructed and operated in conformity with the requirements of Item 10r.

Item 7p. **WATER SUPPLY.**—The water supply shall be easily accessible, adequate, and of a safe sanitary quality.

Item 8p. **HAND-WASHING FACILITIES.**—Convenient hand-washing facilities shall be provided, including hot and cold running water, soap and approved sanitary towels. Hand-washing facilities shall be kept clean. The use of a common towel is prohibited. No employæ shall resume work after using the toilet room without first washing his hands.

Item 9p. **SANITARY PIPING.**—All piping used to conduct milk or milk products shall be "sanitary milk piping" of a type which can be easily cleaned with a brush. Pasteurized milk and milk products shall be conducted from one piece of equipment to another only through sanitary milk piping.

Item 10p. **CONSTRUCTION AND REPAIR OF CONTAINERS AND EQUIPMENT.**—All multi-use containers and equipment with which milk or milk products come in contact shall be so constructed and located as to be easily cleaned and shall be kept in good repair. All single-service containers, closures, and gaskets used shall have been manufactured, packaged, transported and handled in a sanitary manner.

Item 11p. **PLUMBING AND DISPOSAL OF WASTES.**—All wastes shall be properly disposed of, and all plumbing and equipment shall be so designed and installed as to prevent contamination of the water supply and of milk equipment by backflow.

Item 12p. **CLEANING AND BACTERICIDAL TREATMENT OF CONTAINERS AND EQUIPMENT.**—All milk and milk products containers and equipment, except single-service containers, shall be thoroughly cleaned after each usage. All containers shall be effectively subjected to an approved bactericidal process after each cleaning and all equipment immediately before each usage. When empty, and before being returned to a producer by a milk plant, each container shall be thoroughly cleaned and effectively subjected to an approved bactericidal process.

Item 13p. **STORAGE OF CONTAINERS AND EQUIPMENT.**—After bactericidal treatment, all bottles, cans, and other multi-use milk or milk products containers and equipment shall be stored in such manner as to be protected from contamination.

Item 14p. **HANDLING OF CONTAINERS AND EQUIPMENT.**—Between bactericidal treatment and usage and during usage, containers and equipment shall not be handled or operated in such manner as to permit contamination of the milk. Pasteurized milk or milk products shall not be permitted to come in contact with equipment with which unpasteurized milk or milk products have been in contact, unless the equipment has first been thoroughly cleaned and effectively subjected to an approved bactericidal process. No milk or milk products shall be permitted to come in contact with equipment with which a

lower grade of milk or milk products has been in contact, unless the equipment has been thoroughly cleaned and effectively subjected to an approved bactericidal process.

Item 15p. STORAGE OF CAPS, PARCHMENT PAPER, AND SINGLE-SERVICE CONTAINERS.—Milk bottle caps or cap stock, parchment paper for milk cans, and single-service containers and gaskets shall be purchased and stored only in sanitary tubes, wrappings, and cartons, shall be kept therein in a clean, dry place until used, and shall be handled in a sanitary manner.

Item 16p. PASTEURIZATION.—Pasteurization shall be performed as described in Section 1 (L) of this ordinance.

Item 17p. COOLING.—All milk and milk products received for pasteurization shall immediately be cooled in approved equipment to 50° F., or less, and maintained at that temperature until pasteurized, unless they are to be pasteurized within two hours after receipt and all pasteurized milk and milk products except those to be cultured shall be immediately cooled in approved equipment to a temperature of 50° F., or less, and maintained thereat until delivery, as determined in accordance with Section 6.

Item 18p. BOTTLING.—Bottling of milk and milk products shall be done at the place of pasteurization by approved mechanical equipment.

Item 19p. OVERFLOW MILK.—Overflow milk or milk products shall not be sold for human consumption.

Item 20p. CAPPING.—Capping of milk and milk products shall be done in a sanitary manner by approved mechanical equipment. Hand capping is prohibited. The cap or cover shall protect the pouring lip to at least its largest diameter.

Item 21p. PERSONNEL, HEALTH.—The health officer or a physician authorized by him shall examine and take a careful morbid-history of every person connected with a pasteurization plant, or about to be employed, whose work brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable disease likely to be transmitted through milk, he shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by him or by State health authorities for such examinations, and if the results justify such persons shall be barred from such employment.

Such persons shall furnish such information, submit to such physical examinations, and submit such laboratory specimens as the health officer may require for the purpose of determining freedom from infection.

Item 22p. PERSONNEL, CLEANLINESS.—All persons coming in contact with milk, milk products, containers, or equipment shall wear clean outer garments and shall keep their hands clean at all times while thus engaged.

Item 23p. VEHICLES.—All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun, from freezing and from contamination. All vehicles used for the distribution of milk or milk products shall have the name of the distributor prominently displayed.

Milk tank cars and tank trucks shall comply with construction, cleaning, bactericidal treatment, storage and handling requirements of items 9p, 10p, 12p, 13p, and 14p. While containing milk or cream they shall be sealed and labeled in an approved manner. For each tank shipment a bill of lading containing all necessary information shall be prepared in triplicate and shall be kept on file by the shipper, the consignee, and the carrier for a period of six months for the information of the health officer.

GRADE B PASTEURIZED MILK.—Grade B pasteurized milk is pasteurized milk which violates the bacterial or the coliform standard for Grade A pasteurized milk and/or the provision of lip-cover caps of item 20p, but which conforms with all other requirements for Grade A pasteurized milk, has been made from raw milk for pasteurization of not less than Grade A quality except bacterial standards, and has a bacterial plate count after pasteurization and before delivery not exceeding 50,000 per milliliter as determined in accordance with Section 6; Provided, That the raw milk, at no time between dumping and pasteurization, has a bacterial plate count or a direct microscopic clump count exceeding 200,000 per ml. or a methylene blue reduction time of less than 5½ hours, or a resazurin reduction time of less than two hours, as determined in accordance with Section 6; Provided further, That the bacterial plate count of the raw cream does not exceed 400,000 per ml. at the place of separation nor 400,000 per milliliter at any time prior to pasteurization.

GRADE C PASTEURIZED MILK.—Grade C pasteurized milk is pasteurized milk which violates any of the requirements of Grade B pasteurized milk.

SECTION 8. GRADES OF MILK AND MILK PRODUCTS WHICH MAY BE SOLD.—No milk or milk products shall be sold to the final consumer or to restaurants, soda foundations, grocery stores, or similar establishments except certified milk pasteurized and Grade A pasteurized milk. Provided, That when any milk distributor fails to qualify for one of the above grades the health officer is authorized to suspend his permit and/or institute court action, or in lieu thereof to degrade his product and permit its sale during a temporary period not exceeding 30 days or in emergencies such longer periods as he may deem necessary.

SECTION 9. REINSTATEMENT OF PERMIT—SUPPLEMENTARY REGRADING.—If, at any time between the regular announcements of the grades of milk or milk products, a lower grade shall become justified, in accordance with Sections 5, 6, and 7 of this ordinance, the health officer shall immediately lower the grade of such milk or milk products, and shall enforce proper labeling thereof.

Any producer or distributor of milk or milk products, the grade of which has been lowered by the health officer, and who is properly labeling his milk and milk products, or whose permit has been suspended, may at any time make application for the regrading of his products or the reinstatement of his permit.

Upon receipt of a satisfactory application for regrading or reinstatement of permit based on correction of a violation of any bacteriological or cooling temperature standard, the health officer shall take further samples at the rate of not more than two per week, and shall approve the application upon compliance with the grade requirements as determined in accordance with Section 6; *Provided*, That if samples are not available because of suspension of permit to operate, or for other reasons, the health officer may issue a temporary permit upon satisfying himself by inspection of the facilities and the operating methods that the conditions responsible for the violation have been

corrected, with final reinstatement of permit conditional upon subsequent bacteriological or temperature findings.

In case the lowered grade of the applicants product or the permit suspension was due to a violation of an item other than bacteriological standards or cooling temperature, the said application must be accompanied by a statement signed by the applicant to the effect that the violated item of the specifications has been conformed with. Within 1 week of the receipt of such an application and statement, the health officer shall make a reinspection of the applicants establishment and thereafter as many additional reinspections as he may deem necessary to assure himself that the applicant is again complying with the higher-grade requirements, and in case the findings justify, shall regrade the milk or milk products upward or reinstate the permit.

SECTION 10. TRANSFERRING OR DIPPING MILK; DELIVERY CONTAINERS; COOLING; QUARANTINED RESIDENCES.—Except as permitted in this section, no milk producer or distributor shall transfer milk or milk products from one container to another on the street, or in any vehicle, or store, or in any place except a bottling or milk room especially used for that purpose. The sale of dip milk is hereby prohibited.

Milk and milk products sold in the distributor's containers in quantities less than one gallon shall be delivered in standard milk bottles or in approved single-service containers. It shall be unlawful for hotels, soda fountains, restaurants, grocers hospitals, and similar establishments to sell or serve any milk or milk product except in the individual original container in which it was received from the distributor or from a bulk container equipped with an approved dispensing device. Whole milk dispensed from bulk dispensers must be homogenized milk. *Provided*, That this requirement shall not apply to cream consumed on the premises which may be served from the original bottler or from a dispenser approved for such service, or to milk served at hospitals and institutions which may be served from quart containers packaged at a milk plant, or to mixed milk drinks requiring less than $\frac{1}{2}$ pint of milk which may be poured from quart containers packaged at a milk plant.

It shall be unlawful for any hotel, soda fountain, restaurant, grocery, hospital or similar establishment to sell or serve any milk or milk product which has not been maintained, while in its possession, at a temperature of 50° F., or less. If milk or milk products in non-leakproof containers are stored in water for cooling, the pouring lip of the containers shall not be submerged.

It shall be the duty of all persons to whom milk or milk products are delivered to clean thoroughly the containers in which such milk or milk products are delivered before returning such containers.

The delivery of milk or milk products to and the collection of milk or milk products from residences in which cases of communicable disease transmissible through milk supplies exists shall be subject to the special requirements of the health officer.

Homogenized milk or homogenized cream shall not be mixed with milk or cream which has not been homogenized, unless the product is labeled homogenized.

SECTION 11. MILK AND MILK PRODUCTS FROM POINTS BEYOND THE LIMITS OF ROUTINE INSPECTION.—Milk and milk products from points beyond the limits of routine inspection of the municipality of Alexandria may not be sold in the municipality of Alexandria, unless produced and/or pasteurized under provisions which are substantially equivalent to the requirements of this ordinance and which are enforced with equal effectiveness as determined by a milk sanitation rating. Such ratings are to be made as prescribed

in reprint Number 1970 U. S. Public Health Service bulletin.

SECTION 12. FUTURE DAIRIES AND MILK PLANTS.—All dairies and milk plants from which milk or milk products are supplied to the municipality of Alexandria which are hereafter constructed, reconstructed, or extensively altered shall conform in their construction to the Grade A requirements of this ordinance. Properly prepared plans for all dairies and milk plants which are hereafter constructed, reconstructed, or extensively altered shall be submitted to the health officer for approval before work is begun. In the case of milk plants, signed approval shall be obtained from the health officer.

SECTION 13. NOTIFICATION OF DISEASE.—No person who is affected with any disease in a communicable form or is a carrier of such disease shall work at any dairy farm or milk plant in any capacity which brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment; and no dairy farm or milk plant shall employ in any such capacity any such person or any person suspected of being affected with any disease in a communicable form or of being a carrier of such disease. Any producer or distributor of milk or milk products upon whose dairy farm or in whose milk plant any communicable disease occurs, or who suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease, shall notify the health officer immediately.

SECTION 14. PROCEDURE WHEN INFECTION SUSPECTED.—When suspicion arises as to the possibility of transmission of infection from any person concerned with the handling of milk or milk products, the health officer is authorized to require any or all of the following measures: (1) The immediate exclusion of that person from milk handling, (2) the immediate exclusion of the milk supply concerned from distribution and use, (3) adequate medical and bacteriological examination of the person, of his associates, and of his and their body discharges.

SECTION 15. ENFORCEMENT INTERPRETATION.—This ordinance shall be enforced by the health officer in accordance with the interpretations thereof contained in the current edition of the United States Public Health Service Milk Code, a certified copy of which shall be on file in the clerk's office.

SECTION 16. PENALTY.—Any person who shall violate any provisions of this article shall be fined not less than \$10.00 nor more than \$300.00, or by imprisonment for not more than thirty (30) days, or both such fine and imprisonment. Each and every violation and each and every day's continuance thereof shall constitute a separate offense.

SECTION 17. REPEAL AND DATE OF EFFECT.—All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed; and this ordinance shall be in full force and effect immediately upon its adoption, and its publication, as provided by law.

SECTION 18. INVALIDITY CLAUSE.—Should any section, paragraph, sentence, clause, phrase, part of provision of this ordinance be declared unconstitutional or otherwise invalid for any reason, the remainder of this ordinance shall not be affected thereby.

2. That this ordinance shall be published in the Alexandria Gazette not later than two days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second hearing and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

Franklin P. Backus
Mayor

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Final Passage: July 11, 1950.