

No. 601

AN ACT

To amend section 3 of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (Pamphlet Laws 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalties," by permitting, regulating and requiring a license for the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Public health.

Section 1. Section 3 of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (Pamphlet Laws 83), entitled "An act for the protection of the public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalties," is hereby amended to read as follows:

Section 3, act of March 26, 1925, P. L. 83, amended.

Section 3. (a) Nothing contained in this act shall be construed to prevent or prohibit the owner or lessee of any hotel, restaurant, lunch room, fountain, or dining car, or other person from purchasing milk in bulk for uses other than for serving patrons with milk for drinking purposes, nor to prevent the sale and serving of cream, skimmed milk, or buttermilk from bulk if the same is pure and wholesome and is sold and served as cream, skimmed milk, or buttermilk, nor shall it prevent or prohibit the sale of mixed drinks at soda fountains.

Purchasing milk in bulk.

Sale and serving of cream, skimmed milk, or buttermilk from bulk.

Sale of mixed drinks at soda fountains.

(b) *Nothing in this act shall prevent or prohibit the purchase or sale of milk in bulk, to be sold for drinking purposes from automatic milk dispensing machines which meet the following design and operation requirements:*

Purchase and sale of milk in bulk for use in certain automatic milk dispensing machines permitted.

(1) *All parts of such dispensing machines with which milk or milk products come in contact shall be constructed in such manner as to be easily cleaned, and shall be kept in good repair. The manufacture, packing, transportation and handling of bulk milk containers shall be conducted in a sanitary manner.*

Design and operation of automatic milk dispensing machines.

(2) *No surfaces with which milk or milk products come in contact shall, while in use, be accessible to manual contact.*

(3) All parts of the dispensing device with which milk comes in contact shall be cleaned and sterilized at the milk plant.

(4) The dispensing device shall be filled and sealed with two seals at the milk plant, in such manner as to make it impossible to withdraw any part of its contents without breaking one seal and impossible to introduce any substance without breaking the other.

(5) Sweet milk for drinking purposes served from such dispensing machines must be milk which has been homogenized.

(6) All such dispensing machines must be conspicuously labeled in a large print easily readable to the public, to indicate the type milk or milk product being served from the dispenser.

(7) All such dispensing machines must be operated in the same room where milk is served to the public.

(8) Milk served from these dispensers must be served in a glass or container no smaller than eight ounces.

License required.

Application for license.

License fee.

Display of license.

Suspension or revocation of license.

(9) No person shall be permitted to purchase or sell milk in bulk to be sold for drinking purposes from automatic milk dispensing machines unless he has first obtained a license from the Department of Agriculture. Such licenses can be obtained upon application to the Department of Agriculture and payment of a license fee payable at the rate of five dollars (\$5.00) for each dispensing machine covered by such license. A copy of said license shall be attached at all times to each dispensing machine covered thereby.

(c) In addition to the penalties provided for in section two of this act, the Department of Agriculture shall have the right to suspend or revoke the license provided for herein of any person who has violated any or all of the provisions of subsection (b) of this section.

APPROVED—The 18th day of January, A. D. 1952.

JOHN S. FINE