

No. 171

AN ACT

HB 1409

Amending the act of May 22, 1933 (P.L.912, No.168), entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," requiring certain physical examinations and prohibiting certain persons from working in a bakery.

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

Section 1. The definition of "bakery" in section 1, act of May 22, 1933 (P.L.912, No.168), entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," amended August 18, 1961 (P.L.1008, No.451), is amended to read:

Section 1. Be it enacted, &c., That—Definitions.—The following words and terms, as used in this act, shall be construed as follows:

"Bakery" means and includes all buildings, and parts of buildings, cellars and basements, or vehicles, used for the manufacture of bakery products intended for sale, where more than [fifty] *one hundred* pounds of flour, flour substitute, flour mixture or potatoes are used each week in the preparation of such products.

* * *

Section 2. Section 2 of the act is amended to read:

Section 2. Cleanliness and Sanitation Required.—It is unlawful for any person to manufacture bakery products in an unclean or insanitary bakery or under unclean or insanitary conditions, or to use unclean or insanitary fixtures, furnishings, machinery, apparatus, equipment, implements, utensils and receptacles, or unclean, insanitary or unwholesome ingredients or materials in a bakery, or to sell, expose, or offer for sale bakery products in an unclean or insanitary store or shop connected with a bakery.

Every bakery, and every store or shop connected with a bakery shall be maintained and operated with strict regard for the purity and wholesomeness of the bakery products manufactured, produced, sold, or offered for sale therein or therefrom, and in accordance with the following requirements:

(a) Bakery products shall not at any time be wrapped in anything except clean unused wrappers.

(b) Bakery products shall not be touched or handled by prospective purchasers until purchased.

(c) All vehicles, boxes, baskets, and other receptacles, in which bakery products are contained, deposited, received or stored, shall, at all times, be kept clean, covered, ventilated, and screened or otherwise protected.

(d) No person, [**who is afflicted with a communicable disease or skin affliction shall be employed or permitted to work in a bakery. Each employe shall be examined at least once every six months by a duly licensed physician, and the certificate of the physician, showing freedom from disease or affliction, shall be kept on file in the bakery.**] *while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while afflicted with a boil, an infected wound, or an acute respiratory infection, shall work in a bakery.*

(e) Before beginning his duties as an employe under this act and annually thereafter, each employe shall pass a physical examination given by a duly licensed physician certifying that he is free from communicable diseases and skin afflictions.

APPROVED—The 9th day of July, A. D. 1976.

MILTON J. SHAPP