

Ordinance No. 981.

An ordinance regulating the handling and selling of milk and milk products in the city of Garnett, Kansas, and providing a penalty for the violation thereof.

- Section 1. It shall be unlawful for any person to sell or offer for sale any milk or cream within the city of Garnett without having previously registered his, her or their names and places of business with the city clerk, in a book provided for that purpose. Each cow from which milk is sold in said city shall be registered, with the proper description and an individual number. No cows shall be registered except those that have been inspected and tested for tuberculosis within one year previous to the registration, by a registered and commissioned veterinarian, and found free from tuberculosis and otherwise healthy and sound, and such cows shall be inspected at least once each year thereafter. The owner shall pay to the city clerk a registration fee of ~~\$.1.00.~~ ^{for 100 cows} for each cow. Said registration fee shall be paid annually. The city clerk shall keep said fees in a special fund, to be used in defraying the expenses of this department.
- Section 2. The city clerk shall assign to each dairyman a number, and this number shall be plated on the delivery wagon and cars in plain, readable figures.
- Section 3. Any duly-registered and commissioned veterinarian, approved by the board of commissioners of said city of Garnett, is hereby authorized to make an official test for tuberculosis, and said veterinarian shall place a tag on said cow or cows that successfully pass the tests, giving certificate to the owner; disposing of cows that do not pass the tests according to the state law.
- Section 4. It shall be unlawful for any person to sell or offer for sale any milk containing a preservative or visible dirty or dark-colored sediment, or any milk to which any water has been added, or any milk which is not the whole, fresh, clean lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within thirty days before and ten days after calving, and which contains not less than 8.5 per cent of solids, not fat, and not less than 3.25 per cent of milk fat. It shall be unlawful to sell or offer for sale any milk or cream which has been drawn or handled by a person suffering from or exposed to any communicable disease.
- Section 5. Cream is that portion of milk, rich in butterfat, which arises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean and comes from milk which has been obtained from healthy cows, properly fed and kept, excluding that obtained thirty days before or ten days after calving, and contains not less than eighteen per cent of milk-fat, and contains no preservatives or other foreign substances. Whipping cream shall contain not less than thirty per cent of milk-fat.
- Section 6. Pasteurized milk shall be fresh, whole milk, as hereinbefore defined, which, until Pasteurization, contains not ~~less~~ to exceed 5000,000 ~~50,000~~ bacteria per cubic centimeter, and after Pasteurization, not to exceed 30,000 bacteria per cubic centimeter. Pasteurization consists of heating the milk to a temperature of 145 degrees F., and holding it at that temperature for at least thirty minutes, and immediately cooling it to 50 degrees F. or below.
- Section 7. It shall be unlawful for any keeper, proprietor or employee of a hotel, restaurant, boarding-house or lunch counter to serve or place before his guests or boarders any milk which fails to conform to the standards herein defined, unless a placard bearing the words "Skimmed Milk Served Here", in plain, black letters, not less than four inches high, is posted in a conspicuous place.

and 25¢ for each additional cow

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Section 8. All pails, cans, bottles or any other utensils, vessels or packages used in the production, sale, keeping or delivery of milk, cream or their products shall be thoroughly washed each time they are used, and after such washing, shall be sterilized with live steam or boiling water, or by a combination with one of these, with such chemical process as may be approved by the milk inspector, before being used again. All such milk utensils and containers shall, after cleaning and sterilizing, be stored in a sanitary place, where they can be kept free from dust, flies or other contaminating influences, until used. Milk shall be cooled to a temperature of fifty (50) degrees F. or lower immediately after milking, and kept at that temperature until delivered to the consumer. It shall be unlawful to bottle milk or cream from other containers or transfer milk from one receptacle to another while en route.

Section 9. Any person in the city of Garnett receiving milk or cream for sale shall keep said products in a clean, well-ventilated and sanitary place, and it shall be the duty of such persons to thoroughly cleanse all milk or cream receptacles and utensils as soon as empty. It shall be unlawful for general stores to sell, offer for sale, or have in their possession, with intent to sell, milk or cream in any but closed containers, and such containers must not be opened within such stores; or for any retailers of milk or other person, firm or corporation to have for sale, milk or cream on any street in any but closed containers, and such containers must not be opened for the delivery of cream or milk, or for any purpose other than procuring samples by the food inspector. Milk bottles, milk cans or other milk utensils shall not be used for any other purpose than for containing or handling milk and milk products.

Section 10. The city board of health, with the consent of the mayor and commissioners, shall appoint a milk inspector, who shall receive such compensation as the governing body of the city of Garnett shall determine, and shall hold office until his successor is appointed and confirmed by the board of health and city commission. This city milk inspector shall inspect all premises of dairies furnishing milk to the city of Garnett at least once a month and as often as he deems necessary, and this inspector shall have authority to prohibit the sale of milk from any dairy in which cows are kept in an unsanitary condition or poorly-ventilated stable, or produced from cows not kept clean; or in which the milk is stored in an unsanitary place, or milk kept and delivered in vessels not properly cleaned. The city milk inspector shall have the power to enter, without previous notice, any dairy, milk depot, milk sales room, or any place where milk or cream is kept or sold, and take such amount of milk as will prove a sufficient sample for the necessary tests. The city milk inspector shall report to the board of commissioners, from time to time, any violation of this ordinance or failure to comply therewith, and the board of commissioners may at any time, without previous notice, cancel the registration certificate of any person who shall violate or fail to comply with any of the provisions of this ordinance or with any reasonable order of the city milk inspector.

Section 11. The city board of health of the city of Garnett is hereby empowered to make such other necessary rules and regulations promulgated by the board of health of the city of Garnett provided by this ordinance for the enforcement of this ordinance.

Section 12. Any person violating any of the provisions of this ordinance or the rules and regulations promulgated by the board of health of the city of Garnett provided by this ordinance, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than ten (\$10.00) or more than one hundred (100.00) dollars, and costs of prosecution, and confined in the city jail until such fines and costs are paid.

Section 13. This ordinance shall take effect and be in force thirty days from and after its publication in the official city paper.

Passed and approved this 18th day of April, 1927.

Attest: Geo. L. Crum
City Clerk.

W. W. Gandy
Mayor

□ I, Geo. L. Crum, city clerk of the city of Garnett, Kansas, hereby certify that the foregoing is a true and correct copy of an ordinance passed by the mayor and commissioners of the city of Garnett, at a regular meeting held on the 18th day of April, 1927, and the vote on the final passage of said ordinance may be found on page 262 of the journal of the proceedings of said board on said date. (Seal)

Geo. L. Crum,
City Clerk.