

**GOVERNMENT NOTICE**  
**DEPARTMENT OF HEALTH**

**No. R. 759 - 2 July 2004**

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT NO. 54 OF 1972)**

**REGULATIONS RELATING TO MILK AND DAIRY PRODUCTS: AMENDMENT**

The Minister of Health intends, in terms of section 15(1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Food Control), within two months of the date of publication of this notice.

**SCHEDULE**

**Definitions**

1. In these regulations, "the Regulations" means the regulations published under Government Notice No. R. 1555 of 21 November 1997, as corrected by Government Notice No. R. 278 of 29 October 1999 and Government Notice No. R. 488 of 8 June 2001 and amended by Government Notice No. R. 9 of 7 January 2000, Government Notice No. R. 53 of 28 January 2000, Government Notice No. R. 755 of 28 July 2000, Government Notice No. R. 837 of 25 August 2000, Government Notice No. R. 1052 of 27 October 2000 and Government Notice No. R. 489 of 8 June 2001.

**Amendment of regulation 2 of the Regulations**

2. Regulation 2 of the Regulations is hereby amended by –

1. the insertion of the expression ",including pasteurization and ultra-high temperature treatment," after the expression "further processing";
2. in paragraph (c), the substitution for the expression "standard plate count test described in paragraph 7" of the expression "standard plate count test method referred to in paragraph 7", and the deletion of the expression "or the dry rehydrated film method for standard colony count described in paragraph 10 of Annex A";
3. the substitution for paragraph (d)(i) of the following:  
"(d)(i) on application of the method referred to in paragraph 4 of Annex A, exceeds the most probable number (MPN) of 100 coliform bacteria per 1.0 ml of milk or if the test method referred to in paragraph 5 of Annex A is used, the number of colony forming units exceed 100 per ml of milk; or"; and
4. the substitution for paragraph (d)(ii) of the following paragraph:  
“(d)(ii) on application of the test method referred to in paragraph 2 or paragraph 5 of Annex A, is found to exceed the most probable number of 10 Escherichia coli in 1 ml of raw milk or the number of colony forming units exceed 10 per ml of raw milk;”.

**Amendment of regulation 4 of the Regulations**

3. Regulation 4 of the Regulations is hereby amended by –

1. in paragraph (b), the substitution for the expression "to the standard plate count test described in paragraph 7 of Annex A or the dry rehydrated film method for standard colony count described in paragraph 10 of Annex A" of the expression "to the test method referred to in paragraph 7 of Annex A";
2. in paragraph (f)(i), the substitution for the expression "or on application of the VRB MUG agar method described in paragraph 5 of Annex A or on using the dry rehydrated film method

- described in paragraph 11 of Annex A" of the expression "or on application of the test method referred to in paragraph 5 of Annex A"; and
3. in paragraph (f) (ii), the substitution for the expression "described" of the expression "referred to".

#### **Amendment of regulation 5 of the Regulations**

4. Regulation 5 of the Regulations is hereby amended by –

1. in paragraph (b), the substitution for the expression "modified Eijkman test or the VRB MUG agar method described in paragraphs 2 and 5, respectively" of the expression "test method referred to in paragraph 2 or that referred to in paragraph 5"; and
2. in paragraph (c), the substitution for the expression "VRB MUG agar method or the dry rehydrated film method described in paragraphs 5 and 11 of Annex A, respectively," of the expression "test method referred to in paragraph 5 of Annex A".

#### **Amendment of regulation 6 of the Regulations**

5. Regulation 6 of the Regulations is hereby amended by –

1. in paragraph (a)(iii)(aa), the substitution for the expression "VRB MUG agar method or the dry rehydrated film method" of the expression "test method referred to in paragraph 4 or that referred to in paragraph 5 of Annex A,";
2. in paragraph (a)(iii)(bb), the substitution for the expression "the modified Eijkman test, the VRB MUG agar method or the dry rehydrated film method described in paragraphs 2, 5 and 11, respectively" of the expression "the test method referred to in paragraph 2 or that referred to in paragraph 5"; and
3. in paragraph (a)(iv), the substitution for the expression "described in paragraph 7 or 10" of the expression "referred to in paragraph 7".

#### **Amendment of regulation 7 of the Regulations**

6. Regulation 7 of the Regulations is hereby amended by –

1. in paragraph (b) and in paragraph (d)(i), the substitution for the expression "described" of the expression "referred to"; and
2. in paragraphs (c)(ii) and (d)(ii), the substitution for the expression "the modified Eijkmann test or the VRB MUG agar method described in paragraphs 2 and 5, respectively," of the expression "the test method referred to in paragraph 2 or that referred to in paragraph 5".

#### **Amendment of Annex A of the Regulations**

7. Annex A of the Regulations is hereby amended by –

1. the substitution for paragraph 2 of the following paragraph:  
"2. The presence and number (MPN) of Escherichia coli bacteria shall be tested by using test method ISO 11866-1: 1997.";
2. the substitution for paragraph 4 of the following paragraph:  
"4. The most probable number (MPN) of coliform bacteria shall be tested using test method ISO 5541-2:1986.";
3. the substitution for paragraph 5 of the following paragraph:  
"5. Coliform bacteria and Escherichia coli shall be tested by using test method ISO 5541-1:1986.";
4. the substitution for paragraph 7 of the following paragraph:  
"7. Test method ISO 6610:1992 shall be used to determine the total plate count in milk and milk products."; and
5. the deletion of paragraphs 10 and 11.

**M E TSHABALALA-MSIMANG**  
**MINISTER OF HEALTH**