



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

---

REGULATIONS MADE IN TERMS OF

**Dairy Industry Act 30 of 1961**  
section 29

---

**Regulations relating to the Structure, Sanitation, Drainage,  
Ventilation, Lighting and Equipment of, the Accommodation in,  
and the Equipment, Instruments, Appliances and Utensils  
to be used on Premises registered in terms of  
the Dairy Industry Act, 1961**

RSA Government Notice R.2061 of 1964

[\(RSA GG 973\)](#)

came into force on date of publication: 11 December 1964

The *Dairy Industry Act 30 of 1961 (SA)* was applied to South West Africa only in so far as it relates to margarine, as a result of amendments made to the Act by the *Dairy Industry Amendment Act 7 of 1976 (RSA GG 5015)*, brought into force on 1 July 1976 by RSA Proc. R.103/1976 ([RSA GG 5161](#)). Section 1 as amended defines “Republic” as including the territory “in relation to margarine”, and the “territory” is defined as “the territory of South West Africa, including the Eastern Caprivi Zipfel”. Section 35A, inserted by *Act 7 of 1976*, states “This Act, and any amendment thereof which may be made from time to time, in so far as it relates to margarine or to a margarine factory, shall apply also in the territory.”

These regulations cover premises registered in respect of various dairy products. However, given that the underlying statute applies to Namibia *only in respect of margarine*, only the regulations relating to margarine could be applicable in Namibia. The entire ARRANGEMENT OF REGULATIONS is reproduced here for reference, but only the provisions on margarine and the general provisions that apply to all registered premises are reproduced below.

---

**ARRANGEMENT OF REGULATIONS**

1. [\[no heading\]](#)
2. [\[no heading\]](#)
3. [CREAMERY](#)
4. [CREAM DEPOT](#)
5. [CHEESE FACTORY](#)

**REGULATIONS**  
**Dairy Industry Act 30 of 1961**

**Regulations relating to the Structure, Sanitation, Drainage, Ventilation, Lighting and Equipment of,  
the Accommodation in, and the Equipment, Instruments, Appliances and Utensils to be used on  
Premises registered in terms of the Dairy Industry Act, 1961**

---

6. PROCESS CHEESE FACTORY
  7. MILK DEPOT
  8. CONDENSED MILK FACTORY AND MILK POWDER FACTORIES
  9. MARGARINE FACTORY
  10. DUAL-PURPOSE FACTORY
  11. SUBMISSION OF PLANS
  12. GENERAL
- 

[These regulations contain several references to the Factories, Machinery and Building Work Act 22 of 1941 (SA), which was not made applicable to South West Africa. The analogous law in South West Africa was the Factories, Machinery and Building Work Amendment Ordinance 34 of 1952, which was repealed by the Labour Act 6 of 1992, which has been replaced by the Labour Act 11 of 2007.]

1. (1) (a) The premises registered, or required to be registered, shall be kept in a clean and orderly condition, free from strong or foul odours, and dust shall be eliminated or reduced to a minimum in driveways and the area immediately surrounding the factory.
  - (b) The surroundings outside the buildings on such premises shall be kept free from refuse, rubbish, obsolete equipment and waste materials and shall be maintained in such a condition as to prevent harbourage of rodents, insects and other vermin.
  - (c) A suitable drainage system shall be provided to allow rapid drainage of all rain water from all buildings on the premises and surface water shall be disposed of in such a manner as to prevent a nuisance.
  - (d) Adequate steps shall be taken to prevent the breeding of flies on the premises and to protect dairy produce against contamination by flies. Where the Secretary of the Department, or a senior officer of the Department authorised by him thereto, considers it to be necessary, fly-proof screening shall be fitted to outside doors, windows and other openings of all rooms where dairy produce is processed, handled or stored.
- (2) The walls, partitions and pillars of rooms in which dairy produce is processed, handled or stored shall be finished in a suitable, light colour with smooth cowcrete, tiles, cement plaster or other easily cleaned material which is substantially impervious to moisture; it shall be washable to a minimum height of six feet above floor-level, shall be kept clean and shall be refinished as often as necessary.
- (3) The floors of areas or rooms in which dairy produce is processed, handled or stored, or in which cans are washed, shall be constructed of concrete, or of tiles bedded in and pointed with impervious material, or of other equally impervious and easily cleaned material, and shall be smooth, with a coved finish where they meet walls and pillars, and be graded so that washings drain easily and rapidly away to suitably placed surface drains or stench traps; all internal drainage shall be conveyed to the outside via stench traps, and any connection with a sewerage system shall be approved by the local authority concerned.
- (4) The roof shall be weather-proof and, where no ceilings are provided in rooms where dairy produce, or any article or ingredient used in the manufacture thereof, is exposed during processing or storage, the roof shall be dustproof. Ceilings, where provided shall be of suitable

**REGULATIONS**  
**Dairy Industry Act 30 of 1961**

**Regulations relating to the Structure, Sanitation, Drainage, Ventilation, Lighting and Equipment of,  
the Accommodation in, and the Equipment, Instruments, Appliances and Utensils to be used on  
Premises registered in terms of the Dairy Industry Act, 1961**

material, dustproof and have a smooth, durable finish, and should preferably follow the contour of the roof.

(5) The finish of walls, floors and ceilings of cold-storage rooms and cheese curing rooms shall be smooth and impervious to moisture.

(6) Ventilation and lighting of the premises shall be in accordance with the requirements of the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941).

(7) No internal combustion engine shall be situated in any room in which dairy produce is processed, handled or stored, or where whey is separated.

(8) An adequate number of wash basins, supplied with hot and cold running water and at all times provided with soap and clean towels shall, in addition to those to be fitted in change-rooms, be located at entrance points wherever dairy produce is processed or handled, and at such other points as may be essential to the cleanliness of all personnel handling such dairy produce.

(9) An adequate supply of suitable water, which shall comply with the requirements for class B water (S.A.B.S. 241—"Water for domestic supplies", as may be amended), shall be laid on to the buildings, with adequate facilities for its proper distribution throughout the factory concerned and for its protection against contamination and pollution. Bacteriological examination should be made of the water supply at least twice a year to ensure its compliance with the said requirements and its suitability for use in the treatment or manufacturing of dairy produce. Cooling water which is recirculated shall be maintained in a wholesome condition.

(10) (a) Change-rooms and sanitary facilities shall be provided as required by the regulations in terms of the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941).

(b) Such sanitary facilities shall be conveniently located, but no door, window or other opening thereof whatsoever shall open directly into any sleeping quarters or any room in which dairy produce is processed, handled or stored, nor shall it be within ten feet from any door, window or other opening of any such room.

(c) A durable, legible sign shall be conspicuously placed near the exit of such sanitary facilities directing employees to wash their hands before returning to work.

(11) Where employees remain on the premises for meals, provision shall be made for dining and rest rooms in compliance with the requirements of the Factories, Machinery and Building Work Act, 1941.

(12) (a) Factory effluent shall be disposed of to the sewers of a local authority, or conveyed from the factory in drains, properly constructed of impervious material, for a distance of at least 50 yards from the nearest point of the factory building and disposed of or treated in such a manner that it shall not be or cause a nuisance, that no offensive smell arises therefrom and that no swampy land is created thereby.

**[The word "it" in the phrase "it shall not be or cause a nuisance" is misspelt as "is" in the Government Gazette, as reproduced above.]**

(b) Buttermilk and whey shall not be kept or stored in any tank or similar container unless such tank or container is water-tight and capable of being satisfactorily

**REGULATIONS**  
**Dairy Industry Act 30 of 1961**

**Regulations relating to the Structure, Sanitation, Drainage, Ventilation, Lighting and Equipment of,  
the Accommodation in, and the Equipment, Instruments, Appliances and Utensils to be used on  
Premises registered in terms of the Dairy Industry Act, 1961**

---

cleaned and completely drained to the factory's main or other satisfactory drainage system. Such tank or container shall be cleaned out daily.

- (c) When buttermilk or whey is accumulated in a tank or container for removal from the premises, the area under, and for a sufficient distance around such tank and the area where the receiving vehicle has to stand, shall have a suitable concrete surface properly graded to connect with a drain leading to the factory's main drainage system, or any other satisfactory drainage system.

(13) There shall be, subject to the requirements of the Factories, Machinery and Building Work Act, 1941, a boiler-room containing one or more boilers of sufficient total capacity to provide steam for all the needs of treating, manufacturing and cleaning: Provided that where, in the opinion of the Secretary of the Department, or a senior officer of the Department authorised by him thereto, the circumstances do not require the installation of a boiler, this requirement shall not apply.

(14) Adequate storage accommodation shall be provided for at stores used or to be used in connection with the function for which the premises are registered or are to be registered, and activities incidental thereto, and such accommodation shall be kept clean, dry, orderly and free from insects, rodents, mould and other sources of contamination.

(15) All buildings on the premises shall be maintained in good repair to prevent the entrance or harbourage of insects, and in a hygienic state of cleanliness to the satisfaction of an inspector.

(16) All portions of such buildings in which dairy produce is processed, handled or stored shall be protected against the entrance of rodents, and any such protection shall be maintained in accordance with the requirements laid down in Government Notice No. 1380 of 1930, and any amendments thereof.

**[The word "rodents" is misspelt in the Government Gazette, as reproduced above.]**

(17) The distance between the nearest point of the factory buildings and the nearest pigsty, stable or manure heap shall be in accordance with the requirements of the local authority concerned but in any case not less than one hundred and fifty feet: Provided that where a cheese factory is situated on a farm there may be a milking shed within the prescribed distance if the conditions in and around such shed are entirely to the satisfaction of an inspector.

**2.** (1) Contact surfaces of all equipment, excluding wooden churns and butter-handling equipment constructed of wood, but including pumps, piping, fittings and connections in which milk, cream, cheese, skim-milk, whey prior to separation, and buttermilk and whey intended for human consumption or conversion into buttermilk powder or whey powder is conveyed, processed, handled or stored, shall be smooth and consist of material which will not adversely affect the product, such as stainless steel or other non-corrodible metal, or a plastic material which has been approved by the South African Bureau of Standards for use in connection with foodstuffs. All such contact surfaces shall be kept in good repair and hygienic condition and shall be thoroughly and effectively cleansed immediately after use, for which purpose suitable facilities shall be provided.

(2) All equipment shall be so installed as to be easily accessible for cleaning and shall be so constructed of such material that it can be efficiently cleaned to the satisfaction of an inspector.

**REGULATIONS**  
**Dairy Industry Act 30 of 1961**

**Regulations relating to the Structure, Sanitation, Drainage, Ventilation, Lighting and Equipment of, the Accommodation in, and the Equipment, Instruments, Appliances and Utensils to be used on Premises registered in terms of the Dairy Industry Act, 1961**

---

(3) Utensils and portable equipment used in processing operations shall be stored above floor level in a self-draining position on racks constructed of impervious, corrosion-resistant material.

- (4) (a) All cans in which milk, cream or skim-milk is received shall, immediately after being emptied, be thoroughly and efficiently cleaned, steamed and dried before being returned to producers.
- (b) Can-washing machines shall be maintained in a clean and satisfactory operating condition.
- (c) Where producers' cans are stored, they shall be stored under cover and on a floor of concrete or other hard material.

\*\*\*

MARGARINE FACTORY.

9. The premises of a margarine factory shall comply with the requirements of regulations 1 and 2, shall have in addition sufficient suitable accommodation and be equipped with all the necessary appliances for the manufacture and packaging of margarine.

\*\*\*

SUBMISSION OF PLANS.

11. (1) Any person intending to build, or to make substantial structural alterations to, premises which are required to be registered in terms of the said Dairy Industry Act, 1961, shall, after a descriptive plan of the proposed site and building, or of such alterations, as the case may be, has been approved in terms of the Factories, Machinery and Building Work Act, 1941, and by the local authority concerned, submit two copies of such plan bearing the approval stamp of the Inspector of Factories to the Senior Dairy Inspector concerned for approval by the Secretary of the Department, or a senior officer of the Department authorised by him thereto: Provided that two copies of a plan relating to the premises of a milk or cream depot shall be submitted direct to the said Senior Dairy Inspector after the approval of the local authority concerned has been obtained.

- (2) Each prescriptive plan shall indicate the following additional information:-
  - (a) On the site plan, the method to be adopted for the disposal of effluent; and
  - (b) on the building plan, details as to floor grading and drainage and, in the case of a creamery or cheese factory, the method to be used for the conveyance of buttermilk or whey from churns or cheesemaking vats, as the case may be.

(3) The erection of the building, or the making of such alterations, shall not be commenced before notification has been received in writing that the Secretary of the Department or a senior officer of the Department authorised by him thereto, has approved of the said descriptive plan, and the person erecting any such building, or making any such alterations thereto, or any other person, shall not depart materially from the descriptive plan so approved,

**REGULATIONS**  
**Dairy Industry Act 30 of 1961**

**Regulations relating to the Structure, Sanitation, Drainage, Ventilation, Lighting and Equipment of, the Accommodation in, and the Equipment, Instruments, Appliances and Utensils to be used on Premises registered in terms of the Dairy Industry Act, 1961**

---

either before or during the erection or alteration of the building or at any later date, without previous written notice that such Secretary or officer has consented thereto.

GENERAL.

**12.** Any premises which at the date of promulgation of these regulations are registered and which do not comply with the provisions of these regulations shall so comply within twelve calendar months of such date.