

1807

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 3141

A BY-LAW to provide for the inspection and
regulation of butcher meat and fish
in the Municipality of Burnaby.

The Municipal Council of The Corporation of the District of
Burnaby ENACTS as follows:

1. This by-law may be cited as the "BURNABY MEAT AND FISH
BY-LAW 1951."
2. In the construction and for the purpose of this by-law the
following words and terms shall have the meanings hereby assigned
to them unless repugnant to the context hereof:
 - (a) "Butcher" shall mean any person who sells butcher meat
in the "Municipality of Burnaby".
 - (b) "Butcher meat" shall mean and include all portions fit
for human consumption, of the carcasses of cattle, sheep,
swine, calves, lambs, rabbits, poultry, horses, or of any
other animal, when slaughtered in a state of normal health
free from disease;
 - (c) "Butcher shop" or "shop" shall mean any shop or place
where butcher meat or fish is held, stored, or exposed for
sale;
 - (d) "Carcass" shall mean any animal after it has been
slaughtered;
 - (e) "Municipality" shall mean the "District of Burnaby";
 - (f) "Dealer" shall mean any person, firm, company, or corp-
oration operating an abattoir, warehouse, packing house,
or wholesale or retail butcher shop or stall, or selling,
manufacturing, storing, offering for sale, or having in
possession for sale or exchange any meat, fish, poultry,
game, or parts or products of raw meat.
 - (g) "Disease" shall mean and include all such diseases as are
mentioned in the "Meat and Canned Foods Act" and the
regulations made thereunder;
 - (h) "Establishment" shall mean any abattoir and any premises
in which meat, poultry, game, or parts or products of raw
or cooked meat are held, stored, exposed, warehoused,

manufactured, or offered for sale, as well as equipment, utensils, and apparatus used by a dealer for the purpose of his trade;

- (i) "Meat Inspector" shall mean and include the Medical Health Officer and any other person duly authorized by him to carry out the provisions of this by-law;
- (j) "Medical Health Officer" shall mean the Medical Health officer of the City of Vancouver or the Unit Director appointed for the Municipality of Burnaby.
- (k) "Utensils" shall mean and include the utensils, apparatus, vessels, cloths, hooks, scales, meat blocks, tables, knives, cleavers, cutting machines, saws, meat-chopping equipment, and receptacles used by a dealer in gathering, receiving, transporting, containing, offering for sale, delivering, cutting up, slicing, chopping, mixing, and preparing meat, poultry, game, fish, shellfish, parts or products of raw or cooked meat, or for any other purpose whatsoever in connection with his trade.

3. No license shall be granted or transferred to any person to carry on the trade or business of selling or dealing in butcher meat or fish either by wholesale or retail unless and until a report has been received from the Medical Health Officer that the premises intended to be used for such purpose conform to the provisions of this by-law and of all Acts, statutes, laws and regulations relating thereto and that such person has complied therewith.

4. Any person desiring a license to sell or deal in butcher meat or fish, or the transfer of any such license already issued, shall make application for same in writing to the License Inspector, and upon receipt of such application, the License Inspector shall forward notice thereof, and of the premises intended to be used by the applicant to the Medical Health Officer, and thereupon the Medical Health Officer shall, as soon as possible, inspect or cause to be inspected the said premises. In case such premises are found upon inspection to conform to the provisions of this

by-law and of all Acts, statutes, laws and regulations relating thereto, and if the person applying for the license shall be found to have complied with all applicable provisions of this By-law and with all applicable provisions of the said Acts, statutes, laws, and regulations, the Medical Health Officer shall so report in writing to the License Inspector.

5. All provisions relating to the refusal, suspension, or cancellation of licenses contained in any License By-law of the Municipality, shall be deemed unaffected by anything contained in this By-law.

6. Notwithstanding anything contained in this by-law no person shall sell or offer for sale in any butcher shop licensed pursuant to this By-law any butcher meat from the carcass of any horse unless the said carcass has been slaughtered in an abattoir approved by a duly authorized Dominion Government authority, and bears the stamp of such approval, and unless such license shall specifically so provide, and in that case no other butcher meat shall be sold or offered for sale in such establishment, provided however that a person holding a license for the sale of horse meat shall be permitted to also deal in poultry and fish.

7. The slaughtering of animals shall be done only in suitable abattoirs, establishments, or other premises approved by the Medical Health Officer.

8. Every establishment shall be equipped with the utensils required for the purpose of the trade to be carried on therein, and every establishment shall be properly lighted and ventilated, and provided with a sink, sink fixtures, drain, toilet and wash-basin to be in a separate room and an adequate supply of hot and running cold water.

9. There shall be provided in every establishment refrigeration or cooling facilities adequate for keeping butcher meat and fish at a sufficiently low temperature to prevent spoilage and maintain the same in an edible condition, and all butcher meat and fish shall be kept at all times at such low temperature while the same is in or upon the premises of any establishment. The refrigeration or

cooling facilities aforesaid shall be so constructed that they shall be at all times free from mould, dampness, dust, dirt, animals, insects, and all other forms of contamination.

10. During the summer months, doors and window openings of every establishment shall be protected with screens or fly netting approved by the Medical Health Officer.

11. Establishments and all places and yards in connection therewith as well as every utensil shall be kept and maintained at all times in a clean and sanitary condition. Every utensil shall be washed with hot water and thoroughly cleansed at the close of every day it has been in use.

12. No meat blocks or cutting tables shall be used which have become unfit for such purpose by reason of cracks or fissures.

13. No pickling receptacle shall at any time be used which has become tainted.

14. No newspaper or any printed, soiled or unclean paper shall be used as a wrapper in direct contact with any butcher meat or fish.

(a) In wrapping fresh or cooked meat or fish or in wrapping poultry not over five pounds in weight, the same shall be placed between two pieces of waxed paper of sufficient size to prevent unnecessary contact of such meat, fish or poultry with the person, utensils or any other substance or thing.

(b) In wrapping poultry over five pounds in weight the same shall be placed in a large paper bag and sufficient ventilation shall be provided to prevent decomposition.

15. No dealer shall receive, have in possession, store, or offer for sale in any establishment any substance which, in the opinion of the Medical Health Officer, is liable to communicate a bad taste or bad smell to meat, poultry, game or other article or product offered for sale therein.

16. No dealer shall receive into or upon the premises of any establishment any waste meat or meat scraps from the carcass of

any animal not slaughtered in such establishment.

17. No person shall keep in any establishment any waste meat, or meat scraps for more than twenty four hours unless expressly authorized by the Medical Health Officer and all receptacles designed to receive or hold the same shall be kept clean.

18. No butcher meat shall be held or stored in such manner that contamination by souring can take place; and all such meat shall be hung on suitable hooks or placed on shelves with adequate air space between all portions, parts, places or parcels thereof. No such meat shall be less than eighteen (18) inches from the floor of such storage place; and all butcher meat shall be fully protected against dust, dirt, animals, insects and all other forms of contamination.

19. No person shall expose for sale in the open air any butcher meat or fish. The same shall be placed inside of an establishment and shall be fully protected against dust, dirt, animals, insects, and all other forms of contamination.

20. All meat, fish, poultry, game, or parts or products of raw or cooked meat kept in a cold-storage plant, shall bear a label or other mark showing in legible characters:

- (a) the date on which it was placed in such cold-storage plant;
- (b) the name and address of the dealer by whom it was deposited therein.

21. Whenever any meat, fish, poultry, game or parts or products of raw or cooked meat which have been frozen are permitted to become unfrozen, then it shall be unlawful to refreeze any such meat, fish, poultry, game or parts or products of raw or cooked meat.

22. Notwithstanding anything contained in this By-law, it shall be lawful for any retail food dealer to sell or offer for sale any frozen butcher meat, fish, poultry, game or parts or products of raw meat provided such articles have been prepared, packaged and frozen in a manner satisfactory to the Medical Health Officer in an establishment approved by him, and kept frozen, by use of approved refrigeration equipment, until sold.

23. All coops or other enclosures for the keeping of live poultry in or about establishments shall be located and constructed of metal and so as to make it possible to keep them clean, well lighted and well ventilated.

24. All such coops or other enclosures for the keeping of live poultry shall be kept in a state of cleanliness, well lighted and well ventilated, and shall be cleaned at least once a day, or oftener if necessary.

25. The keeping of live poultry is expressly prohibited in premises where any foodstuffs other than poultry or eggs, are kept or exposed for sale.

26. Premises where meat, poultry, game or fish are prepared, stored, or handled shall be kept free from rats, mice, or other vermin. The use of rat poison is prohibited.

27. All dealers and attendants in establishments shall be free from any contagious or infectious disease. They shall be clean about their persons and shall wear clean clothes. All aprons, frocks, and outer clothing worn by said dealers and attendants shall be of a material that is readily cleansed.

28. The use of tobacco in any form whatsoever, as well as expectoration in any establishment is prohibited. Provided however that the use of tobacco may be permitted in a part of the premises specially constructed and set aside for this purpose.

29. No butcher meat or fish shall be sold or offered for sale in or on any premises unless the floors, walls, and ceilings, thereof are in good repair and so constructed that they can be readily cleansed.

30. There shall be no living-quarters or bedrooms connected with or in close proximity to any butcher shop unless separated from the shop by a wall or partition extending from wall to wall and from floor to ceiling with no communicating entrance to the shop.

31. In all butcher shops the walls of which are likely to be contaminated with meat coming in contact therewith, such walls shall be made impervious to moisture to a height of six feet from the floor.

32. All meat or meat products exposed for sale in any butcher shop shall be properly protected from contamination.

33. All fish or game exposed for sale shall be kept under glass or fly netting. When necessary, it shall be properly iced to prevent spoiling.

34. Every vehicle for transporting butcher meat in bulk shall have conspicuously placed or painted on the exterior sides thereof in letters of not less than four inches in height the name and trade license number of the dealer and no such vehicle shall be used for transporting any article which will contaminate such meat, and adequate precautions shall be provided against contamination of all such meat during transportation by placing the same between two absolutely clean linen cloths, used exclusively for such purpose, or otherwise by proper protection to the satisfaction of the Medical Health Officer.

35. No person shall transport, or cause to be transported, within the Municipality any butcher meat or fish, in a vehicle which is not absolutely clean.

36. No carcass shall be brought into the Municipality except under sanitary conditions satisfactory to the Medical Health Officer.

37. No person shall transport any butcher meat or fish, unless the same shall be kept covered and fully protected against dust, dirt, animals, insects and all other forms of contamination.

38. (1) It shall be lawful for the Council by resolution to designate the place or premises in which carcasses may be delivered for inspection, either within or without the Municipality.

(2) No carcass shall be approved by the Meat Inspector unless it shall have still attached thereto by their natural attachments the head, tongue, lungs, liver, kidneys, and heart.

39. In case the carcass of an calf is found upon examination by the Meat Inspector to have been slaughtered when under three weeks old, or to be unfit for human consumption owing to its being emaciated or immature he shall condemn the same and it shall be unlawful for any such carcass to be sold or otherwise dealt with for human consumption.

40. It shall be the duty of every dealer to furnish the Meat Inspector forthwith upon request therefor full information regarding any matter or thing required by him for the proper enforcement of the provisions of this by-law.

41. The Meat Inspector may enter any establishment for the purpose of examining the whole or any part of the premises and the conditions thereof at any time without notice to the proprietor, and the proprietor shall, on request, allow him full and free access thereto for such purpose.

42. It shall be the duty of the Meat Inspector as often as he shall deem it necessary to inspect and take samples of all or any foodstuffs found in any establishment and it shall be unlawful for the proprietor thereof or any agent or employee of such proprietor to refuse such inspection or the taking of such samples.

43. Every Meat Inspector shall have the right to examine the registers and books of any establishment in order to see that the provisions of this by-law are being complied with.

44. Every Meat Inspector shall have the right to seize, retain, confiscate, destroy, denature, take away, and dispose of by a method satisfactory to the Medical Health Officer.

- (a) Any meat, prepared meat, game, poultry, fish or other food stuff which is tainted, adulterated, spoiled, putrified, sour, bruised, emaciated, dirty, or unwholesome, or which is in an abnormal condition or which, in the opinion of the Medical Health Officer, is otherwise unfit for human consumption;
- (b) The carcass of any calf when slaughtered under three weeks old, or which is unfit for human consumption owing to its being emaciated or immature;
- (c) The carcass of any boar pig slaughtered when over six months old;
- (d) The flesh of any diseased animal or of any animal which dies of disease or whose condition, when slaughtered, did not meet the requirements of any Municipal or City By-law

or any Dominion or Provincial Act, statute, order or regulation;

(e) Any blown or fraudulently dressed meat.

45. If the Meat Inspector shall find on examination, that any carcass or any portion of any carcass in any establishment is unfit for human consumption, he shall condemn the same, and such carcass or portion of carcass shall thereupon be denatured or destroyed.

46. The Meat Inspector shall take possession of any carcass or part of a carcass and of any meat or meat product which is sold, offered, or exposed for sale, shipped, transported, stored, brought in, received, or delivered contrary to the provisions of this by-law or of any Dominion or Provincial law, order or regulation.

47. No dealer or other person shall:

(a) Interfere with the duties of the Medical Health Officer, Meat Inspectors, or any person acting pursuant to instructions of the said officials or any of them;

(b) Counterfeit, destroy, remove, or deface any stamp affixed to, or mark made on, any meat or meat products or on any container thereof by any Dominion, Provincial, or Municipal meat inspector, or affix thereto any other stamp, or make thereon any other mark;

(c) Displace, attach, remove, or take away any meat or meat product which has been retained, confiscated, or denatured, or any receptacle the contents of which have been retained, confiscated, or denatured;

(d) Counsel, aid, or abet any other person in any of the aforesaid acts, or in any infraction of this by-law.

48. No person shall receive, sell, offer, or expose for sale, manufacture, ship, transport, store, warehouse, exchange or have in possession any meat, poultry, game, or parts or products of raw or cooked meat intended for human consumption which are in an abnormal condition, or which have been adulterated or fraudulently dressed, or whose taste or smell reveals a state of decomposition, or which has been polluted by rats, dogs, or other animals, or by

flies or other insects, or by excremental matter, or by any other matter or substance in any other manner whatsoever, or which for any reason is unfit for human consumption.

49. The fact that any part of an establishment contains meat of any kind whatsoever shall be deemed prima facie evidence that such meat is intended to be sold or used for human consumption.

50. No person shall sell, or expose for sale plucked poultry of any description in the bleeding state; any poultry which has died of disease; any tainted, unwholesome, heated, soured, raised, stuffed, or putrid meat, poultry, game, or fish, or any meat, poultry, game, or fish which has been treated with any unlawful preservative or colouring matter.

51. No person shall receive, sell, offer or expose for sale, ship, transport, store, exchange, or have in possession any carcass or meat cut up for the wholesale or retail trade which does not bear a valid stamp or other mark showing that it has been inspected and approved by the Meat Inspector of either the Municipality, the City of Vancouver, or the City of New Westminster, or has been subjected to a Dominion or Provincial Inspection and approved.

52. No person shall receive, sell, offer or expose for sale, ship transport, store exchange, or have in possession, intended for human consumption, any boneless meat, prepared or not prepared, or blood of any animal which, or the container of which, does not bear a valid stamp or other mark showing that it has been inspected and approved by the Meat Inspector of the Municipality, of the City of Vancouver or City of New Westminster, or has been subject to a Dominion of Provincial Inspector and approved.

53. No dealer shall bring into the Municipality for sale or exchange, or shall sell, exchange, or offer for sale, or have in his possession with intention to sell or exchange within the Municipality for human consumption, any oysters, crabs, or shellfish:

- (a) which have come in contact with impure or unwholesome water;
- (b) which have come in contact with any preservative, or which

have been subjected to any process for the purpose of increasing their bulk or weight.

54. Receptacles used in the oyster and crab or shellfish trade shall be dustproof, easily cleanable, of non-absorbant material, and fitted with a cover which can be kept tightly closed.

55. Premises in which the oyster and crab or shellfish trade is carried on shall be provided with special adequate appliances for cleansing and sterilizing containers.

56. Where fish, other than dressed fish, is handled, the fish and the premises where such fish is handled shall conform respectively to the following regulations:

- (a) All fish trays and tables shall be so constructed that any water on such tables shall be adequately drained therefrom;
- (b) there shall be an ample supply of water and ample facilities for cleaning all fish and utensils;
- (c) that portion of the floor of every premises used as a shop shall be of cement or some such material that is impervious to water. Adequate and satisfactory provision shall be made for the holding of refuse until removed or destroyed;
- (d) no refuse matter from the cutting or handling of fish shall be held for a longer period than twenty-four hours, unless authorized by the Medical Health Officer, and for such purpose only tightly covered metal containers shall be used.

57. The construction of fish storage boxes shall be such that a free circulation of fresh air shall constantly take place, and such fish storage boxes shall be thoroughly cleansed at least once in every three days or whenever so directed by the Meat Inspector.

58. Every person who violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law, or who does any act, or who violates any of the provisions of this by-law shall be deemed to be guilty of an infraction thereof and liable to the penalties hereby imposed.

59. Any person guilty of an infraction of this By-law shall, upon conviction before a stipendiary magistrate, or any Justice of the Peace convicting, pay a penalty not exceeding the sum of One hundred (\$100.00) dollars, with or without costs, and in default of payment thereof, forthwith it shall be lawful for the stipendiary magistrate or Justices or Justices of the Peace, or any two or more of them acting together therein, then under the hand and seal of one of them, to levy the said penalty with costs or penalty or costs only, by distress and sale of goods and chattels of the offender; and in case of there being no sufficient distress found out of which the penalty can be levied, it shall be lawful for the stipendiary magistrate, or Justice of the Peace convicting, or any of them to commit the offender to the common jail at Oakalla in the Municipality for a period not exceeding Thirty (30) days, unless the said penalty and costs, or penalty or costs, is sooner paid, and all fees payable by any person under any section of this by-law shall be a debt due by such person to the Municipality and shall be recoverable by the Municipality in an action brought in any court of competent jurisdiction.

60. This by-law shall come into force upon registration thereof in the manner required by law.

DONE AND PASSED in open Council this Twelfth (12th) day of July, A.D. 1951.

RECONSIDERED AND FINALLY PASSED this Twenty-third (23rd) day of July, A.D. 1951.



W. R. Scanlon
REEVE

Charles B. Brown

CLERK