

LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No. **1221** Session of
1919.

INTRODUCED BY MR. GANS, APRIL 1, 1919.

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND SANITA-
TION, APRIL 2, 1919.

AN ACT

For the protection of the public health by providing for clean sanitary and healthful food and food establishments receptacles and utensils and providing penalties for the enforcement thereof

1 Section 1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same* That
4 it shall be unlawful for any person to manufacture pre-
5 pare pack can bottle keep store handle serve or dis-
6 tribute in any manner food for the purpose of sale in
7 an unclean unsanitary or unhealthful establishment or un-
8 der unclean unsanitary or unhealthful condition and except
9 pursuant in all ways to the provisions of this act

10 Section 2 That every establishment subject to the pro-
11 visions of this act shall be constructed maintained and
12 operated with strict regard for the purity and wholesome-
13 ness of the food therein produced kept stored handled
14 served or distributed so far as may be reasonable and

1 necessary in the public interest, and consistent with the
2 character of the establishment pursuant to the following
3 general requirements viz

4 (a) The entire establishment and its immediate apper-
5 taining premises including the fixtures and furnishings the
6 machinery apparatus implements utensils receptacles vehicles
7 and other devises used in the production keeping storing
8 handling serving or distributing of the food or of the
9 materials used in the food shall be constructed maintained
10 and operated in a clean sanitary and healthful manner

11 (b) The food and the materials used in the food
12 shall be protected from any foreign and injurious contami-
13 nation which may render them unfit for human consumption

14 (c) The clothing habits and conduct of the employes
15 shall be conducive to and promote cleanliness and sanitation

16 (d) There shall be proper suitable and adequate light
17 ventilation drainage and plumbing

18 (e) There shall be proper suitable and adequate toilets
19 and lavatories constructed maintained and operated in a
20 clean and sanitary manner

21 Section 3 That the Dairy and Food Commissioner shall
22 be charged with the duty of enforcing the provisions of
23 this act

24 Section 4 That the Dairy and Food Commissioner
25 through his duly authorized officers inspectors agents or
26 other assistants shall be permitted at all reasonable times
27 to inspect any establishment or part thereof subject to
28 the provisions of this act together with its operation Any
29 person refusing or interfering with such inspection shall

1 upon conviction be punished as provided in section eight

2 Section 5 That if as a result of an inspection pro-
3 vided for in section four it shall appear that any estab-
4 lishment is being maintained or operated in violation of
5 any of the provisions of this act the Dairy and Food
6 Commissioner shall cause written notice thereof to be
7 served upon the person violating said provisions together
8 with an order commanding an abatement of such viola-
9 tion and a compliance with this act within a reasonable
10 period of time stated in the order is served shall be
11 given an opportunity to be heard and to show cause
12 why such order should be vacated or amended under such
13 rules and regulations as may be duly prescribed If as
14 a result of such hearing it shall appear that the pro-
15 visions of this act have not been violated then the Dairy
16 and Food Commissioner shall immediately vacate said order
17 without prejudice If however after such hearing it shall
18 still appear that the said provisions have been in any
19 manner violated and upon a failure to comply with said
20 order in its original or amended form within the reason-
21 able time therein stated then the Dairy and Food Com-
22 missioner shall at once certify the facts to the proper
23 prosecuting attorney

24 Section 6 That the Dairy and Food Commissioner shall
25 make uniform and necessary rules and regulations for car-
26 rying out the provisions of this act

27 Section 7 That the term "food" as used in this act
28 shall include all articles used for food drink confectionery
29 or condiment by man whether simple mixed or compound

1 and all substances and ingredients used in the preparation
2 thereof. The term "establishment" as used herein shall in-
3 clude all buildings, rooms, basements, cellars, lofts, or other
4 premises or parts thereof used, occupied, or maintained for
5 the purpose of manufacturing, preparing, packing, canning, bot-
6 tling, keeping, storing, handling, serving, or distributing in
7 any manner food for sale. The term "person" as used
8 herein shall include a partnership, association, company, or
9 corporation, as well as a natural person.

10 Section 8. That any person who shall violate any of
11 the provisions of this act shall be guilty of a misde-
12 meanor and upon conviction thereof shall be sentenced to
13 pay a fine of not less than twenty-five (\$25) dollars nor
14 more than one hundred (\$100) dollars or to undergo an
15 imprisonment of not less than thirty (30) days nor more
16 than sixty (60) days or both or either at the discretion
17 of the court.

18 Section 9. That all fines and penalties imposed and
19 recovered for the violation of any of the provisions of
20 this act shall be paid to the Dairy and Food Commis-
21 sioner or his agent and when so collected and paid shall
22 thereafter be by the Dairy and Food Commissioner paid
23 into the State treasury for the use of the Commonwealth.

24 Section 10. This law shall take effect ninety (90) days
25 after its final passage.