

**Chapter 29:15**  
**Urban Councils Act Harare (Food Hygiene) By-laws, 1975**

***R.G.N.166 of 1975.***

***Amended by S.I. 208/78***

IT is hereby notified that the Minister of Local Government and Housing has, in terms of [section 229 of the Urban Councils Act \[Chapter 29:15\]](#) approved the following by-laws made by the City Council of Harare: —

*Title*

**1.**

These by-laws may be cited as the Harare (Food Hygiene) By-laws, 1975.

*Application*

**2.**

These by-laws shall apply to—

- (a) the City of Harare ,as described in section 3(2) of the Municipal (Salisbury)(Alteration of Boundaries and Related Matters) Notice, 1971, published in \*Rhodesia Government Notice No. 261 of 1971;

\*as amended by RGN 281/71, 388/71, and SI 199/1985 - Editor

and

- (b) such other areas as are included within the boundaries of the City of Harare in terms of section 9 of the \*Act after the date of commencement of such notice;

para (b) substituted by SI 886/1972 .  
The \*Act referred to was the 1973 Act. Editor

- (c) the Westwood Local Government Area.

amended by SI 208/78 with effect from the 31st March, 1978

(2) These by-laws shall **not apply** to—

- (a) hawkers and street-vendors; or  
(b) the handling of food in a dwelling-house, apartment or flat.

*Interpretation of terms*

**3.**

In these by-laws—

**“aerated water”** means every kind of non-alcoholic, effervescent liquid intended for human consumption;

**“animal-feed”** means feed, including pet-food, which is intended for consumption by animals only;

**“approved”** means approved by the medical officer of health;

**“bakery product”** means bread, biscuits, rolls, tarts, cakes, pies and confectionery;

**“container”** includes any receptacle of any kind, whether open or closed;

**“cordial”** includes every kind of non-alcoholic liquid, whether frozen or not, which is—

(a) intended for human consumption; and

(b) ordinarily diluted before being consumed;

**“council”** means the City Council of Harare;

**“equipment”** includes apparatus, furnishings, utensils and vehicles;

**“food”** and **“article of food”** means any substance in any form, state or stage of preparation, which is intended or is ordinarily used for human consumption, including ice, but not drugs or water;

**“food-room”** means any room or other place in which food is sold, prepared, manufactured, kept, stored, deposited, conveyed or handled and exposed for sale;

**“health inspector”** means any person appointed by the council as a health inspector;

**“meat”** means the flesh (including the offal and fat) of animals and birds which is intended for human consumption;

**“medical officer of health”** means the medical officer of health appointed by the Council and includes any medical practitioner appointed by the Council to act in that capacity;

**“open food”** means food other than that kept in a sealed container;

**“premises”** means a building or part of a building, or any forecourt, yard or place of storage used in connexion with any building;

**“sanitary convenience”** means a water-closet, urinal or similar device approved by the medical officer of health, and which is intended to be used for the disposal of human waste;

**“soft drink”** includes every kind of non-alcoholic liquid, other than aerated water, whether frozen or not, which is—

- (a) intended for human consumption; and
- (b) not ordinarily diluted before being consumed.

*Prohibition against the sale or storage of food in unsuitable premises*

4.

No food shall be sold, prepared, manufactured, stored, deposited or exposed for sale in or on any premises if the condition, situation or construction of the premises is such as to expose such food to the risk of contamination.

*Cleanliness of premises*

5.

Every person who sells, prepares, manufactures, keeps, stores, deposits, conveys or handles and exposes for sale any food in or on any premises shall—

Athlone Tailors (Pvt) Ltd v CAG Foods (Pvt) Ltd [16-HH-260](#)

- (a) cause the walls, floors, doors, windows, ceilings, woodwork and all other parts of every food-room to be kept clean and in good order, repair and condition, so as to—
  - (i) enable them to be effectively cleaned; and
  - (ii) prevent any risk of contamination by rats, mice or insects;and
- (b) cause all containers or equipment with which food comes into contact or is liable to come into contact to be kept clean and in good repair and condition, so as to—
  - (i) enable them to be thoroughly cleaned; and
  - (ii) prevent any contamination of food;and
- (c) take all such steps as may be necessary to protect the food from risk of contamination, and in particular—

- (i) before offering any food for sale, ensure that any food which is unfit for human consumption is kept apart from any other food; and
  - (ii) not place any food lower than **500 mm** from the ground on any pavement or in or about any forecourt or yard; and
  - (iii) ensure that open food, while displayed or exposed for sale or during delivery, is kept covered or is otherwise effectively screened so as to prevent any infection or contamination thereof; and
  - (iv) ensure that all food is stored in such a manner as to permit the thorough cleansing of the storage facilities and, where appropriate, to prevent spoilage by being stored at approved temperatures;
- and
- (d) take all practical measures to maintain his premises free from flies, rodents, cockroaches and other vermin; and
  - (e) ensure that insecticides and pesticides are stored and used in such a manner so as to avoid any possible contamination of any food; and
  - (f) cause every sanitary convenience situated in the premises—
    - (i) to be kept clean and in efficient order; and
    - (ii) be so placed that no offensive odour therefrom can penetrate into any food-room;
- and
- (g) cause every wash-hand basin provided for the use of persons engaged in the handling of food in or about the premises—
    - (i) to be kept clean and in good working condition; and
    - (ii) to be provided with an adequate supply of soap or other suitable detergent, nail-brushes and disposable towels or hot-air and hand-drying appliances or other approved hand-drying facilities; and
    - (iii) to be used for securing personal cleanliness and not for any other purpose;
- and

- (h) cause every room containing a sanitary convenience—
  - (i) to be kept clean; and
  - (ii) to be provided with a legible notice requesting any person who uses such convenience to wash his hands after using the convenience;and
- (i) cause all refuse to be placed in approved impervious bins with lids, and not to be deposited or allowed to accumulate in a food-room; and
- (j) cause all persons engaged in the handling of food to be clean and dressed in clean overclothing while so employed; and
- (k) keep articles of wearing-apparel only in such place as shall be approved for that purpose; and
- (l) provide an adequate supply of suitable bandages, dressings (including waterproof dressings) and antiseptic for first-aid treatment of persons engaged in the handling of food in or about those premises and such supply shall be kept in a place readily accessible to those persons; and
- (m) ensure that a food-room contains only such articles as are necessary for the proper conduct of the activity carried on or intended to be carried on in the food-room

para (m) inserted by SI 208/78 with effect from the 31<sup>st</sup> March, 1978

### *Storage of food*

#### **6.**

No person who sells, prepares, manufactures, keeps, stores, deposits, conveys or handles and exposes for sale any food shall—

- (a) use for wrapping or containing any open food, any paper or other wrapping-material which is not clean or which is liable to contaminate such food; or
- (b) use any printed material, other than printed material designed exclusively for wrapping or containing food, to come into contact with any food other than uncooked vegetables or unskinned rabbits or unplucked poultry; or

- (c) use, or cause or permit to be used, any crockery, utensil or vessel which is either cracked or chipped; or
- (d) use any vehicle or receptacles for conveying or delivering food unless such vehicle or receptacle—
  - (i) is so constructed as to protect the food conveyed or delivered therein from contamination or any risk of contamination; and
  - (ii) is in a clean and sanitary condition; and
  - (iii) bears the name and address of the owner legibly painted or affixed in a conspicuous position; or

para (d) substituted by SI 208/78 with effect from the 31<sup>st</sup> March, 1978

- (e) permit any food to be carried in a vehicle or container with any live animal or live poultry unless adequate precautions are taken to prevent such live animal or live poultry from coming into contact with such food; or
- (f) permit any food-room to be used as a sleeping-place or to communicate directly with a sleeping-place; or
- (g) keep in any food-room any animal-feed unless it is in a sealed container; or
- (h) permit any room which contains a sanitary convenience to be used as a food-room or to communicate directly with a room used for the handling of food; or
- (i) permit any live animal or bird to enter or remain in a food-room, unless the consent of the medical officer of health has been obtained; or
- (j) use any milk-bottle, aerated-water-bottle, cordial-bottle or soft-drink-bottle for any purpose other than that of containing milk, aerated water, cordial or soft drink, respectively; or
- (k) sell any food which, in the opinion of the medical officer of health or a health inspector, is unwholesome, adulterated or diseased.

#### *Cleanliness of food-handlers*

### **7.**

Every person who is employed in the handling of open food shall, while so engaged—

- (a) keep clean all parts of his person which are liable to come into contact with the food; and
- (b) keep clean all parts of his clothing or overclothing which are liable to come into contact with food; and
- (c) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing; and
- (d) refrain from spitting; and
- (e) refrain from smoking or using tobacco or snuff; and
- (f) use only an approved apparatus or instrument for handling cooked meats and confectionery; and
- (g) wear clean and washable over-clothing, and, if employed in carrying unwrapped meat which is liable to come into contact with his head or neck, wear an approved form of clean head-and-neck covering.

Substituted by SI 208/78 with effect from the 31<sup>st</sup> March, 1978

- (h) take all such steps as may be necessary to protect the food from risk of contamination.

*Notification of infectious disease in food-handlers*

**8.**

Immediately a person engaged in the handling of food becomes aware that he is suffering from, or is the carrier of, typhoid, paratyphoid or any other salmonella infection, amoebic or bacillary dysentery, infectious hepatitis or any staphylococcal infection likely to cause food poisoning, he shall inform his employer, who shall immediately notify the medical officer of health accordingly:

Provided that, where the person required to give such information is either the employer or is self-employed, he shall give the information immediately to the medical officer of health.

*Power of entry of medical officer of health*

**9.**

(1) The medical officer of health or any health inspector may, at all reasonable times, and at any time when business is in progress, enter and inspect any premises to which these by-laws apply, and may examine, for the

purpose of ascertaining whether these by-laws are being complied with, any equipment or any process being carried on therein.

(2) No person shall hinder, obstruct or resist any such official in the exercise of his powers of inspection.

*Repeal*

**10.**

The Harare Licensed Premises By-laws, 1945, published in Rhodesia Government Notice No. 507 of 1945, are amended by the repeal of sections 50 and 51.