

ORDINANCE NO. 260

RELATING TO FOOD: CREATING THE OFFICE OF MEAT AND MILK INSPECTOR, AND REGULATING HIS DUTIES CONCERNING THE INSPECTION OF SUCH WITHIN THE CORPORATE LIMITS OF THE CITY OF LAS ANIMAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS:

Section 1. There is hereby created the office of Meat and Milk Inspector, whose duties shall be as hereinafter prescribed. The Meat and Milk Inspector shall be appointed by the City Council and the Mayor. He shall have a scientific and practical knowledge of meat and milk inspection, and qualified to make analysis of milk and having the necessary scientific and practical knowledge of all diseases of meat and milk-producing animals. He shall hold his office at the pleasure of the City Council and subject to removal as provided in the City Charter, with or without cause. He shall pay over to the City Treasurer and duly account for all moneys received by him in discharge of the duties of his office. The salary of the Food Inspector shall be as fixed by the City Council.

Section 2 The Meat and Milk Inspector shall be subject at all times to the control and supervision of the city Council. It shall be his duty to examine and inspect all articles of food kept or offered for sale within the corporate limits of the City of Las Animas, and if upon inspection he shall find any such food unfit for human consumption he shall condemn the same and order the same destroyed or so treated as to render the same unmarketable for human consumption. He shall keep record of all condemned food so determined by him and make a monthly report thereof to the City Council upon a form prescribed for that purpose. He shall furthermore keep a record of all other inspections made by him in the discharge of his duties under this ordinance, and for that purpose shall have a record book which shall constitute a permanent record of the acts and doings of his office, and make an annual report for the calendar year on or before February 1st in each year.

Section 3. No meat shall be sold or offered for sale within the corporate limits of the City of Las Animas without first having been inspected and approved by the Food Inspector. No person shall kill and dress any animal or meat in any market or store, nor have nor permit to escape therein or within one hundred (100) feet thereof, any poisonous noxious or offensive substances. No blown, tainted, raised, stuffed, diseased, putrid, impure, meagre unhealthy or unwholesome meat or fish, bird or fowl, or any unwholesome or decayed food offered for sale for human food, or hold or kept in any market or any place within the corporate limits of the City of Las Animas. No calf, pig or lamb, nor meat thereof, shall be bought, sold or offered for sale, for food in this city, which being a calf when killed was less than four weeks old and when dressed shall weigh less than seventy-five (75) pounds; or being a pig, was when killed less than five weekd old; or, being a lamb, was when killed less than eight weeks old. No meat or dead animals above the size of a rabbit shall be taken to any market or store until the same shall have been fully cooled, nor until the entrails have been removed; nor shall any unwholesome matter or thing be brought to or near such

260
Pg 2

market. No meat shall be bought or sold for food when the same has been fed upon carrion, offal or dead animals. It shall be the duty of the Meat Inspector having knowledge of such facts, forthwith to seize and destroy all such unwholesome meat and provisions, fruit, berries, or vegetables; and it shall be the duty of every person or persons knowing of any food sold or offered for sale within the corporate limits of the City of Las Animas which is not sound or in a healthy or wholesome condition, forthwith to report such facts to the City Meat Inspector or his deputies.

All meat ^{in meat} markets shall be kept in the coolers save that which is displayed on the counters, and this shall be kept covered with screens to protect it from flies and unnecessary handling by prospective buyers. No dealer in meats shall keep any refrigerators or ice boxes unless same shall be lined with lead or some proper substance, so as to be water tight, nor unless the same be provided with a pipe of lead, zinc or copper leading therefrom to the proper waste pipe.

Section 4. Meats slaughtered outside of the City of Las Animas and not in approved abattoirs and brought into the city for sale, may be inspected and branded or otherwise marked for identification by the food Inspector or his deputies under the following rules, to-wit: All carcasses must have the head and all viscera, except the stomach, bladder and intestines, held together by natural attachment, and all such carcasses shall be brought to such place at such time as may be designated by the Meat Inspector who shall be notified when such meat is ready for inspection.

Section 5. Every person being the owner, lessee, or occupant of any place, other than a private dwelling house, where any meat, fish, poultry, game, vegetables, fruit, or other perishable articles of food shall be stored or kept, and every person engaged in the care, custody or sale of any such articles of food supply, shall put, preserve and keep such articles in a clean and wholesome condition, and shall not allow the same or any part thereof to be putrid, decayed, poisoned, infected or in any other manner rendered or made not safe or wholesome for human food, and it shall be the duty of the Meat Inspector to enter any and all such premises at any time of any day, and to condemn, seize and destroy any such putrid, decayed, poisoned or infected food which may be found in such premises.

Section 6. No meat, fish or any other article of food or drink shall knowingly be bought, sold, held or offered for sale, labeled or any representation made in respect thereto under a false name or quality, or any false representation made in respect thereto under a false name or quality, or any false representation whatever respecting its wholesomeness for food or drink. No bread shall be offered for sale unless the same shall be wrapped with paraffine paper, and all bakers' goods in the stores or while being delivered within the corporate limits of the City, shall be protected from dust and flies by being kept in tight boxes or in glass cases.

ARTICLE 2
RELATING TO MILK AND OTHER DAIRY PRODUCTS.

Section 1. Every person who is engaged in carrying on the business of vending milk and cream, or either of them within the corporate limits of the City of Las Animas shall keep all cans and other receptacles used in and about the handling of milk and cream or either

#260
Pg 3

of them and all refrigerators or compartments and stores or other places where milk and cream, or either of them is kept, stored or handled in a scrupulously neat and clean condition and free from the presence or vicinity of any article or thing likely to contaminate or injuriously affect the quality or sweetness of the milk or cream and shall cause all bottles, cans, dippers or other receptacle in which milk or cream is kept, to be sterilized with boiling water or live steam before using again, and shall cause all bottles, cans or dippers or other vessels used in or about the peddling or vending of milk and cream to be scalded or sterilized daily; and all sterilizing and cleansing required by this section shall be done as the Milk inspector may direct.

Section 2 It shall be the duty of the milk Inspector to visit and inspect all places and vehicles in which milk and cream, or either of them, is sold or offered for sale, stored or kept or delivered and inspect all vessels, cans, receptacles, packages, refrigerators or compartments in stores or buildings, platforms, establishments, or places of any kind containing milk or cream to ascertain the condition thereof with reference to cleanliness and sanitation, and to cause the removal and abatement of any unfit, unclean or injurious conditions attending the keeping, storing or possession, care, custody or control of any milk or cream at any and in all places.

Section 3. The City Health Officer, the Milk Inspector or any police officer shall have the right and power to enter and have full access to all wagons, railroad cars, or other vehicles of any kind used for the conveyance or delivery of milk or cream or any place where milk or cream is kept, bottled or stored, for sale or consumption in the City of Las Animas, and shall have the right to take samples of milk and cream therefrom, such samples not to exceed one quart, for the purpose of inspecting, testing or analyzing the same.

Section 4. No person shall keep, sell or offer for sale, or have in his possession, charge or control, for sale within the corporate limits of the City of Las Animas, any milk which contains more than eighty-eight (88%) per cent of watery fluid, or less than twelve (12%) per cent of total solids, or less than three and five-tenths (3.5%) per cent of butter fat, or more than 100,000 bacteria per cubic centimeter. No person shall keep, sell, or offer for sale, or have in his possession, charge or control, for sale within the corporate limits of the City of Las Animas any cream which contains less than sixteen (16%) per cent of butter fat.

Section 5 No person shall sell or offer for sale within the corporate limits of the City of Las Animas any milk from which the cream or any part thereof shall have been taken, unless such milk shall be offered for sale and sold by such persons as "skim milk", and unless the cans or other receptacles containing such milk shall have painted or printed on the outside thereof the words "Skim Milk" in plain black letters to be kept plainly visible at all times; and no such person shall sell, or offer for sale or deliver any skim milk containing less than eight and eight-tenths (8.8%) per cent of total solids other than butter fat.

Section 6. Whoever, by himself, or by his servant, or agent, or as agent or

#260
Pg 4

servant, or employee of any other person, sells or offers for sale or delivers within the corporate limits of the City of Las Animas any milk, cream or buttermilk or skim milk for human food which is unclean, diluted, impure, unwholesome, adulterated, or not of the standard provided for by this ordinance, or milk or cream produced from sick or diseased cows, or from cows kept in an unclean, filthy or unhealthy condition, or cows fed any garbage, swill, refuse, or other improper foods, or milk or cream that has been exposed or contaminated or affected by discharge or exhalations of any human being or animal, sick or infected, shall upon conviction be fined as hereinafter provided.

Section 7. All milk or cream from sick or diseased cows, or cows fed on slops, or that may injuriously affect or be detrimental to life and health, shall upon discovery thereof be confiscated or forfeited by or under the direction of the Milk Inspector.

Section 8. Every person owning, keeping or in possession, charge or control of any cow stable, or dairy where milk cows are stabled or kept or from which milk is sold within the corporate limits of the City of Las Animas shall have such stable or dairy cleaned daily in a thorough manner, and such manure shall be removed as often as once a week, and shall maintain the premises thereof free from refuse matter or offal.

Section 9. All dairy cows which produce milk for the market of the City of Las Animas shall be free from all disease that would in any way affect the milk, such as Tuberculosis, Anthrax, Lumpy Jaw, Garget, Cow-pox, Enteritis, Septic Metritis, Suppurative processes, Pneumonia, Parturient Apoplexy, Malignant Catarrh; and the words "Dairy Cow" are hereby defined to include the private cow from which milk is sold. No cow shall be used in any dairy which supplies milk for private consumption or use, or for sale within the corporate limits of the City of Las Animas unless such cow has been tested with tuberculin for tuberculosis by a licensed veterinarian approved by the Milk Inspector, and no milk shall be sold within the corporate limits of the City of Las Animas from any dairy unless a certificate from the inspecting veterinarian shall have been filed with the City Clerk showing that all cows in said dairy have been tested and are free from all diseases mentioned herein; and this inspection and certificate shall be made and issued upon date of inspection at the expense of the owner, and such owner shall file the certificate with the City Clerk within ten days after the same is issued. Such certificate shall be filed at least once a year and at such other times as the Milk Inspector shall direct. No milk shall be sold or offered for sale or given away within the corporate limits of the City of Las Animas from any cow not so examined. Additional certificates shall be immediately filed for cows added to any dairy, and it shall be the duty of the City Clerk to keep a permanent record of all such certificates. Cows found to be affected with any of the foregoing diseases shall be marked or branded for identification by the Milk Inspector, or in such manner as to make the same complete and certain. No milk shall be sold or given away from a cow which shall calve within thirty days or has calved within five days, nor until such milk shall become normal. If any cow is sick or diseased, the owner thereof shall not offer for sale or give away any milk therefrom and shall notify the milk Inspector at once of the fact of such sickness or disease. The Milk Inspector shall have power to compel the isolation from the herd of cows suffering from contagious diseases. No milk or cream shall be sold, given away or delivered which shall be produced from any house or premises where there is a communicable disease affecting the cows or those in charge of same.

#260
Pg 5

Section 10 It shall be unlawful for any person suffering with scarlet fever, diphtheria, tuberculosis or other contagious or infectious disease, or who has been knowingly exposes to any such disease within a period of ten days, to handle transport, deliver, mix or to serve as a milker or milk-man. And it shall be unlawful for any person to use any bottle, can or other vessel in the sale, distribution or delivery of milk or cream which has been handled by any person sick with or infected with scarlet fever, diphtheria, or other contagious or infectious disease. All sickness of either the family or employees, of whatever nature, must be reported to the Health Department within twenty-four hours. It shall be unlawful for any person to serve milk, cream, butter-milk, or skim milk in bottles to any dwelling that has in it any contagious disease or that is placarded by the Department of Health for contagious disease, until such placard has been removed by the proper authorities, provided, however that milk may be emptied in a separate vessel furnished by such person or family.

Section 11. All milk or cream sold for human food in quantities of less than one gallon shall be delivered in glass milk bottles and all such milk or cream shall be bottled in the place provided by licensee for such purpose, and shall not be re-bottled or re-capped after removal therefrom. The dairy building regularly used for this purpose shall at all times be kept in a clean and sanitary condition. Milk bottles, milk cans and cream bottles shall be used for no other purpose than as receptacles for milk or cream.

Section 12. The Milk Inspector is hereby authorized and empowered to formulate such rules and regulations not inconsistent with the provisions of this ordinance, necessary to procure a standard of milk and cream required by the provisions of this ordinance, and it shall be unlawful for any person to fail, neglect or refuse to comply with such rules and regulations.

Section 13. The serving of milk in any hotel, restaurant or eating house within the corporate limits of the City of Las Animas shall constitute a sale of milk under the ordinance and subject to all the provisions, and no milk shall be so served except it be in bottles direct from the producer, without the caps having been removed, provided, however, that this section of the ordinance shall not apply to dispensaries serving milk in connection with soda fountains, as to mixed drinks only.

Section 14. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall upon conviction be fined in any sum not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) Dollars and costs of suit.

Passed by the City Council and approved by the Mayor of the City of Las Animas, Colorado, the 18th day of April, A.D. 1927.

It was moved by Alderman B. H. Faucett and seconded by Alderman George W. Powell that the foregoing Ordinance No. 260 be passed. Upon roll call the following vote was had:

Aye: Alderman Chas. M. Cheek, George W. Powell, Henry Hayhurst, H. E. Gilliland and H. D. Kennedy.

QUILL
So Fast
So Simple

#260
Pg 6

May: None.

Chas. W. Harrison

Mayor.

Attest: *Lizzie E. Collett*

Clerk .

STATE OF COLORADO,)
 (ss
County of Bent.)

I, Lizzie E. Collett, City Clerk in and for the City of Las Animas, Colorado, do hereby certify that the above and foregoing Ordinance was read at a regular meeting of the City Council of the City of Las Animas, Colorado, and published in full in the Bent County Democrat, a weekly newspaper of general circulation, published in the City of Las Animas, for ten days before its passage, and published once after its passage and approval, in said Bent County Democrat.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of the City of Las Animas, Colorado, this 19th day of April, A.D. 1927

(SEAL) *Lizzie E. Collett*

City Clerk.

108