

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 14 (1))

THE PUBLIC HEALTH (TOURIST ESTABLISHMENTS) REGULATIONS, 2000

(Made by the Minister on the 28th day of June, 2000)

L.N. 71/2000
91A/2004

[1st August, 2000]

PART I—Preliminary

1. These Regulations may be cited as the Public Health (Tourist Establishments) Regulations, 2000.

Citation.

2. In these Regulations—

Interpretation.

“eating establishment” means any place or building in which food is prepared or served within a tourist establishment and includes establishments offering or providing one or all of the following dining arrangements—

- (a) all-inclusive dining arrangements only;
- (b) all-inclusive dining arrangements together with dining arrangements *a-la-carte*; or
- (c) dining arrangements *a-la-carte* only;

“grey water” means waste water from lavatory basins, kitchen sinks, flooring, drains and elsewhere which does not contain sewage;

“guest” means any person who stays at or otherwise enjoys the facilities of any tourist establishment, on payment of a fee;

“hazard” means any physical, chemical or micro-biological or other agent which is likely to cause a health risk;

“hazardous material” includes gasoline, kerosene, fuel oil, explosives, pesticides, rodenticides, insecticides, herbicides, disinfectants and cleansers;

“health certificate” means a certificate issued under regulation 4, in respect of a tourist establishment;

“high risk food” means any food consisting in whole or in part of milk or milk products, egg, meat, poultry, fish, shell fish, edible crustacea or other ingredients in a form capable of supporting rapid growth of infectious or toxigenic micro-organisms;

“inspector” means a public health inspector or any qualified person duly authorized to inspect tourist establishments pursuant to regulation 56;

“owner” or “operator” means any person who owns or operates, as the case may be, an eating establishment or a tourist establishment;

PART I—*Preliminary, contd.*

“premises” means all parts of a building and includes its messuages, surrounding property, roadways, drainage systems, buildings and out-buildings;

“public health requirements” means—

- (a) the requirements set out under or pursuant to the Public Health Act; and
- (b) the minimum operational health standards required to be met by any tourist establishment applying to be issued a health certificate under these Regulations;

“registered nurse” means a nurse registered under the Nurses and Midwives Act;

“restricted area” means—

- (a) any food handling area;
- (b) any area where hazardous materials or equipment are stored;
- (c) any area where exposure to harm is likely; or
- (d) any other area whatsoever, designated by the operator of a tourist establishment to be a private or restricted area with access permitted only to persons authorized by him;

“solid waste” means material or by-product, solid or semi-solid, generated by a tourist establishment;

“surveillance system” means an on-going systematic collection, analysis, accumulation and interpretation of health information undertaken by inspectors in order to monitor the state of health of guests and employees within tourist establishments;

“Tourist Board” means the Tourist Board established under the Tourist Board Act;

“tourist establishment” means a hotel, resort cottage, villa, guest house, apartment complex or any other such accommodation, with or without facilities for the preparation of meals, offering accommodation to guests, for reward, and includes the premises thereof.

(3) The provisions of these Regulations shall be applicable to the entire Island.

PART II—*Health Certificates*

4.—(1) Every person who intends to operate or operates a tourist establishment shall apply to the Medical Officer (Health) for a health certificate in respect of that tourist establishment in the form set out in Part I of the First Schedule.

(2) The Medical Officer (Health) shall, on receipt of an application under paragraph (1), cause an inspection of the premises to be carried out in accordance with regulation 56.

PART II—*Health Certificates, contd.*

(3) Where the inspection is satisfactory and the premises show compliance with the public health requirements and these Regulations, a health certificate may be issued in respect of the tourist establishment.

(4) A health certificate issued under paragraph (3) shall—

- (a) be in the form set out in Part II of the First Schedule;
- (b) be subject to such terms and conditions as may be specified therein; and
- (c) subject to regulation 5, remain in force for a period of twelve months from the date thereof, and may be renewed annually upon the applicant satisfying the Medical Officer (Health) that the tourist establishment is fit to be issued with a health certificate.

First
Schedule.
Part II.

(5) Every application for the issue of a health certificate or for the annual renewal thereof under this regulation, shall be accompanied by the fee specified in Part III of the First Schedule.

Part III.

(6) The operator of any tourist establishment that fails to satisfy public health requirements after three consecutive inspections, or within three months of a first inspection, whichever occurs first, shall apply to the Medical Officer (Health) for a new health certificate.

5.—(1) Subject to regulation 7, the Medical Officer (Health) may—

- (a) amend the terms and conditions upon which a health certificate is issued;
- (b) suspend the health certificate, if the provisions of these Regulations are being breached; or
- (c) revoke the health certificate of any tourist establishment—
 - (i) where the nature and scope of its operations have been so altered as to cause it to cease to be an eating establishment for the purposes of these Regulations; or
 - (ii) where any other condition exists in the establishment which is likely to endanger the health or safety of guests or employees thereof.

Suspension,
amendment
and revoca-
tion of health
certificate.

(2) Where, pursuant to paragraph (1), the Medical Officer (Health) suspends or revokes a health certificate or amends the terms and conditions specified therein, he shall, in writing, within five days, inform the Jamaica Tourist Board of the suspension, revocation or amendment, as the case may be, and the reasons therefor.

6. Every operator of a tourist establishment shall display, in a conspicuous location on the premises, the current health certificate issued under regulation 4 in respect of that tourist establishment.

Display of
health
certificate.

PART II—*Health Certificates, contd.*

Recommendation for review, etc., of tourist establishment licence.

7.—(1) Where a health certificate is refused, suspended, or revoked in respect of a tourist establishment, the Medical Officer (Health) may recommend to the Tourist Board that the licence of that establishment be reviewed, suspended or revoked.

(2) Before refusing, suspending or revoking a health certificate under paragraph (1) the Medical Officer (Health) shall notify the holder in writing of the proposed review, suspension or revocation, as the case may be—

- (a) stating the reasons therefor;
- (b) requiring the holder of the certificates to remedy the breach within the time specified in the notice;
- (c) stating that the certificate is to be returned, in the case of a suspension or revocation within the time specified forthwith to the Medical Officer (Health).

(3) The holder of a health certificate who is served with a notice under paragraph (2) shall, after remedying the breach which gave rise to the suspension, notify the Medical Officer (Health) in writing that the breach has been remedied.

(4) The Medical Officer (Health) shall, upon receipt of a notice referred to in paragraph (3), cause an inspection to be carried out and if the Medical Officer (Health) is satisfied that the breach has been remedied, he shall withdraw the notice of suspension or revocation, as the case may be.

Approval for construction, etc.

8.—(1) Every owner or other person who proposes to construct or renovate a tourist establishment shall first obtain approval from the Medical Officer (Health) before commencing such construction or renovation.

(2) An application under paragraph (1), shall be accompanied by the following information in respect of the eating establishment—

- (a) a brief description of its operations, if any, of the proposed operations, and the equipment used or proposed to be used therein;
- (b) a chart of the food flow plan;
- (c) a description of its cold chain, storage capacity and sanitary conveniences;
- (d) a site plan of the entire premises showing the location of all buildings and roadways adjoining the proposed building and all streams, wells, swamps, reservoirs and storage tanks on the premises;
- (e) a floor plan of the eating establishment indicating the location of walls, partitions, posts, doorways and windows, sinks and floor drainage, openings and gutters, ventilators and fans, equipment, lockers and shelves, hot and cold water connections, hand washing facilities, work stations, locker rooms, toilets and urinals;

PART II—*Health Certificates, contd.*

- (f) a sanitary engineering plan of the floor drainage system and toilet lines;
- (g) notation on water supply, method of sewage disposal, description of trapping and venting of drainage line.

(3) Every owner or operator who constructs or renovates any tourist establishment shall, on completion of such construction or renovation, notify that fact in writing to the Medical Officer (Health).

(4) The Medical Officer (Health) shall, on receipt of the notification under paragraph (3), cause an inspection of the premises to be carried out, to ensure that public health requirements are complied with.

(5) The Medical Officer (Health) shall take all such reasonable measures as are necessary to prevent the opening, operation or re-opening of any tourist establishment which has—

- (a) failed to satisfy public health requirements; or
- (b) not been issued with a health certificate under these Regulations.

9. The Medical Officer (Health) may order the closure of any tourist establishment or the kitchen or other food preparation or serving area of an eating establishment which fails to meet or maintain public health requirements.

Ordering any tourist establishment, etc., closed.

PART III—*Food Safety*

10.—(1) Every owner or operator of an eating establishment other than a villa, resort cottage, guest house, apartment complex or other similar accommodation shall take such steps as are necessary to ensure, to the satisfaction of the inspector, that—

Register of food suppliers to be maintained.

- (a) a register of all food suppliers is kept and available for examination by an inspector at all reasonable times;
- (b) procedures are put in place to receive and inspect food for their safety and wholesomeness;
- (c) procedures are put in place to sort and store food supplies in such a manner as to prevent contamination and to allow for evaluation of its wholesomeness.

(2) Every register kept pursuant to paragraph (1) shall specify the quantity and type of food and the date on which it was supplied.

11.—(1) The owner or operator of an eating establishment shall take such steps as are necessary to ensure that—

Duties of owner in respect of storage.

- (a) a report on inspections conducted under regulation 10, on foods received and their sources, is compiled, maintained and kept on

PART III—*Food Safety, contd.*

premises, together with records of rejected food supplies and notified to the Medical Officer (Health) immediately;

- (b) appropriate equipment and facilities are provided to monitor and maintain the temperature and humidity of rooms in which food, other ingredients, packaging and raw materials are kept;
- (c) appropriate equipment and facilities are provided to maintain the temperature of rooms a minimum of eighteen to twenty degrees centigrade and at a relative humidity of seventy per cent.

(2) Paragraph (1) (a) and (c) shall not apply to villas, resort cottages, guest houses, apartment complexes or other similar accommodation.

12. The operator of every eating establishment shall take such steps as are necessary to ensure that—

- (a) raw materials, ingredients and packaging materials are physically separated from cooked or otherwise prepared foods;
- (b) all food is stored at a minimum height of eighteen centimeters above the floor;
- (c) there is a system to monitor and record room and food temperatures;

13.—(1) The operator shall cause all detergents, sanitizers and other chemicals used in the tourist establishment to be properly utilized, labelled and stored.

(2) The operator shall establish systems to ensure that—

- (a) hazardous materials are transported, stored and used in such a manner as to prevent health or environmental problems;
- (b) food and drinking water are not contaminated with any hazardous materials, including those mentioned in paragraph (a);
- (c) hazardous materials and other similar substances are kept in clearly labelled containers and are not transferred to inaccurately labelled or unlabelled containers.

14. Every person transporting food to a tourist establishment shall cause all such food to be transported in a manner so as to reasonably prevent contamination of the food and in accordance with regulation 15 of the Public Health (Food Handling) Regulations, 1998.

15.—(1) Every owner and operator of an eating establishment shall take such steps as are necessary to ensure, to the satisfaction of the inspector, that the provisions specified in this regulation are complied with.

Approval for construction, etc.

Storage of hazardous chemicals.

Transporting food.

Cleaning, sanitization and hand-washing facilities.

PART III—Food Safety, *contd.*

(2) The eating establishment shall be kept clean, free from vermin and unpleasant odours and generally in a sanitary condition.

(3) All surfaces and areas used for food preparation shall be cleaned and sanitized after each use.

(4) All surfaces with which food comes in contact shall be made from material which is non-absorbent, non-toxic, smooth, free from pitting and joints and able to withstand repeated cleaning and sanitization.

(5) Every food preparation area shall be provided with an adequate supply of hot and cold running water, detergent and equipment for cleaning and sanitizing dishes and utensils.

(6) All equipment and utensils shall be cleaned, sanitized and stored in a manner which is not likely to result in contamination by any substance.

(7) At least one hand-washing facility shall be installed and maintained—

(a) for every forty square metres of floor space;

(b) in each principal area where food is handled, prepared, stored or served,

and every hand-washing facility shall be equipped with hot and cold water, a soap dispenser and either an electric hand blower or disposable paper towels for drying hands after washing.

16.—(1) The operator of an eating establishment shall—

(a) at all times, cause the temperature of the food to be monitored.

(b) take such steps as are necessary to ensure that—

(i) utensils with long handles are utilized by employees and guests when serving foods; and

(ii) the utensils are changed as often as necessary or rinsed and air-dried between servings.

(2) This regulation shall not apply to villa, resort cottage, guest house, apartment complex or other similar accommodation.

17. Every owner and every operator of an eating establishment shall provide refrigeration capacity and equipment, to the satisfaction of the inspector.

18.—(1) The operator of an eating establishment shall put in place a system to monitor and keep records of temperature controls throughout the eating establishment and shall cause the temperature requirements set out in paragraph (2) to be maintained at all times.

(2) The operator of every eating establishment shall take such steps as are necessary to ensure that the following provisions are complied with—

(a) all perishable and prepared foods shall be refrigerated promptly at a maximum temperature of five degrees centigrade;

Food service.

Refrigeration equipment.

Temperature and humidity controls.

PART III—*Food Safety, contd.*

- (b) appropriate arrangements shall be made to monitor and maintain the temperature and humidity of rooms in which raw and prepared foods, other ingredients and packaging and raw materials are kept or prepared;
- (c) hot foods shall be maintained at a minimum temperature of sixty-three degrees centigrade;
- (d) foods shall be cooked to proper internal temperatures of—
 - (i) seventy degrees centigrade, in the case of pork;
 - (ii) seventy-four degrees centigrade, in the case of poultry and stuffed meats;
 - (iii) minimum seventy degrees centigrade, in the case of beef and other meats (unless, in the case of beef, otherwise requested by the consumer);
- (e) all refrigerated cooked foods shall be reheated to a minimum temperature of seventy-four degrees centigrade before serving;
- (f) frozen foods shall be kept at a temperature below minus eighteen degrees centigrade.

(3) Paragraph (1) and 2(b) shall not apply to villas, resort cottages, guest houses, apartment complex or other similar accommodation.

Equipment to be serviced and maintained.

19.—(1) All equipment used in the eating establishment shall be serviced and otherwise maintained in accordance with public health requirements.

(2) Every owner or operator of an eating establishment shall take such steps as are necessary to ensure that—

- (a) all utensils, cutlery, equipment, machines or other gadgets used in the preparation or service of food are properly cleaned and sanitized after each use, in a manner approved by the Medical Officer (Health);
- (b) equipment is properly vented and maintained;
- (c) functional thermometers and equipment, including all refrigeration equipment, cooking equipment, food holding equipment and warewashing equipment are of a type approved by the Medical Officer (Health) and are provided and installed;
- (d) all equipment and utensils are designed and installed with a view to preventing the contamination of foods;
- (e) all equipment and utensils are constructed with corrosion-resistant materials;
- (f) all surfaces and food preparation areas are cleaned and sanitized at least twice daily;

PART III—*Food Safety, contd.*

- (g) all instructions and warnings, together with a schedule of the proper cleaning and maintenance of dangerous machines, are displayed in a conspicuous position on the premises;
- (h) instructions or warnings are issued, for the safe use of dangerous machine, and are displayed in a conspicuous position on the machine or near thereto.
20. All overhead structures, fixtures and fittings in an eating establishment—
- (a) shall be installed in such a manner as to prevent contamination of food, whether—
- (i) directly or indirectly; or
 - (ii) by condensation, drip or otherwise; and
- (b) shall be of a design and finish which—
- (i) is likely to prevent the accumulation of dirt;
 - (ii) will minimize condensation, mould development and flaking; and
 - (iii) allows for easy cleaning.
- 21.—(1) All food-handling areas in an eating establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall be equipped with—
- (a) appropriate ventilation systems which are able to remove odours, smoke and contaminated air,
- (b) exhaust fan ventilators installed above cooking units and other appropriate equipment, which effectively remove vapours from grease, strain and smoke;
- (c) ventilator systems designed to avoid back-drips of contaminating materials into food or on to any surface where food is handled.
- (2) The operator shall take such steps as are necessary to ensure that—
- (a) the air flow within the food-handling area is not directed from a dirty area to a clean area;
 - (b) noxious fumes are not vented into public areas, unless suitable filters are installed so as to avoid creating a health hazard or nuisance;
 - (c) all filters are removable and cleaned at regular, timely intervals;

Overhead structures, fixtures and fittings.

Ventilation of food-handling areas.

PART III—*Food Safety, contd.*

- (b) the ventilation systems are kept free from—
 - (i) grease and dust accumulation;
 - (ii) insects and rodents; and
 - (iii) contaminating materials or agents;
- (e) the ventilation system is located so as to prevent—
 - (i) direct contact of air with food; and
 - (ii) any activities within the food handling area;
- (f) ventilation openings are equipped with screens or other protective devices made of non-corrosive material;
- (g) the ventilation system is maintained at 18 degrees Celsius and at 70 per centum humidity in all areas where food is handled.

Handling, storage, etc., of high risk foods.

22. All high risk foods in an eating establishment shall be handled, stored, prepared and served in such a manner as to eliminate health risks.

Insect and rodent control.

23.—(1) The owner or operator shall take such steps as are necessary to ensure that—

- (a) all windows located in areas where food is handled, prepared or served are equipped with close-fitting screens of a type which prevents the entry of flies and other pests, dust and other extraneous matter;
- (b) areas where food is handled, prepared or served are fitted with self-closing, close-fitting screen doors to exclude all insects and other pests;
- (c) measures are taken to effectively prevent infestation by rodents, insects and other pests.

Floors, walls, ceilings, etc., of establishment.

24.—(1) The floor of the kitchen in an eating establishment shall be maintained in a clean, dry and otherwise good condition.

(2) Where any tile becomes damaged, or where uneven surfaces or open joints occur in an eating establishment, the operator shall cause them to be repaired promptly.

(3) All walls, ceilings, partitions and doorways in the eating establishment shall be kept clean and in good repair.

(4) All windows and other openings in the eating establishment—

- (a) shall be maintained so as to prevent the accumulation of dirt; and
- (b) shall be fitted with removable 1.55 millimetre insect-proof mesh screens which shall be kept clean and in good repair.

PART III—*Food Safety, contd.*

(5) All internal window sills shall be sloped so as to prevent their being used as shelves.

(6) All doors shall be fitted and hinged so as to ensure that they are fly-proof and self-closing.

PART IV—*Safety and Conduct*

25. Every operator of a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall take such steps as are necessary to ensure that—

Safety requirements.

- (a) all workers are trained in occupational safety hazards awareness, risk reduction and first-aid procedures;
- (b) all facilities of the establishment, including its dining areas, are maintained so as to prevent the entrance and harbouring of pests and other animals and environmental contaminants including smoke and dust.

26.—(1) The owner or operator shall—

Restricted areas.

- (a) cause signs to be placed in all restricted areas of the tourist establishment, restricting access thereto to authorized members of staff, and;
- (b) where directed by an inspector to do so or where appropriate, shall cause fences to be erected around any such area.

(2) Paragraph (1) shall not apply to villas, resort cottages, guest houses, apartment complexes or other similar accommodation.

27. Every owner or operator of a tourist establishment shall ensure that hazardous substances are stored away from living quarters, food preparation areas and recreation areas.

Hazardous substances.

28.—(1) The operator of a tourist establishment shall—

Material safety data sheet.

- (a) keep in respect of every hazardous chemical procured for use in the establishment, the material safety data sheet which is ordinarily enclosed with the hazardous chemical in its packaging, or a copy thereof; and
- (b) ensure that the provisions of every such data sheet are observed by all users of the chemical.

(2) Where no material safety data sheet is enclosed in the packaging of the hazardous chemical, the operator shall—

- (a) take all reasonable steps to obtain the safety data sheet or a copy thereof; or
- (b) contact an inspector with a view to obtaining instructions thereon and carrying out same.

PART V—*Medical and First-Aid Facilities*

Medical
preparedness.
Second
Schedule.

29.—(1) Every operator of a tourist establishment shall cause a weekly surveillance report to be completed in the form specified in the Second Schedule and shall promptly submit that report to the Medical Officer (Health).

(2) Every owner and operator of an eating establishment shall take such steps as are necessary to ensure that—

- (a) medical and first-aid services are available on the premises for guests and staff, in clearly identified and appropriate areas;
- (b) first-aid medication is kept available on the premises for the treatment of guests and staff, as may be directed by the Medical Officer (Health);
- (c) details of every case where a guest or member of staff becomes ill or suffers injury and is seen or attended to by a registered nurse or medical practitioner are recorded in the weekly surveillance report of the tourist establishment.

(3) The owner or operator of a tourist establishment having 100 rooms or more, shall—

- (a) employ the services of a registered nurse who shall be on duty for specified hours per day and whose service shall be otherwise available to guests and staff of such tourist establishment in cases of emergency;
- (b) establish a nurse's station where, in the event of illness or injury, the services of that nurse may be sought by guests and employees.

(4) Where the registered nurse is absent from the nurse's station, the owner or operator shall—

- (a) take such steps as are necessary to ensure that a medical practitioner is so advised; and
- (b) in the event of illness of or injury to a guest or employee, make arrangements for contacting the medical practitioner and securing his services.

(5) The owner or operator of a tourist establishment having less than 100 rooms shall secure the services of a registered nurse or medical practitioner in the event of illness or injury of a guest or employee.

(6) Paragraphs (1), (2) (a) and (c) and (3) shall not apply to villas, resort cottages, guest houses, apartment complexes or other similar accommodation.

Reports of
outbreaks of
communicable
disease.

30. Where there is suspicion or confirmation of any communicable disease or food-borne illness at a tourist establishment, a report shall be made within twenty-four hours to the Medical Officer (Health) by—

- (a) the medical practitioner or nurse who attended to the person who contracted the disease; and
- (b) the owner or operator.

PART VI—*Water Supply and Lighting Facilities*

31.—(1) Every tourist establishment shall be provided with an adequate and continuous supply of potable water from a sanitary source, being from—

Duties of owners and operators in respect of water.

- (a) the National Water Commission;
- (b) the Parish Council of the parish in which the eating establishment is situated pursuant to the Parishes Water Supply Act; or
- (c) any other source approved by the Medical Officer (Health) which is maintained in compliance with public health requirements.

(2) Every owner and every operator of a tourist establishment shall take such steps as are necessary to ensure that—

- (a) the water supply is properly distributed throughout the eating establishment and is of the pressure recommended by the inspector;
- (b) a routine monitoring system is implemented to meet the specifications for water quality as recommended by the inspector;
- (c) the water quality on the premises is checked weekly for residual chlorine by the owner, operator or other authorized persons;
- (d) an approved treatment and testing programme is instituted for water distributed on the premises;
- (e) a record of all test results is kept, and presented on request, to the Medical Officer (Health) or the inspector, as the case may require;
- (f) hot and cold water under pressure is provided in all areas where food is prepared or equipment and utensils are washed or sanitized;
- (g) all water storage tanks on the premises are covered and access to them is limited to authorized persons only;
- (h) every storage tank on the premises is so constructed and so maintained as to enable easy draining, cleaning and sanitization;
- (i) water piped into the eating establishment is transported, handled, stored and dispensed in a sanitary manner so as to minimize the risk of contamination;
- (j) all ice used in the tourist establishment is made from potable water.

(3) A daily record of the chlorine residue of water shall be kept by the operator of the eating establishment.

32.—(1) Every owner of a tourist establishment shall install water storage tanks which can be drained, cleaned and sterilized on a regular basis without causing damage to the tank.

Water storage and use.

(2) Supplies of potable water shall be stored in the tanks referred to in paragraph (1).

PART VI—*Water Supply and Lighting Facilities, contd.*

(3) The operator shall cause—

- (a) all water storage tanks to be—
 - (i) cleaned and sterilized at least once in every six month period;
 - (ii) covered and access to them shall be limited to authorized persons wearing suitable identification;
- (b) all water piped into the tourist establishment to be transported, handled, stored and dispensed in a sanitary manner;
- (c) all containers used to dispense water to be sanitary and to conform to all public health requirements; and
- (d) all water, when not in use, to be stored in restricted areas so as to avoid contamination.

Polluted water.

33. The owner of every tourist establishment shall take such steps as are necessary to ensure that there are no connections or conditions which could allow back-flow or back-siphonage or cross-contamination of polluted or suspected water into the water supply.

Grey water.

34. Every owner of a tourist establishment shall provide—

- (a) facilities for the drainage of grey water;
- (b) separate drainage pipes for grey water and potable water;
- (c) a drainage system for grey water which is equipped with such traps and vents as are specified in writing by an inspector.

Drainage systems.

35. The grounds and surroundings of every tourist establishment shall be provided with adequate, efficient and properly maintained drainage systems to collect and dispose of excess rain or storm water.

Waste water systems.

36. Where an owner installs waste water systems of an approved design, as required under building standards pursuant to the Parish Councils Building Act or the Kingston and St. Andrew Building Act, he shall so maintain the water systems at all times, as to prevent any public health hazard or nuisance.

Lighting and ventilation.

37.—(1) The owner or operator of every tourist establishment shall cause to be installed—

- (a) adequate means of ventilation, either by a central ventilating system or by unit air conditioners;
- (b) lighting in accordance with paragraph (2).

(2) The lighting referred to in paragraph (1) (b) shall be as follows—

- (a) five hundred and fifty luxations in general food-handling, food preparation and dishwashing areas;

PART VI—*Water Supply and Lighting Facilities, contd.*

- (b) seven hundred and seventy luxations in the food preparation areas of kitchens;
- (c) two hundred and twenty luxations in work rooms;
- (d) between five hundred and fifty and eleven hundred luxations in serving areas;
- (e) three hundred and thirty luxations, in walk-in freezers and refrigerators;
- (f) between two hundred and twenty and three hundred and thirty luxations in locker rooms, toilets and other similar places;
- (g) one hundred and ten luxations in all other areas; or
- (h) such other luxation level as may, from time to time, be prescribed by the Minister after consultation with the Medical Officer (Health).

(3) Light bulbs and light fixtures located in areas where food-handling, preparation and serving take place, shall be fitted with shields to prevent contamination of food.

PART VII—*Employees in Tourist Establishments*

38.—(1) Where an employee in a tourist establishment is suffering from any communicable or notifiable disease or displays any other serious medical symptoms, the owner or operator shall—

Illnesses of
employees,
guests.

- (a) restrict the activities of that employee to areas of the tourist establishment where food is neither prepared nor handled; and
- (b) report the illness, disease or symptom to a registered nurse or medical practitioner, for medical treatment and directions.

(2) Where the registered nurse or medical practitioner diagnoses that an employee or guest is suffering from a highly contagious or communicable disease—

- (a) he may make recommendations to the owner or operator regarding the containment of the spread of the disease; and
- (b) he shall report the case to the Medical Officer (Health).

39. Every person working in food-handling areas within a tourist establishment shall maintain a high level of personal cleanliness and hygiene.

Hygiene.

40. Every person working in an eating establishment shall wear protective clothing, adequate hair covering, footwear and gloves and shall keep such items clean at all times.

Clothing.

PART VII—*Employees in Tourist Establishments, contd.*

Prohibition of smoking, chewing and eating.

41. No person working in a food-handling area shall eat, smoke, chew tobacco, or chew gum while he is in that area.

Washing hands.

42. Every food handler in an eating establishment shall wash his hands thoroughly with soap and water—

- (a) on entering a food-handling, preparation or serving area;
- (b) after handling contaminated materials;
- (c) after using the toilet; and
- (d) as often as necessary to keep his hands and fingernails clean.

Jewellery.

43. No person shall wear jewellery on his hands while he is in an area where food is handled or prepared.

Facilities for employees.

44.—(1) Every owner and operator of a tourist establishment shall provide adequate, safe and clean facilities for the employees in the tourist establishment and shall provide sanitary facilities in such ratios as are specified in the Third Schedule.

Third Schedule.

(2) The owner of every tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall provide for the use of his employees—

- (a) dressing rooms with individual lockers;
- (b) a lunch room;
- (c) flush toilets;
- (d) urinals;
- (e) showers;
- (f) hand-washing basins with hot and cold water;
- (g) germicidal soap;
- (h) single use paper towels; and
- (i) foot baths and hand dips.

(3) Washrooms, changing rooms, toilets and urinals shall not be located in area adjoining, near to or opening directly into food-handling, preparation or serving areas.

Food handlers' permits.

45.—(1) Every employee assigned to food-handling tasks shall be in possession of a food handlers' permit issued by the Medical Officer (Health).

First Schedule Part III.

(2) An application for a food handlers' permit under paragraph (1) shall be accompanied by the appropriate fee set out in Part III of the First Schedule.

PART VII—*Employees in Tourist Establishment, contd.*

(3) Every owner or operator of a tourist establishment shall keep a register of every person who is employed in an eating establishment in accordance with regulation 28 of the Public Health (Food Handling) Regulations, 1998 and such register shall be made available for inspection, on request, by the Medical Officer (Health) or an inspector.

46. The operator of an eating establishment shall take such steps as are necessary to ensure that each employee is trained in personal hygiene and the hygienic handling of food, in accordance with the training guidelines recommended by the Medical Officer (Health).

Training in hygiene standards.

47. The operator of a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall compile and submit monthly, a self-inspection check-list report and action sheet therefor in the form set out in Parts I and II of the Fourth Schedule.

Self-inspection check-list. Fourth Schedule. Parts I and II

PART VIII—*Solid Waste Management*

48. The operator of a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall provide, in writing, to the Medical Officer (Health) a waste management policy document setting out plans for the proper and efficient handling of all waste generated by the tourist establishment, including the hierarchy of responsibilities and supervision among employees.

Policy on waste management.

49.—(1) All solid waste in a tourist establishment shall be collected and kept in containers that—

Construction of waste containers.

- (a) are constructed of leak-proof, non-absorbent material and are rust resistant and fire resistant;
- (b) are cone-shaped, being wider at the top and, if made of metal, have a 5.08 centimetres rim at the base to prevent direct contact between the bottom of the container and the ground surface;
- (c) have two handles affixed to the sides so as to facilitate lifting and emptying;
- (d) have a capacity of eighty litres when full, or, does not exceed thirty-five kilograms in weight;
- (e) are provided with close fitting lids to prevent access by insects, rodents or animals;
- (f) unless kept in a special vermin-proof room or enclosure or in a waste refrigerator, are kept covered when not in use.

(2) Garbage containers shall be lined with plastic garbage can liners or wet strength paper bags which—

- (a) when full, can be removed and tied in preparation for collection and disposal;

PART VIII—*Solid Waste Management, contd.*

(b) are installed so that they fold over the top rims of the garbage cans.

(3) Separate containers shall be provided for wet and dry garbage materials.

(4) Waste containers shall—

(a) be kept covered when not in use; and

(b) be emptied as often as necessary to avoid any insanitary condition or nuisance.

(5) Each container shall be thoroughly washed, disinfected and dried after being emptied and a new liner installed prior to its re-use.

Solid waste
storage area.

50.—(1) The waste storage area of a tourist establishment shall be located—

(a) at a place convenient to the users of the kitchen; and

(b) in an area which is well-ventilated, weather-proofed and well-lit.

(2) The floor of the solid waste storage area shall be constructed of durable, rust resistant, cleanable material and the entire waste storage area shall be maintained in good condition.

(3) An adequate supply of running water shall be made available at the bulk storage area in order to facilitate regular cleaning and washing of the area.

(4) The area around each garbage container shall be kept clean and free of spilled material.

(5) The operator shall cause—

(a) all facilities used for the reception and transportation of waste, chemical and other non-food items to be physically separated from those used for the transportation and reception of food; and

(b) solid waste containing discarded food to be stored in such a manner as to be inaccessible to vermin and scavengers.

(6) All wet garbage shall be kept in a leak proof, rust resistant, non-absorbent, easily cleaned, durable, fire resistant, container, with a close fitting cover, and in an enclosed area until it is removed for disposal or processing;

(7) The temperature in the storage facilities, including garbage storage refrigerators and storage rooms, shall not exceed fourteen degrees Celsius;

(8) All bulk containers or compactors shall be placed on level, hard, cleanable, surfaces in an open area which is well-lit and the area shall be drained to a sewer, soak-away facility or other outfall.

PART VIII—*Solid Waste Management, contd.*

51. Where a system utilizing garbage grinders is employed at a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation), such grinders shall—

Garbage grinders.

- (a) be of adequate capacity for the estimated load of garbage;
- (b) discharge into an approved outfall; and
- (c) be cleaned and sanitized weekly.

52.—(1) All solid waste produced by the tourist establishment shall be disposed of—

Disposal of solid waste.

- (a) daily, or as frequently as directed by the Medical Officer (Health) and, in any event, with such frequency and in such manner as not to create a health hazard or a nuisance; and
- (b) at a facility approved by the Medical Officer (Health).

(2) Except for purposes of re-use, re-cycling or composting, no person shall dispose of any solid waste on the premises of a tourist establishment, unless such disposal is in accordance with the provisions of these Regulations.

(3) Any incinerator used for the disposal of solid waste, shall be designed to expose the waste to temperatures of between seven hundred and fifty and nine hundred degrees Celsius and the incineration process shall be carried out by an employee or other person trained to perform this function.

53. Every operator of a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall keep records of the schedules—

Keeping records.

- (a) for the emptying, cleaning and sanitizing of all solid waste containers and equipment;
- (b) for the collection and disposal of garbage.

54.—(1) The area designated for waste storage and disposal shall be separate from the areas where food is received, stored or processed.

Disposal, etc., of garbage.

(2) All batteries, household cleaning agents, aerosol cans and similar materials shall be stored separately from food waste.

(3) Sewage shall be discharged into a municipal sewage main, the local main system, or to an on-site location approved by the Medical Officer (Health).

PART IX—*Miscellaneous*

55. The owner or operator of a tourist establishment shall take sufficient measures to prevent access by unauthorized persons to food handling areas and any other restricted area in order to prevent contaminations of such areas or the food therein.

Security measures.

PART IX—*Miscellaneous, contd.*

Inspections.

56.—(1) The Medical Officer (Health) or any other person authorized by him in writing may, from time to time, inspect any premises in respect of which a health certificate has been issued or in respect of which an application for a health certificate has been made.

(2) The Medical Officer (Health) may, from time to time, designate any authorized officer to be an inspector for the purposes of these Regulations, and shall give every such inspector a certificate of designation; and that inspector shall, upon request, display the certificate to the operator or owner of the tourist establishment being inspected.

Penalty.

57. Any person who contravenes any of these Regulations for which breach no sanction has been provided herein, commits an offence and shall be liable on summary conviction therefor before a Resident Magistrate to a fine not exceeding fifty thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months.

FIRST SCHEDULE

(Regulation 4 (1))

PART I

THE PUBLIC HEALTH ACT

Application for Health Certificate for Tourist Establishment

TO: THE MEDICAL OFFICER (HEALTH)

1. _____
(Name of tourist establishment)

(Address of tourist establishment)

do hereby apply to have a health certificate issued in respect of the abovenamed tourist establishment.

2. The bed capacity of the tourist establishment is _____
(No. of beds)

3. Members of the management team of the tourist establishment are as follows:

NAME	POST HELD	QUALIFICATIONS	NATIONALITY

4. Special facilities and services provided by the tourist establishment are—

(a) _____

(b) _____

(c) _____

5. There is/are _____ eating establishment(s) located on the premises of the tourist establishment.

FIRST SCHEDULE, *contd.*

PART I, *contd.*

6. Description of eating establishment and seating capacity

7. Specify whether new or now being operated

8. STATEMENT BY AUTHORIZED OFFICER

To the best of my knowledge, the following steps have been taken to comply with public health requirements by the owners/operators and members of staff of the tourist establishment—

Authorized Officer

Dated this _____ day of _____

FOR OFFICIAL USE ONLY

Documents in support of application

DATE OF INSPECTION _____

ISSUED _____

GRANTED _____

Authorized Officer

FIRST SCHEDULE, *contd.*

(Regulation 4 (3))

PART II



Health Certificate

THE PUBLIC HEALTH ACT

Health Certificate

No. _____

This is to certify that _____
Name of tourist establishment

situate at _____

has been inspected by _____, an inspector appointed for and on behalf of the Medical Officer (Health) on the _____ day of _____; and the said tourist establishment has been found to be in compliance with the public health requirements. This health certificate is granted subject to the terms and conditions specified in the Schedule.

SCHEDULE

(insert terms and conditions)

DATE OF EXPIRY _____

Medical Officer (Health)

Dated this _____ day of _____

FIRST SCHEDULE, *contd.*

PART III

(Regulations 4 (3), 45 (2))

*Application and Annual Renewal Fees for Health Certificate
issued to Tourist Establishments*

<u>Column I</u>	<u>Column II</u>
<u>Tourist Establishments</u>	<u>Fees (\$)</u>
10 rooms or less	3,000.00
11 to 25 rooms	4,000.00
26 to 50 rooms	5,000.00
51 to 99 rooms	10,000.00
100 to 150 rooms	15,000.00
151 to 200 rooms	20,000.00
201 rooms or more	25,000.00
Food Handlers Permit	500.00

SECOND SCHEDULE (Regulation 29)
 THE PUBLIC HEALTH ACT
Weekly Surveillance Report

Name of Tourist Establishment _____

Week Ending _____

Occupancy (total number of guests) _____

	STAFF	GUESTS
Total number of cases seen	_____	_____
Total number of first visits	_____	_____
Total number of accidents/injuries	_____	_____
(a) Bruises	_____	_____
(b) Burns/Scalds	_____	_____
(c) Cuts	_____	_____
(d) Fractures	_____	_____
(e) Sprains/strains	_____	_____
(f) Other	_____	_____
Total number of gastrointestinal conditions	_____	_____
Total number of diarrhoea cases	_____	_____
Number of diarrhoea cases with vomiting	_____	_____
Number of diarrhoea cases with fever	_____	_____
Number of diarrhoea cases with blood in stool	_____	_____
Number of diarrhoea cases with abdominal cramps	_____	_____
Total acute respiratory infections	_____	_____

Name _____ Position Held _____

Signature _____ Date _____

THIRD SCHEDULE (Regulation 44)

THE PUBLIC HEALTH ACT

Sanitary Facilities for Employees of Tourist Establishments

MALE EMPLOYEES				MALE AND FEMALE EMPLOYEES		FEMALE EMPLOYEES	
No. of male employees	Water Closets (W.Cs.)	Urinals	Lavatory Basins (L.Bs.)	Showers	No. of female employees	Water Closets (W.Cs.)	Lavatory Basins (L.Bs.)
1-10	1	1	1	1	1-10	1	1
11-30	1	1	2	1	11-30	2	2
31-45	2	1	3	1	31-45	3	2
46-60	2	2	4	1	46-60	4	4
61-90	3	2	5	1	61-90	5	5
91-120	3	3	6	1	91-120	6	6
121-150	4	3	7	2	121-150	7	7
151-180	4	4	8	2	151-180	8	8
181-210	5	4	8	2	181-210	9	8
211-240	5	5	9	2	211-240	10	9
241-270	6	5	9	3	241-270	11	9
271-300	6	6	10	3	271	12	10
Plus	1 urinal for every additional 1-60 persons 1 W.C. for every additional 31-60 persons 1 L.B. for every additional 1-60 persons			Plus	1 W.C. for every additional 1-30 employees 1 L.B. for every additional 1-60 employees		

NOTE:

1. The minimum provision shall be for W.Cs. and L.Bs., to serve both sexes (except where facilities are accessible only through private offices) and shall be additional to the required minimum provision specified above.
2. Where facilities for members of the public are required, such facilities shall be additional to and separate from facilities required for employees and shall be provided and maintained in clean condition in accordance with these Regulations.

