

MMU 371/64

MEMORANDUM BY THE HONOURABLE MINISTER OF AGRICULTURE
POWER AND COMMUNICATIONS REGARDING THE UNSATISFACTORY
LABORATORY CONTROLS ON MILK AT THE MILK MARKETING
UNDERTAKING

Present position regarding Laboratory control exercised by the Milk Marketing Undertaking on the quality of milk is precarious. Future is viewed with apprehension because of possible health hazards to the population bearing in mind the recent liquors outcry.

2. The alarming situation has developed because of the impossibility of finding qualified Analysts to man the Laboratories. There is one Analyst out of a complement of four.

3. Long term solutions to the problem consist:-

- a) in the training abroad of local candidates - one such candidate is already undergoing training in the United Kingdom and is expected to return to Malta in July 1967.
- b) In the revision of Analysts' salaries to attract and retain the best available - this subject was discussed at length with Finance at a meeting held on the 10th June, 1965.
- c) In the implementation of a scheme submitted by the Milk Marketing Undertaking on the 26th February 1965, introducing a new set up for the Milk Marketing Undertaking laboratories conforming to Mr. Hayward's recommendations submitted to Government in his report of December, 1964.

4. As a temporary arrangement to improve the position a recommendation was made to Finance on 15th July, 1964, to approve the grant of an allowance to the Principal Laboratory Officer of the Medical and Health Department to enable him to take charge of the two laboratories of the Milk Marketing Undertaking pending adoption of arrangements of a permanent nature.

5. The allowance to the Principal Laboratory Officer was not approved. The position was further aggravated by the acquittal on the 27th March, 1965 of two herdsmen by the Criminal Court of Appeal presided over by the Honourable Mr. Justice J. Flores B.L. Can., LL.D. on the grounds that the analysis of the milk was not carried out by an Analyst of the Medical and Health Department as required in terms of Section 174 of the Food, Drugs and Drinking Water Ordinance Chapter 54, of the Laws of Malta. As a result of this sentence action against another eighteen Milk Producers caught infringing the Law had to be abandoned or withheld because the sample had all been tested by the M.M.U. Analyst.

6. This situation cannot be tolerated to continue as it could have serious repercussion on the health of the population as well as on the Exchequer since there could be no guarantee as to the quality of milk purchased by the Milk Marketing Undertaking. In fact milk producers are now under the impression that they can resort to malpractices with impunity.

7. To avoid deterioration of the situation the attached bill (in draft) of an Act to amend the Food, Drugs and Drinking Water Ordinance is submitted for Honourable Ministers' concurrence.

8. Honourable Ministers' concurrence is also solicited for instructions to be conveyed to the Principal Laboratory Officer to analyse all suspect milk samples submitted to him by the Milk Marketing Undertaking ,

- a) pending the enactment of the proposed legislation and
- b) in all other circumstances when no M.M.U Analysts are available.

18th August, 1965.

A BILL
entitled

AN ACT further to amend the Food, Drugs and Drinking-water Ordinance, Cap. 54.

BE IT ENACTED by the Queen's most Excellent Majesty by and with the advice and consent of the House of Representatives of Malta, in this present Parliament assembled, and by the authority of the same, as follows:-

Short title.

1. This Act may be cited as the Food, Drugs and Drinking-water (Amendment) (No. 2) Act, 1965, and shall be read and construed as one with the Food, Drugs and Drinking-water Ordinance, hereinafter referred to as the "principal law".

Amendment of section 174 of the principal law.

2. For subsection (2) of section 174 of the principal law there shall be substituted the following:-

"(2) If the things seized or the samples taken have to be analysed, the Court shall appoint, for carrying out the analysis, one or more of the Analysts attached to the Medical and Health Department,

Provided that where the proceedings before the Court are in respect of an offence against any of the provisions of section 90, or include any such offence, the Analyst or Analysts to be appointed by the Court may be one or more of the Analysts engaged for the analysis of milk by the Milk Marketing Undertaking;

Provided further that, if any one of the said Analysts shall have already made such analysis before proceedings were instituted, the Court shall require him to confirm his report on oath."

Objects/.....

L-Arkivji Nazzjonali ta' Malta

Objects and Reasons

The object of this Bill is to enable Analysts engaged by the Milk Marketing Undertaking to carry out the analysis normally reserved to the Analysts attached to the Medical and Health Department, where the proceedings taken or about to be taken under the Food, Drugs and Drinking-water Ordinance are in respect of an offence against a provision of section 90 of that Ordinance, which section is intended to ensure that only genuine and unadulterated milk of a good standard of quality is supplied for consumption.