
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1409

Session of
1975

INTRODUCED BY MESSRS. SHELHAMER, YAHNER, MISS SIRIANNI, MESSRS.
WEIDNER, SHUMAN, MORRIS, W. W. FOSTER, COLE, GRIECO, ZELLER,
THOMAS AND DREIBELBIS, JUNE 9, 1975

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 22, 1976

AN ACT

1 Amending the act of May 22, 1933 (P.L.912, No.168), entitled "An
2 act to protect the public health; defining and providing for
3 the licensing of bakeries, and regulating the inspection,
4 maintenance, and operation of bakeries and premises, stores
5 and shops connected therewith; defining and regulating the
6 manufacture, sale, and offering for sale of bakery products;
7 conferring powers on the Department of Agriculture; and
8 providing penalties," REQUIRING CERTAIN PHYSICAL EXAMINATIONS <—
9 and prohibiting certain persons from working in a bakery.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The definition of "bakery" in section 1, act of
13 May 22, 1933 (P.L.912, No.168), entitled "An act to protect the
14 public health; defining and providing for the licensing of
15 bakeries, and regulating the inspection, maintenance, and
16 operation of bakeries and premises, stores and shops connected
17 therewith; defining and regulating the manufacture, sale, and
18 offering for sale of bakery products; conferring powers on the
19 Department of Agriculture; and providing penalties," amended
20 August 18, 1961 (P.L.1008, No.451), is amended to read:

1 Section 1. Be it enacted, &c., That--Definitions.--The
2 following words and terms, as used in this act, shall be
3 construed as follows:

4 "Bakery" means and includes all buildings, and parts of
5 buildings, cellars and basements, or vehicles, used for the
6 manufacture of bakery products intended for sale, where more
7 than [fifty] one hundred pounds of flour, flour substitute,
8 flour mixture or potatoes are used each week in the preparation
9 of such products.

10 * * *

11 Section 2. Section 2 of the act is amended to read:

12 Section 2. Cleanliness and Sanitation Required.--It is
13 unlawful for any person to manufacture bakery products in an
14 unclean or insanitary bakery or under unclean or insanitary
15 conditions, or to use unclean or insanitary fixtures,
16 furnishings, machinery, apparatus, equipment, implements,
17 utensils and receptacles, or unclean, insanitary or unwholesome
18 ingredients or materials in a bakery, or to sell, expose, or
19 offer for sale bakery products in an unclean or insanitary store
20 or shop connected with a bakery.

21 Every bakery, and every store or shop connected with a bakery
22 shall be maintained and operated with strict regard for the
23 purity and wholesomeness of the bakery products manufactured,
24 produced, sold, or offered for sale therein or therefrom, and in
25 accordance with the following requirements:

26 (a) Bakery products shall not at any time be wrapped in
27 anything except clean unused wrappers.

28 (b) Bakery products shall not be touched or handled by
29 prospective purchasers until purchased.

30 (c) All vehicles, boxes, baskets, and other receptacles, in

1 which bakery products are contained, deposited, received or
2 stored, shall, at all times, be kept clean, covered, ventilated,
3 and screened or otherwise protected.

4 (d) No person, [who is afflicted with a communicable disease
5 or skin affliction shall be employed or permitted to work in a
6 bakery. Each employe shall be examined at least once every six
7 months by a duly licensed physician, and the certificate of the
8 physician, showing freedom from disease or affliction, shall be
9 kept on file in the bakery.] while infected with a disease in a
10 communicable form that can be transmitted by foods or who is a
11 carrier of organisms that cause such a disease or while
12 afflicted with a boil, an infected wound, or an acute
13 respiratory infection, shall work in a bakery.

14 (E) BEFORE BEGINNING HIS DUTIES AS AN EMPLOYE UNDER THIS ACT <—
15 AND ANNUALLY THEREAFTER, EACH EMPLOYE SHALL PASS A PHYSICAL <—
16 EXAMINATION GIVEN BY A DULY LICENSED PHYSICIAN CERTIFYING THAT
17 HE IS FREE FROM COMMUNICABLE DISEASES AND SKIN AFFLICTIONS.