

# MAJLIS DAERAH MUAR UTARA TANGKAK

## UNDANG – UNDANG KECIL PENGENDALIAN MAKANAN

UNDANG – UNDANG KECIL	NO / TARIKH WARTA	TARIKH KUATKUASA
Undang – Undang Kecil Pengendali Makanan (MDMU)	J.P.U. 59 (B.M) – 26.8.1990 J.P.U. 59 (B.I) – 16.8.1990	26.8.1990 16.8.1990



**Negeri Johor**

**Warta Kerajaan**

DITERBITKAN DENGAN KUASA

*GOVERNMENT OF JOHORE GAZETTE  
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**J.P.U. 59**

LOCAL GOVERNMENT ACT 1976  
(Act 171)

UNDANG-UNDANG KECIL  
PENGENDALI MAKANAN  
(MAJLIS DAERAH MUAR UTARA)  
1987

## J. P.U. 59.

**AKTA KERAJAAN TEMPATAN 1976**  
**UNDANG-UNDANG KECIL PENGENDALI MAKANAN**  
**(MAJLIS DAERAH MUAR UTARA) 1987**

Akta 171.

PADA menjalankan kuasa-kuasa yang diberi oleh seksyen 102 Akta Kerajaan Tempatan 1976, Majlis Daerah Muar Utara membuat dan menurut seksyen 103 Akta tersebut Pihak Berkuasa Negeri mengesahkan undang-undang kecil berikut:

Nama dan pemakaian.

1. (a) Undang-Undang Kecil ini bolehlah dinamakan Undang-Undang Kecil Pengendali Makanan (Majlis Daerah Muar Utara) 1987 dan adalah dipakai bagi kawasan Majlis tersebut sahaja.

(b) Undang-Undang Kecil ini hendaklah mula berkuatkuasa pada tarikh ianya disiarkan dalam *Warta*.

Tafsiran.

2. Dalam Undang-Undang Kecil ini, melainkan jika kandungan ayatnya menghendaki makna yang lain—

“jualan atau jual” termasuklah barter dan pertukaran dan juga termasuk tawaran atau percubaan untuk menjual atau menyebabkan atau membenarkan untuk dijual, atau didedah bagi jualan, atau menerima atau menghantar atau penyerahan bagi jualan, atau membekal apa-apa makanan di mana balasan akan diterima oleh pembekal bagi pembekalan sama ada secara khusus atau sebagai sebahagian dari perkhidmatan yang dikontrakkan, atau ada dalam miliknya untuk jualan, atau ada dalam miliknya apa-apa makanan yang ia ketahui bahawa makanan itu berkemungkinan akan dijual atau ditawarkan atau didedah untuk jualan, dan berkaitan hanya dengan jualan bagi penggunaan atau pemakaian manusia.

“makanan” termasuklah tiap-tiap satu benda yang dijadikan makanan atau minuman oleh manusia atau yang masuk ke dalam atau adalah digunakan di dalam persebatian atau persediaan apa-apa satu benda itu dan termasuklah juga bahan pewarna dan perasa dan rempah-rempah perasa, tetapi tidak termasuk—

- (a) benda atau bahan yang digunakan hanya sebagai dadah;
- (b) binatang atau burung yang hidup; atau
- (c) fodder atau barang makanan bagi binatang, burung atau ikan.

“persediaan” termasuklah pengilangan, pembungkusan, penyerahan, pengangkutan, penyimpanan dan menghidang makanan, dan “menyediakan” hendaklah ditafsirkan sewajarnya.

“Yang Dipertua” ertinya Yang Dipertua Majlis dan termasuklah Timbalan Yang Dipertua.

Bekalan air.

3. Tiada seorang yang bekerja menjual atau menyediakan bagi jualan makanan boleh menggunakan bagi apa-apa maksud mengenai trednya—

- (a) mana-mana air selain daripada air dari paip yang disambung kepada saluran besar, daripada bekalan air awam; atau

mengandung, atau telah digunakan untuk mengisi apa-apa racun atau bahan yang berbahaya atau mana-mana bahan yang boleh menyebabkan makanan itu menjadi tidak baik atau tidak layak untuk dimakan oleh manusia.

(2) Tiada apa-apa meja, peti, bakul atau lain-lain bekas yang kotor boleh digunakan untuk mengisi atau menyediakan apa-apa benda makanan bagi jualan.

13. (1) Tiada seorang boleh meletakkan hingga tersentuh dengan apa-apa makanan bagi jualan atau mana-mana bungkusan yang mengandungi makanan bagi jualan apa-apa plastik, logam atau lain-lain objek, benda atau bahan untuk dijual atau diberi kepada pembeli ketika jualan makanan kecuali objek, benda atau bahan itu diliputi sepenuhnya dalam suatu balutan dibuat dari bahan-bahan yang tidak mencemarkan makanan itu dan yang tidak mengandungi ingredian yang mungkin diserap oleh, atau ada kemungkinan meresap ke dalam makanan dan tiada seorang boleh meletakkan apa-apa benda atau bahan dalam apa-apa benda atau bahan dalam apa-apa makanan mengikut cara sebagaimana ianya dicampurkan atau disatukan dengan makanan itu. Kecemaran makanan.

(2) Tiap-tiap orang yang menjual apa-apa makanan yang biasa dimakan dalam keadaan ianya dijual hendaklah menjaga makanan itu, sehingga ianya diterima oleh seseorang pembeli, dengan menyimpan dalam bekas tertutup atau dengan lain cara yang berkesan.

(3) Tiada seorang boleh membawa untuk jualan apa-apa benda makanan yang biasa dimakan dalam keadaan ianya dijual kecuali ianya dibungkus atau diletak di dalam bekas atau lain-lain bungkusan yang sengaja dibentuk bagi menghindar benda makanan itu dari tercemar.

(4) Tiada seorang boleh membawa, meletak atau mendeposit atau dibenarkan membawa, meletak atau mendeposit dalam mana-mana kenderaan yang digunakan bagi membawa apa-apa benda makanan yang biasa dimakan dalam keadaan ianya dijual, mana-mana kotoran, benda yang mengganggu atau lain-lain bahan yang mungkin mencemar keadaan baik atau kebersihan benda makanan yang dibawa di dalamnya.

(5) Tiada seorang boleh mengguna berkaitan dengan penjualan atau persediaan bagi jualan apa-apa benda makanan yang biasa dimakan dalam keadaan ianya dijual, apa-apa kertas yang terdapat bahan tulisan atau cetakan di atasnya mengikut apa jua cara di mana makanan itu boleh tersentuh dengan bahan tulisan cetakan itu.

(6) Tiada seorang boleh menjual apa-apa benda makanan yang biasa dimakan dalam keadaan ianya dijual, yang telah jatuh, diletak atau disimpan atas mana-mana kounter, bar atau lantai kecuali ianya dijaga atau dibungkus supaya terhindar benda makanan itu dari kemungkinan tercemar.

14. Tiada seorang boleh menjual atau menyediakan bagi jualan apa-apa makanan di mana-mana premis, jalan atau lain-lain kawasan lapang yang tingginya rendah daripada 0.4572 meter atas permukaan tanah bagi premis, jalan atau kawasan lapang itu.

Persediaan dan penjualan makanan di atas permukaan tanah.

(2) Tiada seorang boleh mengguna apa-apa kenderaan, pengangkutan atau bekas bagi membawa atau mengisi apa-apa binatang, burung atau lain benda atau bahan di mana keadaan baik, kebersihan atau kebebasan dari pencemaran apa-apa makanan bagi jualan yang dibawa atau diisi atau biasa dibawa atau diisi dalam kenderaan, pengangkutan atau bekas yang boleh atau mungkin terjejas.

18. (1) Mana-mana orang yang bekerja atau menyedia bagi jualan apa-apa benda makanan boleh dikehendaki oleh Yang Dipertua menjalani pemeriksaan perubatan tentang kelayakannya untuk diambil bekerja.

Pemeriksaan  
perubatan.

(2) Pemeriksaan itu hendaklah dijalankan oleh pegawai perubatan atau kesihatan yang dilantik sama ada secara am atau khusus oleh Yang Dipertua.

(3) Jika mana-mana orang yang setelah diperiksa didapati oleh pegawai perubatan atau kesihatan mengidap dari penyakit berjangkit atau infeksi atau apa-apa penyakit kulit yang merbahaya atau adalah, pada pendapat pegawai perubatan atau kesihatan kemungkinan merupakan punca infeksi, Yang Dipertua hendaklah serta-merta melucutkan kelayakan orang yang diperiksa itu dari-pada bertugas atau bekerja di mana-mana tempat yang digunakan bagi menjual atau menyedia untuk jualan apa-apa makanan sehingga mana adalah disahkan oleh pegawai perubatan atau kesihatan bahawa ia telah sembuh atau kemungkinan tidak lagi menjadi punca infeksi.

(4) Mana-mana orang—

(a) yang enggan menjalani pemeriksaan perubatan bila diminta melakukan; dan

(b) yang mana, setelah diperiksa dan hilang kelayakan, meneruskan tugas di mana-mana tempat yang diguna bagi menjual atau menyediakan untuk jualan apa-apa benda makanan, adalah bersalah atas suatu kesalahan terhadap Undang-Undang Kecil ini.

(5) Pemunya, pemegang lesen, penduduk atau penjaga mana-mana tempat yang diguna bagi menjual atau menyedia untuk jualan apa-apa benda makanan, yang mana setelah diberitahu dengan bertulis oleh Yang Dipertua bahawa seseorang yang bertugas bagi menjual atau menyedia untuk jualan makanan telah enggan menjalani pemeriksaan perubatan atau, setelah diperiksa, kelayakan dari bertugas di dalamnya atau tinggal di dalam kawasan adalah bersalah atas suatu kesalahan di bawah Undang-Undang Kecil ini.

19. Mana-mana orang yang melanggar mana-mana Undang-Undang Kecil ini adalah melakukan satu kesalahan dan apabila

"Kesalahan  
dan denda".

disabitkan boleh dikenakan denda tidak lebih daripada dua ribu ringgit atau penjara selama tempoh tidak lebih daripada satu tahun atau denda dan penjara itu kedua-duanya.

Diperbuat pada 29hb. Februari, 1988.  
[Bil. (2) dlm. MDMU. 14/88/JF/A.]

DATO' HAJI HASHIM BIN YAHYA,  
*Yang Dipertua,*  
*Majlis Daerah Muar Utara,*  
*Tangkak*

Disahkan pada 1hb. Februari, 1989.  
[K.T. 24/69/4.]

TAN SRI HAJI MUHYIDDIN BIN HAJI MOHD. YASSIN,  
*Menteri Besar, Johor*

### LOCAL GOVERNMENT ACT 1976

#### FOOD HANDLERS (MAJLIS DAERAH MUAR UTARA) BY-LAWS 1987

Act 171.

In exercise of the powers conferred by section 73 of the Local Government Act 1976, the Majlis Daerah Muar Utara makes, and pursuant to section 103 of the said Act the State Authority confirms, the following by-laws:

Citation and application.

1. (a) These by-laws may be cited as the Food Handlers (Majlis Daerah Muar Utara) By-laws 1987 and shall apply only to the area of the District Council of Muar North.

(b) These By-laws shall come into force on the date of its publication in the *Gazette*.

Interpretation.

2. In these by-laws, unless the context otherwise requires—

“food” includes every article which is used for food or drink by man or which enters into or is used in the composition or preparation of any such article and also includes colouring and flavouring matters and condiments, but does not include—

- (a) article or substances used only as drugs;
- (b) live animals or birds; or
- (c) fodder or feeding stuffs for animals, birds or fish;

“preparation” includes manufacture, packing, delivery carriage, storage and serving of food and “prepare” shall be construed accordingly;

“President” means the President of the District Council of Muar North and includes the Deputy President;

“sale” or “sell” includes barter and exchange, and also includes offering or attempting to sell or causing or allowing to be sold, or exposing for sale, or receiving or sending or delivering for sale.

or supplying any food where consideration is to be received by the supplier for such supply either specifically or as part of a service contracted for, or having in possession for sale, or having in possession any food knowing that the same is likely to be sold or offered or exposed for sale, and refers only to sale for human consumption or use.

3. No person who is engaged in the sale or preparation for sale of food shall use for any purpose pertaining to his trade—

(a) any water other than water from a tap connected to the water mains from the public water supply; or

(b) any water from a tap or other source within a private or public lavatory or convenience.

4. (1) Every person who is engaged in the sale or preparation for sale of food shall at all times maintain the place used for such sale or preparation in a state of cleanliness.

(2) He shall keep any avenue, passage or space immediately in front of, behind or by the sides of the place used for such sale or preparation in a state of cleanliness and free of any accumulation of noxious or offensive matter, or garbage, refuse or other matter or thing discarded by him.

5. Every person who is engaged in the sale or preparation for sale of any food shall keep at all times such food and all receptacles, implements, vehicles, articles utensils, tools of trade, benches, fittings, machinery and other appliances used for or in connection with such food clean and free from dirt and dust, foul odours, vermin and flies or other insects.

6. (1) No person shall sell any article of food which is not clean or which contains any matter foreign to the nature of such food.

(2) No person shall sell or pack for sale any article of food in a package which is not clean.

7. (1) Every person engaged in the sale or preparation for sale of food shall, when so engaged, maintain his clothing and his body in a state of cleanliness.

(2) Every person engaged in the sale or preparation for sale of any food shall, upon every occasion before commencing such sale or preparation, or after visiting any urinal, privy, closet, or other similar convenience and before resuming such sale or preparation wash his hands thoroughly with soap and clean water.

(3) No person shall spit, expel mucous from the nose, smoke or use tobacco or snuff or any other preparation or chew tobacco or betel nuts while engaged in the sale or preparation for sale of any food.

(4) No person having cuts or skin abrasions of the hands, or fingers shall engage in the sale or preparation for sale of food unless such cuts or skin abrasions are properly dressed with water-proof dressings.

Person prohibited from handling food.

8. No person—

- (a) who is suffering from a communicable disease;
- (b) who is a carrier of any infectious disease;
- (c) who is suffering from any condition causing a discharge of pus or serum from any part of the body or other skin ailment;
- (d) who has reason to believe or suspect that he is likely to transmit disease-producing organisms; and
- (e) who is in contact with any person suffering from a communicable disease.

shall engage in the sale or preparation for sale of any article of food or of any article used or likely to be used as a food or of any material used or likely to be used as a wrapper or container for food.

Proper use of water for cleaning purposes.

9. No person shall use for purpose of cleaning, washing any utensils used in the sale or preparation for sale of food any water that is not clean.

Proper use of cloth for cleaning purposes.

10. No person shall use for the purpose of wiping or cleaning or polishing any food for sale or any packing or utensils used in connection therewith any rag or cloth other than a proper duster or cloth kept solely for the purpose, and which is maintained at all times in a clean condition.

Places prohibited for preparation and sale of food.

11. (1) No person shall sell or prepare for sale any article of food in any stable, urinal, privy or water closet or in any place which is at any time used for sleeping, or which is in a direct communication with a sleeping compartment or with any stable, urinal, privy or water closet or in any place where any animal or bird is allowed to be.

(2) No person shall sell or prepare for sale any article of food in any place in which any thing, animal or bird is kept, or any work is carried on whereby such article of food is liable to be contaminated or its wholesomeness or cleanliness adversely affected.

(3) No person shall place, keep, carry, spread or used or suffer to be placed, kept, carried, spread or used in any place used for the sale or preparation for sale of any food, any poison or any noxious or offensive matter or any other material which might contaminate the wholesomeness of the food, but nothing herein shall prevent the proper use of spraying mixtures containing poisons for the purpose of controlling the attack of insects or other pests.



12. (1) No person shall enclose, carry or store any article of food for sale in any bag, sack or similar receptacle which has at any time contained, or has been used for the conveyance of any poison, harmful material, or any material which may render such food unfit for human consumption.

Prohibited  
containers.

(2) No unclean table case, basket, or other receptacle shall be used for containing or preparing any article of food for sale.

13. (1) No person shall place in contact with any food for sale or in any package containing food for sale any plastic, metallic or other object, or other article or thing to be sold or given to the purchaser on the sale of the food unless such object, article or thing is completely enclosed in a wrapper made of material which will not contaminate the food and which contains no ingredient which might be absorbed by, or is likely to pass into the food and no person shall place any such article or thing in any food in such a manner as to be mixed in or enclosed by the food.

Contamination  
of food.

(2) Every person who sells any food which is ordinarily consumed in the state in which it is sold shall protect such food until it is delivered to a purchaser, by storage in covered receptacles or by other effectual means.

(3) No person shall carry for sale any article of food which is ordinarily consumed in the state in which it is sold unless it is so enclosed or contained in a receptacle or other packing so constructed as to prevent such article of food being contaminated.

(4) No person shall carry, place or deposit or allow to be carried, placed or deposited in any vehicle used for the carriage of any article of food which is ordinarily consumed in the state in which it is sold, any dirt, offensive matter or other material which might contaminate the wholesomeness or cleanliness of the article of food carried therein.

(5) No person shall use in connection with the sale or preparation for sale of any article of food which is ordinarily consumed in the state in which it is sold, any paper with writing or printed matter thereon in any manner whereby such food can come in contact with such writing or printed matter.

(6) No person shall sell any article of food which is ordinarily consumed in the state in which it is sold, which has been dropped, placed or stored on any counter, bar or floor unless it is protected or is so wrapped as to protect such article of food from likely contamination.

14. No person shall sell or prepare for sale any food in any premises, street or other open space at a level lower than 0.4572 metres above the ground level of such premises, street or open space.

Preparation  
and sale of  
food above  
ground level.

15. (1) No person shall use for the serving of food for sale any eating or drinking utensil which has not been cleaned after the last occasion when such utensil was used whether or not such utensil is used.

Utensils.

(2) No person shall use or have in his possession for use for the sale or preparation for sale of any food, any drinking vessel, plate, saucer or other container which is chipped, broken or cracked.

Handling of food.

16. (1) Every person who sells or prepare for sale any food which is ordinarily consumed in the state in which it is sold shall not during such sale or preparation—

- (a) handle or permit to be handled any such food with his fingers, but shall use a scoop, tongs or other suitable implement for every such purpose provided that certain person or class of persons may be exempted upon written approval by the President.
- (b) apply his fingers to his mouth, eye, ear, nose or scalp during the performances of such packing or service.
- (c) use his breath to open any bag or wrapper;
- (d) wipe his hands upon his clothing or by any means other than with a clean towel or cloth;
- (e) place, so that it can come into contact with food for sale, any substance material or article which is unclean or liable to contaminate such food, or which has been in contact with the mouth; or
- (f) cough or sneeze near any food.

(2) The scoop, tongs or other suitable implement used for the handling of any food which is ordinarily consumed in the state in which it is sold shall be regularly cleaned and free from contamination at all times.

(3) No person engaged in the sale or preparation for sale of any food shall apply to the mouth any appliance used for in connection with such sale or preparation.

(4) No person engaged in the sale or preparation for sale of any food which is ordinarily consumed in the state in which it is sold shall carry any appliance or utensil used for or in connection with such sale or preparation in such manner as to endanger the wholesomeness, cleanliness or freedom from contamination of such food.

Carriage of food.

17. (1) No person shall use any vehicle, conveyance or receptacle which is not clean for the carriage or delivery of any food for sale.

(2) No person shall use any vehicle, conveyance or receptacle for the carriage or containing of any animal bird or other matters or thing whereby the wholesomeness, cleanliness or freedom from contamination of any food for sale carried or contained or usually carried or contained in such vehicle, conveyance or receptacle would or might be endangered.

18. (1) Any person engaged in the sale or preparation for sale of any article of food may be required by the President to undergo a medical examination as to his or her fitness to be so engaged. Medical examination.

(2) Such examination shall be carried out by any qualified medical or health officer, appointed either generally or specially by the President.

(3) If any person so examined is found by the medical or health officer to be suffering from a contagious or infectious disease or any disease of the skin which is offensive or is, in the opinion of the medical or health officer, likely to be a source of infection, the President shall forthwith disqualify the person examined from working or engaging in any place used for the sale or preparation for sale of any food, until such time as it is certified by the medical or health officer that he has been cured or is no longer likely to be a source of infection.

(4) Any person—

(a) who refuses to submit to a medical examination on being requested to do so; or

(b) who, having been medically examined and is disqualified.

continues to work in any place used for the sale or preparation for sale of any article of food, shall be guilty of an offence against these by-laws.

(5) The owner, licensee, occupier or keeper of any place used for sale or preparation for sale of any article of food who having been notified in writing by the President that a person working in such place used for the sale or preparation for sale of food has refused to submit to a medical examination or, having been examined, has been disqualified from working, permits such person to continue to work therein or to remain within the premises thereof shall be guilty of an offence under these by-laws.

19. Any person who contravenes any of the provisions of these By-Laws commits an offence and shall on conviction be liable to a fine not exceeding two thousand ringgit or to a term of imprisonment not exceeding one year or to both such fine and imprisonment. Offence and Penalty.

Made this 29th day of February, 1988.  
[Bil. (2) dlm. MDMU. 14/88/JF/A.]

DATO' HAJI HASHIM BIN YAHYA,  
*President,*  
*Majlis Daerah Muar Utara,*  
*Tangkak*

Confirmed this 1st day of February, 1989.  
[K.T. 24/69/4.]

TAN SRI HJ. MUHYIDDIN BIN HJ. MOHD. YASSIN,  
*Menteri Besar, Johor*