

ENVIRONMENTAL HEALTH REGULATIONS

**DIVISION OF ENVIRONMENTAL HEALTH
BUREAU OF PUBLIC HEALTH
MINISTRY OF HEALTH

REPUBLIC OF PALAU**

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MINISTRY OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH
REGULATIONS**

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**ARTICLE 1.
GENERAL PROVISIONS**

1.1 SHORT TITLE:

These Regulations may be cited as the Environmental Health Regulations

1.2 AUTHORITY:

These regulations are promulgated pursuant to the authority contained in Title 34, paragraph 102 of the Palau National Code, in compliance with the Administrative Procedure Act, Title 6, Chapter 1, of the Palau National Code. The Code authorizes the Ministry of Health to propose and establish regulations and policies pertaining to the public health and sanitation practices in the Republic of Palau. The regulations, and amendments thereto, shall have the full force and effect of law upon adoption and approval.

1.3 PURPOSE AND APPLICABILITY:

The purpose of these regulations is to implement the provisions of Title 34 of the Palau National Code, to maintain and improve health and sanitary conditions, to minimize and control the threat of communicable disease and to protect, maintain and improve the life, health and welfare of all the people residing in Palau.

1.4 PENALTIES:

Unless otherwise provided for by law or regulation, penalties shall be imposed pursuant to Title 34 of the Palau National Code and these regulations. Pursuant to 34 PNC § 104, a person who violates any of these regulations shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500.00, or imprisoned for not more than one year, or both, except as otherwise provided for by law or regulation. The Ministry of Health through its Division of Environmental Health shall establish fees for health and sanitary permits, set up frequency of inspections of premises and establishments and shall determine the penalties for failure to comply with the requirements as set out by law and regulations.

1.5 DEFINITIONS:

- (a) "Health Permit" shall mean a certified document from the authorized body within the Ministry of Health stating that the establishment is granted permission to operate and has met all the Regulations of the Ministry of Health pertaining to Sanitation, Health, Safety, and conditions as required in 34 PNCA § 101 to 104, § 1003 to 1004.

- (b) "Food Handler Permit" shall mean a certified document from the Division of Environmental Health, authorized by the Ministry of Health, which states that the food handler is granted permission to conduct food preparation activities and has met all the Regulations of the Ministry of Health pertaining to Sanitation, Health, Safety, and conditions as required in 34 PNCA § 101 to 104, § 1003 to 1004.
- (c) "Health Certificate" shall mean a certified document from the Ministry of Health, which states that the person has undergone a thorough physical examination by a qualified physician and has been given a clean bill of health.

ARTICLE 2.

BARBER SHOP/ BEAUTY PARLOR/ MASSAGE ESTABLISHMENT

2.1 DEFINITION:

- (a) "Operator" includes any person working in a shop or beauty parlor.
- (b) "Massage Therapist" means any person giving a massage in a massage establishment.
- (c) "Shop" shall mean and include all barber shops, hairdressing establishments, nail salons and beauty parlors and the aforementioned terms shall include all premises or portion thereof wherein the business of shaving, clipping, cutting, trimming, shampooing, manicuring, dressing, adorning, or beautifying the human hair, face, scalp, hands, or body is conducted for a fee, charge, or hire.
- (d) "Massage Establishment" means any building, room, place or establishment occupied and used for the purpose of using any method of applying pressure or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating the external part of the body with the hands or feet, or with the aid of any apparatus or appliance, with or without such supplementary aids such as rubbing alcohol, ointments, liniments, antiseptics, oil, powders, creams, lotions, or similar preparations. "Massage Establishment" shall not include a regularly licensed and established hospital, health clinic, professional office or dispensary that provides non-surgical manipulative exercises practiced upon the human body manually or otherwise by a health care provider with or without the use of therapeutic, electrical, mechanical or bathing devices.

2.2 SANITARY FACILITIES:

- (a) No person shall operate one of the above-named shops or establishment which is in physical connection with any other business or dwelling unless there is a dust or odor proof partition from the floor to the ceiling, separating the shop from such other business or dwelling.
- (b) The walls, floors, ceilings, furniture and fixture and all other parts and surfaces of every shop or establishment shall be kept clean at all times. The shop or establishment must be well ventilated. Hair dropping shall be removed from the floor as soon as is practicable and placed in a securely

covered container pending disposal. The interior of a shop or establishment must be kept clean, in good repair and free of insects and rodents.

- (c) No facility shall be used as a living, cooking, babysitting, or sleeping apartment, nor shall any adjoining room be used for such purposes unless separated by a tight partition having no direct opening into such shop or massage establishment. There shall be no food or drinks prepared, stored or sold in the shop.
- (d) No animal of any kind shall be kept or allowed in a shop or massage establishment.
- (e) Shops and massage establishment shall be provided with adequate sanitary facilities, including toilets, hot and cold running water sinks, or washbasins. Plumbing shall comply with the regulations as authorized by the Palau National Code. At least one toilet must be installed and maintained at the shop or establishment. All sanitary facilities must be provided with soap and towel or a hand-drying device.
- (f) Shops shall be equipped with sanitizing equipments, such as an ultraviolet light sterilizer, or any other approved sanitizing solutions with over 70% alcohol as recommended by the Public Health personnel.
- (g) No shop shall operate without a valid health permit. A shop operating without a valid health permit (i.e. no health permit, expired health permit) shall be fined \$250.00 and shall be closed for business until a valid health permit is obtained. Renewal Health Permits should be applied two (2) months before the expiration date.
- (h) Any shop that is closed for business by Health Officials and resumes ceased operation without prior clearance (i.e. issuance of new health permit or restoration of revoked health permit) shall be fined \$500.00 and shall be closed for business again until a valid health permit is obtained.

2.3 SANITARY PRACTICES AND CONTROLS:

- (a) The use of sponges, alum, powder puffs, neck dusters, shaving brushes or shaving mug is hereby prohibited in a shop.
- (b) Quantity of Instruments. Adequate numbers of instruments and supplies must be available to accomplish disinfection. The following number of instruments **per operator** is recommended for an average shop. Each operator shall have a minimum of 3 sets of instruments (combs, brushes, clippers, tweezers, etc.) used for grooming and attending clients to ensure proper health and safety measures are being met. For example, while one set of instruments is being used on a client, the previous set used is being sanitized, and another set is ready to be used on the next customer, and repeated as a cycle.

- (c) Razors, shears, scissors, clippers, tweezers, finger bowls, or combs, or any like articles or articles used in massaging shall not be used on any customer unless they have been thoroughly cleaned and sanitized since last used. Sanitized shall mean sterilized in sterilizer or boiled for at least fifteen (15) minutes. Records of each sanitizing process shall be kept for at least one (1) year and be readily available to health inspectors.
- (d) Single service or disposable articles may not be used on more than one person and must be placed in a covered refuse receptacle immediately after use.
- (e) It shall be unlawful for any person to remove or attempt to remove any wart, mole, pimple or ingrown hair or to undertake any treatment, which requires the skill of a person with medical training. Cleaning of ears is hereby prohibited.
- (f) It shall be unlawful for any person giving a massage to undertake treatment that properly belongs into the province of the medical profession, chiropractic or physical therapy; furthermore, it shall be unlawful to claim or advertise medical claims or remedies that are outside the relaxing effects ordinarily associated with massage.
- (g) Every operator shall wash his or her hands thoroughly with soap and hot water immediately before attending any person, and immediately after using the toilet, and shall wear at all times a clean uniform or outer coat or apron of washable material.
- (h) Towels, linens or other fabrics that come in contact with the skin or hair of a person shall not be used on more than one patron without being laundered in an acceptable manner. Such towel or fabric, after use on a patron, shall be placed in a hamper for laundering or final disposal.
- (i) All creams, tonics, cosmetic, and other applications used for customers shall be kept in clean closed containers and must be over-the-counter products. No product, which requires a prescription by a medical doctor, shall be used or otherwise provided to a customer.
- (j) Any patron with sores, skin diseases or bandages will be given service at the discretion of the operator and/or manager of the establishment.
- (k) It shall be unlawful for any person to brush his/her teeth, expectorate, or commit any act in a sink or washbasin that is considered an unsanitary practice in the opinion of the Ministry of Health.

2.4 PERSONNEL:

- (a) Operators afflicted with a contagious or infectious disease or illness shall not be

permitted to work in a shop or massage establishment while being contagious.

- (b) Any operator afflicted with a contagious or infectious disease shall return to work only upon a written statement from a physician stating that it is safe for him/her to return to work.
- (c) If the manager or person in charge of the shop has reason to suspect that an employee has contracted a communicable disease or has become a carrier of such disease, he/she shall notify the Minister of Health immediately.
- (d) All employees must be examined by a doctor at least once per year. No employee will be employed without a Health Certificate, currently in force. An employee who is working without a health certificate shall be fined \$100.00 and ordered to stop working until he/she receives a valid health certificate.

ARTICLE 3. TATTOO AND BODY PIERCING PARLORS

3.1 DEFINITION:

- (a) “Operator” includes any person working in a shop.
- (b) “Shop” shall mean and include all tattooing and body piercing parlors, including any establishment where a patron can have the human epidermis punctured and stained with ink or other pigment leaving a permanent design or picture, or pierced for adornment with jewelry or studs.

3.2 SANITARY FACILITIES AND CONTROLS:

- (a) No person shall operate a shop in physical connection with any other business or dwelling unless there is a dust or odor proof partition from the floor to the ceiling, separating the shop from such other business or dwelling.
- (b) The walls, floors, ceilings, furniture and fixture and all other parts and surfaces of every shop shall be kept clean at all times. A shop must be kept clean, in good repair and free of insects and rodents.
- (c) No shop shall be used as a living, cooking, babysitting, or sleeping apartment, nor shall any adjoining room be used for such purposes unless separated by a tight partition having no direct opening into such shop. There shall be no food preparation in the shop.
- (d) No animal of any kind shall be kept or allowed in a shop.
- (e) Shops shall be provided with adequate sanitary facilities, including toilets, hot and cold running water, sinks, or washbasins. Plumbing shall comply with the regulations

of the Palau National Code. At least one toilet must be installed and maintained at the shop.

- (f) No shop shall operate without a valid health permit. A shop operating without a valid health permit (i.e. no health permit, expired health permit) shall be fined \$250.00 and shall be closed for business until a valid health permit is obtained. A valid health permit, which shall be renewed once per year, should be applied two (2) months before the expiration date.
- (g) The penalties for operating a service establishment without a valid health certificate/permit shall be as follows:
 - (1) \$250.00 for operation w/o Health Permit
 - (2) \$100.00 for operation w/o Health Certificate
 - (3) \$250.00 for expired Health Permit
 - (4) \$100.00 for expired Health Certificate

A service establishment shall be ordered closed until the valid health permit is received.

3.3 SANITARY PRACTICES AND CONTROLS:

- (a) The use of needles and other puncturing devices is strictly limited to single service or disposable articles. Disposable articles shall be placed in a covered refuse receptacle, specifically designed for needles and puncturing devices, immediately after use, for proper disposing purposes.
- (b) It shall be unlawful for any person to remove or attempt to remove any skin marks not associated with tattooing or skin-piercing activities, or to undertake any treatment, which requires the skill of a person with medical training.
- (c) Every operator shall wash his or her hands thoroughly with soap and hot water before attending to any person, immediately after using the toilet, and shall wear at all times a clean uniform or outer coat or apron of washable material.
- (d) Towels or other fabrics that come in contact with the skin of a person shall not be used on more than one patron without being laundered in an acceptable manner. Such towel or fabric, after use on a patron, shall be placed in a hamper for laundering or final disposal.
- (e) All materials used for tattooing and skin-piercing activities and other associated applications used for patrons shall be kept in clean, closed containers and must be over-the-counter products.
- (f) It shall be unlawful for any person to brush his/her teeth, expectorate, or commit any act in a sink or washbasin that is considered an unsanitary practice in the opinion of the Ministry of Health.

3.4 PERSONNEL:

- (a) Operators afflicted with an infectious disease or illness shall not be permitted to work in a shop while being contagious.
- (b) Any operator afflicted with a contagious or infectious disease shall return to work only upon a written statement from a physician that it is safe for him/her to return to work.
- (c) If the manager or person in charge of the shop has reason to suspect that an employee has contracted a disease in a communicable form or has become a carrier of such disease, he/she shall notify the Minister of Health immediately. All employees must be examined by a doctor at least once a year. No employee will be employed without a Certificate of Health currently in force. An employee who is working without a health certificate shall be fined \$100.00 and ordered to stop working until he/she receives a valid health certificate.
- (d) It shall be unlawful for any person to practice in any place other than a shop intended for tattooing and skin-piercing activities.

**ARTICLE 4.
FOOD SERVICE ESTABLISHMENT**

DEFINITIONS:

- 4.1 “Food Service Establishment” means any business, enterprise or activity that involve:
 - (a) the handling of food intended for sale, or
 - (b) the sale of food, regardless of whether the business, enterprise or activity concerned is of a commercial, charitable, fundraising or community nature or whether it involves the handling or sale of food on one occasion only.
- 4.2 “Food” means a substance ordinarily consumed or intended to be consumed by humans and includes drink, chewing gum, any constituent or ingredient of food, any food additive, any substance used or intended to be used in the preparation of food and any substance for the time being declared by the Minister of Health to be food, but excludes a substance used only as a drug.
- 4.3 “Potentially Hazardous Foods” shall mean any natural or synthetic food or food ingredient that supports the rapid growth of infectious or toxigenic microorganisms or the slower growth of *C. botulinum*.
- 4.4 “Danger Zone Temperature Range” shall mean the temperature range between 40°F and 140°F within which most bacteria experience their best growth and reproduction.

4.5 “Food Flow Process” refers to methods for harvesting, purchasing, receiving, storing, thawing, preparing, cooking, holding, serving, cooling and reheating food safely.

4.6 “Food For Sale” means:

- (a) barter, offer or attempt to sell, or
- (b) receive for sale, or
- (c) have in possession for sale, or
- (d) display for sale, or
- (e) cause or permit to be sold or offered for sale, or
- (f) send, forward or deliver for sale, or
- (g) dispose of by any method for valuable consideration, or
- (h) dispose of to an agent for sale on consignment, or
- (i) provide under a contract of service, or
- (j) supply food as a meal or part of a meal to an employee, in accordance with a term of an award governing the employment of the employee or a term of the employee’s contract of service, for consumption by the employee at the employee’s place of work,
- (k) dispose of by way of raffle, lottery or other game of chance, or
- (l) offer as a prize or reward, or
- (m) give away for the purpose of advertisement or in furtherance of trade or business, or
- (n) supply food under a contract (whether or not the contract is made with the consumer of the food) together with accommodation, service or entertainment, in consideration of an inclusive charge for the food supplied and the
- (o) supply food (whether or not for consideration) in the course of providing services to students, patients or inmates in government and non-government agencies, or
- (p) sell for the purpose of resale.

4.7 FOOD SUPPLIES:

All food in food-service establishments shall be from sources approved or considered satisfactory by the Director of the Bureau of Public Health Services, or an authorized representative, and shall be clean, wholesome, free from spoilage, free from adulteration and misbranding, and safe for human consumption.

4.8 FOOD PROTECTION:

- (a) All foods while being stored, prepared, displayed, served, or sold in food-service establishments, or during transportation between such establishments, shall be protected from contamination.
- (b) All “potentially hazardous foods” must be kept safe and out of the “danger zone temperature range (40°F to 140°F)” at all times. List of all potentially hazardous foods and the "food flow process" requirements will be developed, provided, and enforced by the Division of Environmental Health, as authorized by the Ministry of Health.
- (c) All foods shall be stored at not less than 6" off the floor. All perishable food shall be stored at such temperatures as will protect against spoilage. All perishable and potentially hazardous food shall be maintained at safe

temperature either in refrigerator or kept in food warming device at all times except during necessary period of preparation and consumption. Raw fruits and vegetables shall be thoroughly washed before use. Stuffings, meats, poultry, pork and pork products shall be thoroughly cooked before being served.

- (d) Only such poisonous and toxic materials as are required to maintain sanitary conditions and for sanitization purposes may be used or stored in food-service establishments. Poisonous and toxic materials shall be conspicuously identified, and shall be used and stored only in such manner and under such conditions as will not contaminate food or constitute a hazard to employees or customers.

4.9 PERSONNEL:

(a) Health and Disease Control:

No person while affected with any disease in a communicable form, or while a carrier of such a disease, or while afflicted with boils, infected wounds, sores, or an acute respiratory infection, shall work in any area of a food-service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms, or transmitting disease. If the manager or person in charge of the establishment has reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he/she shall notify the Director of Public Health immediately. All employees whose work involves preparing and serving food or drink (food handlers) must be examined by a medical doctor, licensed to practice medicine in the Republic of Palau, at least once every twelve (12) months for ova and parasites in the stools, and undergo a general physical examination every year. They will be given a certificate, which must be kept on their person when working in a restaurant or food selling place. No food handler shall provide service without a valid health certificate. New employees must obtain a Food Handler's Permit within two 2 months of their employment. Only authorized persons shall be present in food preparation areas in the establishments. All authorized persons shall practice safe food handling practices (i.e. wash hands, wear gloves, wear hairnets, etc.) at all times.

(b) Cleanliness:

- (1) All employees shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty. They shall wash their hands thoroughly in an approved hand washing facility before starting work and as often as may be necessary to remove soil and contamination. No employees shall resume work after visiting the toilet room without first washing his/her hands.
- (2) Effective hair restraints, approved by the Director of the Bureau of Public Health or his/her duly authorized representative, shall be used by

employees, engaged in the preparation, sale and service of food, to keep hair from food and food-contact surfaces. Fingernails of food handlers shall be clipped short, kept clean and be without nail polish and no rings shall be worn on any finger while on duty, including wedding rings.

- (3) No employee shall be chewing betel nut while preparing, selling or serving food in a food service establishment.

4.10 PENALTIES:

(a) Health Certificate

An employee whose work involves preparing and serving food or drink (food handler) and who is working without a valid health certificate shall be fined \$100.00 and ordered to stop working until he/she receives such a certificate.

(b) Food Handler's Permit

An employee whose work involves preparing and serving food or drink (food handler) and who is working for longer than two (2) months without a Food Handler's Permit shall be fined \$100.00 and ordered to stop working until he/she receives such Permit.

(c) Health Permit for Food Service Establishment

No Food Service establishment shall operate without a valid health permit, which shall be renewed once per year. A food service establishment shall apply for renewal of health permit two months prior to the expiration date of health permit.

(d) The penalties for operating any kind of food service establishment without a valid health certificate or health permit shall be as follows:

\$250.00 for operating without a valid health permit with closure*

\$100.00 for operating without a valid health certificate

\$100.00 for operating without a food handler permit

\$500.00 for resuming ceased operation without prior clearance

*A food service establishment shall be ordered closed until the valid health permit is received.

4.11 APPLICATION PROCESS:

The deadline for all health permit applications for food service establishments must be submitted to the Division of Environmental Health thirty (30) business days prior to the start of operations.

4.12 FOOD EQUIPMENT AND UTENSILS:

(a) Sanitary Design, Construction and Installation of Equipment and Utensils:

All equipment and utensils shall be so designed and of such material and workmanship as to be easily cleanable, durable and shall be in good repair. Easily cleanable shall mean that all surfaces are readily accessible and made of such material and so fabricated that food residue and other soil may be effectively removed by normal cleaning methods.

(b) Cleanliness of Equipment and Utensils:

All eating and drinking utensils shall be thoroughly cleaned and sanitized after each usage. All kitchenware and food-contact surfaces of equipment, exclusive of cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food storage utensils, shall be thoroughly cleaned after each use. Cooking surfaces of equipment shall be cleaned at least once a day. All utensils and food-contact surfaces of equipment used in the preparation, service, display or storage of potentially hazardous food shall be thoroughly cleaned and sanitized prior to such use. Nonfood-contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary condition. After cleaning and until use, all food-contact surfaces of equipment and utensils shall be so stored and handled as to be protected from contamination. Refrigerators and freezers shall be operated and maintained properly and cleaned daily. All single-service articles, such as plastic cups, forks, spoons, knives, paper plates, paper cups, and the like, shall be stored, handled, and dispensed in a sanitary manner, and shall be used only once.

4.13 SANITARY FACILITIES AND CONTROLS:

(a) Water Supply:

- (1) The water supply shall be adequate, of a safe, sanitary quality and from an approved source. Hot and cold running water under pressure shall be provided in all areas where food is prepared, or equipment, utensils or containers are washed.
- (2) Water, if not piped into the establishment, shall be transported and stored in approved containers and shall be handled and dispensed in a sanitary manner. The same procedure as stated applies also when there is a temporary or emergency shut-off of the community water supply system.
- (3) Ice used for any purpose shall be made from water, which comes from an approved source, and shall be used only if it has been manufactured, stored, transported and handled in a sanitary manner. The picking of ice by employee's bare hands is prohibited. Tongs/scoop or gloves shall be used at all times when picking ice for customers' use.

(b) Sewage Disposal:

All sewage shall be disposed of in Public Sewerage System or in the absence thereof, shall be disposed in individual Sewage Disposal System (Septic Tank), in a manner approved by the Director of the Bureau of Public Health.

(c) Plumbing:

- (1) Plumbing shall be so sized, installed and maintained as to carry adequate quantities of water to required locations throughout the establishment, so as to prevent contamination of the water supply from backflow, back siphonage or any possibility of cross-connection, so as to properly convey sewage and liquid wastes from the establishment to the sewerage or sewage-disposal system, and so that it does not constitute a source of contamination of food, equipment or utensils or create an unsanitary condition or nuisance. There shall be no exposed waste pipes on the ceiling of any room where food is prepared, served or stored unless such pipes are provided with suitable means to carry off possible leakage or condensation. All plumbing fixtures shall be connected to a sanitary sewage or to an approved private sewage disposal system.
- (2) Each food-service establishment shall be provided with adequate, conveniently located toilet facilities for its employees. Toilet fixtures, including rooms and other fixtures shall be kept in a clean condition and in good repairs. The doors of all toilet rooms and anterooms shall be tight fitting and self-closing. Toilet tissue and paper towels or hand-drying device shall be provided at all times. Easily cleanable refuse receptacles shall be covered. Where the use of non-water-carried sewage disposal facilities have been approved by the Director of the Bureau of Public Health, such facilities shall be separate from the establishment. When toilet facilities are provided for patrons, such facilities shall meet the requirements of this section.
- (3) Where toilet rooms are located within a food-service establishment they shall be separated and partitioned from any room in which food, drink, or utensils are handled, stored, or served by an anteroom that is well lit and adequately ventilated to the outside air.
- (4) Each food-service establishment shall be provided with adequate, conveniently-located hand-washing facilities for its employees, including a sink or basin equipped with an approved mixing valve or combination faucet to dispense hot and cold or tempered running water, hand-cleansing soap or detergent and paper towel or any hand-drying device. Such hand-washing facilities shall be located in the food-preparation area; the hand-washing facility in the toilet or anteroom needs to be provided at minimum with cold running water. Such facilities shall be kept clean and in good repair.
- (5) Grease Traps: Each food-service establishment shall be provided with an effective grease trap that shall be operated properly and cleaned regularly to prevent the escape of appreciable quantities of grease. Cleaning shall be done when 75% of the grease-retention capacity has been reached.

(d) Garbage and Rubbish Disposal:

All garbage and rubbish containing food waste shall, prior to disposal, be kept in leak-proof, non-absorbent containers which shall be kept covered with tight-fitting lids when filled or stored or not in continuous use; provided that such containers need not be covered when stored in a special insect-proofed room or enclosure or in a food-waste refrigerator. No garbage shall be stored in a food refrigerator. All other rubbish shall be stored in containers, rooms or areas in an approved manner. The rooms, enclosures, areas and containers used shall be adequate for the storage of all food waste and rubbish accumulation on the premises. Storage containers or storage areas shall be thoroughly cleaned after emptying or removal of garbage and rubbish. All garbage and rubbish shall be disposed of at sufficient frequency and in such a manner as to prevent a nuisance.

(e) Insect and Rodent Control:

- (1) Effective measures shall be utilized to minimize the entry, presence and propagation of rodents, flies, cockroaches, mosquitoes or other insects. The premises shall be maintained in a condition that prevents the harborage or feeding of insects or rodents.
- (2) Openings to the outside shall be effectively protected against the entry of rodents and insects. Outside openings shall be protected against entry of insects by tight-fitting, self-closing doors, closed windows, screening, controlled air currents or other means. Screen doors shall be self-closing; screens for windows, intake and exhaust air ducts, and other openings to the outside shall be tight fitting and free of breaks. Screening materials shall be not less than 16 mesh to the inch.
- (3) Any facility that is found to have insects or rodents present will require a follow-up inspection to ascertain that the condition has been corrected. If on the follow-up inspection more evidence of insects or rodents is found, the establishment is subject to closure.

4.14 OTHER FACILITIES AND OPERATIONS:

(a) Buildings:

All buildings used for the storing, handling, preparation, and serving of food shall be properly constructed and maintained in good repair.

(b) Floors, Walls, and Ceilings:

- (1) The floor surfaces in kitchens, as in all other rooms and areas in which food is stored or prepared and in which utensils are washed, and in walk-in

refrigerators, locker rooms and toilet rooms, shall be of smooth, non-absorbent materials, and so constructed as to be easily cleanable. All floors shall be kept clean and in good repair. Floor drains shall be provided in all rooms where normal operations release or discharge water or other liquid waste on the floor. All exterior areas where food is served shall be kept clean and properly drained, and surfaces in such areas shall be finished so as to facilitate maintenance and minimize dust.

(2) The walls and ceilings of all rooms shall be kept clean and in good repair. The walls of all rooms or in areas in which food is prepared, or utensils or hands are washed, shall be easily cleanable, smooth and light-colored, and shall have washable surfaces up to the highest level reached by splash or spray.

(c) Lighting:

All areas where food is prepared or served or utensils are washed shall be provided with adequate light.

(d) Ventilation:

All rooms in which food is prepared or served or utensils are washed, toilet rooms, and garbage and rubbish-storage areas shall be well-ventilated. Ventilation hoods and devices shall be designed to prevent grease or condensation from dripping into food or onto food-preparation surfaces. Filters, where used, shall be readily removable for cleaning or replacement. Ventilation system shall comply with applicable local fire-prevention and other requirements and shall, when vented to the outside air, discharge in such manner so as not to create a nuisance.

(e) Dressing Room and Lockers:

Adequate facilities shall be provided for the orderly storage of clothing for employees who routinely change clothes within the establishment. The dressing room or other designated area shall be located outside of the food preparation, storage, and serving areas, and outside the utensils-washing and storage areas. Designated dressing room areas shall be kept clean.

(f) Housekeeping:

All parts of the establishment and its premises shall be kept neat, clean, and free of litter and rubbish. Cleaning operation shall be conducted in such a manner as to minimize contamination of food and food-contact surfaces. No operation of food-service establishment shall be conducted in any room used as living or sleeping quarters by complete partitioning and solid, self closing doors. Soiled linens, coats, and aprons shall be kept in suitable containers until

removed for laundering. No live birds or animals shall be allowed in any area used for the conduct of food-service establishment operations.

(g) Infection:

- (1) Exclusion of Food Handlers: The Director of Public Health or his/her duly authorized representative may require the immediate exclusion of a food handler from any restaurant or food selling place if suspicion arises as to the possibility of the food handler transmitting an infectious disease or being the carrier of one.
- (2) Closure of Establishment: The Director of Public Health or his/her duly authorized representative may immediately close and keep closed any restaurant or food selling place while the danger of transmitting an infectious disease exists.
- (3) Adequate Examination: If an infectious disease is suspected by the Director of Public Health or his/her duly authorized representative, he/she may require the employees of the food service establishment to undergo a medical examination, including a laboratory examination, as may be indicated. The cost for such an examination shall be the responsibility of the employer.

(h) Food Handlers:

- (1) Obtain a valid food handler permit.
- (2) Obtain a valid health certificate.
- (3) Provide clean uniforms/ apron / cap for use at all times.
- (4) NO CHEWING BETELNUT or SMOKING during food preparation and serving.

4.15 GRADING:

Each food service establishment that serves food to customers is subject to an examination as to its sanitary practices in the preparation of food and will subsequently be given a grading. Each item listed on the inspection sheet has a value of a number of points, depending on its public health importance. The score is the total number of available points (100) minus the violated items. The score is represented by a letter grade of A, B, or C.

Grade A represents a score of 96% to 100%,

Grade B represents a score of 86% to 95%,

Grade C represents a score of 75% to 85%.

- (a) An establishment that receives a grade below C has failed and shall be condemned and closed until its grade is upgraded to at least Grade B.
- (b) An establishment that receives a grade C must upgrade to grade B by follow-up inspection. Failure to do so will put the establishment on warning.
- (c) An establishment that receives grade C three (3) times consecutively shall be condemned and closed until its grade is upgraded to at least Grade B.

It is the duty of the food service establishment to prominently display the grade received on or near the entry to the establishment, thereby apprising the potential customers of the grade received. It is furthermore the duty of the establishment to truthfully inform the customers of the grade received, should the customer so inquire.

4.16 CLOSURE:

The Director of Public Health or his/her duly authorized representative is authorized to condemn and close an establishment based on the following:

- (a) An establishment receives a grade below C
- (b) An establishment that receives grade C three (3) times consecutively
- (c) Infestation of rats, insects (cockroaches, flies, mosquitoes, etc.) and other invasive organisms identified as possible vectors or human health hazards.
- (d) Presence of any environmental health hazard that may pose risks to humans (i.e. asbestos, lead, gas leaks, etc.).
- (e) Determination by Director of Public Health or his/her duly authorized representative that an outbreak of a food-borne illness has occurred at a specific establishment that is serious enough to warrant closure of the establishment

4.17 EXAMINATION:

Samples of food, drink or other substances may be taken and examined at any time, from any restaurant or food selling place, by the Director of Public Health or his/her duly authorized representative (establishment will bear the cost).

4.18 SEIZURE, DETENTION, CONDEMNATION:

- (a) The Director of Public Health or his/her duly authorized representative is authorized to seize, detain, condemn and forbid the sale of or cause to be removed from any restaurant or food-selling place any contaminated food and food utensils found therein. The Director of Public Health or his/her duly authorized representative may condemn and close an establishment that does not meet the requirements as stated above.
- (b) The Director of Public Health or his/her authorized representative, upon the seizure and detention by him or her of an article under this regulation, shall forthwith give notice of the seizure and detention to the person apparently in charge of the article;
- (c) An article that has been seized and detained or otherwise obtained under these regulations by an authorized representative of the Director of Public Health may, at the direction of the authorized representative

- (1) be kept and stored in, at or on the premises or other place or vehicle where it was seized and detained or otherwise obtained; or
- (2) be removed to any other suitable place and there kept and stored.

4.19 DESTRUCTION OR DISPOSAL OF SEIZED FOOD.

- (a) The Director of Public Health or his/her duly authorized representative may order the destruction of any food or drink from any restaurant or food service establishment if the food or drink in the opinion of the representative is contaminated or otherwise unfit for human consumption.
- (b) Where an authorized representative has seized any food under these regulations and
 - (1) the owner of the food or the person in whose possession the food was at the time of seizure consents to the destruction or other disposal thereof; or
 - (2) the food is in the opinion of the authorized representative decayed, deteriorated or putrefied,
 - (3) the authorized representative may destroy or otherwise dispose of the food, or
 - (4) the owner of the food or the person in whose possession the food was at the time of seizure so requests, may permit the owner or, as the case may be, that person to destroy or otherwise dispose of the food subject to such reasonable conditions as the authorized representative stipulates.

ARTICLE 5.
FOOD SALES AT CONCESSION BOOTHS, FOOD WAGONS AND BARBEQUE STANDS

5.1 CONCESSION BOOTHS:

Definitions:

- (a) “Concession Booth” shall mean a **temporary** stationary food outlet designed and constructed to cook food. Concession Booth shall be allowed to operate only on a temporary basis for a special occasion (i.e. holiday, fair, fundraising, etc.) and shall be issued a temporary health permit. Food from this outlet can only be sold to the public at an approved site.
- (b) “Potentially Hazardous Foods” shall mean any natural or synthetic food or food ingredient that supports the rapid growth of infectious or toxigenic microorganisms or the slower growth of C. botulinum.
- (c) “Danger Zone Temperature Range” shall mean the temperature range between 40°F and 140°F within which most bacteria experience their best growth and reproduction.
- (d) “Food Flow Process” refers to methods for harvesting, purchasing, receiving, storing, thawing, preparing, cooking, holding, serving, cooling and reheating food safely.

5.2 SANITATION REQUIREMENTS FOR CONCESSION BOOTHS:

- (a) The booths shall be located in a clean surrounding and kept in a clean and sanitary condition.

- (b) The booths shall be so constructed that food, drink, utensils and equipment will not be exposed to insects or dust and other contamination.
- (c) Bathroom and hand-washing facilities, including soap and individual towels, shall be readily accessible to those working in the booths.
- (d) Adequate provision shall be made for the sanitary refrigeration of perishable food and drink at 40° F or less; ice cubes to be present in coolers at all times.
- (e) All “potentially hazardous foods” must be kept safe and out of the “danger zone temperature range (40°F to 140°F)” after two (2) hours of being displayed. List of all potentially hazardous foods and the “food flow process” requirements will be developed, provided, and enforced by the Division of Environmental Health, as authorized by the Ministry of Health.
- (f) Only food and drink, which are clean, wholesome, and free from adulteration, shall be sold or served.
- (g) Only “single-service” utensils (plastic spoons, plates, etc.) shall be used in the serving of food and drink.
- (h) Ice shall be from an approved source and so handled as to avoid contamination.
- (i) Garbage and refuse from food booths shall be kept in tightly covered, waterproof containers until removed. Refuse containers with lids shall be available on the grounds at convenient locations for customers.
- (j) Wastewater and other liquid wastes shall be so disposed of as to not create a nuisance.
- (k) Coffee or tea shall be made from potable water and served in single-service containers. Sugar portion shall be individually wrapped or served from sanitary sugar dispensers.
- (l) Only authorized persons shall be present in booths. All authorized persons shall practice safe food handling practices (i.e. wash hands, wear gloves, wear hairnets, etc.) at all times.
- (m) Any other requirement deemed necessary to the Director of Public Health or his/her representative during any inspection.

5.3 GENERAL FACILITIES AND OPERATIONS FOR CONCESSION BOOTHES: [sic]

- (a) Food Handlers:
 - (1) Obtain a valid food handler permit.
 - (2) Obtain a valid health certificate.
 - (3) Provide clean uniforms/ apron / cap for use at all times.
 - (4) NO CHEWING BETELNUT or SMOKING during food preparation and serving.
- (b) Booth:
 - (1) Separate section for food handlers from general booth attendants (area sectioned off specifically for food display, storage and serving)
 - (2) Proper counters / benches for food
 - (3) Coolers for storing all potentially hazardous foods
 - (4) Disposable gloves
 - (5) Hand sanitizer / wet wipes

(6) Tight fitting container for garbage

(c) Food labeling:

Label on foodstuff must contain the following information:

- (1) Date Prepared
- (2) Time Prepared
- (3) Name of food
- (4) Food Handler's Phone Number
- (5) Food Handler Permit Number

(d) Storage and Handling of Food:

All potentially hazardous foods must be protected in a warmer or chiller after two (2) hours of being displayed. All foods high in protein need proper handling from preparation process until serving of food. These foods are:

- (1) all kinds of sandwiches
- (2) foods prepared with coconut milk, milk, mayonnaise and etc.
- (3) raw sea-food products (eg. Sea cucumbers, clams etc)
- (4) pastries, salads and etc.

5.4 APPLICATION PROCESS FOR CONCESSION BOOTHS:

The deadline for all health permit applications for food concession booths must be submitted to the Division of Environmental Health one (1) business day prior to the start of operations.

5.5 FOOD WAGONS:

Definition: "Food Wagon" shall mean a mobile food outlet designed and constructed to transport and cook food. Food from this outlet can only be sold to the public at an approved site. Approval is required from Ministry of Health for new location of vending site for food wagon.

5.6 SANITATION REQUIREMENTS FOR FOOD WAGONS:

- (a) The wagon shall be capable of being moved from its vending site to its garage site at any time. New vending site, different from the current approved vending site, requires approval from the Ministry of Health.
- (b) Adjacent structures or units, designed to enlarge the facilities of the food wagon or provide a seating capacity, either in temporary or permanent manner, shall not be attached to or built in the vicinity of food wagons to augment their facilities. This prohibition shall not include awnings extended from the food wagon for the purpose of providing shade.
- (c) Permanent utility service lines shall be reported to the Ministry of Health for inspection, approval, and certification.
- (d) Adequate and satisfactory bathroom and hand-washing facilities, including soap and individual towels, shall be conveniently available to food handlers working

- on food wagons, within two hundred feet of the food wagon.
- (e) There must be available to each food wagon, either at a vending site or at the garage of the wagon, adequate facilities consisting of deep and large sinks for washing of the equipment and utensils used in the food wagon. Such equipment and utensils shall be washed and kept clean.
 - (f) All excess foodstuff, soft drinks, equipment and supplies not carried on the food wagon shall be stored at the place of garaging of the wagon. The address of this site must be made available to the Ministry of Health for inspection. The storage room shall meet sanitation requirements.
 - (g) All food wagons shall be of rodent-proof construction.
 - (h) All food wagons shall be equipped with a water tank so designed as to meet the requirements of the Ministry of Health; such tank to be made removable for cleaning and sanitization after each day's use, and having a holding capacity of not less than ten (10) gallons of water taken from a potable supply, and to be used for hand-washing and minor cleaning purposes only. Wastewater from the wagon shall not be allowed to run on the ground.
 - (i) There shall be adequate refrigeration and storage space provided for in each food wagon. Only bottled drinks shall be kept in the compartment designed for their refrigeration. Bottled drinks shall not be submerged in cooling water. The cooling containers shall be kept clean and a 50ppm available chlorine solution maintained in the cooling water.
 - (j) All perishable or potentially hazardous foods shall be maintained at safe temperature either in refrigerator or kept in food warmer device at all times except for the period of preparation or consumption. All "potentially hazardous foods" must be kept safe and out of the "danger zone temperature range (40°F to 140°F)" at all times. List of all potentially hazardous foods and the "food flow process" requirements will be developed, provided, and enforced by the Division of Environmental Health, as authorized by the Ministry of Health.
 - (k) Only single-service containers and disposable eating and drinking utensils shall be provided to the customers of food wagons. Such containers and utensils shall be dispensed directly by the operator. Cold mixed drinks shall not be dispensed from bulk containers.
 - (l) All food, including sandwich fillers and spreads, sold or offered for sale on any food wagon, shall be prepared only in an approved kitchen, obtained from a source approved by the Ministry of Health. Only such foods as sandwiches and hot dogs may be prepared on the food wagon, and only light foods may be sold on or from the wagon. Any kitchen having been approved must be kept clean at all times and must conform to Public Health Regulations of the Ministry of Health. When "Frozen Dessert and/or Frozen Dairy Products" are sold or offered for sale, they shall comply with special requirements of the Public Health Regulations that addresses strict conditions pertaining to decreasing risk of food borne illnesses relating to dairy or frozen products. Foodstuffs shall not be transported or displayed on the exterior of a food wagon unless properly protected from splash, rain, dust or other contamination.
 - (m) Garbage and refuse shall be kept in tightly covered water-tight containers until removed, and shall be disposed of in a place and manner approved by the Ministry of Health.

- (n) Any other requirement deemed necessary to the Director of Public Health or his/her representative during any inspection.

5.7 APPLICATION PROCESS FOR FOOD WAGONS:

Application process for a Food Wagon Health Permit shall follow the food establishment health permit application process.

5.8 BARBEQUE STANDS:

Definition: "Barbeque Stands" shall mean a stationary food outlet designed and constructed to cook food. Food from this outlet can only be sold to the public at an approved site.

5.9 SANITATION REQUIREMENTS FOR BARBEQUE STANDS:

- (a) The barbeque stand shall be located at an approved site by the Ministry of Health.
- (b) Adjacent structures or units, designed to enlarge the facilities of the barbeque stand or provide a seating capacity, either in temporary or permanent manner, shall not be attached to or built in the vicinity of barbeque stand to augment their facilities. This prohibition shall not include awnings extended from the food wagon for the purpose of providing shade.
- (c) Permanent utility service lines shall be reported to the Ministry of Health for inspection, approval, and certification.
- (d) Adequate and satisfactory bathroom and hand-washing facilities, including soap and individual towels, shall be conveniently available to food handlers working in barbeque stand, within two hundred feet of the barbeque stand.
- (e) There must be available to each barbeque stand, either at a vending site or at the kitchen/kitchenette of the stand, adequate facilities consisting of deep and large sinks for washing of the equipment and utensils used in the barbeque stand. Such equipment and utensils shall be washed and kept clean.
- (f) All excess foodstuff, soft drinks, equipment and supplies not stored on the barbeque stand shall be stored at the place of kitchenette of the barbeque stand. The address of this site must be made available to the Ministry of Health for inspection. The kitchenette shall meet sanitation requirements.
- (g) All barbeque stands shall be of rodent-proof construction.
- (h) All barbeque stands shall be equipped with a water tank so designed as to meet the requirements of the Ministry of Health; such tank to be made removable for cleaning and sanitization after each day's use, and having a holding capacity of not less than ten (10) gallons of water taken from a potable supply, and to be used for hand-washing and minor cleaning purposes only. Wastewater from the barbeque stand shall not be allowed to run on the ground.
- (i) There shall be adequate refrigeration and storage space provided for in each barbeque stand. Only bottled drinks shall be kept in the compartment designed for their refrigeration. Bottled drinks shall not be submerged in cooling water. The cooling containers shall be kept clean and a 50ppm available chlorine solution maintained in the cooling water.
- (j) All perishable or potentially hazardous foods shall be maintained at safe temperature either in refrigerator or kept in food warmer device at all times except

for the period of preparation or consumption. All “potentially hazardous foods” must be kept safe and out of the “danger zone temperature range (40°F to 140°F)” at all times. List of all potentially hazardous foods and the “food flow process” requirements will be developed, provided, and enforced by the Division of Environmental Health, as authorized by the Ministry of Health.

- (k) Only single-service containers and disposable eating and drinking utensils shall be provided to the customers of barbeque stand. Such containers and utensils shall be dispensed directly by the operator. Cold mixed drinks shall not be dispensed from bulk containers.
- (l) All foods sold or offered for sale at any barbeque stand, shall be prepared only in an approved kitchen/kitchenette or obtained from a source approved by the Ministry of Health. Only barbeque foods may be prepared in the barbeque stand, and only light foods may be sold on or from the barbeque stand. Any kitchen having been approved must be kept clean at all times and must conform to Public Health Regulations of the Ministry of Health.
- (m) Garbage and refuse shall be kept in tightly covered water-tight containers until removed, and shall be disposed of in a place and manner approved by the Ministry of Health.
- (n) Any other requirement deemed necessary to the Director of Public Health or his/her representative during any inspection.

5.10 APPLICATION PROCESS FOR BARBEQUE STANDS:

Application process for a Barbeque Stand Health Permit shall follow the food establishment health permit application process.

ARTICLE 6.
FOOD SALES: PRE-PREPARED FOODS

6.1 DEFINITION:

Pre-prepared foods are foods prepared and packaged at an earlier time at a place different from the place of sales with the intent for later sales to the public.

6.2 FOOD SUPPLIES:

All pre-prepared foods shall be from a source approved or considered satisfactory by the Director of Public Health or his/her authorized representative and shall be clean, wholesome, free from spoilage, free from adulteration and mishandling, and safe for human consumption.

6.3 FOOD PROTECTION:

- (a) All pre-prepared foods shall be protected from contamination in a single service container while being sold to the public. Labels must be present on top indicating its contents, processing date and time, processing company or person, Food Handler Permit number, and contact number/information.
- (b) All perishable or potentially hazardous pre-prepared foods shall be maintained at safe temperature either in refrigerator or kept in food warmer device at all times except for the period of preparation or consumption.
- (c) Stores or vendors selling pre-prepared foods are prohibited from selling such foods without the identifying labels as required pursuant to Section 6.3(a) and must comply with Section 6.3(b) by providing refrigerator and/or food warmer device.

6.4 PERSONNEL:

Health and Disease Control:

- (a) A person with a communicable disease, or while afflicted with boils, infected wounds, sores or an active respiratory infection, shall not work in any food preparation area.
- (b) A certified doctor shall examine all persons involved in the preparation of pre-prepared food once a year for general physical examination.
- (c) Food handlers shall be in possession of a valid Food Handler Permit and Health Certificate at all times.
- (d) Food handlers shall wear a clean outer garment with a hair net and maintain a high degree of cleanliness while preparing food.
- (e) Food handlers, while preparing food, shall not be allowed to use tobacco in any form or chew betel nut.
- (f) Food Handlers shall not wear jewelry or nail polish while preparing food. This includes the wearing of wedding rings while preparing food.

6.5 FOOD EQUIPMENT & UTENSILS:

- (a) All equipment and utensils shall be designed of such material that are easily cleanable and durable and shall be in good repair.
- (b) The food-preparation area shall be clean and separate from the area where food for personal consumption is prepared.
- (c) All single service articles, such as plastic cups, forks, spoons, knives, paper plates, paper cups, and the like shall be stored, handled, and dispensed in a sanitary manner, and shall be used only once.

6.6 SANITARY FACILITIES AND CONTROLS:

A household kitchenette used for the preparation of pre-prepared foods is considered a Food Service Establishment and, therefore, must have a health permit.

(a) Water Supply:

- (1) The water supply shall be of safe adequate sanitary quality and from an approved source.
- (2) Running water shall be provided in all areas of food preparing area.
- (3) Ice used for any purpose shall be made from water, which comes from an approved source, and is so handled as to avoid contamination.

(b) Sewage Disposal:

All sewage shall be disposed of in a Public Sewage System or in the absence thereof, shall be disposed of in an individual sewage disposal system, such as a septic tank.

(c) Plumbing:

- (1) All plumbing fixtures shall be connected to a sanitary sewage or to an approved private sewage disposal system.
- (2) Conveniently located toilet facilities shall be provided in clean condition and in good repair. Tissue, soap and towels shall be provided at all times.

(d) Garbage and Rubbish Disposal:

All garbage and rubbish containing food waste shall be kept in leak-proof containers and kept covered until ready for disposal.

6.7 DELIVERY VEHICLE:

- (a) Every receptacle, vehicle, tool or utensil used for or in connection with the

preparation, carriage or delivery of food for sale shall at all times:

- 1) Be kept clean
 - 2) Be kept cool
 - 3) Be kept as far as practicable free from flies, insects or dust
- (b) Vehicles and receptacles which are used in the carriage or delivery of any food sale shall be kept clean and no such vehicle or receptacle shall be used for the carriage of any matter whereby the wholesomeness, cleanliness and absence from contamination of any food carried, or usually carried therein, would or might be endangered.
- (c) All vehicles and receptacles that are used in the carriage or delivery of any food, offered for sale, are subject to a monthly inspection by a duly authorized representative from Environmental Health Division of the Ministry of Health.

6.8 PENALTIES:

- (a) Health Certificate
Any individual who is involved in the preparation of pre-prepared foods and does not possess a valid health certificate shall be fined \$100.00 and ordered to stop preparation of pre-prepared foods until he/she receives such a certificate.
- (b) Food Handler Permit
Any individual who is involved in the preparation of pre-prepared foods must possess a valid Food Handler Permit. Any individual found to be involved in the preparation of pre-prepared foods and does not possess a Food Handler Permit shall be fined \$100.00 and ordered to stop working until he/she receives such Permit.
- (c) Stores or vendors selling pre-prepared food without identifying labels pursuant to the requirements of Section 6.3 (a) above shall be fined \$150.00.
- (d) The penalties for operating any kind of food service establishment without a valid health certificate or health permit shall be as follows:
\$250.00 for operating without a valid health permit with closure*
\$100.00 for operating without a valid health certificate
\$100.00 for operating without a food handler permit
\$500.00 for resuming ceased operation without prior clearance
*A food service establishment shall be ordered closed until the valid health permit is received.

ARTICLE 7.
FOOD SALES: LABELING REQUIREMENTS

7.1 All packages of food for sale shall bear or have attached to them a manufacturer label setting out in English in the prescribed manner the following particulars:

- (a) The name and business address in Palau of the vendor, manufacturer or packer if manufactured in Palau or, in the case of food imported into Palau, the name and business address in Palau of the importer;
- (b) The food shall bear or have attached to it or be in a package that bears or has attached to it a label setting out, in addition to any particulars required by subsection (a) above, all of any of the following particulars:
 - (1) a statement of the ingredients present in the food in such detail as is prescribed
 - (2) the place of manufacture of the food;
 - (3) the country of origin of the food;
 - (4) the date on which the food was manufactured or packed;
 - (5) the date by which the food should be used or should best be used which is the date that the food may reasonably be expected to retain, without appreciable deterioration, its normal wholeness, nature and quality.
- (c) For purposes of subsection (b) (5) above, it is an offense to sell food beyond the expiration date by which the food should be used or the date when the food should best be used. All goods/products ordered by establishments shall have one (1) year shelf-life before its labeled expiration date.

ARTICLE 8.
FRESH FRUIT AND VEGETABLE CULTIVATION AND PROCESSING

8.1 FERTILIZER:

Only approved fertilization methods and composting procedures shall be permitted. The use of human excreta is prohibited, as is the storage of human excreta on the cultivated area. Animal feces must be properly composted before being used. Compost shall consist of vegetable matter and animal excreta.

8.2 DRAINAGE:

The farm shall be situated so that drainage, runoff, or human waste from non-cultivated or non-approved areas will not contaminate the farm.

8.3 LATRINE FACILITIES:

Latrine facilities may or may not be located on the farm. If a latrine is situated on the farm, it shall be constructed so that it does not contaminate the growing area or ground water. It shall be kept clean, in good repair, and a supply of toilet paper shall be available at all times.

8.4 IRRIGATION DITCHES AND FLUMES:

Irrigation ditches and flumes must not be connected to compost storage pit.

8.5 PRE-WASHING:

Pre-washing of fresh fruits and vegetables is not permitted, with the exception of root and tuberous plants, i.e. taro, tapioca, yams etc., which shall be pre-washed only to remove excess dirt. Washing shall be permitted only in approved packing sheds (refer to 8.12).

8.6 CONTAINERS:

Products shall be placed in clean containers only. Reusable containers shall be constructed and operated so as to protect their contents from contamination and damage. They shall have covered tops and shall be maintained in a clean condition.

8.7 VEHICLES:

Vehicles used for transporting products shall be constructed and operated so as to protect their contents from contamination and damage. All vehicles shall be maintained in a clean condition. Delivery vehicles temperature for cold storage and transporting should be between 28 to 31 degrees Fahrenheit.

8.8 BUILDINGS:

Buildings used for storage or processing of farm products shall be constructed to prevent the entrance of insects, rodents, birds, and animals. The exterior openings, including doors, windows, pipe openings, and vents, shall be clean and in good repair. Where practicable, exterior openings shall be equipped with screens or other effective means to prevent the entrance of insects, rodents, birds, and animals.

8.9 LIGHTING:

Sufficient light shall be provided to permit sanitary processing and storing operation, and to provide adequate visibility for the inspector to determine that sanitary conditions are being maintained.

8.10 EQUIPMENT AND UTENSILS:

All equipment and utensils shall be designed and be of such material and workmanship so as to be smooth, easily cleanable, and durable. Washing tables shall be self-draining and provided with a raised metal screen to prevent the product from soaking in the wash water. Utensils such as knives, brushes, hammers, and hatchets shall be used only in the packing shed. Facilities for proper maintenance and storage of the utensils shall be provided.

Product contact surfaces of all equipment, containers, scales, packing tables, benches and similar equipment, where it is practical shall be made of impervious, nontoxic and corrosion-resistant materials. Equipment and all product contact surfaces shall be constructed and/or located for accessible cleaning, maintenance and inspection.

8.11 WATER SUPPLY:

The wash water shall be from a source approved by the inspector and must be potable and available in sufficient quantity to meet the needs of the operation. Water that is used for processing shall be disinfected.

8.12 WASHING:

The wash water shall be directed onto the product by a spray or multiple spray systems. Clean brushes with medium bristles shall be used for scrubbing. As far as practicable, culling of undesirable produce shall be performed before washing.

8.13 PACKING:

The product shall be well drained directly after being washed and then immediately packed.

8.14 CLEANLINESS AND HEALTH OF PERSONNEL:

All personnel shall wash their hands before beginning work and upon returning to work after using toilet facilities, eating, smoking, or otherwise soiling their hands. Hairnets, caps, or other suitable hair restraints to effectively cover all hair shall be worn so as to prevent contamination of food and food contact surfaces. No person who has an infected or purulent wound, sore or lesion on hands, arms, or other exposed portion of the body, shall work in processing or handling of any products, containers or equipment. Where health authorities require health certificates, they shall be kept on file at the plant office.

**ARTICLE 9.
VENDING MACHINE OPERATIONS**

9.1 DEFINITION:

“Vending Machine” shall mean any self-service device, which upon insertion of a coin, coins, tokens or by other similar means, dispenses unit servings of food, drink, candy or other items that lend themselves to dispensing in unit servings.

9.2 FOOD, CONSUMER CONTAINERS, EQUIPMENT MAINTENANCE AND OPERATIONS:

Food or drink intended for sale through vending machines and condiments available at vending machine locations shall be obtained from approved sources. Such food or drink shall be wholesome, free from spoilage, and shall be processed, prepared, handled and stored in such a manner as to be protected against contamination and adulteration. All food-contact surfaces of containers and equipment shall be protected from contamination. If condiments are provided for service in conjunction with food dispensed by a vending machine, they shall be packaged in individual portions in single-service containers or

shall be dispensed from approved sanitary dispensers, which are washed, sanitized, and filled at the commissary. Relish bowls and similar non-self-closing condiments containers shall not be used. Potentially hazardous food shall be held at safe temperatures except during necessary period of preparation.

9.3 MACHINE LOCATION:

The machine location shall be such as to minimize the potential for contamination of the food, shall be well lighted, easily cleanable, and shall be kept clean. Conveniently located hand washing facilities shall be available for use by employees servicing or loading bulk-food machines.

9.4 EXTERIOR CONSTRUCTION AND MAINTENANCE:

The exterior construction of the vending machine shall be such as to facilitate cleaning and to minimize the entrance of vermin, and the exterior of the machine shall be kept clean.

9.5 INTERIOR CONSTRUCTION AND MAINTENANCE:

All interior surfaces and component parts, of the vending machines shall be so designed and constructed as to permit easy cleaning, and shall be kept clean. All food-contact surfaces of the machine shall be of smooth, nontoxic, corrosion-resistant, and relatively nonabsorbent material, and shall be capable of withstanding repeated cleaning and sanitizing by normal procedures. Such surfaces shall be protected against contamination.

9.6 WATER SUPPLY:

Water used in vending machines shall be from an approved source, and shall be of a safe and sanitary quality. Vending machines shall be so installed and operated as to prevent the release of toxic substances into the water and minimize contamination from nearby unsanitary sources.

9.7 WASTE DISPOSAL:

All waste shall be properly disposed of, and, pending disposition, shall be kept in suitable containers so as to prevent creating a nuisance.

9.8 DELIVERY OF FOOD, EQUIPMENT AND SUPPLIES TO MACHINE LOCATION:

Food, food-contact surfaces of containers, equipment and supplies, shall be protected from contamination while in transit to machine location. Potentially hazardous food, while in transit and in storage on location, shall be maintained at safe temperatures. Delivery vehicles shall follow the regulations for delivery vehicles.

9.9 PERSONNEL:

Employees shall maintain a high degree of personal cleanliness and shall conform to hygienic practices while engaged in handling foods, or food-contact surfaces of utensils or equipment.

ARTICLE 10.
PIGGERIES AND POULTRY

10.1 MANURE, REFUSE, ETC.:

- (a) Every person in custody or control of any piggery, poultry farm, dog kennel or other place in which the manure or any liquid discharge of such animals accumulates, shall cause such manure or liquid to be promptly removed therefrom on no less than a daily basis, and shall keep, or cause to be kept, such piggeries, poultry farms, dog kennels or other places, and the drains, yard and appurtenances thereof, connected to an approved means of sewage disposal.
- (b) No manure and/or refuse, while awaiting removal, shall be held for longer than twenty-four (24) hours unless it is kept in a dung pit, refuse bin, or storage-like container that is both fly-proof and rodent-proof and so constructed that objectionable odors will not emanate therefrom.
- (c) No manure, animal or vegetables refuse, night soil, or garbage of any nature, which is dangerous to the public health, shall be used for grading or filling any lot, parcel or other tract of land except for dumpsites approved by the Ministry of Health.

10.2 CONSTRUCTION, LOCATION AND MAINTENANCE:

- (a) Piggeries, poultry houses and dog kennels shall not be kept within two hundred (200) feet of any place of human habitation.
- (b) All poultry houses, piggeries, pens or any enclosure for any animal shall be kept clean and free from an accumulation of excreta, decayed food and filth of any kind. The buildings and pens shall be kept free of rodents, fleas, lice and other insect pests and maintained in a clean and sanitary condition. Buildings and pens shall be so constructed as to exclude rodents and prevent the harboring of rodents therein.
- (c) All food products, goods, wares, or merchandise on the above premises, whether kept for sale or for any other purpose, which are likely, in the opinion of the Ministry of Health, to attract or become infested with rodents or any other insect, shall be protected so as to prevent rodents and insects from gaining access thereto or coming in contact therewith.

10.3 EGGS:

(a) All eggs must be fresh and clean. All eggs must be refrigerated after cleaning. Cracked, broken and deteriorated eggs shall not be sold in the Republic of Palau.

(b) Preservation of egg shall consist of:

1. Selecting eggs from healthy poultry.
2. Cleaning eggs soon after collection.
3. Eliminating spoiled eggs.
4. Fresh eggs shall be handled or stored as soon as possible so as to protect them against heat. When placed in storage, stacks should be arrayed to allow plenty of circulation to prevent warm air pockets. Temperature for cold storage and transporting/delivery vehicles should be between 28 to 31 degrees Fahrenheit.
5. When any of following conditions are found in eggs, they should be rejected as unfit for food: Moldiness, black spots, black rot, partly hatched, decomposed, putrid, filthy or subjected for any period of time to incubation.

(c) Premises and plant building:

1. The building, or portion thereof, in which any egg-processing operation is conducted, shall be maintained in a sanitary condition and free of insects and rodents.
2. There shall be abundant light, whether natural or artificial, or both, which is well distributed, and sufficient ventilation for each room and compartment to insure sanitary and suitable processing and operating conditions.
3. There shall be an efficient drainage and plumbing system for the plant and premises. All drains and gutters shall be properly installed with approved traps and vents, and shall be maintained in good repair and in proper working order.
4. The water supply shall be ample, clean and potable, with adequate facilities for its distribution throughout the plant, or portion thereof, utilized for egg processing and handling operations, and for protection against contamination and pollution.

(d) Packaging

Packages or containers for egg products shall be clean when being filled with any egg products; and all reasonable precautions shall be taken to avoid soiling or contaminating the surface of any package or container liner which is, or will be, in direct contact with such egg products.

(e) Personnel Health:

- 1) Spitting, smoking or chewing betelnut is prohibited in each room and in each compartment where any exposed or unpacked egg products are prepared, processed or otherwise handled.

- 2) All necessary precautions shall be taken to prevent the contamination of egg products with any foreign substance.

10.4 DISPOSAL OF DEAD ANIMALS:

- (a) The carcasses and organs of animals that die before slaughter shall not be used for the feeding of any person or animal.
- (b) No person shall deposit or leave any dead animal on any land or in any stream or body of water within the Republic of Palau. No person shall bury a dead animal within two hundred (200) feet of any stream or body of water within the Republic of Palau. It shall be the duty of every owner or person in custody of any dead animal or animals to dispose of them in a sanitary manner.

10.5 PENALTIES:

- (a) The owner of a piggery, poultry house and/or dog kennel that is kept within two hundred (200) feet of any place of human habitation shall be fined \$500.00.
- (b) Any individual who buries a dead animal within two hundred (200) feet of any stream or body of water within the Republic of Palau shall be fined \$500.00.

**ARTICLE 11.
VECTOR CONTROL AND PREVENTION**

11.1 Definition:

“Vector” means any organism capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including mosquitoes, flies, fleas, cockroaches, or other insects and ticks, mice, or rats.

11.2 In order to prevent the breeding of mosquitoes, an authorized officer of the Division of Environmental Health may give written directions to the owner or occupier or person in charge of any article, premise or land to remove, or take steps to avoid, any condition on those articles, premises or land conducive to the breeding of mosquitoes. A person to whom a direction is given under this Section must comply with the following regulations:

- (a) Water-catchment tank: Cover water tank inlet, vent and overflow with mosquito proof cover.
- (b) Gutters: Clear dirt, leaves from gutters regularly to avoid water collection.
- (c) Tires: Puncture holes in tires, fill with soil or store them in dry places.
- (d) Recycle aluminum cans: Crush, flatten or puncture and store in dry place.
- (e) Containers of all sorts: Remove and properly dispose of all unused containers (tin cans, buckets, barrels, plastics, etc.). Useable containers should be stacked upside down.
- (f) Bird baths: Change water every 5 days.
- (g) Ornamental Ponds: Stock ponds with mosquito fish (Gambusia)
- (h) Boats: Store boats upside down or cover to keep out rain and water from sprinklers.

Keep cover tight to prevent sagging.

- (i) Home garden: Trim plants (bromeliad) regularly and change water in flower vases or buckets every five (5) days.
- (j) Standing water: Any standing water from air conditioning drainage, leaky plumbing, crawl spaces, over-watering of lawns or waters collected on top or inside of vehicles, etc., shall be emptied and maintained regularly.
- (k) Others - as instructed by the Health Inspectors from Division of Environmental Health.

11.3 PENALTIES:

- (a) A person to whom a direction is given under this Section and who does not comply shall be fined \$250.00. The Division of Environmental Health may:
 - 1) Enter the premise or land to which the direction relates and remove, or
 - 2) Take steps to avoid, any condition on those articles, premises or land conducive to the breeding of mosquitoes.
 - 3) Recover the costs and expenses incurred by it from the person on whom the direction is made.

ARTICLE 12. SOLID WASTE MANAGEMENT

This set of regulations is excerpted from the EQPB “Solid Waste Management Regulations”, Chapter 2401 - 31, and is utilized here for easy review and reference for the employees of the Bureau of Public Health.

12.1 PURPOSE:

The purpose of these regulations is to establish minimum standards governing the operation and maintenance of solid waste storage, collection and disposal systems. Such standards are intended to:

- (a) Prevent pollution of the drinking and recreational waters of the Republic of Palau.
- (b) Prevent air and land pollution.
- (c) Prevent the spread of disease and the creation of nuisance.
- (d) Protect the public health safety.
- (e) Conserve natural resources.
- (f) Preserve and enhance the beauty and quality of the environment.

12.2 DEFINITIONS:

Terms used herein, unless the context otherwise requires, the term:

- (a) "Bulky Waste" means large items of solid waste such as household appliances, furniture, motor vehicles, trees, branches, stumps, and other oversize wastes whose large size prevents or complicates their handling by normal solid waste collection, processing, or disposal methods.
- (b) "Collection" means the act of removing solid waste.

- (c) "Commercial Solid Waste" means all types of solid wastes generated by stores, offices, restaurants, warehouses, and other non-manufacturing activities, excluding residential and industrial wastes.
- (d) "Food Waste" means the organic residues generated by the handling, storage, sale, preparation, cooking, and serving of foods, commonly called garbage.
- (e) "Generation" means the act or process of producing solid waste.
- (f) "Hazardous Waste" means any waste or combination of wastes which pose a substantial present or potential hazard to human health or the environment because such wastes are non-degradable or persistent in nature, or because they may otherwise cause or tend to cause detrimental cumulative effects. (Refer to Ministry of Health's Health Care Waste Management Plan).
- (g) "Incineration" means the destruction of solid waste by burning in a furnace designed for the purpose wherein solid waste is essentially reduced to ash, carbon dioxide and water vapor.
- (h) "Incinerator" means an engineered combustion device specifically designed for volume reduction, by controlled burning of combustible solid waste.
- (i) "Infectious Waste" means:
 - (1) Equipment, instruments, utensils, and fomites of a disposable nature from the rooms of patients who are suspected to have or have been diagnosed as having a communicable disease and must, therefore, be isolated as required by public health agencies;
 - (2) Laboratory wastes, such as pathological specimens (such as tissues, blood, excreta, and secretions obtained from patients or laboratory animals) and disposable fomites (any substance that may harbor or transmit pathogenic organism) attendant thereto; or,
 - (3) Surgical operating room specimens and disposable fomites attendant thereto, and similar disposable materials.
- (j) "Institutional Solid Waste" means solid wastes generated by education, health care, correctional, or other institutional facilities.
- (k) "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, or other old or scrap ferrous or nonferrous material.
- (l) "Landfill" means a land area used for the disposal of solid wastes.
- (m) "Leachate" means water that has percolated through solid waste and contains dissolved or suspended portions from the solid waste.
- (n) "Lift" means a compacted layer of solid waste and its overlying earth or coral cover in a landfill.
- (o) "Milling" means the mechanical process of materials size reduction by grinding, crushing, chipping, or shredding.
- (p) "Pollutant" means one or more substances or forms of energy which when present in the air, land, or water, are or may be harmful or injurious to human health or the environment, or which may unreasonably interfere with the enjoyment by people of life or property.
- (q) "Public Litter Receptacle" means a container provided for the public, as a convenience, for the sanitary placement of solid waste.
- (r) "Residential Solid Waste" means the wastes generated by the normal activities of households, including, but not limited to, food wastes, rubbish, ashes, and bulky wastes.
- (s) "Rubbish" means a general term for solid wastes and ashes, taken from residences, commercial establishments, and institutions.
- (t) "Shredding" means the mechanical process of material size reduction by cutting.
- (u) "Sludge" means the accumulated semi-liquid suspension of settled solids deposited from

- waste-waters or other fluids in tanks or basins. It does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved materials in irrigation return flows or other common water pollutants.
- (v) "Solid Waste" means garbage, refuse, and other discarded solid materials including solid waste materials resulting from industrial and commercial operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or other substances in water sources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants. This definition is intended to include liquid waste materials such as waste oil, as well as pesticides, paints, solvents, and hazardous waste.
 - (w) "Solid Waste Disposal Facility" means an intermediate facility, transfer station, landfill, composting plant, recycling or reclamation facility or any site used for the reduction, consolidation, conversion, processing or disposal of solid waste.
 - (x) "Solid Waste Disposal System" means the entire process or part thereof of the storage, collection, transportation, processing and disposal of solid waste by any person engaging in such a process as a business or by any municipality, authority, state, or any combination thereof.
 - (y) "Solid Waste Storage Container" means a receptacle used for the temporary storage of solid waste while awaiting collection and which restricts access to the waste by rainwater, vectors, and other animals.
 - (z) "Storage" means the interim containment of solid waste after generation and prior to final disposal.
 - (aa) "Transfer Station" means a supplemental transportation facility used as an adjunct to solid waste route collection vehicles. Such a facility may be fixed or mobile and may include recompaction of solid waste.
 - (bb) "Vector" means a carrier that is capable of transmitting pathogens from one organism to another.
 - (cc) "Wetlands" means those areas that are inundated or saturated with surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include saltwater marshes, freshwater marshes, saltwater swamps, freshwater swamps and cultivated wetlands.
 - (dd) "Working Face" means that portion of the landfill in which solid waste is deposited and compacted prior to the placement of an earth or coral cover.

12.3 HOUSEHOLD STORAGE:

- (a) There shall be proper storage of waste materials or refuse to prevent flies, rodents and other insects from being attracted by household wastes and prevent foul odors.
- (b) There shall be sufficient waste storage containers to hold all the waste materials produced between collection times. Waste containers shall be covered with a tight fitting lid and be made of such material that is not easily destroyed by dogs, cats and rats.

12.4 REFUSE AND GARBAGE DISPOSAL:

Where there is no public refuse collection system, refuse disposal can be accomplished in one of three ways:

- (a) Transport garbage or refuse to assigned local solid waste facility.
- (b) Burial: Refuse is deposited in pits and covered with soil. Two (2) feet soil cover is satisfactory to prevent excavation of buried materials by stray animals.
- (c) Burning:
No person shall dispose of burnable refuse by open burning, or cause, allow, or permit open burning of refuse including grass, weeds, wire, twigs, branches, insulation, vehicle bodies and their contents, paper, garbage, tires, waste materials, tar products, rubber products, oil, and similar smoke producing materials, within the territorial limits of the Republic of Palau. In areas where no public or commercial refuse collection service is available, open burning of refuse on residential property shall be allowed until such refuse collection becomes available provided such burning does not violate any existing laws of the Republic. (EQPB Regulation 2401-71-40) No burning of plastic is allowed except by incinerator as specified by the EQPB.
- (d) Open Dumping - shall be prohibited in the Republic of Palau.

12.5 ACCUMULATIONS:

- (a) No person shall deposit or be permitted to deposit upon any roadway, land, shore, or into any creek or waterway any filth, ashes, refuse or garbage. The occupier of any premises shall be deemed to have violated this regulation where any filth, ashes, refuse or garbage, other than that contained in proper garbage pans, is found on such premises. All solid waste shall be stored in such a manner that it does not constitute a fire, health, or safety hazard or provide food or harborage for vectors.
- (b) All solid waste shall be contained or bundled so as not to result in spillage.
- (c) All solid waste containing food wastes shall be securely stored in covered or closed containers which are:
 - 1) nonabsorbent;
 - 2) leakproof,
 - 3) durable;
 - 4) easily cleanable (if reusable); and
 - 5) designed for safe handling.
- (d) In other buildings or other facilities which are constructed or modified, there shall be storage facilities to accommodate the volume of solid waste anticipated.
- (e) Storage facilities must be easily cleaned and maintained, and allow for efficient and safe collection.

12.6 WASTE CONTAINERS:

- (a) Containers shall be of an adequate size and in sufficient numbers to contain all food wastes, rubbish, and ashes that a residence or other establishment generates in the period of time between the collections.
- (b) Reusable waste containers which are emptied manually shall not exceed 75 pounds when filled or have a capacity of more than 55 gallons in volume and shall be capable of being serviced without the collector coming into physical contact with the solid waste.
- (c) Reusable waste containers shall be constructed of corrosion resistant metal or other material which will not absorb water, grease, or oil.

- (d) Reusable containers shall be leak-proof, including sides, seams, and bottoms, and be durable enough to withstand anticipated usage without rusting, cracking, or deforming in a manner that would impair serviceability.
- (e) The interior of the reusable container shall be smooth without interior projections or rough seams which would make it difficult to clean or interfere with its emptying.
- (f) The exterior of the Reusable container should be safe for handling with no cracks or jagged edges.
- (g) Containers shall have covers which are tight-fitting to resist the intrusion of water and vectors, and should be equipped with a suitable handle.
- (h) Containers shall be stored on a firm, level, well-drained surface which is large enough to accommodate all of the containers and which is maintained in a clean, spillage-free condition.

12.7 SOLID WASTE COLLECTION:

Collection Safety:

- (a) Collection systems shall operate in such a manner as to protect the health and safety of personnel associated with the operations.
- (b) All solid waste personnel shall receive instructions and training in safe container and waste handling techniques, and in the proper operation of collection equipment.
- (c) Personal protective equipment such as gloves, safety glasses, respirators, and footwear shall be used by collection employees, as appropriate.

Collection Frequency:

- (a) Solid wastes shall be collected with frequency sufficient to inhibit the propagation or attraction of vectors and the creation of nuisance.
- (b) Solid wastes which contain food wastes shall be collected at a minimum of once during each week.
- (c) Bulky wastes shall be collected at a minimum of once every three (3) months.

Solid Waste Management Responsibility and Standards:

- (a) The aesthetic, non-hazardous and sanitary storage of solid waste is the responsibility of the person owning, operating or managing the property, premise, business establishment or industry where the solid waste is accumulated.
- (b) Solid waste shall be removed to an approved solid waste disposal facility, prior to creating nuisance conditions.
- (c) A person sponsoring any public activity, including but not limited to, recreational, sporting, or entertainment events, is responsible for the collection, storage, transportation and disposal of all solid waste generated as a result of the event. Solid waste shall be disposed of in an approved solid waste disposal facility.
- (d) The disposal of animal carcasses is the responsibility of the landowner or land occupant upon whose land the animal carcass is found to be creating a nuisance. On-site disposal of the carcass shall be by immediate burial, covered by at least two (2) feet of compacted earth, incineration or by other methods approved by Public Health.
- (e) No person may deposit solid waste in, on, or along a road right-of-way, street, trail, spur, turnaround, tunnel, drainage structure, water of the Republic, public recreation facility or other public or private property.

Incineration Standards:

- (a) Incinerator fly ash and residue generated from incineration of solid waste shall be treated and disposed of in a manner to prevent odor and dust nuisance and to control insects, birds, rodents and other vectors.
- (b) Salvaging or reclamation of materials shall be controlled at the facility to prevent interference with the prompt sanitary disposal of solid waste and the creation of health hazards. Scavenging is prohibited.

Hazardous Waste Disposal Standards:

- (a) Each State shall be responsible to see that facilities for the disposal of hazardous waste materials are available.
- (b) Any person desiring to dispose of hazardous waste materials shall notify the Ministry of Health's Division of Environmental Health and the Palau Environmental Quality Protection Board of this intention to do so.
- (c) Any solid waste facility that accepts hazardous waste materials for disposal shall, in order to prevent damage to human health or the environment, dispose of such wastes in accordance with the following standards:
 - 1) Infectious and pathological wastes generated at medical, veterinary, and other facilities shall be incinerated, sterilized or otherwise rendered safe prior to removal from these facilities for final disposal;
 - 2) Toxic, caustic, volatile and flammable chemical waste may be incinerated or disposed of in a manner approved in writing by the Palau EQPB prior to final disposal. If such wastes are directed to a landfill: (a) they shall be rendered non-hazardous by chemical neutralization or stabilization prior to final disposal; (b) they shall be disposed in a special trench or pit that is designed to retain the waste and prevent infiltration into ground and surface waters; (c) the burial area shall be clearly marked with adequate warning signs and under no circumstances will smoking or open flames be allowed when these types of wastes are being disposed of, and, (d) the burial site shall be recorded in the final plan of the completed site and made a part of the legal description of the property.
 - 3) Dewatered sludge from water treatment plants and dewatered digested sludge from waste-water treatment plants shall be mixed with the other deposited solid wastes at the landfill to prevent localized leaching. Disposal of raw sewage sludges including sludges from septic tank pumping are prohibited at all solid waste disposal facilities.

12.8 PENALTIES:

Any person who shall deposit or permit to be deposited upon any roadway, land, shore, or into any creek or waterway any filth, ashes, refuse or garbage shall be deemed to have violated this regulation. The occupier of any premises shall be deemed to have violated this regulation where any filth, ashes, refuse or garbage, other than that contained in proper garbage pans, is found on such premises and shall be penalized for \$250.00.

**ARTICLE 13.
SCHOOLS**

13.1 DEFINITIONS:

“School” means a public, private or parochial institution or facility used for the care and education of students from Kindergarten through grade twelve and including any college, vocational or other type of educational institution of higher learning.

13.2 BUILDING AND PREMISES:

- (a) The building shall be so located, constructed and maintained as to protect the health of the students. The building shall be so located, designed and constructed that a maximum of sunlight can enter the rooms.
- (b) Stairways and steps must have handrails and non-slip treads or coverings.
- (c) All passageways shall be kept free of obstruction.
- (d) The building shall be rat-stopped, and rat- proofed and shall be free of mosquito breeding and other vermin.
- (e) School grounds must contain sufficient area to accommodate school buildings, possible expansion, approaches and play areas.
- (f) School premises shall be located on well-drained ground, above unprotected flood levels, and away from all known normal hazards of inundation. Building shall be so placed that ground drainage is away from building. The building shall not be located on a hazardous hill or swamp land.

13.3 TOILET FACILITY:

- (a) Each school shall be provided with adequate and properly located toilet facilities with separate toilets properly labeled for male and female in proportion of one seat and one urinal for every fifty (50) boys and one seat for every twenty-five (25) girls. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in clean condition, in good repair, well lighted and ventilated, dry, free of splashed or overflow water at all times.
- (b) All toilet rooms must have hand-washing facilities. Each toilet room shall be provided with a covered metal container in which shall be kept all discarded articles and paper towels pending custodial collection. An adequate supply of soap, paper towels and toilet paper shall be provided at all times.
- (c) Hand washing facilities shall be provided in first grade rooms and in all rooms where activities are of a dirty or hand-soiling nature, such as in manual training or shop rooms, cooking rooms, laboratory rooms and all similar places.

13.4 SAFETY:

- (a) A school must be free of safety hazards. The Division of Environmental Health will, in its discretion, require the immediate removal of a hazardous object or condition.
- (b) If vocational or laboratory programs are provided which may create vapors, fumes or other hazards, ventilation and personal protection and safety equipment must be provided.

- (c) If pesticides are used in a school, they must be used according to their labeled instruction and stored in a locked area, separate from other items.
- (d) Poisonous or dangerous chemicals and compounds must be labeled and stored in a locked area, separate from other items.
- (e) No person affected with a communicable disease may work in a school.
- (f) The Division of Environmental Health will, in its discretion, close all or part of a school in which a condition exists which places the health or safety of students in unwarranted jeopardy.

13.5 MAINTENANCE:

- (a) Schools and school grounds must be kept clean and orderly. Buildings must be kept in a good state of repair.
- (b) A room or area must be provided for janitorial equipment and cleaning supplies
- (c) A separate utility sink must be provided for mops and general cleaning
- (d) Hazardous cleaning solutions and substances must be properly labeled and stored in a locked place.

**ARTICLE 14.
SLAUGHTERHOUSES**

14.1 DEFINITION:

The word “slaughterhouses” as used herein shall be taken to mean any place where cattle, sheep, goats, pigs, poultry, fish, or other warm and cold-blooded animals are killed for the purpose of selling the meat therefrom for human consumption.

14.2 APPROVAL AND PERMIT:

It shall be unlawful for any person/or person(s) to operate a slaughterhouse in the Republic of Palau without possession of a Health Permit from the Ministry of Health.

14.3 SANITATION:

Every slaughterhouse shall be kept clean and sanitary. All offal, blood, fat, manure, or other refuse shall be removed therefrom immediately after completion of the slaughtering operations and the floors, walls and equipments shall then be properly sanitized within one hour.

- (a) There shall be abundant light, which may be natural, artificial or both, and sufficient ventilation for all rooms and compartments to insure sanitary conditions.
- (b) There shall be an efficient drainage and plumbing system for the establishment and premises. All plumbing systems shall be properly connected with approved sewage disposal systems.
- (c) The water supply shall be ample, clean, and potable with adequate facilities for its distribution in the plant. Both hot and cold water, under adequate pressure, shall be available during operation of the slaughterhouse.
- (d) The rooms and compartments used for edible products shall be separate and distinct from those used for inedible products.
- (e) Every precaution shall be taken to keep establishments free from insects and rodents.
- (f) No animals or fowls, except animals or fowls for slaughter, shall be permitted on the premises of the slaughterhouse or within 150 feet thereof.

14.4 PENALTIES:

Any person who shall perform slaughter activities deemed to have violated any sanitation regulation as determined by the Bureau of Public Health shall be penalized for \$250.00.

**ARTICLE 15.
TROCHUS PROCESSING AND STORAGE**

- 15.1 Processing site means the location to which the trochus are transported after purchasing in order to completely clean and dry the shells. Storage site means the location at which the trochus shells will be stored in containers awaiting shipment off-island.
- 15.2 No trochus may be processed or stored within 200 feet of any occupied residential structure.
- 15.3 After processing, trochus must be stored in a closed, tight-fitting container, sufficient to shelter the trochus from insect and rodent infestation.
- 15.4 No trochus may be maintained outside of such container unless such trochus is actively undergoing processing or transport.
- 15.5 No trochus may be left on land at or near the purchasing site while awaiting transport to the processing site for more than one (1) day. Only trochus submerged in seawater may be kept at the purchasing site for more than one (1) day. Permit holders shall ensure that the area chosen for submersion of trochus remains inundated during low tide to prevent odor and to control flies from breeding.
- 15.6 The permit holder must ensure that while undergoing processing or in storage, the trochus does not emit foul or noxious odors, constituting a nuisance to the public, as determined by the Division of Environmental Health.
- 15.7 Any failure to comply with the conditions of this permit, Executive Order No. 179, signed by the President, or any other applicable laws or regulations of the Republic is cause for revocation of the permit by the Division of Environmental Health of the Ministry of Health. Such violations may also subject the permit holder, upon conviction, to a fine of not less than \$5,000.00.

**ARTICLE 16.
PUBLIC ACCOMMODATIONS**

16.1 DEFINITIONS:

- (a) "Holiday camp" means any house, building or structure, whether temporary or permanent, which is used for the accommodation of tour groups, student groups, youth groups or family groups for holiday or recreational purposes;
- (b) "Barracks" means any house, building or structure, whether temporary or permanent,

- which is provided by the employer for the accommodation of workers and employees;
- (c) "Hotel, Motel, Apartment or Room Accommodation" means any structure or any portion of any structure, including any lodging house, rooming house, dormitory, health spa, studio hotel, hotel, motel, or private home containing one or more guest rooms and intended to provide overnight accommodations or long-term stay for pay.
 - (d) "Student dormitory" means any dormitory, student hostel, hall of residence or residential college for the accommodation of students, which is controlled by or operated under an arrangement with or affiliated with a school;
 - (e) "Live Aboard" means any floating vessel that has the capacity to provide overnight accommodations for pay.
 - (f) The following classes of public accommodations are subject to these regulations: hotels and motels, barracks, student dormitories, holiday camps and "live aboard." Private housing for lease or rent are excluded from these regulations.

16.2 PREVENTION OF OVERCROWDING:

A proprietor must comply with this regulation in relation to the maximum number of persons that can be permitted to be in each bedroom (accommodated/situated) in the subject accommodation, which will be determined by the Division of Environmental Health.

16.3 MAINTENANCE AND CLEANLINESS:

(a) Maintenance

Proprietor must maintain the subject accommodation and all bedrooms, toilets, bathrooms, laundries, kitchens, living rooms and any common areas provided with the accommodation:

- 1) In good working order;
- 2) In a clean, sanitary and hygienic condition; and
- 3) Free of any obvious defect which may affect the health and safety of the occupants.

(b) Cleanliness

- 1) A proprietor of prescribed accommodation must ensure that each bedroom and any toilet or bathroom attached to the bedroom is cleaned after the bedroom is vacated and before its re-use by another occupant.
- 2) A proprietor of prescribed accommodation must ensure that all bed linen and towels provided with the accommodation are changed with clean linen and towels:
 - i. At least weekly; and
 - ii. After the accommodation is vacated and before its re-use by another occupant.

16.4 WATER SUPPLY:

- (a) Proprietor must provide a continuous and adequate supply of water to all toilet, bathing, kitchen, laundry and drinking water facilities.
- (b) Proprietor must provide a continuous and adequate supply of hot water to all bathing, laundry and kitchen facilities.

- (c) Drinking water
A proprietor of prescribed accommodation must ensure that water intended for drinking is fit for human consumption.

16.5 WASTE DISPOSAL:

- (a) Discharge of sewage and waste water:
Proprietor must ensure that all sewage and waste water is discharged:
 - 1) To a reticulated sewerage system; or
 - 2) To an approved septic tank system
- (b) Refuse receptacles:
Proprietor must:
 - 1) Provide sufficient vermin-proof receptacles at the prescribed accommodation for the collection and storage of all putrescible rubbish; and
 - 2) Ensure that the receptacles are regularly cleaned and properly disposed of.

16.6 TOILET AND BATHING FACILITIES:

- (a) Proprietor must provide at least one toilet, bath or shower and one washbasin for every 10 persons or fraction of that number of persons occupying the accommodation.
- (b) Toilets and bathrooms in public accommodations must be cleaned and sanitized daily during periods of use.
- (c) Plumbing fixtures must be kept clean and in good repair.

ARTICLE 17.
INTERNATIONAL HEALTH QUARANTINE

17.1 DEFINITIONS:

- (a) “Vessel” means any ship, boat or other vessel of whatsoever description except a ship, boat or other vessel belonging to any foreign government. Military ships and other vessels that carry vehicles or equipment are susceptible to having tires with invasive species seeds and there is high risk for possible spread on areas/islands they visit. In these special cases, these equipments must undergo thorough cleaning prior to boarding areas/islands to prevent contamination.
- (b) “Nuisance” as applied to this section only, means any matter or circumstances rendering any vessel or part thereof injurious either to the public health or to the health of the passengers or crew of such vessel.

17.2 SANITARY REQUIREMENT

Every vessel shall be required to have adequate privy accommodation for its crew and passengers. The owner or master of such vessel shall be required to provide and maintain such privy accommodation in a serviceable and sanitary condition.

17.3 POWER TO ENTER AND INSPECT SHIPS:

It shall be lawful at any time for a Health Inspector to enter and inspect a vessel, which is lying in any port or harbor of the Republic of Palau, and if such admittance were refused to use such reasonable force as may be necessary for affecting such entry. In cases of emergency, admittance will be necessary as deemed by the Director of Public Health or Minister of Health.

17.4 REMOVAL OF NUISANCE:

In any case where the existence of a nuisance, as defined in Section 17.1, paragraph "b", is ascertained, the Director of Public Health or his or her representative shall make an order in writing for the removal or discontinuance of such nuisance by the master of any vessel where such nuisance exists within such reasonable time to be named in such order as the Director of Public Health or his or her representative shall think fit.

17.5 POWER TO EXECUTE ORDER:

In any case of non-compliance with any order, given pursuant to Section 17.4 above, to remove or discontinue a nuisance, the Director of Public Health or his/her representative shall have the right to enter any vessel and to do whatever may be necessary in execution of such order for removing or remedying and the prevention of the discontinuance of such nuisance, and the Director of Public Health may recover from the master or owner of such vessel the expenses incurred in removing or remedying and preventing the continuance of such nuisance.

In any case of a Public Health Emergency, the Director of Public Health or the Health Inspector shall have the right to limit access to ALL vessels (incoming and outgoing) until such a time when the threat to public health is deemed over. During these critical periods, only Ministry of Health personnel are allowed on the vessels to determine overall vessel health prior to embarkation by other government officials, vessel agents or port personnel.

17.6 JURISDICTION OVER INFECTIOUS DISEASES:

Any vessel lying in any port or harbor within or adjoining the jurisdiction of the Republic of Palau shall be subject to the jurisdiction of the Republic of Palau in the same manner as if it were a house or other building within the jurisdiction of the Republic.

17.7 REQUIREMENTS FOR VESSEL HEALTH INSPECTIONS:

- (a) Any vessel entering the Republic of Palau shall display a **YELLOW** flag meaning "My vessel is healthy and I request free pratique." The master of any vessel arriving in the Republic shall bring from the port of departure and from every overseas port called during the current voyage in which information is given as to the existence or non-existence of cholera, plague, yellow fever, typhus fever or any other pestilential disease at or in the vicinity of the port concerned during the next preceding visit of the vessel.
- (b) Careful attention must be given to the ship's plumbing systems to prevent cross-connections of the drinking water system to sewage line or other polluted water line in the vessels. In the plumbing layout, care should be given so that the water line should always be above the

sewage line.

- (c) All person shall submit to inspection all medical examination records at such times, as the Health Inspector requires.
- (d) Every person shall aid in maintaining due order and cleanliness of all incoming vessels.
- (e) Keep all foodstuff and food refuse in rodent-proof receptacles, rooms or compartment.
- (f) Prevent the discharge of any organic refuse, galley scraps and waste from the vessel onto wharves, except to an authorized person for the purpose of destruction, or into the waters of the port, or on to or into any vessel lying alongside except such vessels as are definitely employed for removal and disposal of such refuse.
- (g) Maintain and use on board effective means for destruction of rodents; and, when so ordered by Health Inspectors, lay poison baits effective for rodent control on the vessel.

17.8 KITCHEN / DINNING / GALLEY:

Dining rooms should be handled like eating establishments. A safe and adequate water supply, lavatory facilities for the sanitation of eating and drinking utensils, cold storage for food, and appropriate and adequate refuse receptacles should be provided. There must be screening of all openings of the dining room and doors shall be made self-closing. The cold storage room and other food storage shall be made inaccessible to rats and insects. Food handlers should at all times have in their possession up-to-date health certificates. A clinic with adequate first aid, and medical supplies under the care of a medical officer should be provided for every vessel.

17.9 CERTIFICATION OR EXEMPTION FOR DERATTING:

Master shall produce a certificate of derattization or exemption made out in full detail on the form adopted by the office of “International d’ Hygiene Publique”, and issued within the previous six months. The certificates shall be signed by Health Officers stating the actual conditions found on board of the vessel on inspection.

17.10 INTERNATIONAL HEALTH QUARANTINE:

(a) TREATMENT FOR INSECTS OR OTHER PEST

Vessels and Aircraft traveling into or within the Republic, known or suspected upon reasonable grounds to be harboring insects or other agricultural pests, will be subject to spraying with insecticides as prescribed by the Environmental Quality Protection Board Pesticide Regulations, chapter 2401-33, or such other treatment may be applied as deemed necessary by an agricultural quarantine inspector; provided that the spraying of the aircraft with insecticides and the fumigation of ships is in accordance with public health regulation.

(b) CERTIFICATE OF INSPECTION NEEDED

- 1) Aircraft or vessel entering Palau shall produce an official certificate from the place of embarkation or departure, showing that said aircraft or vessel was inspected and/or otherwise treated for the control of public health vectors and agricultural pests before its departure to Palau.
- 2) Absent such a certificate, said airplane or vessel shall be subject to inspection and disinsection in such a way as deemed necessary to the quarantine inspector.

(c) INSPECTION

Any aircraft or vessel upon arrival in the Republic of Palau may be inspected by the Quarantine Inspector or his/her authorized representative. When it is determined that the disinsection procedure carried out was ineffective or was neglected to have been carried out, the Quarantine inspector or this or her representative may disinsect the aircraft or vessel and the government of Palau shall recover its costs associated with the inspection and the disinsection procedure from the carrier who was responsible for the initial disinsection procedure.

(d) PROCEDURE

- 1) Disinfection, disinsection and other sanitary procedures shall be carried out so as:
 - i. not to cause undue discomfort to any person or injury to his or her health;
 - ii. not to produce any deleterious effect on the structure of a ship or an aircraft;
 - iii. to avoid all risks of fire.
- 2) In carrying out such operation on cargo, goods, baggage, containers and other articles, every precaution shall be taken to avoid any damage.

17.11 PENALTIES:

- (a) A person/agency/organization to whom a direction is given under this Section and who does not comply shall be fined \$500.00. The Division of Environmental Health may:
- (1) Enter the vessel to which the direction relates and remove, or
 - (2) Take steps to avoid any condition on the vessels conducive to the breeding of mosquitoes or rats,
 - (3) And recover the costs and expenses incurred by it from the person/agency/organization on whom the direction is made.

**ARTICLE 18.
SPA AND SWIMMING POOLS**

18.1 DEFINITION:

“Spa and Swimming Pool” means any artificial structure, basin or tank constructed of impervious materials used or intended to be used for swimming, diving, wading, recreational bathing, or as a hot tub, whirlpool, or Jacuzzi by the general public, whether for a fee or free of charge, or by the customers, clients, guests or employees of any person, including, but not limited to, a commercial pool, community pool, a pool at a hotel, motel, resort, private or public club, private or public school, gymnasium, or health establishment. The term “spa and swimming pool” shall not include private residential swimming pools located on private residential property and under the direct control of the owner or lessee(s), and used only by the owner or lessee(s), their family, and their guests.

This regulation outlines the recommended conditions needed to maintain the water in spas and swimming pools in safe conditions. It applies to all public spas and swimming pools as defined above.

18.2 RECOMMENDED MICROBIOLOGICAL LIMITS:

(a) When open for use, water must meet the following bacteriological standards:

Total Coliforms →	None detectable in 100 mls (0.21 pints)
Fecal Coliforms →	Zero count per 100 ml sample.
Total Plate Count →	Less than 100 in 1 ml

If these recommended limits are exceeded, immediate re-sampling and review of the management of chemical parameters should be undertaken.

(b) In large spa pools water samples should be taken from various locations in the pool. In a swimming pool, samples should be taken from the vicinity of the outlet skimmer box or scum gutter. All samples must be taken from at least 12 inches below the water surface.

18.3 DISINFECTION AND TREATMENT OF WATER:

PERSONNEL

- (a) The person in charge of the spa or swimming pool must ensure that when the pool is available for use:
- 1) The water is continuously disinfected by chlorine so that the concentrations set out below are maintained throughout the pool water;
 - 2) The pH, clarity and total alkalinity of the water are maintained in accordance with the requirements set out below.

CHLORINE

Chlorine is a disinfecting agent that is easily applied, able to kill a wide range of disease causing organisms and is capable of simple on-site measurement. It also has the additional advantage of being able to oxidize most pollutants not removed by filtration.

Table 1 - Minimum Free Residual Chlorine Level

Chlorine disinfected spa →	4 ppm (4.0 mg/litre)
Chlorine disinfected swimming pools →	2.0 - 4.0 ppm (2 - 4 mg/litre)
Note: Stabilizers are <u>not</u> to be used in indoor spa and swimming pools	

DISINFECTING AGENTS OTHER THAN CHLORINE

Where substances other than chlorine are used to disinfect pool water, they should be U.S. EPA approved and registered, and used and monitored according to the manufacturer's instructions, which should at least have an English version.

18.4 OTHER WATER QUALITY REQUIREMENTS:

(a) pH LEVEL

The pH level should be maintained between 7.0 and 7.6. The pH of spa and swimming pools can affect the disinfection efficiency. It can also effect the pool surfaces, metal fixtures, pipework, pumps and bather comfort. When the pool water is disinfected with chlorine, the correct pH level is critical to ensure effective disinfection.

(b) TOTAL ALKALINITY LEVEL

Total alkalinity level should be maintained between 60 - 200 ppm (60-200 mg/L) and between 150 - 200 ppm (150-200 mg/L) in pools using gaseous chlorine disinfection. An appropriate level of total alkalinity ensures the water is chemically balanced and can be effectively disinfected. Total alkalinity levels greater than 200 ppm may result in scaling of fittings and surfaces, particularly with hard waters. Consequently, hard water may require treatment before chlorine is added to a pool.

(c) WATER CLARITY

Water clarity should be maintained so that the pool bottom and surfaces are clearly visible when viewed from above. The purpose of achieving clarity in swimming pools is to;

- 1) Confirm the absence of particles, which may shield microorganisms from direct contact with the disinfectant.
- 2) Enable people to estimate depth, to see surface hazards easily, and to detect submerged pool users.
- 3) Provide a pleasant, attractive and appealing appearance to the water.

(d) SAMPLING

Samples for chemical testing in swimming pools should normally be taken from the pool outlet about 12 inches below the water surface. Additional samples from around the inlet and from areas of high usage can provide valuable management information.

- 1) All sample bottles, containing two to three drops of 10 percent sodium thiosulfate solution to neutralize chloride, must be sterilized before use. Collect samples in the area of, and during the time of, maximum bather use. Carefully remove the cap of the sterile bottle, and hold the bottle near its base at an angle of 45 degrees. Plunge the bottle vertically into the water about 8 inches (20 cm) to fill, while making sure that the dechlorinating agent is not washed out. Replace the cap without touching the inside of the bottle or cap. Refrigerate the sample at 50°F (10°C) and test within 6 hours of collection. Identifying data, such as sampling time, location of sampling site, sample's identification, and desired analysis, should accompany the sample.
- 2) Standards. A satisfactory sample will demonstrate the absence of total coliform bacteria. If a sample is total coliform-positive, three repeat samples will be taken as soon as possible. If two of the three repeat samples are total coliform-negative the pool water is considered bacteriologically satisfactory.

(e) TEMPERATURE

- 1) Maintaining the spa and swimming pool at an optimum temperature will facilitate user comfort and maintenance of the pool. The optimum range for spa pools is 95 - 99° F
- 2) (35-37°C) and the water should not be heated above 105 F (40°C). Swimming pools should be maintained in the range 82 - 95 F (28 - 35°C) and should be heated above 101 F (38°C).

- 3) Any thermostatic device controlling pool water temperature should be capable of maintaining the temperature to within 1 F° (0.5°C) of the set range. A high temperature alarm should be installed to inform the users when the water temperature exceeds the recommended maximum.
 - 4) For user comfort, the ambient air temperature within the indoor pool area should be no more than 50° F (10°C) below the temperature of the pool water. The relative humidity within indoor pool area should also be controlled to be within the range 50% to 75%.
- (f) TURNOVER RATE AND WATER REPLACEMENT
- 1) Public spas and swimming pools have a high level of suspended matter, elevated organic loading and increased operating temperature. To lessen the impact of this elevated level of suspended matter on disinfection efficacy, these pools should have a higher turnover rate and water replacement requirement than regular private swimming pools. Public Spa and swimming pools are also required to be connected to a filter solely used for that system.
 - 2) It is recommended that the water in public swimming pools is exchanged and passed through the filter at least once every two hours. For heavily used swimming pools, such as those used for fitness exercising, the pool water turnover should be less than one hour. For spas, the water needs to be exchanged and passed through filter at least half hourly. Spas should also have a weir off-take or skimmer system that continuously takes away surface water while the spa is in use.
 - 3) Water replacement prevents the level of organic matter in the water from reaching levels that may interfere with the disinfection process. For spas and swimming pools with heavy bather loads, it is recommended that approximately 25% of the water is replaced on a weekly basis.

18.5 RECORDS:

Records relating to routine water testing should be maintained at the pool as confirmation of good management techniques. Details to be recorded should include as a minimum:

- (a) Date and time of test
- (b) Water temperature
- (c) Bathing load
- (d) pH
- (e) Chlorine (free residual)
- (f) Chlorine (total residual)
- (g) Alkalinity
- (h) Operational remarks

18.6 POOL POLLUTION:

General Information:

Users of spa and swimming pools are the chief source of nitrogenous compounds in pool water. Ammonia nitrogen and organic nitrogen are discharged to the water through perspiration and urine. The amounts of each may vary; however, generally children are responsible for the greatest proportion of urine in the pool. High water temperature and air temperature increase the rate of perspiration. Dust, tree leaves and lawn clippings also contribute to the pollution of water in outdoor spa. Users of spas and swimming pools are required to take a shower before entering

the pool or spa. It is recommended that parents tell their children below age ten (10) to use the bathroom facilities prior to entering the spa or pool facilities in order to avoid possible contamination by urine. Children below age 10 shall not use the spa or swimming pool facilities without supervision of an adult. The use of a spa facility for children below the age of six is not recommended. The use of spa and swimming pools is not recommended for people with acute infections, sores, skin diseases, bandages or open and discharging wounds.

18.7 AMENITIES: TOILETS, SHOWERS AND CHANGE ROOMS:

Toilet, shower and change room facilities should be provided for both sexes in accordance with building codes, health and safety regulations. All changing and ablution facilities should be maintained in a clean and sanitary condition to prevent the transmittance of infectious disease such as Tinea corporis and Tinea pedis (ringworm of the body and foot) and Viral warts. Facilities should be routinely inspected on an ongoing basis to ensure that all rubbish and surface dirt are removed, and floors and benches cleaned on a daily basis with a fungicide or approved disinfecting agent.

18.8 SAFETY PRECAUTIONS:

- (a) In general, the area surrounding the pool should be kept clear of construction and operational materials, or appliances, to reduce to a practical minimum the danger of drowning and of injuries from falls or collisions.
- (b) Every swimming pool should be equipped with a complete First Aid Kit, which should be kept filled and readily accessible for emergency. Equipments should include stretchers, blankets, drinking water, first aid cot, pillow, and telephone with emergency numbers, splints, and backboard.
- (c) All walk areas used by patrons in bare feet should be, so far as possible, of nonskid construction.
- (d) Safety lines shall be installed at the pools to indicate the deep end from the shallow end (wading level at 2 feet), and depth indicators shall be placed at appropriate points for safety reasons.
- (e) Diving boards must be 1 meter above water level, and must have steps and hand rails for safety reasons.
- (f) One lifeguard is required for up to 50 swimmers.

**ARTICLE 19.
NUISANCE**

19.1 DEFINITIONS:

- (a) “Nuisance” means any condition which is, or is liable to be, dangerous to health or offensive and, in particular, refers to any nuisance arising from or constituted by the following:
 - (1) any building or structure or defect of a structural character, or
 - (2) any land covered by water or any waste, stagnant, or slop water or any

- (3) accumulation or deposit of filth or other offensive matter remaining under or near a building or dwelling house for twenty-four (24) hours or longer, or
- (4) any animal, bird or pest animal, or
- (5) any refuse, or
- (6) any noise or emission, or
- (7) any state, condition or activity;

which is, or is liable to be dangerous to health or offensive.

- (b) “Offensive” means noxious, annoying or injurious to personal comfort.
- (c) In determining whether a state, condition or activity is a nuisance which is, or is liable to be, dangerous to health or offensive-
 - (1) regard must not be had to the number of persons affected or that may be affected by the state, condition or activity; and
 - (2) regard may be had to the degree of offensiveness of the state, condition, or activity.

19.2 OFFENSE OF CAUSING A NUISANCE:

A person must not-

- (a) cause a nuisance; or
- (b) knowingly allow or suffer a nuisance to exist on or emanate from any land owned or occupied by or in the charge of that person.

19.3 NOTIFICATION OF NUISANCE:

- (a) If a person believes that a nuisance exists, that person may notify the Division of Environmental Health.
- (b) The Division of Environmental Health must investigate any notice of a nuisance.
- (c) If, upon investigation, a nuisance is found to exist, the Division of Environmental Health must
 - (1) take action to abate the nuisance; or
 - (2) if the Division of Environmental Health is of the opinion that the matter is better settled privately, advise the person notifying the Division of Environmental Health of the nuisance of any available methods for settling the matter privately.

19.4 NOTICE TO ABATE A NUISANCE:

- (a) If the Division of Environmental Health is satisfied that a nuisance exists, it may serve a notice on the person who is causing the nuisance or, if that person cannot be found, on the owner or occupier of the land or person in charge of the land from which the nuisance emanates requiring the abatement of the nuisance
- (b) A notice under sub-section (a)
 - (1) must specify the time within which the nuisance must be abated; and
 - (2) may specify steps to be taken to prevent the recurrence of the nuisance and the time within which they are to be done.

- (c) If-
 - (1) the person on whom the notice is served does not comply with it; or
 - (2) the nuisance, although removed, is, in the opinion of the Division of Environmental Health, likely to recur-
 - (3) the Division of Environmental Health may cause a complaint to be made to the court which may summon the person to appear before the court.
- (d) If the court is satisfied that the nuisance exists or is likely to recur, the court must order that person to do either or both of the following-
 - (1) comply with the notice;
 - (2) carry out works to prevent the recurrence of the nuisance.
- (e) The court may also give directions as to the payment of all or any of the costs and expenses.
- (f) Before making any order the court may if it thinks fit adjourn the hearing or further hearing of the case until an inspection, investigation or analysis in respect of the alleged nuisances has been made by some competent person.
- (g) The court may issue a closing order prohibiting the use of a house for human occupation if a nuisance is proved to exist which, in the opinion of the court, renders the house unfit for human occupation.
- (h) An order under sub-section (g) lasts until, in the judgment of the court, the house is fit for human occupation.
- (i) If an order has been made under this section, the Division of Environmental Health may-
 - (1) enter the land to which the order relates and abate the nuisance and do whatever is necessary to execute the order; and
 - (2) recover the costs and expenses incurred by it from the person on whom the order is made

19.5 NUISANCES ON UNOCCUPIED LAND:

Where any nuisance exists on or emanates from unoccupied land the owner of which is unknown to the Division of Environmental Health, the Division of Environmental Health may-

- (a) enter and take steps to abate the nuisance; and
- (b) do all things necessary for that abatement.

ARTICLE 20.
NOTIFICATION OF GASTROINTESTINAL AND
VECTOR BORNE DISEASES

20.1 NOTIFICATION BY PATHOLOGY SERVICES:

- (a) The person in charge of a pathology service, where a test has been performed on a specimen which indicates the probable presence of a human pathogenic organism associated with a reportable disease, must notify the Division of Environmental Health of the detection of the presence of that organism in the manner and within the time specified.
- (b) If the organism is associated with a reportable disease the Division of Environmental Health must be notified of the detection of the presence of that organism immediately by telephone followed by the written notification within twenty-four (24) hours.
- (c) The written notification must contain the following details:
 - 1) The family name and given name of the person from whom the specimen was taken;

- 2) The date of birth of that person;
- 3) The address of that person;
- 4) The date the specimen was taken;
- 5) The name, address and telephone number of the medical practitioner who requested the test.

20.2 NOTIFICATION BY MEDICAL PRACTITIONERS:

If a medical practitioner becomes aware that he/she is or has been attending to a person who has died as a result of a reportable disease, is a carrier of a reportable disease or shows evidence of having contracted a reportable disease, the practitioner shall notify the Division of Environmental Health as described in Section (b) and (c) above.

ARTICLE 21. EMERGENCY AND DISASTER RESPONSE

EMERGENCY SANITATION

21.1 INTRODUCTION:

During emergencies general sanitation activities for the protection of the people are likely to be interrupted and measures applied in their stead may differ materially from those of normal periods. Division of Environmental Health must be notified as soon as possible, preferably within a 24-hour prior notification period, to give assistance or perform sanitation activities during and following emergencies or disasters such as fires, floods, epidemics, earthquakes, etc. In most emergencies or disasters, the immediate and urgent health needs of a community are the provision of safe water and food. However, emergency sanitation deals not only with water and food but also with those enumerated in the succeeding paragraphs:

21.2 EMERGENCY HOUSING:

- (a) Provision of safe and healthful housing for large numbers of homeless people in the event of disaster, such as fire, earthquakes, flood etc.
- (b) Space requirements:
It is difficult to establish minimum space requirements that will be practical under disaster conditions. However, it must be remembered that the danger of spread of infection becomes greater when people are crowded into small spaces, particularly if ventilation is poor.
- (c) Toilet and bath facilities:
There should be adequate toilet and bathing facilities. In mass shelters, toilets may be provided on the basis of 8 toilets for 100 women or 6 toilets for 100 men. Bathing and washing facilities are also necessary in mass housing, since personal cleanliness cannot be neglected.
- (d) Kitchen facilities:
The preparation and serving of food to large groups of people should be taken with all precautions so that food-borne disease outbreaks will not occur.

21.3 WATER SUPPLY (Emergency Treatment of Drinking Water):

- (a) Disinfection by boiling:
Bring water to a rolling boil for at least one (1) minute. This will kill all disease-causing microorganisms.
- (b) Disinfections by Chlorine Bleach:
Purify water by adding eight (8) drops of chlorine bleach to one gallon of water. Let stand 30 minutes before drinking.

21.4 WASTE DISPOSAL:

When there is no public sewerage system, it becomes necessary to dispose of the sewage by individual means, such as septic tanks when there is available water, or by means of privies and latrines if there is no water.

21.5 REFUSE DISPOSAL:

- (a) A sanitary landfill can be used for the disposal of refuse and it is probably the most flexible method for large-scale disposal during emergency conditions.
- (b) An open dump may be used as a stopgap measure, but it should be limited to rubbish only and this should be burned daily.

PUBLIC HEALTH ROLES IN A DISASTER

21.6 GENERAL PROVISIONS:

- (a) Safety of Water Supply
 - 1) liaison between Environmental Health Officers (EHOs) and Environmental Quality Protection Board (EQPB) and Public Works Water Supply regarding reticulated water supply systems.
 - 2) liaison between EHOs and Water Resources, Department of Lands, Planning & Environment (DLP&E) regarding bore systems that may have been damaged/flooded.
 - 3) surveillance of water cartage vehicles by - EHOs.
 - 4) advice to the public - EHOs, Health Promotion.
- (b) Food Supply
 - 1) monitoring source, storage, preparation, and distribution of foods for mass feeding - EHOs.
 - 2) seizure/detaining and disposal of damaged and spoiled food - EHOs.
 - 3) procurement of safe and appropriate foods - EHOs, Nutrition Unit.
 - 4) surveillance of disaster affected premises where food is stored, prepared or sold - EHOs.
- (c) Refuse Collection & Disposal
 - 1) liaison between EHOs and local authority/contractors.

- 2) consultation between EHOs, EQPB and Koror State Government (KSG) and other state governments regarding emergency tip sites, if required.
 - 3) supervise/monitor refuse collection & burial, incineration or other - EHOs.
 - 4) supervise removal/disposal of spoilt or rejected food from food premises - EHOs.
 - 5) supervise removal & disposal of debris etc - EHOs.
- (d) Sewage Disposal
- 1) liaison between EHOs and Bureau of Public Works' Sewer Branch (BPW-SB) regarding reticulated sewerage systems.
 - 2) surveillance of sewerage, septic tank, and other effluent systems - EHOs.
 - 3) monitor the safe sanitary collection, treatment and disposal of human sewage, waste water and animal waste - EHOs.
 - 4) monitor, advice to owners of septic tank systems - EHOs.
 - 5) temporary sewage disposal facilities - EHOs.
- (e) Control of Vectors & Vermin
- 1) Mosquito breeding/identification/treatment - Medical Entomology.
 - 2) survey of sites for mosquito breeding - Medical Entomology, EHOs.
 - 3) advice to the public re vector borne diseases - Medical Entomology, EHOs.
 - 4) monitor vermin & vectors of disease - EHOs.
 - 5) identify/remove sources of food, water and harbourage to vermin/vectors - EHOs.
- (f) Hazardous Wastes - Chemical and Biological
- 1) identification of sites possessing hazards - EHOs, Work Health Authority.
 - 2) EHOs consult with EQPB, local authority on appropriate disposal sites, if required.
 - 3) EHOs liaison/consultation with EQPB, Work Health Authority, local authority/contractors & Fire Services regarding methods of disposal.
- (g) Disease Control
- 1) immunization of emergency workers etc.. - Disease Control.
 - 2) investigations of outbreaks of disease - Disease Control.
 - 3) liaison with Hospitals/Clinics - Disease Control.
 - 4) surveillance\monitoring of potential sources of disease - Medical Group leader to Public Health Leader to Disease Control Section Leader.
 - 5) advice to the public.- Disease Control, EHOs, Health Promotion
- (h) Emergency Shelter & Housing
- 1) surveillance of evacuation center/emergency shelter - EHOs.
 - 2) monitor overcrowding and public health matters - EHOs, Disease Control.
 - 3) consulted should temporary shelters, ablution facilities are required - EHOs.
- (i) Disposal of Dead Animals
- 1) liaison between EHOs and with local authority/contractors regarding collection & disposal.

- 2) liaison between Bureau of Agriculture (BOA), Bureau of Marine Resources (BMR), Division of Fish & Wildlife (DF&W) & EHOs regarding areas where dead stock are likely to occur.
 - 3) consultation between EHOs and DLP&E on appropriate disposal sites.
 - 4) advise on method of collection & disposal - EHOs.
 - 5) Zoonotic diseases - BOA, BMR, DF&W, & Palau Animal Welfare Society (PAWS).
- (j) Personal Hygiene
- 1) surveillance - EHOs.
 - 2) public information - Health Promotion.
- (k) Disinfection
- 1) supervision - EHOs, Disease Control.
 - 2) public information - Health Promotion.
- (l) Deceased Persons
- 1) advice on temporary morgue facilities - Forensic Pathology Unit, EHOs if they are unavailable.
- (m) General Public Health
- 1) surveillance of Public Health Risk premises - EHOs.
 - 2) minimizing public health nuisances - EHOs.
 - 3) liaison with local authority, state governments, or Palau Animal Welfare Society (PAWS) regarding domestic pets - EHOs.
 - 4) public & private swimming pools - EHOs.
 - 5) use of disinfectants/cleaning agents - EHOs, Disease Control, Health Promotion.
 - 6) public information - Health Promotion.
- (n) Public Health Information and Communication
- 1) Health Promotion.

ARTICLE 22. LIQUID WASTE MANAGEMENT

Regulations, section 22.1. to 22.5 inclusive, are excerpted from the EQPB Regulations that deal with liquid waste management. All private residences, public and commercial buildings and structures shall have adequate toilet facilities and wastewater systems.

22.1 DEFINITIONS:

- (a) "Building Sewer" means the extension from the building drain to the public sewer or other place of disposal.
- (b) "Cesspool" means excavation which receives or is intended to receive untreated sewage and from which the liquid directly seeps or leaches into surrounding porous soil.
- (c) "House Sewer or Building Drain" means that part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of

- any building, public or private, and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
- (d) "Individual Sewage Disposal System" or "Private Sewage Disposal System" means a system designed and installed to dispose of sewage from a single building or group of buildings located on one lot. Such a system may consist of a septic tank, together with a leaching field or seepage pit, or other treatment unit.
 - (e) "Leaching Field" means a buried system of open jointed or perforated pipes, bedded in crushed rock or coral, or buried system of leaching chambers through which treated or partially treated sewage effluent may seep or leach into the surrounding porous soil.
 - (f) "Public Sewer" means a common sewage collection system serving more than one lot, directly controlled by public authority.
 - (g) "Seepage Pit" means covered pit with open jointed lining through which treated or partially treated sewage effluent may seep or leach into the surrounding porous soil.
 - (h) "Septic Tank" means a water tight receptacle which receives the discharge of sewage and is designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the treated liquids to discharge into the subsoil through a leaching field or seepage pit.
 - (i) "Sewage" or "Wastewater" means untreated or insufficiently treated human excreta, food wastes disposed of through sewers; wash water; liquid wastes from residences, commercial buildings, agricultural operations, and industrial establishments or other places of assembly, and such diluting water as may have entered the waste disposal system.
 - (j) "Single Family Residence" means a building designed exclusively for occupancy of one family and containing only one dwelling unit.
 - (k) "Type 1" means a toilet which is flushed with water and is connected to a public sewer system.
 - (l) "Type 2" means a toilet flushed with water and connected to a septic tank and leaching fields.
 - (m) "Type 3" means a structure and excavation for the disposal of human excreta by non-water carriage methods and includes the terms pit privy, trench latrine, bored hole latrine and outside benjo.
 - (n) "Type 4" or "Temporary Toilet Facility" means a toilet which is a mobile self-contained structure for the disposal of human excreta which waste is treated via chemicals, recirculation or combustion.

22.2 PUBLIC SEWER:

Where a public sewer system is available, all wastewater plumbing outlets from any and all buildings and structures public or private shall be connected to the public sewer system and all toilet facilities shall be of Type 1.

22.3 PUBLIC SEWER NOT AVAILABLE:

- (a) When no public sewer, intended to serve any lot or premises is available in any thoroughfare or right of way abutting such lot or premises, drainage piping from any building or structure, public or private, shall be connected to an approved private wastewater disposal system and all toilet facilities shall be of Type 2 unless upon a showing of special mitigating circumstances the Chairman gives prior written consent to the construction of a Type 3 facility.
- (b) The public sewer may be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto, is located more than two hundred

- (200) feet from any proposed building or exterior drainage facility on any lot or premises which abuts and is served by such public sewer.
- (c) Vertical Alignments - Where public sewer available to a particular building and sewer location is, (1) more than twenty (20) feet above the lowest floor level of the single family residence or a duplex; or (2) more than fifty (50) feet above the lowest floor level of any other structures, public sewer may be considered as not being available.
 - (d) Temporary Toilet Facilities - Type 4 facilities shall be used only in the special circumstances as determined by the Director of Public Health.

22.4 PRIVATE WASTEWATER DISPOSAL SYSTEMS:

- (a) Where necessary, a building may be connected to a private sewage disposal system which complies with other provisions set forth in these regulations. The type of system shall be determined on the basis of location, soil porosity, and ground water level and shall be designed to receive all sanitary sewage from the property. The system, except as otherwise provided, shall consist of a septic tank with effluent discharge into a sub-surface disposal field.
- (b) Where conditions are such that the above system cannot be expected to function satisfactorily for commercial, agricultural and industrial plumbing systems; for installations where appreciable amounts of industrial or indigestible waste are produced; for hotels, hospitals, office buildings, or schools; for occupancies producing abnormal quantities of sewage or liquid wastes; the method of sewage treatment and disposal shall be first approved by the Palau EQPB.
- (c) Disposal systems shall be designed to utilize the absorptive portions of the soil formation. Subsurface soil disposal systems must have at least two feet of unsaturated soil between the bottom of the system and the seasonally high ground water level or bedrock. Where the ground water level extends to within eight feet or more of the ground surface or where the upper soil depth is sufficient and the underlying stratum is rock, or impervious soil, a septic tank and disposal field system may be installed.
- (d) All private sewage disposal systems shall be so designed that additional subsurface drain fields, equivalent to at least 100% of the required original system, may be installed if the original system cannot absorb all the sewage. No division of the lot or erection of structures on the lot shall be made if such division or structure impairs the usefulness of the 100% expansion for its intended purpose.
- (e) Every septic tank system, seepage pit, disposal field, subsurface absorption field, cesspool or Type 3 toilet facility (privy) shall have a substantial and watertight curbing around the top thereof to retain the earth outside and to prevent the seepage of the contents to the surface of the earth.
- (f) All Type 3 and Type 4 toilet in housing structures shall be constructed of such material as will prevent access to human excreta by rodents, flies or other vectors. Ventilation shall be provided for all Type 3 and Type 4 toilet facilities to extend outside the building and to be not less than six feet high, measured from ground level.
- (g) All toilet seats for all toilet facilities shall have a close fitting cover.
- (h) No septic tank system, seepage pit, disposal field, subsurface absorption field, cesspool or Type 3 or Type 4 toilet facility (privy) shall be located, constructed or maintained so as to contaminate any potable or drinking water supply, and in no case shall any septic tank system, seepage pit, disposal field, subsurface absorption field, cesspool, type 3 or type 4

toilet facility be locate at a horizontal distance of less than fifty (50) feet from any body of surface water or marine water.

22.5 MAINTENANCE:

- (a) Toilet facilities, wastewater disposal systems and connections from the building drain to the public sewer shall be maintained at all times in good repair and in a clean and sanitary condition.
- (b) The owner of the property is primarily responsible for the completeness of all structures, good repair, cleanliness and maintenance of the toilet facilities, wastewater disposal systems and connections from a building drain to the public sewer in compliance with all applicable regulations of the Republic of Palau, and any other standard sanitation practices.
- (c) Owners of septic tanks or seepage pits shall empty and clean the tank or pit when necessary, and the contents disposed of in such place and manner as appropriate with Republic of Palau regulations.
- (d) Prevention of Odor: All non-water carriage sewage disposal pits including those for Type 3 toilet facilities shall be covered as often as necessary with earth or lime to exclude flies and prevent odor.
- (e) Abandonment of System: Each septic tank, seepage pit, disposal field, subsurface absorption field, and cesspool shall be properly filled with earth when replaced by an approved new system. Privy pits including those for Type 3 toilet facilities shall be sealed with earth when the level of sewage reaches within two (2) feet of the ground surface.

22.6 LATRINE:

Pit type (Type 3) - A pit is dug to a depth of 6 to 8 feet and large enough to take care of wastes for several years. Under ordinary conditions the privy should be located at least 50 feet away from other household, well, spring or other source of water supply. A floor cover at the top of the pit is provided together with a riser, seat, and self-closing lid, all made as fly-tight as possible. Doors must be tight and self-closing. Vents may be provided but they should be made insect proof by placing a screen over or along the vent. The pit should not be filled with excreta up to the slab.

22.7 WATER-SEALED:

The water-sealed latrine, also called pour-flushed or hand-flushed consists of a pit modified to include a relatively simple bowl made of concrete or other durable material instead of a mere opening on the floor. The lower portion of the bowl is a P- or S-shaped trap which forms a "water seal" when water is added. A superstructure is used for privacy but is not needed to exclude flies as the water seal prevents flies, other insects and rodents from getting into the fecal material. An ordinary concrete slab into which the "water-sealed bowl" is fitted shall be used when the bowl is placed directly over pits, or bored-holes.

22.8 SEPTIC TANK SYSTEM:

- (a) (Type 2) The septic tank system is a satisfactory unit of excreta and other liquid waste disposal for individual dwellings, small group of houses, or institutions located in areas

beyond the reach of a relatively more satisfactory sewage collection and disposal system (sewage and treatment plant) and where water under pressure is available. It consists of a single story settling tank (covered) into which raw sewage is led from the household plumbing system. The septic tank provides a storage space for the settled solids so that they may undergo stabilization by anaerobic decomposition. The processes taking place inside the septic tank constitute "primary treatment" of the raw-sewage.

- (b) It is necessary to treat further this effluent or take much more care in its final disposal. The subsequent treatment process, given to the effluent from the septic tank is known as "secondary treatment" and usually utilizes aerobic bacteria in the soil to stabilize further the organic matter in the effluent. The "secondary treatment" of the effluent may consist of (1) leaching cesspool, (2) sub-surface irrigation, also known as sub-soil disposal tile drains, or (3) underground sand filters.

22.9 PRIVIES

This part shall apply to all privies not connected to a sewerage system.

- (a) TYPES OF PRIVIES - Every privy shall be one of the following types:

- 1) a bore-hole or pit, covered with a cement slab with tight-fitting plug; lid or a cement pedestal with a fly-proof hinged lid;
- 2) a wash-down W.C., connected to a septic tank (Type 2);
- 3) an approved chemical closet; or
- 4) such other type of privy as the Chief of the Division of Environmental Health or a representative may approve in any particular instance.

- (b) POSITION OF PRIVY

With the exception of a water closet or an approved chemical closet, no privy shall be erected within twenty (20) feet of any dwelling or within fifty (50) feet of any well from which water may be drawn for domestic purposes or within twelve (12) feet of any road or street or within six (6) feet of the boundary of any premises.

- (c) PRIVY BUILDINGS

Every privy building shall be a substantial structure, shall be enclosed on all sides and have a floor area of not less than fifteen (15) square feet, and shall be provided with a door properly hung.

Every privy building shall be provided with adequate light and constant ventilation, and no privy building shall ventilate directly into any room used for the manufacture, preparation or storage of food for man or used as a public building, school or workplace.

- (d) BORE-HOLE OR PIT PRIVIES

No bore-hole or pit privy, nor any outlet from a bore-hole or pit privy, shall be connected to any drain.

Every ventilation opening from a bore-hole or pit privy shall be screened to prevent the entrance of flies and mosquitoes.

(e) MAINTENANCE OF PRIVIES

- 1) The owner or occupier of any premises on which a privy is situated shall maintain such privy and appurtenances in good order and repair, and in a clean and fly-proof condition
- 2) If a septic tank becomes, in the opinion of the Chief of the Division of Environmental Health or his/her representative, a nuisance or danger to health, the Chief of the Division of Environmental Health or his/her representative may by notice in writing direct the owner of the premise to remedy the defect, and the occupier shall comply with such notice.

22.10 PENALTIES:

- (a) Occupier of property failing to maintain a wastewater facility/structure in proper working and sanitary order shall be fined, after failure to conduct corrective measures.
- (b) A person/agency/organization to whom a direction is given under this Section and who does not comply shall be fined \$500.00. The Division of Environmental Health may:
 - 1) Enter the property to which the direction relates and close the facility, or
 - 2) Take steps to avoid any condition on the property conducive to the breeding of mosquitoes or rats,
 - 3) And recover the costs and expenses incurred by it from the facility/person/agency/organization on whom the direction is made.

*A facility/person/agency/organization shall be ordered closed according to the Director of Public Health's determination of issues pertaining to public health safety.

ARTICLE 23.

POLLUTION AND HAZARD CONTROL

DEH HEREBY ADOPTS THE EQPB REGULATIONS FOR AIR POLLUTION AND HAZARDOUS MATERIALS AND ADOPTS THE SYSTEM OF PENALTIES AS PROMULGATED BY THE EQPB.

ARTICLE 24.

EMERGING ISSUES & SPECIAL INVESTIGATIONS

DEH HEREBY ADOPTS THE APPROPRIATE REGULATIONS AND STANDARD OPERATING PROCEDURES FOR EMERGING ISSUES & SPECIAL INVESTIGATIONS (i.e. SARS, SCRUB TYPHUS, ETC.) AND ADOPTS THE APPROPRIATE SYSTEM OF PENALTIES AS DISSEMINATED BY THE WORLD HEALTH ORGANIZATION, CENTERS FOR DISEASE CONTROL, SECRETARIAT OF THE PACIFIC COMMUNITY, ETC.

ARTICLE 25.
CONSUMER PROTECTION
[RETAIL STORES/WAREHOUSES/CARGO/ SUPPLIERS/ETC.]

25.1 DEFINITIONS:

- (a) "Proprietor" includes any person owning or managing work in an establishment/shop.
- (b) "Establishment or Shop" shall mean and include all retail stores, warehouses, suppliers, and cargo containers, including any establishment that involves supplying consumers with products, and the aforementioned terms shall include all premises or portion thereof wherein the business of providing consumers with products is conducted for a fee, charge, or hire.
- (c) "SELL BY" means how long a store can display the product for sale. Consumers should not buy the product after this date.
- (d) "BEST IF USED BY" means how long the product will retain its best flavor or quality. This is not a purchase or safety date.
- (e) "USE BY" means the last date that is recommended for using the product while at peak quality. The manufacturer determines this date.
- (f) "EXPIRATION DATE" means the consumer should not use the product after the specified date.

25.2 CONSUMER SAFETY:

A proprietor must comply with this regulation in relation to the sale of retail products. THE DETERMINATION OF PRODUCT SAFETY WILL BE DETERMINED BY A REPRESENTATIVE OF THE DIVISION OF ENVIRONMENTAL HEALTH (DEH).

(a) PRODUCT SAFETY:

- 1) The representative from the DEH will determine the product safety according to product codes and available dates for proper use and consumption. The DEH representative has the right to determine if the items are fit for human consumption or be condemned.
- 2) Product safety will be determined according to the condition of the product, including but not limited to the manufacturer's indication of product use.
- 3) All products shall be displayed by the proprietor in a clean, sanitary and hygienic condition; and free of any obvious defects which may affect the health and safety of the consumers.
- 4) Labeling requirements (see Article 7: Food Sales: Labeling Requirements of these Regulations).

(b) CLEANLINESS:

- 1) A proprietor of prescribed establishment must ensure that each shelf and surrounding area of the establishment is clean, sanitary and in hygienic condition.
- 2) A proprietor of prescribed establishment must ensure that products must be clean and in sanitary condition prior to stocking them on the shelves for display and sale.

25.3 NOTIFICATION BY ESTABLISHMENT MANAGEMENT:

An establishment manager and his/her staff who become aware that products are of questionable condition must immediately contact the appropriate Public Health personnel to alert them to the matter of:

- (a) Expired products;
- (b) Defective products; or
- (c) Tampered items.

25.4 SEIZURE, DETENTION, CONDEMNATION:

- (a) The Director of Public Health or his/her duly authorized representative is authorized to seize, detain, condemn and forbid the sale of or cause to be removed from any food-selling establishment any contaminated or expired (damaged, etc.) food. The Director of Public Health or his/her duly authorized representative may condemn and close an establishment that does not meet the requirements as stated above.
- (b) The Director of Public Health or his/her authorized representative, upon the seizure and detention by him or her of an article under this regulation, shall forthwith give notice of the seizure and detention to the person apparently in charge of the article;
- (c) An article that has been seized and detained or otherwise obtained under these regulations by an authorized representative of the Director of Public Health may, at the direction of the authorized representative:
 - 1) be kept and stored in, at or on the premises or other place or vehicle where it was seized and detained or otherwise obtained; or
 - 2) be removed to any other suitable place and there kept and stored.

25.5 DESTRUCTION OR DISPOSAL OF SEIZED FOOD:

- (a) The Director of Public Health or his/her duly authorized representative may order the destruction of any food or drink from any establishment if the food or drink in the opinion of the representative is contaminated or otherwise unfit for human consumption.
- (b) Where an authorized representative has seized any food under these regulations and
 - 1) the owner of the food or the person in whose possession the food was at the time of seizure consents to the destruction or other disposal thereof; or
 - 2) the food or product is in the opinion of the authorized representative decayed, deteriorated or putrefied,
 - 3) the authorized representative may destroy or otherwise dispose of the food, or
 - 4) the owner of the food or the person in whose possession the food was at the time of seizure so requests, may permit the owner or, as the case may be, that person to destroy or otherwise dispose of the food subject to such reasonable conditions as the authorized representative stipulates.

25.6 DISPOSAL OF LEAD-BASED PRODUCTS:

- (a) The Director of Public Health or his/her duly authorized representative may order the disposal of food, drink or objects from any establishment if they are tested positive for the presence of lead. Based on the opinion of the health representative, product will be

Declared contaminated or otherwise unfit for human consumption/use.

- (b) Where an authorized representative has seized any food/drink/object under this set of regulations and
 - 1) the owner of the food/drink/object or the person in whose possession the food/drink/object was at the time of seizure consents to the destruction or other disposal thereof; or
 - 2) the food/drink/object or product is in the opinion of the authorized representative contaminated or unfit for human consumption/use,
 - 3) the authorized representative may destroy or otherwise dispose of the food/drink/object, or
 - 4) the owner of the food/drink/object or the person in whose possession the food/drink/object was at the time of seizure so requests, may permit the owner or, as the case may be, that person to destroy or otherwise dispose of the food/drink/object subject to such reasonable conditions as the authorized representative stipulates.

25.7 PENALTIES:

- (a) Operating any kind of food/service establishment with the following violations as established in the Palau National Code shall be fined as follows:
 - 1) Violation of 34 PNC § 1004 (a): Offering for sale of food or medicine of unsanitary or questionable sanitary condition (may be subject to closure if determined by Director of Public Health)* \$500.00
 - 2) Violation of 34 PNC § 1004 (b): Sale of foodstuffs past the date of expiration (may be subject to closure if determined by Director of Public Health)* \$500.00

*A food/service establishment shall be ordered closed according to the Director of Public Health's determination of issues pertaining to public health safety.

ARTICLE 26.
LAUNDRY AND DRY CLEANING

26.1 GENERAL:

The purpose of a laundry or dry cleaners is to produce clean garments. Establishments for washing, drying, and dry-cleaning range from hand laundries to highly mechanized plants. Sanitary or industrial hazards may occur at any point in the processing from delivery of contaminated clothing to the finished product.

26.2 SANITARY REQUIREMENTS:

- (a) Laundry and dry cleaning premises and equipment must be maintained in a clean and sanitary condition, free from infestation by rodents and insects.

- (b) Floors must be cleaned at least once daily by dustless methods. Paper and trash must be placed in covered containers; lint must be removed as necessary from bulkheads, overheads, and structural supports.
- (c) Plumbing fixtures and appliances must be installed in accordance with established standards, maintained in good repair, and kept in a sanitary condition. These fixtures and appliances must be connected to prevent backflow or cross-contaminations with the potable water supply.
- (d) Laundries and dry cleaning plants must have separate areas designated for receiving and issue. Unwashed clothes must never be received, stored, marked, or handled in close proximity to washed clothes.
- (e) Rooms or spaces must be designed and machines and equipment arranged so that a separate flow of clean and soiled garments is maintained throughout the laundry or dry-cleaning process. This flow requires separate contact surfaces, such as tables, carts, shelves, etc. Ventilation must move air from clean to soiled areas to prevent cross contamination.
- (f) Laundered articles must be rendered sufficiently free of animal, chemical, and bacterial substances or other materials that may be harmful to persons handling or wearing such articles.
- (g) Workrooms associated with laundry and dry cleaning operations where machinery or apparatus emit steam, vapors, or heat must be properly ventilated. Such spaces/operations must be provided with general and/or local exhaust ventilation in order to reduce and/or maintain personnel exposure to potentially hazardous materials/agents within permissible exposure levels. Clean, tempered replacement (or supply) air should be provided. The ventilation system of all dry cleaning equipment must be designed to automatically draw air into the machine upon opening the loading door, thus preventing the release of vapors into the work area. Any proposed changes/modifications to the ventilation system must be referred to the Division Of Environmental Health for approval.
- (h) All steam and hot water pipes must be insulated with approved (non-asbestos) lagging.
- (i) When the air concentration of dry cleaning materials exceeds permissible exposure levels, appropriate control measures must be initiated, i.e., administrative, engineering and/or personnel protective equipment. In the event of accidental spills, the proper personal protective equipment, to include respiratory protection, gloves and apron must be worn during cleanup operations.
- (j) All laundries shall have efficient drainage so as to prevent waste-waters lying, stagnating or becoming a nuisance on or about the property on which the laundry is situated.
- (k) No premise shall be utilized as a laundry unless it is connected to a sewerage system.
- (l) All premises and rooms used as laundries or dry cleaning establishments shall be distinct from any premises used for domestic purposes.

26.3 PERSONNEL:

- (a) Employees of laundry and dry cleaning establishments must adhere to the following requirements:
 - 1) Personnel exposed to dry cleaning solvents must receive pre-employment and periodic physical examinations as determined by the Director of Public Health or his/her representative.
 - 2) Personnel working in the processing area of laundries or dry cleaning plants must wear clean, washable outer garments in lieu of street clothing.

- 3) Personal hygiene must be stressed. Frequent hand washing, particularly after visiting the toilet or handling soiled linen, is mandatory.
- 4) No person who is afflicted with a skin disease or other disease of an infectious nature or who is living in a house in which there is a case of infectious disease shall engage in any work as a launderer or perform or assist in any dry-cleaning processing.

26.4 HOSPITAL/HEALTH CARE FACILITY LAUNDRY:

- (a) Several aspects of the normal laundering process (hot water wash, bleach, and ironing) reduce the chance of survival of pathogenic microorganisms. Linen handling in hospitals/health clinics/dispensaries or other medical facilities is critical because of the potential for bacterial contamination from infected patients. The recommended method of handling soiled linen is through the use of individual impervious laundry bags for each area. Linen carts must be lined with washable material that can be removed and replaced easily. Linen must only be sorted in the laundry sorting room. Sorting must be done prior to washing by trained personnel wearing clean uniforms, masks, and gloves. Sharp objects, such as broken glass, surgical instruments, etc., are sometimes inadvertently placed in soiled linen. These objects must be carefully removed by sorting personnel. If not removed, the objects may damage machinery and linen and present a public health hazard.
- (b) Contaminated laundry from isolation rooms, surgical cases, etc., is often received by laundries. When this occurs, special precautions are required and personnel must be specifically trained on procedures and potential health implications of handling contaminated articles. Contaminated linen must be received in impervious, well-sealed double bags. The outer bag must be labeled with the universal biohazard symbol or the word "Biohazard" or be red in color. The inner bag must be hot water soluble. Contaminated linen must not be sorted.

ARTICLE 27.

CHILDREN'S PLAYGROUND AND RECREATIONAL AREAS

27.1 GENERAL:

Areas used as playgrounds and recreational areas must be located and set up with adequate facilities to protect the health and safety of patrons, and must be inspected quarterly by Public Health personnel to ensure that the areas are free of hazards.

27.2 SITE REQUIREMENTS:

- (a) The areas must be reasonably leveled and drained to obtain dryness a maximum number of days in the year.
- (b) It must be free of stone outcroppings, gullies, drop-offs, stumps, weeds, animal waste and trash.
- (c) Play areas must be fenced to prevent small children from wandering into roadways or other dangerous sites, such as abandoned wells, ravines, or bodies of water.
- (d) Walkways must be constructed of gravel, concrete, or other suitable materials.
- (e) If present, trash receptacles must be covered.

- (f) Energy absorbing surfacing, such as wood chips, sand, shredded tires (non-steel belted), or pebbles, must be used under swings, jungle gyms, slides and other equipment.
- (g) Water Supply/Safety:
 - 1) An adequate supply of safe drinking water must be provided at these areas. In locations where a water system is not possible, a portable water source must be provided at a central pickup station. Non-potable water systems must be adequately identified to prevent consumption.
 - 2) Patrons must be warned of the dangers in using streams, lakes or any nearby body/source of water.
- (h) Comfort Stations:
 - 1) Comfort stations providing flush toilets, lavatories, or other facilities for public use are among the most necessary structures built in these areas. One toilet and sink for every 25 females, and one urinal and toilet for every 50 males.
 - 2) Frequent cleaning and maintenance are required to avoid objectionable odors and nuisances in comfort facilities.
 - 3) Permanently constructed comfort stations must be provided with an interior finish of moisture resistant materials which will stand frequent washing and cleaning. The floors, walls, partitions, and interior surfaces must be impervious to water and easily cleanable. Comfort stations must be well lighted and adequately ventilated, while properly protected from weather. All exterior openings must be covered with 16-inch mesh screen. Doors must open outward and be self-closing.
 - 4) Adequate plumbing fixtures, soap (solid, liquid or powder), paper towels or air dryers, and trash containers (with cover) must be provided and maintained. The facilities must be thoroughly cleaned daily or more frequently if required.

ARTICLE 28. GYMNASIUMS

28.1 GENERAL:

Gymnasiums and other similar facilities aid in the promotion of physical fitness, good health and morale. These facilities must be maintained in a safe, sanitary condition. Quarterly inspection of gymnasiums must be conducted by Environmental Health Inspectors.

28.2 STRUCTURE, EQUIPMENTS AND STANDARDS:

- (a) Floors. All playing surfaces, running tracks, passageways, and other floors must be maintained free of spills, debris, uneven surfaces, protrusions and obstacles that may increase the potential of injury.
- (b) Walls and ceilings must be reasonably smooth, easily cleanable, light colored, and maintained in good repair. Walls in close proximity to basketball and other similar sports must be suitably padded to reduce physical injury.
- (c) Mats and other cushioning devices must be adequately maintained and cleaned routinely.
- (d) All equipment for sports and physical fitness must be of an acceptable design and constructed to prevent injury due to structural defects. All equipment must be maintained in safe operating condition.

- (e) Separate toilet facilities with water closets, lavatories and urinals as appropriate must be provided for male and female staff and spectators. The facilities must be physically separated from patron shower and locker rooms. Shower/locker rooms must be fitted with adequate lockers, showers, water closets, urinals, and lavatories to accommodate the needs of patrons. The hand-washing facilities must be provided with cloth towel dispensers or disposable towels and liquid, solid or powdered soap. All toilet and shower facilities must be maintained in a clean sanitary condition free from plumbing defects. Suitable trash containers (with covers) must be placed in all toilet and locker rooms. Refuse containers must be emptied at sufficient intervals to prevent overflow of refuse.
- (f) Drinking fountains must be provided to accommodate staff, patrons and spectators. Drinking fountains must be cleaned daily with particular emphasis on the bowl, orifice and orifice guard.

ARTICLE 29. THEATERS

29.1 GENERAL:

Theaters and other similar facilities must be maintained in a safe, sanitary condition. Quarterly inspection of theaters and other similar facilities must be conducted by Environmental Health Inspectors.

29.2 SAFETY STANDARDS:

- (a) Minimum construction standards, including ventilation, heating and cooling are required in order to protect the health, comfort and safety of patrons.
- (b) The entire theater (and all similar facilities), all corridors, aisles, stairways, drinking fountains, and patron seats should be cleaned daily before the building is secured. Waste containers must be emptied as necessary and prior to closing. Food or drink spillage should be cleaned as it occurs or at the next intermission. Unnecessary combustible material is not to be stored in the building or immediate area. Evidence of insects and rodents must be promptly reported by trouble call or work request.
- (c) Snack bars, refreshment stands, vending machines, etc., must be operated in accordance with standards set out in these regulations.
- (d) Seats must be in good condition with no splinters or protruding nails. Carpets and floors must be periodically checked for work or frayed edges which could result in tripping. Fire exits must open outward, be equipped with illuminated signs, be properly located, adequate in number, and equipped with panic bars. Fire exits must never be locked with chains or other devices which may hinder safe egress.

ARTICLE 30.
SAUNAS AND STEAM ROOMS

30.1 GENERAL:

Saunas and steam rooms are used for relaxation or as part of an individual physical fitness program. Saunas operate on the principle of inducing perspiration through high temperature dry heat, whereas steam rooms use moist heat. Quarterly inspection of saunas, steam rooms and other similar facilities must be conducted by Environmental Health Inspectors.

30.2 SAFETY STANDARDS:

- (a) Saunas and steam rooms must be structurally sound, clean, and free of any potentially dangerous condition.
- (b) Doors must contain window(s), which allow observation of the entire room. Appropriate lighting must be installed. Carpet and/other absorbent floor coverings are prohibited.
- (c) Sauna. Saunas must be constructed of rot-resistant woods (e.g. redwood). The floor must be covered with duckboards designed for easy removal and cleaning. Benches must be designed to allow easy cleaning with no hard-to-reach locations. Benches must be maintained in good structural repair. Seating surfaces must be smooth without splintering, protruding nails, or other fasteners that may cause injury.
- (d) Steam Rooms. Steam rooms must be completely lined with impervious material (e.g. ceramic tile), which will not deteriorate under moist heat conditions. The walls, floors, and ceilings must be maintained in good repair. Benches must be constructed and installed to permit easy cleaning.
- (e) Sanitation. The interior of saunas, steam rooms, and associated changing areas must be clean and free of debris, foul odors, or other unsanitary conditions. The floor, duckboards, benches, or platforms must be scrubbed daily using a mild detergent followed by a disinfectant or commercial cleaner/sanitizer. The consumption of food or drink in saunas or steam rooms is strictly prohibited. The sanitary condition of a sauna or steam room should be determined in conjunction with the inspection of the facility in which it is located.
- (f) Safety. A thermostatic control device must be installed which prevents saunas and steam rooms from exceeding 200°F (93°C) and 120°F (49°C) respectively. Signs must be conspicuously posted listing rules for operation and use. If for any reason a sauna or steam room is equipped with a door lock, the door must be easily opened from inside the room. Steam outlets, piping, and heaters must be shielded to prevent burns. Saunas and steam rooms which are located in remote sites, away from pedestrian traffic, should be equipped with an alarm or equivalent system which can be activated by the patron in an emergency.

30.3 DISINFECTING AGENTS OTHER THAN CHLORINE:

Where substances other than chlorine are used to disinfect areas of the establishment, they should be U.S. EPA approved and registered, and used and monitored according to the manufacturer's instructions, which should at least have an English version.

30.4 RECORDS:

Records relating to routine cleaning should be maintained at these establishments as confirmation of good management techniques. Details to be recorded should include as a minimum:

- Date and time of cleaning activities
- Measures taken
- Operational remarks

30.5 SAUNA AND STEAM ROOM POLLUTION:

The use of saunas and steam rooms are not recommended for people with acute infections, sores, skin diseases, bandages or open and discharging wounds.

30.6 TOILETS, SHOWERS AND CHANGE ROOMS:

Toilet, shower and change room facilities should be provided for both sexes in accordance with building codes, health and safety regulations.

All changing and ablution facilities should be maintained in a clean and sanitary condition to prevent the transmittance of infectious disease such as Tinea corporis and Tinea pedis (ringworm of the body and foot) and viral warts. Facilities should be routinely inspected on an ongoing basis to ensure that all rubbish and surface dirt are removed, and floors and benches cleaned on a daily basis with a fungicide or approved disinfecting agent.

30.7 SAFETY PRECAUTIONS:

- (a) In general, the areas surrounding these establishments should be kept clear of construction and operational materials, or appliances, to reduce to a practical minimum the danger of injuries from falls or collisions.
- (b) Every establishment should be equipped with a complete First Aid Kit, which should be kept filled and readily accessible for emergencies. Equipments should include stretchers, blankets, drinking water, first aid cot, pillow, telephone with emergency numbers, splints, and backboard.
- (c) All walk areas used by patrons in bare feet should be, so far as possible, of nonskid construction.

ARTICLE 31.
HEALTH CLINICS

31.1 DEFINITIONS:

“Clinic” means a public or private facility used for care of clients seeking medical attention from qualified medically licensed professionals. This includes an Optical Clinic, Dental Clinic, Sanitarium, and all types of Health Clinics.

31.2 SANITATION REQUIREMENTS:

(a) Personnel

- 1) Any employee working at this establishment must have a Board of Health license to conduct health clinic practices.
- 2) No person while affected with any disease in a communicable form, or while a carrier of such a disease, or while afflicted with boils, infected wounds, sores, or an acute respiratory infection, shall work in any area of a clinical service establishment in any capacity in which there is a likelihood of such person contaminating other patrons with pathogenic organisms, or transmitting disease.
- 3) If the person in charge of the establishment has reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he/she shall notify the Director of the Bureau of Public Health immediately.
- 4) All employees must be examined by a medical doctor, licensed to practice medicine in the Republic of Palau, at least once every twelve (12) months for ova and parasites in the stools, and undergo a general physical examination every year. They will be given a certificate which must be displayed at an appropriate place where they are working. No employee shall provide medical service without a valid health certificate. Any employee found to be operating without a valid health certificate will be fined a penalty of \$100.00.

(b) Facilities/Housekeeping

- 1) All offices, hallways and common areas are cleaned regularly by housekeeping personnel.
- 2) Floors in work areas are maintained, so far as practicable, in a dry condition. Where wet processes are used, drainage shall be maintained and false floors, platforms, mats, or other dry standing places shall be provided, where practicable, or appropriate waterproof footgear shall be provided.
- 3) To facilitate cleaning, every floor, working place and passageway is to be kept free from protruding nails, splinters, loose boards and unnecessary holes and openings.
- 4) The facility requires an inspection by the Division of Environmental Health for the issuance of a Health Permit. Facility found operating without a valid Health Permit will be fined a penalty of \$250.00. If ceased operation is resumed without prior clearance from the Ministry of Health's Division of Environmental Health, the facility will be fined a penalty of \$500.00.

(c) Waste Disposal

- 1) Waste receptacles used for decaying solid or liquid waste or refuse, are constructed so that they do not leak and may be thoroughly cleaned and maintained in a sanitary condition. Such a receptacle is to be equipped with a solid tight-fitting cover, unless it can be maintained in a sanitary condition without a cover. Waste receptacles for ordinary office waste are to be provided by the department. Special waste containers for hazardous chemical radioactive, and other such waste must meet specifications of the Ministry of Health.
- 2) All sweepings, solid or liquid wastes, refuse and garbage are removed according to a schedule developed by State Sanitation Department in such a manner as to avoid creating a menace to health and to maintain the place of employment in a sanitary condition.
- 3) All hazardous and infectious waste shall be disposed in a manner that is in compliance with the Ministry of Health's Guidelines for Health Care Waste Management.

(d) Vermin Control

- 1) Every enclosed workplace is constructed, equipped and maintained, so far as reasonably practicable, so as to prevent the entrance of and harboring of rodents, insects and other vermin.
- 2) The Division of Environmental Health can recommend a service to conduct a continuing extermination program to prevent the presence of vermin.

(e) Water Supply

- 1) Potable water is to be provided in all places of employment for drinking, washing of the person, cooking, washing of foods, washing of cooking or eating utensils, washing of food preparation or processing premises, and personal service rooms.
- 2) Potable drinking water dispensers are to be designed, constructed and serviced so that sanitary conditions are maintained, shall be capable of being closed and shall be equipped with a tap. Open containers for drinking water from which water must be dipped or poured, whether or not they are fitted with a cover, are prohibited.
- 3) A common drinking cup and other common utensils are prohibited.

(f) Toilet Facilities

- 1) Toilet facilities, in toilet rooms separate for each sex, are provided in all places of employment.
- 2) The number of facilities provided for each sex is based on the number of employees of that sex for whom the facilities are furnished. Where toilet rooms occupied by no more than one person at a time, can be locked from the inside and contain at least one water closet, separate toilet rooms for each sex need not be provided.

- 3) The requirements under #1 do not apply to mobile clinics or to normally unattended work locations. Supervisors must ensure that employees have transportation immediately available to nearby toilet facilities that meet the requirements.
- 4) Sewage disposal methods do not endanger the health of employees.
- 5) Each water closet is to occupy a separate compartment with a door and walls or partitions between fixtures sufficiently high to assure privacy.

(g) Washing Facilities

- 1) Lavatories are made available in all places of employment. This does not apply to mobile clinics or to normally unattended work locations. Supervisors must ensure that employees working at these locations have transportation readily available to nearby washing facilities.
- 2) Each lavatory is to be provided with hot, cold or tepid running water.
- 3) Hand soap or similar cleansing agent is to be provided.
- 4) Individual hand towels or sections thereof, of cloth or paper, warm air blowers or clean individual sections of continuous cloth toweling convenient to the lavatories, is to be provided.

(h) Showers

- 1) Whenever showers are required, one shower is to be provided for each 10 employees of each sex, or numerical fraction thereof, who are required to shower during the same shift.
- 2) Body soap or other appropriate cleaning agents convenient to the shower are to be provided.
- 3) Showers are to be provided with hot and cold running water feeding a common discharge line.
- 4) Employees who use showers are to be provided with individual clean towels.

(i) Consumption of Food and Beverage on Premises

- 1) No employee is to be allowed to consume food or beverages in a toilet room nor in any area exposed to toxic material or infectious agents.
- 2) Disposal containers constructed of smooth, corrosive resistant, easily cleanable or disposable material, are to be provided and used for the disposal of waste food.
 - i. Number, size and location of such receptacles are to encourage their use and not result in overfilling.
 - ii. They are to be emptied not less frequently than once each working day, unless unused, and are to be maintained in a clean and sanitary condition.

- iii. They are to be provided with solid tight-fitting covers unless sanitary conditions can be maintained without use of a cover.
- 3) No food or beverage is to be stored in toilet rooms or in an area exposed to a toxic material or infectious agents.
- 4) In all places of employment where all or part of the food service is provided, the food is to be wholesome, free from spoilage and is to be processed, prepared, handled and stored in such a manner as to be protected against contamination.
 - i. All food service employees are to practice good personal hygiene and wear appropriate clothing such as caps, coats, aprons, etc., while on duty. No employee is to use tobacco in any form while engaged in the preparation and handling of food. The hands of all employees handling food, utensils or equipment are to be kept clean and be washed before beginning work and after each visit to the toilet.
 - ii. No person who has a contagious or infectious disease is to be allowed to work in food service.
 - iii. Persons handling money are not to handle food without washing hands prior to coming in contact with food or using disposable gloves.

(j) Health Care Facility Laundry

- 1) Where working clothes are provided by the employer and become wet or are washed between shifts, provisions are to be made to insure that such clothing is dry before reuse.
- 2) Several aspects of the normal laundering process (hot water wash, bleach, and ironing) reduce the chance of survival of pathogenic microorganisms.
- 3) Linen handling in health clinics/dispensaries or other medical facilities is critical because of the potential for bacterial contamination from infected patients.
 - i. The recommended method of handling soiled linen is through the use of individual impervious laundry bags for each area.
 - ii. Linen carts must be lined with washable material that can be removed and replaced easily.
 - iii. Linen must only be sorted in the laundry sorting room. Sorting must be done prior to washing by trained personnel wearing clean uniforms, masks, and gloves.
 - iv. Sharp objects, such as broken glass, surgical instruments, etc., are sometimes inadvertently placed in soiled linen. These objects must be carefully removed by sorting personnel. If not removed, the objects may damage machinery and linen and present a public health hazard.
- 4) Contaminated laundry from isolation rooms, surgical cases, etc., is often received by laundries. When this occurs, special precautions are required and personnel must be specifically trained on procedures and potential health implications of handling contaminated articles.
 - i. Contaminated linen must be received in impervious, well-sealed double bags. The outer bag must be labeled with the universal biohazard symbol or the word "Biohazard" or be red in color. The inner bag must be hot water soluble. Contaminated linen must not be sorted.

ARTICLE 32.
LEGAL ENFORCEMENT

32.1 GENERAL PROVISIONS:

It shall be unlawful for any person to operate or open the following business without a valid and current health permit for such establishment or activity:

- (a) Any establishment or activity involving food or drink service, temporary food service, food retail, wholesale and transportation operations, pushcarts, caterers, or motor vehicle food vendors;
- (b) Food manufacturing, processing, packaging, importation, distribution, and warehousing facilities;
- (c) Barber shops and beauty parlors;
- (d) Ice, water, and other beverage bottling plants and distributors thereof;
- (e) Tattoo and/or body piercing/puncturing establishments;
- (f) Massage parlors, bathing houses, spas and gymnasiums;
- (g) Schools and other child-care facilities;
- (h) Hotels, motels, and other room accommodations;
- (i) Swimming pools and water parks.

32.2 DISPLAY OF HEALTH PERMITS:

Each establishment's current health permit and grade shall be displayed at all times in a conspicuous place on the premises so that it may be readily viewed by members of the public. Repeated or ongoing refusal to follow this regulation will result in a fine as determined by the Ministry of Health or its authorized representative.

32.3 COMPLIANCE:

Only persons who comply with these regulations shall be entitled to receive and retain such permit. Permit issuance and approval by the Minister of Health or designee does not relieve the applicant from the obligation and responsibility of obtaining all necessary and required ROP government permits.

32.4 OPERATION:

Before any person shall commence to operate or open for business any establishment or activity listed above, where a health permit is required, he or she shall complete an application requesting a pre-operation inspection by an Environmental Health Officer.

32.5 INSPECTION:

The Environmental Health Inspector/Officer shall inspect the location to determine whether such business or establishment satisfies the sanitation and environmental health standards established by these regulations. If the application is for a temporary concession booth or trochus vendor, then it shall also include the beginning and ending dates of the proposed operation.

32.6 FORM AND CHARGES FOR PERMIT AND ANNUAL RENEWAL:

The Minister of Health shall prescribe the form of the permit. All health permits issued pursuant to these regulations shall terminate and be renewable annually on the anniversary of the date of

issuance of the health permit. No refunds shall be made on the unused portion of the permit or upon applications that have been denied.

32.7 FEES:

Fees for the issuance of health permits, the duplication of sanitary permits, inspections, compliance, education, consultation and other activities provided for under these regulations shall follow the Ministry of Health Fee Schedule (see Attachment 1), the amounts of which are in the discretion of the Ministry of Health and which are subject to increase or decrease as deemed appropriate to the Ministry of Health.

32.8 TRANSFER OF HEALTH PERMIT IS FORBIDDEN:

It shall be unlawful to transfer a health permit to another person or to another location or to post it on or use it in any way or in connection with any other premises other than that for which it was issued.

**ARTICLE 33.
ADOPTION AND EFFECTIVE DATE**

After having gone through the 30-day notice and comment period as required of the Administrative Procedure Act (APA), and after considering fully all written and oral submissions, the foregoing regulations are adopted this 14th day of May, 2004.

Having been so adopted, and pursuant to 6 PNC Section 127, these regulations are transmitted to the President on the date of adoption for his approval. The President shall have 20 days to either approve or disapprove of the regulations. These regulations shall become effective 30 days from the date of their adoption by the Minister of Health, Director of the Bureau of Public Health, and the Chief of the Division of Environmental Health, provided that the President has approved the same within 20 days after their transmittal or has otherwise not taken action.

/s/

Sandra Sumang Pierantozzi
Vice President & Minister of Health
Ministry of Health, ROP

/s/

Stevenson . J. Kuartei, M.D.
Director of Bureau of Public Health
Ministry of Health, ROP

/s/

J. Maireng Sengebau-Kingzio, MPH
Chief of Division of Environmental Health
Bureau of Public Health, MOH, ROP

Approved this 18th day of May 2004.

/s/

Honorable Tommy E. Remengesau , Jr.
President of Republic of Palau

ATTACHMENT I

DIVISION OF ENVIRONMENTAL HEALTH
FEE SCHEDULE

<u>TYPE OF SERVICE</u>	<u>FEE</u>
101 EATING AND DRINKING ESTABLISHMENT	
101.1 Restaurant (w/ Kitchenette).....	\$150.00
101.2 Snack Bar(w/Kitchenette)	100.00
101.3 Fast Food (w/Kitchenette).....	100.00
101.4 Other Eating & Drinking Est. w/Kitchenette)	100.00
101.5 Snack Bar (w/o Kitchenette.....	50.00
101.6 Coffee Shop (w/o Kitchenette.....	50.00
101.7 Other Eating & Drinking Est. (w/o Kitchenette).....	50.00
102 CATERING ESTABLISHMENT/SERVICES	
102.1 Bakery	\$150.00
102.2 Food Wagon	100.00
102.3 Barbeque Stand.....	100.00
102.4 Household Catering (bento, sandwich, seafood, etc.)	50.00
102.5 Other Catering Est.....	50.00
103 DRINKING ESTABLISHMENT	
103.1 Bars.....	\$150.00
103.2 Karaoke Lounge.....	150.00
103.3 Nightclubs.....	150.00
103.4 Other Drinking Establishment.....	150.00
104 VENDOR	
104.1 Market (w/Kitchenette).....	\$100.00
104.2 Market (w/o Kitchenette).....	75.00
104.3 Fish Vendor	75.00
104.4 Produce Vendor.....	75.00
105 FOOD PROCESSING/PACKAGING	
105.1 Water Treatment Plant	\$200.00
105.2 Water Purifier Machine	150.00
105.3 Ice Processing Plant	150.00
105.4 Meat Processing/Packaging Plant.....	150.00

106 STORAGE FACILITIES

106.1 Dry.....	\$100.00
106.2 Cold.....	100.00

107 SHOP & CLINIC

107.1 Barber Shop.....	\$100.00
107.2 Beauty Shop.....	100.00
107.3 Barber/Beauty Shop.....	150.00
107.4 Massage Parlor.....	100.00
107.5 Facial/Manicure/Pedicure.....	100.00
107.6 Beauty Shop/Massage/Facial/Manicure/Pedicure.....	150.00
107.7 Optical Clinic.....	150.00
107.8 Dental Clinic.....	150.00
107.9 Sanitarium.....	150.00
107.10 Sauna/Jacuzzi.....	150.00
107.11 Health Clinic.....	150.00
107.12 Laundromat/Dry Clean	150.00

108 RECREATIONAL FACILITIES

108.1 Recreational Facility.....	\$100.00
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109 EDUCATIONAL INSTITUTION

109.1 Schools.....	\$100.00
109.2 Day Care Center.....	100.00

110 VESSEL

110.1 Extension of Deratting Certificate	\$100.00
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111 DUPLICATION/COPY

111.1 Duplicate Health Permit.....	\$15.00
111.2 Duplicate Food Handler Permit.....	10.00
111.3 Copy of DEH Regulations.....	25.00

112 PESTICIDE APPLICATION (Commercial & Non-commercial)

112.1 Less than or equal to 1500 square feet	\$ 50.00
112.2 More than 1500 square feet	100.00

113 TEMPORARY HEALTH PERMITS

113.1 Concession Booth	\$5 per day
113.2 Trochus Vendor.....	\$200 per season

114 OTHERS

114.1 Food Handler Permit.....	\$20.00
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ATTACHMENT 2

DIVISION OF ENVIRONMENTAL HEALTH
VIOLATION & CITATION PENALTIES

VIOLATIONS

_____	34 PNC § 1001 (a): Improper construction or maintenance of latrine or toilet.....	\$100.00
_____	34 PNC § 1001 (b): Deposition of human intestinal excreta in vicinity of a dwelling or with 500 yards of any village in a place other than an approved latrine or toilet	100.00
_____	34 PNC § 1002: Failure to remove or dispose of rubbish, garbage, or other refuse as instructed in writing by the Bureau of Public Health on _____.....	100.00
_____	34 PNC § 1003: Failure of service establishment to correct substandard conditions as instructed in writing by the Bureau of Public Health on _____.....	250.00
_____	34 PNC § 1004 (a): Offering for sale of food or medicine of unsanitary or questionable sanitary condition.....	500.00
_____	34 PNC § 1004 (b): Sale of foodstuffs past the date of expiration	500.00
_____	34 PNC § 1005: Failure of school to maintain acceptable standard of health and sanitation.....	500.00

PENALTIES

_____	Expired Health Permit.....	250.00
_____	Expired Health Certificate.....	100.00
_____	Expired Food Handler Permit.....	100.00
_____	Operation w/o valid Health Permit*	250.00
_____	Operating w/o valid Health Certificate.....	100.00
_____	Operating w/o Food Handler Permit.....	100.00
_____	Resuming ceased operation w/o prior clearance.....	500.00
_____	Selling pre-prepared food w/o labels (Section 6.3 a).....	150.00
_____	Piggery/Poultry House/Dog Kennel less than 200 ft from residence.....	500.00
_____	Burying dead animal less than 200 ft from body of water in ROP.....	500.00
_____	Violation of Vector Control & Prevention regulations	250.00
_____	Violation of Solid Waste Management regulations	250.00
_____	Violation of International Health Quarantine regulations	500.00
_____	Violation of Liquid Waste Management regulations	500.00
_____	Violation of Slaughterhouse regulations	250.00
_____	Violation found pursuant to Title 34 PNC § 104 shall be fined not more than.....	\$500.00 or imprisoned for not more than one year, or both, except as otherwise provided for by law or regulation.

*Cease Operation the day cited.