

DEPARTMENT OF HEALTH  
SPECIAL SANITARY CODE



NEW YORK WORLD'S FAIR 1939  
INCORPORATED

WORLD'S FAIR SPECIAL SANITARY CODE  
FOR NEW YORK WORLD'S FAIR 1939 INC.

January 20, 1939

WORLD'S FAIR SPECIAL SANITARY CODE  
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ARTICLE I.

Introductory

- Section 1.     Title.  
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SECTION 1. TITLE. - This code adopted pursuant to the provisions of Chapter 544 of the Laws of 1936, as amended by Chapter 593 of the Laws of 1937, shall be known as the "World's Fair Special Sanitary Code."

SECTION 2. MATTERS COVERED. - Upon the enactment of this code, it shall have the force and effect of law respecting health and sanitation within the area leased by the City of New York to the New York World's Fair 1939, Incorporated, during the term of said lease and any extensions thereof, which area and/or corporation are hereinafter referred to as the "World's Fair." Upon the enactment of this code, it shall be filed with the City Clerk and shall be published forthwith in the City Record by the City Clerk. Any amendment to this code shall be filed and published in the same manner.

SECTION 3. COMMISSIONER AND BOARD OF HEALTH. - The jurisdiction of the Commissioner of Health and the Board of Health of the City of New York over all matters affecting health and sanitation in the City of New York shall extend and apply to the World's Fair.

SECTION 4. SPECIAL DEPUTY COMMISSIONER OF HEALTH FOR THE WORLD'S FAIR. -

There shall be a Special Deputy Commissioner of Health for the World's Fair, hereinafter referred to as the "Special Deputy Commissioner of Health" who shall, under the supervision of the Commissioner of Health of the City of New York, have immediate charge of all matters affecting health and sanitation at the World's Fair and shall enforce at the World's Fair the provisions of this code and all provisions of law relating to health and sanitation applicable to the City of New York.

SECTION 5. WORLD'S FAIR SPECIAL HEALTH INSPECTORS. - There shall be

World's Fair Special Health Inspectors who shall engage exclusively in the protection and preservation of life and health at the World's Fair and in the enforcement thereof of this code and all other laws relating to matters of health and sanitation applicable to the City of New York and the World's Fair.

SECTION 6. DEPARTMENT OF HEALTH. - The Commissioner of Health may when-

ever in his opinion he shall deem it necessary for the protection and preservation of life and health, utilize any and all officers or members of the Department of Health to enforce the provisions of this code and all other health laws applicable to the City of New York, and take such other action as may be necessary for the protection and preservation of life and health at the World's Fair.

ARTICLE II.

City Sanitary Code and Regulations.

Section 20. City Sanitary Code and Regulations Applicable to World's Fair.

SECTION 20. CITY SANITARY CODE AND REGULATIONS APPLICABLE TO WORLD'S FAIR.

The Sanitary Code of the City of New York and any amendments thereto and the regulations of the Board of Health adopted thereunder and any amendments thereto are made a part of this code and shall be applicable to the World's Fair, except

that in so far as any of the provisions of this code shall conflict with the Sanitary Code of the City of New York and regulations thereunder, then as to such matters the provisions of this code shall govern at the World's Fair.

### ARTICLE III.

#### Food Establishments.

- Section 30. Food establishment defined.  
31. Structural requirements for food establishments.  
32. Plumbing for food establishments.  
33. Equipment for food establishments.  
34. Food, food handling and inspection.  
35. Custard-filled products.  
36. Cleaning and general sanitation of food establishments.  
37. Examination of food handlers.

SECTION 30. FOOD ESTABLISHMENT DEFINED. - Unless otherwise expressly stated, whenever used in this code the term "food establishment" shall mean and include any place where food or drink is prepared, cooked, mixed, baked, exposed, bottled, handled, stored, manufactured, offered for sale, sold, or served.

SECTION 31. STRUCTURAL REQUIREMENTS FOR FOOD ESTABLISHMENTS. - Every owner, manager or other person in charge of a food establishment shall comply and maintain the establishment in accordance with the following structural requirements: -

1. A plan of the structure and arrangement of all food establishments shall be made available to the Special Deputy Commissioner of Health for approval prior to installation, and no changes may be made in such structure without first submitting a plan for such change to the Special Deputy Commissioner of Health and obtaining his approval.

2. Floors shall be smooth, water-tight and provided with cove bases when practical. Floors of cement or other material shall be of non-dusting type and where required by the Sanitary Code of the City of New York and the regulations

thereunder, shall be graded and provided with floor drains and adequate hose facilities for flushing purposes. The floor drains shall be trapped at a point not greater than 15 feet from the drain.

3. Floors and walls of toilets, where practical, shall be provided with cove bases.

4. There shall be provided adequate toilet and lavatory facilities with running hot and cold water for the use of employees and no such toilet or vestibule of such toilet shall open directly into a kitchen or room where food is prepared.

5. All kitchen window sills shall be so constructed, both inside and outside, so as not to permit the placing of objects upon them.

SECTION 32. PLUMBING FOR FOOD ESTABLISHMENTS. - Every owner, manager or other person in charge of a food establishment shall comply and maintain the establishment in accordance with the following requirements relative to plumbing in addition to all other plumbing provisions applicable to the World's Fair:-

1. No house drain, soil or waste pipe, unless properly enclosed and protected from condensation or leakage, shall be permitted overhead in any space used for the storage, preparation or dispensing of food.

2. All soil or waste lines shall be painted with bands of red two inches in width at intervals of not more than ten feet on a unit length of piping.

3. In addition to the permit required therefor under the World's Fair Building Code, no alteration shall be made to any part of the plumbing system without first submitting a plan for such alteration to the Special Deputy Commissioner of Health and obtaining his approval.

SECTION 33. EQUIPMENT FOR FOOD ESTABLISHMENTS. - Every owner, manager or other person in charge of a food establishment shall comply and maintain the establishment in accordance with the following requirements relative to equipment:-

1. All sinks and other fixtures shall be so equipped as to be free from submerged inlets.

2. Machine dish-washing facilities with accurate thermometers attached shall be provided for the proper cleansing of eating and drinking utensils. Such cleansing of eating and drinking utensils shall be performed in a manner prescribed under sub-division 8 of Section 34 of this Code.

3. Permanent partitions of glass or other suitable material shall be provided to protect finished frozen desserts from dust, dirt and other contamination while such frozen dessert is being dispensed to the consumer.

4. Where drinking water supply is provided for the public other than through sanitary drinking fountains of a type satisfactory to the Special Deputy Commissioner of Health or individual service paper cups, the containers used shall be properly cleansed in the manner prescribed in subdivision 8 of Section 34 of this Code. The use of common drinking containers is prohibited.

5. Sanitary piping that may be readily taken apart and cleansed shall be provided for all apparatus in which food or drink is prepared or conveyed and shall be kept clean.

6. Metal racks shall be provided for the storing of kettles, pans, containers, and similar utensils, at a point not lower than 2 feet from the floor. No food shall be kept or stored at a point lower than 8 inches from the floor.

7. Mechanically operated refrigerators shall be provided at all places where perishable foods are handled, and the temperature of such refrigerators shall at no time be maintained above 50 degrees Fahrenheit. An exception to the requirements of mechanically operated refrigerators will be made where ice or dry ice would be more practical.

8. Dippers, spoons and dispensing tools for frozen desserts shall be kept in running water during intervals between dispensing.

9. Counters, grills, drains, cabinet tops, or similar fixtures are to be equipped with metal holders for cleaning cloths. The holder shall be constructed of metal which contains sufficient perforations in the body of the metal to allow

for ventilation and shall be permanently attached to the fixture where a cleaning cloth is used.

10. All equipment such as ice cream freezers, whipped cream machines, dough mixers, and other devices for food preparation shall be kept clean and so located as to provide ample room on all sides for cleaning.

11. Each food establishment shall be provided with brushes of a sufficient number and size to properly cleanse all utensils and equipment after use. Such brushes shall be cleansed immediately after use. Provision shall be made for such brushes to be hung up when not in use.

12. Cloth bags or "toots" for the application of whipped cream, custard, icing or other topping for pastries, cakes or other foods, are prohibited. Equipment used for the application of whipped cream, custard, icing or other topping to pastries, cakes or other foods shall be either individual applicators discarded after each use, or made of some hard impervious material and so constructed as to be easily and completely dismantled, and shall be cleansed and sterilized before and after use. The keeping of whipped cream, custard, icing or other topping in the applicator when the same is not in use, is prohibited.

13. All unwrapped foodstuff when displayed for sale shall be displayed in a showcase of glass so constructed as to properly protect the foodstuff from dust, dirt or contamination and to prevent self-service.

14. Containers commonly known as creamers used for dispensing cream in the service of cream with coffee, tea, cereals and other foodstuff, unless for single individual use and discarded after use, shall be constructed of material that may be easily and readily cleansed.

15. The use of a glass, cup, creamer, or other service which is chipped, cracked or has sharp edges, is prohibited.

16. No cloth or feather shall be used for the greasing of pans.



17. Restaurants shall provide separate refrigerators (a) for the storage of meats, (b) for the storage of fish, (c) for the storage of dairy products and (d) for the storage of vegetables. No material, other than food shall be kept or held in food refrigerators.

18. The dispensing of sugar in restaurants and other places where food is served shall be performed in a clean and sanitary manner. Sugar shall be served from screw top or other type containers which provide protection of the sugar against dirt, dust, other contamination and human handling at all times, except in the case of lump or block sugar which is individually wrapped.

19. In restaurants and other places where food is served, mustard shall be dispensed as to prevent its contamination either by the introduction of the personal utensil of the individual or any common utensil for the service of more than one individual, and shall be so protected as not to be exposed to dirt, dust and other contamination.

20. Toothpicks shall be dispensed in a sanitary manner.

SECTION 34. FOOD, FOOD HANDLING AND INSPECTION.- Every owner, manager or other person in charge of a food establishment shall comply and maintain the establishment in accordance with the following requirements relative to food, food handling and inspection:-

1. The sale of shellfish from open stands is prohibited.

2. The sprinkling of chocolate or other confections for decorating frozen desserts or other foods shall be done by means of a proper container where-  
by human contact with the chocolate or other confection is prevented.

3. The use of added color in non-carbonated citrus fruit beverages is prohibited.

4. The use of color, sulphites, benzoates, salicylates, or borates in meat, meat products, or meat casings or wrappings is prohibited.

5. Each food handling establishment shall be prepared to provide and shall provide a food purveyor's list when requested by the Special Deputy Commissioner of Health, which will designate the names and addresses of the persons supplying the food establishment, and the types of food which have been supplied.

6. All single service spoons used in serving foods shall be individually wrapped.

7. All straws shall be individually wrapped.

8. All utensils used in the preparation, service and sale of any food or drink intended for human consumption, and knives, forks, spoons, plates, dishes, cups, saucers and glasses used in the preparation, service and sale of any food or drink intended for human consumption shall be properly cleansed after being used, and no such utensil or knife, fork, spoon, plate, dish, cup, saucer or glass shall under any circumstances be used a second time unless it shall have been, after the previous use thereof, so cleansed. In such cleansing the use of water which has become unsanitary by previous use thereof is prohibited.

The term "properly cleansed" as herein used shall be taken to mean the cleansing after each use of all utensils, including knives, forks, spoons, plates, dishes, cups, saucers or glasses used in the preparation, service or sale of any food or drink intended for human consumption, in a solution of soap or soda or suitable cleansing powder in hot water followed by a thorough rinsing or spraying or immersion in clean water of two hundred (200° F.) degrees Fahrenheit for a period of 30 seconds; or in hot water of a temperature not less than one hundred seventy-five (175° F.) degrees Fahrenheit at all times for a period of one minute; or by treatment with live steam in an enclosed compartment for five minutes; or by some other equally effective method approved by the Department of Health of the City of New York.

9. All crockery, cutlery, glassware and cooking, eating and drinking utensils which have been properly cleansed must be so stored, kept and handled as to prevent contamination from dust, dirt, flies or other sources.

10. All drinks shall be dispensed in paper cups or other single service containers, or in the original packages which have been filled and sealed at the dispensing plant, or in glasses, cups or other containers which have been properly cleansed as required in this section.

11. All beer pipes and their appurtenances must be properly cleansed at least once a week.

12. The admixture of ice directly with drink in bulk, for the purpose of cooling the drink while in storage, is prohibited.

13. The use of activating enzymes in the preparation of meat for cooking, is prohibited.

14. All ground or chopped meat shall be made from sound, fresh and wholesome meat which has been ground or chopped on the premises of the World's Fair. Such meat shall not be used later than twelve hours after chopping.

15. The use of artificial yellow color, or color simulating egg yolk, in custard or baked goods, such as cake, bread, noodles, rice pudding, bread pudding, custard pudding, or similar products where egg may be used, is prohibited.

16. The keeping of melted butter on a grill, stove, or service counter, is prohibited.

17. Samples of all food and drink, and of flavors, colors, synthetic extracts, and other products or substances entering into the manufacture of food-stuffs or drink, for the purpose of inspection and analysis, may be taken or collected by the Special Deputy Commissioner of Health or the World's Fair Special Health Inspectors and no charge shall be made for such samples.

SECTION 35. CUSTARD FILLED PRODUCTS.- No custard filled products shall be brought into the World's Fair, or manufactured at the World's Fair, unless the establishment, in which these custard filled products are manufactured, complies with the following provisions:-

1. The manufacturing establishment must be located in the City of New York.
2. All utensils and equipment used for the preparation, handling, mixing, or holding of custard, or any of its ingredients, shall be so constructed as to permit complete dismantling after each use for cleansing purposes. Such utensils and equipment shall be cleansed immediately after use and shall be sterilized immediately before use by immersing in water of a temperature of not less than 212 degrees Fahrenheit for seven minutes.
3. In the mixing, handling, and preparation of custard, the hands are not to come in direct contact with the custard or the ingredients in its preparation.

4. Foodhandlers employed in the manufacture of custard or custard-filled products shall be provided with and wear clean, white, washable outer garments at all times.

5. Foodhandlers employed in the manufacture of custard or custard-filled products shall be fully instructed in personal habits and cleanliness.

6. In the manufacture and before filling baked goods or pastries with custard, the custard mixture shall be subjected to a temperature of not less than 200 degrees Fahrenheit for a period of not less than 10 minutes and immediately cooled down within a period of thirty minutes or less to a temperature of 50 degrees Fahrenheit or less, and such custard shall be applied promptly to baked goods or pastries at a temperature of 50 degrees Fahrenheit.

7. The finished filled custard product shall be kept at a temperature of 50 degrees Fahrenheit or less at all times during storage, transportation and display.

8. All raw material and pie shells, éclair shells, cakes, sponge cake and similar products shall be kept covered so as to be protected from dust, dirt and other contamination at all times.

9. All custard-filled products shall be so labeled as to legibly indicate the date of manufacture, giving the month and the date of the month, and no such product shall be sold or given away later than 24 hours after manufacture.

10. All custard-filled products, in the retail establishment shall be held, kept, and displayed in a refrigerator maintained at a temperature of 50 degrees Fahrenheit or less.

#### SECTION 36. CLEANING AND GENERAL SANITATION OF FOOD ESTABLISHMENTS.-

Every owner, manager or other person in charge of a food establishment shall comply and maintain the establishment in accordance with the following requirements relative to cleaning and general sanitation of food establishments:-

1. Sufficient metal refuse cans of a type selected by the World's Fair shall be provided to receive all waste paper and any other material discarded by the customer.

2. Metal lockers with pyramided roofs shall be provided for storing mops, brushes, brooms, pails, and similar articles.

3. A system of daily inspection shall be arranged by the owner, manager or other person in charge which will include inspection of the food establishment before, during and after operation.

4. Each food establishment must be provided with a chart, available for inspection, which will indicate the names of cleaners employed, the type of cleaning each such person is assigned to do, the day and hours of cleaning.

5. Exterminator service by licensed exterminators shall be provided and such exterminator service shall consist of at least one visit a week to each food establishment, and oftener when so required by the Special Deputy Commissioner of Health.

6. A fly-proof screened compartment or room shall be provided for the storage of empty bottles, bottle cases, and food where indicated by the Special Deputy Commissioner of Health.

7. Each lavatory provided for employees shall be furnished with running hot and cold water, soap in a dispenser, and individual towels.

SECTION 37. EXAMINATION OF FOODHANDLERS.- No person who is affected with any communicable disease or condition shall work or be employed by any employer in any food establishment, and no person shall work and no employer shall employ a person in a food establishment without a foodhandler medical certificate, on a form prescribed for the purpose, issued by the Medical Director of the World's Fair to the effect that the said person is free from any communicable disease or condition. Such certificate shall be good for one month from the date of examination and shall be issued in accordance with the following requirements:-

1. Each applicant for a foodhandler medical certificate shall be given a complete physical examination, as set forth in subdivision 6 herein, by a physician duly licensed to practice medicine in the State of New York and employed by the World's Fair, for the detection of any communicable disease or condition, and if such is found the person shall be excluded from working in a food establishment. If the person is found to be free from such communicable disease or condition, the examining physician shall so certify on the foodhandler medical certificate and at the time of issuance require the foodhandler to place his signature on the certificate in his presence. Such certificate shall at all times be kept on the person of the foodhandler and shall be available for inspection upon request by the Special Deputy Commissioner of Health or any World's Fair special health inspector.

2. Foodhandlers shall receive each month a similar physical examination by a physician of the World's Fair for the detection of any communicable disease or condition, and if on any such re-examination a communicable disease or condition is found, the certificate shall be taken up and the foodhandler's employer immediately notified thereof. If such re-examination discloses the person to be free from a communicable disease or condition, the date of re-examination shall be endorsed on the certificate and the said certificate shall be valid for one month from the date of such endorsement. At the time of each re-examination, the foodhandler shall be required to submit a specimen of his signature for the purpose of comparison with the signature on the certificate. If there is a history of an enteric disorder since previous examination, a stool examination shall be made as hereinafter specified.

3. Any foodhandler who shall have been absent from duty as a result of illness shall report to the Medical Director of the World's Fair who shall pass upon his freedom from a communicable disease or condition before being allowed to resume work. Suitable laboratory tests shall be made where indicated.

4. Records of examinations and re-examinations of each foodhandler shall be kept on file in the office of the Medical Director of the World's Fair.

5. In any case where a question is raised as to a foodhandler's freedom from a communicable disease or condition, the final decision shall rest with the Special Deputy Commissioner of Health.

6. Examination of foodhandlers shall include the following:-

A. Tuberculosis - If clinical examination reveals evidence suspicious of tuberculosis, an X-ray and sputum examination shall be made.

B. Venereal Diseases -

1. Inspection of mouth and throat for mucous patches or other evidence of syphilis.

2. Inspection of genitalia and rectum for chancre, condylomata lata, chancroid, granuloma inguinale, lymphogranuloma inguinale and gonorrhoea. In case of doubt, suitable laboratory tests shall be made. A positive Wasserman without evidence of infectious syphilis shall not be cause for exclusion from work.

C. Stools - To eliminate enteric carriers, a careful and tactful history shall be taken.

1. If the individual gives a history suspicious of typhoid or paratyphoid in self or member of household with whom he or she lives or lived at any time, two stool examinations not less than 48 hours apart shall be made.

2. If the individual gives a recent history (within a month) of diarrhoea, dysentery, or enterocolitis, such individual shall be referred to the Special Deputy Commissioner of Health for further examination and final disposition.

D. Other Communicable Diseases - Examination for Vincent Angina, septic sore throat, diphtheria, smallpox, chicken pox, scarlet fever,



and other contagious diseases.

E. Communicable Skin Conditions - Examination for scabies, pediculosis, fungus infection on exposed parts of the body or other pustular skin infections. Such cases shall be excluded until recovered.

#### ARTICLE IV.

##### General Provisions.

- Section 40. No fees for permits; applications.
41. Right of entry of inspectors.
42. Interfering with or obstructing an inspector.
43. Punishment for violations.

SECTION 40. NO FEES FOR PERMITS: APPLICATIONS.- The provisions of Section 191 of the Sanitary Code of the City of New York, insofar as it refers to the payment of fees for permits issued by the Board of Health of the Department of Health of the City of New York, shall not apply to permits issued by it for establishments at the World's Fair. Every applicant for a permit from the Board of Health shall submit with the application a certificate of occupancy issued by the World's Fair covering the premises for which a permit is applied. All such applications shall be submitted to the Special Deputy Commissioner of Health at his office in the World's Fair.

SECTION 41. RIGHT OF ENTRY OF INSPECTORS.- World's Fair Special Health Inspectors or other duly authorized representatives of the Special Deputy Commissioner of Health may without fee or hindrance enter, examine and inspect all vessels, premises, grounds, structures, buildings and every part thereof, and all underground passages of every sort in the World's Fair for compliance with the provisions of this Code or other health laws, and may make plans, drawings and descriptions thereof, as may be necessary for the enforcement of this Code or other health laws. The owner or his agent or representative and the lessee or occupant of any such premises, grounds, structures, buildings, vessels and every part thereof

and all underground passages of every sort in the World's Fair and every person having the care and management thereof, shall at all times, when required by any such inspectors or authorized representatives, give them free access thereto.

SECTION 42. INTERFERING WITH OR OBSTRUCTING AN INSPECTOR. - No person shall interfere with or obstruct any World's Fair special health inspector or other duly authorized representative of the Special Deputy Commissioner of Health when making the inspections or examinations required under this Code, or other health laws, or by the Special Deputy Commissioner of Health.

SECTION 43. PUNISHMENT FOR VIOLATIONS. - Any violation of the World's Fair Special Sanitary Code shall be punished in the manner prescribed by Section 1937 of the Penal Law.