

Subsidiary Legislation made under s.13.

Food Hygiene Regulations

LN.1977/036

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PART I.
PRELIMINARY.

Title.

1. These Regulations may be cited as the Food Hygiene Regulations.

Interpretation.

- 2.(1) In these Regulations, unless the context otherwise requires,—

“animal feed” means feed for sale for consumption by animals, fish or birds, but does not include food fit for and commonly used for human consumption;

“catering business” means a food business consisting wholly or partly of the supply of food intended by the supplier for immediate consumption;

“certificate of exemption”, in relation to food premises, means a certificate for the time being in force in relation to the premises for the purposes of regulation 51;

“contamination” includes contamination by odour;

“equipment” includes apparatus, furnishings and utensils;

“fish” means uncooked fish (including cured or smoked fish); and includes shell fish and whalemeat;

“food business” has the meaning assigned to it by regulation 3;

“food premises” means any premises in or from which there is carried on any food business;

“food room” means any room (being, or being part of, any food premises), in which any person engages in the handling of food for the purposes of a food business, but does not include—

- (a) a room used as a sleeping place if the only handling of food which occurs in the room is in the course of serving food there to, or at the request of, any person occupying it as a sleeping place;
- (b) a room communicating with a room used as a sleeping place if the only handling of food which occurs in the room is in the course of serving food there to, or at the request of, any person (not being a person carrying on a food business at the

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premises which include the room or a person employed by him) by whom the room is occupied as a sleeping place; or

(c) a day room in a hospital or in a home for the reception of aged or disabled persons;

“hospital” means any premises for the reception and treatment of persons suffering from illness including mental disorder;

“meat” means the flesh (including edible offal and fat) of animals and birds which is sold or intended for sale for human consumption, and includes meat which has been cured or smoked;

“meat product” means any of the articles specified in the Schedule;

“milk” includes cream and separated milk but does not include dried milk or condensed milk or food containing milk;

“premises” means a building or part of a building and any forecourt, yard or place of storage used in connection with a building or part of a building;

“preparation”, in relation to food, includes manufacture and any form of treatment; and

“prepared” shall be construed accordingly;

“public markets” means markets established under the Markets, Street Traders and Pedlars Act;

“ship” means any boat or craft from which there is carried on any catering business or other retail food business;

“stall” includes any stand, marquee, tent or mobile canteen and any vehicle whether movable or not from which food, is sold;

“vehicle” means a vehicle used for the delivery of food in the course of a trade or business, but does not, include any vehicle which, being used for the sale of food, falls within the definition of “stall”.

(2) In these regulations, unless the context otherwise requires, the handling of food means the carrying out, or assisting in the carrying out, for the purposes of a food business, of any process or operation in the sale of food or in the preparation, transport, storage, packaging, wrapping, exposure for sale, service or delivery of food and includes the cleaning of articles or equipment with which food comes into contact.

(3) For the purposes of these regulations the supply of food otherwise than by sale, at, in or from any place where food is supplied in the course of a business, shall be deemed to be a sale of that food, and references to purchasing and purchasers shall be construed accordingly; and where in connection with any business in the course of which food is supplied the place where the food is served to the customers is different, from the place where the food is consumed, both these places shall be deemed to be places in which food is sold.

(4) In determining for the purposes of these regulations whether any matter involves a risk of contamination to any food, regard shall be had to the extent to which such contamination is immaterial because of—

- (a) the nature of the food; or
- (b) the manner in which the food is packed; or
- (c) any process to which the food is to be subjected before sale to the consumer, being a process to which food of that nature is normally so subjected.

Meaning of “food business.”

3.(1) In these regulations, unless the context otherwise requires, the expression “food business” means, subject to the succeeding provisions of this regulation, any trade or business for the purposes of which any person engages in the handling of food.

(2) The said expression does not include (except so far as the handling of food may be involved in the course of a retail business or catering business), so much of any trade or business as consists of the handling of food at, in or upon—

- (a) (except for the purposes of Part VII and VIII) any dock, which term shall include any harbour, moorings, wharf, pier, jetty or other works in or at which food can be shipped or unshipped and any warehouse, transit shed or other premises used in connection therewith for the temporary storage or loading for despatch of food which is unshipped or to be shipped; and any premises or place occupied by a carrier of goods for the purposes of his trade or business as such a carrier; or
- (b) any premises which—
 - (i) are used exclusively for the storage of food manufactured and packed by the occupier thereof; and
 - (ii) are situated outside the curtilage of the premises used for the manufacture or packing of that food; and

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(iii) are not used for the storage of any open food.

PART II.
GENERAL REQUIREMENTS.

Food business not to be carried on at insanitary premises, etc.

4. No food business shall be carried on at any insanitary premises or place or at any premises or place the condition, situation or construction of which is such that food is exposed to the risk of contamination, premises, etc.

Cleanliness of equipment, etc.

5.(1) Articles or equipment with which food comes into contact, or is liable to come into contact, in the course of a food business shall be kept clean, and with the exception of non-returnable containers, shall be so constructed, be of such materials and be kept in such good order, repair and condition as to—

- (a) enable them to be thoroughly cleaned;
- (b) prevent, so far as is reasonably practicable, any matter being absorbed by them;
and
- (c) prevent, so far as is reasonably practicable, any risk of contamination of the food.

(2) Without prejudice to subregulation (1), all containers intended for containing food in the course of a food business, whether or not they come into contact, or are liable to come into contact, with food, shall so far as is reasonably practicable, be protected and kept free from contamination.

(3) In determining for the purposes of this regulation whether any article or equipment is clean, regard shall be had to the nature and packing of the food for which the article or equipment is required and to the use which is made of the article or equipment.

Restriction on preparation and packing of food on domestic premises.

6.(1) A person carrying on a food business shall not give out any food or permit any food to be given out for preparation or packing at any domestic premises, unless he has previously notified the Chief Environmental Health Officer of the name of such person or persons so employed and the address at which the preparation or packing of the food will take place, and has the Chief Environmental Health Officer's approval for such person or persons to be so employed and such place to be so used.

(2) No person shall offer any food for sale which has been prepared or packed at any domestic premises, unless such premises have been approved and registered by the Chief Environmental Health Officer's for such purpose.

(3) The requirements of these regulations shall apply to all persons engaged in any domestic premises used for the preparation or packing of any food intended for sale for human consumption.

PART III.
REQUIREMENTS RELATING TO FOOD HANDLERS

Food to be protected from risk of contamination.

7. A person who engages in the handling of food shall, while so engaged, take all such steps as may be reasonably necessary to protect the food from risk of contamination, and in particular (without prejudice to the generality of the foregoing)–

- (a) shall not so place the food as to involve any risk of contamination;
- (b) shall, before offering any food for sale, ensure that any food which is unfit for human consumption is kept apart from any other food;
- (c) shall not in or about any forecourt or yard, place any food lower than eighteen inches from the ground unless it is adequately protected from risk of contamination;
- (d) shall ensure where reasonably necessary that open food while exposed for sale or during sale or delivery is kept covered or is otherwise effectively screened from possible sources of contamination;
- (e) shall not keep in any food room any animal feed unless it is in a container of such material and so closed as to prevent the risk of contaminating the food in the food room:

Provided that paragraph (b) shall not apply where food is intended to be sold by wholesale either by sample or description.

Personal Cleanliness.

8. A person who engages in the handling of food shall while so engaged–

- (a) keep as clean as may be reasonably practicable all parts of his person which are liable to come into contact with the food;

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- (b) keep as clean as may be reasonably practicable all parts of his clothing, overclothing or overalls which are liable to come into contact with the food;
- (c) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing;
- (d) refrain from spitting;
- (e) refrain from the use of tobacco or any other smoking mixture or snuff while he is handling any open food or is in any food room in which there is open food.

Persons handling open food to wear overclothing, etc.

9. A person who engages in the handling of open food, other than raw vegetables, intoxicating liquor or soft drinks, shall while so engaged wear sufficient clean and washable overclothing, and every person who carries meat which is open food and which is liable to come into contact with his neck or head shall, while so engaged, also wear a clean and washable neck and head covering:

Provided that this regulation shall not apply—

- (a) to waiters in catering businesses;
- (b) to any person so long as he is engaged only in the carrying of unskinned rabbits or hares or unplucked game or poultry.

Carriage and wrapping of food.

10. A person who engages in the handling of food shall not while so engaged—

- (a) carry any food in a container together with any article from which there is a risk of contamination of the food; or with any live animal or live poultry, without taking all such precautions as are reasonably practicable to avoid risk of contamination, and in particular (without prejudice to the generality of the foregoing), shall not allow any live animal or live poultry to come into contact with any food;
- (b) use for wrapping or containing any open food, any paper or other wrapping material or container which is not clean or which is liable to contaminate the food, and shall not allow any printed material, other than printed material designed exclusively for wrapping or containing food, to come into contact with any food other than uncooked vegetables or unskinned rabbits or hares or unplucked game or poultry.

Persons suffering from certain infections.

11.(1) Immediately a person engaged in the handling of food becomes aware that he is suffering from, or is a carrier of, typhoid, paratyphoid or any other salmonella infection or amoebic or bacillary dysentery or any staphylococcal infection likely to cause food poisoning, he shall inform the person carrying on the food business and that person shall immediately notify the Specialist in Community Medicine accordingly:

Provided that where the person required to give such information is himself the person carrying on the food business he shall give the information immediately to the Specialist in Community Medicine.

(2) A person shall not engage in the handling of food if he is or becomes aware that he is suffering from, or is the carrier of, typhoid, paratyphoid or any other salmonella infection, or amoebic or bacillary dysentery, or any staphylococcal infection likely to cause food poisoning.

(3) A person shall be deemed to be aware that he is suffering from, or is the carrier of, any of the diseases or infections specified in subregulation (1) if he could with ordinary care have ascertained the fact.

PART IV.
REQUIREMENTS RELATING TO FOOD PREMISES.

Soil drainage systems.

12.(1) No fresh air intake of any ventilation pipe included in the soil drainage system of food premises shall be situated in a food room.

(2) Every inlet into any such system situated in any such room shall be trapped.

Cisterns for supplying water to food rooms.

13. No cistern for the supply of water to a food room shall supply a sanitary convenience otherwise than through an efficient flushing cistern or some other flushing apparatus equally efficient and suitable for the prevention of contamination of water supplies.

Sanitary Conveniences

14.(1) Every sanitary convenience situated in, or regularly used in connection with, any food premises—

(a) shall be kept clean and in efficient order;

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- (b) shall be so placed that no offensive odours therefrom can penetrate into any food room.
- (2) Any room or other place which contains a sanitary convenience shall be suitably and sufficiently lighted and ventilated and shall be kept clean.
- (3) No room which contains a sanitary convenience shall be used as a food room.
- (4) No food room which communicates directly with a room or other place which contains a sanitary convenience shall be used—
 - (a) for the handling of open food; or
 - (b) for the cleaning of equipment for use in any food business in the course of which open food is handled.
- (5) There shall be fixed and maintained in a prominent and suitable position near every sanitary convenience provided or made regularly available for use by persons employed in the handling of food in or about food premises, a clearly legible notice, in English and Spanish, requiring users to wash their hands after using the convenience.

Water supply to be provided.

15.(1) Subject to the provisions of any certificate of exemption, a supply of water sufficient in quantity to enable these regulations to be complied with shall be provided at all food premises.

- (2) Any such supply of water shall—
 - (a) be clean and wholesome;
 - (b) be constant, if the provision of a constant supply is reasonably practicable.

Wash-hand basins to be provided.

16.(1) Subject to the provisions of any certificate of exemption, there shall be provided in all food premises suitable and sufficient wash-hand basins for the use of all persons engaged in the handling of food in or about those premises and such basins shall be placed in a position conveniently accessible to such persons.

(2) There shall be provided for every such wash-hand basin an adequate supply of hot and cold water, or of hot water at a suitably controlled temperature, or in the case of food premises where no open food is handled, of cold water.

(3) There shall be provided for use at every such wash-hand basin an adequate supply of soap or other suitable detergent, nail-brushes and clean towels or other suitable drying facilities.

(4) Every such wash-hand basin shall be properly connected to the drainage system and be kept clean and in good working condition.

(5) The washing facilities provided under this regulation shall not be used for any purpose other than for securing the personal cleanliness of the user.

First aid materials to be provided.

17. There shall be provided at all food premises a sufficient supply of suitable bandages, dressings (including waterproof dressings) and antiseptic for first aid treatment of persons engaged in the handling of food in or about those premises and such supply shall be kept in a place readily accessible to those persons.

Accommodation for clothing, etc.

18.(1) Subject to the provisions of any certificate of exemption, there shall be provided in all food premises where open food is handled suitable and sufficient accommodation for out-door and other clothing and footwear not being worn during working hours by persons engaged in the handling of food in or about those premises; and such clothing and footwear shall not be kept in any place on or about the premises other than in the accommodation so provided.

(2) Where such accommodation is situated in a food room it shall be in the form of lockers or cupboards.

Facilities for washing food and equipment.

19.(1) Subject to the provisions of any certificate of exemption, there shall be provided in all food premises where open food is handled sinks or other washing facilities, not being wash-hand basins available as mentioned in regulation 16(1), suitable and sufficient for any necessary washing of food and equipment used in the food business; and in this regulation reference to a sink shall include a reference to any other suitable washing facility.

(2) There shall be provided for every such sink an adequate supply of hot and cold water or of hot water at a suitably controlled temperature, or cold water only where the sink is used—

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- (a) only for washing fish, fruits or vegetables; or
 - (b) for washing with a suitable bactericidal agent only drinking vessels, or only ice cream formers or servers.
- (3) Every such sink shall be properly connected to the drainage system and be kept clean and in good working condition.

Lighting of food rooms.

20. Suitable and sufficient means of lighting shall be provided in every food room and every such room shall be suitably and sufficiently lighted.

Ventilation of food rooms.

21. Except in the case of a humidity-controlled or temperature-controlled chamber, suitable and sufficient means of ventilation shall be provided in every food room and suitable and sufficient ventilation shall be maintained there.

Food room not to be, or communicate with, sleeping place.

22.(1) No food room shall be used as a sleeping place.

(2) Subject to the provisions of any certificate of exemption, no food room which communicates directly with a sleeping place shall be used for the handling of open food.

Cleanliness and repair of food rooms.

23. The walls, floors, doors, windows, ceiling, woodwork and all other parts of the structure of every food room shall be kept clean and shall be kept in such good order, repair and condition as to—

- (a) enable them to be effectively cleaned; and
- (b) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice or insects.

Accumulation of refuse, etc.

24.(1) Subject to the provisions of any certificate of exemption, the layout of food premises shall be such as to provide adequate space, suitably sited, for the purpose of the removal of waste from food and the separation of unfit food in compliance with the requirements of regulation 7(b), and the storage of any such waste and unfit food prior to disposal.

(2) No refuse or filth, whether solid or liquid, shall be deposited or allowed to accumulate in a food room except so far as may be unavoidable for the proper carrying on of the trade or business.

Temperature at which certain foods are to be kept.

25.(1) The provisions of this regulation shall apply to all food consisting of meat, fish, gravy or imitation cream, or prepared from or containing any of those substances or any egg or milk, but shall not apply to—

- (a) bread, biscuits, cake or pastry by reason only of the use of egg or milk as an ingredient thereof introduced prior to baking;
- (b) chocolate or sugar confectionery;
- (c) ice-cream to which the provisions of any regulations with respect to heat treatment of ice-cream made under section 6 of the Act apply;
- (d) food canned, bottled or otherwise preserved in an effectively closed container of metal, glass or other impermeable material so long as the container remains effectively closed;
- (e) butter, margarine, lard, shortening, cooking fats or beef suet;
- (f) cheese, uncooked bacon, uncooked ham, dry pasta, dry pudding mixes, dry soup mixes or dry mixtures for the preparation of beverages; or
- (g) any unskinned rabbits or hares or unplucked game or poultry.

In this subregulation “egg” includes whole egg, yolk or albumen whether or not the egg, yolk or albumen is dried, frozen or otherwise preserved and “milk” includes separated or skimmed milk, dried milk, condensed milk and cream.

(2) Subject to the provisions of this regulation, when food to which this regulation applies is brought into any food premises, on or from which is carried on a catering business, it shall, if it is not already at a temperature of 145°F (62.7°C) or above on the one hand or below 50°F (10°C) on the other hand, be brought to one or other of those temperatures without any avoidable delay after arrival.

(3) Subject to the provisions of this regulation, food which has been cooked or partly cooked at any such food premises and food such as is mentioned in subregulation (2) shall either be kept at a temperature of not less than 145°F (62,7°C) until it is required for serving

for immediate consumption, or if the temperature is brought or allowed to fall below 145°F (62.7°C) be cooled to a temperature below 50°F (10°C) under hygienic conditions as quickly as is reasonably practicable, and thereafter kept below 50°F (10°C) until it is required for serving or is further cooked or is reheated for service.

- (4) This regulation shall not apply in relation to—
- (a) any food the temperature of which is below 145°F (62.7°C) or at 50°F (10°C) or above, so long as—
 - (i) that temperature is reached only during the carrying out of some step in preparation or in movement from one part of the food premises to another; and
 - (ii) on completion of that process it is restored as quickly as is reasonably practicable to a temperature of not less than 145°F (62.7°C) or below 50°F (10°C) as the case may be;
 - (b) any food which is exposed for sale or which, if the food is brought to any such premises as are mentioned in sub- regulation (2) within four hours before they are open for business, will be exposed for sale upon their being open for that purpose; or
 - (c) any food which is kept available for the replenishment as it is sold of food of a similar kind which is exposed for sale or will be exposed for sale as aforesaid if the keeping available of such a supply is in accordance with good practice in such premises as aforesaid and the quantity so kept available is not greater than is reasonably necessary.

**PART V.
SHIPS.**

Application.

26. The provisions of these regulations shall apply in relation to ships, and to food businesses carried on in ships, as they apply in relation to food premises and to food businesses carried on therein, subject to the modifications and further provisions specified in regulation 117.

Modification in relation to ships.

27.(1) For the purposes of the definition of “food room” as contained in regulation 2(1), reference to any room shall be construed as references to any room or space.

(2) The reference in regulation 51(4) to a person carrying on a food business shall be construed as reference to the owner of a ship.

(3) The owner of a ship is guilty of an offence as respects the food business carried on there if any provision of these regulations is contravened.

PART VI.

REQUIREMENTS RELATING TO STALLS AND VEHICLES.

General requirements as to stalls and vehicles.

28.(1) Every stall at or from which there is carried on any food business and every vehicle used in the course of a food business for the transport of food shall be kept clean and in such good order, repair and condition as to enable it to be effectively cleaned.

(2) No stall or delivery vehicle when not in use shall be stored with any food except under arrangements where the food can be kept clean and free from contamination, and no stall (whether or not wholly or partially dismantled) or delivery vehicle shall be stored in any place liable to render it insanitary or incapable of being properly cleaned.

Supply of water to stalls.

29. Subject to the provisions of any certificate of exemption there shall be provided and maintained for use in connection with every stall from which a food business is carried on a supply of clean and wholesome water sufficient in quantity to enable the provisions of these regulations to be complied with.

Wash-hand basins to be provided in stalls.

30.(1) Subject to the provisions of any certificate of exemption there shall be provided at every stall from which a food business is carried on—

- (a) suitable and sufficient wash-hand basins for the use of all persons engaged in the handling of food on or about the stall, and such basins shall be maintained in a position conveniently accessible to those persons;
- (b) an adequate supply of hot and cold water for every such wash-hand basin, or of hot water at a suitably controlled temperature, or in the case of a stall where no open food is handled, of cold water;
- (c) at every such wash-hand basin an adequate supply of soap or other suitable detergent, nail-brushes and clean towels or other suitable drying facilities.

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(2) Every such wash-hand basin shall be kept clean and in good working condition.

(3) The washing facilities provided under this regulation shall not be used for any purpose other than for securing the personal cleanliness of the user.

Facilities for washing, space and equipment.

31.(1) Subject to the provisions of any certificate of exemption—

- (a) there shall be provided in all stalls where open food is handled sinks or such other washing facilities not being wash-hand basins available as mentioned in regulation 30(1) suitable and sufficient for any necessary washing of food and equipment, and in this regulation reference to a sink shall include a reference to any other suitable washing facility;
- (b) there shall be provided for every such sink an adequate supply of hot and cold water or of hot water at a suitably controlled temperature, or cold water only where the sink is used—
 - (i) only for the washing of fish, fruits and vegetables; or
 - (ii) for washing with a suitable bactericidal agent only drinking vessels, or ice cream formers or servers;
- (c) every such sink shall be kept clean and in good working condition; and
- (d) there shall be provided at every stall suitable and sufficient space for the separation of unsound food pursuant to regulation 7(b) and the disposal of waste:

Provided that nothing in this regulation shall require the provision of sinks for lashing soft ice cream freezers if—

- (i) such facilities are available at any premises from which the stall operates; and
- (ii) these freezers are not dismantled while in the stall, except for the purposes of cleaning at any such premises.

(2) No such stall or vehicle shall be used as a sleeping place.

Application of regulation 17, 20 and 24(2).

32. The provisions of regulations 17, 20 and 24(2) shall apply to stalls and vehicles under this Part as they apply to food premises)

Covering of stalls.

33. Every stall at or from which open food other than raw vegetables is sold or exposed for sale for human consumption shall, if not in an enclosed and covered area, be suitably covered and screened at the sides and back thereon' in such a manner as to prevent any mud, dust, dirt, filth or other contaminating substance from being deposited upon any open food thereon:

Provided that this regulation shall not apply to any stall which is so designed, constructed and operated that all food therein is completely enclosed until it is taken from its enclosure to be sold or cooked for immediate consumption.

Receptacles for waste.

34.(1) Every stall from which a food business is carried on shall be provided with a sufficient number of adequate and suitably covered receptacles for waste trimmings, refuse and rubbish.

(2) Every person engaged in the handling of food at or from any such stall shall place all waste trimmings, refuse and rubbish in the receptacles provided therefor.

(3) Such receptacles shall be sited in accordance with any reasonable directions given by an authorized officer of the Government.

Exemptions.

35. Regulations 29, 30, 31, 32 and 33 shall not apply to any stall at which is carried on-

- (a) a food business consisting wholly of the sale of seeds, roast chestnuts or hot potatoes; or
- (b) a food business consisting wholly of the sale of food which is not open food.

PART VII.

REQUIREMENTS RELATING TO THE TRANSPORT AND CARRYING OF MEAT.

Transport of meat.

36.(1) Subject to the provisions of this regulation, the following provisions shall apply as respects all vehicles (other than vehicles used for the transport of meat consisting solely of unskinned rabbits or hares or unplucked game or poultry) used in the course of a food business for the transport of meat, being meat which is open food, that is to say-

- (a) except in the case of a closed vehicle, the vehicle shall be covered by canvas or other washable material so arranged as to enclose completely that part of the vehicle in which meat is placed and so far as is reasonably practicable the cover shall not be allowed to come into contact with the meat;
- (b) the floor shall be impervious or fitted with movable duckboards used in such a manner as to prevent the meat or its wrappings from touching the floor of the vehicle;
- (c) any receptacle or duckboard in or on which the meat is placed and such parts of any slings, implements or other equipment used for the loading or unloading of meat as may come into contact with the meat or its wrappings shall be kept clean and kept in such good order, repair and condition as to enable them to be thoroughly cleaned;
- (d) except as provided in subregulation (2), every such vehicle shall be provided with a sufficient number of suitable covered receptacles to contain separately all offal (other than skinned heads, scalded heads and offal that has not been detached from the carcass) transported in the vehicle, which receptacles shall be constructed of impervious materials, kept clean and kept in such good order, repair and condition as to enable them to be thoroughly cleaned; and
- (e) except as provided in subregulation (2), no offal (other than skinned heads, scalded heads and offal that has not been detached from the carcass) shall be transported in any such vehicle except in the separate receptacles provided therefor:

Provided that paragraphs (a) and (b) shall not apply in relation to the transport of meat on isolated occasions in the course of the business of a carrier if the meat is adequately protected by suitable material from the risk of contamination.

(2) Nothing in this regulation shall require such separate receptacles to be provided or used for the transport of—

- (a) packaged or wrapped frozen offal so long as such offal remains frozen hard;
- (b) giblets of game or poultry which are carried in or attached to the carcass, from which they have been removed;
- (c) uncleaned tripe, uncleaned stomachs, uncleaned intestines or uncleaned feet in a vehicle in which no meat other than offal of these descriptions is carried; or

- (d) unskinned or unscalded heads in a vehicle in which no meat other than offal of these descriptions or uncleaned feet is being carried.

PART VIII.

REQUIREMENTS RELATING TO DOCKS, CARRIERS, ETC.

Interpretation and application.

37.(1) In this Part—

“dock” includes any harbour, mooring, wharf, pier, jetty or other works in or at which food can be shipped or unshipped and any warehouse, transit shed or other premises used in connection therewith for the temporary storage or loading for dispatch of food which is unshipped or to be shipped;

“food building” means any building or part of a building (being part of premises to which this Part applies) in which any person engages in the handling of food or in the cleaning of equipment used in the handling of food; .

“port employer” means any person employing labour who undertakes to discharge, move, store or dispatch food arriving at any dock;

“premises” means a building or part of a building and any forecourt, yard or place of storage used in connection with the building and includes any loading bay, platform or other works in or at which food can be loaded or unloaded.

(2) This Part shall apply to the premises and places listed below, except so far as the handling of food there may be involved in the course of a retail business or in the course of supplying food for immediate consumption—

- (a) any dock, public warehouse or public cold store;
- (b) any premises or place occupied by a carrier of goods for the purposes of his trade or business as such a carrier except in so far as the handling of food at any such premises is regulated by the provisions of Part VII; and
- (c) any premises used for the storage of food which are not subject to the other Parts of these regulations, that is to say, any premises which—
 - (i) are used exclusively for the storage of food manufactured and packed by the occupier thereof; and

- (ii) are situated outside the curtilage of the premises used for the manufacture or packing of that food; and
- (iii) are not used for the storage of food other than that contained in containers of such materials and so closed as to exclude the risk of contamination.

Condition of accommodation for handling food.

38. Before permitting the use of accommodation for the discharge, movement, storage or dispatch of any food at any premises or place to which this Part applies, the person having control or management of the premises or place or responsible for allotting the accommodation shall, so far as is reasonably practicable, take account of the nature of the food which is to be discharged, moved, stored or dispatched and of the manner in which it is packed and shall not permit the use of accommodation which is in such a state as to expose the food to the risk of contamination.

Cleanliness of vessels, vehicles, equipment, etc.

39. A person who provides any lighter, barge or other vessel intended for the movement of food or who provides any container or equipment with which it is liable to come into contact shall ensure that the interior of such vessel or vehicle and any surface with which food is liable to come into contact are kept in such a state of cleanliness and in such good repair, order and condition as to prevent, as far as is reasonably practicable, any risk of contamination of the food.

Food to be protected from risk of contamination.

40. The port employer or other person employing staff engaged in the handling of food at any premises or place to which this Part applies shall take all such steps as may be reasonably necessary to protect from the risk of contamination any food which is being handled and in particular (without prejudice to the generality of the foregoing)–

- (a) shall keep that part of the premises or place in which the food is being handled and any lighter, barge, vehicle or equipment with which food is liable to come into contact in such condition as to avoid risk of contamination;
- (b) shall ensure that any ice, any container and the surface of any packing material provided by him which are liable to come into contact with the food are clean; and
- (c) shall take all steps as may be reasonably necessary to secure that any person employed by him or under his control shall so place the food as to avoid any risk of contamination.

Circumstances affecting risk of contamination.

41. In determining for the purposes of regulations 38, 39 and 40 whether any matter involves a risk of contamination of any food, regard shall be had to the manner in which the food is packed, the time during which it is to remain in any place, and the extent to which contamination in the respect in question is immaterial because of the nature of the food or any process to which the food is to be subjected.

Personal cleanliness.

42. A person who engages in the handling of food which is not so packed, or the packing of which is not in such a state, as to prevent any part of the food coming into contact with any surface which the package may touch, shall while so engaged handle it in such away as to prevent, so far as may be reasonably practicable, any contamination, and in particular (without prejudice to the generality of the foregoing) shall comply with the requirements of regulation 8.

Handling of meat.

43. A person engaged at, in or upon any dock, public warehouse or public cold store in the carrying of meat which is not so packed as to protect it from contact with the person or clothing of the handler shall take all such precautions as are reasonably practicable to prevent the meat coming into contact with any exposed part of his person other than his hands and forearms or with any clothing other than protective clothing or a washable head covering.

Persons suffering from certain infections.

44.(1) Subject to the provisions of this regulation, as soon as any person who in the course of his employment engages in the handling of food to which this regulation applies becomes aware that he is suffering from, or is a carrier of, typhoid, paratyphoid or any other salmonella infection or amoebic or bacillary dysentery, or any other staphylococcal infection likely to cause food poisoning, he shall forthwith give notice of the fact to the person by whom he is employed and the said person shall, immediately after receipt of the notice, notify the Director accordingly.

(2) A person shall not engage in the handling of food if he is or becomes aware that he is suffering from, or is the carrier of, typhoid, paratyphoid or any other salmonella infection, or amoebic or bacillary dysentery, or any staphylococcal infection likely to cause food poisoning.

(3) A person shall be deemed to be aware that he is suffering from or is a carrier of any of the diseases or infections specified in subregulation (1) if he could with ordinary care have ascertained the fact.

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(4) The food to which this regulation applies is food which is not so packed, or the packing of which is not in such a state, as to prevent any part of the food from coming into contact with any surface which the package may touch.

Responsibility of occupiers and owners.

45. A person who is occupying for the purpose of the discharge, movement, storage or dispatch of food the whole or part of any premises or place to which this Part applies shall comply with the requirements of regulations 43 to 47 so far as they relate to the premises or place or the part thereof occupied by him:

Provided that the owner of the premises or place who either lets them or any part of them for use for any such purpose or permits them or any part of them to be so used after notice from the Director shall comply with such of those requirements as are of a structural character.

Requirements as to buildings.

46. The provisions of regulations 12, 13, 14, 15, 16, 17, 20, 21, 22 and 24(2) shall apply to any food building as they apply to food, rooms or food premises.

Cleanliness and repair, etc. of food buildings.

47.(1) The structure of every food building shall be maintained in such good order, repair and condition as to—

- (a) prevent it from becoming insanitary; and
- (b) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice or insects.

(2) The internal surfaces of every room used for food storage or food handling in a public cold store and, in every other food building, those parts of the internal surfaces on which, against which, or in proximity to which food is deposited shall be kept clean.

PART IX.

Revoked

48-50. *Revoked.*

PART X.

ADMINISTRATIVE PROVISIONS AND PENALTIES.

Exemption of premises from certain requirements.

51.(1) While there is in force in relation to any food premises a certificate to the effect that compliance with any of the provisions of the regulations specified in subregulation (5) cannot reasonably be required with respect to those premises or any activities carried on therein, those premises shall be exempt from the provisions mentioned in the certificate.

(2) Such a certificate shall not be granted with respect to any food premises unless the Chief Environmental Officer is satisfied that by reason of restricted accommodation or other special circumstances affecting the premises it is reasonable that such a certificate should be in force with respect thereto.

(3) A certificate may be withdrawn if at any time the Chief Environmental Officer ceases to be satisfied as aforesaid.

(4) If any person carrying on a food business is aggrieved by the refusal or withdrawal of such a certificate he may appeal to the magistrates' court and that court may make such order concerning the certificate as appears to the court, having regard to the matters with respect to which the Chief Environmental Officer is required to be satisfied as aforesaid, to be just and equitable.

(5) The provisions of those regulations referred to in sub- regulation (1) are regulations 15, 18 and 24 in respect of all food premises other than stalls and regulations 16 and 19 in so far as they relate to food premises other than stalls already in business on the date of coming into operation of these regulations. The provisions of those regulations referred to in subregulation (1) in relation to stalls are regulations 29, 30 and 31.

(6) Section 56 of the Act (which relates to the right to carry on business while an appeal is pending) shall have effect for the purposes of these regulations as if the references therein to refusing or revoking a licence included a reference to refusing or withdrawing a certificate granted for the purpose of these regulations.

Offences.

52.(1) A person engaged in the handling of food is guilty of an offence against these regulations if he fails to comply with any provision of these regulations which imposes obligations on a person so engaged.

(2) A person carrying on a food business, is guilty of an offence against these regulations if—

- (a) as respects that food business any provision of these regulations (other than the requirements imposed by regulations 8 and 11 on persons engaged in the handling of food) is contravened; or

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- (b) he fails to take all reasonable steps to secure the compliance by any person employed by him or under his control with the provisions of regulations 8 and 11.
- (3) A person for the time being having the control or management of persons engaged in the handling of food, not being himself a person carrying on a food business, is guilty of an offence against these regulations if he fails to take all reasonable steps to secure the compliance by any person under his control or management with any provision of these regulations which imposes obligations on a person engaged in the handling of food.
- (4) Section 50 (which relates to a contravention due to some person other than the person charged), section 51 (which relates to conditions under which a warranty may be pleaded as a defence) and section 52 (which relates to offences in relation to warranties and certificates of analysis) of the Act shall apply for the purposes of these regulations as if references therein to proceedings taken or brought under the Act shall include references to proceedings taken or brought for an offence under these regulations.

Penalties.

53. A person who contravenes the provisions of these Regulations is guilty of an offence and is liable—

- (a) on summary conviction, to a fine not exceeding £1,000; and
- (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or both.

54. *Omitted.*

SCHEDULE.

Regulation 2(1)

MEAT PRODUCTS.

1. Meat packed in hermetically sealed glass or metal containers.
2. Sausages, salami or other uncooked sausages of a similar kind or such cured meats as are commonly consumed without heat treatment or further processing.
3. Fully cooked meat, dried meat, fully cooked meat pies and puddings and fully cooked sausages.
4. Meat pastes, meat powders, meat essences, meat extracts and dried blood products.
5. Intestines and other parts prepared in the form of sausage casings.
6. Rendered animal fats except in margarine.