Reprint
as at 1 July 2013

Food Hygiene Regulations 1974

(SR 1974/169)

Denis Blundell, Governor-General

Order in Council

At the Government House at Wellington this 1st day of July 1974

Present:
His Excellency the Governor-General in Council

Pursuant to the Health Act 1956 and the Food and Drug Act 1969, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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Note
Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Health.

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Regulations

1 Title and commencement

(1) These regulations may be cited as the Food Hygiene Regulations 1974.

(2) These regulations shall come into force on 1 January 1975.

2 Interpretation

(1) In these regulations, unless the context otherwise requires,—

bakers' smallgoods includes meat pies, meat pasties, meat savouries, and similar food containing meat

certificate of registration means a certificate of registration issued under the Health (Registration of Premises) Regulations 1966 (SR 1966/73) by a local authority

delicatessen means any premises used for the retail sale of cooked meat, cooked pastry containing meat, meat pies, meat pasties, meat savouries, cooked poultry, cooked fish, smoked fish, fish pasties, fish savouries, or similar cooked food, but does not include any butcher's shop where the only kinds of cooked meat sold are luncheon sausage, saveloys, and similar cooked sausages enclosed in skins or casings

designated officer, in a provision of these regulations,—

(a) means a person who is—
  (i) an officer within the meaning of the Food Act 1981; and
  (ii) for the time being designated by the Director-General for the purposes of that provision, any provision or provisions of which it forms part, or these regulations; and

(b) includes the Director within the meaning of the Food Act 1981

Director-General means the chief executive of the department of State that, with the authority of the Prime Minister, is responsible for the administration of the Food Act 1981

food premises means—

(a) any premises—
  (i) on or at which food is manufactured, prepared, packed, stored, or handled, for sale; or
  (ii) on or from which food is sold; or
  (iii) that is used in connection with any other food premises, for the purposes of their work, by persons who work on those other food premises:

(b) any stall

frozen confection means a frozen product prepared from sugars or honey and other foods, but does not include ice cream

inspector means a person who is—

(a) a designated officer; or

(b) the environmental health officer of a territorial authority within the meaning of the Local Government Act 1974

liquor has the same meaning as it has in section 2 of the Sale of Liquor Act 1989

milk includes any liquid form of milk from a milking animal, but does not include—

(a) sealed packages of ultra-heat-treated milk; or

(b) milk sold in tins that are hermetically sealed

occasional food premises means food premises that are used only for—

(a) the sale of fruit, eggs, poultry, and vegetables, that are produced either on the land on which those premises stand or on land adjacent to the land on which those premises stand; or

(b) for the preparation or handling of food for sale, or for the sale of food, on special occasions

occupier means—

(a) in relation to registered premises, the person whose name appears in the record of registration kept by the local authority pursuant to regulation 8 of the Health (Registration of Premises) Regulations 1966 as the holder of the certificate of registration issued in respect of those premises:

(b) in relation to food premises (other than a movable stall, or a part of a ship or aircraft) that are not registered premises within the meaning of these regulations, but are registered or licensed under any other enactment, the person in whose name the premises are so registered or licensed:

(c) in relation to any movable stall that is not for the time being situated within other food premises, the person in charge of the stall:

(d) in relation to any part of a ship or aircraft, the captain of the ship or aircraft:

(e) in relation to food premises of the Crown, to which none of paragraphs (a) to (d) apply, the manager or other person in charge of those premises:

(f) in relation to any other food premises, the person legally in occupation of those premises

on, in relation to any premises, includes in those premises

partially exempted premises means food premises that are part of—

(a) a hospital, boardinghouse, residential home, or educational or charitable institution, in which food is sold only to persons who live, study, or work in, or attend that establishment, or to visitors of any of those persons; or

(b) a hospital or charitable institution from which food is sold otherwise than for profit to persons who are not living, studying, or working in, or attending that establishment; or

(c) a ship, aircraft, or railway train

perishable food means food that is of such a type or is in such a condition that it may spoil

premises—

(a) where it appears in Part 1 and in regulation 83, and in Schedule 1, has the same meaning as it has in the Health Act 1956; and

(b) where it appears in any other provision in these regulations, means any room or place, or any part of a ship, aircraft, or train

readily perishable food means food for sale that consists wholly or partly of milk, milk products, eggs, meat, poultry, fish, or shellfish, or ingredients that are capable of supporting the progressive growth of microbiological organisms that can cause food poisoning or other food-borne illness

registered premises means premises (within the meaning of Part 1) that are registered under the Health (Registration of Premises) Regulations 1966 pursuant to regulation 4

sealed containers includes all forms of containers that are hermetically sealed, sealed jars with anchor and crown type closures, milk bottles sealed with aluminium caps, glass jars and bottles with screw caps, and cans and similar containers with or without hermetic seals

single service article means any appliance, container, implement, utensil, or wrapper, that is intended for use only once in the preparation, storage, display, consumption, or sale of food

stall includes any movable stand, mobile shop, road vehicle, fishing vessel, or similar structure, vehicle, or vessel, on or at or from which food is sold

wine has the same meaning as it has in section 2 of the Sale of Liquor Act 1962

worker means, in relation to food premises,—

(a) any person who is working on those premises:

(b) the occupier of those premises:

(c) any person who is managing those premises.

(2) In these regulations, unless the context otherwise requires, expressions used have the same meanings as they have in the Health Act 1956 or the Food and Drug Act 1969.

(3) Where a room or place is used in the course of trade or business for more than 1 purpose, or is used as an auction mart, and the only part of that room or place used for the manufacture, preparation, packing, storage, or handling of food—

(a) has been set aside exclusively for that purpose; and

(b) is located in a position approved for that purpose by an inspector; and

(c) is separated from the other parts of the room or place in a manner approved by an inspector—

only that part of the room or place shall be deemed for the purposes of these regulations to be food premises.

(4) No 2 or more rooms or places shall be deemed to be separate food premises for the purposes of these regulations by reason only of the fact that any operation of manufacturing, preparing, packing, storing, handling, or selling food is carried out in one room or place while any other of those operations is or are carried out in another room or place or other rooms or places.

(5) For the purposes of these regulations, and without limiting the meaning of the expression for sale, food shall be deemed to be **for sale** if, having been ordered, purchased, or sold, it is held for delivery to the purchaser or is in the process of delivery to the purchaser by the vendor or by any employee or agent of the vendor.

Regulation 2(1) **designated officer**: inserted, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 2(1) **Director-General**: inserted, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 2(1) **frozen confection**: inserted, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 2(1) **inspector**: replaced, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation (1) **liquor**: amended, on 1 April 1990, pursuant to section 230(2) of the Sale of Liquor Act 1989 (1989 No 63).

Regulation 2(1) **milk**: replaced, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 2(1) **readily perishable food**: amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

2A Exemption from compliance with regulations

None of the provisions of these regulations, other than regulations 82, 85, and 86, applies to—

(a) premises that are registered under the Dairy Industry Regulations 1990 (SR 1990/290):

(b) premises that are licensed under the Meat Act 1981:

(ba) operations that are carried out under a risk management programme registered under Part 2 of the Animal Products Act 1999:

(bb) operations that are covered by a regulated control scheme under the Animal Products Act 1999, unless the regulated control scheme specifically states that such operations are not to be treated as exempt from the Food Act regime:

(c) any fishing vessel or premises in respect of which an exemption from licensing is in force under regulation 21(1) of the Fish Export Processing Regulations 1995 (SR 1995/54).

Regulation 2A: inserted, on 1 July 1997, by regulation 2 of the Food Hygiene Amendment Regulations 1997 (SR 1997/101).

Regulation 2A(ba): inserted, on 1 November 1999, by section 8(2) of the Animal Products (Ancillary and Transitional Provisions) Act 1999 (1999 No 94).

Regulation 2A(bb): inserted, on 1 November 1999, by section 8(2) of the Animal Products (Ancillary and Transitional Provisions) Act 1999 (1999 No 94).

3 Relationship between Parts

Parts 4 to 17 shall be read in addition to Parts 1 to 3, but in the event of any conflict appearing between any provision of

Parts 1 to 3 and any provision of Parts 4 to 17, the latter provision shall prevail.

Part 1
Registration of premises

4 Premises to be registered

(1) No person shall use any premises for the manufacture, preparation, packing, or storage of any food for sale, unless the premises are registered under the Health (Registration of Premises) Regulations 1966 by a local authority and he is the holder of the certificate of registration.

(2) No person shall use any premises—
- (a) for the retail sale of cakes, sandwiches, or bakers' smallgoods; or
- (b) as a delicatessen; or
- (c) as an eatinghouse; or
- (d) for the retail sale of meat or fish; or
- (e) for the retail sale of fruit or vegetables; or
- (f) as a grocery; or
- (g) for the retail sale of ice cream or frozen confections; or
- (h) for the retail sale of milk; or
- (i) for the operation of a food vending machine; or
- (j) as an auction mart where food is handled for sale—

unless the premises are registered under the Health (Registration of Premises) Regulations 1966 by a local authority and he is the holder of the certificate of registration.

(3) In subclause (1), the term **packing** does not include—
- (a) the wrapping of foods that are weighed, counted, or measured in the presence of the purchaser; or
- (b) the packing on retail premises of dry foods in unsealed packages for sale on those premises; or
- (c) the sorting, grading, or pre-packing of fruit or produce on orchards, farms, market gardens, or produce stores, for sale by wholesale.

(3A) In subclause (1), the terms **manufacture** and **preparation** do not include the preprocessing of fruit or vegetables by stripping from stalks, sorting, or washing.

(3B) In subclause (1), the term **storage** does not include keeping for retail sale on or from the premises in which the food is kept.

(4) Subclauses (1) and (2) shall not apply to—

(a) the use of any premises by the Crown, or by a local authority within its own district; or

(b) any partially exempted premises; or

(c) any occasional food premises; or

(d) any eatinghouse that is not open to the public and is not used for any other purpose specified in subclause (1) or subclause (2); or

(e) any registered apiary within the meaning of subsection (1) of section 2 of the Apiaries Act 1969 in which no food is prepared or packed; or

(f) *[Revoked]*

(g) any licensed premises within the meaning of section 2 of the Sale of Liquor Act 1989 (not being a restaurant within the meaning of that subsection); or

(ga) any premises in respect of which there is in force a licence under the Wine Makers Act 1981:

(h) *[Revoked]*

(i) any premises that are controlled by a licensing trust constituted under the Sale of Liquor Act 1989; or

(j) any warehouse or wharf within the meaning of subsection (1) of section 2 of the Harbours Act 1950; or

(k) any warehouse that is part of an aerodrome within the meaning of section 2 of the Civil Aviation Act 1990; or

(l) any premises that, being a warehouse or store room, are food premises by reason only of the fact that they are used for the storage, and the handling in the course of storage, of food packed in containers; or

(m) any premises that are situated within the boundary of any airport named in Schedule 1 of the Health (Quarantine) Regulations 1983 (SR 1983/52); or

(n) any premises in which food is only supplied or sold—

(i) together with accommodation; or

(ii) incidentally to the rendering of any service in consideration of an inclusive charge for the food and the service.

(5) On issuing a certificate of registration or noting any change in the occupation of any premises a local authority shall, if requested to do so by the applicant, deliver to him a copy of these regulations.

(6) Notwithstanding subclause (5), a local authority may decline to deliver a copy of these regulations to any person unless he first pays to the local authority such reasonable charge as it may specify for the copy.

Regulation 4(3A): inserted, on 21 October 1976, by regulation 2(1) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 4(3B): inserted, on 21 October 1976, by regulation 2(1) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 4(4)(e): amended, on 1 April 1979, by regulation 2(2) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 4(4)(f): revoked, on 1 July 1997, by regulation 3 of the Food Hygiene Amendment Regulations 1997 (SR 1997/101).

Regulation 4(4)(g): amended, on 1 April 1990, pursuant to section 230(2) of the Sale of Liquor Act 1989 (1989 No 63).

Regulation 4(4)(ga): inserted, on 1 April 1982, by regulation 19 of the Wine Makers Regulations 1982 (SR 1982/63).

Regulation 4(4)(h): revoked, on 1 July 1997, by regulation 3 of the Food Hygiene Amendment Regulations 1997 (SR 1997/101).

Regulation 4(4)(i): amended, on 1 April 1990, pursuant to section 230(2) of the Sale of Liquor Act 1989 (1989 No 63).

Regulation 4(4)(k): amended, on 1 September 1990, pursuant to section 101(1) of the Civil Aviation Act 1990 (1990 No 98).

Regulation 4(4)(m): amended, on 1 April 1983, pursuant to regulation 28 of the Health (Quarantine) Regulations 1983 (SR 1983/52).

5 Conditions for registration

(1) Subject to the succeeding provisions of this regulation, no local authority shall register or renew the registration of any premises that do not comply with all the requirements of Schedule 1.

(2) Subclause (1) shall not apply in respect of—

(a) premises that are required to be registered by reason only of the fact that they are used for the operation of a food vending machine:

(b) any part of any premises used only for the preprocessing of fruit or vegetables by stripping from stalks, sorting,

or washing prior to canning, bottling, freezing, or dehydrating the fruit or vegetables on those premises.

(3) Where food is consumed in any part of an eatinghouse by customers of the eatinghouse nothing in clauses 2 to 5 of Schedule 1 shall apply in respect of that part of the eatinghouse.

(4) In respect of—

(a) any part of any premises in which food in sealed containers or prepacked food is kept or displayed for sale and in which no food is manufactured, prepared, or packed:

(b) any part of any premises used for the purpose of storing packaging materials in containers or outer wrappers, and in which no food is manufactured, prepared, or packed:

(c) any changing room required to be provided under clause 8 of Schedule 1:

(d) any part of any premises (not being a part to which any of paragraphs (a) to (c) applies) in which no food is manufactured, prepared, packed, stored, or sold, and no utensils are washed, and which is not part of a room in which food is manufactured, prepared, packed, stored, or sold, or any utensils are washed,—

Schedule 1 shall apply as if—

(i) for paragraph (a) of clause 2 there were replaced the following paragraph:

"(a) the floors shall be constructed of impervious and easily cleaned material that is resistant to wear and corrosion, or of wood with the boards laid on a firm foundation and tightly cramped together; and":

(ii) clauses 3 and 4, and (in the case only of any part of any premises to which paragraph (d) applies) clauses 5 and 6, were omitted.

(5) Nothing in subclauses 2 to 4 of Schedule 1 shall apply to any part of any premises in which, in the opinion of a designated officer, food is manufactured or prepared in a system or plant that is adequately sealed or closed, or in which the food is adequately protected to avoid contamination, if no food is other-

wise manufactured or prepared in that part, and no other food is packed therein.

(6) Nothing in clause 2 of Schedule 1 shall prevent the carpeting of any area of any retail premises that is regularly used by customers.

(7) No local authority shall, without the prior approval of a designated officer, register or renew the registration of any premises in which food is manufactured, prepared, packed, or stored, unless—

(a) food is manufactured, prepared, packed, or stored in those premises only for the purposes of retail sale on those premises; or

(b) the premises are an auction mart.

Regulation 5: replaced, on 21 October 1976, by regulation 3 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 5(5): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 5(7): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

6 Transitional provisions

(1) Subclauses (1) and (2) of regulation 4 shall not apply before 1 January 1976 in respect of any premises that, if these regulations had not been made, would not before 1 January 1976 be required to be registered under the Health (Eatinghouse) Regulations 1948 (SR 1948/185) or the Food Hygiene Regulations 1952 (SR 1952/74).

(2) Subclause (1) of regulation 5 shall not apply before 1 January 1976 in respect of any premises that immediately before 1 January 1975 are being lawfully used as food premises; but instead, the Food Hygiene Regulations 1952 shall continue to apply to such premises, notwithstanding regulation 87, until 1 January 1976 to the same extent as they applied to such premises immediately before 1 January 1975.

(3) Where a local authority is satisfied that undue hardship would be caused by the application of subclause (1) of regulation 5 on or after 1 January 1976 in respect of any premises in its district, it may grant to the occupier of the premises a certificate of

exemption from such of the requirements of Schedule 1 as the local authority specifies in the certificate.

(4) *[Revoked]*

(5) Subject to subclause (10), the local authority may from time to time, by endorsement on a certificate of exemption, extend the period for which it shall have effect.

(6) On granting a certificate of exemption, or on extending the period of effect of a certificate of exemption, the local authority may by endorsement on the certificate impose a condition that the premises in respect of which the certificate is granted shall, within such period (if any) as the local authority specifies in the certificate, instead of complying with any requirements of Schedule 1, comply with any similar requirements of a modified and less onerous nature specified in the certificate by the local authority.

(7) On granting a certificate of exemption, or extending the period of effect of a certificate of exemption, the local authority shall forthwith inform a designated officer in writing of the grant or extension and of the grounds on which it is satisfied that undue hardship would be caused.

(8) While any certificate of exemption remains in effect in respect of any premises, it shall have effect according to its tenor so that subclause (1) of regulation 5 shall only apply in respect of those premises to the extent (if any) to which the premises have not been exempted from the requirements of Schedule 1.

(9) Where any certificate of exemption in respect of any premises contains a condition imposed under subclause (6), requiring that the premises shall comply with any requirement specified in it, that requirement shall for the purposes of subclause (1) of regulation 5 and of subclause (8) of this regulation be deemed to be a requirement of Schedule 1.

(10) A certificate of exemption shall cease to have effect in respect of any premises, notwithstanding that the period or extended period of effect specified in it has not expired,—

(a) when the occupier in his lifetime terminates his occupancy of the premises; or

(b) on the expiration of a period of 6 months after the date of his death.

(11) Notwithstanding any other provision in this regulation, the local authority may grant a certificate of exemption in respect of any premises after any other certificate of exemption has ceased to have effect in respect of those premises.

Regulation 6(4): revoked, on 1 January 1984, by regulation 2(3)(a) of the Food Hygiene Regulations 1974, Amendment No 4 (SR 1983/290).

Regulation 6(7): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Part 2
Conduct and maintenance of food premises

7 Notices to be displayed in registered premises

Every occupier of registered premises shall at all times—

(a) cause the certificate of registration of the premises to be conspicuously displayed in a public part of the premises; and

(b) cause a notice to be conspicuously displayed in every toilet, and near every changing room and every other changing facilities, calling on workers to wash their hands thoroughly—

(i) before commencing and recommencing work; and

(ii) before handling food, on every occasion after using the toilet; and

(c) cause a notice printed in plain capital letters, drawing the attention of workers on the premises to the requirements of subclause (6) of regulation 19, to be conspicuously displayed in a part of the premises where it is most likely to be seen by the workers; and

(d) cause a notice printed in plain capital letters of not less than 25 millimetres in face measurement, in the following or similar words, namely "DOGS ARE NOT PERMITTED ON THESE PREMISES", to be conspicuously displayed in a public part of the premises; and

(e) cause any other notices that are required by these regulations to be displayed in respect of the premises to be displayed in accordance with these regulations.

Regulation 7(d): amended, on 21 October 1976, by regulation 4 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

8 First aid facilities in registered premises

(1) Every occupier of registered premises in which the First Aid (Factories) Regulations 1966 (SR 1966/39) do not apply shall at all times provide on the premises a sufficient quantity of first aid appliances and requisites, including a sufficient number of waterproof wound dressings, having regard to the nature of the premises and the number of persons working there.

(2) The first aid appliances and requisites shall be kept in a clean condition in a readily available dust-proof box or cabinet that is made of smooth, impervious, and easily cleaned material or, alternatively, that is painted with a gloss paint externally and internally.

(3) The box or cabinet shall have a lid or door that is conspicuously marked on the outside with the words "First Aid".

9 General cleanliness of food premises

No person shall use any premises as food premises except in accordance with the following requirements:

(a) the whole of the premises shall be maintained in a good, clean, and tidy condition, and free from any accumulation of boxes, tins, rubbish, or other material that—
  (i) may harbour vermin or insects; or
  (ii) is or may become offensive; and

(b) the drainage system shall be maintained in good working order, condition, and repair; and

(c) any structural alterations, repairs, renovations, plumbing, or drainage work that may be undertaken or required shall be carried out without unnecessary delay; and

(d) there shall be provided and available at all times an adequate supply of soap, detergents, or similar cleaning agents, and brushes, brooms, suction apparatus, or other suitable equipment, sufficient to enable regular and proper cleaning of the premises and of the equipment, utensils, and containers used in the premises; and

(e) adequate provision shall be made for separate storage space where tools, cleaning materials, equipment, appliances, and any other articles or materials that are not required for immediate use may be stored.

10 Restrictions on use of rooms and stalls as food rooms

(1) In this regulation, **food room** means any room or stall that is or is part of any food premises, in which food is handled for sale, but does not include—

(a) a room used as a sleeping place in which the only handling of food occurs in the course of the service of food to or at the request of any person using the room as a sleeping place; or

(b) a room communicating with a room used as a sleeping place if the only handling of food in the first room occurs in the course of the service of food to or at the request of any person (not being the occupier of the food premises or a person working for him) using the second room as a sleeping place; or

(c) a room in any partially exempted premises; or

(d) a room in any occasional food premises, that is not and has not been used for any purpose that is likely to contaminate any food in the room or injuriously affect the wholesomeness or cleanliness of that food.

(2) No person shall use as a food room any room or stall—

(a) that is at any time used as a sleeping place, or is in direct communication with any room that is at any time used as, a sleeping place; or

(b) that is or has been used for any purpose which is likely to contaminate any food or injuriously affect the wholesomeness or cleanliness of any food; or

(c) that is not used exclusively for the purposes of the food premises.

10A Processing of meat not intended for sale

(1) Meat that is not intended for sale shall not be processed on any food premises unless the following conditions are complied with:

(a) the meat shall at all times be wholesome and free from contamination:

(b) the meat shall be processed, handled, and stored separately from meat that is intended for sale:

(c) the meat shall be adequately labelled to distinguish it from meat that is intended for sale:

(d) there shall be conspicuously displayed in a public part of the premises a notice printed in plain capital letters of not less than 25 millimetres in face measurement, in the following or similar words, namely:

"NOTICE—THE PROCESSING OF MEAT (NOT INTENDED FOR SALE) IS CARRIED OUT ON THESE PREMISES":

(e) the occupier of the premises shall maintain current records to show the name of the owner and the nature, quantity, and origin of any meat that is not intended for sale processed on those premises.

(2) Subclause (1) does not apply to meat that has been killed in any premises licensed under the Meat Act 1981 and then transported in a manner similar to that specified in regulation 47.

(3) Subclause (1) does not apply to any dual operator butcher within the meaning of the Animal Products Act 1999 who operates under a registered risk management programme as required by section 71(1) of that Act.

Regulation 10A: inserted, on 1 January 1981, by regulation 2 of the Food Hygiene Regulations 1974, Amendment No 2 (SR 1980/266).

Regulation 10A(3): inserted, on 1 November 1999, by section 8(2) of the Animal Products (Ancillary and Transitional Provisions) Act 1999 (1999 No 94).

11 General duties of occupier of food premises

(1) Every occupier of food premises shall ensure that—

(a) these regulations are complied with in respect of those premises; and

(b) the requirements of the building code set out in Schedule 1 of the Building Regulations 1992 concerning buildings, drainage, and sanitation are complied with in respect of those premises; and

(c) the premises are cleaned sufficiently often and at regular intervals; and

(d) there is adequate supervision of the workers on the premises to prevent as far as practicable any breach of the requirements of these regulations; and

(e) no animal is permitted on the premises (except as otherwise provided in the Dog Control Act 1996); and

(f) all appliances (including benches, tables, trolleys, and other furniture) that come into direct contact with food are cleaned sufficiently often and at regular intervals; and

(g) all shelves and cupboards in which food or appliances are stored are at all times kept clean and free from rubbish; and

(h) all sweepings, ashes, trade waste, and rubbish are removed daily from inside the premises; and

(i) protective clothing is provided and laundered for, and worn by, all persons who are required by these regulations to wear such clothing; and

(j) there is provided for dry and wet refuse a sufficient number of watertight receptacles—

  (i) that are made of metal or any other suitable material, and are designed so as to be readily cleaned, and are equipped with lids to protect the interior from rain and access by vermin and insects; or

  (ii) that are intended to be used once only, and are made of suitable material and fitted in accordance with the requirements of the local authority; and

(k) the receptacles referred to in paragraph (j) are, when not being used for the immediate reception of refuse, and when filled, kept covered and stored in a separate room or enclosure, or in a yard on a stand that either is constructed of impervious material and extends 300 millimetres above a paved area suitably graded and drained or, in the case of receptacles intended to be used once only, is specially constructed to hold those receptacles; and

(l) except when a refrigerated room is available for the purpose of storing organic, putrescible refuse, all such refuse is removed from the premises daily, and the re-

ceptacle in which it has been contained is effectively washed, cleaned, and inverted to dry immediately after emptying; and all other refuse is removed from the premises at such intervals as may be required by or under any enactment, and in any case at sufficiently frequent intervals to prevent a nuisance arising; and

(m) all toilet accommodation is at all times provided with toilet paper and is kept clean and in good repair; and

(n) except in the case of the reception of parcels for transmission by post where the premises are a post office, the premises are not used as a receiving depot for parcels, clothing, or footwear.

(2) Notwithstanding subclause (1), paragraph (e) of that subclause shall not apply in respect of any cat in the possession of an occupier of food premises if—

(a) adequate precautions are taken by the occupier to protect the food in the premises from contamination by the cat; and

(b) the cat is permitted to be on the premises only to such extent as is reasonably necessary to effect the suppression of rodents.

Regulation 11(1)(b): amended, on 19 January 1994, by regulation 2 of the Food Hygiene Regulations 1974, Amendment No 5 (SR 1993/404).

Regulation 11(1)(e): amended, on 1 July 1996, pursuant to section 80 of the Dog Control Act 1996 (1996 No 13).

Regulation 11(2): inserted, on 21 October 1976, by regulation 5 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

12 Maintenance of wash-hand basins in food premises

Every occupier of food premises shall ensure that all wash-hand basins in the premises are maintained in accordance with the following requirements:

(a) there shall be provided at or conveniently by every wash-hand basin a nail brush, and an adequate supply of detergent, clean towels, paper towels, or roller towels presenting a clean surface to each user from a continuous roller towel dispenser, or other hand drying facilities approved for the purpose by an inspector; and

(b) all wash-hand basins and hand washing facilities shall at all times be maintained in good repair and in a clean condition; and

(c) all wash-hand basins shall have piped to them, at all times while the premises are being used, hot and cold running water, or tempered running water at a minimum temperature of 38°C.

13 Vermin control in food premises

(1) Every occupier of food premises shall, so far as practicable, keep the premises free at all times from birds, vermin, and insects.

(2) Every occupier of food premises shall, on becoming aware of the presence of any such pest in the premises, forthwith take all practicable measures to rid the premises of the pest and to prevent a reinfestation.

14 Refrigeration

(1) No person shall use any premises for the storage of readily perishable foods for sale unless the premises are equipped with a sufficient number of cold store rooms or refrigerated cabinets to provide for separate storage of those foods, and the rooms or cabinets have adequate capacity, where necessary, to permit the free circulation of air.

(2) No person shall use any mechanical refrigerator unit in connection with the storage of food for sale, except in accordance with the following requirements:

(a) the unit shall be capable of achieving and maintaining the food temperature or air temperature (if any) required by these regulations in respect of such food, and shall be equipped with a fixed thermometer or other efficient temperature measuring device; and

(b) the unit shall be defrosted as frequently as is necessary to maintain refrigeration efficiency; and

(c) all open display cabinets forming part of the unit shall have the product load line designated by a distinctive mark showing the highest level at which food should be stored.

15 Food storage

(1) No person shall store food for sale except in accordance with the requirements of subclause (3).

(2) No person shall—

(a) prepare food for sale; or

(b) sell food—

unless the food is, or was immediately before such preparation or sale, stored in accordance with the requirements of subclause (3).

(3) The requirements referred to in subclauses (1) and (2) are as follows:

(a) the food shall at all times be kept clean and free from contamination, and be protected from damp and foul odours and, as far as practicable, against birds, vermin, insects, and dust; and

(b) the food shall be placed or stacked so that it is not liable to be contaminated by contact with raw food, pet food, fish bait, or any other article; and

(c) all readily perishable food shall be stored at a temperature that will protect it against deterioration and spoilage; and

(d) all food to be sold by retail in a frozen condition shall,—

(i) before being displayed for sale, have been maintained in a wholesome condition at or below a temperature of −18°C; and

(ii) while being displayed for sale, be maintained in a wholesome condition at or below a temperature of −12°C,—

and shall not at any time have been refrozen after thawing; and

(e) all enclosed spaces and cupboards used or intended to be used for the storage of food shall be of adequate size to enable orderly storage, and shall be constructed so as to be readily cleaned and so as to protect the food from birds, vermin, and insects; and

(f) all benches, shelves, and rails used or intended to be used for or in connection with the storage of food shall be at least 200 millimetres above the floor, and shall

be constructed and placed so as to be capable of being readily cleaned; and

(g) all food stored in bulk shall be stored in an orderly fashion, and shall be placed so as to facilitate inspection and the detection of birds, vermin, and insects.

(3A) For the purposes of subclause (3)(d)(ii), ice cream and frozen confection kept in bulk packages from which individual servings are taken for retail sale shall be deemed to be being displayed for sale whether or not those packages are exposed to the view of a customer.

(4) Notwithstanding the foregoing provisions of this regulation, where, by virtue of subclause (3)(d), any food is required to be maintained at or below a temperature of −18°C, it shall, until 1 January 1984, be sufficient compliance with that requirement if the food is maintained at or below a temperature of −12°C.

Regulation 15(3)(d): replaced, on 1 January 1984, by regulation 2(1) of the Food Hygiene Regulations 1974, Amendment No 4 (SR 1983/290).

Regulation 15(3A): inserted, on 1 January 1984, by regulation 2(2) of the Food Hygiene Regulations 1974, Amendment No 4 (SR 1983/290).

Regulation 15(4): inserted, on 21 October 1976, by regulation 6 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 15(4): amended, on 1 January 1981, by regulation 3 of the Food Hygiene Regulations 1974, Amendment No 2 (SR 1980/266).

16 Condition of appliances, packages, and receptacles

(1) No person shall use any appliance (including any table, bench, or shelf), package, or receptacle, for or in connection with—

(a) the manufacture, preparation, packing, storage, carriage, or delivery of food, for sale; or

(b) the sale of food—

except in accordance with the requirements of subclause (2).

(2) The requirements referred to in subclause (1) are as follows:

(a) the appliance, package, or receptacle shall be kept clean; and

(b) the appliance, package, or receptacle shall not yield to its contents or impart to any food any taint, or any foreign, poisonous, or injurious substance; and

(c) except in the case of a single service article, the appliance, package, or receptacle shall be constructed of such material and in such a manner that it is capable of being

easily cleaned and maintained in good repair and condition; and

(d) every cutting board used in the preparation of food shall—

(i) be readily and easily removable for cleaning; and

(ii) be free from cracks and crevices; and

(iii) have smooth finished surfaces on all sides; and

(e) every part of an appliance that comes into direct contact with any moist or readily perishable food for sale shall have a smooth, impervious surface which is free from cracks and other defects.

(3) No person shall use, for any purpose specified in subclause (1), any appliance or receptacle that is in such a condition that it cannot be readily cleaned.

(4) No person shall pack for sale any sugar, or flour, or meal prepared from cereals, in any sack or bag that has previously been used for any purpose.

(5) No person shall use, for the preparation of food for sale, any copper or any vessel that is or has been used for boiling or washing clothes, or for any purpose which may contaminate food.

(6) Every occupier of food premises shall cause all defective, damaged, or otherwise unsuitable appliances, packages, and receptacles to be discarded and removed from the premises.

17 Cleaning of places and equipment

(1) No person shall use any place, appliance (including any bench, shelf, table, or other item of equipment or furniture), container, or receptacle, for or in connection with—

(a) the manufacture, preparation, packing, storage, carriage, or delivery of food for sale; or

(b) the sale of food—

except in accordance with the requirements of subclause (2).

(2) The requirements referred to in subclause (1) are as follows:

(a) all appliances, containers, receptacles, shall be cleaned at such intervals as are necessary in order to keep them in clean condition; and

(b) all food contact surfaces and food storage utensils in any such place that are liable to come into direct contact with moist or readily perishable food shall, after each occasion on which they are used, be scrubbed clean with hot water and a suitable detergent and bactericidal solution, and shall at the end of each working day be left in a thoroughly clean condition; and

(c) all—

(i) utensils used in the consumption of food (other than single service utensils); and

(ii) containers used to contain moist food (other than new bottles and jars which are completely protected from contamination)—

shall be cleaned and put into sanitary condition before and after every occasion on which they are used; and

(d) all containers used to contain moist food shall, until they are so used, be stored in such a manner as to be completely protected from contamination; and

(e) all trays and containers that are to be used more than once—

(i) shall, while not in use, be stored in such a manner as to protect them from contamination; and

(ii) shall be cleaned before and after every occasion on which they are used; and

(f) all corks, crown seals, wads, and other capping devices that are used to close or seal food containers in such a way that the devices may come into contact with any food in the containers—

(i) shall be new; and

(ii) shall at all times be kept clean; and

(iii) before use, shall have been stored in such a manner as to have been protected from contamination; and

(g) all bottles (other than new bottles) shall, immediately before they are filled with any food, be thoroughly inspected before a viewing light or an efficient electronic scanner that is arranged so as to facilitate inspection.

(3) For the purposes of paragraphs (c) and (d) of subclause (2), a container shall be deemed to be completely protected from contamination only if it is clean to sight and touch, and—

(a) in every case, all micro-organisms (including pathogens) on or in it have been destroyed, or the food is sealed in the container which has been subjected to heat treatment sufficient to destroy all such micro-organisms sealed in it; or

(b) in the case of a bottle, jar, or jug, it is in such a condition that no residual bacterial plate count exceeds—

(i) more than 1 per millilitre of containing capacity; or

(ii) more than 1 per square centimetre of surface area—

whichever calculation is the more appropriate for the particular bottle, jar, or jug.

(4) It shall not be necessary for the cleaning of containers and receptacles under this regulation to be carried out on food premises if the cleaning is carried out in any other place approved by an inspector, and the containers and receptacles are properly stored after cleaning to protect them from contamination until they are used.

Part 3
Conduct of workers

18 Food protection

(1) No person shall manufacture, prepare, pack, store, or handle any food for sale, or sell any food, except in accordance with the following requirements:

(a) the food shall not be brought into contact with any paper, or other material, that is not clean; and

(b) if the food is wrapped and is ordinarily consumed in the state in which it is sold, it shall be wrapped in new, unused paper; and

(c) the food shall be protected from contamination from any preparations and substances that may cause poisoning and from any rodenticides and insecticides.

(2) No person shall keep, carry, spread, or use any preparation or substance that may cause poisoning or any rodenticide or insecticide, in such manner as to expose any food for sale to the risk of contamination.

(3) Nothing in subclause (2) shall be deemed to prohibit the proper use of any spraying or dusting mixture, containing poison, for the purpose of—

(a) controlling attacks by insects or other pests on growing fruit or vegetables; or

(b) the treatment of stored food in such a way that any residues on the food resulting from the use of the mixture do not exceed the proportions permitted under the Food and Drug Act 1969.

(4) No person shall store, display, or exhibit, for sale, in any food premises, any unwrapped food that is ordinarily consumed in the state in which it is sold, unless the food is adequately protected against contamination by customers and all other sources by means of an effective and easily cleaned cabinet, display case, container, or cover, or other protective equipment, system, or device.

(5) Every person packing, preparing, or serving food for sale shall avoid any unnecessary contact with the food while doing so, and in particular he—

(a) shall not serve any unwrapped sweets or sticky substances with his fingers, but shall instead use a scoop or other suitable implement for the purpose; and

(b) shall not serve with his fingers any cheese, cooked meat, cooked or smoked fish, bakers' smallgoods, cakes, pastry, sandwiches, or other similar foods ordinarily consumed in the state in which they are sold, but shall instead use a fork, tongs, or other suitable implement for the purpose; and

(c) shall not blow into any bag or wrapper; and

(d) shall take all reasonable steps to prevent any customer from handling before sale any food that the worker himself is prohibited by these regulations from handling; and

(e) shall not (except as may be necessary to comply with a direction given by the responsible Minister of the

Crown under section 108 of the Commerce Act 1975) place any ticket, label, or other article of display in such a position that it will come into contact with any food for sale.

(6) No person shall expose or display, for sale,—

(a) outside any food premises; or

(b) on any counter on food premises; or

(c) in any part of food premises to which part the public has access; or

(d) in any window in food premises—

any food that is ordinarily consumed in the state in which it is sold, unless the food is adequately protected against contamination.

(7) Nothing in subclause (6) shall be deemed to prohibit the placing of any food on a counter during the period necessary to serve and wrap the food.

(8) No person shall display or deposit any food for sale at a lower level than 450 millimetres above the ground in any street, open space, or other place to which the public have access, unless the food is adequately protected against pollution by dogs.

(9) No person shall enclose, carry, or store any food for sale in any bag, sack, or similar receptacle that is not clean, or that has been contaminated.

(10) Every person engaged in the removal, transport, or delivery of food for sale shall protect the food from rain and from any contamination.

(11) No person engaged in the manufacture, preparation, packing, storage, handling, or delivery of food for sale or in the sale of food, shall deliver, deposit, leave, or place the food in such a manner or position that the food is liable to become dirty or contaminated.

(12) No person shall smoke, use, or chew tobacco while engaged in the loading, unloading, or delivery for sale of any unwrapped food.

Regulation 18(5)(e): amended, on 1 December 1988, pursuant to section 3(1) of the Trade and Industry Act Repeal Act 1988 (1988 No 156).

Regulation 18(5)(e): amended, on 21 October 1976, by regulation 7(1) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 18(12): inserted, on 21 October 1976, by regulation 7(2) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

19 Clothing and behaviour of workers

(1) Subject to subclause (2), every person engaged in the manufacture, preparation, packing, or handling of food for sale shall wear—

(a) a light-coloured, outer overall, or a light-coloured smock worn over clothing; and

(b) effective apparel, where necessary for the purpose, to restrain his hair from touching any food and food contact surfaces, which shall be a clean, washable, light-coloured head covering or a disposable type head covering:

provided that an inspector may permit the wearing of any alternative clothing that he considers appropriate.

(2) Every person engaged on premises used for the retail sale of food shall wear—

(a) clean, suitable clothing appropriate to the nature of the premises and adequate to protect the food against contamination; and

(b) where appropriate, a light-coloured apron.

(3) The clothing specified in subclauses (1) and (2) shall not be worn away from the premises, and shall be stored in a suitable cupboard or locker when not in use:

provided that this subclause shall not apply to partially exempted premises or occasional food premises, or to the drivers of vehicles engaged in the delivery of food.

(4) Every occupier of registered premises shall ensure that at least 1 set of protective clothing is provided each week for every worker engaged in the premises, and that the garments and aprons are laundered as frequently as is necessary to maintain them in a satisfactory condition of cleanliness.

(5) Every person engaged in the manufacture, preparation, packing, handling, or serving of food for sale, or the sale of food, shall—

(a) when so engaged, keep his hands and his body and clothing clean; and

(b) before commencing work, and on every occasion after using any toilet and before resuming work, wash his hands thoroughly.

(6) No worker shall spit, or smoke, use, or chew tobacco—

(a) in any food premises other than registered premises; or

(b) in any part of registered premises in which the manufacture, preparation, packing, storage, or handling of food for sale, or the sale of food, is carried on.

(7) If any occupier of food premises has reason to believe or suspect that any person, whether suffering from a communicable disease or not, is likely to transmit disease-producing organisms to any food, the occupier shall ensure that the person is excluded from working in any food premises until the person furnishes a certificate from a medical practitioner that he is free from infection and from any condition causing a discharge of pus or serum from any part of the head, neck, hands, or arms.

(8) On being required to do so by an inspector, an occupier of food premises shall forthwith produce to the inspector any certificate that has been furnished to the occupier under subclause (7).

(9) Every person engaged in the manufacture, preparation, packing, handling, or service of food for sale, or in the sale of food, shall keep his finger nails short and clean.

(10) The requirements of this regulation are additional to the requirements of the Venereal Diseases Regulations 1982 (SR 1982/215).

Regulation 19(10): amended, on 7 October 1982, pursuant to regulation 15(a) of the Venereal Diseases Regulations 1982 (SR 1982/215).

20 Prohibition of sale of food not prepared on registered or exempted premises

(1) No person shall sell any food that has been cooked or otherwise prepared for sale on premises which are not either—

(a) registered premises; or

(b) specified in subclause (4) of regulation 4.

(2) Nothing in subclause (1) shall apply to the sale of food which, after it has been cooked or otherwise prepared, has been acquired as a gift.

21 Food vehicles

(1) No person shall use for the carriage or delivery of food for sale—

(a) any vehicle or receptacle that is unclean or is not in good repair; or

(b) any unclean part of any ship or railway goods van or wagon.

(2) No person shall use—

(a) any vehicle or receptacle ordinarily used for the carriage of food for sale; or

(b) any part of any ship or railway goods van or wagon ordinarily used for the carriage of food for sale—

for the carriage of any live animal, or for the carriage of any matter that may or will endanger the wholesomeness, cleanliness and freedom from contamination of any food carried or usually carried in that vehicle, receptacle, or part.

(3) No person shall use—

(a) any vehicle or receptacle; or

(b) any part of any ship or railway goods van or wagon—

more than once for the carriage or delivery of food that is not completely enclosed in a wrapper, unless that vehicle, receptacle, or part is constructed of such material and in such a manner as to be readily cleaned, and is used solely for the carriage or delivery of 1 class of food.

22 Storage and packing of eggs

(1) No person shall keep or store eggs for sale unless they are protected from exposure to conditions of temperature and damp that may hasten decomposition or the development of the ovum.

(2) No person shall for sale pack any eggs in contact with any material that may contaminate or taint the eggs.

23 Precautions in auction marts

(1) No person shall sell food in an auction mart if any cage or pen used to contain live poultry is kept or stored in any part of the mart where food is stored or sold.

(2) Every person who sells food in an auction mart shall take all reasonable steps to ensure that within 12 hours after the sale of any live poultry in the mart, every cage and pen in which that poultry was contained is cleaned, and all manure and refuse is removed from that cage or pen and disposed of to the satisfaction of an inspector.

Part 4
Bakehouses and cake kitchens

24 Interpretation of Part 4

In this Part,—

bakehouse means any premises in which bread, pastry, cakes, or bakers' smallgoods are baked for sale, and any premises used in connection with those premises for the storage of yeast, flour, or other ingredients, or for the kneading or working of dough used in baking

cake kitchen means any premises on which cakes, pastry, bakers' smallgoods, or other similar foods are cooked for sale.

Regulation 24 **cake kitchen**: replaced, on 21 October 1976, by regulation 8 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

25 Application of Part 4

This Part shall not apply to partially exempted premises.

26 Special provisions relating to bakehouses and cake kitchens

No person shall use any premises as a bakehouse or cake kitchen, except in accordance with the following requirements:

(a) a separate, damp-free room or compartment shall be provided for the storage of flour and no other food shall be kept in that room or compartment; and

(b) all troughs, bins, and other appliances, if fixed, shall be placed and fitted so as to leave no space, below or at the sides or the back, that cannot be readily inspected and cleaned and, if movable, shall be fitted with wheels, castors, or other suitable fittings to facilitate removal for cleaning purposes; and

(c) no unwrapped cooked food or food in the process of manufacture shall be placed on the ground or on the floor of any bakehouse or cake kitchen; and

(d) all ovens shall be constructed so as to enable the tops and sides to be readily inspected and cleaned, or cased so as to prevent the accumulation of rubbish on the top or sides of the ovens; and

(e) the floor area, clear of furniture, fittings, and stored goods, shall not be less than—

(i) the multiple of the number of workers engaged in the premises by 3 square metres; or

(ii) 9.5 square metres—

whichever is the greater area in the case of the particular premises; and

(f) the floor area shall be kept free of all furniture, fittings, and stored goods; and

(g) all crates and other containers used for the delivery to retail premises of food prepared in the bakehouse or cake kitchen shall—

(i) be constructed in such a manner as to protect the food from contamination and to be capable of being easily cleaned; and

(ii) be cleaned at such intervals as are necessary to keep them in a clean condition; and

(iii) be stored so as to be protected from contamination.

Regulation 26(c): replaced, on 21 October 1976, by regulation 9 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Part 5
Delicatessens

27 Special provisions relating to delicatessens

(1) No person shall use any premises as a delicatessen, except in accordance with the following requirements:

(a) all chipped potatoes, cooked meat, cooked pastry containing meat, meat pasties, meat savouries, cooked poultry, cooked fish, and similar foods that are ordinarily consumed in the state in which they are sold, shall be prepared, stored, kept, displayed, and sold on a part

of the premises that is separate from any parts of the premises used for other purposes, and from any raw meat, fish, and muttonbirds, that are not in sealed containers or are not completely enclosed in wrappers; and for the purpose of this paragraph an enclosed showcase shall be deemed to be a separate part of the premises; and

(b) all food that is not pre-packed shall be wrapped in a separate area set aside for that purpose, and shall not be wrapped in the customer counter space unless the counter space is provided with a suitable screen to protect the food from contamination by the customers; and

(c) no knife, cutting board, or slicing machine shall be used on the premises for cutting both cooked and uncooked meat unless, immediately before being used for cutting cooked meat, it is—

(i) thoroughly cleaned and rendered hygienic by being washed in clean water containing detergents at a temperature of not less than 43°C; and

(ii) then wiped over all surfaces with a cloth dipped in a bactericidal solution; and

(d) all knives, cutting boards, and slicing machines used on the premises shall in any event be thoroughly washed and rendered hygienic at least once each working day.

(2) No person who works in any delicatessen shall handle any cooked meat, cooked pastry containing meat, meat pasties, meat savouries, cooked poultry, cooked fish, or similar food containing meat, after handling any other raw food or article that would be likely to contaminate the first-mentioned food, unless he has first washed his hands thoroughly.

(3) *[Revoked]*

(4) No person shall remove cooked poultry from a rotisserie or similar apparatus in any delicatessen unless, immediately before doing so, he has washed his hands thoroughly.

Regulation 27(3): revoked, on 21 October 1976, by regulation 10 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Part 6
Eatinghouses

28 Interpretation of Part 6

In this Part,—

eatinghouse means any food premises in which food is sold for consumption on the premises, and includes any licensed premises, but does not include any partially exempted premises that are not licensed premises

licensed premises means—

(a) any food premises that are or are part of any licensed premises within the meaning of section 2 of the Sale of Liquor Act 1962, other than premises in respect of which a licence is held under Part 4 of that Act; or

(b) in relation to a ship in respect of which a ship licence is in force under that Act, every part of the ship in which liquor is sold for consumption on board; or

(c) any food premises controlled by a licensing trust constituted under the Sale of Liquor Act 1989, in which liquor is sold or supplied for consumption on the premises

occupier includes every member of the committee of any club or association occupying or using any racecourse, showground, or other premises in respect of which a booth licence is in force under the Sale of Liquor Act 1989.

Regulation 28 **licensed premises** paragraph (a): amended, on 21 October 1976, by regulation 11 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 28 **licensed premises** paragraph (c): amended, on 1 April 1990, pursuant to section 230(2) of the Sale of Liquor Act 1989 (1989 No 63).

Regulation 28 **occupier**: amended, on 1 April 1990, pursuant to section 230(2) of the Sale of Liquor Act 1989 (1989 No 63).

29 Application of certain provisions of Part 1 to unregistered eatinghouses

(1) Subject to subclauses (2) and (3),—

(a) no person shall on or after 1 January 1976 use any premises as an eatinghouse unless they conform with the requirements of Schedule 1, whether or not the premises are required by regulation 4 to be registered; and

(b) the provisions of subclauses (3) and (4) of regulation 5, subclauses (3) to (11) of regulation 6, and regulations 7 and 8 (except paragraph (a) of the said regulation 7) shall apply in respect of every eatinghouse that is not required to be registered under regulation 4 as they apply in respect of registered premises, and for that purpose references in any of those provisions to an occupier of registered premises shall be deemed to include references to an occupier of an eatinghouse.

(2) Nothing in subclause (1) shall apply in respect of any eatinghouse—

(a) being a stall; or

(b) being occasional food premises; or

(c) in which food is only supplied incidentally to the rendering of any other service; or

(d) being licensed premises that are part of a ship.

(3) Nothing in paragraph (e) of clause 3 of Schedule 1 shall apply to any part of licensed premises used principally or exclusively for the sale of liquor for consumption on the premises.

Regulation 29(1)(b): amended, on 21 October 1976, by regulation 12(a) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 29(1)(b): amended, on 21 October 1976, by regulation 12(b) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

30 Special provisions relating to the conduct of eatinghouses

No person shall use any premises as an eatinghouse, except in accordance with the following requirements:

(a) the floor space of any dining rooms shall not be increased and the floor space of any serveries and kitchens shall not be decreased without the prior consent in writing of the local authority:

provided that this paragraph shall not apply in respect of any eatinghouse that is not required to be registered under regulation 4; and

(b) all tea towels, dish cloths, and dish mops used in or about the eatinghouse shall be washed in warm water containing detergent and then immersed in boiling water for not less than 5 minutes at least once daily; and

(c) after being cleaned in accordance with regulation 35 or regulation 36, all utensils shall be so handled and stored as not to become contaminated before being used.

31 Special provisions relating to the conduct of workers in eatinghouses

(1) Every person preparing, handling, or serving food in an eatinghouse shall exercise care to avoid any contamination of the food and to avoid all unnecessary contact with the food and any utensils used on the premises.

(2) No person engaged in preparing, handling, or serving food in an eatinghouse shall—

(a) serve any food with his fingers, except to the extent that it is impracticable to serve the food in any other manner; or

(b) wipe his hands on his clothing or on anything except a clean towel; or

(c) place, carry, or store any food in such a manner that the bottom side of any plate, dish, or container comes into contact with food in a lower plate, dish, or container; or

(d) handle any spoon, knife, fork, or drinking utensil in such a manner as to permit the transfer of bacteria from his fingers to the mouth of any person using such article; or

(e) carry any spoon, knife, or fork in the pocket of any garment or apron.

(3) Every person serving food in an eatinghouse shall for that purpose use a fork or other suitable implement unless it is impracticable to serve the food by such means.

(4) No worker in an eatinghouse shall wipe any utensil with a tea towel, or other cloth, that is not clean or that is in any other respect unsuitable for the purpose of wiping the utensil.

32 Protection of food in eatinghouses

Every occupier of an eatinghouse shall carry on the eatinghouse in accordance with the following requirements:

(a) all readily perishable food that has been cooked shall be maintained at a temperature not exceeding 4°C, or

alternatively at a temperature of not less than 60°C, except—

(i) where the food is not exposed or exhibited for sale for any period or periods exceeding in the aggregate 2 hours; or

(ii) during necessary periods of preparation and service; and

(b) all cooked meat, cooked pastry containing meat, meat pasties, meat savouries, and similar foods containing meat that are ordinarily consumed in the state in which they are sold, shall be stored in enclosed containers, or shall be stored separately and kept away from food that is not stored in sealed containers or that is not completely enclosed in a container or wrapper; and

(c) no milk shall be kept on the premises of the eatinghouse for a period exceeding 6 hours, unless the milk is kept during the whole period of storage in a refrigerator at a temperature not exceeding 7°C; and

(d) all milk jugs and sugar basins on tables or counters shall be provided with suitable covers to protect the contents from contamination by insects; and

(e) all raw fruit and vegetables that are ordinarily consumed in the state in which they are sold shall before service to customers be washed and thoroughly cleaned; and

(f) all uncooked vegetables shall be kept in a well ventilated, adequately lighted, rodent-proof compartment, or in any other compartment suitable for the purpose, or in a refrigerator or coolroom.

33 Display and service of food in eatinghouses

(1) No person shall display or serve food in any eatinghouse, except in accordance with the following requirements:

(a) where any food is set out for individual selection by customers, the food shall not be so placed as to require the customer, in obtaining it, to extend his arm directly over any other food; and

(b) sufficient tongs, forks, spoons, picks, spatulas, scoops, or other suitable utensils shall be provided for use by

workers and customers to prevent unnecessary handling of food; and

(c) there shall be in attendance a worker whose duty shall be to ensure that the utensils referred to in paragraph (b) are used, and that all necessary actions and precautions are taken to prevent contamination of any food on display; and

(d) where, in the opinion of an inspector, the arrangement of the food and the protection provided against contamination is inadequate, such additional precautions as the inspector may direct shall be taken to protect the food against contamination.

(2) As an alternative to paragraph (c) of subclause (1), the food may be set out in a cabinet, display case, or similar type of protective device, that can be easily cleaned. In that event, suitable shelving shall be provided immediately in front of the cabinet, case, or device, for the exclusive use of the customers. Every self-service opening in the cabinet, case, or device shall be designed so as to be easily closed, and the food shall be placed in it in such a way as to protect the food from unnecessary handling by customers.

Regulation 33(2): amended, on 21 October 1976, by regulation 13 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

34 Cleaning of floors in eatinghouses

No person shall, while food is being prepared, served, or consumed in any room in an eatinghouse, clean the floor of that room by any means except a suction cleaner or other dustless method of floor cleaning.

35 Cleaning of utensils in eatinghouses

Every occupier of an eatinghouse shall cause all utensils, other than single service articles, used in the service or consumption of food in the eatinghouse to be scraped to remove gross particles of food and then to be effectively cleaned and rendered hygienic by 1 of the following methods:

(a) by washing them in a washing machine containing water at a temperature of not less than 60°C, containing an adequate amount of soap or other detergent, and

then by rinsing for not less than 10 seconds in clean water at a temperature of not less than 77°C:

provided that a designated officer may approve of a washing machine where sanitising is effected otherwise than by moist heat:

(b) by thoroughly washing them in water at a temperature of not less than 43°C, containing an adequate amount of soap or other detergent, and then by means of a wire basket or other appliance in which the utensils are kept separate from each other—

(i) immersing them for half a minute in boiling water and draining them; or

(ii) immersing them for 2 minutes in clean water at a temperature of not less than 77°C, the temperature being maintained by means of a gas ring, or steam or hot water jacket, or other effective means, and draining them.

Regulation 35: amended, on 1 January 1982, by regulation 3(1) of the Food Hygiene Regulations 1974, Amendment No 3 (SR 1981/326).

Regulation 35(a): replaced, on 1 January 1982, by regulation 3(2) of the Food Hygiene Regulations 1974, Amendment No 3 (SR 1981/326).

Regulation 35(a) proviso: amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

36 Cleaning of glassware in licensed premises

Every occupier of licensed premises shall cause all glasses, jugs, and other utensils, used on the premises for the service or the consumption of beverages, to be effectively cleaned and rendered hygienic in accordance with paragraph (a) of regulation 35 in a glass washing machine approved for the purpose by an inspector:

provided that a designated officer may, in any particular case where it is impracticable to install an approved glass washing machine, approve the use of the method described in paragraph (b) of that regulation.

Regulation 36 proviso: amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

37 Hot water rinsing machines

For the purposes of regulations 35 and 36, every hot water rinsing machine shall conform with the following requirements:

(a) it shall be equipped with an automatic detergent dosing device; and

(b) it shall be equipped with baskets, trays, or other suitable containers, designed and constructed so that all utensils, glasses, and jugs can be loaded in such a manner that the surfaces of the utensils, glasses, and jugs are subjected to complete wetting during the operation of the machine; and

(c) it shall be fitted with a temperature control device so that it will not operate unless the rinsing water in the rinse water supply tank is at a temperature of not less than 83°C, and the time of exposure to the rinsing water is not less than 10 seconds:

provided that a designated officer may accept a temperature control device which inactivates the machine when the rinse water is below 77°C where the machine is of such design that it is not necessary to allow for heat loss before contact of the rinse water with the utensils; and

(d) it shall be fitted with a thermometer or other efficient temperature measuring device located so as to measure accurately the temperature of the water used for rinsing, and situated so that it can be easily and readily observed.

Regulation 37: replaced (not applying to hot water rinsing machines that have been ordered or acquired before 1 July 1982), on 1 January 1982, by regulation 4 of the Food Hygiene Regulations 1974, Amendment No 3 (SR 1981/326).

Regulation 37(c) proviso: amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

37A Chlorine chemical rinsing machines

For the purposes of regulations 35 and 36, every chlorine chemical rinsing machine shall conform with the following requirements:

(a) it shall be equipped with an automatic detergent dosing device, and an automatic chlorine chemical dosing device; and

(b) it shall be equipped with baskets, trays, or other suitable containers, designed and constructed so that all utensils,

glasses, and jugs can be loaded in such a manner that the surfaces of the utensils, glasses, and jugs are subjected to complete wetting during the operation of the machine; and

(c) the water to which the chlorine chemical is inserted and which is used for rinsing the utensils shall be at a temperature of not less than 50°C and contain not less than 50 or not more than 75 milligrams per litre of available chlorine; and

(d) the rinsing water described in paragraph (c) shall be adequately dispensed over all utensils for a period of not less than 30 seconds during the rinsing cycle; and

(e) the machine shall be equipped with a visual and dependable flow indicating device, or other means obvious to the operator, to easily verify the operation of the detergent and chlorine chemical feeders; and

(f) it shall be equipped with a control device that will inactivate the machine if the chlorine concentration in the rinse water is below 50 milligrams per litre:

provided that a designated officer may waive this requirement where the machine is fitted with a control system that ensures that the correct amount of chlorine is inserted to the rinse water.

Regulation 37A: replaced (not applying to hot water rinsing machines that have been ordered or acquired before 1 July 1982), on 1 January 1982, by regulation 4 of the Food Hygiene Regulations 1974, Amendment No 3 (SR 1981/326).

Regulation 37A(f) proviso: amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

38 Preparation of food in eatinghouses

(1) In this regulation, **refreshment room** means any eatinghouse where—

(a) only tea, coffee, and other beverages are sold for consumption on or at the premises; or

(b) only simple foods are reheated or cooked or sandwiches are made and sold for consumption on or at the premises; or

(c) only food that has been cooked or otherwise prepared elsewhere than on or at the premises is sold for consumption on or at the premises.

(2) No person shall use any fixed premises as an eatinghouse that is not a refreshment room, unless the premises are provided with an area for the preparation and cooking of food and for the cleaning of food utensils, and the area so provided complies with the following requirements:

(a) *[Revoked]*

(b) the floor space of the area, clear of furniture, fittings, and stored goods, shall be not less than—

(i) the multiple of the number of workers engaged in the area by 3 square metres; or

(ii) 9.5 square metres—

whichever is the greater; and

(c) the area shall in any event have sufficient floor space to enable every worker engaged in it to carry out his duties efficiently, and to permit easy access for cleaning.

(3) No person shall use any fixed premises as a refreshment room, unless every part of the premises used in connection with the cooking or reheating of food or the making of sandwiches has a floor area, clear of furniture, fittings, and stored goods, that—

(a) is not less than the multiple of the number of workers engaged in such part by 3 square metres; and

(b) in any event, is sufficient to enable every worker engaged in that part to carry out his duties efficiently.

(4) No person shall serve in any eatinghouse any food that has been cooked or prepared elsewhere than in the eatinghouse or on licensed premises or registered premises.

Regulation 38(2)(a): revoked, on 21 October 1976, by regulation 14 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

39 Stalls

No person shall use a stall as an eatinghouse unless he also provides, for use together with the stall,—

(a) suitable premises of a permanent nature approved in writing for the purpose by the local authority, and equipped and provided with facilities for the cleaning of utensils and of the contrivances of the stall, and with adequate, additional space for the storage of food, utensils, and equipment; and

(b) adequate means for the disposal of waste water; and

(c) an adequate supply of drinking water.

Part 7
Egg pulp

40 Preparation and drying of egg pulp

No person shall use any premises for the pulping of eggs for sale or for the drying of egg pulp for sale, except in accordance with the following requirements:

(a) there shall be provided adequate storage for the protection of whole eggs from exposure to conditions that may hasten decomposition or the development of the ovum; and

(b) there shall be provided adequate means for the accurate candling of eggs; and

(c) all appliances and receptacles used in connection with the pulping of eggs, or the packing of egg pulp for sale, or the drying of egg pulp for sale, shall be made of impervious, non-toxic material that is resistant to corrosion, and shall be constructed so as to be easily cleaned and rendered hygienic; and

(d) all appliances (including troughs, tubs, and containers) used in the pulping of eggs or in the drying of egg pulp for sale shall be effectively cleaned and rendered hygienic immediately before and immediately after each use, and shall be so covered or placed as to prevent dust or dirt accumulating in the appliances while not in use; and

(e) all appliances that have been contaminated by any tainted or decomposed egg shall before being used again be cleaned and immersed in boiling water until rendered hygienic; and

(f) all containers used for packing pulped eggs or dried egg pulp for sale shall be clean and sterile, and shall be incapable of imparting odour or taint to the contents; and

(g) no egg crates shall be permitted in the pulping room.

41 Pulping of eggs

(1) No person shall pulp eggs for sale, except in accordance with the following requirements:

(a) all eggs which have dirty shells shall be washed clean before being pulped; and

(b) all eggs shall be examined by the candling process immediately before breaking, and, where practicable, shall be visually examined after breaking; and

(c) where eggs are broken by hand, they shall be broken into a container that is not capable of holding more than 6 eggs; and

(d) all eggs that are not wholesome shall be discarded; and

(e) where a broken egg is not wholesome, the contents of any container into which it has been broken shall be discarded, and the container shall be cleaned and sterilised before being used again; and

(f) no shell drainings shall be included in any egg pulp; and

(g) the egg pulp—

(i) shall be dried as soon as practicable after having been pulped; or

(ii) shall be refrigerated to a temperature of 4°C as soon as practicable after having been pulped, and shall be frozen within 24 hours after having been refrigerated to the temperature of 4°C; or

(iii) shall be pasteurised as soon as practicable after having been pulped, and shall be refrigerated to a temperature of 4°C as soon as practicable after having been pasteurised, and shall be frozen within 24 hours after having been refrigerated to the temperature of 4°C.

(2) No person shall use any mechanical appliance for the breaking of eggs, or the pulping of eggs, or for the drying of egg pulp, for sale, unless the appliance has been approved in writing for that purpose by a designated officer.

Regulation 41(2): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Part 8
Meat and fish

42 Interpretation of Part 8

In this Part, except as provided in regulation 46,—

fish means any part of any marine or freshwater creature (other than a mammal) that is used for human consumption, and includes crustaceans and molluscs, but does not include salted fish, or kippered herrings

meat means any part of any mammal, or bird, that is used for human consumption

to process fish means to gut, scale, debone, cut, salt, cook, dry, smoke, chill, freeze, can, preserve, or otherwise prepare fish for sale

to process meat means to bone, mince, cure, salt, cook, dry, smoke, chill, freeze, can, or otherwise prepare meat for sale.

43 Application of Part 8

This Part shall not apply to—

(a) any partially exempted premises; or

(b) any abattoir; or

(c) any rural slaughterhouse—

or to anything done in such a place.

44 Preparation of meat and fish

(1) No person shall process meat or fish in any premises, except in accordance with the following requirements:

(a) all meat and fish shall be stored, as soon as practicable after delivery and when not being processed, at a temperature below 2°C in the room or cabinet required by regulation 14, and shall at all times be protected from contamination; and

(b) all surfaces of tables, benches, or shelves that are liable to come into direct contact with meat or fish shall have an impervious, smooth surface that is free from imperfections; and

(c) bones, fish offal, and waste matter shall not be allowed to accumulate, but shall be removed from the premises

at least once daily and disposed of in such a manner as to prevent a nuisance being created; and

(d) a sufficient number of portable watertight receptacles for the storage of bones, fish offal, and waste matter, which shall be made of metal or of any other suitable, impervious, non-absorbent material and shall have impervious fly covers, shall be provided in every processing room and in any area, used in connection with that room, in which food is handled; and

(e) the receptacles referred to in paragraph (d)—

(i) at all times when not being used for the immediate reception of bones, fish offal, or waste matter, shall be kept covered and stored in a refrigerator, or in a separate room or enclosure, or outside on a stand that is constructed of impervious materials and extends 300 millimetres above a paved area that is suitably graded and drained:

provided that bones, fat, and other butchers' waste may be taken to a separate room, enclosure, or outside area and immediately placed in clean dry sacks or other suitable containers, and then stored in suitable rat-proof and fly-proof containers pending removal from the premises; and

(ii) immediately after emptying, shall be effectively cleaned and inverted to dry; and

(f) effective measures shall be taken by means of the screening of all windows and entrances or by the use of properly directed air currents or other suitable control methods to exclude flies and to ensure that the premises are as far as practicable kept free from flies; and

(g) subject to paragraph (h), the floor of every meat processing room or fish processing room—

(i) shall be finished with a hard surface to prevent the absorption of grease, blood, and fish slime; and

(ii) shall not be covered or spread with sawdust or any similar product; and

(iii) shall be thoroughly cleaned with hot water at least once each working day, and shall at all times be kept in a reasonable state of cleanliness:

(h) the floor of any meat processing room or other area in which meat is prepared for sale may, if the floor is in existence at the date of commencement of these regulations and is covered with vinyl or any other material that, in the opinion of an inspector, may render the floor dangerous, be spread with sawdust if the following conditions are complied with:

(i) the quantity of sawdust used shall not exceed 5 grams per square metre of floor area:

(ii) the sawdust shall be of a coarse texture and free from dust, toxic chemicals, and foreign matter:

(iii) fresh sawdust shall be applied at the beginning of each working day and removed at the end of that day:

(iv) no sawdust shall be used on or after 31 January 1990.

(2) Nothing in subclause (1) shall apply to—

(a) the gilling or gutting of any fish; or

(b) the cooking of fish or meat in the open air for sale to any occupier of the premises on which the food is cooked; or

(c) the cooking of fish or meat in the open air by or on behalf of any occupier of an eatinghouse, within the meaning of regulation 28, for sale to customers of the eatinghouse.

(3) Subject to subclause (2), no person shall process fish or meat—

(a) in or at any stall that is not an eatinghouse within the meaning of regulation 28; or

(b) in or at any stall that is an eatinghouse within the meaning of that regulation, except in accordance with paragraphs (b) to (e) of subclause (1) of this regulation.

Regulation 44(1)(a): replaced, on 21 October 1976, by regulation 15 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 44(1)(g): amended, on 1 January 1981, by regulation 4(1) of the Food Hygiene Regulations 1974, Amendment No 2 (SR 1980/266).

Regulation 44(1)(h): inserted, on 1 January 1981, by regulation 4(2) of the Food Hygiene Regulations 1974, Amendment No 2 (SR 1980/266).

45 Meat pickling preparations

(1) In this regulation,—

meat pickling preparation means any substance that—

(a) is used in the preparation of meat; and

(b) contains either nitrite or nitrate, or both nitrite and nitrate

nitrate includes sodium nitrate and potassium nitrate

nitrite includes sodium nitrite and potassium nitrite.

(2) No person shall keep—

(a) in any premises used for the retail sale of meat; or

(b) in any meat processing room used in connection with the premises—

any nitrite, or any meat pickling preparation containing nitrite:
provided that this subclause shall not apply to any substance in which the proportion of nitrite does not exceed one-half percent by weight:
provided further that this subclause shall not apply to any substance that—

(i) contains not less than 25% by weight of common salt, and not more than 10% by weight of nitrite; and

(ii) is in the form of a finely divided intimate mixture; and

(iii) has been sufficiently coloured to remove the appearance of whiteness by the use, in a proportion not exceeding 100 ppm, of any colouring substance specified in subclause (2) of regulation 18 of the Food and Drug Regulations 1973.

(3) All brine tanks used in the course of processing meat shall be constructed of smooth, impervious materials that will resist corrosion. The tanks shall be—

(a) refrigerated, or stored in a refrigerated compartment the temperature of which shall not exceed 10°C; and

(b) emptied as frequently as necessary to maintain the brine in a clean and wholesome condition; and

(c) thoroughly cleaned and rendered hygienic before refilling.

Regulation 45(2) second proviso paragraph (i): amended, on 21 October 1976, by regulation 16(1) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 45(2) second proviso paragraph (iii): amended, on 21 October 1976, by regulation 16(2) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

46 Retail sale of meat and fish

(1) In this regulation,—

(a) **fish** does not include canned fish or cooked fish:

(b) **meat** does not include canned meat, cooked meat, prepacked poultry, sausages, cured ham, or cured bacon.

(2) No person shall use any premises for the retail sale of meat or fish except in accordance with the requirements of paragraphs (b) to (g) of subclause (1) of regulation 44, and with the following requirements:

(a) all meat or fish, when not being prepared or displayed for sale, shall be stored at a temperature below 2°C, or, in the case of shellfish in shells, below 10°C, in the room or cabinet required by regulation 14; and

(b) all fish exhibited or displayed for sale in any display window, or on any slab that is not refrigerated, shall be shaded from the direct rays of the sun, and shall be protected against contamination by customers, and shall be kept cool by crushed ice or other effective means; and

(c) all meat or fish set out for individual selection by customers shall be pre-wrapped in suitable, durable wrappers of sufficient weight and strength to resist tearing and puncturing, so as to completely enclose the meat or fish, and to provide adequate protection from contamination, and shall be kept at a temperature below 2°C in the room or cabinet required by regulation 14; and

(d) no knife, cutting board, or slicing machine shall be used for cutting both cooked and uncooked meat unless, immediately before being used for cutting cooked meat, it is—

(i) thoroughly cleaned and rendered hygienic by being washed in clean water containing a detergent at a temperature of 43°C; and

(ii) then wiped over all surfaces with a cloth dipped in a bactericidal solution; and

(e) all knives, cutting boards, and slicing machines shall in any event be thoroughly washed and rendered hygienic at least once each working day.

(3) No person shall display or expose, or cause or permit to be displayed or exposed, any meat or fish for retail sale, for any period exceeding 12 hours, except in a refrigerated cabinet or display unit at a temperature not exceeding 13°C in the case of meat and 7°C in the case of fish.

(4) No person shall use any stall—

(a) for the retail sale of meat; or

(b) for the retail sale of fish otherwise than in accordance with the requirements specified in paragraphs (a) and (b) of subclause (2).

Regulation 46(2)(a): replaced, on 21 October 1976, by regulation 17(1) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 46(4): replaced, on 1 April 1977, by regulation 17(2) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

47 Transport of meat and fish

(1) In this regulation,—

carcass means the body and head of any slaughtered animal (other than poultry and rabbits) after bleeding and dressing

dressing has the same meaning as the term **dress** in section 2(1) of the Meat Act 1981

portion of a carcass means the head, sides, and quarters of a carcass.

(2) No person shall convey or deliver any meat or fish for sale unless, while it is being conveyed or delivered, it is kept covered and enclosed so as to be protected from dust, flies, and all other sources of contamination.

(3) No person shall convey any cooked meat from the place where it is prepared to any other place for sale unless—

(a) it is enclosed in clean paper, and in an outer wrapper or container that will adequately protect it from contamination; or

(b) it is conveyed in a clean receptacle of a suitable type and material that protects the meat from contamination.

(4) No person shall use more than once for the packing of cooked meat for sale any outer wrapper or container referred to in subclause (3)(a) that is made of cardboard or similar absorbent material.

(5) No person shall use any vehicle to convey any carcass or portion of a carcass for sale unless the vehicle is equipped with a permanent canopy that is constructed of metal or other suitable material so that—

(a) the meat in transit can be suspended or hung on rails; and

(b) apart from screened ventilating openings, the canopy completely encloses the meat:

provided that this subclause shall not apply to any vehicle if a designated officer, taking into account the conditions under which the vehicle operates, is of the opinion that it is constructed so as to protect the meat adequately while it is being conveyed in the vehicle and while it is being loaded and unloaded.

(6) Except in a case where a designated officer is satisfied that the vehicle complies with the proviso to subclause (5), no person shall use any vehicle to convey any carcass or portion of a carcass for sale unless the carcass or portion is suspended or hung on rails in such a way as to avoid contact with the floor.

(7) No person shall, during the conveyance of any carcass or portion of a carcass, deposit it on any roadway, wharf, or railway platform, or on the floor of any railway wagon or on the deck of any vessel or vehicle, or on any similar surface open to traffic, unless—

(a) in the case of conveyance by road, the carcass or portion is adequately protected from contamination; or

(b) in any other case, the carcass or portion is enclosed in a clean receptacle or cover.

(8) No person shall convey any inedible offal, refuse meat, bone, or other rejected material from premises used for the sale of meat or fish, in any vehicle used for the conveyance of meat or fish for sale, unless the offal, refuse meat, bone, or other material is carried in a separate container constructed of impervious material, with a close-fitting lid or other effective means of closing, and the container, if not a single service article, is

cleaned immediately after each such use and is kept clean and in good repair.

(9) Every person engaged in the handling or conveyance of meat for sale shall wear protective coverings, made of light-coloured material, on his head, neck, and shoulders to prevent the meat from coming into direct contact with his head and neck, and shall ensure that the coverings are maintained in a clean condition, and are sufficient for the purpose.

(10) No person shall use any vehicle for the conveyance of meat or fish for retail sale, unless the vehicle—

(a) is kept closed when containing meat or fish for sale (except during the loading, unloading, or sale of the meat or fish); and

(b) is kept clean and in good repair; and

(c) is cleaned at the end of each working day, except on any day when it is used only for delivering frozen food.

(11) Every person who receives for sale any meat or fish packed in any receptacle intended to be used again for containing meat or fish for sale shall clean the receptacle or cause it to be cleaned as soon as practicable after the contents are removed from it.

(12) No person shall use any container for the packing of fish for sale, except in accordance with the following requirements:

(a) all returnable fish containers shall be constructed entirely of metal, plastic materials, or plastic coated wood, or of a combination of those materials:

(b) all returnable fish containers shall, immediately after use, be thoroughly washed with clean hot water to which a suitable detergent has been inserted, and shall be scrubbed and rinsed with chlorinated water containing 100 milligrams per litre of chlorine or of any other sterilising agent of equivalent strength:

(c) all non-returnable fish containers shall be constructed of new materials, and shall not be used more than once for the conveyance and holding of fish:

(d) no fish container shall be used for any purpose other than the holding of fish in transit.

Regulation 47: replaced, on 1 January 1984, by regulation 3(1) of the Food Hygiene Regulations 1974, Amendment No 4 (SR 1983/290).

Regulation 47(5) proviso: amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 47(6): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Part 9
Sale of milk and yoghurt

48 Interpretation of Part 9

In this Part, **daylight** means the period in every day commencing 30 minutes before sunrise and ending 30 minutes after sunset.

49 Application of Part 9

This Part shall not apply to partially exempted premises.

50 Refrigeration of milk and yoghurt

(1) No person shall sell milk or yoghurt from any retail premises unless the milk or yoghurt is kept at all times (except, where the milk or yoghurt is delivered to the premises while they are closed for business, the period between the delivery and the next opening of the premises) at a temperature not exceeding 7°C in a suitable refrigeration compartment in which no other food capable of contaminating or tainting the milk or yoghurt is stored.

(2) Where the milk or yoghurt is not placed in the refrigeration compartment referred to in subclause (1) immediately on delivery, the occupier of the retail premises shall provide a suitable stand or fitting in which the milk or yoghurt shall be placed until it is placed in the refrigeration compartment. The stand or fitting shall be not less than 450 millimetres above the ground and the milk or yoghurt shall be protected from daylight at all times.

51 Sale of milk in containers

(1) No person shall sell milk by retail in a sealed container, except in accordance with the following requirements:

(a) he shall not, while engaged in the sale of milk, have in his possession any appliance or device capable of sealing the container; and
(b) no seal of any container shall be tampered with before sale; and
(c) no milk shall be sold otherwise than in the form, quantity, and container in which it was received on the premises from which it is sold.

(2) No person shall deposit any substance other than milk into any container that, to his knowledge or belief, is likely to be used to contain milk for sale:
provided that this subclause shall not apply to the bottling in a milk treatment station of fruit drink or yoghurt for retail sale.

52 Transport of milk for sale

(1) Except as provided in subclauses (2) and (3), no person shall use any vehicle for the conveyance of bottled milk for sale, unless every part of the vehicle in which milk is carried is enclosed with a permanent cover constructed of wood, metal, thermoplastic, or other solid material, and all openings in the cover are fitted with wooden, metal, thermoplastic, or other solid sliding doors or roller shutters or hinged doors, so as to protect the milk from daylight.

(2) Subclause (1) shall not apply to any trolley that is used to convey bottled milk from a delivery vehicle in a quantity not exceeding 48 litres, if the milk does not remain exposed to daylight on the trolley for a period exceeding 20 minutes.

(3) Subclause (1) shall not apply in respect of any vehicle from which milk is sold by any person if—
(a) the vehicle has a canopy and curtains that are adequate to protect the milk from daylight during delivery; and
(b) the canopy and curtains were attached to the vehicle before the commencement of these regulations; and
(c) the vehicle was used by the person before the commencement of these regulations for the sale of milk.

(4) Every person in charge of a vehicle that is being used for the conveyance of bottled milk shall—
(a) operate the vehicle so as to protect the milk from daylight; and

(b) ensure that, during delivery of the milk in daylight, the doors and other openings in the canopy are closed except so far as is reasonably necessary to enable the bottles or crates to be removed or replaced.

53 Further provisions governing delivery of milk for sale

(1) No person shall deposit on any footpath, roadway, or public open space, before sale, any milk in a sealed or unsealed container, unless the milk is left in charge of a responsible person.

(2) No person shall deposit in any place any milk in a sealed container intended for resale unless the container is not less than 450 millimetres above the ground and the milk is protected from daylight at all times.

Regulation 53(1): amended, on 21 October 1976, by regulation 19 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Part 10
Packing and storage of milk

54 Packing of raw milk

[Revoked]

Regulation 54: revoked, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

55 Conduct of persons packing or bottling raw milk

[Revoked]

Regulation 55: revoked, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

56 Inspections

[Revoked]

Regulation 56: revoked, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

57 Storage of milk at depots

No person shall use any premises (other than retail premises), for the storage of milk pending retail sale, except in accordance with the following requirements:

(a) refrigerated storage, to maintain the milk at a temperature not exceeding 4.5°C, shall be provided and used; and

(b) the refrigerated storage space shall—

(i) be constructed with impervious walls, floors, and ceiling, and so as to permit floor drainage to fall to the door opening or openings; and

(ii) be provided with mechanical cooling equipment that shall be located so as to permit adequate access to all parts of the store and equipment for easy cleaning; and

(c) no substance that is likely to contaminate milk shall be stored, treated, or handled in the refrigerated storage space.

Regulation 57: amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Part 11
Manufacture of frozen confections

Part 11 heading: amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

58 Premises and equipment for manufacture of frozen confections

No person shall use any premises for the manufacture or packing of any frozen confection for sale, except in accordance with the following requirements:

(a) a well lighted and ventilated store room shall be provided in which all the dry ingredients, flavourings, colourings, wrappers, and cartons used in connection with the manufacture, packing or storage of frozen confections shall be stored; and

(b) subject to paragraphs (e) and (g), all appliances that come into contact with any frozen confection during its

manufacture, preparation, or packing shall be cleaned and rendered hygienic at least once each working day; and

(c) every open surface cooler shall be situated in a dust-proof room, unless the cooler is provided with a tightly-fitting shield that is capable of protecting the surface of the cooler from contamination; and

(d) all filling machines, coolers, buckets, cans, chutes, valves, fittings, pipes, tubes, and other similar appliances, through which ingredients are passed, shall be made of stainless steel or of any other material approved by an inspector, and all metal surfaces (other than stainless steel) of those appliances that are brought into contact with milk shall be coated to the satisfaction of an inspector with tin or with any other covering approved by an inspector; and

(e) all filling machines, valves, fittings, and pipelines, through which ingredients are passed, shall—

(i) be cleaned and rendered hygienic before and immediately after use, and then rinsed in clean water; and

(ii) until they are next used, be kept in such a manner that they are protected from contamination; and

(iii) be constructed so that they can be easily dismantled for inspection and cleaning; and

(f) all valves, fittings, and pipelines, through which ingredients are passed, shall be dismantled for cleaning, except where—

(i) they are so arranged that cleaning and bactericidal solutions can be circulated throughout the fixed system to contact all interior surfaces, and that system is self-draining and can otherwise be completely evacuated; and

(ii) an inspector has approved of them being cleaned without being dismantled; and

(g) all cans, buckets, utensils, and containers, used in connection with the manufacture or packing of frozen confections for sale, shall be thoroughly cleaned and

rendered hygienic immediately before and immediately after each use; and

(h) the floor of every room shall be thoroughly cleaned with hot water at least once each working day, and shall at all times be kept clean and in good repair.

Regulation 58 heading: amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 58: amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 58(a): amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 58(b): amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 58(g): amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

59 Conduct of persons manufacturing or packing frozen confections

No person engaged in the manufacture or packing of any frozen confection for sale shall—

(a) allow his hands or arms or any part of his clothing to come into contact with the frozen confection; or

(b) make, store, or deposit the frozen confection, or store or deposit its ingredients, in any container that is not clean; or

(c) deposit any substance, other than frozen confections, in any container that is intended to be used again for containing frozen confections; or

(d) use any container for transporting frozen confections unless—

(i) in the case of a container referred to in paragraph (c), it is constructed so as to permit every part of the interior of the container to be seen and adequately cleaned; and

(ii) in every case, it is provided with a lid or covering that protects the interior from dust, rain, and contamination.

Regulation 59 heading: amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 59(a): amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 59(b): amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 59(c): amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Regulation 59(d): amended, on 1 June 2006, by section 11(1)(e) of the Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27).

Part 12
Sale of ice cream and frozen confections

60 Premises and equipment for sale of ice cream and frozen confections

No person shall sell any ice cream or frozen confection, except in accordance with the following requirements:

(a) all scoops and servers shall, when not in actual use, be kept either in running water, or free from water in covered receptacles that are made of impervious material and are capable of being easily cleaned and rendered hygienic; and

(b) all scoops, servers, and receptacles in which scoops or servers are kept shall be thoroughly cleaned and rendered hygienic at least once in every 4 hours; and

(c) all cones and wafers in which ice cream or frozen confections are sold shall at all times be protected from contamination by dust, vermin and insects; and

(d) all ice cream for sale and frozen confections for sale shall be kept in refrigerators or deep freeze cabinets, which shall at all times be kept clean; and

(e) all scoops or servers used for the sale of ice cream shall be made of suitable material; and

(f) no mechanical server shall be used unless it has been approved by a designated officer.

Regulation 60(f): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

61 Conduct of persons selling ice cream and frozen confections

(1) Every person who sells any ice cream or frozen confection from a container that is to be used again for containing ice cream or frozen confections shall rinse or cause to be rinsed every part of the container as soon as possible after it has been emptied.

(2) No person engaged in the sale of ice cream or frozen confections shall—

(a) allow his hands or arms or any part of his clothing to come in contact with any ice cream or frozen confection; or

(b) sell any ice cream or frozen confection that, having been once frozen, has run down or melted and has been again frozen; or

(c) re-fill with ice cream or any frozen confection any used package that is made wholly or partly of wood, paper, cardboard, or similar absorbent material.

62 Sales at places of public entertainment

No person shall sell any unwrapped ice cream or frozen confection in any theatre or place of public entertainment, unless the ice cream or frozen confection is contained before sale in a suitable receptacle capable of protecting it from contamination, and is distributed for sale and sold from such a receptacle.

Part 13
Manufacture of syrups, cordials, aerated waters, and other beverages

63 Interpretation of Part 13

In this Part, **beverage** means any syrup, cordial, aerated water, or other beverage, except—

(a) water; and

(b) any beverage to which Parts 10, 11, 15, 16 or 17 apply.

64 Manufacture, preparation, and bottling of beverages

(1) No person shall use any premises for the manufacture, preparation, or bottling of beverages for sale, except in accordance with the following requirements:

(a) no bottle, jar, or other container used for containing a beverage shall be filled unless it is clean and free from foreign matter; and

(b) all bottles, jars, and other containers used for containing beverages shall be effectively cleaned and rendered hygienic before use; and

(c) no unwashed or dirty bottle shall be stored in that part of a room in which clean bottles are being filled; and

(d) all appliances, pipes, and fittings through which any syrup or liquid charged with carbon dioxide may flow or be held shall be made of stainless steel or of any other material approved by an inspector.

(2) It shall not be necessary for the cleaning of bottles, jars, and other containers, required by subclause (1), to be carried out on the premises, if the cleaning is carried out in another place approved by an inspector, and the bottles, jars, and other containers are properly stored after cleaning to protect them from contamination until they are used.

(3) No person shall manufacture or prepare syrup for sale, or for use in the manufacture or preparation of any other food for sale, in a room that is used for any purpose other than the making of syrup.

(4) No person shall use any premises for the manufacture, preparation, or bottling of beverages for sale, unless the premises are provided with facilities for the treatment of the water supply by means of coagulation, sedimentation, filtration, disinfection, or other physical or chemical processes, or by any combination of those processes, so as to ensure that the water used is of a safe and satisfactory quality.

(5) No person shall use any appliance or equipment for the manufacture, preparation, or bottling of beverages for sale, except in accordance with the following requirements:

(a) all valves, fittings, and pipelines, through which beverages are passed, shall—

(i) be cleaned and rendered hygienic immediately before and after use; and

(ii) until they are next used, be kept in such a manner that they are protected from contamination; and

(iii) be constructed so that they can be easily dismantled for inspection and cleaning; and

(b) all valves, fittings, and pipelines, through which beverages are passed, shall be dismantled for cleaning, except where—

(i) they are so arranged that cleaning solutions can be circulated throughout the fixed system to contact all interior surfaces, and that system is self-draining and can otherwise be completely evacuated; and

(ii) a readily accessible and easily removable section is provided in each pipeline for inspection purposes; and

(iii) an inspector has approved of them being cleaned without being dismantled.

Part 14
Food vending machines

65 Interpretation of Part 14

In this Part,—

food vending machine means any self-service machine that, on the insertion of a coin or token or by any other means, dispenses by way of sale servings of food in units, either in bulk or in a package, and does not require replenishment between each sale; but does not mean any machine that dispenses only bottled or canned beverages for consumption, if those beverages can be consumed from the containers in which they are dispensed; and does not mean any machine that dispenses only wrapped confectionery

machine location means any room, enclosure, space, area, or other place where 1 or more vending machines are installed and operated.

66 Food vending machines to be of approved types

No person shall install, use, or operate any food vending machine unless it is of a type approved by a designated officer.

Regulation 66: amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

67 Restrictions on installation of food vending machines

No person shall install in any place any food vending machine, except in accordance with the following requirements:

(a) the machine location shall be suitable for the purpose of avoiding contamination of the product and all machines in that location shall be capable of being easily cleaned and kept clean; and

(b) the food vending machine shall be so located and installed that the space around and under the machine can be readily cleaned and so that it provides no harbourage for birds, vermin, or insects; and

(c) the floor area where the vending machine is located shall be constructed of smooth, impervious material that is easily cleaned and is capable of withstanding repeated washing and scrubbing.

68 Use of food vending machines

No person shall provide for use any food vending machine, except in accordance with the following requirements:

(a) there shall be provided and located in a convenient position in the vicinity of the food vending machine, for the reception and storage of single-service items or other waste matter, a sufficient number of self-closing, portable, watertight receptacles that are labelled conspicuously on the outside as waste containers; and

(b) the receptacles shall be emptied at least once daily, and immediately after emptying shall be effectively washed and cleaned; and

(c) the machine location shall be kept clean and tidy, and the space immediately surrounding the food vending machine shall be washed and scrubbed at sufficiently frequent intervals to ensure that it is maintained in a clean condition; and

(d) all food offered for sale shall be manufactured, prepared, or packed on premises registered for the purpose or on premises specified in subclause (4) of regulation 4, and shall be delivered to the machine in clean, protective containers suitable for the purpose and in such a manner as to protect the food from contamination; and

(e) food, and all single service containers or items, to be used in connection with a food vending machine shall, during delivery and while in storage pending use, be protected at all times from dust, birds, vermin, and insects, and from any contamination; and

(f) suitable racks or cases shall be provided for multi-use containers or bottles; and

(g) all readily perishable food shall be dispensed in the original container, package, or wrapper into which it was placed at the premises referred to in paragraph (d), or alternatively shall be dispensed in single service containers; and

(h) in all machines that dispense readily perishable foods in bulk, the bulk supplies of those foods shall be transferred only to a vending machine bulk container and appurtenances that are clean and have been rendered hygienic; and

(i) no milk or fluid milk product offered for sale through a food vending machine shall be dispensed except in individual, original containers, or from bulk containers, into which the product has been placed at a milk treatment station:

provided that in the case of a food vending machine using any milk product as an ingredient in a liquid food that is served at a temperature not below 65°C, the milk product may be supplied from a separate container of not more than 3 litres capacity; and

(j) every food vending machine that dispenses readily perishable food shall be equipped with a temperature control device to ensure that the food is maintained at the required temperature; and

(k) all readily perishable food within the food vending machine shall be maintained at a temperature either of not more than 4°C or of not less than 60°C; and

(l) all multi-use containers and all parts of a food vending machine that come into direct contact with readily perishable food shall be removed from the machine daily, and shall be thoroughly cleaned and rendered hygienic; and

(m) all parts of a vending machine that come into direct contact with food other than readily perishable food shall be thoroughly cleaned and rendered hygienic at sufficiently frequent intervals to ensure that they are maintained in a clean and sanitary condition.

69 Hygiene

Every person filling a container or servicing a food vending machine shall—

(a) wear clean, washable, outer garments while so engaged; and

(b) wash his hands thoroughly before placing any food in the food vending machine.

70 Inspection of food vending machines

The owner of every food vending machine shall make available at all times at the machine location all facilities that are necessary to enable any inspector to carry out an inspection of the interior of the machine.

Part 15
Breweries

71 Interpretation of Part 15

In this Part, **brewery** means any premises—

(a) on which is carried on the manufacture or preparation of beer for sale; or

(b) on which is carried on the storage, casking, or bottling of beer for sale other than retail sale.

72 Brewery premises and containers

No person shall carry on a brewery, except in accordance with the following requirements:

(a) suitable storage space shall be provided for all ingredients used in the preparation of beer, and those ingredients shall be effectively protected from contamination; and

(b) no bottle, barrel, jar, vat, or other container, used for containing beer for sale, shall be filled with beer unless the container is clean and free from foreign matter; and

(c) no spent hops or other wastes shall be kept longer than necessary on any premises used for the manufacture of beer for sale; and

(d) all spent hops and other wastes shall be removed from the premises at regular and frequent intervals; and

(e) all tasting glasses and other appliances and vessels used for the sampling of beer shall, when not in use, be stored in a dust-proof place, and shall be thoroughly cleaned immediately on every occasion after being used.

73 Brewery equipment

No person shall carry on a brewery, except in accordance with the following requirements:

(a) all corks, crown seals, wads, and capping devices, that may come into contact with beer when used in closing or sealing any beer container, shall be clean and new and until so used shall be kept in such a manner as to be protected from contamination; and

(b) all jars, bottles, glasses, and other beer containers, kept in straw or other material for transport or storage, shall be effectively cleaned and rendered hygienic before use; and

(c) all equipment, conveyors, storage casks, and vats shall be situated so as to provide easy access for cleaning and washing down; and

(d) all movable storage vessels and equipment shall be supported above floor level so as to facilitate cleaning and the keeping of the floor free from dampness; and

(e) all beer hoses shall be made from high-grade rubber or from any other non-toxic material, and shall be in a sound condition; and

(f) no defective beer hoses shall be permitted to remain on the premises; and

(g) all beer hoses shall be cleaned and rendered hygienic at least once each week; and immediately after cleaning all beer hoses shall be drained and shall until they are next used be kept uncoiled in such a manner that they remain free from liquid and are protected from contamination; and

(h) all buckets, cans, chutes, valves, fittings, pipes, tubes, and other similar appliances, through which beer is passed, shall be made of stainless steel or of any other material approved by an inspector; and

(i) all valves, fittings, and pipelines, through which beer is passed, shall—

(i) be cleaned and rendered hygienic at least once each week; and

(ii) until they are next used, be kept in such a manner that they are protected from contamination; and

(iii) be constructed so that they can be easily dismantled for inspection and cleaning; and

(j) all valves, fittings, and pipelines, through which beer is passed, shall be dismantled for cleaning, except where they are so arranged that cleaning and bactericidal or hot water solutions can be circulated throughout the fixed system to contact all interior surfaces, and that system is self-draining and can be completely evacuated; and

(k) every tap or pipe, used for the drawing of beer for sale, shall be constructed in such a manner—

(i) as to permit the ready cleaning of all internal parts; and

(ii) as to be properly sealed to prevent leakage; and

(iii) that the whole of the interior surface is perfectly smooth and free from undulations and irregularities, and is of stainless steel or of any other material approved by an inspector throughout its length.

74 Beer not to be syphoned by mouth

No person engaged in a brewery in the manufacture, preparation, casking, or bottling of beer for sale shall apply to his mouth any syphon tube from a vessel containing beer.

Part 16
Manufacture, preparation, storage, casking, and bottling of wine

75 Winery premises

No person shall use any premises for the manufacture, preparation, storage, casking, or bottling of wine for sale, except in accordance with the following requirements:

(a) the premises shall not be used for the storage of any materials that are not required for use in the manufacture, preparation, storage, casking, or bottling of wine or other liquors for sale; and

(b) all wine contained in sealed casks, concrete vats, or other containers, for maturation, shall be stored in a place or places approved by an inspector; and

(c) no spent marc or other winery wastes shall be kept for longer than 48 hours on any premises that are used for the manufacture of wine for sale.

75A Application of Schedule 1 to winemaker's premises

(1) Subject to subclause (2), no person shall use any premises for the manufacture of wine for sale unless those premises conform with all the requirements of Schedule 1.

(2) The provisions of subclauses (4) and (5) of regulation 5, subclauses (3) to (11) of regulation 6, and regulations 7 and 8, (except paragraph (a) of the said regulation 7) shall apply in respect of premises used for the manufacture of wine for sale as they apply in respect of registered premises, and for that purpose references in any of those provisions to an occupier of registered premises shall be deemed to include references to an occupier of premises so used.

Regulation 75A: inserted, on 1 April 1977, by regulation 20 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

76 Winery equipment

(1) No person shall carry on the manufacture, preparation, storage, casking, or bottling of wine for sale, except in accordance with the following requirements:

(a) all equipment, conveyors, storage casks, and vats shall be situated so as to provide easy access for cleaning and washing down; and

(b) all movable storage vessels and equipment shall be supported above floor level to facilitate cleaning and to keep the floor free from dampness; and

(c) all wine hoses shall be made from high-grade rubber or from any other non-toxic material, and shall be in a sound condition; and

(d) no defective wine hoses shall be permitted to remain on the premises; and

(e) all wine hoses shall be cleaned and rendered hygienic immediately before and immediately after use, and immediately after cleaning all wine hoses shall be drained and shall until they are next used be kept uncoiled in such a manner that they remain free from liquid and are protected from contamination; and

(f) all buckets, cans, chutes, valves, fittings, pipes, tubes, and other similar appliances, through which wine or grape juice is passed, shall be made of stainless steel or of any other material approved by an inspector, and all metal surfaces (other than stainless steel) of such appliances that are brought into contact with wine or grape juice shall be coated to the satisfaction of an inspector with tin or with any other covering approved by an inspector; and

(g) all valves, fittings, and pipelines, through which wine or grape juice is passed, shall—

(i) be cleaned and rendered hygienic immediately before and immediately after use; and

(ii) until they are next used, be kept in such a manner that they are protected from contamination; and

(iii) be constructed so that they can be easily dismantled for inspection and cleaning; and

(h) all valves, fittings, and pipelines, through which wine or grape juice is passed, shall be dismantled for cleaning, except where—

(i) they are so arranged that cleaning and bactericidal solutions can be circulated throughout the fixed system to contact all interior surfaces, and that system is self-draining and can be completely evacuated; and

(ii) a readily accessible and easily removable section is provided in each pipeline for inspection purposes; and

(iii) an inspector has approved of them being cleaned without being dismantled; and

(i) no bottle, jar, cask, vat, or other container used for containing wine for sale shall be filled with wine unless the container is clean and free from foreign matter; and

(j) all bottles, jars, and other containers used for containing wine for sale shall be cleaned and rendered hygienic before use:

provided that this paragraph shall not apply to new bottles that have been packed in such a manner as to be completely protected from contamination; and

(k) all jars, bottles, glasses, and other wine containers, kept in straw or other material for transport or storage, shall be rendered hygienic before use; and

(l) all corks, crown seals, wads, and capping devices, that may come into contact with wine when used in closing or sealing any wine container, shall be clean and new, and shall be kept until so used in such a manner as to be protected from contamination; and

(m) all tasting glasses and other appliances and vessels used for the sampling of wine shall, when not in use, be stored in a dust-proof place and shall be thoroughly cleaned immediately on every occasion after being used.

(2) It shall not be necessary for the cleaning of bottles, jars, and other containers, required by subclause (1), to be carried out on the premises, if the cleaning is carried out in any other place approved by an inspector, and the bottles, jars, and other con-

tainers are properly stored after cleaning to protect them from contamination until they are used.

77 Wine taps and pipes

No person shall use any tap or pipe for the drawing of wine for sale unless that tap or pipe is constructed—

(a) of wood or stainless steel, or of any other metal approved by an inspector, that is coated throughout its length to the satisfaction of an inspector with tin or with another material approved by an inspector; and

(b) in such a manner as to permit the ready cleaning of all internal parts; and

(c) so that the whole of the interior surface is perfectly smooth and free from undulations and irregularities; and

(d) so that the tap-plug consists of wood or of any other solid metal or material approved by an inspector, and that every aperture through the tap-plug is cut straight and free from recesses.

78 Wine not to be syphoned by mouth

No person engaged in the manufacture, storage, casking, or bottling of wine for sale shall apply to his mouth any syphon tube from a vessel containing wine.

Part 17
Sale of liquor

79 Sale of liquor by wholesale

No person shall use any premises for the wholesale sale of liquor, except in accordance with the following requirements:

(a) every room that is used for tasting liquor shall be equipped with a sink which is supplied with hot and cold running water; and

(b) all tasting glasses and other appliances and vessels used for sampling liquor shall be stored in a dust-proof place when they are not in use, and shall be thoroughly cleaned immediately on every occasion after being used.

80 Beer dregs to be denatured

No person shall use any premises for the retail sale of liquor unless all beer dregs collected and stored in containers in the bars on the premises are denatured immediately after collection.

81 Conduct of persons engaged in the retail sale of liquor

(1) Every person filling any glass or container with beer, for retail sale, from a pressure gun or from any other similar appliance shall take all reasonable steps to ensure that the pressure gun or other appliance is not contaminated by coming into contact with any glass or container or the contents of any glass or container.

(2) Every person filling any glass or container with liquor, for retail sale, from a measuring appliance or fitting shall take all reasonable steps to ensure that the measuring appliance or fitting is not contaminated by coming into contact with the glass or container.

Part 18
General provisions

82 Closure of premises

(1) Where any food premises are, by reason of their situation, construction, disrepair, or state, in such a condition that any food in the premises may be exposed to contamination or taint, or deteriorate or become dirty, a designated officer may serve a notice in writing on the occupier of the premises requiring him—

(a) to clean, reconstruct, or repair the premises in a manner to be specified in the notice, within a period (not being less than 7 days) to be specified in the notice; or

(b) to clean, reconstruct, or repair the premises in a manner to be specified in the notice, and to cease to use the premises as food premises until the cleaning, reconstruction or repair has been completed to the satisfaction of a designated officer; or

(c) to cease to use the premises as food premises, and not to subsequently resume the use of the premises as food premises.

(2) Any notice served under subclause (1) may be revoked at any time by a designated officer. The occupier of the premises to which the notice related shall forthwith be notified in writing of the revocation.

(3) The fact that a notice has been served under subclause (1) shall not prevent the service of another notice under any paragraph of that subclause in respect of the same premises.

(4) A notice under subclause (1) shall have effect notwithstanding that the time for filing an appeal under regulation 85 in respect of the notice has not expired, or that such an appeal has been filed but has not been determined, unless a designated officer suspends the operation of the notice until the time for filing such an appeal has expired or until any appeal so filed has been determined.

(5) It shall be sufficient compliance with a notice under subclause (1) requiring the occupier of food premises to clean, reconstruct, or repair any premises, if the occupier ceases to use the premises as food premises and does not subsequently resume the use of the premises as food premises.

(6) This regulation shall not apply to partially exempted premises.

Regulation 82(1): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 82(1)(b): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 82(2): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 82(4): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

83 Duty of local authorities

(1) Every local authority—

(a) shall enforce the provisions of these regulations within its own district; and

(b) for that purpose, shall cause regular inspections to be made of all registered premises and of all premises required to be registered by virtue of regulation 4.

(2) Nothing in subclause (1) shall derogate from any function, power, or duty conferred or imposed on a local authority by any other enactment, or conferred or imposed on any person in the service of the Crown.

(3) Every occupier of any premises specified in subclause (4) of regulation 4 shall pay to the local authority in respect of any inspection of the premises carried out by the local authority for the purposes of these regulations such reasonable annual fee as the local authority may prescribe by resolution.

(4) Subclause (1)(a) shall not apply in respect of regulation 47 so far as that regulation relates to the transport of meat to premises.

Regulation 83(4): inserted, on 21 October 1976, by regulation 21 of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Regulation 83(4): amended, on 1 January 1984, by regulation 4 of the Food Hygiene Regulations 1974, Amendment No 4 (SR 1983/290).

84 Appeals to Director-General

(1) An occupier of food premises in respect of which a designated officer has made a decision or requirement under these regulations may, within 14 days of being notified in writing of it, appeal in writing against it to the Director-General.

(1A) The Director-General may authorise a designated officer not involved in the decision or requirement to hear and determine the appeal.

(2) The Director-General or designated officer may confirm, reverse, or modify the decision or requirement.

(3) An uncompleted appeal to a Medical Officer of Health under the former regulation 84 may, at the Director-General's discretion, be completed—

(a) by the Medical Officer of Health, as if the former regulation 84 had not been replaced by this regulation; or

(b) by the Director-General, or a designated officer authorised under subclause (1A).

Regulation 84: replaced, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

85 Appeals to District Court

(1) Any occupier of food premises—

(a) who has had an appeal decided under regulation 84; or

(b) in respect of whose premises any other decision or requirement has been made under these regulations by a designated officer—

may appeal against that decision or requirement to a District Court within 14 days after being notified in writing of the decision or requirement.

(2) No appeal shall lie under subclause (1) against a refusal to register any premises, or to renew or revoke the registration of any premises, in accordance with the Health (Registration of Premises) Regulations 1966.

(3) An appeal under this regulation shall be made by way of originating application in accordance with the District Courts Rules 2009 (SR 2009/257), and shall be filed in the office of the court nearest to the place of business or employment of the appellant.

(4) On hearing an appeal brought under this regulation, the court may confirm, reverse, or modify the decision or requirement concerned, and the decision of the court on the appeal shall be final.

Regulation 85 heading: amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

Regulation 85(1): amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

Regulation 85(1)(a): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 85(1)(b): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

Regulation 85(3): amended, on 1 November 2009, pursuant to rule 17.1 of the District Courts Rules 2009 (SR 2009/257).

Regulation 85(4): amended, on 1 July 2002, by section 9(2) of the Food Amendment Act 2002 (2002 No 26).

86 Offences and penalties

(1) Every person commits an offence against these regulations, and is liable accordingly under sections 136 and 137 of the Health Act 1956, who contravenes or fails to comply with any of the provisions of Part 1 or the requirements of any notice served on him under regulation 82.

(2) Every person commits an offence against these regulations who contravenes or fails to comply with any of the provisions of these regulations (other than those of Part 1), and is liable on conviction to a fine not exceeding $200 and, where the offence is a continuing one, to a further fine not exceeding $10 for every day or part of a day during which the offence has continued.

Regulation 86(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

87 Revocations

The regulations specified in Schedule 2 are hereby revoked.

Schedule 1

r 5

Requirements for registration of premises

1 General

The premises shall be well constructed. They shall be in good repair. As far as may be practicable they shall offer no entrance or harbourage for rodents.

Schedule 1 clause 1: amended, on 19 January 1994, by regulation 3(a) of the Food Hygiene Regulations 1974, Amendment No 5 (SR 1993/404).

2 Floors

(a) Unless otherwise prescribed in these regulations, the floors—

(i) shall be constructed of impervious and easily cleaned material that is resistant to wear and corrosion, and shall be adequately graded and drained, with all angles between the floors and walls rounded off to a height of not less than 75 millimetres from the floor; or

(ii) shall be constructed of wood with the boards laid on a firm foundation and tightly cramped together and with all angles between the floor and walls rounded; or

(iii) shall be constructed in accordance with the requirements of subparagraphs (i) or (ii) and covered with a smooth surfaced material fixed to the floor with a suitable adhesive.

(b) The materials of which the floors are constructed shall in any event be suited to the work or process carried out on the premises.

Schedule 1 clause 2(a)(i): amended, on 21 October 1976, by regulation 22(1)(a) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

3 Walls

(a) The internal surface of the walls shall be constructed of dust-proof materials, and shall be smooth and non-absorbent, and shall be able to be readily cleaned without damage to the surface.

(b) If the walls are liable to be wetted or fouled, they shall be constructed of impervious material to a height of not less than 2 metres from the floor level.

(c) *[Revoked]*

(d) *[Revoked]*

(e) The internal surface of the walls shall be painted, or shall have such other finish as an inspector may approve.

Schedule 1 clause 3(a): amended, on 21 October 1976, by regulation 22(1)(b) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Schedule 1 clause 3(c): revoked, on 21 October 1976, by regulation 22(1)(c) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Schedule 1 clause 3(d): revoked, on 21 October 1976, by regulation 22(1)(c) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Schedule 1 clause 3(e): amended, on 21 October 1976, by regulation 22(1)(d) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

4 Ceilings

(a) Every ceiling or, where no ceiling is provided, the undersurface of the roof, and every support shall be of such construction and finish as to—

(i) provide a smooth surface that is dust-proof; and

(ii) permit efficient and thorough cleaning.

(b) All trusses shall be completely enclosed.

(c) In every room in which food is manufactured, prepared, or packed, or in which utensils or hands are washed, the ceiling or, where no ceiling is provided, the undersurface of the roof, shall have a smooth surface that is non-absorbent and light in colour, and that can be readily cleaned without damage to the surface.

(d) No ceiling shall be less than 2.4 metres above the floor, measured at the lowest point of the ceiling.

Schedule 1 clause 4(a)(i): amended, on 21 October 1976, by regulation 22(1)(e) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Schedule 1 clause 4(c): amended, on 21 October 1976, by regulation 22(1)(f) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

Schedule 1 clause 4(d): inserted, on 21 October 1976, by regulation 22(2) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

5 Lighting

(a) The illumination provided in the premises shall be of sufficient intensity to enable effective inspection and cleaning of the premises, and to enable the purposes for which the premises are used to be satisfactorily carried out.

(b) In every room in which food is manufactured, prepared, or packed, or in which hands are washed, the minimum illumination intensity shall be 215 lux at a point 900 millimetres above the floor.

(c) All lighting on the premises shall be reasonably free from glare and shall be distributed so as to avoid shadows.

6 Ventilation

(a) The premises shall be provided with such ventilation as is necessary to maintain comfortable conditions for persons in the premises.

(b) As far as practicable, the ventilation shall be adequate—

(i) to prevent the air on the premises from becoming excessively heated; and

(ii) to prevent condensation and the formation of excess moisture on the floors, walls, and ceilings; and

(iii) for the removal of objectionable odours, fumes, and impurities from the premises.

(c) If the premises do not have adequate natural ventilation for the purposes of paragraphs (a) and (b), they shall be provided with a mechanical ventilation system that obtains air flow from a clean area.

(d) Where the premises are provided with a mechanical ventilation system, it shall discharge air (including any vapours, gases, and other products produced during any cooking or similar food preparation process or any food manufacturing process) in a manner that does not create a nuisance.

(e) Where the premises are provided with a mechanical ventilation system, an inspector may require that it shall include such canopies, air ducts, fans, and other simi-

lar appliances as he considers necessary for the proper operation of the system in accordance with this clause. The canopies, air ducts, fans, and other appliances shall be designed and constructed of material that will facilitate cleaning and prevent grease and condensate from dripping on to food and on to food preparation surfaces.

7 Space

(a) The premises shall contain sufficient floor space—

(i) to enable every person working there to carry out his work efficiently; and

(ii) to allow easy access for cleaning purposes.

(b) Every working space, aisle, passageway, or area on the premises, to which it is intended that customers shall have access, shall be unobstructed and shall be sufficiently spacious to allow movement by workers and customers without contamination of food or food contact surfaces by clothing or personal contact.

8 Changing facilities

(a) The premises shall be provided with adequate and suitable lockers or other facilities for the orderly storage of clothing and personal belongings of workers on the premises.

(b) The lockers or other facilities shall be situated and arranged so as to prevent the contamination of food by contact with clothing.

(c) Where more than 4 persons work in the premises, a separate changing room shall be provided; and where those persons include at least 1 person of each sex, separate changing rooms shall be provided for each sex.

(d) The facilities required by paragraph (a) shall be provided in a room in which the ceiling or (where there is no ceiling) the undersurface of the roof, and every wall, is constructed of or covered with a smooth surfaced material.

Schedule 1 clause 8(d): inserted, on 21 October 1976, by regulation 22(3) of the Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268).

9 Toilet accommodation

(a) The premises shall be provided with sufficient toilet accommodation, in accordance with the building code set out in Schedule 1 of the Building Regulations 1992, for the workers on the premises.

(b) All toilet accommodation shall be convenient to the places where the workers for whom it is provided are engaged in their work.

Schedule 1 clause 9(a): amended, on 19 January 1994, by regulation 3(b) of the Food Hygiene Regulations 1974, Amendment No 5 (SR 1993/404).

10 Wash-hand basins

(a) The premises shall be provided with wash-hand basins for the use of the workers engaged there, on the following basis:

(i) where not more than 10 workers are engaged on the premises, there shall be not less than 1 basin:

(ii) where more than 10 workers are engaged on the premises, there shall be at least 1 separate basin for every whole group of 10 workers, together with an additional basin for the remaining workers.

(b) Every wash-hand basin required under paragraph (a) shall be installed as near as may be practicable to the parts of the premises where the workers for whose use it is intended will be engaged whenever they are handling food for sale.

(c) This clause shall not apply to premises on which the only food that is stored or sold is either prepacked or contained in sealed containers.

11 Water supply

The premises shall be provided with an adequate supply of clear, wholesome water.

12 Hot water supply

The premises shall be provided with a hot water system having a storage capacity approved by an inspector to supply, during

the time in every day when the premises are used, an adequate and continuous supply of piped hot water—

(a) at a temperature of not less than 63°C at all sinks and other equipment that are used for the washing of containers, utensils, and appliances; and

(b) at a temperature of not less than 83°C for every other purpose for which hot water is required under these regulations.

13 Plumbing

The premises shall be provided to the satisfaction of an inspector with sinks, sanitary fixtures and accessories, or other plant or appliances, that are of sufficient capacity to enable all appliances, containers, utensils, and equipment used in connection with the manufacture, preparation, packing, or storage of food for sale, or consumption of food, or sale of food, to be cleaned efficiently and rendered hygienic in accordance with the requirements of these regulations.

14 Sewage disposal

The premises shall be provided with sufficient, suitable drains to carry away the whole of the sewage and liquid wastes from the premises to a sewer, sewage tank, or other outfall, in accordance with the requirements of the building code set out in Schedule 1 of the Building Regulations 1992.

Schedule 1 clause 14: amended, on 19 January 1994, by regulation 3(c) of the Food Hygiene Regulations 1974, Amendment No 5 (SR 1993/404).

15 Yards

(a) Every yard or outside working area on the premises, and every pathway connected with such yard or working area, shall be provided to the satisfaction of an inspector with an area that is paved with an impervious, washable surface. The paved area shall be provided with adequate drainage.

(b) Reasonable access from other parts of the premises shall be provided to every yard on the premises.

(c) Where no yard is provided on the premises, they shall contain a separate room or enclosure for the storage of

refuse containers and any articles or materials that are not required for immediate use.

(d) This clause shall not apply to any premises that are only used for the depositing and temporary holding of food pending loading or delivery.

Schedule 2 r 87
Regulations revoked

Food Hygiene Regulations 1952 (SR 1952/74)

Food Hygiene Regulations 1952, Amendment No 1 (SR 1953/161)

Food Hygiene Regulations 1952, Amendment No 2 (SR 1962/104)

Food Hygiene Regulations 1952, Amendment No 3 (SR 1966/71)

Health (Eatinghouse) Regulations 1948 (SR 1948/185) (Reprinted with amendments Nos 1 to 3 (SR 1966/193))

Health (Eatinghouse) Regulations 1948, Amendment No 1 (SR 1954/126)

Health (Eatinghouse) Regulations 1948, Amendment No 2 (SR 1960/132)

Health (Eatinghouse) Regulations 1948, Amendment No 3 (SR 1966/72)

P G Millen,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 4 July 1974.

Contents

1 General
2 Status of reprints
3 How reprints are prepared
4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
5 List of amendments incorporated in this reprint (most recent first)

Notes

1 General

This is a reprint of the Food Hygiene Regulations 1974. The reprint incorporates all the amendments to the regulations as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* http://www.pco.parliament.govt.nz/reprints/.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, *see* http://www.pco.parliament.govt.nz/editorial-conventions/ or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Criminal Procedure Act 2011 (2011 No 81): section 413

District Court Rules 2009 (SR 2009/257): rule 17.1

Animal Products (Ancillary and Transitional Provisions) Amendment Act 2005 (2005 No 27): section 11(1)(e)

Food Amendment Act 2002 (2002 No 26): section 9(2)

Animal Products (Ancillary and Transitional Provisions) Act 1999 (1999 No 94): section 8(2)

Food Hygiene Amendment Regulations 1997 (SR 1997/101)

Dog Control Act 1996 (1996 No 13): section 80

Food Hygiene Regulations 1974, Amendment No 5 (SR 1993/404)

Civil Aviation Act 1990 (1990 No 98): section 101(1)

Sale of Liquor Act 1989 (1989 No 63): section 230(2)

Trade and Industry Act Repeal Act 1988 (1988 No 156): section 3(1)

Food Hygiene Regulations 1974, Amendment No 4 (SR 1983/290)
Health (Quarantine) Regulations 1983 (SR 1983/52): regulation 28
Venereal Diseases Regulations 1982 (SR 1982/215): regulation 15(a)
Wine Makers Regulations 1982 (SR 1982/63): regulation 19
Food Hygiene Regulations 1974, Amendment No 3 (SR 1981/326)
Food Hygiene Regulations 1974, Amendment No 2 (SR 1980/266)
District Courts Amendment Act 1979 (1979 No 125): section 18(2)
Food Hygiene Regulations 1974, Amendment No 1 (SR 1976/268)

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