



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART III

#### ADMINISTRATION AND ENFORCEMENT

##### *Sampling and analysis etc.*

#### **29 Procurement of samples.**

An authorised officer of an enforcement authority may—

- (a) purchase a sample of any food, or any substance capable of being used in the preparation of food;
- (b) take a sample of any food, or any such substance, which—
  - (i) appears to him to be intended for sale, or to have been sold, for human consumption; or
  - (ii) is found by him on or in any premises which he is authorised to enter by or under section 32 below;
- (c) take a sample from any food source, or a sample of any contact material, which is found by him on or in any such premises;
- (d) take a sample of any article or substance which is found by him on or in any such premises and which he has reason to believe may be required as evidence in proceedings under any of the provisions of this Act or of regulations or orders made under it.

#### **Modifications etc. (not altering text)**

- C1** S. 29 modified (1.1.1993) by [S.I. 1992/3145, reg.11\(3\)](#) (which S.I. was revoked (1.7.1998) by [S.I. 1998/1376, reg. 14](#))
- S. 29 modified (1.7.1998) by [S.I. 1998/1376, reg. 12\(3\)](#)
- S. 29 modified (E.) (18.6.2002) by [S.I. 2002/890, reg. 5](#)
- S. 29 modified (S.) (1.7.2002) by [S.S.I. 2002/267, reg. 5](#)
- S. 29 modified (W.) (2.8.2002) by [S.I. 2002/1886, reg. 5](#)

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- C2** S. 29 applied (3.10.1994) by S.I. 1994/2328, **reg. 11(c)**  
S. 29 applied (E.) (4.4.2002) by S.I. 2002/931, **reg. 4(3)(b)**  
S. 29 applied (W.) (16.4.2002) by S.I. 2002/1090, **reg. 5(5)**
- C3** S. 29 applied (with modifications) (11.8.1997) by S.I. 1997/1729, **reg. 34(4)**  
S. 29 applied (with modifications): (E.) (23.3.2002) by S.I. 2002/773, **reg. 5(5)(6)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2351, **reg. 7**); (E.) (23.3.2002) by S.I. 2002/774, **reg. 5(5)(6)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2350, **reg. 7**); (S.) (25.3.2002) by S.S.I. 2002/148, **regs. 1(1), 5(5)(6)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/424, **reg. 7**); (S.) (25.3.2002) by S.S.I. 2002/149, **regs. 1(1), 5(5)(6)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/425, **reg. 7**); (W.) (26.3.2002) by S.I. 2002/820, **reg. 5(5)(6)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2295, **reg. 7**); (W.) (26.3.2002) by S.I. 2002/821, **reg. 5(5)(6)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2296, **reg. 7**); (S.) (4.4.2002) by S.S.I. 2002/179, **reg. 6(1)(c)**; (E.) (4.4.2002) by S.I. 2002/931, **reg. 5(5)**; (W.) (16.4.2002) by S.I. 2002/1090, **reg. 5(5)**; (E.) (20.6.2002) by S.I. 2002/1614, **reg. 5(5)**; (S.) (24.6.2002) by S.S.I. 2002/300, **reg. 5(5)**; (W.) (12.7.2002) by S.I. 2002/1798, **reg. 5(5)-(12)**; (W.) (9.9.2002) by S.I. 2002/2295, **reg. 5(2)-(8)** and S.I. 2002/2296, **reg. 5(2)-(8)**; (E.) (13.9.2002) by S.I. 2002/2350, **reg. 5(2)-(8)** and S.I. 2002/2351, **reg. 5(2)-(8)**; (S.) (13.9.2002) by S.S.I. 2002/424, **reg. 5(2)-(8)** and S.S.I. 2002/425, **reg. 5(2)-(8)**
- C4** S. 29 applied (with modifications) (W.) (17.4.2003) by Food (Pistachios from Iran) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/1119), **regs. 1(1), 5(2)**
- C5** S. 29 modified (30.6.2003) by Contaminants in Food (England) Regulations 2003 (S.I. 2003/1478), **regs. 1, 5(1)**
- C6** S. 29 modified (1.7.2003) by Contaminants in Food (Scotland) Regulations 2003 (S.S.I. 2003/289), **regs. 1(1), 5**
- C7** S. 29 applied (with modifications) (11.7.2003) by Food (Brazil Nuts) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1722), **regs. 1(1), 5(2)**
- C8** S. 29 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (England) Regulations 2003 (S.I. 2003/1596), **regs. 1, 9(2)** (with **reg. 11**)
- C9** S. 29 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (Scotland) Regulations 2003 (S.S.I. 2003/311), **regs. 1(1), 10(2)** (with **reg. 3**)
- C10** S. 29 applied (with modifications) (30.7.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1940), **regs. 1(1), 5(2), 5(4)**
- C11** S. 29 applied (with modifications) (31.7.2003) by The Contaminants in Food (Wales) Regulations 2003 (S.I. 2003/1721), **regs. 1, 5**
- C12** S. 29 applied (with modifications) (31.7.2003) by Food (Pistachios from Iran) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1956), **regs. 1(1), 5(2), 5(3)**
- C13** S. 29 extended (31.7.2003) by The Food Safety (Ships and Aircraft) (Wales) Order 2003 (S.I. 2003/1774), **arts. 1, 3, Sch.**
- C14** S. 29 applied (with modifications) (9.8.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/382), **regs. 1(1), 6(2)**
- C15** S. 29 applied (with modifications) (14.8.2003) by Food (Peanuts from Egypt) (Emergency Control) (England) Regulations 2003 (S.I. 2003/2074), **regs. 1(1), reg. 5(2)-(8)**
- C16** S. 29 applied (with modifications) (27.8.2003) by Food (Brazil Nuts) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/396), **regs. 1(1), 5(2)**
- C17** S. 29 applied (with modifications) (5.9.2003) by Food (Brazil Nuts) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/2254), **regs. 1(1), 5(2)**
- C18** S. 29 applied (with modifications) (6.9.2003) by The Food (Pistachios from Iran) (Emergency Control) (Wales) (No.2) Regulations 2003 (S.I. 2003/2288), **regs. 1(1), 5(2)**
- C19** S. 29 applied (with modifications) (25.9.2003) by Food (Hot Chilli And Hot Chilli Products) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/2455), **regs. 1(1), 5(2)**
- C20** S. 29 applied (with modifications) (30.9.2003) by Food (Pistachios from Iran) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/414), **regs. 1(1), reg. 5(2)-(8)**
- C21** S. 29 applied (with modifications) (30.9.2003) by Food (Peanuts from Egypt) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/418), **regs. 1(1), reg. 5(2)-(8)**

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- C22 S. 29 amendment to earlier affecting provision SSI 2003/382 reg. 6(2)(b) (as substituted (9.10.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Scotland) Amendment Regulations 2003 (S.S.I. 2003/493), regs. 1(1), **2(5)(a)**)
- C23 S. 29 applied (with modifications) (14.11.2003) by Food (Peanuts from Egypt) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/2910), regs. 1(1), **5(2)**
- C24 S. 29 applied (with modifications) (28.11.2003) by Condensed Milk and Dried Milk (Wales) Regulations 2003 (S.I. 2003/3053), regs. 1, **9(2)** (with reg. 3)
- C25 S. 29 applied (with modifications) (14.2.2004) by Food (Chilli and Chilli Products) (Emergency Control) (Scotland) Regulations 2004 (S.S.I. 2004/56), regs. 1(1), **6(2)**, 6(4)
- C26 S. 29 applied (with modifications) (16.4.2004) by Food (Jelly Mimi-Cups) (Emergency Control) (Scotland) Regulations 2004 (S.S.I. 2004/187), regs. 1(1), **6(c)**
- C27 S. 29 applied (with modifications) (15.11.2004) by Genetically Modified Food (Scotland) Regulations 2004 (S.S.I. 2004/432), regs. 1(1), **6(1)(e)**
- C28 S. 29 modified (20.12.2004) by Contaminants in Food (England) Regulations 2004 (S.I. 2004/3062), regs. 1, **5**
- C29 S. 29 modified (25.12.2004) by Contaminants in Food (Scotland) Regulations 2004 (S.S.I. 2004/525), regs. 1(1), **5**
- C30 S. 29 modified (1.3.2005) by The Contaminants in Food (Wales) Regulations 2005 (S.I. 2005/364), regs. 1, **5**
- C31 S. 29 applied (with modifications) (2.6.2005) by Food (Chilli, Chilli Products, Curcuma and Palm Oil) (Emergency Control) (England) Regulations 2005 (S.I. 2005/1442), regs. 1(1), **5(2)**
- C32 S. 29 applied (with modifications) (2.6.2005) by Food (Chilli, Chilli Products, Curcuma and Palm Oil) (Emergency Control) (Scotland) Regulations 2005 (S.S.I. 2005/294), regs. 1(1), **6(2)**
- C33 S. 29 applied (with modifications) (10.6.2005) by The Food (Chilli, Chilli Products, Curcuma and Palm Oil) (Emergency Control) (Wales) Regulations 2005 (S.I. 2005/1540), regs. 1(1), **5(2)**
- C34 S. 29 applied (with modifications) (22.8.2007) by Eggs and Chicks (England) Regulations 2007 (S.I. 2007/2245), regs. 1(2), **21** (with reg. 1(4)(5))
- C35 S. 29 applied (with modifications) (27.4.2008) by Eggs and Chicks (Scotland) Regulations 2008 (S.S.I. 2008/129), regs. 1(2), **20** (with reg. 3)
- C36 S. 29 applied (with modifications) (19.12.2008) by Eggs and Chicks (Scotland) (No.2) Regulations 2008 (S.S.I. 2008/395), regs. 1(2), **20** (with reg. 3)
- C37 S. 29 applied (with modifications) (17.4.2009) by Eggs and Chicks (Wales) Regulations 2009 (S.I. 2009/793), regs. 1(2), **21** (with reg. 1(4)(5))
- C38 S. 29 applied (with modifications) (14.9.2009) by Eggs and Chicks (England) Regulations 2009 (S.I. 2009/2163), regs. 1(1), **39**
- C39 S. 29 applied (with modifications) (20.1.2010) by Food (Jelly Mini-Cups) (Emergency Control) (England) Regulations 2009 (S.I. 2009/3230), regs. 1(1), **5(5)**
- C40 S. 29 applied (with modifications) (20.1.2010) by Food (Jelly Mini-Cups) (Emergency Control) (Scotland) Regulations 2009 (S.S.I. 2009/437), regs. 1(1), **5(5)**
- C41 S. 29 applied (with modifications) (16.7.2010) by The Eggs and Chicks (Wales) Regulations 2010 (S.I. 2010/1671), regs. 1(1), **39**
- C42 S. 29 applied (with modifications) (21.3.2011) by The Poultrymeat (England) Regulations 2011 (S.I. 2011/452), regs. 1(1), **25**
- C43 S. 29 applied (with modifications) (15.8.2011) by The Poultrymeat (Wales) Regulations 2011 (S.I. 2011/1719), regs. 1(2), **25(1)(b)** (with reg. 1(4))
- C44 S. 29 applied (with modifications) (10.10.2011) by The Poultrymeat (Scotland) Regulations 2011 (S.S.I. 2011/318), regs. 1(2), **21(1)(d)**, (2)
- C45 S. 29 applied (with modifications) (2.9.2013) by The Fish Labelling Regulations 2013 (S.I. 2013/1768), reg. 1(1)(b), **Sch.**
- C46 S. 29 applied (with modifications) (26.9.2013) by The Fish Labelling (Wales) Regulations 2013 (S.I. 2013/2139), reg. 1(2), **Sch. para. 1**
- C47 S. 29 applied (with modifications) (5.10.2013) by The Fish Labelling (Scotland) Regulations 2013 (S.S.I. 2013/256), regs. 1, **7(1)(d)**

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- C48** S. 29 applied (with modifications) (19.9.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by [The Food Information \(Wales\) Regulations 2014 \(S.I. 2014/2303\)](#), reg. 1(3)(4)(b)(5)(b), **Sch. 4 Pt. 5** (with reg. 12(6))
- C49** S. 29 applied (with modifications) (1.4.2015) by [The Country of Origin of Certain Meats \(England\) Regulations 2015 \(S.I. 2015/518\)](#), regs. 1(1), 6(5), **Sch. Pt. 5**
- C50** S. 29 applied (with modifications) (6.4.2015) by [The Condensed Milk and Dried Milk \(England\) Regulations 2015 \(S.I. 2015/675\)](#), reg. 1(1), **Sch. 3 Pt. 4**
- C51** S. 29 applied (with modifications) (1.7.2015) by [The Animals and Animal Products \(Examination for Residues and Maximum Residue Limits\)\(England and Scotland\) Regulations 2015 \(S.I. 2015/787\)](#), regs. 1(1), **32(4)**
- C52** S. 29 applied (with modifications) (10.8.2015) by [The Country of Origin of Certain Meats \(Wales\) Regulations 2015 \(S.I. 2015/1519\)](#), regs. 1(2), 6(5), **Sch. Pt. 5**
- C53** S. 29 applied (with modifications) (28.11.2015) by [The Natural Mineral Water, Spring Water and Bottled Drinking Water \(Wales\) Regulations 2015 \(S.I. 2015/1867\)](#), regs. 1(2), 35, **Sch. 12 Table 3** (with reg. 3)
- C54** S. 29 applied (with modifications) (14.3.2016) by [The Country of Origin of Certain Meats \(Scotland\) Regulations 2016 \(S.S.I. 2016/84\)](#), regs. 1(1), 7(2), **sch. Pt. 2**
- C55** S. 29 applied (with modifications) (20.7.2016) by [The Foods for Specific Groups \(Scotland\) Regulations 2016 \(S.S.I. 2016/190\)](#), regs. 1(1), 5, **sch. 2**
- C56** S. 29 applied (with modifications) (20.7.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(England\) Regulations 2016 \(S.I. 2016/688\)](#), regs. 1(3), **4(6)(7)(e)**
- C57** S. 29 applied (with modifications) (2.8.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(Wales\) Regulations 2016 \(S.I. 2016/639\)](#), regs. 1(3), **4(6)(7)(e)**
- C58** S. 29 applied (with modifications) (1.8.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by [The Food Information Regulations 2014 \(S.I. 2014/1855\)](#), reg. 12(5), **Sch. 4 Pt. 5** (with reg. 1(9)(b))
- C59** S. 29 applied (with modifications) (22.12.2016) by [The Caseins and Caseinates \(Scotland\) Regulations 2016 \(S.S.I. 2016/383\)](#), regs. 1(1), 8, **sch. 4** (with reg. 3)
- C60** S. 29 applied (with modifications) (22.12.2016) by [The Caseins and Caseinates \(Scotland\) \(No. 2\) Regulations 2016 \(S.S.I. 2016/422\)](#), regs. 1(1), 8, **sch. 4** (with reg. 3)
- C61** S. 29 applied (with modifications) (26.3.2018) by [The Condensed Milk and Dried Milk \(Wales\) Regulations 2018 \(S.I. 2018/275\)](#), regs. 1(3), 6(2), **Sch. 3 Pt. 2**
- C62** S. 29 applied (with modifications) by S.I. 2007/2785, Sch. 13 (as inserted (6.4.2018) by [The Natural Mineral Water, Spring Water and Bottled Drinking Water \(England\) \(Amendment\) Regulations 2018 \(S.I. 2018/352\)](#), reg. 1(1), **Sch. 2**)
- C63** S. 29 applied (with modifications) (28.3.2019) by [The Animals and Animal Products \(Examination for Residues and Maximum Residue Limits\) \(Wales\) Regulations 2019 \(S.I. 2019/569\)](#), regs. 1(3), **33(4)**
- C64** S. 29 applied (with modifications) (E.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2022 in so far as not already in force) by [The Food for Specific Groups \(Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula\) \(Information and Compositional Requirements\) \(Amendment etc.\) \(England\) Regulations 2020 \(S.I. 2020/43\)](#), regs. 1(1)(2), 4(6)(7)(e), **Sch. 2 para. 10** (as amended by S.I. 2021/168, **reg. 2(2)**)
- C65** S. 29 applied (with modifications) (W.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2021 in so far as not already in force) by [The Infant Formula and Follow-on Formula \(Wales\) Regulations 2020 \(S.I. 2020/89\)](#), regs. 1(1)(2), 4(7)(e), **Sch. 2 para. 10** (with savings in reg. 5(4)(5), Sch. 4 para. 26(1)(2) (as inserted (16.9.2021) by S.I. 2021/955, reg. 2(2), **Sch.**))
- C66** S. 29 applied (with modifications) (S.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2021 in so far as not already in force) by [The Foods for Specific Groups \(Infant Formula and Follow-on Formula\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/6\)](#), regs. 1(1)(2), 5, **sch. 2**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 37(2)(a) repealed by [2007 c. 15 Sch. 23 Pt. 1](#)