

*These notes refer to the Food Standards Act 1999 (c.28)  
which received Royal Assent on 11 November 1999*

# FOOD STANDARDS ACT 1999

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Section 27: Notification of tests for food-borne disease*

99. This section enables the Secretary of State for Health and his equivalents in the devolved administrations to make regulations to set up a notification scheme for the results of laboratory tests for food borne organisms. This means that if a laboratory finds evidence that indicates a person may have been exposed to certain pathogens (which will be specified in any regulations) that are capable of causing illness and are commonly transmitted through food, they will be required to report it to the central authorities ('commonly' here means that when the disease occurs it is often food-borne; it does not mean the disease itself has to be common). This information will improve data collection on types of food-borne disease. It will enable the Agency better to understand patterns of the incidence and prevalence of food borne disease. The pathogens initially expected to be covered by a notification scheme are salmonella, E.coli O157 and campylobacter.
100. *Subsection (3)* allows the scheme to be set up to assist the work both of the Agency and of other bodies with public health responsibilities, such as the Department of Health and the Public Health Laboratory Service.
101. *Subsection (4)* describes provisions which must be included in any regulations, which include the type and form of notification required for each organism specified, and to whom it is to be notified. *Subsection (5)* sets out further detail which may be included in regulations. The regulations may create an offence of failure to notify. The regulations may set the maximum fine for this offence at any level up to 5 on the standard scale (currently £5,000).
102. Under *subsection (6)*, the Health Departments must consult representatives of interested parties before making any regulations.