



Food Standards Act 1999

1999 CHAPTER 28

Miscellaneous provisions

27 Notification of tests for food-borne disease.

- [^{F1}(1) Regulations may make provision for requiring the notification of information about tests on samples taken from individuals (whether living or dead) for the presence of—
- (a) organisms of a description specified in the regulations; or
 - (b) any substances produced by or in response to the presence of organisms of a description so specified.
- (2) A description of organisms may be specified in the regulations only if it appears to the authority making the regulations that those organisms or any substances produced by them—
- (a) are capable of causing disease in humans; and
 - (b) are commonly transmitted to humans through the consumption of food.
- (3) The power to make the regulations is exercisable for the purpose of facilitating the carrying out of functions of the Agency or any other public authority which relate to the protection of public health.
- (4) The regulations shall, as respects each specified description of organisms—
- (a) specify the information to be notified about them and the form and manner in which it is to be notified;
 - (b) make provision for identifying the person by whom that information is to be notified; and
 - (c) specify the person to whom that information is to be notified;
- but the regulations may not require a person to notify information which is not in his possession, or otherwise available to him, by virtue of his position.
- (5) The regulations may—
- (a) make provision as to the tests about which information is to be notified;
 - (b) require or permit the person specified under subsection (4)(c) to disclose any information to any other person or to publish it;

Changes to legislation: There are currently no known outstanding effects for the Food Standards Act 1999, Section 27. (See end of Document for details)

- (c) restrict the purposes for which any information may be used (whether by the person so specified or by any other person);
 - (d) make provision with a view to ensuring that patient confidentiality is preserved;
 - (e) create exceptions from any provision of the regulations;
 - (f) create summary offences, subject to the limitation that no such offence shall be punishable with imprisonment or a fine exceeding level 5 on the standard scale.
- (6) Before making regulations under this section the authority making them shall consult the Agency and such organisations as appear to the authority to be representative of interests likely to be substantially affected by the regulations.
- (7) Any consultation undertaken before the commencement of subsection (6) shall be as effective, for the purposes of that subsection, as if undertaken after that commencement.
- (8) The power to make regulations under this section is exercisable—
- (a) as respects tests carried out in England, by the Secretary of State;
 - (b) as respects tests carried out in Wales, by the National Assembly for Wales;
 - (c) as respects tests carried out in Scotland, by the Scottish Ministers; and
 - (d) as respects tests carried out in Northern Ireland, by the Department of Health and Social Services for Northern Ireland.]

Textual Amendments

- F1** [S. 27](#) repealed (S.) (1.4.2015) by [Food \(Scotland\) Act 2015 \(asp 1\)](#), s. 63(2), **sch. para. 7(2)** (with s. 62); [S.S.I. 2015/99](#), art. 2

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