

1966 No. 967 (S. 76)

FOOD AND DRUGS

FOOD HYGIENE

The Food Hygiene (Scotland) Amendment Regulations 1966

<i>Made - - - -</i>	<i>29th July 1966</i>
<i>Laid before Parliament</i>	<i>10th August 1966</i>
<i>Coming into Operation</i>	<i>29th July 1967</i>

In exercise of the powers conferred on me by sections 13 and 56 of the Food and Drugs (Scotland) Act 1956(a) and of all other powers enabling me in that behalf I hereby make the following regulations after consultation with such organisations as appear to me to be representative of interests substantially affected by these regulations and after reference to the Scottish Food Hygiene Council under section 25 of that Act :—

Citation and Commencement

1.—(1) These regulations may be cited as the Food Hygiene (Scotland) Amendment Regulations 1966 and shall come into operation on 29th July 1967.

(2) These regulations, the principal regulations(b) and the Food Hygiene (Scotland) Amendment Regulations 1959 and 1961(c) may be cited together as the Food Hygiene (Scotland) Regulations 1959 to 1966.

Interpretation

2.—(1) In these regulations “the principal regulations” means the Food Hygiene (Scotland) Regulations 1959.

(2) The Interpretation Act 1889(d) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. For regulation 30 of the principal regulations there shall be substituted the following regulation—

“ 30.—(1) Every stall or vehicle used in the course or for the purposes of a food business shall be kept clean and be of such construction and in such order, repair and condition as will enable it to be effectively cleaned and the layout of any such stall or vehicle shall be such as will enable operations conducted therein for the purpose of the food business to be conducted hygienically.

(2) Every such stall or vehicle as aforesaid shall bear, in conspicuous and legible characters, the name and address of the person carrying on the business and where such address is not the address at which the stall

(a) 1956 c. 30.

(b) S.I. 1959/413 (1959 I, p. 1331).

(c) S.I. 1959/1153; 1961/622 (1959 I, p. 1343; 1961 I, p. 1370).

(d) 1889 c. 63.

or vehicle is normally kept when not in use then the address at which it is then normally kept also.

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

(4) Every such stall or vehicle as aforesaid at or from which food, other than raw vegetables or food contained in a container of such materials and so closed as to exclude the risk of contamination, is sold or exposed for sale shall be screened so as to prevent, so far as is reasonably practicable, risk of contamination of the food in the stall or vehicle :

Provided that this paragraph shall not apply in the case of a stall or vehicle situated in a covered market place.”.

4.—(1) Regulations 13, 22, 24, 27 and, subject to the provisions of paragraph (3) of this regulation, 31 of the principal regulations shall apply in the case of any stall or vehicle used in the course or for the purpose of a food business as they apply to any food premises or food room as the case may be :

Provided that the said regulations, other than regulation 24, shall not apply—

(a) to a vehicle engaged solely in the transportation of food, or in the delivery of food to the purchaser after sale by retail, from any premises in the case of which the provisions of the said regulations have been complied with ;

(b) to any stall or vehicle situated in a market place in which the facilities required by these regulations to be provided are available and readily accessible for persons employed in or at the stall or vehicle.

(2) Regulation 23 of the principal regulations shall apply to any stall or vehicle from which food is served for immediate consumption in or upon utensils which are used for that purpose on more than one occasion as it applies to food premises, with the modification that, after paragraph (1) of the said regulation, there shall be inserted the following proviso—

“ Provided that this paragraph shall not apply where utensils are cleaned in accordance with regulation 10 of these regulations elsewhere than on the stall or vehicle.”.

(3) The owner of any stall or vehicle who desires to make an application under regulation 31 of the principal regulations as applied by this regulation for a certificate of exemption of the stall or vehicle from the provisions of regulation 22(1) or (2) thereof as so applied shall make such application to the local authority of the area in which is situated his principal place of business and that local authority shall accordingly have power to grant such a certificate in respect of the stall or vehicle.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
29th July 1966.

EXPLANATORY NOTE

(This note is not part of the regulations.)

These regulations substitute for regulation 30 of the Food Hygiene (Scotland) Regulations 1959 a new provision for regulating the hygienic construction and condition of stalls and vehicles used in the course of a food business and for requiring them to bear the identity of the operator and the base from which he operates. They also apply to stalls and vehicles certain provisions which previously applied solely to food premises. These relate to the treatment of certain foods and the provision of washhand basins, lighting and ventilation, first-aid equipment and, in stalls and vehicles from which food is served for immediate consumption on utensils used more than once, sinks for washing equipment. The provisions, apart from that relating to lighting and ventilation, do not apply to delivery vans nor in certain circumstances to stalls and vehicles in market places.

The regulations also provide for certificates of exemption being granted by local authorities in respect of the provision of washhand basins and there is a right of appeal to the sheriff against decisions of the authority.

These regulations will come into effect on 29th July 1967.

STATUTORY INSTRUMENTS

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