
EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations amend the Food Safety (General Food Hygiene) Regulations 1995 (“the general Regulations”) in relation to Wales (see regulation 1(2)) by introducing a requirement for butchers' shops to be licensed by food authorities. Butcher's shops for these purposes are fixed or moveable premises in which unwrapped raw meat is handled and from which both raw meat and ready to eat food are sold to consumers (see the definition of “butcher's shop” in paragraph 1 of Schedule 1A).

Regulation 2 amends regulation 3 of the general Regulations so that the provisions relating to the licensing of butchers' shops do not apply to those businesses to which the sectoral provisions listed in that regulation apply.

Regulation 3 inserts the provisions set out in the Schedule as Schedule 1A which make provision for the licensing of butchers' shops. Paragraph 4 of the Schedule makes provision for applications for licences and provides that a charge of £100 is payable in respect of the issue of a licence.

Paragraph 5 imposes licence conditions. In mixed business premises the conditions only apply to certain parts (see paragraph 5(6)).

Paragraph 6 provides that licences remain in force for periods of a year.

Paragraph 7 has effect where an applicant who holds a licence in respect of a butcher's shop applies for a further licence in respect of his shop up to four months before the expiry of his existing licence. If the further licence is granted, it begins on the expiry of the existing licence so that the applicant is not prejudiced by making an application before his existing licence expires.

Paragraph 9 permits the premises of established butchers' shops to continue to be used where an application for a licence has been refused and the time for appealing against the refusal has not elapsed or an appeal against the refusal is being brought (see section 37 of the Food Safety Act 1990 which provides for appeals to be brought within one month).

Paragraph 10 provides for the suspension and revocation of licences and for licences to remain in force until the time for appealing against a suspension or revocation has expired and whilst an appeal is pending (see section 37).

Regulation 4 amends regulation 6(1) of the general Regulations so that using premises as a butcher's shop otherwise than in accordance with a licence is a criminal offence.

Regulation 5 contains transitional provisions so that licences may be issued before the first day on which they are required. Such licences remain in force for the period of one year beginning on that day.

A Regulatory Appraisal of these Regulations has been prepared and copies may be obtained from the Food Standards Agency - Wales, 1st Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.