

1964. No. 129

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FOOD AND DRUGS**Food Hygiene**

REGULATIONS, DATED 1ST SEPTEMBER, 1964, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS 13 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Local Government, in exercise of the powers conferred upon it by sections 13 and 68 of the Food and Drugs Act (Northern Ireland) 1958(a), having consulted with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:—

PART I**PRELIMINARY***Citation and commencement*

1.—(1) These regulations may be cited as the Food Hygiene (General) Regulations (Northern Ireland) 1964, and, subject to the provisions of paragraph (2), shall come into operation on the 1st January, 1965.

(2) Regulations 17, 18, 23, 26, 28, 29, 33 and 34 shall come into operation on the 1st July, 1965.

Interpretation

2.—(1) In these regulations—

“the Act” means the Food and Drugs Act (Northern Ireland) 1958;

“catering business” means a food business consisting wholly or partly of the supply of food for immediate consumption;

“certificate of exemption” in relation to a food business means a certificate for the time being in force in relation to the business for the purposes of Regulation 36;

“contamination” includes contamination by odour; and “contaminated” shall be construed accordingly;

“equipment” includes apparatus, furnishings and utensils;

“fish” means uncooked fish (including cured or smoked fish), and includes uncooked whalemeat;

“food” means food intended for sale, or sold, for human consumption and includes drink, chewing gum and other products of a like nature and use, and articles and substances used as ingredients in the preparation of food or drink or of such products, but does not include—

(a) water, live animals or birds;

(b) articles and substances used only as drugs; or

(c) any raw food which has to be subjected to a process of milling or refining for the purpose of rendering it in a state fit for human consumption;

“food business” has the meaning assigned to it by Regulation 3;

“food premises” means any premises on or from which there is carried on any food business;

“food room” means any room (being, or being part of, any food premises), in which any person engages in the handling of food for the purposes of a food business, but does not include—

- (a) a room used as a sleeping place if the only handling of food which occurs in the room is in the course of serving food there to, or at the request of, any person occupying it as a sleeping place;
- (b) a room communicating with a room used as a sleeping place if the only handling of food which occurs in the room is in the course of serving food there to, or at the request of, any person (not being a person carrying on a food business at the premises which include the room, or a person employed by him) by whom the room is occupied as a sleeping place; or
- (c) a day room in a hospital or in a home for the reception of aged or disabled persons;

“hospital” means any institution for the reception and treatment of persons suffering from illness including mental disorder, any maternity home, any institution for the reception and treatment of persons during convalescence or persons requiring medical rehabilitation, and any institution for providing dental treatment maintained in connection with a dental school, and includes clinics, dispensaries and out-patient departments maintained in connection with any such institution or home as aforesaid;

“meat” except in Part VI means the flesh (including edible offal and fat) of animals and birds which is sold or intended for sale for human consumption, and includes bacon and ham and, in Regulations 23 and 25 but not elsewhere includes also any other such flesh which has been cooked or otherwise prepared for sale by any similar process;

“open food” means food not contained in a container of such materials, and so closed, as to exclude the risk of contamination;

“pre-packed” means packed or made up in advance ready for retail sale in a wrapper or container which wholly encloses the food;

“sanitary convenience” means a water closet, urinal, earth or chemical closet, privy or similar convenience;

“stall” includes any stand, marquee, tent or mobile canteen, and any vehicle, whether movable or not.

(2) In these regulations the handling of food means the carrying out, or assisting in the carrying out, for the purposes of a food business, of any process or operation in the sale of food or in the preparation, transport, storage, packaging, wrapping, exposure for sale, service or delivery of food and includes the cleaning of articles or equipment with which food comes into contact.

(3) For the purposes of these regulations the supply of food otherwise than by sale, at, in or from any place where food is supplied in the course of a business, shall be deemed to be a sale of that food, and references to purchasing and purchasers shall be construed accordingly; and where in connection with any business in the course of which food is supplied the place where the food is served to the customers is different from the place where the food is consumed, both those places shall be deemed to be places in which food is sold.

(4) In determining for the purposes of these regulations whether any matter involves a risk of contamination to any food, regard shall be had to the extent to which contamination in the respect in question is immaterial because of—

- (a) the nature of the food; or
- (b) the manner in which the food is packed; or
- (c) any process to which the food is to be subjected before sale to the consumer, being a process to which food of that nature is normally so subjected.

Interpretation of "food business"

3.—(1) In these regulations, the expression "food business" means, subject to the provisions of paragraphs (2) and (3), any trade or business for the purposes of which any person engages in the handling of food.

(2) The said expression does not include any agricultural activity or (except so far as the handling of food may be involved in the course of a retail business or catering business) so much of any trade or business as consists of the handling of food at, in or upon—

- (a) any dock, public warehouse or public cold store; or
- (b) (except for the purpose of Part VI) any premises or places occupied by a carrier of goods for the purposes of his trade or business as such a carrier; or
- (c) any slaughterhouse within the meaning of the Slaughterhouses (Hygiene) Regulations (Northern Ireland) 1963(a); or
- (d) any premises or places occupied by a wholesaler of raw vegetables and used exclusively for the purposes of his trade or business as such a wholesaler; or
- (e) any premises which—
 - (i) are used exclusively for the storage of food manufactured and packed by the occupier thereof; and
 - (ii) are situated outside the curtilage of the premises used for the manufacture or packing of that food; and
 - (iii) are not used for the storage of any open food; or
- (f) any dairy in use by a licence holder under the Milk Acts (Northern Ireland) 1950 and 1963(b) from which no food other than milk is sold:

Provided that the premises or places referred to at sub-paragraphs (b), (d) and (e) shall be kept as clean and in such good order, repair and condition as is practicable and necessary having regard to the nature of the trade or business and the prevention of contamination of the food.

(3) In this regulation—

- (a) "agricultural activity" includes horticulture, fruit growing, dairy farming, the breeding and keeping of livestock, including poultry, and the use of land as market gardens and nursery ground; and
- (b) "dock" includes any harbour, moorings, wharf, pier, jetty or other works in or at which food can be shipped or unshipped and any warehouse, transit shed or other premises used in connection therewith for the temporary storage or loading for dispatch of food which is unshipped or to be shipped.

(a) S.R. & O. (N.I.) 1963, No. 162.

(b) 1950. c. 31; 1963. c. 11 (N.I.).

PART II

GENERAL REQUIREMENTS

Food business not to be carried on at insanitary premises, etc.

4. No food business shall be carried on in or at any insanitary premises, stall, or place or in or at any premises, stall, or place the use of which because of the situation, construction or condition thereof exposes food to the risk of contamination.

Cleanliness of equipment, etc.

5.—(1) Articles or equipment with which food comes into contact, or is liable to come into contact, in the course of a food business shall be kept clean and shall be so constructed, be of such materials and be kept in such good order, repair and condition as to—

- (a) enable them to be thoroughly cleaned;
- (b) prevent so far as is reasonably practicable any matter being absorbed by them; and
- (c) prevent so far as is reasonably practicable any risk of contamination of the food.

(2) Without prejudice to the provisions of paragraph (1), all containers (including returnable containers) intended for containing food in the course of a food business, whether or not they come into contact, or are liable to come into contact, with food, shall so far as is reasonably practicable be protected and kept free from contamination.

Restriction on preparation and packing of food on or about domestic premises

6. A person carrying on a food business shall not for the purposes of that business give out any food or permit any food to be given out for preparation or packing by another person on or about any domestic premises other than those of the person carrying on the business.

PART III

REQUIREMENTS RELATING TO PERSONS ENGAGED IN THE
HANDLING OF FOOD

Food to be protected from risk of contamination

7. A person who engages in the handling of food shall while so engaged take all such steps as may be reasonably necessary to protect the food from risk of contamination, and in particular (without prejudice to the generality of the foregoing)—

- (a) shall not so place the food as to involve any risk of contamination;
- (b) shall not in or about any forecourt, yard, market or stall place any food lower than twenty-four inches from the ground unless it is adequately protected by other means from risk of contamination.

Personal cleanliness

8. A person who engages in the handling of food shall while so engaged—

- (a) keep as clean as may be reasonably practicable all parts of his person which are liable to come into contact with the food, and shall in particular wash his hands forthwith after each occasion on which he has used a sanitary convenience;
- (b) keep as clean as may be reasonably practicable all parts of his clothing, overclothing or overalls which are liable to come into contact with the food;

- (c) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing;
- (d) refrain from spitting;
- (e) refrain from the use of tobacco or any other smoking mixture or snuff while he is handling any open food or is in any food room in which there is open food.

Carrying of food and wrapping, etc., of open food

9. A person who engages in the handling of food shall not while so engaged—

- (a) carry any food in a vehicle or container along with any article from which there is a risk of contamination of the food, or with any live animal or live poultry, without taking all such precautions as are reasonably practicable to avoid risk of contamination;
- (b) use for wrapping or containing any open food any paper or other wrapping material or container which is not clean or which is liable to contaminate the food, and in particular (without prejudice to the generality of the foregoing) shall not allow any printed material, other than printed material designed exclusively for wrapping or containing food, to come into contact with any food other than uncooked vegetables.

Persons suffering from certain infections

10.—(1) Subject to the provisions of this regulation, as soon as any person engaged in the handling of food becomes aware that he is suffering from, or is the carrier of, typhoid fever, paratyphoid fever or any other salmonella infection or dysentery or any staphylococcal infection likely to cause food poisoning, he shall forthwith give notice of the fact to the person carrying on the food business who shall immediately after receipt of the notice notify the appropriate medical officer of health accordingly:

Provided that where the person required to give such notice is himself the person carrying on the food business he shall give notice immediately to the appropriate medical officer of health.

(2) For the purposes of this regulation the appropriate medical officer of health is—

- (a) in the case of a person engaged in the handling of food at or from food premises, the medical officer of health of the health authority in whose area the premises are situated; and
- (b) in any other case either the medical officer of health of the health authority in whose area the person to whom the notice relates resides or the medical officer of health of the health authority in whose area the food business is situated.

PART IV

REQUIREMENTS RELATING TO FOOD PREMISES

Soil drainage systems

11.—(1) No fresh air intake of any ventilation pipe included in the soil drainage system of food premises shall be situated in a food room.

(2) Subject to the provisions of any certificate of exemption, any inlet into any such system shall not be situated in a food room.

Cisterns for supplying water to food rooms

12. No cistern for the supply of water to a food room shall supply a sanitary convenience otherwise than through an efficient flushing cistern or some other flushing apparatus equally efficient and suitable for the prevention of contamination of water supplies.

Sanitary conveniences

13.—(1) Every sanitary convenience situated in or upon, or regularly used in connection with, any food premises—

(a) shall be kept clean and in efficient order;

(b) shall be so placed that no offensive odours therefrom can penetrate into any food room.

(2) Any room or other place which contains a sanitary convenience shall be suitably and sufficiently lighted and ventilated and shall be kept clean.

(3) No room which contains a sanitary convenience shall be used as a food room.

(4) Any room or other place which contains a sanitary convenience shall not communicate with a food room except through an intervening space ventilated directly to the external air.

(5) There shall be affixed and maintained in a prominent and suitable position near every sanitary convenience situated in or upon or regularly used in connection with any food premises (being a convenience provided or made regularly available for the use of persons employed in the handling of food on or about the premises) a clearly legible notice—

(a) requiring users to wash their hands after using the convenience, and

(b) informing users of the requirements and purpose of Regulation 10.

Water supply to be provided

14.—(1) A supply of clean and wholesome water sufficient in quantity to enable these regulations to be complied with shall be provided and maintained in all food premises.

(2) Subject to the provisions of any certificate of exemption every such supply of clean and wholesome water shall be piped.

Wash-hand basins to be provided

15.—(1) Subject to the provisions of any certificate of exemption, in all food premises suitable and sufficient wash-hand basins for the use of all persons engaged in the handling of food on or about those premises shall be provided and maintained in a position conveniently accessible to such persons.

(2) Subject as aforesaid, there shall be provided and maintained for every such wash-hand basin an adequate supply either of hot and cold water or of hot water at a suitably controlled temperature:

Provided that a supply of cold water shall be sufficient at food premises in which no open food is handled.

(3) At or near every wash-hand basin available for the use of such persons as are mentioned in paragraph (1) there shall be provided and maintained for the use of the persons engaged in the handling of food on or about the food premises adequate supplies of soap or other suitable detergent, nail-brushes and clean towels or other suitable drying facilities, which shall be used only for securing the personal cleanliness of such persons.

(4) All wash-hand basins so available shall be kept clean and traps and connections thereof shall be kept clean and in efficient working order.

First-aid materials to be provided

16. Suitable and sufficient bandages, dressings (including waterproof dressings) and antiseptic for first-aid treatment shall be provided and maintained in all food premises in a readily accessible position for the use of persons engaged in the handling of food on or about those premises.

Accommodation for clothing, etc.

17. Except where adequate provision is made elsewhere than in a food room, suitable and sufficient cupboard or other enclosed accommodation shall, subject to the provisions of any certificate of exemption, be provided and maintained in all food premises, other than food premises in which no open food is handled, and the clothing and footwear not worn during working hours of all persons engaged in the handling of food on or about those premises shall be kept in such accommodation.

Facilities for washing food and equipment

18.—(1) Subject to the provisions of this regulation—

(a) there shall be provided and maintained in all food premises suitable and sufficient sinks or other facilities (not being wash-hand basins available as mentioned in Regulation 15(3)), for washing food and equipment used in the food business;

(b) there shall be provided and maintained for every such sink or other facility an adequate supply either of hot and cold water or of hot water at a suitably controlled temperature, except that a supply of cold water shall be sufficient—

(i) where the facility consists of apparatus designed for the washing of drinking vessels with a suitable bactericidal agent and is used only for that purpose; or

(ii) where the sink or other facility is used only for the washing of fish, tripe, animal casings, fruit or vegetables;

(c) all sinks and other facilities available for the said purposes shall be kept clean and in efficient working order;

(d) there shall be provided and maintained for use at all such sinks and other facilities—

(i) adequate supplies of soap or other suitable detergent and of clean cloths; or

(ii) other adequate and suitable cleaning and drying facilities.

(2) Nothing in paragraph (1) shall apply in relation to food premises in which no open food is handled.

(3) Paragraph (1)(a) and (b) shall have effect subject to any certificate of exemption.

Lighting and ventilation of food rooms

19. Every food room shall be suitably and sufficiently lighted and, except in the case of a humidity or temperature-controlled chamber, shall be suitably and sufficiently ventilated.

Food room not to be, or communicate with, a sleeping place

20.—(1) No food room, being, or being part of, any food premises shall be used as a sleeping place.

(2) Subject in the case of a catering business to the provisions of any certificate of exemption, no food room being or being part of any food premises shall be used as a living room.

(3) No sleeping place shall be used as a food room.

(4) Subject to the provisions of any certificate of exemption, no food room which communicates directly with a sleeping place shall be used for the handling of open food.

Cleanliness and repair, etc., of food rooms

21. The walls, floors, doors, windows, ceiling, woodwork and all other parts of the structure of every food room shall be kept clean and shall be kept in such good order, repair and condition as to—

- (a) enable them to be effectively cleaned; and
- (b) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice and insects.

Accumulation of refuse, etc.

22. No refuse or filth, whether solid or liquid, shall be deposited or allowed to accumulate in a food room except so far as may be unavoidable for the proper carrying on of the trade or business, and in that event any such refuse or filth shall be kept in suitable and properly covered receptacles or containers which shall be emptied and cleansed at least once daily. Any such receptacle shall be constructed of impervious materials or shall be replaced as often as may be necessary.

Temperature at which certain foods are to be kept

23.—(1) The provisions of this regulation apply to all food consisting of meat, fish, gravy or imitation cream, or prepared from or containing any of those substances and to all food prepared from or containing any egg or milk but do not apply to—

- (a) bread, biscuits, cake or pastry by reason only of the use of egg or milk as an ingredient thereof introduced prior to baking; or
- (b) chocolate or sugar confectionery; or
- (c) ice-cream to which the provisions of any regulations with respect to the heat treatment of ice-cream in force under Section 4 of the Act apply; or
- (d) food canned, bottled or otherwise preserved in an effectively closed container of metal, glass or other impermeable material, so long as the container remains effectively closed; or
- (e) butter, margarine, lard, shortening, cooking fats or beef suet; or
- (f) cheese, uncooked bacon, uncooked ham, dry pasta, dry pudding mixes, dry soup mixes or dry mixtures for the preparation of beverages; or
- (g) any unskinned rabbits or hares or unplucked game or poultry.

In this paragraph "egg" includes whole egg, yolk or albumen, whether or not the egg, yolk or albumen is dried, frozen or otherwise preserved; and "milk" includes separated or skimmed milk, dried milk, cream and condensed milk.

(2) Subject to the provisions of paragraph (4), food which is brought into any food premises on or from which is carried on a catering business shall, if not already at a temperature of 145°F. (62.8°C.) or above on the one hand,

or below 50°F. (10°C.) on the other hand, be brought to one or other of those temperatures without any avoidable delay after arrival.

(3) Subject to the provisions of paragraph (4), food which has been cooked or partly cooked on any such food premises and food such as is mentioned in paragraph (2) shall either be kept at a temperature of not less than 145°F. (62·8°C.) until it is required for serving for immediate consumption, or if the temperature is brought or allowed to fall to less than 145°F. (62·8°C.) be cooled to a temperature below 50°F. (10°C.) under hygienic conditions as quickly as is reasonably practicable and thereafter kept at such a temperature until it is required for serving or is further cooked or is reheated for service:

Provided that for the purposes of this paragraph food shall be deemed not to have fallen below a temperature of 145°F. (62·8°C.) or to have risen to a temperature of 50°F. (10°C.) or above by reason only of its temperature having so fallen or risen in the carrying out of some step in preparation or during transit from one part of the food premises to another, if on the completion of that step or the reaching of that other part it is restored as quickly as is reasonably practicable to a temperature of not less than 145°F. (62·8°C.) or below 50°F. (10°C.) as the case may be.

(4) This regulation shall not apply in relation to—

- (a) any food which is exposed for sale or which, if the food is brought to any such premises as are mentioned in paragraph (2) within four hours before they are open for business, will be exposed for sale upon their being open for that purpose; or
- (b) any food which is kept available for the replenishment as it is sold of food of a similar kind which is exposed for sale or will be exposed for sale as aforesaid if the keeping available of such a supply is in accordance with good practice in such premises as aforesaid and the quantity so kept available is not greater than is reasonably necessary.

PART V

REQUIREMENTS RELATING TO STALLS AND VEHICLES

General requirements as to stalls and vehicles

24.—(1) Every stall at or from which there is carried on any food business and every vehicle which is used in the course of a food business for the transport of food shall be kept clean and in such good order, repair and condition as to enable it to be effectively cleaned.

(2) Every such stall or vehicle shall bear conspicuously the name and address of the person carrying on the business and also any other address at which the stall or vehicle is kept when not in use.

(3) Every such stall shall be suitably and sufficiently lighted.

(4) Every such vehicle shall be suitably and sufficiently lighted at all times when it is being cleaned.

(5) No such stall or vehicle shall be used as a sleeping place, provided that the driving compartment of any such stall or vehicle may be so used if there is a division effectively separating that compartment from the compartment in which food is carried.

Covering of certain stalls, and receptacles for waste

25.—(1) Every stall at or from which meat or fish is sold or exposed for sale for human consumption—

- (a) shall (if not in an enclosed and covered market place) be suitably covered over and be screened at the sides and back thereof in such a manner as to prevent any mud, filth or other contaminating substance from being deposited upon any meat or fish thereon;
 - (b) shall be provided with a sufficient number of suitable covered receptacles for waste, trimmings, refuse and rubbish.
- (2) Any such receptacle shall be constructed of impervious materials or shall be replaced as often as may be necessary to prevent the accumulation of obnoxious matter, and shall be kept apart from any meat or fish intended for sale.
- (3) Every person engaged in the handling of meat or fish at or from any such stall shall place all waste, trimmings, refuse and rubbish in the receptacles provided therefor.

Supply of water for stalls

26. Subject to the provisions of this regulation, there shall be provided and maintained for use in connection with every food business which is carried on from a stall from which open food is supplied—

- (a) an adequate supply of clean and wholesome water, being a supply either of hot and cold water or of hot water at a suitably controlled temperature;
- (b) adequate supplies of soap or other suitable detergent, nail-brushes and clean towels or other suitable drying facilities which shall be used only for securing the personal cleanliness of persons working at or about the food business;
- (c) suitable and sufficient sinks or other facilities for washing food and equipment used in the food business, such sinks and other facilities to be kept clean and in efficient working order and to be provided with adequate supplies of soap or other suitable detergent and of clean cloths or other suitable cleaning or drying facilities:

Provided that this regulation shall not apply to—

- (i) any vehicle engaged solely in the transportation of food, or in the delivery of food from any food premises after sale by retail;
- (ii) a bread van during the period ending on the 31st December, 1966;
- (iii) a stall used solely for the supply of pre-packed food;
- (iv) a stall used solely for the supply of raw vegetables or fruit;
- (v) a stall used solely for the supply of unskinned rabbits or hares or unplucked game or poultry.

PART VI

REQUIREMENTS RELATING TO THE TRANSPORT AND CARRYING OF MEAT

27. In this Part—

“meat” means the whole or any part of the carcase of, or offal derived from, any animal or bird intended for sale for human consumption being meat which is open food but does not include—

- (a) any such part as is intended for sale by retail on or from the vehicle in which it is being transported or is in course of delivery after sale by retail;

- (b) any such part as has been cooked;
- (c) any article of food in which any ingredient consists of any such part as has been cooked;
- (d) lard, cooking fat, beef suet and any other shortenings or other article of food rendered from any such part;
- (e) the carcasses of animals which have not been dressed and the carcasses of birds which have not been plucked;

“meat container” means a container designed for use in the transportation of meat in bulk and access to which is obtained by means of closing doors or any other closing device but which is not a vehicle or part of a vehicle;

“meat compartment” means an enclosed compartment forming part of a vehicle and designed for use for the transportation of meat in bulk, being a compartment the walls of which are of rigid construction and access to which is not obtained through any other part of the vehicle;

“offal” means meat consisting of any of the organs or viscera of any animal or bird but does not include uncleaned tripe, stomachs, intestines or feet, or unskinned or unscalded heads detached from the carcasses from which they were derived;

“unwrapped meat” means meat other than wrapped meat or wrapped frozen offal;

“vehicle” means any vehicle designed for the carriage of goods and includes any unit or part of a unit of railway rolling stock so designed;

“wrapped frozen offal” means offal which is frozen hard (but only so long as it continues to be so frozen) and is securely enclosed in protective packaging;

“wrapped meat” means meat which is completely wrapped in closely woven material or other material providing similar protection from contamination whether with or without an additional inner covering.

Conditions applying to unwrapped meat of all kinds

28.—(1) Subject to Regulation 29, unwrapped meat shall not be transported otherwise than in a meat compartment or a meat container carried on any vehicle.

(2) Any such meat compartment or meat container as aforesaid shall be closed while in transit.

(3) Any such meat compartment or meat container as aforesaid, when in use for the transport of unwrapped meat, shall not be used for any other purpose.

Additional conditions applying to unwrapped meat of particular kinds

29.—(1) Subject to the provisions of this regulation, minced, diced, boned or sausage meat or offal shall be transported, whether in a meat compartment or meat container, in a receptacle constructed of impervious material and having a closely fitting lid or cover constructed of such material as aforesaid:

Provided that this requirement shall not apply to—

- (a) offal unsevered from the carcase of which it is part;
- (b) giblets which are transported with or attached to the carcase of the bird from which they were derived;

(c) wrapped frozen offal.

(2) Any such receptacle, when used otherwise than for the transportation of offal severed from the carcass, shall be closed while in transit.

(3) Every receptacle, lid or cover to which this regulation applies shall be—

(a) cleaned immediately after each occasion on which it is used and kept in such a state of cleanliness as will ensure that it is clean when it is next so used;

(b) kept in good repair.

Conditions applying to wrapped meat and wrapped frozen offal

30. Wrapped meat or wrapped frozen offal shall not be transported in a vehicle otherwise than in or on a part of the vehicle which is in such condition as to avoid any risk of contamination of the meat or offal.

31.—(1) If the wrapped meat or wrapped frozen offal is not in a meat container or a meat compartment, it shall be completely covered by clean canvas or other washable material, while the vehicle is in transit.

(2) Wrapped meat or wrapped frozen offal shall be so placed in or on any such vehicle as aforesaid and such precautions as are reasonably practicable shall when it is so placed be taken as to avoid the risk of contamination of the meat or offal, or the material in which the meat or offal is wrapped, from any article, including any animal or live bird, or any substance being transported on the same vehicle or from any other source.

Conditions applying to certain parts of animals not being meat

32. The provisions of Regulation 31 shall apply to the transport of such of the following articles as are intended for sale for human consumption, that is to say, uncleaned tripe, stomachs, intestines, uncleaned hooves or feet, unskinned or unscalded heads detached from the carcasses from which they were derived, and the carcasses of animals which have not been dressed and the carcasses of birds which have not been plucked, as they apply to the transport of wrapped meat and wrapped frozen offal.

Construction of compartments and containers

33.—(1) The interior surfaces of a meat compartment and of a meat container shall be—

(a) lined with smooth impervious material;

(b) cleaned after each occasion on which meat has been transported in or on it and kept in such condition of cleanliness as will ensure that it is clean when meat is next placed in or on it;

(c) kept in good repair.

(2) Duckboards shall not be placed in any such meat compartment or meat container.

(3) Every hanging rail, loading device and fitting in a meat compartment or meat container shall be—

(a) so constructed of impervious material as to enable it to be readily cleaned;

- (b) cleaned after each occasion on which the compartment or container is used for the transportation of meat and kept in such a condition of cleanliness as will ensure that it is clean when it is next used as aforesaid; and
- (c) kept in good repair.

34. A meat compartment and a meat container shall be capable of being closed in such a manner as to exclude from the compartment or the container as the case may be vermin, insects, dust and other contaminating matter.

Persons carrying meat to wear overalls, etc.

35. Every person who in the course of a food business carries meat shall while so engaged wear a clean and washable overall and, if the meat is liable to come into contact with his neck or head, a clean and washable neck and head covering.

PART VII

ADMINISTRATIVE PROVISIONS

Exemption of premises from certain requirements

36.—(1) While there is in force in relation to any food premises a certificate of the health authority in whose area the premises are situated to the effect that compliance with any of the provisions of these regulations specified in the Schedule cannot reasonably be required with respect to those premises or any activities carried on therein, those premises shall be exempt from the provisions mentioned in the certificate.

(2) Such a certificate shall not be granted by the health authority with respect to any food premises unless the health authority are satisfied that by reason of restricted accommodation or other special circumstances affecting the premises it is reasonable that such a certificate should be in force with respect thereto.

(3) Any such certificate shall be withdrawn by the health authority if at any time they cease to be satisfied as aforesaid.

(4) If the person carrying on a food business on food premises is aggrieved by the refusal or withdrawal of such a certificate he may appeal to a court of summary jurisdiction and that court may make such order concerning the certificate as appears to the court, having regard to the matters with respect to which the health authority are required to be satisfied as aforesaid, to be just and equitable.

(5) Section 55 of the Act (which relates to the right to carry on business while an appeal is pending) shall have effect for the purposes of these regulations as if the references therein to refusing or revoking a licence included a reference to refusing or withdrawing a certificate granted for the purpose of these regulations.

Offences

37.—(1) A person engaged in the handling of food shall be guilty of an offence against these regulations if he fails to comply with any provision of these regulations which imposes obligations on a person so engaged.

(2) A person carrying on a food business shall be guilty of an offence against these regulations if—

- (a) as respects that food business any provision of these regulations (other than the requirements imposed by Regulations 8 and 10 on persons engaged in the handling of food) is contravened; or
- (b) he fails to take all reasonable steps to secure the compliance by any person employed by him or under his control with the provisions of Regulations 8 and 10.

(3) Any person for the time being having the control or management of persons engaged in the handling of food, not being himself a person carrying on a food business, shall be guilty of an offence against these regulations if he fails to take all reasonable steps to secure the compliance by any person under his control or management with any provision of these regulations which imposes obligations on a person engaged in the handling of food.

Penalties

38. If any person contravenes or fails to comply with any of the provisions of these regulations he shall be guilty of an offence and shall be liable on summary conviction—

- (a) to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment; and
- (b) in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

Revocation

39. The Public Health (Prevention of Contamination of Food) Regulations (Northern Ireland) 1948(a) and the Public Health (Whalemeat) Regulations (Northern Ireland) 1950(b) are hereby revoked.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 1st day of September, nineteen hundred and sixty-four.

(L.S.)

N. Dugdale,
Senior Assistant Secretary.

SCHEDULE

Regulations to which Regulation 36 applies:

- Regulation 11(2)
- Regulation 14(2)
- Regulation 15(1) and 15(2)
- Regulation 17
- Regulation 18(1)(a) and (b)
- Regulation 20(2) and 20(4)

(a) S.R. & O. (N.I.) 1948, No. 323.

(b) S.R. & O. (N.I.) 1950, No. 26.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations replace the Public Health (Prevention of Contamination of Food) Regulations (Northern Ireland) 1948 and the Public Health (Whale-meat) Regulations (Northern Ireland) 1950, which are being revoked.

The regulations contain a number of new provisions in regard to the hygienic handling of food at premises, vehicles and stalls, the hygienic transport and carrying of meat, and the construction and maintenance of premises, stalls, vehicles, etc., where food is handled. They do not apply to slaughterhouses and public cold stores or to a number of other types of premises, e.g., dock premises, public warehouses, carriers' premises and dairies, except in so far as activities such as staff canteens or retail shops, etc., may be carried on there.

The regulations lay down requirements in respect of (i) the cleanliness of food premises and stalls, etc., and of apparatus and equipment, (ii) the hygienic handling of food, (iii) the cleanliness of persons engaged in the handling of food and of their clothing, and the action to be taken where they suffer from, or are carriers of, certain infections, (iv) the construction of food premises, the repair and maintenance of food premises, stalls, vehicles, etc., and the facilities to be provided, and (v) the temperature at which certain foods that are particularly liable to transmit disease are to be kept in food premises.

The operation of certain of the regulations which may require alterations to premises or substantial changes in existing practices is made subject to a delay of six months and health authorities are empowered to give certificates of exemption from the requirements of certain regulations if through special circumstances compliance with the provisions concerned cannot reasonably be required. There is an appeal to a court of summary jurisdiction against the refusal or withdrawal of a certificate.

1964. No. 130

[C]

PROTECTION OF DEPOSITORS

Contents of Advertisements

REGULATIONS, DATED 1ST SEPTEMBER, 1964, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 3 OF THE PROTECTION OF DEPOSITORS ACT (NORTHERN IRELAND) 1964.

The Ministry of Commerce in exercise of the powers conferred upon it by sub-sections (1)(a) and (2) of section 3 of the Protection of Depositors Act (Northern Ireland) 1964(a) hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Protection of Depositors (Contents of Advertisements) Regulations (Northern Ireland) 1964, and shall come into operation on 7th October, 1964.

(a) 1964. c. 22 (N.I.).