



Food Act 1984

CHAPTER 30

FOOD ACT 1984

PART I

FOOD GENERALLY

Composition and labelling of food

- 1 Offences as to preparation and sale of injurious foods
- 2 General protection for purchasers of food
- 3 Defences in proceedings under s.2
- 4 Regulations as to composition of food etc.
- 5 Ministers' power to obtain particulars of ingredients
- 6 Food falsely described
- 7 Regulations as to describing food

Food unfit for human consumption

- 8 Sale etc. of unfit food
- 9 Examination and seizure of suspected food
- 10 Food as prizes etc.
- 11 Food in transit
- 12 Products of knackers' yards

Hygiene

- 13 Regulations as to food hygiene
- 14 Court's power to disqualify caterer
- 15 Byelaws as to food

Status: This is the original version (as it was originally enacted).

Registration of premises and licensing of vehicles

- 16 Registration: ice-cream, sausages etc.
- 17 Extension of s. 16 to other businesses
- 18 Application for registration
- 19 Refusal or cancellation of registration
- 20 Regulations for licensing vehicles, stalls etc.

Control of food premises

- 21 Closure order
- 22 Emergency order
- 23 Compensation
- 24 Appeals
- 25 Offences against food premises control
- 26 Ships

Ice-cream, horseflesh and shellfish

- 27 Sale of ice-cream from stalls etc.
- 28 Prevention of spread of disease by ice-cream
- 29 Sale of horseflesh
- 30 Cleansing of shellfish

Food poisoning

- 31 Inspection and control of infected food

PART II

MILK, DAIRIES AND CREAM SUBSTITUTES

Milk and dairies

- 32 Meaning of "dairy", "dairy farm" etc.
- 33 Milk and Dairies Regulations
- 34 Registration
- 35 Sale of milk from diseased cows
- 36 Adulteration
- 37 Appointment of veterinary inspectors

Special designations of milk, and their use

- 38 Milk (Special Designation) Regulations
- 39 Restrictions

Compulsory use of special designations in specified areas, and licences for specified areas

- 40 Special designations: retail sales
- 41 Special designations: catering
- 42 Special designations: exemption
- 43 Specified areas
- 44 Milk processing facilities
- 45 Breach of retailer's licence
- 46 Restriction on liability under s.45
- 47 Interpretation of ss.39 to 46

Cream substitutes

- 48 Misuse of designation "cream"
- 49 Reconstituted cream

PART III

MARKETS

- 50 Establishment or acquisition
- 51 Power to sell to local authority
- 52 Market days and hours
- 53 Charges
- 54 Time for payment of charges
- 55 Recovery of charges
- 56 Prohibited sales in market hours
- 57 Weighing machines and scales
- 58 Weighing of articles
- 59 Information for market officer
- 60 Market byelaws
- 61 Interpretation of Part III, and exclusion of City of London

PART IV

SALE OF FOOD BY HAWKERS

- 62 Application of Part IV
- 63 Public notice of application of Part IV
- 64 Registration of food hawkers, and their premises
- 65 Contravention of s.64, and defence
- 66 Application for registration
- 67 Interpretation of Part IV, and exemptions

PART V

SUGAR BEET AND COLD STORAGE

Ministerial functions as to sugar beet

- 68 Research and education
- 69 Crop price

Cold storage

- 70 Provision of cold storage

PART VI

ADMINISTRATION, ENFORCEMENT AND LEGAL PROCEEDINGS

Administration

- 71 Food and drugs authorities
- 72 Local authorities for purposes of this Act
- 73 Meaning of "authorised officer"
- 74 Duty to enforce
- 75 Joint boards

Status: This is the original version (as it was originally enacted).

Sampling and analysis

- 76 Public analysts
- 77 Facilities for examination
- 78 Powers of sampling
- 79 Right to have samples analysed
- 80 Samples taken for analysis
- 81 Sampling of milk
- 82 Sampling powers of Minister's inspectors
- 83 Minister's power of direction
- 84 Where division not practicable
- 85 Examination of food not for sale
- 86 Quarterly reports of analysts

Enforcement

- 87 Power to enter premises
- 88 Additional power of entry
- 89 Powers of entry of Ministers' officers
- 90 Movement of imported food
- 91 Obstruction

Legal proceedings

- 92 Offences triable either way
- 93 Summary offences
- 94 Offences by corporations
- 95 Prosecutions
- 96 Proceedings by Government departments and councils
- 97 Evidence of analysis
- 98 Presumptions
- 99 Analysis by Government Chemist
- 100 Contravention due to another's default
- 101 Contravention in Scotland or Northern Ireland
- 102 Warranty pleaded as defence
- 103 Offences as to warranties and analysis certificates

Appeals

- 104 Appeals to magistrates' courts
- 105 Further appeal to Crown Court
- 106 Effect of court's decision
- 107 Carrying on business pending appeal

Compensation and arbitration

- 108 Disputes as to compensation under Part I
- 109 Arbitration

PART VII

GENERAL AND SUPPLEMENTAL

Acquisition of land, and order to permit works

- 110 Compulsory purchase of land
- 111 Order to occupier to permit works

Inquiries, and default

- 112 Local inquiries
- 113 Default: local authorities etc.
- 114 Default: food and drugs authorities
- 115 Expenses under ss.113 and 114

Protection

- 116 Officer acting in good faith
- 117 Liability to rates no disqualification

Subordinate legislation

- 118 Certain regulations and orders
- 119 Community provisions
- 120 Statutory instruments
- 121 Byelaws

Notices, forms and continuances

- 122 Notices
- 123 Power to prescribe documents
- 124 Authentication
- 125 Service
- 126 Continuances on death

Expenses and receipts

- 127 Meat inspection expenses
- 128 Receipts under s.44
- 129 County council expenses
- 130 Sampling officer's expenses

Interpretation and operation

- 131 Interpretation: "food"
- 132 Interpretation: further provision
- 133 Application to Crown
- 134 Transitional and saving provisions, amendments and repeals
- 135 Northern Ireland
- 136 Citation, extent and commencement

SCHEDULES

SCHEDULE 1 — Diseases to which Section 28(1) Applies

SCHEDULE 2 — Refusal and Cancellation of Registration of Dairymen, Dairy Farms and Dairy Farmers

PART I — DAIRYMEN

- 1 If it appears to an authority by whom dairymen are...
- 2 A person entitled under paragraph 1 to appear before any...
- 3 If a person on whom a notice is served under...
- 4 A person aggrieved by the decision of an authority under...
- 5 The court before whom a person registered as a dairyman...

Status: This is the original version (as it was originally enacted).

- 6 An authority other than the Minister may require a person...
 7 Where under this Part a person's application for registration is...
 PART II — DAIRY FARMS AND DAIRY FARMERS
 8 Milk and Dairies Regulations shall provide— (a) for the refusal...
 9 Any regulations made by virtue of paragraph 8 shall—
 10 There shall be paid out of moneys provided by Parliament...

SCHEDULE 3 — Diseases of Cows to which Section 35 Applies

SCHEDULE 4 — Licences to use Special Designations

PART I — GENERAL

- 1 (1) Milk (Special Designation) Regulations shall enable—
 2 Those regulations shall provide as to any decision to refuse...
 3 Paragraph (c) of section 118(1) does not apply to any...
 PART II — LICENCES HELD BY RETAILERS FOR SPECIFIED AREAS
 4 (1) Any provision for the revocation of a licence authorising...
 5 Paragraph 1 in so far as it relates to proof...
 6 (1) Milk (Special Designation) Regulations shall, where the issue is...

SCHEDULE 5 — Conditions to which Section 45 Applies

SCHEDULE 6 — Provisions of this Act to be Enforced by Particular Authorities

Provisions to be enforced and executed by the Minister

- 1 (1) Any order under section 5. (2) Section 39, so...

Provisions to be enforced and executed by food and drugs authorities

- 2 (1) Sections 1, 2 and 6. (2) Section 36, and...

SCHEDULE 7 — Sampling

PART I — MANNER IN WHICH SAMPLES TAKEN OR PURCHASED
FOR ANALYSIS ARE TO BE DEALT WITH

- 1 The sampling officer shall forthwith divide the sample into three...
 2 (1) If the sample was purchased by the sampling officer,...
 3 If the sample is of goods consigned from outside England...
 4 (1) This paragraph applies in relation to any sample of...
 5 If— (a) none of the foregoing paragraphs of this Schedule...
 6 If— (a) none of the foregoing paragraphs of this Schedule...
 7 If none of the foregoing paragraphs of this Schedule apply,...
 8 In every case to which paragraphs 2 to 7 apply...
 9 Of the remaining parts of the sample, the sampling officer...
 10 Any part of a sample which under this Schedule is...

PART II — SPECIAL PROVISIONS AS TO SAMPLING OF MILK

- 11 Where a sample of milk is procured from a purveyor...
 12 (1) Within 60 hours after the sample was procured from...
 13 If a purveyor has served on the authority such a...
 14 Any sample so procured in the course of transit or...
 15 If proceedings are taken against the purveyor, a copy of...
 16 The authority by whose officer, or within whose area, the...
 17 (1) If a sample of milk of cows in any...

SCHEDULE 8 — Government Departments Specially Authorised to Institute Proceedings for Offences

SCHEDULE 9 — Transitional and Saving Provisions

Time running

- 1 Where a period of time specified in an enactment repealed...

Section 41(1) Food and Drugs Act 1955

- 2 Subject to section 43(1), the provisions of section 40(1) of...

Local Acts

- 3 (1) In section 303 of the Public Health Act 1875...

Public Health (Shell-Fish) Regulations 1934

- 4 An order having effect immediately before the commencement of this...

Orders under Defence (Sale of Food) Regulations 1943

- 5 (1) Any order made under regulation 2 of the Defence...

Sugar Act 1956

- 6 (1) Notwithstanding the repeal by this Act of section 23(4)...

Sections 252 and 254 Local Government Act 1972

- 7 Section 252 (general power to adapt Acts and instruments) and...

SCHEDULE 10 — Consequential Amendments

City of London (Various Powers) Act 1959

- 1 In section 10(3) of the City of London (Various Powers)...

London County Council (General Powers) Act 1959

- 2 In section 13(3) of the London County Council (General Powers)...

Public Health Act 1961

- 3 In paragraph (b) of section 41(1) of the Public Health...

Weights and Measures Act 1963

- 4 In sections 29(3) and 58(1) of the Weights and Measures...

- 5 In paragraph 1(e) of Part I of Schedule 10 to...

London Government Act 1963

- 6 For subsection (1) of section 54 of the London Government...

Agriculture Act 1967

- 7 In paragraph (e) of section 4(1) and in section 4(2)...

Status: This is the original version (as it was originally enacted).

- 8 In section 7(3) of that Act, for "Food and Drugs...
9 In section 25(2) of that Act, for "section 135(1) of...

Farm and Garden Chemicals Act 1967

- 10 In subsections (3) and (7)(c) of section 4 of the...

Trade Descriptions Act 1968

- 11 In section 2(5) of the Trade Descriptions Act 1968, for...
12 In section 22(2) of that Act— (a) for " Food...

Health Services and Public Health Act 1968

- 13 In section 62 of the Health Services and Public Health...

Medicines Act 1968

- 14 In section 132(1) of the Medicines Act 1968, in the...
15 In paragraph 1(2) of Schedule 3 to that Act, for...

Transport Act 1968

- 16 In paragraph 7(2)(i) of Schedule 16 to the Transport Act...

Agriculture Act 1970

- 17 In subsections (4) and (5) of section 25 of the...

Tribunals and Inquiries Act 1971

- 18 In paragraph 15 of Part I of Schedule 1 to...

Road Traffic Act 1972

- 19 In section 10(7) of the Road Traffic Act 1972 for...

Greater London Council (General Powers) Act 1972

- 20 In paragraph (a) of section 17(5) of the Greater London...

Poisons Act 1972

- 21 In paragraph (a) of section 8(4) of the Poisons Act...

Local Government Act 1972

- 22 In section 112(4) of the Local Government Act 1972 for...
23 In section 259(3) of that Act— (a) in paragraph (b)...

Greater London Council (General Powers) Act 1973

- 24 In section 2 of the Greater London Council (General Powers)...
25 In subsections (1) and (9) of section 30 of that...
26 In section 32(3) of that Act, for "subsection (5) of...

National Health Service Reorganisation Act 1973

- 27 In paragraph (a) (ii) of section 18(3) of the National...

Slaughterhouses Act 1974

- 28 In the Slaughterhouses Act 1974— (a) in paragraph (a) of...

Weights and Measures etc. Act 1976

- 29 In section 12 of the Weights and Measures Act 1976—...
30 In paragraph 2 of Schedule 6 to that Act—

City of London (Various Powers) Act 1977

- 31 In section 22(2) of the City of London (Various Powers)...

Consumer Safety Act 1978

- 32 In the Consumer Safety Act 1978— (a) in paragraph (b)...

Hydrocarbon Oil Duties Act 1979

- 33 In paragraph 5(d) of Schedule 5 to, the Hydrocarbon Oil...

Local Government (Miscellaneous Provisions) Act 1982

- 34 In paragraph 110) of Schedule 4 to the Local Government...

Public Health (Control of Disease) Act 1984

- 35 In paragraph (a) of section 3(2) of the Public Health...
36 In paragraph (d) of section 7(3) of that Act, for...
37 In paragraph (b) of section 20(1) of that Act, for...

SCHEDULE 11 — Repeals and Revocations

TABLE OF —
DERIVATIONS

- 1 Notes
- 2 The Table does not generally acknowledge transfers of ministerial functions....