



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART II

#### MAIN PROVISIONS

##### *Food safety*

#### 10 Improvement notices.

- (1) If an authorised officer of an enforcement authority has reasonable grounds for believing that the proprietor of a food business is failing to comply with any regulations to which this section applies, he may, by a notice served on that proprietor (in this Act referred to as an “improvement notice”)—
  - (a) state the officer’s grounds for believing that the proprietor is failing to comply with the regulations;
  - (b) specify the matters which constitute the proprietor’s failure so to comply;
  - (c) specify the measures which, in the officer’s opinion, the proprietor must take in order to secure compliance; and
  - (d) require the proprietor to take those measures, or measures which are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice.
- (2) Any person who fails to comply with an improvement notice shall be guilty of an offence.
- (3) This section and section 11 below apply to any regulations under this Part which make provision—
  - (a) for requiring, prohibiting or regulating the use of any process or treatment in the preparation of food; or
  - (b) for securing the observance of hygienic conditions and practices in connection with the carrying out of commercial operations with respect to food or food sources.

*Status: Point in time view as at 26/03/2018. This version of this provision has been superseded.*

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#### **Modifications etc. (not altering text)**

- C1** S. 10 applied (3.10.1994) by S.I. 1994/2328, **reg. 11(c)**
- C2** S. 10 applied (with modifications) (2.9.2013) by The Fish Labelling Regulations 2013 (S.I. 2013/1768), **regs. 1(1)(b), 7**
- C3** S. 10 applied (with modifications) (26.9.2013) by The Fish Labelling (Wales) Regulations 2013 (S.I. 2013/2139), **regs. 1(2), 5**
- C4** S. 10 applied (with modifications) (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), **regs. 1(3), 4(1), Sch. 2 Pt. 1** (as amended (1.3.2017) by S.I. 2017/62, **regs. 1(3), 3**)
- C5** S. 10 applied (with modifications) (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), **regs. 1(3), 4(1), Sch. 2 Pt. 1**
- C6** S. 10(1)(2) applied (with modifications) (31.10.2013) by The Food Additives, Flavours, Enzymes and Extraction Solvents (Wales) Regulations 2013 (S.I. 2013/2591), **regs. 1, 7(1)**
- C7** S. 10(1)(2) applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (England) Regulations 2013 (S.I. 2013/2775), **regs. 1(2), 17**
- C8** S. 10(1)(2) applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (Wales) Regulations 2013 (S.I. 2013/2750), **regs. 1(2), 17** (with **reg. 22(1)(2)**)
- C9** S. 10(1)(2) applied (with modifications) (19.9.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information (Wales) Regulations 2014 (S.I. 2014/2303), **regs. 1(3)(4)(b)(5)(b), 12(1), Sch. 4 Pt. 1** (with **reg. 12(6)**) (as amended (1.10.2021) by S.I. 2020/295, **regs. 1(2), 2(9)**)
- C10** S. 10(1)(2) applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (Wales) Regulations 2014 (S.I. 2014/3087), **regs. 1(2), 7, Sch. 2** (with **reg. 3**)
- C11** S. 10(1)(2) applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (England) Regulations 2014 (S.I. 2014/3001), **reg. 7(1)(2)** (with **reg. 3**)
- C12** S. 10(1)(2) applied (with modifications) (1.4.2015) by The Country of Origin of Certain Meats (England) Regulations 2015 (S.I. 2015/518), **regs. 1(1), 6(1), Sch. para. 1**
- C13** S. 10(1)(2) applied (with modifications) (6.4.2015) by The Condensed Milk and Dried Milk (England) Regulations 2015 (S.I. 2015/675), **regs. 1(1), 6, Sch. 3 Pt. 1**
- C14** S. 10(1)(2) applied (with modifications) (24.6.2015) by The Honey (England) Regulations 2015 (S.I. 2015/1348), **reg. 1(1), Sch. 2** (with **regs. 4, 5, 21**)
- C15** S. 10(1)(2) applied (with modifications) (3.8.2015) by The Honey (Wales) Regulations 2015 (S.I. 2015/1507), **reg. 1(2), Sch. 2** (with **reg. 22**)
- C16** S. 10(1)(2) applied (with modifications) (10.8.2015) by The Country of Origin of Certain Meats (Wales) Regulations 2015 (S.I. 2015/1519), **regs. 1(2), 6(1), Sch. Pt. 1**
- C17** S. 10(1)(2) applied (with modifications) (28.11.2015) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015 (S.I. 2015/1867), **regs. 1(2), 33(1), Sch. 12 Table 1** (with **regs. 3, 33(2)**)
- C18** S. 10(1)(2) applied (with modifications) by S.I. 2000/845, **reg. 5A(1), Sch. Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), **reg. 1(3), Sch. 3 para. 2(b)(c)**)
- C19** S. 10(1)(2) applied (with modifications) by S.I. 2007/3521, **reg. 28A(1), Sch. Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), **reg. 1(3), Sch. 3 para. 4(b)(c)**)
- C20** S. 10(1)(2) applied (with modifications) by S.I. 1997/2182, **reg. 6A(1), Sch. 3 Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), **reg. 1(3), Sch. 3 para. 1(h)(j)**)
- C21** S. 10(1)(2) applied (with modifications) by S.I. 2009/3051, **reg. 3A(1), Sch. 2 Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), **reg. 1(3), Sch. 3 para. 5(a)(c)**)

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- C22** S. 10(1)(2) applied (with modifications) by S.I. 2003/3207, reg. 10A(1), Sch. 9 Pt. 1 (as inserted (20.7.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(England\) Regulations 2016 \(S.I. 2016/688\)](#), reg. 1(3), **Sch. 3 para. 3(b)(c)**)
- C23** S. 10(1)(2) applied (with modifications) by S.I. 2007/3573, reg. 28A(1), Sch. Pt. 1 (as inserted (2.8.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(Wales\) Regulations 2016 \(S.I. 2016/639\)](#), reg. 1(3), **Sch. 3 para. 4(b)**)
- C24** S. 10(1)(2) applied (with modifications) by S.I. 2009/3254, reg. 3A(1), Sch. 2 Pt. 1 (as inserted (2.8.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(Wales\) Regulations 2016 \(S.I. 2016/639\)](#), reg. 1(3), **Sch. 3 para. 5(a)**)
- C25** S. 10(1)(2) applied (with modifications) by S.I. 2004/314, reg. 10A(1), Sch. 9 Pt. 1 (as inserted (2.8.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(Wales\) Regulations 2016 \(S.I. 2016/639\)](#), reg. 1(3), **Sch. 3 para. 3(b)**)
- C26** S. 10(1)(2) applied (with modifications) by S.I. 1997/2182, reg. 6A(1), Sch. 3 Pt. 1 (as inserted (2.8.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(Wales\) Regulations 2016 \(S.I. 2016/639\)](#), reg. 1(3), **Sch. 3 para. 1(g)**)
- C27** S. 10(1)(2) applied (with modifications) by S.I. 2000/1866, reg. 5A(1), Sch. Pt. 1 (as inserted (2.8.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(Wales\) Regulations 2016 \(S.I. 2016/639\)](#), reg. 1(3), **Sch. 3 para. 2(b)**)
- C28** S. 10(1)(2) applied (with modifications) (15.8.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by [The Food Information Regulations 2014 \(S.I. 2014/1855\)](#), reg. 12(1), **Sch. 4 Pt. 1** (with regs. 1(9)(b), 12(6)) (as amended (1.10.2021) by S.I. 2019/1218, regs. 1, **2(11)**)
- C29** S. 10(1)(2) applied (with modifications) (22.12.2016) by [The Caseins and Caseinates \(Wales\) Regulations 2016 \(S.I. 2016/1130\)](#), regs. 1(3), 8(1), **Sch. 5 Pt. 1** (with regs. 3, 8(3))
- C30** S. 10(1)(2) applied (with modifications) by S.I. 2012/2705, reg. 27, Sch. 2 Pt. 1 (as substituted (14.9.2017) by [The Materials and Articles in Contact with Food \(Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/832\)](#), regs. 1(3), **13**) (and as amended (6.9.2018) by [The Materials and Articles in Contact with Food \(Wales\) \(Amendment\) Regulations 2018 \(S.I. 2018/913\)](#), reg. 9)
- C31** S. 10(1)(2) applied (with modifications) (26.9.2017) by [The Caseins and Caseinates \(England\) Regulations 2017 \(S.I. 2017/848\)](#), regs. 1(1), 7, **Sch. 5**
- C32** S. 10(1)(2) applied (with modifications) (1.1.2018) by [The Novel Foods \(Wales\) Regulations 2017 \(S.I. 2017/1103\)](#), regs. 1(3), 5(1), **Sch. 2 Pt. 1** (with reg. 5(4))
- C33** S. 10(1)(2) applied (with modifications) (26.3.2018) by [The Jam and Similar Products \(Wales\) Regulations 2018 \(S.I. 2018/274\)](#), reg. 1(3), **Sch. 5** (with reg. 3)
- C34** S. 10(1)(2) applied (with modifications) (26.3.2018) by [The Condensed Milk and Dried Milk \(Wales\) Regulations 2018 \(S.I. 2018/275\)](#), regs. 1(3), 6(1)(3), **Sch. 3 Pt. 1**
- C35** S. 10(2) applied (with modifications) (1.4.2015) by [The Country of Origin of Certain Meats \(England\) Regulations 2015 \(S.I. 2015/518\)](#), regs. 1(1), 6(1), **Sch. para. 1**
- C36** S. 10(2) applied (with modifications) (28.11.2015) by [The Natural Mineral Water, Spring Water and Bottled Drinking Water \(Wales\) Regulations 2015 \(S.I. 2015/1867\)](#), regs. 1(2), 33(1), **Sch. 12 Table 1** (with regs. 3, 33(2))
- C37** S. 10(2) applied (W.) (1.1.2018) by [The Novel Foods \(Wales\) Regulations 2017 \(S.I. 2017/1103\)](#), regs. 1(3), **5(1)** (with reg. 5(4))
- C38** S. 10(2) applied (with modifications) (W.) (26.3.2018) by [The Condensed Milk and Dried Milk \(Wales\) Regulations 2018 \(S.I. 2018/275\)](#), regs. 1(3), **6(1)(3)**

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