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*Changes to legislation: There are currently no known outstanding effects for the Food Standards Act 1999, Paragraph 17. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Food Safety Act 1990 (c. 16)*

- 17 (1) Section 40 (codes of practice for food authorities) shall be amended as follows.
- (2) After subsection (1) there shall be inserted the following subsection—
- “(1A) The Food Standards Agency may, after consulting the Secretary of State, give a food authority a direction requiring them to take any specified steps in order to comply with a code under this section.”
- (3) In subsection (2)(b) for the words from “by” to “and” there shall be substituted the words “ under this section and ”.
- (4) In subsection (3), for the words “subsection (2)(b)” and “the Ministers or the Minister” (or if the amendment in paragraph 8 has been made, the words “the Secretary of State”) there shall be substituted respectively the words “ subsection (1A) ” and “ the Food Standards Agency ”.
- (5) After subsection (3) there shall be inserted—
- “(3A) The Food Standards Agency shall consult the Secretary of State before making an application under subsection (3) above.”
- (6) In subsection (4), the words after “shall” shall be renumbered as paragraph (a) and at the end there shall be added the words “; and
- (b) have regard to any relevant advice given by the Food Standards Agency”.
- (7) After subsection (4) there shall be inserted the following subsection—
- “(4A) If it appears to the Secretary of State that the Food Standards Agency has undertaken any consultation with an organisation that he is required to consult under subsection (4) above, the Secretary of State may treat that consultation as being as effective for the purposes of that subsection as if undertaken by him.”

**Changes to legislation:**

There are currently no known outstanding effects for the Food Standards Act 1999, Paragraph 17.