
STATUTORY INSTRUMENTS

2013 No. 2996

The Food Safety and Hygiene (England) Regulations 2013

Interpretation

2.—(1) In these Regulations —

“the Act” means the Food Safety Act 1990 ^{M1};

“the Agency” means the Food Standards Agency;

“authorised officer”, in relation to an enforcement authority, means any person (whether or not an officer of the authority) who is authorised by them in writing, either generally or specially, to act in matters arising under the Hygiene Regulations and Regulation 178/2002;

[^{F1}“the EU Hygiene Regulations” mean Regulation 852/2004, Regulation 853/2004, Regulation 2073/2005, Regulation 2015/1375, Regulation 2017/185 and Regulation 2017/625 and the Regulation 2017/625 package insofar as it and they apply to food;]

^{F2}
...

“enforcement authority” means the authority which, by virtue of regulation 5, is responsible for executing and enforcing the Hygiene Regulations and Regulation 178/2002;

“food authority” has the meaning that it bears by virtue of section 5(1) of the Act except that it does not include the appropriate Treasurer referred to in section 5(1)(c) of the Act (which deals with the Inner Temple and Middle Temple);

“the Hygiene Regulations” means these Regulations and the EU Hygiene Regulations;

“premises” includes any establishment, any place, vehicle, stall or moveable structure and any ship or aircraft; and

[^{F3}“the Regulation 2017/625 package” means Regulation 2017/625 and the other EU Regulations listed in Schedule 1 under the heading “The Regulation 2017/625 package”];

“specified EU provision” means any provision of Regulation 178/2002 or the EU Hygiene Regulations that is specified in column 1 of Schedule 2 and whose subject-matter is described in column 2 of that Schedule.

[^{F4}(1A) Any reference in these Regulations to Directives or Regulations referred to in Schedule 1 have the meanings respectively given to them in that Schedule.]

(2) Subject to paragraph (3), any expression other than one defined in paragraph (1) that is used both in these Regulations and in the Act has the meaning it bears in the Act.

(3) Unless the context otherwise requires, any expression used both in these Regulations and in Regulation 178/2002 or the EU Hygiene Regulations has the meaning that it bears in Regulation 178/2002 or the EU Hygiene Regulations.

(4) Where any functions under the Act are assigned —

(a) by an order under section 2 or 7 of the Public Health (Control of Disease) Act 1984 ^{M2}, to a port health authority;

(b) by an order under section 6 of the Public Health Act 1936 ^{M3}, to a joint board for a united district; or

- (c) by an order under paragraph 15(6) of Schedule 8 to the Local Government Act 1985 ^{M4}, to a single authority for a metropolitan county,

any reference in these Regulations to a food authority is to be construed, so far as relating to those functions, as a reference to the authority to whom they are so assigned.

(5) Where, apart from this paragraph, any period of less than seven days which is specified in these Regulations would include any day which is —

- (a) a Saturday, a Sunday, Christmas Day or Good Friday; or

(b) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 ^{M5}, that day is to be excluded from the period.

(6) In these Regulations, any reference to an EU instrument defined in Schedule 1 is a reference to that instrument as ^{F5}... amended from time to time.

- F1** Words in reg. 2(1) substituted (14.12.2019) by [The Official Feed and Food Controls \(England\) \(Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1476\)](#), regs. 1, **34(a)(i)**
- F2** Words in reg. 2(1) omitted (25.12.2020) by virtue of [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(2), **5(2)(a)(i)**
- F3** Words in reg. 2(1) substituted (25.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(2), **5(2)(a)(ii)**
- F4** Reg. 2(1A) inserted (25.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(2), **5(2)(b)**
- F5** Words in reg. 2(6) omitted (14.12.2019) by virtue of [The Official Feed and Food Controls \(England\) \(Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1476\)](#), regs. 1, **34(b)**

Marginal Citations

- M1** 1990 c.16.
- M2** 1984 c.22; section 7(3)(d) was substituted by paragraph 27 of Schedule 3 to the Food Safety Act 1990.
- M3** 1936 c.49; section 36 is to be read with paragraph 1 of Schedule 3 to the Food Safety Act 1990.
- M4** 1985 c.51; paragraph 15(6) was amended by paragraph 31(b) of Schedule 3 to the Food Safety Act 1990.
- M5** 1971 c.80.

Changes to legislation:

There are currently no known outstanding effects for the The Food Safety and Hygiene (England) Regulations 2013, Section 2.