(*d*) The right to deliver pre-packed food unmarked, provided that an invoice or other document containing the requisite particulars is furnished to the buyer within fourteen days, is now only available to a person selling to a wholesaler.

(*e*) The requirements with respect to the proper marking of wrappers and containers specified in the First Schedule have been reduced and simplified.

(*f*) The Regulations do not apply to fish cakes, sausage rolls and water ices; nor do they apply to meat sausages which are not packed in metal, glass or rigid plastic containers.

The safeguards to traders contained in sub-sections (1), (2) and (3) of Section 12 of the Sale of Food (Weights and Measures) Act, 1926, are applied to offences against these Regulations. These safeguards, together with the defences contained in the Food and Drugs Act, 1955, (in Scotland, the Food and Drugs (Scotland) Act, 1956) substantially correspond to those contained in the Order of 1950.

The Regulations prescribe penalties for offences, including continuing offences.

FOOD HYGIENE

1957 No. 2157

The Food Hygiene (Amendment) Regulations, 1957

Made - - - -	12*th December*, 1957
Laid before Parliament	17*th December*, 1957
Coming into Operation	31*st December*, 1957

The Minister of Agriculture, Fisheries and Food and the Minister of Health, acting jointly, in exercise of the powers conferred on them by sections 13 and 123 of the Food and Drugs Act, 1955(a), and of all other powers enabling them in that behalf, hereby make the following regulations, after consultation with such organisations as appear to them to be representative of interests substantially affected by the regulations and reference to the Food Hygiene Advisory Council under section 82 of the said Act:—

Citation and commencement

1.—(1) These regulations may be cited as the Food Hygiene (Amendment) Regulations, 1957, and shall come into operation on the thirty-first day of December, 1957.

(2) These regulations shall be read as one with the Food Hygiene Regulations, 1955 to 1956, and those regulations and these regulations may be cited together as the Food Hygiene Regulations, 1955 to 1957.

Interpretation

2. The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(a) 4 & 5 Eliz. 2. c. 16. (b) 52 & 53 Vict. c. 63.

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

3. The following regulation shall be substituted for regulation 7 of the Food Hygiene Regulations, 1955(a):—

"7.—(1) Except as hereinafter provided, 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 for reward on or about any domestic premises other than those of the person carrying on the business.

(2) The foregoing paragraph shall not apply in relation to shrimps, prawns or onions which are given out for the purpose of peeling if the premises on or about which the process is to be carried out are registered under section 16 of the Act for the preparation of the food in question and the requirements of paragraphs (3) and (4) of this regulation are complied with by the person carrying on the food business.

(3) The requirements mentioned in the last foregoing paragraph are that the person carrying on the food business—

(*a*) shall not make any arrangement for the giving out of the food unless he has first—

(i) satisfied himself that the person to whom he proposes that it shall be given out is aware of the requirements mentioned in paragraph (5) of this regulation and is able to comply with them; and

(ii) given notice of his intention of making the arrangement to the local authority of the area in which the premises on or about which the process is to be carried out are situated;

(*b*) shall not, if more than three months have elapsed since he satisfied himself as required by sub-paragraph (*a*) of this paragraph, in pursuance of such arrangement give out or permit the giving out of the food unless he or some person authorised by him to act on his behalf has within the preceding three months visited the premises on or about which the process is to be carried out and satisfied himself that the person with whom the arrangement was made remains able to comply with the requirements mentioned in paragraph (5) of this regulation.

(4) Where a person carrying on a food business has made any such arrangement he shall at intervals not greater than six months furnish to each local authority within whose area any premises used in pursuance of the arrangement are situated a list containing the names of all the persons so using premises in the area and the addresses of the premises so used by them.

(5) Any person carrying out any process in pursuance of any such arrangement shall be subject, in addition to the requirements imposed by Part III of these regulations on persons engaged in the handling of food—

(*a*) to the like requirements with respect to articles and equipment used in carrying out the process as are applicable under regulation 6 of these regulations with respect to articles and equipment used in the course of a food business; and

(*b*) to the like requirements with respect to the premises on or about which the process is carried out as are applicable under regulations

(a) S.I. 1955/1906 (1955 I, p. 918).

15 and 16 of these regulations with respect to the provision of a water supply and wash hand basins in food premises and under paragraph (1) of regulation 23 of these regulations with respect to a food room.

(6) This regulation shall come into operation in relation to the giving out of shrimps, prawns and onions on the first day of June, 1958, and in relation to the giving out of any other food on the thirty-first day of December, 1957."

Amendment of regulation 32 of the Food Hygiene Regulations, 1955

4. The following paragraph shall be inserted after paragraph (3) of regulation 32 of the Food Hygiene Regulations, 1955:—

"(4) A person carrying on a food business shall be guilty of an offence against these regulations if as respects that food business any provision of regulation 7 of these regulations is contravened; and any person who is subject to any requirement by virtue of paragraph (5) of the said regulation 7 shall be guilty of such an offence if he fails to comply with any requirement to which he is so subject."

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this twelfth day of December, nineteen hundred and fifty-seven.

(L.S.) *E. A. Hitchman,*
Permanent Secretary,
Ministry of Agriculture, Fisheries and Food.

Given under the official seal of the Minister of Health this twelfth day of December, nineteen hundred and fifty-seven.

(L.S.) *Derek Walker-Smith,*
Minister of Health.

EXPLANATORY NOTE

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

These regulations amend regulation 7 of the Food Hygiene Regulations, 1955 (which restricts the giving out of food for preparation or packing in domestic premises). The operation of the original regulation 7 in relation to shrimps, prawns and onions had been postponed until 1st January, 1958. The new regulation 7, which is to apply to shrimps, prawns and onions on 1st June, 1958, permits the giving out of shrimps, prawns and onions for peeling on domestic premises if the premises are registered for the preparation of the food in question with the local authority under section 16 of the Food and Drugs Act, 1955, and certain other requirements are complied with. These requirements include (*a*) a periodic check by the person giving out the food that the worker is able to maintain proper standards, (*b*) the cleanliness of equipment and premises, (*c*) the provision of a water supply and wash hand basin, (*d*) the protection of food from risk of contamination and (*e*) the observance of cleanly practices by persons engaged in the handling of the food and the action to be taken where they suffer from, or are the carriers of, certain infections.