FOOD HYGIENE

1960 No. 1601

The Food Hygiene (General) Regulations, 1960

Made - - - -	1*st September*, 1960
Laid before Parliament	12*th September*, 1960
Coming into Operation	1*st October*, 1960

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:—

PART I
PRELIMINARY

Citation and commencement

1.—(1) These regulations may be cited as the Food Hygiene (General) Regulations, 1960, and shall come into operation, save in so far as is otherwise provided by paragraph (2) of this regulation, on the first day of October, 1960.

(2) In their application to ships, these regulations (except regulation 31) shall come into operation on the first day of November, 1961.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

"the Act" means the Food and Drugs Act, 1955;

"business" includes the undertaking of a canteen, club, school, hospital or institution, whether carried on for profit or not, and any undertaking or activity carried on by a public or local authority;

"catering business" means a food business consisting wholly or partly of the supply of food for immediate consumption;

"certificate of exemption" in relation to a food business means a certificate for the time being in force in relation to the business for the purposes of regulation 31 of these regulations;

"container" includes any basket, pail, tray, package or receptacle of any kind, whether open or closed;

"contamination" includes contamination by odour; and "contaminated" shall be construed accordingly;

"equipment" includes apparatus, furnishings and utensils;

"fish" means uncooked fish (including cured or smoked fish), and includes uncooked whalemeat;

"food" means food intended for sale, or sold, for human consumption and includes drink, chewing gum and other products of a like nature

(a) 4 & 5 Eliz. 2. c. 16.

and use, and articles and substances used as ingredients in the preparation of food or drink or of such products, but does not include—

(*a*) milk, cream or separated milk, other than dried milk and condensed milk;

(*b*) water, live animals or birds;

(*c*) articles and substances used only as drugs; or

(*d*) any raw food which has to be subjected to a process of milling or refining for the purpose of rendering it in a state fit for human consumption;

"food business" has the meaning assigned to it by regulation 3 of these regulations;

"food premises" means any premises on or from which there is carried on any food business;

"food room" means any room (being, or being part of, any food premises), or any room or space on a ship, in which any person engages in the handling of food for the purposes of a food business, but does not include—

(*a*) a room used as a sleeping place if the only handling of food which occurs in the room is in the course of serving food there to, or at the request of, any person occupying it as a sleeping place;

(*b*) a room communicating with a room used as a sleeping place if the only handling of food which occurs in the room is in the course of serving food there to, or at the request of, any person (not being a person carrying on a food business at the premises which include the room or a person employed by him) by whom the room is occupied as a sleeping place; or

(*c*) a day room in a hospital or in a home for the reception of aged or disabled persons;

"home-going ship" means a boat or craft plying exclusively in inland waters or engaged exclusively in coastal excursions; and for the purposes of this definition "coastal excursion" means an excursion lasting not more than one day which starts and ends in Great Britain and does not involve calling at any place outside Great Britain and "inland waters" means any canal, river, lake, navigation or estuary;

"hospital" means any premises for the reception and treatment of persons suffering from illness (including mental disorder within the meaning of the Mental Health Act, 1959(a)), any maternity home and any institution for the reception and treatment of persons during convalescence or of persons requiring medical rehabilitation;

"local authority" means—

(*a*) as respects the City of London, the Common Council, and as respects a metropolitan borough, the council thereof;

(*b*) as respects the Inner Temple and Middle Temple, the respective overseers thereof;

(*c*) as respects any other borough and any urban district or rural district, the council of the borough or district;

"meat" means the flesh (including edible offal and fat) of animals and birds which is sold or intended for sale for human consumption, and includes bacon and ham and, in regulations 25 and 27 but not elsewhere in the regulations, includes also any other such flesh which has been cooked or otherwise prepared for sale by any similar process;

(a) 7 & 8 Eliz. 2. c. 72.

" open food " means food not contained in a container of such materials, and so closed, as to exclude the risk of contamination ;

" premises " means a building or part of a building and any forecourt, yard or place of storage used in connection with the building ;

" preparation " in relation to food includes manufacture and any form of treatment ; and " prepared " shall be construed accordingly ;

" sanitary convenience " means a water closet, urinal, earth or chemical closet, privy or similar convenience ;

" ship " means—

(i) a home-going ship, and

(ii) any other boat or craft which is moored in any place,

on or from which there is carried on any catering business or other retail food business ;

" stall " includes any stand, marquee, tent or mobile canteen, and any vehicle, whether movable or not.

(2) In these regulations, unless the context otherwise requires, the handling of food means the carrying out, or assisting in the carrying out, for the purposes of a food business, of any process or operation in the sale of food or in the preparation, transport, storage, packaging, wrapping, exposure for sale, service or delivery of food and includes the cleaning of articles or equipment with which food comes into contact.

(3) For the purposes of these regulations the supply of food otherwise than by sale, at, in or from any place where food is supplied in the course of a business, shall be deemed to be a sale of that food, and references to purchasing and purchasers shall be construed accordingly ; and where in connection with any business in the course of which food is supplied the place where the food is served to the customers is different from the place where the food is consumed, both those places shall be deemed to be places in which food is sold.

(4) In determining for the purposes of these regulations whether any matter involves a risk of contamination to any food, regard shall be had to the extent to which contamination in the respect in question is immaterial because of—

(*a*) the nature of the food ; or

(*b*) the manner in which the food is packed ; or

(*c*) any process to which the food is to be subjected before sale to the consumer, being a process to which food of that nature is normally so subjected.

(5) The Interpretation Act, 1889(a), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament and as if these regulations and the regulations hereby revoked were Acts of Parliament.

(6) References in these regulations to the provisions of any enactment or regulations shall be construed, unless the context otherwise requires, as references to those provisions as amended by any subsequent enactment or regulations.

Interpretation of " food business "

3.—(1) In these regulations, unless the context otherwise requires, the expression " food business " means, subject to the succeeding provisions of this regulation, any trade or business for the purposes of which any person engages in the handling of food.

(a) 52 & 53 Vict. c. 63.

(2) The said expression does not include any agricultural activity or (except so far as the handling of food may be involved in the course of a retail business or catering business) so much of any trade or business as consists of the handling of food at, in or upon—

(*a*) any dock, public warehouse or public cold store ; or

(*b*) (except for the purpose of Part VI of these regulations) any premises or place occupied by a carrier of goods for the purposes of his trade or business as such a carrier ; or

(*c*) any slaughterhouse within the meaning of the Slaughterhouses (Hygiene) Regulations, 1958(**a**) ; or

(*d*) any premises or place occupied by a wholesaler of raw vegetables and used exclusively for the purposes of his trade or business as such a wholesaler ; or

(*e*) any premises which—

(i) are used exclusively for the storage of food manufactured and packed by the occupier thereof ; and

(ii) are situated outside the curtilage of the premises used for the manufacture or packing of that food ; and

(iii) are not used for the storage of any open food ; or

(*f*) any ship on which food is handled solely with a view to its consumption by the crew of the ship or by persons permanently resident thereon.

(3) In this regulation—

(*a*) " agricultural activity " includes horticulture, fruit growing, dairy farming, the breeding and keeping of livestock, including poultry, and the use of land as market gardens and nursery ground ; and

(*b*) " dock " includes any harbour, moorings, wharf, pier, jetty or other works in or at which food can be shipped or unshipped and any warehouse, transit shed or other premises used in connection therewith for the temporary storage or loading for dispatch of food which is unshipped or to be shipped.

Enforcement

4.—(1) Except as provided in this regulation, each local authority shall enforce and execute the provisions of these regulations in their district.

(2) In relation to any ship each port health authority shall execute and enforce the provisions of these regulations in their district:

Provided that in relation to any home-going ship, which is a ship required by the Merchant Shipping Act, 1894(**b**), to be surveyed annually, the provisions of these regulations mentioned in the Schedule to these regulations shall be enforced and executed by the port health authority, or, if there is no port health authority, the local authority for the port in which that survey is being, or was last, carried out.

(3) With respect to any home-going ship mentioned in the proviso to the last foregoing paragraph, any local authority or port health authority shall furnish to the authority charged with the enforcement of the provisions mentioned in the Schedule to these regulations in relation to that ship any information in their possession which will be likely to assist that last-mentioned authority in the carrying out of their duties under these regulations.

(4) The person having command or charge of any home-going ship mentioned in the proviso to paragraph (2) of this regulation shall, on being requested to do so, furnish to any authorised officer of a council the name of the authority in whose area the survey mentioned in that proviso is being, or was last, carried out.

(**a**) S.I. 1958/2168 (1958 I, p. 1182). (**b**) 57 & 58 Vict. c. 60.

PART II
GENERAL REQUIREMENTS

Food business not to be carried on at insanitary premises, etc.

5. No food business shall be carried on in or at any insanitary premises, stall, ship or place or in or at any premises, stall, ship or place the use of which because of the situation, construction or condition thereof exposes food to the risk of contamination.

Cleanliness of equipment, etc.

6.—(1) Articles of equipment with which food comes into contact, or is liable to come into contact, in the course of a food business shall be kept clean and shall be so contructed, be of such materials and be kept in such good order, repair and condition as to—

(*a*) enable them to be thoroughly cleaned ;

(*b*) prevent so far as is reasonably practicable any matter being absorbed by them ; and

(*c*) prevent so far as is reasonably practicable any risk of contamination of the food.

(2) Without prejudice to the provisions of the preceding paragraph, all containers (including returnable containers) intended for containing food in the course of a food business, whether or not they come into contact, or are liable to come into contact, with food, shall so far as is reasonably practicable be protected and kept free from contamination.

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

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 arrangements 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 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 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.

PART III

REQUIREMENTS RELATING TO PERSONS ENGAGED IN THE HANDLING OF FOOD

Food to be protected from risk of contamination

8. A person who engages in the handling of food shall while so engaged take all such steps as may be reasonably necessary to protect the food from risk of contamination, and in particular (without prejudice to the generality of the foregoing)—

(*a*) shall not so place the food as to involve any risk of contamination;

(*b*) shall not in or about any forecourt, yard, market or stall place any food lower than eighteen inches from the ground unless it is adequately protected by other means from risk of contamination;

(*c*) shall comply with the requirements of the next three following regulations.

Personal cleanliness

9. A person who engages in the handling of food shall while so engaged—

(*a*) keep as clean as may be reasonably practicable all parts of his person which are liable to come into contact with the food;

(*b*) keep as clean as may be reasonably practicable all parts of his clothing, overclothing or overalls which are liable to come into contact with the food;

(*c*) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing;

(*d*) refrain from spitting;

(*e*) refrain from the use of tobacco or any other smoking mixture or snuff while he is handling any open food or is in any food room in which there is open food.

Carrying of food and wrapping, etc., of open food

10. A person who engages in the handling of food shall not while so engaged—

(*a*) carry any food in a vehicle or container along with any article from which there is a risk of contamination of the food, or with any live animal or live poultry, without taking all such precautions as are

reasonably practicable to avoid risk of contamination, and in particular (without prejudice to the generality of the foregoing) shall not allow any live animal or live poultry to come into contact with meat or fish;

(*b*) use for wrapping or containing any open food any paper or other wrapping material or container which is not clean or which is liable to contaminate the food, and in particular (without prejudice to the generality of the foregoing) shall not allow any printed material, other than printed material designed exclusively for wrapping or containing food, to come into contact with any food other than uncooked vegetables.

Persons suffering from certain infections

11.—(1) Subject to the provisions of this regulation, as soon as any person engaged in the handling of food becomes aware that he is suffering from, or is the carrier of, typhoid fever, paratyphoid fever or any other salmonella infection or dysentery or any staphylococcal infection likely to cause food poisoning, he shall forthwith give notice of the fact to the person carrying on the food business who shall immediately after receipt of the notice notify the appropriate medical officer of health accordingly:

Provided that where the person required to give such notice is himself the person carrying on the food business he shall give notice immediately to the appropriate medical officer of health.

(2) For the purposes of this regulation the appropriate medical officer of health is—

(*a*) in the case of a person engaged in the handling of food at or from food premises, the medical officer of health of the district in which the premises are situated; and

(*b*) in any other case either the medical officer of health of the district in which the person to whom the notice relates resides or the medical officer of health of the district in which the food business is situated.

(3) For the purposes of the last foregoing paragraph a food business which is carried on from a ship shall be deemed to be situated in the district or port health district in which the ship is for the time being moored.

Part IV

Requirements Relating to Food Premises and Ships

Soil drainage systems

12.—(1) No fresh air intake of any ventilation pipe included in the soil drainage system of food premises shall be situated in a food room.

(2) Every inlet into any such system situated in any such room shall be trapped.

Cisterns for supplying water to food rooms

13. No cistern for the supply of water to a food room shall supply a sanitary convenience otherwise than through an efficient flushing cistern or some other flushing apparatus equally efficient and suitable for the prevention of contamination of water supplies.

Sanitary conveniences

14.—(1) Every sanitary convenience situated in or upon, or regularly used in connection with, any food premises or ship—

(*a*) shall be kept clean and in efficient order;

(*b*) shall be so placed that no offensive odours therefrom can penetrate into any food room.

(2) Any room or other place which contains a sanitary convenience shall be suitably and sufficiently lighted and ventilated and shall be kept clean.

(3) No room which contains a sanitary convenience shall be used as a food room.

(4) No food room which communicates directly with a room or other place which contains a sanitary convenience shall be used—

(*a*) for the handling of open food, or

(*b*) for the cleaning of equipment for use in any food business in the course of which open food is handled.

(5) There shall be affixed and maintained in a prominent and suitable position near every sanitary convenience situated in or upon or regularly used in connection with any food premises or ship (being a convenience provided or made regularly available for the use of persons employed in the handling of food on or about the premises or ship) a clearly legible notice requesting users to wash their hands after using the convenience.

Water supply to be provided

15.—(1) Subject to the provisions of any certificate of exemption, a supply of water sufficient in quantity to enable these regulations to be complied with shall be provided and maintained in all food premises and ships.

(2) Any supply of water provided for the said purposes shall—

(*a*) be clean and wholesome ;

(*b*) be constant, if the provision of a constant supply is reasonably practicable and is in accordance with good practice in premises used for business of a similar class or in ships of a similar type.

Wash-hand basins to be provided

16.—(1) Subject to the provisions of any certificate of exemption, in all food premises and ships suitable and sufficient wash-hand basins for the use of all persons engaged in the handling of food on or about those premises or ships shall be provided and maintained in a position conveniently accessible to such persons.

(2) Subject as aforesaid, there shall be provided and maintained for every such wash-hand basin an adequate supply either of hot and cold water or of hot water at a suitably controlled temperature:

Provided that a supply of cold water shall be sufficient at food premises or on ships in which no open food is handled.

(3) At or near every wash-hand basin available for the use of such persons as are mentioned in paragraph (1) of this regulation there shall be provided and maintained for the use of the persons engaged in the handling of food on or about the food premises or ships adequate supplies of soap or other suitable detergent, nail-brushes and clean towels or other suitable drying facilities, which shall be used only for securing the personal cleanliness of such persons.

(4) All wash-hand basins so available shall be kept clean and any traps and connections thereof shall be kept clean and in efficient working order.

First-aid materials to be provided

17. Suitable and sufficient bandages, dressings (including waterproof dressings) and antiseptic for first-aid treatment shall be provided and maintained in all food premises and ships in a readily accessible position for the use of persons engaged in the handling of food on or about those premises or ships.

Accommodation for clothing, etc.

18. Except where adequate provision is made elsewhere than in a food room, suitable and sufficient cupboard or locker accommodation shall, subject to the provisions of any certificate of exemption, be provided and maintained

in all food premises and ships, other than food premises or ships in which no open food is handled, for the clothing and footwear not worn during working hours of all persons engaged in the handling of food on or about those premises or ships.

Facilities for washing food and equipment

19.—(1) Subject to the provisions of this regulation—

(*a*) there shall be provided and maintained in all food premises and ships suitable and sufficient sinks or other facilities (not being wash-hand basins available as mentioned in paragraph (3) of regulation 16 of these regulations) for washing food and equipment used in the food business;

(*b*) there shall be provided and maintained for every such sink or other facility an adequate supply either of hot and cold water or of hot water at a suitably controlled temperature, except that a supply of cold water shall be sufficient—

(i) where the facility consists of apparatus designed for the washing of drinking vessels with a suitable bactericidal agent and is used only for that purpose; or

(ii) where the sink or other facility is used only for the washing of fish, tripe, animal casings, fruit or vegetables;

(*c*) all sinks and other facilities available for the said purposes shall be kept clean and in efficient working order;

(*d*) there shall be provided and maintained for use at all such sinks and other facilities—

(i) adequate supplies of soap or other suitable detergent and of clean cloths; or

(ii) other adequate and suitable cleaning and drying facilities.

(2) Nothing in paragraph (1) of this regulation shall apply in relation to food premises or ships in which no open food is handled.

(3) Sub-paragraphs (*a*) and (*b*) of paragraph (1) of this regulation shall have effect subject to any certificate of exemption.

Lighting of food rooms

20. Suitable and sufficient means of lighting shall be provided in every food room and every such room shall be suitably and sufficiently lighted.

Ventilation of food rooms

21. Except in the case of a humidity-controlled or temperature-controlled chamber, suitable and sufficient means of ventilation shall be provided in every food room and suitable and sufficient ventilation shall be maintained there.

Food room not to be, or communicate with, a sleeping place

22.—(1) No food room, being, or being part of, any food premises shall be used as a sleeping place; and no sleeping place shall be used as a food room.

(2) Subject to the provisions of any certificate of exemption, no food room which communicates directly with a sleeping place shall be used for the handling of open food.

Cleanliness and repair, etc., of food rooms

23.—(1) The walls, floors, doors, windows, ceiling, woodwork and all other parts of the structure of every food room shall be kept clean and shall be kept in such good order, repair and condition as to—

(*a*) enable them to be effectively cleaned; and

(*b*) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice and insects.

(2) Where at any time after the coming into operation of these regulations any works affecting the structure of a food room, other than mere removal of part of the structure, are executed, the structure affected by such works shall after completion of the works be such as to—

(*a*) enable it to be effectively cleaned ; and

(*b*) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice and insects.

Accumulation of refuse, etc.

24. No refuse or filth, whether solid or liquid, shall be deposited or allowed to accumulate in a food room except so far as may be unavoidable for the proper carrying on of the trade or business.

Temperature at which certain foods are to be kept

25.—(1) The provisions of this regulation apply to all food consisting of meat, fish, gravy or imitation cream, or prepared from or containing any of those substances or any egg or milk, but do not apply to—

(*a*) bread, biscuits, cake or pastry by reason only of the use of egg or milk as an ingredient thereof introduced prior to baking ; or

(*b*) chocolate or sugar confectionery ; or

(*c*) ice-cream to which the provisions of any regulations with respect to the heat treatment of ice-cream in force under section 4 of the Act apply ; or

(*d*) food canned, bottled or otherwise preserved in an effectively closed container of metal, glass or other impermeable material, so long as the container remains effectively closed ; or

(*e*) butter, margarine, lard, shortening, cooking fats or beef suet ; or

(*f*) cheese, uncooked bacon, uncooked ham, dry pasta, dry pudding mixes, dry soup mixes or dry mixtures for the preparation of beverages ; or

(*g*) any unskinned rabbits or hares or unplucked game or poultry.

In this paragraph " egg " includes whole egg, yolk or albumen, whether or not the egg, yolk or albumen is dried, frozen or otherwise preserved, and " milk " includes separated or skimmed milk, dried milk, condensed milk and cream.

(2) Subject to the provisions of paragraph (4) of this regulation, food which is brought into any food premises or ship on or from which is carried on a catering business shall, if not already at a temperature of 145° F. or above on the one hand, or below 50° F. on the other hand, be brought to one or other of those temperatures without any avoidable delay after arrival.

(3) Subject to the provisions of paragraph (4) of this regulation, food which has been cooked or partly cooked on any such food premises or ship and food such as is mentioned in paragraph (2) of this regulation shall either be kept at a temperature of not less than 145° F. until it is required for serving for immediate consumption, or if the temperature is brought or allowed to fall to less than 145° F. be cooled to a temperature below 50° F. under hygienic conditions as quickly as is reasonably practicable and thereafter kept at such a temperature until it is required for serving or is further cooked or is reheated for service :

Provided that for the purposes of this paragraph food shall be deemed not to have fallen below a temperature of 145° F. or to have risen to a temperature of 50° F. or above by reason only of its temperature having so fallen or risen in the carrying out of some step in preparation or during transit from one part of the food premises or ship to another, if on the completion of that step or the reaching of that other part it is restored as quickly as

is reasonably practicable to a temperature of not less than 145° F. or below 50° F. as the case may be.

(4) This regulation shall not apply in relation to—

(*a*) any food which is exposed for sale or which, if the food is brought to any such premises or ship as are mentioned in paragraph (2) of this regulation within four hours before they are open for business, will be exposed for sale upon their being open for that purpose; or

(*b*) any food which is kept available for the replenishment as it is sold of food of a similar kind which is exposed for sale or will be exposed for sale as aforesaid if the keeping available of such a supply is in accordance with good practice in such premises or ship as aforesaid and the quantity so kept available is not greater than is reasonably necessary.

Part V

Requirements Relating to Stalls and Vehicles

General requirements as to stalls and vehicles

26.—(1) Every stall at or from which there is carried on any food business and every vehicle which is used in the course of a food business for the transport of food shall be kept clean and in such good order, repair and condition as to enable it to be effectively cleaned.

(2) Every such stall shall bear conspicuously the name and address of the person carrying on the business.

(3) Every such stall shall be provided with suitable and sufficient means of lighting and shall be suitably and sufficiently lighted.

(4) Every such vehicle shall be suitably and sufficiently lighted at all times when it is being cleaned.

(5) No such stall or vehicle shall be used as a sleeping place, provided that the driving compartment of any such stall or vehicle may be so used if there is a division effectively separating that compartment from the compartment in which food is carried.

Covering of certain stalls, and receptacles for waste

27.—(1) Every stall at or from which meat or fish is sold or exposed for sale for human consumption—

(*a*) shall (if not in an enclosed and covered market place) be suitably covered over and be screened at the sides and back thereof in such a manner as to prevent any mud, filth or other contaminating substance from being deposited upon any meat or fish thereon;

(*b*) shall be provided with a sufficient number of suitable covered receptacles for waste trimmings, refuse and rubbish.

(2) Any such receptacle shall be constructed of impervious materials or shall be replaced as often as may be necessary to prevent the accumulation of obnoxious matter, and shall be kept apart from any meat or fish intended for sale.

(3) Every person engaged in the handling of meat or fish at or from any such stall shall place all waste trimmings, refuse and rubbish in the receptacles provided therefor.

Supply of water for stalls

28.—(1) Subject to the provisions of this regulation, there shall be provided and maintained for use in connection with every catering business which is carried on from a stall from which open food is supplied—

(*a*) an adequate supply of clean and wholesome water, being a supply either of hot and cold water or of hot water at a suitably controlled temperature;

(*b*) adequate supplies of soap or other suitable detergent, nail-brushes and clean towels or other suitable drying facilities which shall be used only for securing the personal cleanliness of persons working at or about the food business;

(*c*) suitable and sufficient sinks or other facilities for washing food and equipment used in the food business, such sinks and other facilities to be kept clean and in efficient working order and to be provided with adequate supplies of soap and other suitable detergent and of clean cloths or other suitable cleaning or drying facilities.

(2) Nothing in this regulation shall apply in relation to any catering business carried on as aforesaid and consisting exclusively of the preparation and supply of roast chestnuts or hot potatoes.

PART VI

REQUIREMENTS RELATING TO THE TRANSPORT AND CARRYING OF MEAT

Transport of meat

29.—(1) Subject to the provisions of this regulation, the following provisions shall apply as respects all vehicles (other than vehicles used for the transport of meat consisting solely of unskinned rabbits or hares or unplucked game or poultry) used in the course of a food business for the transport of meat, being meat which is open food, that is to say:—

(*a*) except in the case of a closed vehicle, the vehicle shall be covered by canvas or other washable material so arranged as to enclose completely that part of the vehicle in which meat is placed and, so far as is reasonably practicable, the cover shall not be allowed to come into contact with the meat;

(*b*) the floor shall be impervious or fitted with movable duckboards used in such a manner as to prevent the meat or its wrappings from touching the floor of the vehicle;

(*c*) any receptacle or duckboard in or on which the meat is placed and any such parts of any slings, implements or other equipment used for the loading or unloading of the meat as come into contact with the meat or its wrappings shall be kept clean and kept in such good order, repair and condition as to enable them to be thoroughly cleaned;

(*d*) except as provided in paragraph (2) of this regulation, every such vehicle shall be provided with a sufficient number of suitable covered receptacles to contain separately all offal (other than skinned heads, scalded heads and offal that has not been detached from the carcase) transported in the vehicle, which receptacles shall be constructed of impervious materials, kept clean and kept in such good order, repair and condition as to enable them to be thoroughly cleaned;

(*e*) except as provided in paragraph (2) of this regulation no offal (other than skinned heads, scalded heads and offal that has not been detached from the carcase) shall be transported in any such vehicle otherwise than in the separate receptacles provided therefor:

Provided that sub-paragraphs (*a*) and (*b*) of this paragraph shall not apply in relation to the transport of meat on isolated occasions in the course of the business of a carrier if the meat is adequately protected by suitable material from the risk of contamination.

(2) Nothing in this regulation shall require such separate receptacles as aforesaid to be provided or used for the transport of—

(*a*) packaged or wrapped frozen offal so long as such offal remains frozen hard;

(*b*) giblets of game or poultry which are carried in or attached to the carcase from which they have been removed ;

(*c*) uncleaned tripe, uncleaned stomachs, uncleaned intestines or uncleaned feet in a vehicle in which no meat other than offal of these descriptions is being carried ;

(*d*) unskinned or unscalded heads in a vehicle in which no meat other than offal of these descriptions or uncleaned feet is being carried.

Persons carrying meat to wear overalls etc.

30.—(1) Subject to the provisions of this regulation, every person who in the course of a food business carries meat, being meat which is open food, otherwise than in the course of distribution by a retailer to his customers, shall while so engaged wear a clean and washable overall and, if the meat is liable to come into contact with his neck or head, a clean and washable head covering:

Provided that this regulation shall not apply in relation to the transport of meat by railway undertakers in the course of their business as such, or in relation to the transport of meat in the course of the business of a carrier (other than a railway undertaker) in which the vehicle used for the transport of the meat is not ordinarily used for the transport of meat, if in either case the person carrying the meat takes all such other precautions as are reasonably practicable to prevent the meat coming into contact with any exposed part of his person or with any clothing other than an overall.

(2) Nothing in this regulation shall apply in relation to any such person so long as he is engaged only in the carrying of unskinned rabbits or hares or unplucked game or poultry.

PART VII

ADMINISTRATIVE PROVISIONS

Exemption of premises and ships from certain requirements

31.—(1) While there is in force in relation to any food premises or ship a certificate of the appropriate authority to the effect that compliance with any of the provisions of these regulations specified in paragraph (5) of this regulation cannot reasonably be required with respect to those premises or that ship or any activities carried on therein, those premises or that ship shall be exempt from the provisions mentioned in the certificate.

(2) Such a certificate shall not be granted by the appropriate authority with respect to any food premises or ship unless the authority is satisfied that by reason of restricted accommodation or other special circumstances affecting the premises or ship it is reasonable that such a certificate should be in force with respect thereto.

(3) Any such certificate shall be withdrawn by the authority if at any time they cease to be satisfied as aforesaid.

(4) If the person carrying on a food business on food premises or the owner of a ship is aggrieved by the refusal or withdrawal of such a certificate he may appeal to a magistrates' court and that court may make such order concerning the certificate as appears to the court, having regard to the matters with respect to which the authority are required to be satisfied as aforesaid, to be just and equitable.

(5) The provisions of these regulations referred to in paragraph (1) of this regulation are regulation 15, paragraphs (1) and (2) of regulation 16, regulation 18, sub-paragraphs (*a*) and (*b*) of paragraph (1) of regulation 19 and paragraph (2) of regulation 22.

Issue of certificate

32.—(1) The appropriate authority for the purposes of regulation 31 of these regulations shall be—

(*a*) in relation to food premises, the local authority in whose district the premises are situated;

(*b*) in relation to any home-going ship which is a ship required by the Merchant Shipping Act, 1894, to be surveyed annually, the port health authority or, if there is no port health authority, the local authority for the port in which that survey is being, or was last, carried out; and

(*c*) in relation to any other ship, the authority for the time being charged with the enforcement of these regulations as respects that ship.

(2) Section 120 of the Act (which relates to the right to carry on business while an appeal is pending) shall have effect for the purposes of these regulations as if the references therein to refusing or revoking a licence included a reference to refusing or withdrawing a certificate granted for the purpose of these regulations.

Offences

33.—(1) A person engaged in the handling of food shall be guilty of an offence against these regulations if he fails to comply with any provision of these regulations which imposes obligations on a person so engaged.

(2) Except as provided in paragraph (3) of this regulation, a person carrying on a food business shall be guilty of an offence against these regulations if—

(*a*) as respects that food business any provision of these regulations (other than the requirements imposed by regulations 9 and 11 on persons engaged in the handling of food) is contravened; or

(*b*) he fails to take all reasonable steps to secure the compliance by any person employed by him or under his control with the provisions of regulations 9 and 11 of these regulations.

(3) In relation to a ship, the owner of the ship shall be guilty of an offence if as respects the food business carried on therefrom any provision of the regulations mentioned in the Schedule to these regulations is contravened.

(4) Any person for the time being having the control or management of persons engaged in the handling of food, not being himself a person carrying on a food business, shall be guilty of an offence against these regulations if he fails to take all reasonable steps to secure the compliance by any person under his control or management with any provision of these regulations which imposes obligations on a person engaged in the handling of food.

(5) Any person who is subject to any requirement by virtue of paragraph (5) of regulation 7 of these regulations shall be guilty of an offence against these regulations if he fails to comply with any requirement to which he is so subject.

Penalties

34. Any person guilty of an offence against these regulations shall be liable to a fine not exceeding one hundred pounds or to imprisonment for a a term not exceeding three months or to both and, in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

Revocation

35. The Food Hygiene Regulations, 1955 to 1957(**a**), and regulations 10, 11 and 12 of the Food and Drugs (Whalemeat) Regulations, 1949(**b**), are hereby revoked:

(**a**) S.I. 1955/1906, 1956/938, 1984, 1957/2157 (1955 I, p. 918; 1956 I, pp. 1012, 1013; 1957 I, p. 1018).
(**b**) S.I. 1949/404 (1949 I, p. 1754).

Provided that, without prejudice to the application of section 38 of the Interpretation Act, 1889 (which relates to the effect of repeals), in so far as any application made, or any resolution passed, or any approval given under any regulation revoked by these regulations, or any proceedings instituted or any other thing done under such regulation could have been made, passed, given, instituted or done under a corresponding provision of these regulations, it shall not be invalidated by these regulations but shall have effect as if it had been made, passed, given, instituted or done under that corresponding provision.

SCHEDULE

Regulations 4 and 33

Provisions relating to structural requirements on ships

In regulation 14 (Sanitary conveniences), so much of paragraphs (1) and (2) as relates to the placing of sanitary conveniences and to the lighting and ventilation of rooms containing sanitary conveniences.

Regulation 15 (Water supply to be provided).

In regulation 16 (Wash-hand basins to be provided), paragraphs (1) and (2).

Regulation 18 (Accommodation for clothing, etc.).

In regulation 19 (Facilities for washing food and equipment), sub-paragraphs (*a*) and (*b*) of paragraph (1).

Regulation 21 (Ventilation of food rooms).

In regulation 23 (Cleanliness and repair of food rooms), paragraph (2).

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this first day of September, nineteen hundred and sixty.

(L.S.)

Christopher Soames,
Minister of Agriculture, Fisheries and Food.

Given under the official seal of the Minister of Health this twenty-ninth day of August, nineteen hundred and sixty.

(L.S.)

J. Enoch Powell,
Minister of Health.

EXPLANATORY NOTE

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

These regulations consolidate and amend the Food Hygiene Regulations, 1955 to 1957, and extend the regulations to food businesses carried on from home-going ships and moored vessels. The other principal changes are :—

(*a*) the extension of the definition of the handling of food to include the cleaning of food utensils and equipment ;

(*b*) the relaxation in certain respects of regulation 25 of the 1955 Regulations, which deals with the temperature at which foods are to be kept on catering premises ;

(c) the modification of regulation 29 of the 1955 Regulations to permit the transport of certain types of offal without being put in special containers ;

(*d*) the person carrying on the food business is principally responsible for securing compliance with the regulations, but a manager or foreman is also required to take all reasonable steps to secure compliance by the food handlers under his control.

The regulations lay down requirements in respect of—

(i) the cleanliness of premises, ships, stalls, vehicles, etc., used for the purposes of the food business and of apparatus and equipment used for those purposes;

(ii) the hygienic handling of food;

(iii) the cleanliness of persons engaged in the handling of food and of their clothing, and the action to be taken where they suffer from or are the carriers of certain infections liable to cause food poisoning;

(iv) the construction of premises and ships used for the purposes of a food business and the repair and maintenance of such premises and ships and of stalls, vehicles, etc.;

(v) sanitary conveniences and the provision of a water supply and washing facilities;

(vi) the temperatures at which certain foods which are particularly liable to transmit disease are to be kept on catering premises.

The operation of the regulations in relation to ships is postponed until 1st November, 1961, to give time for the carrying out of any structural alterations which may be required by the regulations. The local authorities and port health authorities responsible for the enforcement of the regulations are empowered to give certificates of exemption from certain requirements if, through special circumstances, compliance with the provision concerned cannot reasonably be required. There is an appeal to a magistrates' court against the refusal or withdrawal of a certificate.