



Food Safety Act 1990

1990 CHAPTER 16

PART II

MAIN PROVISIONS

Food safety

13 Emergency control orders

- (1) If it appears to the Minister that the carrying out of commercial operations with respect to food, food sources or contact materials of any class or description involves or may involve imminent risk of injury to health, he may, by an order (in this Act referred to as an “emergency control order”), prohibit the carrying out of such operations with respect to food, food sources or contact materials of that class or description.
- (2) Any person who knowingly contravenes an emergency control order shall be guilty of an offence.
- (3) The Minister may consent, either unconditionally or subject to any condition that he considers appropriate, to the doing in a particular case of anything prohibited by an emergency control order.
- (4) It shall be a defence for a person charged with an offence under subsection (2) above to show—
 - (a) that consent had been given under subsection (3) above to the contravention of the emergency control order; and
 - (b) that any condition subject to which that consent was given was complied with.
- (5) The Minister—
 - (a) may give such directions as appear to him to be necessary or expedient for the purpose of preventing the carrying out of commercial operations with respect to any food, food sources or contact materials which he believes, on reasonable grounds, to be food, food sources or contact materials to which an emergency control order applies; and

Status: This is the original version (as it was originally enacted).

- (b) may do anything which appears to him to be necessary or expedient for that purpose.
- (6) Any person who fails to comply with a direction under this section shall be guilty of an offence.
- (7) If the Minister does anything by virtue of this section in consequence of any person failing to comply with an emergency control order or a direction under this section, the Minister may recover from that person any expenses reasonably incurred by him under this section.