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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement Council Directive [93/43/EEC](#) of the 14th June 1993 on the hygiene of foodstuffs, except for the requirements of paragraphs 4 and 5 of Chapter IX of the Annex to that Directive (which relate to temperature controls) and for the requirements in that Directive which relate to imports which are likely to pose a serious risk to human health and which come from countries that are not of the European Community. They also implement the provisions of Council Directive [80/778/EEC](#) of 15th July 1980 relating to the quality of water intended for human consumption<sup>(1)</sup> (“the Water Quality Directive”) which relate to the use of water for food production purposes.

Regulation 2 is an interpretation provision. Amongst other definitions, it includes a definition of “potable water” which sets the quality standard for water used for food production purposes.

Regulation 3 deals with the application of regulations 4 and 5 of these Regulations: they apply to all stages of food production except primary production, but subject to certain exceptions they do not apply to the activities of food businesses which are regulated under the Regulations listed in regulation 3(2). The exceptions relate to circumstances where the listed Regulations make no alternative provision with respect to either the supply and use of potable water or the instruction or training of persons engaged in handling food at the business.

Regulation 4 imposes various obligations on the proprietor of a food business. Regulation 4(1) requires him to ensure that specified operations are carried out in a hygienic way. Regulation 4(2) imposes obligations on him to comply with the rules of hygiene set out in Schedule 1 to the Regulations. Chapter I to III of Schedule 1 set out the requirements for food premises, rooms where food is prepared, treated or processed, temporary premises etc and vending machines. The rules of hygiene also cover transportation, requirements as to equipment, food waste, water supply and personal hygiene, provisions applicable to foodstuffs and training (Chapters IV to X respectively). Regulation 4(3) requires a proprietor of a food business to identify steps in the activities of the business which are critical to ensuring food safety and ensure that adequate safety procedures are identified, implemented, maintained and reviewed.

Regulation 5 is a notification requirement for certain food handlers suffering from medical conditions if there is any likelihood of them directly or indirectly contaminating any food with pathogenic micro-organisms.

Regulation 6 deals with offences and penalties; regulation 7 applies certain provisions of the Food Safety Act 1990; and regulation 8 deals with enforcement issues.

Regulation 9 gives effect to Schedule 2, which contains a set of amendments to other Regulations which are necessary for the purpose of implementing the Water Quality Directive in so far as it relates to the use of water for food production purposes.

Regulation 10 is a revocation provision. The provisions revoked are listed in schedule 3 to these Regulations.

An assessment of the cost to business of complying with these Regulations has been prepared and copies may be obtained from the Department of Health, Room 630B, Skipton House, 80 London Road, London SE1 6LW, or the Scottish Office Agriculture and Fisheries Department, Room 347,

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(1) OJNo. L 229, 30.8.80, p. 11; as last amended by Council Directive [91/692/EEC](#) (OJ No. L 377, 31.12.91. p. 48).

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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