

1995 No. 360

**FOOD**

**Food Safety (General Food Hygiene) Regulations  
(Northern Ireland) 1995**

*Made* . . . . . 12th September 1995

*Coming into operation* . . . . . 23rd October 1995

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The Department of Health and Social Services in exercise of the powers conferred on it by Articles 15(1), 16(1), 25(1) and (3), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(a) and being a Department designated(b) for the purposes of section 2(2) of the European Communities Act 1972(c) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and in each case in exercise of all other powers respectively enabling it in that behalf and after consultation in accordance with Article 47(3) of the said Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations, hereby makes the following Regulations:—

#### *Citation and commencement*

1. These Regulations may be cited as the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995 and shall come into operation on 23rd October 1995.

#### *Interpretation*

2.—(1) In these Regulations —

“the Directive” means Council Directive 93/43/EEC of 14th June 1993 on the hygiene of foodstuffs(d);

“food business” means any undertaking, whether carried on for profit or not and whether public or private, carrying out any or all of the following operations, namely, preparation, processing, manufacturing, packaging, storing, transportation, distribution, handling or offering for sale or supply, of food;

“hygiene” means all measures necessary to ensure the safety and wholesomeness of food during preparation, processing, manufacturing, packaging, storing, transportation, distribution, handling and offering for sale or supply to the consumer;

“the Order” means the Food Safety (Northern Ireland) Order 1991;

“potable water” means water which at the time of supply is or was not likely in a given case to affect adversely the wholesomeness of a particular foodstuff in its finished form, and which is or was either —

(a) of the quality demanded in order for it to be regarded as wholesome for the purposes of Articles 3A to 3F of the Water and Sewerage Services (Northern Ireland) Order 1973(e), or

(b) not of that quality, but the water is or was derived from a private supply in relation to which a private supply notice has been served

(a) S.I. 1991/762 (N.I. 7). See Article 2(2) for the definitions of “regulations” and “the Department concerned”

(b) S.I. 1972/1811

(c) 1972 c. 68

(d) O.J. No. L175, 19.7.93, p. 1

(e) S.I. 1973/70 (N.I. 2) as amended by the Water and Sewerage Services (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/3165 (N.I. 16)); see the definition of “wholesome” in Article 2(2) of that Order, the Water Quality Regulations (Northern Ireland) 1994 (S.R. 1994 No. 221) and the Private Water Supplies Regulations (Northern Ireland) 1994 (S.R. 1994 No. 237) which are all relevant to the meaning of “wholesome” in this context

or the option of a private supply notice has been considered and rejected by the Department of the Environment in relation to that private supply,

unless since the time of supply the quality of the water has deteriorated in a way which, in a given case, has adversely affected or is likely to affect adversely the wholesomeness of a particular foodstuff in its finished form;

“primary production” includes harvesting, slaughter and milking;

“private supply” has the same meaning as in Article 2(2) of the Water and Sewerage Services (Northern Ireland) Order 1973;

“private supply notice” means a notice under Article 3E of the Water and Sewerage Services (Northern Ireland) Order 1973;

“public supply” means a supply of water which is not a private supply;

“water” includes water in any form, but does not include water which is—

(a) recognised as a natural mineral water under the Natural Mineral Water Regulations (Northern Ireland) 1985(a);

(b) a medicinal product within the meaning of the Medicines Act 1968(b) (“the 1968 Act”) or is a product in respect of which any provision of the 1968 Act has effect in relation to it as if it were a medicinal product within the meaning of the 1968 Act(c); or

(c) drinking water within the meaning of the Drinking Water in Containers Regulations (Northern Ireland) 1994(d);

“wholesomeness” means, in relation to food, its fitness for human consumption so far as hygiene is concerned,

and any other words and expressions used both in these Regulations and in the Directive shall have the same meaning in these Regulations as they have in the Directive.

(2) In determining for the purposes of these Regulations whether any matter involves a risk to food safety or wholesomeness, regard shall be had to the nature of the food, the manner in which it is handled and packed, any process to which the food is subjected before supply to the consumer, and the conditions under which it is displayed or stored.

(3) In Schedule 1, “where appropriate” and “where necessary” mean where appropriate and where necessary respectively for the purposes of ensuring the safety and wholesomeness of food.

(4) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

#### *Application of provisions of these Regulations*

3.—(1) Subject to paragraphs (3) and (4), regulations 4 and 5 shall apply to neither—

(a) S.R. 1985 No. 120; to which there are amendments not relevant to these Regulations

(b) 1968 c. 67

(c) See sections 104 and 105 of the Medicines Act 1968, and regulation 9(9) of the Medicines for Human Use (Marketing Authorisations etc) Regulations 1994 (S.I. 1994/3144)

(d) S.R. 1994 No. 185

(e) 1954 c. 33 (N.I.)

- (a) primary production; nor
- (b) a person carrying on any activity which is regulated by or under any of the Regulations listed in paragraph (2), but only with respect to the carrying on of that activity.

(2) The Regulations referred to in paragraph (1)(b) are—

- (a) the Food Safety (Fishery Products) (Derogations) Regulations (Northern Ireland) 1992(a);
- (b) the Food Safety (Live Bivalve Molluscs) (Derogations) Regulations (Northern Ireland) 1992(b);
- (c) the Food Safety (Fishery Products) Regulations (Northern Ireland) 1993(c);
- (d) the Food Safety (Live Bivalve Molluscs and other Shellfish) Regulations (Northern Ireland) 1993(d);
- (e) the Food Safety (Fishery Products on Fishing Vessels) Regulations (Northern Ireland) 1993(e);
- (f) the Egg Products Regulations (Northern Ireland) 1993(f);
- (g) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1994(g);
- (h) the Dairy Products (Hygiene) Regulations (Northern Ireland) 1995(h).

(3) Notwithstanding paragraph (1)(b), the provisions of paragraph 1 of Chapter VII of Schedule 1 and of regulation 4(2)(d) in so far as it relates to that paragraph of that Chapter shall apply to a proprietor of a food business unless—

- (a) he is carrying on an activity which relates to a particular stage in the production of a product and a provision in any of the Regulations listed in paragraph (2) imposes a further or alternative requirement in relation to the supply and use of potable water in connection with that stage in the production of that product; or
- (b) he is carrying out commercial operations on board a fishing vessel.

(4) Notwithstanding paragraph (1)(b), the provisions of Chapter X of Schedule 1 and of regulation 4(2)(d) in so far as it relates to that Chapter shall apply to a proprietor of a food business, unless a provision in any of the Regulations listed in paragraph (2) imposes a further or alternative requirement in relation to the instruction or training of food handlers.

#### *Obligations upon proprietors of food businesses*

4.—(1) A proprietor of a food business shall ensure that any of the following operations, namely, the preparation, processing, manufacturing,

- 
- (a) S.R. 1992 No. 296
  - (b) S.R. 1992 No. 295
  - (c) S.R. 1993 No. 51
  - (d) S.R. 1993 No. 52
  - (e) S.R. 1993 No. 53
  - (f) S.R. 1993 No. 329
  - (g) S.R. 1994 No. 346
  - (h) S.R. 1995 No. 201

packaging, storing, transportation, distribution, handling and offering for sale or supply, of food are carried out in a hygienic way.

(2) A proprietor of a food business shall ensure that—

- (a) the requirements set out in Chapter I of Schedule 1 are complied with as respects any food premises used for the purposes of that business;
- (b) the requirements set out in Chapter II of Schedule 1 are complied with as respects any room where food is prepared, treated or processed in the course of the activities of that business, other than dining areas and premises covered by Chapter III of Schedule 1;
- (c) the requirements set out in Chapter III of Schedule 1 are complied with as respects any of the following used for the purposes of that business—
  - (i) movable or temporary premises (such as marquees, market stalls and mobile sales vehicles),
  - (ii) premises used primarily as a private dwelling house,
  - (iii) premises used occasionally for catering purposes, and
  - (iv) vending machines; and
- (d) the requirements set out in Chapters IV to X of Schedule 1 are complied with as respects that business.

(3) A proprietor of a food business shall identify any step in the activities of the food business which is critical to ensuring food safety and ensure that adequate safety procedures are identified, implemented, maintained and reviewed on the basis of the following principles—

- (a) analysis of the potential food hazards in a food business operation;
- (b) identification of the points in those operations where food hazards may occur;
- (c) deciding which of the points identified are critical to ensuring food safety (“critical points”);
- (d) identification and implementation of effective control and monitoring procedures at those critical points; and
- (e) review of the analysis of food hazards, the critical control points and the control and monitoring procedures periodically, and whenever the food business’s operations change.

*Persons suffering from certain medical conditions*

5.—(1) Subject to paragraph (2), a person working in a food handling area who—

- (a) knows or suspects that he is suffering from or that he is a carrier of a disease likely to be transmitted through food; or
- (b) is afflicted with an infected wound, a skin infection, sores, diarrhoea or with any analogous medical condition,

in circumstances where there is any likelihood of him directly or indirectly contaminating any food with pathogenic micro-organisms, shall report that

knowledge, suspicion or affliction to the proprietor of the food business at which he is working.

(2) This regulation shall not apply to a person unless he is working in a food handling area in which a food business proprietor, seeking to comply with regulation 4(2)(d) and paragraph 2 of Chapter VIII of Schedule 1, may be required to refuse him permission to work.

#### *Offences and penalties*

6.—(1) If any person contravenes regulation 4 (including any provision of Schedule 1) or 5, he shall be guilty of an offence against these Regulations.

(2) Any person guilty of an offence against these Regulations shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding 2 years or both.

#### *Application of provisions of the Order*

7. The following provisions of the Order shall apply for the purposes of these Regulations as they apply for the purposes of Articles 7, 13 and 14 of the Order, and a reference in them to the Order shall be construed as a reference to these Regulations —

- (a) Articles 2(4) and 3 (extended meaning of “sale” etc.);
- (b) Article 4 (presumptions that food intended for human consumption);
- (c) Article 19 (offences due to fault of another person);
- (d) Article 20 (defence of due diligence);
- (e) Article 30(8) (which relates to documentary evidence);
- (f) Article 34 (obstruction etc. of officers);
- (g) Article 35 (time limit for prosecutions).

#### *Enforcement and execution*

8.—(1) Each district council shall enforce and execute these Regulations within its district.

(2) In enforcing and executing these Regulations, a district council shall—

- (a) ensure that —
  - (i) food premises are inspected with a frequency which has regard to the risk associated with those premises, and
  - (ii) inspections include a general assessment of the potential food safety hazards associated with the food business being inspected;
- (b) pay particular attention to the critical control points identified by food businesses to assess whether the necessary monitoring and verification controls are being operated; and

- (c) give due consideration to whether the proprietor of a food business has acted in accordance with any relevant guide to good hygiene practice which has been—
- (i) forwarded by the Department to the Commission pursuant to Article 5.5 of the Directive, unless the Department has announced that it no longer complies with Article 3 of the Directive, or
  - (ii) developed in accordance with Article 5.6 and 7 of the Directive and published in accordance with Article 5.8 of the Directive.

*Amendments to other Regulations*

**9.** The Regulations mentioned in Schedule 2 shall have effect subject to the amendments there specified.

*Revocations*

**10.** The Regulations specified in column (1) of Schedule 3 are hereby revoked to the extent specified in column (3) of that Schedule.

Sealed with the Official Seal of the Department of Health and Social Services on 12th September 1995.

(L.S.)

*P. A. Conliffe*

Assistant Secretary

## RULES OF HYGIENE

## Chapter I

**General requirements for food premises (other than those specified in Chapter III)**

1. Food premises must be kept clean and maintained in good repair and condition.
2. The layout, design, construction and size of food premises shall—
  - (a) permit adequate cleaning and/or disinfection;
  - (b) be such as to protect against the accumulation of dirt, contact with toxic materials, the shedding of particles into food and the formation of condensation or undesirable mould on surfaces;
  - (c) permit good food hygiene practices, including protection against cross contamination between and during operations, by foodstuffs, equipment, materials, water, air supply or personnel and external sources of contamination such as pests; and
  - (d) provide, where necessary, suitable temperature conditions for the hygienic processing and storage of products.
3. An adequate number of washbasins must be available, suitably located and designated for cleaning hands. An adequate number of flush lavatories must be available and connected to an effective drainage system. Lavatories must not lead directly into rooms in which food is handled.
4. Washbasins for cleaning hands must be provided with hot and cold (or appropriately mixed) running water, materials for cleaning hands and for hygienic drying. Where necessary, the provisions for washing food must be separate from the hand-washing facility.
5. There must be suitable and sufficient means of natural or mechanical ventilation. Mechanical air flow from a contaminated area to a clean area must be avoided. Ventilation systems must be so constructed as to enable filters and other parts requiring cleaning or replacement to be readily accessible.
6. All sanitary conveniences within food premises shall be provided with adequate natural or mechanical ventilation.
7. Food premises must have adequate natural and/or artificial lighting.
8. Drainage facilities must be adequate for the purpose intended; they must be designed and constructed to avoid the risk of contamination of foodstuffs.
9. Adequate changing facilities for personnel must be provided where necessary.

## Chapter II

**Specific requirements in rooms where foodstuffs are prepared, treated or processed (excluding dining areas and those premises specified in Chapter III)**

1. In rooms where food is prepared, treated or processed (excluding dining areas)—



- (a) floor surfaces must be maintained in a sound condition and they must be easy to clean and, where necessary, disinfect. This will require the use of impervious, non-absorbent, washable and non-toxic materials, unless the proprietor of the food business can satisfy the district council that other materials used are appropriate. Where appropriate, floors must allow adequate surface drainage;
- (b) wall surfaces must be maintained in a sound condition and they must be easy to clean and, where necessary, disinfect. This will require the use of impervious, non-absorbent, washable and non-toxic materials and require a smooth surface up to a height appropriate for the operations, unless the proprietor of the food business can satisfy the district council that other materials used are appropriate;
- (c) ceilings and overhead fixtures must be designed, constructed and finished to prevent the accumulation of dirt and reduce condensation, the growth of undesirable moulds and the shedding of particles;
- (d) windows and other openings must be constructed to prevent the accumulation of dirt. Those which can be opened to the outside environment must, where necessary, be fitted with insect-proof screens which can be easily removed for cleaning. Where open windows would result in contamination of foodstuffs, windows must remain closed and fixed during production;
- (e) doors must be easy to clean and, where necessary, disinfect. This will require the use of smooth and non-absorbent surfaces, unless the proprietor of the food business can satisfy the district council that other materials used are appropriate;
- (f) surfaces (including surfaces of equipment) in contact with food must be maintained in a sound condition and be easy to clean and, where necessary, disinfect. This will require the use of smooth, washable and non-toxic materials, unless the proprietor of the food business can satisfy the district council that other materials used are appropriate.

2. Where necessary, adequate facilities must be provided for the cleaning and disinfecting of work tools and equipment. These facilities must be constructed of materials resistant to corrosion and must be easy to clean and have an adequate supply of hot and cold water.

3. Where appropriate, adequate provision must be made for any necessary washing of the food. Every sink or other such facility provided for the washing of food must have an adequate supply of hot and/or cold potable water as required, and be kept clean.

### Chapter III

#### **Requirements for movable and/or temporary premises (such as marquees, market stalls, mobile sales vehicles), premises used primarily as a private dwelling house, premises used occasionally for catering purposes and vending machines**

1. Premises and vending machines shall be so sited, designed, constructed, and kept clean and maintained in good repair and condition, as to avoid the risk of contaminating foodstuffs and harbouring pests, so far as is reasonably practicable.

2. In particular and where necessary—

- (a) appropriate facilities must be available to maintain adequate personal hygiene (including facilities for the hygienic washing and drying of hands, hygienic sanitary arrangements and changing facilities);
- (b) surfaces in contact with food must be in a sound condition and be easy to clean and, where necessary, disinfect. This will require the use of smooth, washable, non-toxic materials, unless the proprietor of the food business can satisfy the district council that other materials used are appropriate;
- (c) adequate provision must be made for the cleaning and, where necessary, disinfecting of work utensils and equipment;
- (d) adequate provision must be made for the cleaning of foodstuffs;
- (e) an adequate supply of hot and/or cold potable water must be available;
- (f) adequate arrangements and/or facilities for the hygienic storage and disposal of hazardous and/or inedible substances and waste (whether liquid or solid) must be available;
- (g) adequate facilities and/or arrangements for maintaining and monitoring suitable food temperature conditions must be available;
- (h) foodstuffs must be so placed as to avoid, so far as is reasonably practicable, the risk of contamination.

#### Chapter IV

#### Transport

1. Conveyances and/or containers used for transporting foodstuffs must be kept clean and maintained in good repair and condition in order to protect foodstuffs from contamination, and must, where necessary, be designed and constructed to permit adequate cleaning and/or disinfection.

2.—(1) Receptacles in vehicles and/or containers must not be used for transporting anything other than foodstuffs where this may result in contamination of foodstuffs.

(2) Bulk foodstuffs in liquid, granular or powder form must be transported in receptacles and/or containers/tankers reserved for the transport of foodstuffs if otherwise there is a risk of contamination. Such containers must be marked in a clearly visible and indelible fashion, in one or more Community languages, to show that they are used for the transport of foodstuffs, or must be marked “for foodstuffs only”.

3. Where conveyances and/or containers are used for transporting anything in addition to foodstuffs or for transporting different foodstuffs at the same time, there must be effective separation of products, where necessary, to protect against the risk of contamination.

4. Where conveyances and/or containers have been used for transporting anything other than foodstuffs or for transporting different foodstuffs, there must be effective cleaning between loads to avoid the risk of contamination.

5. Foodstuffs in conveyances and/or containers must be so placed and protected as to minimise the risk of contamination.

6. Where necessary, conveyances and/or containers used for transporting foodstuffs, must be capable of maintaining foodstuffs at appropriate temperatures and, where necessary, designed to allow those temperatures to be monitored.

## **Chapter V**

### **Equipment requirements**

1. All articles, fittings and equipment with which food comes into contact shall be kept clean and—

- (a) be so constructed, be of such materials, and be kept in such good order, repair and condition, as to minimise any risk of contamination of the food;
- (b) with the exception of non-returnable containers and packaging, be so constructed, be of such materials, and be kept in such good order, repair and condition, as to enable them to be kept thoroughly cleaned and, where necessary, disinfected, sufficient for the purposes intended;
- (c) be installed in such a manner as to allow adequate cleaning of the surrounding area.

## **Chapter VI**

### **Food waste**

1. Food waste and other refuse must not be allowed to accumulate in food rooms, except so far as is unavoidable for the proper functioning of the business.

2. Food waste and other refuse must be deposited in closable containers unless the proprietor of the food business can satisfy the district council that other types of containers used are appropriate. These containers must be of an appropriate construction, kept in sound condition, and where necessary be easy to clean and disinfect.

3. Adequate provision must be made for the removal and storage of food waste and other refuse. Refuse stores must be designed and managed in such a way as to enable them to be kept clean, and to protect against access by pests, and against contamination of food, drinking water, equipment or premises.

## **Chapter VII**

### **Water supply**

1. There must be an adequate supply of potable water. This potable water must be used whenever necessary to ensure foodstuffs are not contaminated.

2. Where appropriate, ice must be made from potable water. This ice must be used whenever necessary to ensure foodstuffs are not contaminated. It must be made, handled and stored under conditions which protect it from all contamination.

3. Steam used directly in contact with food must not contain any substance which presents a hazard to health, or is likely to contaminate the product.

4. Water unfit for drinking used for the generation of steam, refrigeration, fire control and other similar purposes not relating to food, must be conducted in separate systems, readily identifiable and having no connection with, nor any possibility of reflux into, the potable water systems.

**Chapter VIII****Personal Hygiene**

1. Every person working in a food handling area shall maintain a high degree of personal cleanliness and shall wear suitable, clean and, where appropriate, protective clothing.
2. No person, known or suspected to be suffering from, or to be a carrier of, a disease likely to be transmitted through food or while afflicted, for example with infected wounds, skin infections, sores or with diarrhoea, shall be permitted to work in any food handling area in any capacity in which there is any likelihood of directly or indirectly contaminating food with pathogenic micro-organisms.

**Chapter IX****Provisions applicable to foodstuffs**

1. No raw materials or ingredients shall be accepted by a food business if they are known to be, or might reasonably be expected to be, so contaminated with parasites, pathogenic micro-organisms, or toxic, decomposed or foreign substances, that after normal sorting and/or preparatory or processing procedures hygienically applied by food businesses, they would still be unfit for human consumption.
2. Raw materials and ingredients stored in the establishment shall be kept in appropriate conditions designed to prevent harmful deterioration and to protect them from contamination.
3. All food which is handled, stored, packaged, displayed and transported, shall be protected against any contamination likely to render the food unfit for human consumption, injurious to health or contaminated in such a way that it would be unreasonable to expect it to be consumed in that state. In particular, food must be so placed and/or protected as to minimise any risk of contamination. Adequate procedures must be in place to ensure pests are controlled.
4. Hazardous and/or inedible substances, including animal feedstuffs, shall be adequately labelled and stored in separate and secure containers.

**Chapter X****Training**

1. The proprietor of a food business shall ensure that food handlers engaged in the food business are supervised and instructed and/or trained in food hygiene matters commensurate with their work activities.

**Amendments to Regulations***The Ice-Cream and Other Frozen Confections Regulations (Northern Ireland) 1968*

1.—(1) In paragraph (1) of regulation 2 of the Ice-Cream and Other Frozen Confections Regulations (Northern Ireland) 1968(a) (interpretation), after the definition of “polyhydric alcohol” there shall be inserted —

“ “potable water” has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995;”.

(2) In paragraph 1 of Schedule 2 to the Ice-Cream and Other Frozen Confections Regulations (Northern Ireland) 1968 (heat treatment), for “wholesome drinking” there shall be substituted “potable water”.

*The Food Safety (Fishery Products) (Derogations) Regulations (Northern Ireland) 1992*

2.—(1) In paragraph (2) of Regulation 1 of the Food Safety (Fishery Products) (Derogations) Regulations (Northern Ireland) 1992(b) (interpretation), after the definition of “frozen product” there shall be inserted—

“ “potable water” has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995;”.

(2) In the Schedule to the Food Safety (Fishery Products) (Derogations) Regulations (Northern Ireland) 1992 (requirements of Chapter I to IV of the Annex), in column (1)—

- (a) in paragraph 1(g) of Section I of Chapter I (conditions applicable to factory vessels — conditions concerning design and equipment), the words from “within the meaning” to “human consumption” shall be omitted;
- (b) in paragraph 7 of Section I of Chapter III (general conditions for establishments on land — general conditions relating to premises and equipment), for “drinking water within the meaning of Directive 80/778/EEC” there shall be substituted “potable water”; and
- (c) in paragraph 4 of Section IIA of Chapter III (general conditions for establishments on land — general conditions of hygiene), for “Drinking water, within the meaning of Directive 80/778/EEC,” there shall be substituted “Potable water”.

*The Food Safety (Live Bivalve Molluscs) (Derogations) Regulations (Northern Ireland) 1992*

3.—(1) In paragraph (2) of regulation 1 of the Food Safety (Live Bivalve Molluscs) (Derogations) Regulations (Northern Ireland) 1992(c) (interpretation), after the definition of “dispatch centre” there shall be inserted—

“ “potable water” has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995;”.

(2) In the Schedule to the Food Safety (Live Bivalve Molluscs) (Derogations) Regulations (Northern Ireland) 1992 (requirements of Chapter IV of the Annex), in column (1)—

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(a) S.R. & O (N.I.) 1968 No. 13

(b) S.R. 1992 No. 296; the relevant amending Regulations are S.R. 1993 No. 51 and S.R. 1995 No. 113

(c) S.R. 1992 No. 295; the relevant amending Regulations are S.R. 1993 No. 52

- (a) in paragraph 4 of Section I (general conditions relating to premises and equipment), the words from “within the meaning” to “human consumption” shall be omitted;
- (b) in paragraph 4 of Section III (requirements for purification centres) for the words from “potable water” to “80/778/EEC” there shall be substituted “fresh water used to prepare sea water from its major constituent chemicals must be potable water”.

*The Food Safety (Fishery Products) Regulations (Northern Ireland) 1993*

4.—(1) In paragraph (2) of regulation 1 of the Food Safety (Fishery Products) Regulations (Northern Ireland) 1993(a) (interpretation), the definition of “drinking water” shall be omitted.

*The Food Safety (Live Bivalve Molluscs and Other Shellfish) Regulations (Northern Ireland) 1993*

5. In paragraph (2) of regulation 1 of the Food Safety (Live Bivalve Molluscs and Other Shellfish) Regulations (Northern Ireland) 1993(b) (interpretation), for the definition of “potable water” there shall be substituted—

“ “potable water” has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995;”.

*The Food Safety (Fishery Products on Fishing Vessels) Regulations (Northern Ireland) 1993*

6. In paragraph 3 of Part I of the Schedule to the Food Safety (Fishery Products on Fishing Vessels) Regulations (Northern Ireland) 1993(c) (general hygiene conditions applicable to fishery products on board fishing vessels), for “in Annexes D and E of Directive 80/778/EEC” there shall be substituted “in Tables B and C of Schedule 1 to the Water Quality Regulations (Northern Ireland) 1994(d)”.

*The Egg Products Regulations (Northern Ireland) 1993*

7.—(1) In paragraph (1) of Regulation 2 of the Egg Products Regulations (Northern Ireland) 1993(e) (interpretation), after the definition of “the Order” there shall be inserted—

“ “potable water” has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995;”.

(2) In paragraph 4(1) of Part I of Schedule 8 to the Egg Products Regulations (Northern Ireland) 1993 (approval of establishments used for the manufacture of egg products), the words from “within the meaning” to “human consumption” shall be omitted.

*The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1994*

8. The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1994(f) shall be amended as follows—

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(a) S.R. 1993 No. 51; the relevant amending Regulations are S.R. 1995 No. 113  
 (b) S.R. 1993 No. 52, the relevant amending Regulations are S.R. 1995 No. 112  
 (c) S.R. 1993 No. 53  
 (d) S.R. 1994 No. 221  
 (e) S.R. 1993 No. 329  
 (f) S.R. 1994 No. 346

(a) in paragraph (1) of regulation 2 (interpretation), before the definition of “poultry” there shall be inserted—

“ “potable water” has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995;” and

(b) in the following provisions—

(i) paragraphs 6 and 7 of Schedule 1 (construction, layout and equipment of slaughterhouses, (except low throughput slaughterhouses) cutting premises, (except low throughput cutting premises) cold stores and rewrapping centres — general requirements), and

(ii) paragraphs 6 and 7 of Schedule 5 (construction, layout and equipment of low throughput slaughterhouses and low throughput cutting premises), the words “within the meaning of Directive 80/778/EEC”, at each place where they occur, shall be omitted.

*The Dairy Products (Hygiene) Regulations (Northern Ireland) 1995*

9. In paragraph (1) of regulation 2 of the Dairy Products (Hygiene) Regulations (Northern Ireland) 1995(a) (interpretation), for the definition of “potable water” there shall be substituted—

“ “potable water” has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995;”.

## Revocations

Column (1) <i>Regulations revoked</i>	Column (2) <i>References</i>	Column (3) <i>Extent of revocation</i>
The Food Hygiene (General) Regulations (Northern Ireland) 1964	S.R. & O (N.I.) 1964 No. 129	Regulations 4 to 22, 24 to 26 and 27 to 36
The Food Hygiene (Docks, Carriers etc.) Regulations (Northern Ireland) 1970	S.R. & O. (N.I.) 1970, No. 144	The whole Regulations
The Food (Revision of Penalties and Mode of Trial) Regulations (Northern Ireland) 1987	S.R. 1987 No. 38	The reference in Schedule 2 to the Food Hygiene (Docks, Carriers, etc.) Regulations (Northern Ireland) 1970
The Food Hygiene (General) (Amendment) Regulations (Northern Ireland) 1990	S.R. 1990 No. 301	Regulation 3
The Food Safety (Amendment) (Metrication) Regulations (Northern Ireland) 1992	S.R. 1992 No. 463	Regulation 4
The Food Safety (Fishery Products) (Import Conditions and Miscellaneous Amendments) Regulations (Northern Ireland) 1995	S.R. 1995 No. 113	Regulation 6

## EXPLANATORY NOTE

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

These Regulations implement Council Directive 93/43/EEC of 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 part 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>(a)</sup> ("the Water Quality Directive") which relates to the use of water for food production purposes.

(a) O.J. No. L229, 30.8.80, p. 11; as last amended by Council Directive 91/692/EEC (O.J. No. L377, 31.12.91, p. 48)



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. Chapters I to III of Schedule 1 set out the requirements for food premises, rooms where food is prepared, treated or processed and 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 (Northern Ireland) Order 1991; 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 purposes 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.