



# Food Act 1984

## 1984 CHAPTER 30

### [<sup>F1</sup>PART I

#### FOOD GENERALLY

##### *Control of food premises*

#### [<sup>F1</sup>21 Closure order.

- (1) Where on an information laid by a local authority a person is convicted of an offence under regulations made under section 13 and the offence includes—
- the carrying on of a food business at any insanitary premises or at any premises the condition, situation or construction of which is such that food is exposed to the risk of contamination, or
  - the carrying on of a food business on, at or from a stall which is insanitary, or which is so situated or constructed, or is in such a condition, that the food is exposed to the risk of contamination,

then, subject to subsection (2), if the court is satisfied that—

- food continues or is likely to continue to be prepared, stored, sold or offered or exposed for sale at those premises or on, at or from that stall, and
- by reason of the situation, construction or insanitary or defective condition of the premises or stall or the insanitary or defective condition of the fittings or fixtures or equipment or the infestation of vermin or the accumulation of refuse, the carrying on of a food business at those premises or on, at or from that stall would be dangerous to health,

the court may on the local authority's application, whether or not it makes any other order, by order (called "a closure order") prohibit the preparation, storage, sale or offer or exposure for sale at those premises or on, at or from that stall of food until the local authority certifies under subsection (4) that such specified measures as the court considers necessary to remove the danger to health have been carried out.

- (2) A closure order shall not be made unless the local authority have, not less than 14 days before the trial of the information, given—

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**Changes to legislation:** Food Act 1984, Section 21 is up to date with all changes known to be in force on or before 19 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (a) the person against whom the information was laid, and
  - (b) if he is not that person, the owner of the premises or stall (unless the local authority are unable after reasonable inquiry to ascertain his identity),
- written notice of their intention to apply for the order.
- (3) The local authority shall in any notice under subsection (2) specify the measures which, in their opinion, should be taken to remove any danger to health.
- (4) Any person who wishes to carry on a food business at any premises or on, at or from any stall with respect to which a closure order is in force may apply to the local authority who, if satisfied that the measures specified by the closure order have been carried out, shall as soon as practicable and in not more than 14 days give to the applicant a certificate to that effect, and such certificate shall be conclusive evidence of the matters stated in it.]

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#### Textual Amendments

- F1** Pts. I, II (ss. 1–49) repealed (E.W.) (with savings for ss. 15 and 21) by [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), ss. 54, 59, Sch. 4 paras. 7, 8, [Sch. 5](#) (but (3.4.1992) as regards ss. 16–20; [S.I. 1992/57, art. 2](#) and not coming into force as regards s.13 so far as it relates to the Food Hygiene (Amendment) Regulations 1990 until either 1.4.1991 or 1.4.1992 as mentioned in [S.I. 1990/2372](#))

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act repealed by [2024 asp 11 sch. 2 Pt. 1](#)