



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART I **U.K.**

#### PRELIMINARY

#### 1 **Meaning of “food” and other basic expressions.** **E+W+S**

[<sup>F1</sup>(1) In this Act “food” has the same meaning as it has in Regulation (EC) No. 178/2002 .

(2) In this Act “Regulation (EC) No. 178/2002 ” means Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.]

(3) In this Act, unless the context otherwise requires—

“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;

“commercial operation”, in relation to any food or contact material, means any of the following, namely—

- (a) selling, possessing for sale and offering, exposing or advertising for sale;
- (b) consigning, delivering or serving by way of sale;
- (c) preparing for sale or presenting, labelling or wrapping for the purpose of sale;
- (d) storing or transporting for the purpose of sale;
- (e) importing and exporting;

and, in relation to any food source, means deriving food from it for the purpose of sale or for purposes connected with sale;

“contact material” means any article or substance which is intended to come into contact with food;

“food business” means any business in the course of which commercial operations with respect to food or food sources are carried out;

“food premises” means any premises used for the purposes of a food business;

*Status: Point in time view as at 28/11/2007.*

*Changes to legislation: Food Safety Act 1990, Section 1 is up to date with all changes known to be in force on or before 09 July 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)*

“food source” means any growing crop or live animal, bird or fish from which food is intended to be derived (whether by harvesting, slaughtering, milking, collecting eggs or otherwise);

“premises” includes any place, any vehicle, stall or moveable structure and, for such purposes as may be specified in an order made by [<sup>F2</sup> the Secretary of State], any ship or aircraft of a description so specified.

- (4) The reference in subsection (3) above to preparing for sale shall be construed, in relation to any contact material, as a reference to manufacturing or producing for the purpose of sale.

#### **Textual Amendments**

- F1** S. 1(1)(2) substituted (7.12.2004) by [Food Safety Act 1990 \(Amendment\) Regulations 2004 \(S.I. 2004/2990\)](#), regs. 1(1), **3**
- F2** Words in s. 1(2)(3) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 8** (with ss. 38, 40(2)); [S.I. 2000/1066](#), **art. 2**

#### **Modifications etc. (not altering text)**

- C1** S. 1 applied (with modifications)(1.1.1995) by [S.I. 1994/3144](#), **reg. 9(14)**
- C2** [S. 1](#) amendment to earlier affecting provision [SI 1994/3144 reg. 9 \(30.10.2005\)](#) by [Medicines \(Marketing Authorisations Etc.\) Amendment Regulations 2005 \(S.I. 2005/2759\)](#), regs. 1(a), **2(12)**

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