



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART III

#### ADMINISTRATION AND ENFORCEMENT

##### *Sampling and analysis etc.*

#### **31 Regulation of sampling and analysis etc.**

- (1) [<sup>F1</sup>The Secretary of State] may by regulations make provision for supplementing or modifying the provisions of sections 29 and 30 above.
- (2) Without prejudice to the generality of subsection (1) above, regulations under that subsection may make provision with respect—
  - (a) the matters to be taken into account in determining whether, and at what times, samples should be procured;
  - (b) the manner of procuring samples, including the steps to be taken in order to ensure that any samples procured are fair samples;
  - (c) the method of dealing with samples, including (where appropriate) their division into parts;
  - (d) the persons to whom parts of samples are to be given and the persons by whom such parts are to be retained;
  - (e) the notices which are to be given to, and the information which is to be furnished by, the persons in charge of any food, substance, contact material or food source of or from which samples are procured;
  - (f) the methods which are to be used in analysing or examining samples, or parts of samples, or in classifying the results of analyses or examinations;
  - (g) the circumstances in which a food analyst or examiner is to be precluded, by reason of a conflict of interest, from analysing or examining a particular sample or part of a sample; and
  - (h) the circumstances in which samples, or parts of samples, are to be or may be submitted for analysis or examination—

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*Status: Point in time view as at 10/08/2015.*

*Changes to legislation: Food Safety Act 1990, Section 31 is up to date with all changes known to be in force on or before 30 May 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)*

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(i) to the Government Chemist, or to such other food analyst or examiner as he may direct; or

(ii) to a person determined by or under the regulations.

(3) In this section “food analyst” and “food examiner” have the same meanings as in section 30 above.

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**Textual Amendments**

**F1** Words in s. 31(1) 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**

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

**C1** S. 31 transfer of functions (23.3.2005) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849), art. 1, **Sch.** (with art. 6)

**Status:**

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