



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART III

#### ADMINISTRATION AND ENFORCEMENT

##### *Powers of entry and obstruction etc.*

#### **33 Obstruction etc. of officers.**

- (1) Any person who—
- (a) intentionally obstructs any person acting in the execution of this Act; or
  - (b) without reasonable cause, fails to give to any person acting in the execution of this Act any assistance or information which that person may reasonably require of him for the performance of his functions under this Act,
- shall be guilty of an offence.
- (2) Any person who, in purported compliance with any such requirement as is mentioned in subsection (1)(b) above—
- (a) furnishes information which he knows to be false or misleading in a material particular; or
  - (b) recklessly furnishes information which is false or misleading in a material particular,
- shall be guilty of an offence.
- (3) Nothing in subsection (1)(b) above shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him.

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

- C1** S. 33 applied (with modifications) (5.11.1991) by [S.I. 1991/2486, reg. 7\(1\)](#)  
S. 33 applied (with modifications): (1.1.1993 for certain purposes and 15.1.1993 otherwise) by [S.I. 1992/3163, regs. 1, 18\(1\)](#) (which S.I. was revoked (29.4.1998) by [S.I. 1998/994, reg. 59\(1\), Sch. 5](#)); (1.1.1993 for certain purposes and 15.1.1993 otherwise) by [S.I. 1992/3164, regs. 1, 19\(1\)](#) (which

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S.I. was revoked (29.4.1998) by S.I. 1998/994, **reg. 59(1), Sch. 5**); (18.12.1992 for certain purposes and 1.1.1993 otherwise) by S.I. 1992/3165, **regs. 1, 7(2)** (which S.I. was revoked (29.4.1998) by S.I. 1998/994, **reg. 59(1), Sch. 5**); (31.12.1992) by S.I. 1992/3236, **reg. 11(1)**

S. 33 applied (with modifications): (1.4.1994) by S.I. 1994/743, **reg. 8(1)(f)**; (1.5.1994) by S.I. 1994/1029, **reg. 25(d)** (which S.I. was revoked (1.4.1995) by S.I. 1995/540, **reg. 26** (with **reg. 3(5)**)); (1.1.1995) by S.I. 1994/3082, **reg. 21**; (2.9.1994) by S.I. 1994/2127, **reg. 5**

S. 33 applied (with modifications): (1.3.1995) by S.I. 1995/77, **reg. 23**; (1.4.1995) by S.I. 1995/539, **reg. 22** and S.I. 1995/540, **reg. 24**; (9.5.1995) by S.I. 1995/1086, **reg. 20(1)(f)**; (15.6.1995) by S.I. 1995/1372, **reg. 20(1)(f)**; (10.7.1995) by S.I. 1995/1544, **reg. 10**; (15.9.1995) by S.I. 1995/1763, **reg. 7(f)**; (15.9.1995) by S.I. 1995/2200, **reg. 18**; (1.4.1995) by S.I. 1995/2148, **reg. 17**; (1.4.1995) by S.I. 1995/614, **reg. 11**; (1.1.1996) by S.I. 1995/3116, **reg. 8**; (1.1.1996) by S.I. 1995/3123, **reg. 9(g)** and S.I. 1995/3124, **reg. 11(g)**; (1.1.1996) by S.I. 1995/3187, **reg. 9**; (1.1.1996) by S.I. 1995/3202, **reg. 11**; (1.1.1996) by S.I. 1995/3205, **reg. 14**; (1.1.1996) by S.I. 1995/3240, **reg. 10(f)** (which S.I. was revoked (1.7.1996) by S.I. 1996/1499, **reg. 49, Sch. 9**)

S. 33 applied (with modifications): (29.3.1996) by S.I. 1996/961, **art. 4(e)** (1.7.1996) by S.I. 1996/1499, **reg. 48** and S.I. 1996/1502, **reg. 6**; (5.7.1996) by S.I. 1996/1743, **reg. 5** (which S.I. was revoked (1.9.1996) by S.I. 1996/2097, **reg. 8**); (1.9.1996) by S.I. 1996/2097, **reg. 6**

S. 33 applied (with modifications): (16.6.1997) by S.I. 1997/1335, **reg. 7**; (30.6.1997) by S.I. 1995/1544, **reg. 10(2)** (as substituted (30.6.1997) by S.I. 1997/1414, **reg. 3**); (4.7.1997) by S.I. 1997/1499, **reg. 6(2)** (which S.I. was revoked (18.6.2002 (E.), 1.7.2002 (S.), 2.8.2002 (W.)) by S.I. 2002/890, **reg. 11, Sch.**; S.S.I. 2002/267, **reg. 11, Sch.**; S.I. 2002/1886, **reg. 11, Sch.**); (11.8.1997) by S.I. 1997/1729, **reg. 34(1)(f)**; (31.3.1999) by S.I. 1997/2042, **reg. 9** and S.I. 1997/2182, **reg. 9**; (S.) (29.7.1999) by S.S.I. 1999/15, **reg. 5**; (16.9.1997) by S.I. 1997/2238, **art. 4(1)(a)**; (17.11.1997) by S.I. 1997/2537, **reg. 9**; (16.12.1997) by S.I. 1997/2959, **reg. 11**; (1.1.1998) by S.I. 1997/2965, **reg. 30**

S. 33 applied (with modifications): (19.2.1998) by S.I. 1998/141, **reg. 10(g)(h)**; (1.4.1998) by S.I. 1998/616, **reg. 6(2)**; (29.4.1998) by S.I. 1998/994, **reg. 55(1)(e)**; (21.5.1998) by S.I. 1998/1277, **art. 4(1)(b)(c)**; (31.10.1998) by S.I. 1998/2424, **reg. 8(f)(g)**

S. 33 applied (with modifications): (S.) (20.8.1999) by S.S.I. 1999/33, **reg. 5(2)**; (19.3.1999) by S.I. 1996/1499, **reg. 48** (as inserted by S.I. 1999/747, **reg. 11**); (30.6.1999) by S.I. 1999/1540, **reg. 19(1)(g)**; (5.6.1999) by S.I. 1999/1542, **art. 4(2)(a)**; (5.6.1999) by S.I. 1999/1543, **reg. 4(2)(a)**; (25.6.1999) by S.I. 1999/1800, **art. 5(1)(a)**; (21.7.1999) by S.I. 1999/2025, **reg. 5(2)**; (21.7.1999) by S.I. 1999/2026, **reg. 5(2)**; (18.4.1999) by S.I. 1999/2332, **art. 5(2)**; (18.4.1999) by S.I. 1999/2333, **reg. 5(2)**; (1.10.1999) by S.I. 1999/2457, **reg. 8(2)**; (12.10.1999) by S.I. 1999/2798, **art. 5(2)(a)**; (12.10.1999) by S.I. 1999/2799, **reg. 5(2)(a)**; (23.12.1999) by S.I. 1999/3421, **art. 5(2)(a)**; (23.12.1999) by S.I. 1999/3422, **reg. 5(2)(a)**

S. 33 applied (with modifications): (S.) (17.2.2000) by S.S.I. 2000/15, **art. 5(2)(a)**; (S.) (17.2.2000) by S.S.I. 2000/16, **art. 5(2)(a)**; (E.W.) (23.2.2000) by S.I. 2000/375, **art. 5(1)(a)**; (S.) (24.2.2000) by S.I. 2000/35, **art. 5(a)**; (E.W.) (8.3.2000) by S.I. 2000/587, **art. 5(2)(a)(3)**; (E.W.) (8.3.2000) by S.I. 2000/588, **art. 5(2)(a)(3)**; (E.) (10.4.2000) by S.I. 2000/768, **reg. 10(3)**; (S.) (10.4.2000) by S.S.I. 2000/83, **reg. 10(3)**; (S.) (1.11.2001) by S.S.I. 2000/130, **reg. 7(g)**; (E.) (1.11.2001) by S.I. 2000/845, **reg. 7(g)**; (W.) (1.11.2001) by S.I. 2000/1866, **reg. 7(g)**; (W.) (25.7.2000) by S.I. 2000/1925, **reg. 10(3)**; (E.) (15.1.2001) by S.I. 2000/3323, **reg. 10(g)**

S. 33 applied (with modifications): (S.) (17.3.2001) by S.S.I. 2001/38, **reg. 10**; (W.) (1.4.2001) by S.I. 2001/1360, **reg. 7(2)**; (W.) (1.5.2001) by S.I. 2001/1361, **reg. 8(2)**; (W.) (1.5.2001) by S.I. 2001/1440, **reg. 10(g)**

S. 33 applied (with modifications): (S.) (16.2.2002) by S.S.I. 2002/64, **art. 5(1)(c)**; (E.W.) (8.3.2002) by S.I. 2002/333, **reg. 6(g)**; (S.) (8.3.2002) by S.S.I. 2002/50, **reg. 6(g)**; (S.) (4.4.2002) by S.S.I. 2002/179, **reg. 6(1)(e)**; (S.) (24.6.2002) by S.S.I. 2002/300, **reg. 5(1)(c)**; (S.) (1.7.2002) by S.S.I. 2002/267, **reg. 7(1)(e)**; (S.) (13.9.2002) by S.S.I. 2002/424, **reg. 5(1)(b)** and S.S.I. 2002/425, **reg. 5(1)(b)**; (S.) (23.9.2002 for certain purposes and otherwise 1.4.2004) by S.S.I. 2002/397, **regs. 1(2)(3), 8(g)**; (S.) (1.1.2003) by S.S.I. 2002/523, **reg. 5(1)(g)**

C2 S. 33 extended (with modifications) (8.1.1992) by S.I. 1991/2843, **reg. 22(1)(c)**

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- C3** S. 33 applied: (29.5.1992) by S.I. 1992/1122, **reg.4** (which S.I. was revoked (24. 7. 1992) by S.I. 1992/1601, **reg. 6**); (24.7.1992) by S.I. 1992/1601, **reg. 4**; (1.10.1992) by S.I. 1992/2037, **reg. 23(d)** (which S.I. was revoked (1.4.1995) by S.I. 1995/539, **reg. 25**, **Sch. 22** (with **regs. 3(2)**, **25**, **Sch. 22**))  
S. 33 applied: (14.7.1993) by S.I. 1993/1520, **reg. 2(2)(g)**; (29.7.1993) by S.I. 1993/1658, **reg. 7(f)**  
S. 33 applied: (S.) (20.8.1999) by S.S.I. 1999/32, **art. 5(2)**; (S.) (17.12.1999) by S.S.I. 1999/186, **art. 9**
- C4** S. 33 applied (with modifications) (S.) (28.3.2003) by The Fish Labelling (Scotland) Regulations 2003 (S.S.I. 2003/145), **regs. 1(1)**, **10(f)**
- C5** S. 33 applied (with modifications) (1.7.2003) by Contaminants in Food (Scotland) Regulations 2003 (S.S.I. 2003/289), **regs. 1(1)**, **7(1)(e)**
- C6** S. 33 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (Scotland) Regulations 2003 (S.S.I. 2003/293), **regs. 1(1)**, **10(g)**
- C7** S. 33 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (Scotland) Regulations 2003 (S.S.I. 2003/311), **regs. 1(1)**, **10(1)(g)** (with **reg. 3**)
- C8** S. 33 applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (Scotland) Regulations 2003 (S.S.I. 2003/291), **regs. 1**, **11(g)** (with **reg. 4**)
- C9** S. 33 applied (with modifications) (9.8.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/382), **regs. 1(1)**, **6(1)(b)**
- C10** S. 33(1) applied (with modifications): (E.) (2.2.2002) by S.I. 2002/183, **reg. 6(1)** (which S.I. was revoked (20.6.2002) by S.I. 2002/1614, **reg. 6**); (W.) (2.2.2002) by S.I. 2002/203, **reg. 6(1)** (which S.I. was revoked (12.7.2002) by S.I. 2002/1798, **reg. 6**); (S.) (2.2.2002) by S.S.I. 2002/36, **reg. 6(1)** (which S.S.I. was revoked (24.6.2002) by S.S.I. 2002/300, **reg. 6**); (E.) (16.2.2002) by S.I. 2002/334, **art. 5(1)(c)**; (W.) (23.2.2002) by S.I. 2002/402, **art. 5(1)(c)**; (E.) (23.3.2002) by S.I. 2002/773, **reg. 5(1)(b)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2351, **reg. 7**); (E.) (23.3.2002) by S.I. 2002/774, **reg. 5(1)(b)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2350, **reg. 7**); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/148, **regs. 1(1)**, **5(1)(b)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/424, **reg. 7**); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/149, **regs. 1(1)**, **5(1)(b)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/425, **reg. 7**); (W.) (26.3.2002) by S.I. 2002/820, **reg. 5(1)(b)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2295, **reg. 7**); (W.) (26.3.2002) by S.I. 2002/821, **reg. 5(1)(b)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2296, **reg. 7**); (E.) (4.4.2002) by S.I. 2002/931, **reg. 5(1)(d)**; (W.) (16.4.2002) by S.I. 2002/1090, **reg. 5(1)(d)**; (E.) (18.6.2002) by S.I. 2002/890, **reg. 7(1)(e)**; (E.) (20.6.2002) by S.I. 2002/1614, **reg. 5(1)(b)**; (W.) (12.7.2002) by S.I. 2002/1798, **reg. 5(1)(b)**; (W.) (2.8.2002) by S.I. 2002/1886, **reg. 7(1)(e)**; (E.) (5.8.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/1817, **regs. 1(2)(3)**, **9(g)**; (W.) (9.9.2002) by S.I. 2002/2295, **reg. 5(1)(b)** and S.I. 2002/2296, **reg. 5(1)(b)**; (E.) (13.9.2002) by S.I. 2002/2350, **reg. 5(1)(b)** and S.I. 2002/2351, **reg. 5(1)(b)**; (W.) (31.12.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/2939, **regs. 1(2)(3)**, **9(g)**; (W.) (9.1.2003) by S.I. 2002/3157, **reg. 5(1)(g)**; (E.) (13.1.2003) by S.I. 2002/3169, **reg. 5(1)(g)**
- C11** S. 33(1) applied (with modifications) (E.) (28.3.2003) by Fish Labelling (England) Regulations 2003 (S.I. 2003/461), **regs. 1**, **10(f)**
- C12** S. 33(1) applied (with modifications) (W.) (17.4.2003) by Food (Pistachios from Iran) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/1119), **regs. 1(1)**, **5(1)(b)**
- C13** S. 33(1) applied (with modifications) (30.6.2003) by Fish Labelling (Wales) Regulations 2003 (S.I. 2003/1635), **regs. 1**, **10**
- C14** S. 33(1) applied (with modifications) (30.6.2003) by Contaminants in Food (England) Regulations 2003 (S.I. 2003/1478), **regs. 1**, **7(1)(e)**
- C15** S. 33(1) applied (with modifications) (11.7.2003) by Food (Brazil Nuts) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1722), **regs. 1(1)**, **5(1)(b)**
- C16** S. 33(1) applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (England) Regulations 2003 (S.I. 2003/1564), **regs. 1(b)**, **9(g)**
- C17** S. 33(1) applied (with modifications) (12.7.2003) by Specified Sugar Products (England) Regulations 2003 (S.I. 2003/1563), **regs. 1**, **9(g)**
- C18** S. 33(1) applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (England) Regulations 2003 (S.I. 2003/1596), **regs. 1**, **9(1)(g)** (with **reg. 11**)

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- C19** S. 33(1) applied (with modifications) (30.7.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1940), regs. 1(1), **5(1)(b)**
- C20** S. 33(1) applied (with modifications) (31.7.2003) by Food (Pistachios from Iran) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1956), regs. 1(1), **5(1)(b)**
- C21** S. 33(1) applied (with modifications) (31.7.2003) by The Contaminants in Food (Wales) Regulations 2003 (S.I. 2003/1721), regs. 1, **7(1)(e)**
- C22** S. 33(1) applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (England) Regulations 2003 (S.I. 2003/1659), regs. 1, **10(g)**
- C23** S. 33(2) applied (with modifications): (E.) (23.3.2002) by S.I. 2002/773, **reg. 5(1)(c)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2351, **reg. 7**); (E.) (23.3.2002) by S.I. 2002/774, **reg. 5(1)(c)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2350, **reg. 7**); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/148, **regs. 1(1), 5(1)(c)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/424, **reg. 7**); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/149, **regs. 1(1), 5(1)(c)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/425, **reg. 7**); (W.) (26.3.2002) by S.I. 2002/820, **reg. 5(1)(c)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2295, **reg. 7**); (W.) (26.3.2002) by S.I. 2002/821, **reg. 5(1)(c)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2296, **reg. 7**); (E.) (4.4.2002) by S.I. 2002/931, **reg. 5(1)(e)**; (W.) (16.4.2002) by S.I. 2002/1090, **reg. 5(1)(e)**; (E.) (18.6.2002) by S.I. 2002/890, **reg. 7(1)(f)**; (E.) (20.6.2002) by S.I. 2002/1614, **reg. 5(1)(c)**; (W.) (12.7.2002) by S.I. 2002/1798, **reg. 5(1)(c)**; (W.) (2.8.2002) by S.I. 2002/1886, **reg. 7(1)(f)**; (E.) (5.8.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/1817, **regs. 1(2)(3), 9(h)**; (W.) (9.9.2002) by S.I. 2002/2295, **reg. 5(1)(c)** and S.I. 2002/2296, **reg. 5(1)(c)**; (E.) (13.9.2002) by S.I. 2002/2350, **reg. 5(1)(c)** and S.I. 2002/2351, **reg. 5(1)(c)**; (W.) (31.12.2002 for certain purposes and otherwise 1.4.2002) by S.I. 2002/2939, **regs. 1(2)(3), 9(h)**; (W.) (9.1.2003) by S.I. 2002/3157, **reg. 5(1)(h)**; (E.) (13.1.2003) by S.I. 2002/3169, **reg. 5(1)(h)**
- C24** S. 33(2) applied (with modifications) (E.) (28.3.2003) by Fish Labelling (England) Regulations 2003 (S.I. 2003/461), regs. 1, **10(g)**
- C25** S. 33(2) applied (with modifications) (W.) (17.4.2003) by Food (Pistachios from Iran) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/1119), regs. 1(1), **5(1)(c)**
- C26** S. 33(2) applied (with modifications) (30.6.2003) by Contaminants in Food (England) Regulations 2003 (S.I. 2003/1478), regs. 1, **7(1)(f)**
- C27** S. 33(2) applied (with modifications) (30.6.2003) by Fish Labelling (Wales) Regulations 2003 (S.I. 2003/1635), regs. 1, **10**
- C28** S. 33(2) applied (with modifications) (11.7.2003) by Food (Brazil Nuts) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1722), regs. 1(1), **5(1)(c)**
- C29** S. 33(2) applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (England) Regulations 2003 (S.I. 2003/1564), regs. 1(b), **9(h)**
- C30** S. 33(2) applied (with modifications) (12.7.2003) by Specified Sugar Products (England) Regulations 2003 (S.I. 2003/1563), regs. 1, **9(h)**
- C31** S. 33(2) applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (England) Regulations 2003 (S.I. 2003/1596), regs. 1, **9(1)(h)** (with reg. 11)
- C32** S. 33(2) applied (with modifications) (30.7.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1940), regs. 1(1), **5(1)(c)**
- C33** S. 33(2) applied (with modifications) (31.7.2003) by Food (Pistachios from Iran) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1956), regs. 1(1), **5(1)(c)**
- C34** S. 33(2) applied (with modifications) (31.7.2003) by The Contaminants in Food (Wales) Regulations 2003 (S.I. 2003/1721), regs. 1, **7(1)(f)**
- C35** S. 33(2) applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (England) Regulations 2003 (S.I. 2003/1659), regs. 1, **10(h)**

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