



# Food Safety Act 1990

## 1990 CHAPTER 16

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Supplemental*

### 53 General interpretation

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

“the 1984 Act” means the Food Act 1984;

“the 1956 Act” means the Food and Drugs (Scotland) Act 1956;

“advertisement” includes any notice, circular, label, wrapper, invoice or other document, and any public announcement made orally or by any means of producing or transmitting light or sound, and “advertise” shall be construed accordingly;

“analysis” includes microbiological assay and any technique for establishing the composition of food, and “analyse” shall be construed accordingly;

“animal” means any creature other than a bird or fish;

“article” does not include a live animal or bird, or a live fish which is not used for human consumption while it is alive;

“container” includes any basket, pail, tray, package or receptacle of any kind, whether open or closed;

“contravention”, in relation to any provision, includes any failure to comply with that provision;

“cream” means that part of milk rich in fat which has been separated by skimming or otherwise;

“equipment” includes any apparatus;

“exportation” and “importation” have the same meanings as they have for the purposes of the Customs and Excise Management Act 1979, and “export” and “import” shall be construed accordingly;

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*Status: This is the original version (as it was originally enacted).*

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“fish” includes crustaceans and molluscs;

“functions” includes powers and duties;

“human consumption” includes use in the preparation of food for human consumption;

“knacker’s yard” means any premises used in connection with the business of slaughtering, flaying or cutting up animals the flesh of which is not intended for human consumption;

“milk” includes cream and skimmed or separated milk;

“occupier”, in relation to any ship or aircraft of a description specified in an order made under section 1(3) above or any vehicle, stall or place, means the master, commander or other person in charge of the ship, aircraft, vehicle, stall or place;

“officer” includes servant;

“preparation”, in relation to food, includes manufacture and any form of processing or treatment, and “preparation for sale” includes packaging, and “prepare for sale” shall be construed accordingly;

“presentation”, in relation to food, includes the shape, appearance and packaging of the food, the way in which the food is arranged when it is exposed for sale and the setting in which the food is displayed with a view to sale, but does not include any form of labelling or advertising, and “present” shall be construed accordingly;

“proprietor”, in relation to a food business, means the person by whom that business is carried on;

“ship” includes any vessel, boat or craft, and a hovercraft within the meaning of the Hovercraft Act 1968, and “master” shall be construed accordingly;

“slaughterhouse” means a place for slaughtering animals, the flesh of which is intended for sale for human consumption, and includes any place available in connection with such a place for the confinement of animals while awaiting slaughter there or for keeping, or subjecting to any treatment or process, products of the slaughtering of animals there;

“substance” includes any natural or artificial substance or other matter, whether it is in solid or liquid form or in the form of a gas or vapour;

“treatment”, in relation to any food, includes subjecting it to heat or cold.

- (2) The following Table shows provisions defining or otherwise explaining expressions used in this Act (other than provisions defining or explaining an expression used only in the same section)—

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authorised officer of a food authority	section 5(6)
business	section 1(3)
commercial operation	section 1(3) and (4)
contact material	section 1(3)
emergency control order	section 13(1)
emergency prohibition notice	section 12(1)
emergency prohibition order	section 12(2)
enforcement authority	section 6(1)

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examination and examine	section 28(2)
food	section 1(1), (2) and (4)
food authority	section 5
food business	section 1(3)
food premises	section 1(3)
food safety requirements and related expressions	section 8(2)
food source	section 1(3)
improvement notice	section 10(1)
injury to health and injurious to health	section 7(3)
the Minister	section 4(1) and (2)
the Ministers	section 4(1)
premises	section 1(3)
prohibition order	section 11(5)
public analyst	section 27(1)
sale and related expressions	section 2
unfit for human consumption	section 8(4)

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- (3) Any reference in this Act to regulations or orders made under it shall be construed as a reference to regulations or orders made under this Act by the Ministers or the Minister.
- (4) For the purposes of this Act, any class or description may be framed by reference to any matters or circumstances whatever, including in particular, in the case of a description of food, the brand name under which it is commonly sold.
- (5) Where, apart from this subsection, any period of less than seven days which is specified in this Act would include any day which is—
- (a) a Saturday, a Sunday, Christmas Day or Good Friday; or
  - (b) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the part of Great Britain concerned,
- that day shall be excluded from that period.