1994 No. 52

FOOD

The Quick-frozen Foodstuffs (Amendment) Regulations (Northern Ireland) 1994

Made . . . . . *17th February 1994*

Coming into operation . . *1st September 1994*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 15(1), 16(1), 25(1)(*a*), (2)(*a*) and (3), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(**a**), and of all other powers enabling it in that behalf and after consultation in accordance with Article 47(3) of the said Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Quick-frozen Foodstuffs (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation on 1st September 1994.

Amendment of the Quick-frozen Foodstuffs Regulations (Northern Ireland) 1990

2.—(1) The Quick-frozen Foodstuffs Regulations (Northern Ireland) 1990(**b**) shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 2(1) (interpretation)—

(*a*) after the definition of "catering establishment" there shall be inserted—

" "monitoring", in the context of the monitoring of air temperatures, is the action performed by an instrument for the measurement of air temperatures which instrument then records (either continuously, or at frequent and regular intervals) the measurements it has made;";

(*b*) after the definition of "quick-frozen foodstuff" there shall be inserted—

" "retail display cabinet" means any cabinet from which a quick-frozen foodstuff is offered either for retail sale or for sale in the course of a cash-and-carry business;";

(a) S.I. 1991/762 (N.I. 7). *See* Article 2(2) for the definitions of "regulations" and "the Department concerned"

(b) S.R. 1990 No. 455; the relevant amending Regulations are S.R. 1991 No. 203 and S.R. 1992 No. 464

(*c*) immediately following the definition of sell, ''and'' shall be deleted and there shall be inserted—

'' ''storage'' includes keeping in a warehouse; and''.

(3) For ''the Schedule'' in regulation 3 there shall be substituted ''Schedule 1''.

(4) After regulation 6 there shall be inserted—

''*Air temperature recording instruments in means of storage and transport*

6A.—(1) Each manufacturer, storer, transporter, local distributor and retailer of any quick-frozen foodstuff shall ensure that any means of storage or transport (other than rail transport) used by him in respect of that foodstuff shall, at each stage during which such foodstuff is within his care and control, be fitted with an instrument for the measuring or monitoring of air temperature and which meets the applicable requirements laid down in Schedule 2.

(2) Each manufacturer, storer and transporter (the latter not including any transporter when carrying out local distribution) of any quick frozen foodstuff shall—

(*a*) at frequent and regular intervals record or ensure the recording of, by means of the instrument referred to in paragraph (1), the air temperatures to which such foodstuff is being subjected during its storage or transport;

(*b*) date all records of air temperatures obtained further to sub-paragraph (*a*) and keep such records for one year thereafter or such longer period as shall be justified according to the nature of the foodstuff in question; and

(*c*) upon the request of an authorised officer make such records available to that or another authorised officer.

Sampling and method of measuring temperatures

6B. Where, further to an inspection, an authorised officer has reasonable doubts that the temperatures that are being or have been maintained in respect of any quick frozen foodstuff are not the temperatures prescribed for such foodstuff in paragraphs 1(*e*) and (*f*) (as read with paragraph 2(*c*)) in Schedule 1, he shall further inspect such quick-frozen foodstuff and such temperatures in accordance with the provisions of Commissison Directive 92/2/EEC(**a**).''.

(5) After ''Schedule'' in the heading to the Schedule there shall be added ''1'' and after that Schedule there shall be inserted—

(a) O.J. No. L34, 11.2.92, p. 30