1991 No. 383

FOOD

The Food Hygiene (General) (Amendment) Regulations (Northern Ireland) 1991

Made . . . . . *20th August 1991*

Coming into operation . . *20th September 1991*

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 15(1)(*c*), (*d*) and (*f*) 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 that 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Food Hygiene (General) (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 20th September 1991.

(2) In these Regulations "the principal Regulations" means the Food Hygiene (General) Regulations (Northern Ireland) 1964(**b**).

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (Interpretation) after the definition of "pre-packed" there shall be inserted the following definition—

" "railway" means a railway having a gauge of 350 millimetres or more used for the purpose of public transport of passengers, but does not include—

(*a*) a tramway;

(*b*) a railway laid on a beach or pier; or

(*c*) a railway providing communication between the top and bottom of a cliff;".

(3) Regulation 23 shall be amended in accordance with the provisions of Schedule 1 to these Regulations.

(4) Regulation 26A shall be amended in accordance with the provisions of Schedule 2 to these Regulations.

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

(**b**) S.R. & O. (N.I.) 1964 No. 129; the relevant amending Regulations are S.R. 1990 No. 301

Sealed with the Official Seal of the Department of Health and Social Services on 20th August 1991.

(L.S.) *J. Scott*

Assistant Secretary

SCHEDULE 1 Regulation 2(3)

Amendments to Regulation 23 of the Principal Regulations

1. In paragraph 1(*g*) for "fish and" there shall be substituted "fish or" and for "vegetables" there shall be substituted "vegetables or cheese or any combination thereof", for "consumed" there shall be substituted "sold" and for "preparation" there shall be substituted "their production".

2. In paragraph 1(*h*) for "consumed" there shall be substituted "sold" and for "preparation" there shall be substituted "their production".

3. For paragraph (1)(*k*) there shall be substituted the following paragraph—

"(*k*) cakes containing cream or anything used as a substitute for cream.".

4. In paragraph (2)(*a*) for "or milk" there shall be substituted ",milk or cheese" and for "introduced into the products" there shall be substituted "in the products (other than in any filling in such products)".

5. After paragraph (2)(*a*) there shall be inserted the following paragraph—

"(*aa*) filled cooked pastry products where—

(i) they are relevant food by reason only of the use of egg or egg and milk;

(ii) the products are intended for sale within twenty-four hours of their production; and

(iii) the products are not cut after the conclusion of preparation;".

6. For paragraph (3) there shall be substituted the following paragraph—

"(3) Subject to paragraphs (3A), (3B) and (4), the provisions of this regulation shall not apply to relevant food in any food room—

(*a*) for a period of two hours from the conclusion of preparation, if it is intended—

(i) to be sold within that period having been subjected during that period to any process of heating the purpose of which is to maintain the food at a temperature between the specified temperature and 63°C; or

(ii) to be re-heated to at least 63°C at any time prior to sale;

(*b*) for a period of four hours from the conclusion of preparation if it is not to be subjected to any process of heating the purpose of which is to maintain the food at a temperature between the specified temperature and 63°C between the conclusion of preparation and the time of sale; or

(*c*) displayed for a period not exceeding four hours on catering premises where such display is for the purpose either—

(i) of indicating to prospective purchasers the nature of food which is for sale for consumption on those premises; or

(ii) of having it available for service to a purchaser for consumption on those premises,

provided that in either case no more food is displayed than is reasonably necessary for that purpose.".

7. After paragraph (3) there shall be inserted the following paragraphs—

"(3A) For the purposes of this regulation, the preparation of relevant food