1991 No. 215

FOOD

The Detention of Food (Prescribed Forms) Regulations (Northern Ireland) 1991

Made	*21st May 1991*
Coming into operation . .	*17th June 1991*

The Department of Health and Social Services in exercise of the powers conferred on it by Article 48(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 Detention of Food (Prescribed Forms) Regulations (Northern Ireland) 1991 and shall come into operation on 17th June 1991.

(2) In these Regulations "the Order" means the Food Safety (Northern Ireland) Order 1991.

Forms prescribed for certain purposes

2. The form of a document used for the purposes of the Order and referred to in a numbered paragraph in the table of contents in Part I of the Schedule is hereby prescribed as being that set out in the correspondingly numbered form in Part II of the Schedule.

Sealed with the Official Seal of the Department of Health and Social Services on 21st May 1991.

(L.S.) *J. Scott*
Assistant Secretary

(a) S.I. 1991/762 (N.I. 7)

SCHEDULE Regulation 2

FORMS

PART I

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1. Notice given by an authorised officer under Article 8(3)(*a*) of the Order ("Detention of food notice").

2. Notice authorised or required by Article 8(4)(*a*) of the Order, or by a code of practice issued under Article 39(1) of the Order, to be given for the purpose of informing a person that a detention of food notice is withdrawn ("Withdrawal of detention of food notice").

3. Notice authorised or required by Article 8(5) of the Order, or by a code of practice issued under Article 39(1) of the Order, to be given for the purpose of informing a person in charge of food of the intention of an authorised officer to have the food dealt with by a justice of the peace ("A food condemnation warning notice").

(1) ..... FORM 1

Food Safety (Northern Ireland) Order 1991 — Article 8

DETENTION OF FOOD NOTICE

Reference Number:

1. To: .....
   Of: .....
   .....

2. Food to which this notice applies:
   Description : .....
   Quantity : .....
   Identification marks : .....

3. *THIS FOOD IS NOT TO BE USED FOR HUMAN CONSUMPTION*
   In my opinion, the food does not comply with food safety requirements because:
   .....
   .....

4. The food must not be removed from:
   .....
   .....
   *unless it is moved to:
   .....
   .....
   (*Authorised Officer to delete if not applicable)

5. Within 21 days, either this notice will be withdrawn and the food released, or the food will be seized to be dealt with by a justice of the peace, who may condemn it.

   Signed: ..... Authorised Officer
   Name in capitals: .....
   Date: .....
   Address: .....
   .....
   .....
   Tel: ..... Fax: .....

Please read the notes overleaf carefully. If you are not sure of your rights or the implications of this notice, you may want to seek legal advice.

(1) Insert name of authority responsible for enforcement

NOTES

1. The food described in this notice has been detained pending official investigation.

2. The food must not be used for human consumption until it is released by an authorised officer.

3. The food must remain where it is. If it is moved, it may only be moved to the place stated in paragraph 4 of the notice.

4. If for some reason you need to move the food after receiving this notice, you should contact the authorised officer.

5. Within 21 days the authorised officer must tell you if the notice is being withdrawn or if he is seizing the food for it to be dealt with by a justice of the peace, who may condemn it.

6. *COMPENSATION:* If this notice is withdrawn and the food released for human consumption, then you may be entitled to compensation from (1) ..... This compensation will be payable for any loss in value of the food resulting from the effect of the notice.

WARNING

FAILURE TO COMPLY KNOWINGLY WITH THIS NOTICE IS AN OFFENCE

Offenders will be liable:

— *on summary conviction, to a fine of up to £2,000 and/or 6 months in prison, or*

— *on conviction on indictment, to an unlimited fine and/or up to 2 years in prison.*

(1) Insert name of authority responsible for enforcement.