1970. No. 144 **[C]**

FOOD AND DRUGS

Food Hygiene (Docks, Carriers, etc.)

REGULATIONS, DATED 1ST JUNE 1970, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 13 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Social Services, in exercise of the powers conferred upon it by sections 13 and 68 of the Food and Drugs Act (Northern Ireland) 1958(a), having consulted with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Food Hygiene (Docks, Carriers, etc.) Regulations (Northern Ireland) 1970 and shall come into operation, save in so far as may be otherwise expressly provided, on 1st July 1970.

Interpretation

2.—(1) In these regulations—

"the Act" means the Food and Drugs Act (Northern Ireland) 1958;

"certificate of exemption", in relation to any premises or place to which these regulations apply, means a certificate for the time being in force in relation to such premises or place for the purposes of regulation 22;

"contamination" includes contamination by odour;

"dock" includes any harbour, moorings, wharf, pier, jetty or other works in or at which food can be shipped or unshipped and any warehouse, transit shed or other premises used in connection therewith for the temporary storage or loading for dispatch of food which is unshipped or to be shipped;

"equipment" includes apparatus, loading and unloading gear, furnishings and utensils;

"food" means food intended for sale, or sold, for human consumption and includes drink, chewing gum and other products of a like nature and use, and articles and substances used as ingredients in the preparation of food or drink or of such products, but does not include—

(*a*) water, live animals or birds; or

(*b*) articles and substances used only as drugs; or

(*c*) any raw food which has to be subjected to a process of milling or refining for the purpose of rendering it in a state fit for human consumption;

"food building" means any building or part of a building (being part of premises to which these regulations apply) in which any person engages in the handling of food or in the cleaning of equipment used in the handling of food;

(a) 1958. c. 27.

"meat" means the flesh (including edible offal and fat) of animals and birds which is sold or intended for sale for human consumption, and includes bacon or ham but does not include any other such flesh which has been cooked or otherwise prepared for sale by any similar process;

"port employer" means any person employing labour who undertakes to discharge, move, store or dispatch food arriving at any dock;

"premises" means a building or part of a building and any forecourt, yard or place of storage used in connection with the building and includes any loading bay, platform or other works in or at which food can be loaded or unloaded;

"the principal regulations" means the Food Hygiene (General) Regulations (Northern Ireland) 1964(b);

"sanitary convenience" means a water closet, urinal, earth or chemical closet, privy or similar convenience.

(2) In these regulations the handling of food means the carrying out, or assisting in the carrying out, of any process or operation in the transport, loading, unloading, storage, packaging, wrapping, or delivery of food at, in or upon any premises or place to which these regulations apply.

Premises and places to which the regulations apply

3. These regulations shall apply to the premises and places listed below, except so far as the handling of food there may be involved in the course of a retail business (including any such activity carried on by a local or public authority) or in the course of supplying food for immediate consumption—

(*a*) any dock, public warehouse or public cold store;

(*b*) any premises or place occupied by a carrier of goods for the purposes of his trade or business, as such a carrier, except in so far as the handling of food at any such premises or place is regulated by the provisions of Part VI of the principal regulations;

(*c*) any premises used for the storage of food which are not subject to the principal regulations, that is to say, any premises which—

(i) are used exclusively for the storage of food manufactured and packed by the occupier thereof; and

(ii) are situated outside the curtilage of the premises used for the manufacture or packing of that food; and

(iii) are not used for the storage of food other than that contained in containers of such materials and so closed as to exclude the risk of contamination.

PART II

GENERAL REQUIREMENTS APPLYING TO AUTHORITIES ALLOCATING OR LETTING ACCOMMODATION, PORT EMPLOYERS, AND OTHER PERSONS CARRYING ON A BUSINESS AT PREMISES AND PLACES TO WHICH THESE REGULATIONS APPLY

Condition of accommodation allocated for handling food

4. Before permitting the use of accommodation for the discharge, movement, storage, or dispatch of any food at any premises or place to which these regulations apply, the person having control or management of the premises or place or responsible for allotting the accommodation, shall, so far as is reasonably practicable, take account of the nature of the food which is to be discharged, moved, stored or dispatched and of the manner in which it is packed and shall not permit the use of accommodation which is in such a state as to expose the food to the risk of contamination.

(b) S.R. & O. (N.I.) 1964, No. 129.

Cleanliness of vehicles, equipment, etc.

5. A person who provides any vehicle intended for the movement of food or who provides any container or equipment with which it is liable to come into contact shall ensure that the interior of such vehicle and any surface with which food is liable to come into contact are kept in such a state of cleanliness and in such good order, repair and condition as to prevent, so far as is reasonably practicable, any risk of contamination of the food.

Food to be protected from risk of contamination

6. The port employer or other person employing staff engaged in the handling of food at any premises or place to which these regulations apply shall take all such steps as may be reasonably necessary to protect from the risk of contamination any food which is being handled and in particular (without prejudice to the generality of the foregoing)—

(*a*) shall keep that part of the premises or place in which the food is being handled and any vehicle or equipment with which the food is liable to come into contact in such condition as to avoid risk of contamination;

(*b*) shall ensure that any ice, any container and the surface of any packing material provided by him which are liable to come into contact with the food are clean; and

(*c*) shall take all such steps as may be reasonably necessary to secure that any person employed by him or under his control shall so place the food as to avoid any risk of contamination.

Circumstances affecting risk of contamination

7. In determining for the purpose of this part of these regulations whether any matter involves a risk of contamination to any food, regard shall be had to the manner in which the food is packed, the time during which it is to remain in any place, and the extent to which contamination in the respect in question is immaterial because of the nature of the food or any process to which the food is to be subjected.

PART III

REQUIREMENTS APPLYING TO DOCK WORKERS AND OTHER FOOD HANDLERS

Personal cleanliness

8.—(1) A person who engages in the handling of food which is not so packed, or the packing of which is not in such a state, as to prevent any part of the food from coming into contact with any surface which the package may touch, shall while so engaged handle it in such a way as to prevent, so far as may be reasonably practicable, any contamination, and in particular (without prejudice to the generality of the foregoing) shall—

(*a*) keep as clean as may be reasonably practicable all parts of his person which are liable to come into contact with the food, and shall in particular wash his hands forthwith after each occasion on which he has used a sanitary convenience;

(*b*) keep as clean as may be reasonably practicable all parts of his clothing or overclothing which are liable to come into contact with the food;

(*c*) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing;

(*d*) refrain from spitting;

(*e*) refrain from the use of tobacco or any other smoking mixture or snuff.

(2) This regulation shall not apply to the handling of food at, in or upon any premises mentioned in paragraph (*c*) of regulation 3.

Handling of meat

9. A person engaged at, in or upon any dock, public warehouse or public cold store in the carrying of meat which is not so packed as to protect it from contact with the person or clothing of the handler shall while so engaged wear a clean and washable overall and if the meat is liable to come into contact with his neck or head, a clean and washable neck and head covering.

Persons suffering from certain infections

10.—(1) Subject to the provisions of this regulation, as soon as any person who in the course of his employment engages in the handling of food to which this regulation applies becomes aware that he is suffering from, or is a carrier of, typhoid fever, paratyphoid fever or any other salmonella infection or dysentry, or any staphylococcal infection likely to cause food poisoning, he shall forthwith give notice of the fact to the person by whom he is employed and the said person shall, immediately after receipt of the notice, notify the appropriate medical officer of health accordingly.

(2) The food to which this regulation applies is food which is not so packed, or the packing of which is not in such a state, as to prevent any part of the food from coming into contact with any surface which the package may touch; and the appropriate medical officer of health for the purposes of this regulation is the medical officer of health of the health authority in whose area the person is employed.

PART IV

REQUIREMENTS RELATING TO PREMISES

Responsibility of occupiers and owners

11. A person who is occupying for the purpose of the discharge, movement, storage, or dispatch of food the whole or part of any premises or place to which these regulations apply shall comply with the requirements of regulations 12 to 21 so far as they relate to the premises or place or the part occupied by him:

Provided that the owner of the premises or place who either lets them or any part of them for use for any such purpose or permits them or any part of them to be so used after notice from the health authority charged with the enforcement of these regulations shall comply with such of those requirements as are of a structural character.

Soil drainage systems

12.—(1) No fresh air intake of any ventilation pipe included in the soil drainage system of any premises shall be situated in a food building.

(2) Subject to the provisions of any certificate of exemption, any inlet into any such system shall not be situated in a food building.

Cisterns for supplying water to food buildings

13. No cistern for the supply of water to a food building shall supply a sanitary convenience otherwise than through an efficient flushing cistern or some other flushing apparatus equally efficient and suitable for the prevention of contamination of water supplies.