

THE FOOD SAFETY ACT 1990

This act is a wide ranging law which affects everyone involved in the production, processing, storage, distribution or sale of food. It is applicable to ALL food premises.

Main Offences

Food must not:-

- **be not of the nature, substance or quality demanded;**
e.g. selling food as cod which is in fact haddock or selling food which contains a foreign object.
- **be falsely or misleadingly described**
e.g. making false claims about the food products.
- **have been rendered injurious to health;**
e.g. food which has had something added to it or removed from it, the result of which is to make the food harmful to anyone consuming it.
- **be unfit;**
e.g. food which had decomposed and become putrid.
- **be so contaminated (whether by injurious matter or otherwise) that it would be unreasonable to expect it to be eaten;**
e.g. food which contains high quantities of antibiotic residues.

Officers Powers

The Act also provides officers with powers of enforcement, which includes:-

- **seizing foods** which are regarded as unfit etc.
- **service of Improvement Notices** on proprietors of businesses that fail to meet the hygiene standards laid down in the regulations.
- **service of Prohibition Orders** to prohibit the use of an unsafe process/treatment.
- **service of Emergency Prohibition Notices** to close any premises which is causing an imminent risk to health.

Defence

The Act provides a defence for a proprietor to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence, by himself or a person under his control.