

## THE PUBLIC HEALTH ACT

REGULATIONS  
(under section 14)

## THE PUBLIC HEALTH (FOOD HANDLING) REGULATIONS, 1998

(Made by the Minister on the 3rd day of September, 1998)

L. N. 59A/98  
87A/2000*Preliminary*

1. These Regulations may be cited as the Public Health (Food Handling) Regulations, 1998. Citation.

2. In these Regulations— Interpretation.

“employee” means an employee of a food-handling establishment;

“food” includes water, ice or any substance manufactured, prepared, sold or represented for use as food or drink, or flavouring or condiments used in or with the preparation of food;

“food-handling establishment” means a place where food is prepared or sold for human consumption and includes the categories of retail and food service premises set out in Part I of the Second Schedule; Second  
Schedule.

“high risk food” means non-acidic, moist, and protein based food which, in order to ensure product safety, requires the application and maintenance of specified temperatures at various stages of its preparation, and includes meat and meat products, milk and milk products, eggs, poultry, fish and shellfish, gravies, puddings, custards, cream-filled baked goods, potato and other mayonnaise based salads, cream based soups and sauces;

“Inspector” means a Public Health Inspector;

“operator” includes the owner of or person who is licensed to operate a food-handling establishment;

“public health requirements” means—

- (a) all requirements set out under or pursuant to the Public Health Act; and
- (b) the minimum operational health standards to be met by every food-handling establishment and every person who is the licensed operator thereof, under these Regulations.

*Licence to operate food-handling establishment*

3.—(1) Every person who is desirous of operating a food-handling establishment shall apply, in the form set out as Form 1 in the First Schedule, to the Medical Officer (Health) in the parish in which the food-handling establishment is or is proposed to be established, for a licence to operate such an establishment. Application  
to operate  
food-handling  
establishment.  
First Schedule.  
Form 1.

(2) Each application shall be accompanied by—

- (a) two recent photographs of the applicant;
- (b) the appropriate application fee specified in Part I of the Second Schedule;
- (c) a floor plan showing the layout of the food-handling establishment and the equipment or other devices to be used therein; and
- (d) such other particulars as the Medical Officer (Health) may require.

(3) Where there are two or more branches of a food-handling establishment, an application for a licence shall be made in respect of each branch in accordance with paragraph (1).

(4) Where there is a change in the ownership or operation of a food-handling establishment the new owner or operator shall apply for a licence in accordance with paragraph (1).

(5) On receipt of an application for a licence the Medical Officer (Health) shall cause an inspection of the food-handling establishment to which the application relates to be carried out in order to determine that—

- (a) there is adequate ventilation;
- (b) the establishment has lighting intensity—
  - (i) of at least 110 lux at a distance of 89 centimetres above the floor, above all its walk-in refrigeration units and above dry food storage areas and in all other areas and rooms, during cleaning and sanitization;
  - (ii) of at least 220 lux at surfaces where food is provided for consumer self-service, including buffets and salad bars or where fresh produce or packaged food is sold or offered for consumption;
  - (iii) of at least 220 lux inside equipment such as reach-in and under-counter refrigerators;
  - (iv) of at least 220 lux at a distance of 89 centimetres above the floor in all areas used for hand-washing, warehousing and equipment and utensil storage, and in washroom; and
  - (v) at least 540 lux in any area where a food handler is working with food or working with utensils or equipment such as knives, slicers, grinders or saws;
- (c) where any light bulb or light fixture is suspended over any area where there is food or food is likely to be placed, that bulb or fixture is adequately protected to prevent contamination of food;
- (d) the floor is impervious, durable, non-slip, free from cracks and crevices and constructed in such a manner as to facilitate easy cleaning;
- (e) the walls and ceiling are durable, clean, in good repair and with washable surfaces which are painted with paint of a light colour;

- (f) there are adequate toilet facilities for employees and customers of each sex which are conveniently located, accessible and in good sanitary condition and repair;
- (g) there is an adequate supply of potable water throughout the food-handling establishment;
- (h) there is at least one hand-washing station installed and maintained—
  - (i) for every forty square metres of floor space; and
  - (ii) in each principal area where food is handled, prepared, stored or served, and that every hand-washing facility is equipped with hot and cold water, a soap dispenser, a waste bin and either an electric hand blower or disposable paper towels for drying hands after washing;
- (i) there are changing rooms and restrooms with storage cupboards for employees of each sex;
- (j) there are adequate suitable racks, stands or shelves for the storage of food and that the rack, stand or shelf nearest the floor is not less than 15.2 cm therefrom;
- (k) all food is stored in such a manner as to be protected from contamination and deterioration;
- (l) in relation to processed food, a valid certificate from the Bureau of Standards signifying compliance with the *Standard Specifications for Processed Food: General* is displayed in a conspicuous place in the food-handling establishment;
- (m) the food-handling establishment is free from pests and vermin;
- (n) the food establishment is located in suitable surroundings;
- (o) public health requirements have been met; and
- (p) written instructions, if any, issued by the Medical Officer (Health) or Public Health Inspector have been complied with.

4.—(1) Where the Medical Officer (Health) is satisfied that in relation to the food-handling establishment the relevant requirements specified in paragraph (5) of regulation 3 have been met he shall issue to the applicant a licence in the form set out as Form 2 in the First Schedule.

Grant or  
refusal of  
licence.

(2) Where the Medical Officer (Health) is not satisfied that the requirements specified in paragraph (5) of regulation 3 have been met he shall notify the applicant in writing accordingly.

First  
Schedule.  
Form 2.

(3) A licence issued pursuant to paragraph (1) shall be valid for a period of one year from the date of issue.

(4) An operator may make an application for the renewal of a licence in the form set out as Form 3 in the First Schedule within thirty days prior to the date of expiration of the licence.

Form 3

(5) The provisions of regulation 3 shall apply in relation to an application made under paragraph (5).

Second Schedule (6) Every application for the renewal of a licence shall be accompanied by the appropriate renewal fee specified in Part I of the Second Schedule.

Display of licence. 5. An operator shall display the licence in a conspicuous place in the food-handling establishment in relation to which the licence is granted.

Suspension of licence. 6.—(1) If it appears to a Medical Officer (Health) that an operator has contravened any of the provisions of the Act or these Regulations or has breached any condition of his licence the Medical Officer (Health) may suspend the licence.

(2) Where the Medical Officer (Health) intends to suspend a licence under paragraph (1) he shall notify the operator in writing of such intention and the reasons therefor.

(3) Where an operator whose licence is suspended under subsection (1) remedies the contravention or breach which gave rise to the suspension he shall in writing inform the Medical Officer (Health) who shall cause an inspection of the food-handling establishment to be carried out.

(4) If on such inspection the contravention or breach is found to have been remedied, the Inspector who carried out the inspection shall in writing notify the Medical Officer (Health) who shall withdraw the suspension.

Revocation of licence. 7.—(1) A licence issued under regulation 4 may be revoked if—

- (a) the operator is found to be suffering from a communicable disease;
- (b) a licence has been suspended on three occasions;
- (c) information given by the operator in relation to his application for the licence is found to be false in any material particular;
- (d) a Medical Officer (Health) has reasonable cause to believe that the continued operation of the food-handling establishment would be injurious to public health.

(2) Where a licence is revoked under paragraph (1) the Medical Officer (Health) shall cause a notice to that effect to be affixed in a conspicuous place in the relevant food-handling establishment.

(3) Where a licence is revoked, the Medical Officer (Health) shall, in writing, order the food establishment closed and specify the reasons therefor.

#### *Provisions relating to food*

Prohibitions regarding food unfit for human consumption. 8. No person shall manufacture, store or prepare for sale or have in his possession for sale or sell or offer for sale, any food which is unfit for human consumption or which has been condemned as being unfit for human consumption.

Storage of food. 9.—(1) An operator shall not store food in a food-handling establishment in such a manner that any undesirable flavour or odour is absorbed in the food.

(2) An operator shall not in a food-handling establishment—

- (a) store or prepare food in any place through which a vent or waste pipe for a water closet or urinal passes or which is near to such vent or waste pipe;
- (b) store or keep food in any place in a food-handling establishment where the following are stored or kept—
  - (i) subject to paragraphs (2), (3) and (4) of regulation 22, animals, poultry or hides; or
  - (ii) chemical or toxic substances or any similar substances.

(3) Paragraph (2) (b) (i) shall not apply to any food-handling establishment the business of which is animal, fish or poultry husbandry.

10.—(1) An operator shall keep all perishable food in a food-handling establishment refrigerated at a temperature not higher than 4.4°C.

Perishable food to be refrigerated.

(2) Where frozen food is offered for sale in a food-handling establishment such food shall be maintained at a temperature of no more than 18°C.

11.—(1) No person shall store, sell or offer for sale any food in any open area or hawk or peddle food on any road, unless such food is protected from animals, flies or dust in a clean and sanitary container suitable for the purpose.

Food not to be sold, etc., in unprotected area.

(2) The container referred to in paragraph (1) shall be kept closed except when food is being taken out therefrom or being placed therein.

(3) A container mentioned in paragraph (1) shall, before being used for the purpose, be approved by the Medical Officer (Health).

12. Every person who stores, sells or offers for sale any food outside of any building or in an open doorway or from a window sill, shall keep such food—

Food to be stored, at certain temperatures and distance from floor.

- (a) at a height not less than 60.96 centimetres above the ground or flooring;
- (b) at a temperature of 4.4°C, in the case of cold foods;
- (c) at a temperature of -18°C, in the case of frozen foods;
- (d) 63°C, in the case of hot foods; and
- (e) covered and protected from contamination and from contact with animals, insects, vermin, rodents, dust, dirt and any type of waste whatsoever.

12A.—(1) All high risk foods in food-handling establishments shall be handled, stored, prepared and served in such a manner as to eliminate health risks.

High risked foods.

(2) Every owner or operator of a food-handling establishment shall take all such steps as are necessary to ensure, to the satisfaction of the Medical Officer (Health) or Public Health Inspector, that procedures are put in place to receive properly from suppliers, all high risk foods and to inspect such foods to determine wholesomeness.

(3) Every operator of a food-handling establishment shall ensure that—

- (a) the temperature requirements set out under these Regulations are maintained;

- (b) systems are put in place to monitor the temperature in the storage areas; and
- (c) records of temperature control throughout the food-handling establishment are kept and are available for inspection by the Medical Officer (Health), or any other person authorized in writing in that behalf by the Medical Officer (Health).

Serving of  
food in  
liquid form.

13.—(1) No person shall serve to the public any liquid refreshment in bulk, including water, unless such liquid refreshment is drawn from a covered container by means of a tap and the container is clean and sanitary.

(2) Any person who dispenses liquid refreshment to the public shall do so in individual containers provided for the purpose; and where a disposable container is provided, such container shall be served to one person only and shall be disposed of after being so used.

(3) Where a container other than a disposable container is used, such container shall be cleaned and sanitized after each use as approved by the Medical Officer (Health).

(4) The container referred to in paragraph (1)—

- (a) shall be free from lead or cadmium or any other toxic substance; or
- (b) if connected to a water supply system, shall be designed and constructed so as to prevent contamination of the water supply system; or
- (c) where used for the purpose of dispensing carbonated beverages, shall be so designed that any copper or copper-lined part which may be a component part thereof shall not be capable of being in contact with the beverage.

Packaging  
of food

14.—(1) No Person shall package any food—

- (a) in any container which is not clean and sanitary;
- (b) with any equipment which is not clean and sanitary;
- (c) with any packaging material which is not approved for such use by the Medical Officer (Health);
- (d) with any packaging material which is not stored in such a manner as to avoid contamination of the packaging material;
- (e) which is toxic;
- (f) in any container which is not sealed so as to prevent contamination of the food by dirt, dust or any other such matter.

(2) No person shall—

- (a) use any disposable food container more than once;
- (b) tamper with any packaged food or remove any such food from a container before delivery to the purchaser thereof.

(3) An operator shall clean and sanitize any machine used for the filling or packaging of any food in a container when that machine is not in use.

15. Every person who transports food shall ensure that—

Transportation of food.

- (a) the food is protected against contamination by insects, pests, animals, wind, dust or any other contaminant;
- (b) the vehicle used therefor—
  - (i) is dust proof;
  - (ii) is kept in a clean and sanitary condition;
  - (iii) is not used for the transportation of poisons, toxic or noxious substances or any other type of harmful or dangerous substances;
  - (iv) is not used for the carriage of corpses or animal carcasses the meat of which is, due to the cause of death, unfit for human consumption;
  - (v) meets the specification required by the Medical Officer (Health);
- (c) the food is not transported with any animal or poultry (alive or dead), hide, chemical or toxic substance or any substance which is liable to contaminate the food so as to render it unfit for human consumption;
- (d) where perishable food is being transported in bulk, the food shall be kept at temperatures—
  - (i) of not more than 4.4°C, in the case of cold foods;
  - (ii) of not less than 60°C in the case of hot foods; and
  - (iii) of not more than -18°C in the case of frozen foods.

16.—(1) No person shall offer for sale unpackaged food from a coin-operated machine or other such mechanical device.

Food dispensed from coin-operated machines.

(2) No person shall sell, distribute, rent or lease any coin-operated machine or other similar device designed for the purpose of dispensing packaged food unless such machine or device is of a minimum standard notified by the Medical Officer (Health).

(3) No person shall offer for sale any packaged food or food in liquid form in a sealed container from a coin-operated machine or other similar machine unless the machine is clean and sanitary and is so designed and constructed—

- (a) as to be effectively cleaned, sanitized and maintained;
- (b) as to prevent infestation;
- (c) as not to be hazardous to children.

(4) Where perishable food is sold from a coin-operated machine or such other similar machine, the machine shall be equipped with refrigeration apparatus including a thermostat and a thermometer; and the temperature thereof shall not exceed 4.4°C.

(5) The operator of a coin-operated machine or other such similar machine shall keep the area surrounding such machine clean and sanitary and shall provide, beside the machine, adequate facilities for the disposal of waste.

Register of  
food.

17.—(1) An operator shall keep a register of—

- (a) the daily quantities of food produced, purchased, transported, distributed or sold in a food-handling establishment;
- (b) the name and address of any person from whom food is bought and, in the case of food distributed or sold in bulk, the name and address of the person to whom it is so distributed or sold;
- (c) the name and address of any person who, on behalf of the food-handling establishment, transports food to or from such establishment;
- (d) the type, make and licence number of the vehicle transporting the food;
- (e) the source of ingredients used in food production or preparation;
- (f) the type, source and quantity of packaging material used in the packaging of food.

(2) The register referred to in paragraph (1) shall be kept at the food-handling establishment and shall be open for inspection by a Medical Officer (Health), an inspector or any other person authorized in writing in that behalf by the Minister (hereinafter referred to as an authorized person) during hours when the food-handling establishment is open for business.

Condemnation and  
seizure of  
food.

18.—(1) Where a Medical Officer (Health), an Inspector or an authorized person has reason to believe or suspects that food which is being offered for sale to the public is unfit for human consumption, the Medical Officer (Health), Inspector or authorized person shall seize and detain the food and the Medical Officer (Health) shall, within twenty-four hours of the detention, carry out an examination thereof.

(2) Where on an examination under paragraph (1) the Medical Officer (Health), Inspector or other authorized person finds the food to be—

- (a) fit for human consumption, the Medical Officer (Health) shall forthwith return the food to the person from whom the food was seized; or
- (b) unfit for human consumption, ownership in the food shall thereupon vest in the Health Department and the Medical Officer (Health), Inspector or other authorized person, as the case may be, shall condemn the food and forthwith render such food inedible and issue written instruments as to the disposal thereof.

(3) Where food is—

- (a) returned pursuant to paragraph (2) (a), it shall be accompanied by a certificate in the form set out as Form 4A in the First Schedule; First Schedule,  
Form 4A.
- (b) condemned pursuant to paragraph (2) (b), a certificate in the form set out as Form 4B in the First Schedule shall be forwarded to the person from whom the food was seized under paragraph (1). Form 4B.

(4) No person, other than a Medical Officer (Health), an Inspector or an authorized person shall have access to food during the period of detention.

(5) No person shall dispose of condemned food except in accordance with instructions issued under paragraph (2) (b).

(6) A person whose food is seized and condemned under paragraph (2) may, pursuant to regulation 33, appeal against that decision.

#### *Operation of food-handling establishment*

19. A Medical Officer (Health), and Inspector or an authorized person may at any time enter any premises where food is manufactured, packaged, stored or sold in order to— Power to  
enter pre-  
mises.

- (a) inspect such premises;
- (b) examine any food found thereon;
- (c) take samples of food or any other matter found thereon for the purpose of—
  - (i) making an assessment in relation to infestation; or

- (ii) carrying out a bacteriological or chemical examination or such other type of examination as may be considered necessary;
- (d) examine any utensil, equipment or any other container which is used or is capable of being used for or in connection with the manufacture, preparation, preservation, packaging or storage of food;
- (e) open and examine any receptacle or package which contains or is intended to contain food;
- (f) take, where he considers it appropriate, such steps as may be deemed necessary to prevent the sale of food therefrom;
- (g) seize and detain any food found thereon which he reasonably suspects to be unfit for human consumption.

Sanitary  
requirements

20.—(1) An operator of a food-handling establishment shall—

- (a) maintain at all times in a clean and sanitary condition and in good repair—
  - (i) the establishment and the premises on which the establishment is situate;
  - (ii) all equipment, including showcases and display cases, installations, machinery, receptacles and utensils in the establishment;
- (b) provide in the establishment such facilities and equipment as are necessary to maintain the establishment in a clean and sanitary condition.

(2) An operator shall ensure that the equipment referred to in paragraph (1) (a) (ii) is free from dust, dirt, insects, rodents, vermin or any other contaminating matter.

Ventilation  
and lighting  
requirements

21.—(1) An operator shall keep all sanitary conveniences, changing rooms and restrooms in a food-handling establishment adequately ventilated and lighted, in a sanitary condition and in good repair.

(2) No room in a food-handling establishment which is used as a place for sleeping shall open out into any room or place where food is prepared, stored or sold.

22.—(1) Subject to paragraphs (2), (3) and (4), no animal shall be allowed to enter upon or remain on a food-handling establishment.

Prohibition against animals on food-handling establishment.

(2) Paragraph (1) shall not apply to any food-handling establishment the business of which is animal, fish or poultry husbandry.

(3) A guide dog on a leash held by a vision-impaired person may enter and remain on a food-handling establishment during the period the vision-impaired person is in the establishment.

(4) Animals intended for tethering and sale may be permitted to enter upon and remain on any part of a food-handling establishment which is provided as a market for that purpose.

23.—(1) An operator shall maintain an adequate supply of water to his food-handling establishment for the purpose of cleaning and disinfecting equipment, utensils and work surfaces therein and the temperature of the water shall not be less than 180°F or 82.2°C.

Adequate water supply to be maintained.

(2) Where cleaning or sanitizing are carried out by means of chemicals, such chemical shall be approved by the Medical Officer (Health).

24.—(1) No person shall operate a food-handling establishment unless there is provided, in respect of that establishment, covered receptacles for the holding of garbage, waste and other refuse.

Requirements for covered receptacles, etc.

(2) Where, in relation to a food-handling establishment there is no system of garbage collection, the owner shall, at least once per day, dispose of all garbage, waste and other refuse in a manner satisfactory to the Medical Officer (Health).

25. An operator may install in a food-handling establishment a water cooler, of a type approved by the Medical Officer (Health), for use therein which shall, at all times, be kept in a clean and sanitary condition.

Installation of water cooler.

*Persons employed in food-handling establishment*

26.—(1) No person, including an operator, shall be employed in or assist in a food-handling establishment unless he is the holder of a Food Handlers Permit.

Prohibition against employing persons without Food Handlers Permit.

First  
Schedule  
Form 5  
Form 6

(2) A person who is desirous of being employed in a food-handling establishment shall, before being employed therein, apply in the form set out as Form 5 in the First Schedule to a Medical Officer (Health) for a Food Handlers Permit in the form set out as Form 6 in the First Schedule.

Second  
Schedule

(3) An application for a Food Handlers Permit under paragraph (2) shall be accompanied by the appropriate fee set out in Part III of the Second Schedule.

(4) A person who makes an application under paragraph (2) shall be medically examined at the Government Clinic nearest to his place of residence or at such Government Clinic as the Medical Officer (Health) may direct.

(5) Where, on examination, the person is found—

(a) to have fulfilled the requirements of training guidelines directed by the Medical Officer (Health); and

(b) to be free from any disease, infection or illness,

the Medical Officer (Health) shall issue to that person, a Food Handlers Permit.

(6) A Food Handlers Permit shall be valid for a period of one year from the date of issue and may be issued, subject to—

(a) such conditions as may be specified therein; and

(b) such limitations in respect of any specialized area of food-handling in which the licensee may work.

(7) The holder of a Food Handlers Permit may make an application for the renewal of the Permit and the provisions of paragraph (2) shall apply to such renewal.

(8) An application for renewal shall be accompanied by the appropriate fee set out in Part I of the Second Schedule.

(9) An applicant for renewal of a Food Handlers Permit may be medically examined at such clinic (including a clinic on the premises of a food-handling establishment) as the Medical Officer (Health) may determine and if found to be free from any disease, infection or illness, his Permit shall be renewed.

(10) Where an operator is desirous of a Medical Officer (Health) carrying out medical examinations of his employees at the clinic situated on the premises of his food-handling establishment the operator shall pay the fee specified in Part II of the Second Schedule for that purpose.

(11) [*Deleted by L. N. 87A/2000.*]

27.—(1) An employee shall—

Duty of  
employees.

- (a) produce to the operator of a food-handling establishment at the date of commencement of his employment, a valid Food Handlers Permit issued to him;
- (b) after the commencement of his employment, produce to the operator at intervals of six months or such shorter periods as may be required, a valid Food Handlers Permit issued to him;
- (c) be free from any disease, infection or illness;
- (d) while carrying out his duties in a food-handling establishment, wear clean outer clothing and a suitable hair restraint such as hats, hair coverings or nets;
- (e) wear clean durable clothing made of light-coloured washable material;
- (f) cause any abrasion, cut or wound to be covered with clean appropriate dressing;
- (g) not sleep, spit or smoke or use tobacco or any prohibited substance in any manner or do anything which is harmful or unhealthy in any place where food is prepared, stored or sold or where food products are manufactured.

(2) A person who is to commence employment in or who is to assist in or who assists in any food-handling establishment who—

- (a) is in contact with a person with an infectious or communicable disease;  
or
- (b) resides in any place where a person with an infectious or communicable disease resides or visits,

shall forthwith inform the operator and present himself to the Medical Officer (Health) for an examination.

(3) An operator shall not permit a person referred to in paragraph (2) to commence or to continue employment or to give assistance as mentioned in that paragraph until the Medical Officer (Health) certifies in writing that he is free from the infectious or communicable disease.

(4) An employee shall, when required so to do, produce to an Inspector his Food Handlers Permit.

28.—(1) An operator shall keep a register of each employee which shall contain—

Register of  
employees.

- (a) the employee's name and current address;
- (b) particulars of Food Handlers Permit granted;

- (c) any other information which a Medical Officer (Health) may require to be kept.

(2) The register referred to in paragraph (1) shall be kept at the food-handling establishment and shall be open for inspection by a Medical Officer (Health), an Inspector or an authorized person during the opening hours of that establishment.

#### *Diseases and examinations*

Steps to be taken where infectious disease is suspected

29. Where an operator suspects that an employee or a person who resides on the premises where a food-handling establishment is situate or who enters such premises is suffering from an infectious or communicable disease, the operator shall forthwith notify the Medical Officer (Health) of the—

- (a) name of the employee or the person (if known);
- (b) the address of the premises;
- (c) the circumstances which gave rise to his suspicion.

Notification to person likely to spread communicable disease.

30.—(1) Where, in the opinion of the Medical Officer (Health), it is likely that a person may spread a communicable disease if that person is employed in a food-handling establishment, the Medical Officer (Health) may, for the purpose of safe-guarding the public health, by notice in writing prohibit that person from being so employed.

(2) Any person who, upon being notified pursuant to paragraph (1) obtains employment in a food-handling establishment while the notice is in force, contravenes this regulation.

(3) An operator who knowingly employs a person who is notified under paragraph (1) contravenes this regulation.

Medical examination of operator and employee.

31.—(1) Every operator and every employee shall, when required so to do by a Medical Officer (Health), submit himself to be medically examined at the time and place so specified by the Medical Officer (Health) and such examination shall be free of cost.

(2) If on examination, an operator or employee is found to be free of any communicable disease the Medical Officer (Health) shall issue to that operator or employee a certificate in the form set out as Form 7 in the First Schedule.

First Schedule. Form 7.

(3) Any operator or employee who refuses to be medically examined when so required under paragraph (1), or who in the opinion of the Medical Officer (Health) is the carrier of or is suffering from any communicable disease shall forthwith be notified in writing by the Medical Officer (Health) that he is to immediately cease being concerned with or employed in a food-handling establishment.

(4) An operator or employee who fails, to comply with a notice under paragraph (3) contravenes this regulation.

32. A Medical Officer (Health) may require an operator to suspend from work in a food-handling establishment any person who—

Power of Medical Officer (Health) to require suspension.

- (a) fails, when so requested by a Medical Officer (Health), an Inspector or an authorized person, to produce a Food Handlers Permit within the period specified by the Medical Officer (Health);
- (b) is found to be suffering from a communicable disease.

#### *General*

33.—(1) Any person who is aggrieved by a decision to seize and condemn food under regulation 18 may—

Objection to decision under regulation 18.

- (a) give verbal notice of his objection to the person condemning the food and shall, within twenty-four hours thereof, give written notice thereof to that person; or
- (b) give verbal notice of his intention to request a re-examination of the food.

(2) Where a request is made for a re-examination of the food under paragraph (1) (b) the Medical Officer (Health) shall cause the food, within twenty-four hours after the request is made, to be re-examined by an authorized person who shall give his decision in writing as to whether the food is fit or unfit for human consumption, as the case may be.

(3) Where under paragraph (2)—

- (a) food is found to be fit for human consumption, the Medical Officer (Health), Public Health Inspector or other authorized person shall issue a certificate in the form set out as Form 4A in the First Schedule to the operator of the food-handling establishment stating that the food is so fit and the food shall be returned to the operator;

First Schedule. Form 4A.

(b) food is found to be unfit for human consumption, the Medical Officer (Health), Public Health Inspector or other authorized person shall take action as specified under regulation 18 (2) (b) (ii).

Appeal.

34. Where a person is aggrieved by a decision under regulation 4, 6, 7, 18 or 33 he may appeal to the Minister and the provisions of section 29 of the Act shall have effect in relation to any such appeal.

Penalty.

35. Any person who contravenes any provision of these Regulations commits an offence and is liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding fifty thousand dollars or to imprisonment with hard labour for a term not exceeding twelve months.

FIRST SCHEDULE

(Regulations 3(1), 4(1) and (4), 18(3), 26(2), 31(2) and 33(3) )

FORM I

THE PUBLIC HEALTH ACT

APPLICATION FOR LICENCE TO OPERATE A FOOD-HANDLING ESTABLISHMENT

Name .....

Address .....

Name and address or proposed address of food-handling establishment.....

Name of operator of food-handling establishment .....

Address of operator of food-handling establishment .....

Category of food-handling establishment.....

Type of food proposed to be sold in food-handling establishment.....

.....

\*Has a food-handling establishment owned or operated by you been closed down by a Public Health Authority? ..... Yes No

\*Has the food-handling establishment to which this application relates been closed closed down by a Public Health Authority? ..... Yes No

\*If yes, state date of closure .....

Date

Signature



THE PUBLIC HEALTH (FOOD HANDLING) REGULATIONS, 1998

FIRST SCHEDULE, *contd.*

FORM 3

THE PUBLIC HEALTH ACT

APPLICATION TO RENEW LICENCE FOR FOOD-HANDLING ESTABLISHMENT

Name.....

Address.....

Number of licence.....

Date licence granted.....

Was licence suspended?.....

If yes, date of suspension.....

Name and address of food-handling establishment.....

.....

Name and address of person operating food-handling establishment.....

.....

Type of food to be sold in food-handling establishment.....

.....

Date	Signature
------	-----------

FOR OFFICE USE ONLY

Documents submitted:      1  
    2  
    3  
    4

Amount of fee paid	No. of licence granted
Date of examination of food-handling establishment	
Remarks	

Signature and office of person who carried out examination

[The inclusion of this page is authorized by L.N. 54/2000]

FIRST SCHEDULE, *contd.*

FORM 3, *contd.*

Recommendation

Licence renewed

No.

Renewal refused

Date

Signature  
Medical Officer (Health)

FORM 4A

THE PUBLIC HEALTH ACT

CERTIFICATE OF FOOD FIT FOR HUMAN CONSUMPTION

I \_\_\_\_\_ Medical Officer (Health) for the parish of \_\_\_\_\_  
\_\_\_\_\_ hereby certify that food found on the  
of \_\_\_\_\_, 19 \_\_\_\_\_, at

1. The food-handling establishment known as \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_  
(Address)

Cross out  
which is  
inapplicable.

2. \_\_\_\_\_  
(State address or location food found)  
\_\_\_\_\_

and which was examined by me on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_,  
pursuant to regulation 18(1) or which was re-examined on the \_\_\_\_\_  
day of \_\_\_\_\_, 19 \_\_\_\_\_, pursuant to regulation 33 (2) of the Public Health  
(Food Handling) Regulations, 1998, has been found to be fit for human  
consumption.

Cross out  
which is  
inapplicable.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Medical Officer (Health)  
for the parish of \_\_\_\_\_

FIRST SCHEDULE, *contd.*

FORM 4B

THE PUBLIC HEALTH ACT

CERTIFICATE OF CONDEMNATION AND SEIZURE OF FOOD UNFIT FOR HUMAN CONSUMPTION

To \_\_\_\_\_

of \_\_\_\_\_

Medical Officer (Health) for the parish of

\_\_\_\_\_ hereby certify that food found on the

of \_\_\_\_\_, 19\_\_\_\_, at

Cross out which is inapplicable.

1. The food-handling establishment known as \_\_\_\_\_

\_\_\_\_\_ at \_\_\_\_\_ (Address)

2. \_\_\_\_\_ (State address or location food found)

and which was examined by me on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, pursuant to regulation 18 (1) of the Public Health (Food Handling) Regulations, 1998, has been found to be unfit for human consumption and, pursuant to paragraph (2) (b) (ii) of that regulation, the food has been seized and condemned. You may, pursuant to regulation 33 (1), appeal against this decision.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Medical Officer (Health)  
for the parish of

FIRST SCHEDULE, *contd.*

FORM 5

THE PUBLIC HEALTH ACT

APPLICATION FOR A FOOD HANDLERS PERMIT

Name \_\_\_\_\_

Address \_\_\_\_\_

Age \_\_\_\_\_ Sex \_\_\_\_\_

Occupation \_\_\_\_\_

Name of Employer \_\_\_\_\_

Business address of Employer \_\_\_\_\_

Have you ever applied for a Food Handlers Permit? \_\_\_\_\_

Was application granted or refused? \_\_\_\_\_

If refused, state reason \_\_\_\_\_

Number of last Food Handlers Permit \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

**FOR OFFICE USE ONLY**

Amount of fee paid

Date of medical examination

Permit granted/refused

No. of Permit

Reason for refusal

Date

Signature, Medical Officer (Health)

THE PUBLIC HEALTH (FOOD HANDLING) REGULATIONS, 1998

FIRST SCHEDULE, *contd.*

FORM 6

THE PUBLIC HEALTH ACT

FRONT

BACK

PERMIT NO.....

If you have

FOOD HANDLERS PERMIT  
PUBLIC HEALTH  
DEPARTMENT

- Boil
- Cold
- Cough
- Fever
- Skin Rash
- Diarrhoea and Vomiting
- Infected Sores

PARISH .....  
PLEASE KEEP THIS CARD CLEAN AND IN  
A SAFE PLACE

Seek treatment at your health centre or at your doctor.

Remember these conditions can be spread to other persons.

INSIDE

Name: \_\_\_\_\_

Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Home Address: \_\_\_\_\_  
\_\_\_\_\_

Occupation: \_\_\_\_\_

Employer: \_\_\_\_\_

Business Address: \_\_\_\_\_  
\_\_\_\_\_

Date of Exam.	Date of Education	Expiry Date	Initial

I hereby certify that the abovenamed person was examined on the dates initialled by me and has been granted a permit to handle food intended for human consumption. This Permit is issued subject to the conditions, if any, set out below:—

KEEP YOUR APPOINTMENT AT THE FOOD HANDLERS CLINIC EVERY YEAR.

SEE A HEALTH WORKER OR YOUR DOCTOR IF YOU ARE ILL.

- 1 .....
- 2 .....
- 3 .....
- 4 .....

\_\_\_\_\_  
Medical Officer (H)

FIRST SCHEDULE, *contd.*

FORM 7

THE PUBLIC HEALTH ACT  
CERTIFICATE OF EXAMINATION

I \_\_\_\_\_ Medical Officer  
(Health) for the parish of \_\_\_\_\_  
certify that I have examined \_\_\_\_\_  
employed in the food-handling establishment known as \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_  
and have found him/her to be free from any communicable disease.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Medical Officer (Health)  
for the parish of \_\_\_\_\_

SECOND SCHEDULE (Regulations 3(2), 4(6), 26(3), (8)  
and (10) )

PART I

*Fees for Application for Licences and Renewal of Licences in  
Food-handling Establishments*

	\$
1. Full service restaurants, including <i>a-la-carte</i> restaurants	5,000.00
2. Quick service restaurants (including franchise operators, pizzerias, delicatessens and all other types of cafes) ...	7,000.00
3. Food service operations within institutions, including hospitals, schools, colleges, universities ... ..	2,500.00
4. Food processing and manufacturing plants, including beverage, bottling, canning and ice making plants ...	10,000.00
5. Meat, poultry and fish processing plants ... ..	10,000.00
6. Milk, ice cream and frozen novelty plants ... ..	10,000.00
7. Food commissaries and dry foods stands ... ..	1,500.00
8. In-flight food catering services and other food catering establishments ... ..	5,000.00
9. Meat, poultry, fish shops ... ..	3,000.00
10. Supermarkets, bakeries and pastry shops ... ..	4,000.00
11. Food warehouses, cold storage facilities and wholesale food stores ... ..	7,500.00

THE PUBLIC HEALTH (FOOD HANDLING) REGULATIONS, 1998

SECOND SCHEDULE, *contd.*

PART I, *contd.*

*Fees for Application for Licences and Renewal of Licences in Food-handling Establishments, contd.*

12. Itinerant vendors, snack shops and food shops	...	1,500.00
13. Any coin-operated food vending machine located on premises accessible to the public	... ..	2,000.00
14. Any other public food-handling premises or food-vending operations	... ..	1,500.00

PART II

*Examination Fees Payable by Food-handling Establishment*

For a Medical Officer (Health) to carry out health certification of food handlers at a clinic held on the premises of a food-handling establishment	For up to 25 persons, a fee of \$6,000.00
	For more than 25 persons, a fee of \$6,000.00, together with an additional fee of \$300.00 for each additional person.

PART III

*Fees for Food Handlers Permits*

Application for Food Handlers Permit	... ..	\$500.00
--------------------------------------	--------	----------