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**THE PUBLIC HEALTH ACT**

**THE PUBLIC HEALTH (FOOD HANDLING) (AMENDMENT) REGULATIONS, 2000**

In exercise of the power conferred on the Minister by section 14 of the Public Health Act, the following Regulations are hereby made:—

1. These Regulations may be cited as the Public Health (Food Handling) (Amendment) Regulations, 2000 and shall be read and construed as one with the Public Health (Food Handling) Regulations, 1998, (hereinafter referred to as the principal Regulations).

2. The principal Regulations are amended in regulation 2 by—

(a) deleting the definition of the term “food-handling establishment” and substituting therefor the following—

“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;”;

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- (b) inserting in its appropriate sequence the following—
- “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;”;
- (c) by deleting the full-stop appearing at the end of regulation 2 and substituting therefor a semi-colon; and
- (d) by inserting next after the semi-colon the following—
- “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.”.
3. Regulation 3 of the principal Regulations is amended—
- (a) in paragraph (2)(c), by inserting immediately before the word “plan” the word “floor”;
- (b) by deleting paragraph (5)(d) and substituting therefor the following—
- “(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 wash-rooms; 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) by deleting paragraph (5)(h) and substituting therefor the following—
- “(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;”;

(d) by deleting paragraph (5)(l) and substituting therefor the following—

“(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;”;

(e) by inserting next after paragraph (5)(m) the following—

“(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. Regulation 4 of the principal Regulations is amended in paragraph (6) by deleting the words “Part II” and substituting therefor the words “Part I”.

5. Regulation 7 of the principal Regulations is amended by inserting next after paragraph (2) the following—

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

6. Regulation 10 of the principal Regulations is amended by deleting—

(a) from paragraph (1) the words and symbols “40° F or”; and

(b) from paragraph (2) the words and symbols “0° to 4° F or”.

7. The principal Regulations are amended by deleting regulation 12 and substituting therefor the following—

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

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—

(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.”.

8. The principal Regulations are amended by inserting next after regulation 12 the following—

“High risk foods.

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.

(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)."

9. Regulation 13 of the principal Regulations is amended—

- (a) in paragraph (3), by deleting therefrom the words "sterilized after each use in a sterilizer" and substituting therefor the words "cleaned and sanitized after each use as,"; and
- (b) in paragraph (4)(a), by deleting therefrom the word "similar" and substituting therefor the words "other toxic".

10. Regulation 14 of the principal Regulations is amended in paragraph (3), by deleting therefrom the word "sterilize" and substituting therefor the word "sanitize".

11. Regulation 15 of the principal Regulations is amended—

- (a) in paragraph (a) by deleting therefrom the words "and dust" and substituting therefor the words "dust or any other contaminant";
- (b) by deleting paragraph (d) and substituting therefor the following—
  - "(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."

12. Regulation 16 of the principal Regulations is amended—

- (a) in paragraph (2) by deleting therefrom the word "mechanical";
- (b) in paragraph (3)(a) by deleting therefrom the word "disinfected" and substituting therefor the word "sanitized"; and
- (c) in paragraph (4), by inserting next after the word "thermostat" the words "and a thermometer".

13. Regulation 17 of the principal Regulations is amended in paragraph (1)(f) by inserting immediately before the word "source" the word "type,".

14. Regulation 18 of the principal Regulations is amended—

(a) in paragraph (2), by inserting next after the words "Medical Officer (Health)" where they first appear, the words ", Inspector or other authorized person";

(b) by deleting paragraph (2)(b) and substituting therefor the following—

"(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."

15. Regulation 23 of the principal Regulations is amended in paragraph (2) by deleting therefrom the words "and disinfecting" and substituting therefor the words "or sanitizing".

16. Regulation 24 of the principal Regulations is amended by deleting therefrom the words "refuse, garbage or waste" wherever they appear and substituting therefor, in each case, the words "garbage, waste and other refuse".

17. Regulation 26 of the principal Regulations is amended—

(a) in paragraph (3) by deleting the words "Part I" and substituting therefor the words "Part III";

(b) by deleting paragraph (5) and substituting therefor the following—

"(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 Handler's Permit.";

(c) in paragraph (6), by inserting next after the words "of issue" the words "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.";

(d) in paragraph (8), by deleting the words "Part II" and substituting therefor the words "Part I";

(e) in paragraph (10), by deleting the words "Part III" and substituting therefor the words "Part II";

(f) deleting paragraph (11).

18. Regulation 27 of the principal Regulations is amended—

(a) by deleting paragraph (1)(d) and substituting therefor the following—

“(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;”;

(b) in paragraph (1)(e), by deleting the word “light” and substituting therefor the word “light-coloured”;

(c) by deleting paragraph (1)(f) and re-lettering paragraphs (1)(g) and (1)(h) as paragraphs (1)(f) and (1)(g), respectively; and

(d) in paragraph (1)(g) as re-lettered, by deleting the words “tobacco in any other manner” and substituting therefor the words “tobacco or any prohibited substance in any manner or do anything which is harmful or unhealthy”.

19. Regulation 33 of the principal Regulation is amended by sub-paragraph (3)(a) and (b) by inserting next after the words “the Medical Officer (Health)”, wherever they appear the words a “Public Health Inspector or other authorised person”.

20. The First Schedule to the principal Regulations is amended in Form 6, by inserting next after the words “for human consumption” the following—

“This Permit is issued subject to the conditions, if any, set out below:—

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

21. The principal Regulations are amended by deleting the Second Schedule thereto and substituting therefor, the following—

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

PART I

*Fees for Applications 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

PART I, *contd.*

	\$
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
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 Handler's Permits*

Application for Food Handler's Permit ... ..	\$500.00
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Dated this 25th day of July, 2000.

JOHN JUNOR,  
Minister of Health.

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