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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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No. 1742/26 - THURSDAY JANUARY 26, 2012

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B.—11/80

THE FOOD ACT, No. 26 OF 1980

REGULATIONS made by the Minister of Health in consultation with the Food Advisory Committee in terms of Section 32 of the Food Act, No. 26 of 1980.

MAITHTRIPALA SIRISENA,
Minister of Health.

Colombo,
16th January, 2012.

Regulations

1. These regulations may be cited as the Food (Hygiene) Regulations 2011 and shall come into operation with effect from 01st November 2012.

2. These regulations shall apply to all establishments dealing with the processing, transport, distribution, handling, storage or sale of food or any other matters related to food establishments.

3. (1) When locating food establishments, it shall be necessary to consider potential sources of contamination associated with such location as well as the effectiveness of any reasonable measures that are likely to be implemented in order to protect food.

(2) Food manufacturing or food processing establishments shall not be located in —

- (a) environmentally polluted areas or areas where there are ongoing industrial activities ; or
- (b) areas subject to flooding unless sufficient safeguards are provided ; or
- (c) areas prone to infestations of pests ; or
- (d) areas where wastes, either solid, liquid or gas, cannot be effectively removed.

4. Every building in which food establishments are located shall be -

- (a) of sound construction and maintained in good condition ; all construction material shall be such that they do not harbour living organisms or transmit any undesirable substances to the food and shall not emit any toxic vapours on completion of the construction ;
- (b) designed to provide separation, partition, location or other effective means between different operations, to prevent cross-contamination ;
- (c) so designed to provide adequate working space to allow for satisfactory performance of all operations without interference ;
- (d) designed to facilitate hygienic operations by means of a regulated flow in the process from the arrival of the raw material at the premises to the finished product. There shall not be any back-flow operations in the processing line ;
- (e) designed to prevent the entrance and harbouring of pests and contaminants ;
- (f) of such design as to permit easy and proper cleaning and to facilitate proper supervision of food hygiene requirements ;
- (g) such that adequate facilities are made available for heating, cooling, cooking, refrigerating and freezing food, for storing refrigerated or frozen foods and for monitoring food temperatures ; and, where necessary, for controlling ambient temperatures to ensure the safety and suitability of food, as appropriate to the nature of the food operations undertaken ;
- (h) such that food processing areas shall have -
 - (i) floors of water-proof, non absorbent, washable and non-slippery materials without crevices and shall be easy to clean and disinfect. The floors shall slope sufficiently for liquids to drain to trapped outlets ;
 - (ii) walls of water-proof, non-absorbent and washable materials sealed and free from insects. Walls up to the operation height shall be smooth and without crevices and shall be easy to clean and disinfect ;
 - (iii) working surfaces that come in direct contact with food in sound condition, durable and easy to clean, maintain and disinfect. These areas shall be made of smooth and non-absorbent materials, inert to food, detergents and disinfectants ;
 - (iv) ceilings which are so designed, constructed and finished to prevent the accumulation of dirt, minimize condensation, the development of mould and flaking and which shall be easy to clean ;
 - (v) doors with smooth and non-absorbent surfaces and, where appropriate, be self-closing and close-fitting ;
 - (vi) windows that are easy to clean and so constructed to minimize the build up of dirt and be fitted with removable and cleanable insect proof screens and where necessary, windows shall be fixed ;
 - (vii) drains which are adequate and so constructed to avoid stagnation and back-flow of effluent and to avoid contamination ;

- (i) all overhead structures and fittings in food handling areas shall be installed in such a manner as to avoid contamination directly or indirectly of food and raw materials by condensation and drip, and shall not hamper cleaning operations. They shall be so designed and finished as to prevent the accumulation of dirt, development of mould and flaking ; and
- (j) living quarters, toilets and areas where animals are kept shall be completely separated from food handling areas and shall not open directly on to them.

5. (1) Water supply and storage in a food establishment shall be as follows :-

- (a) the premises shall be provided with adequate supply of potable water. Water shall be stored in clean containers, free of hazardous substances and contaminants ;
- (b) ice shall be manufactured from potable water and handled and stored so as to protect from contamination ;
- (c) steam used in direct contact with food or food contact surfaces shall be free from hazardous substances or contaminants ; and
- (d) non-potable water used for steam production, refrigeration, fire control and other similar purposes not connected with food shall be carried in completely separate lines, identifiable preferably by colour, and with no cross-contamination with or back siphonage into the system carrying potable water.

(2) All equipment and utensils used in food handling areas shall be in accordance with the following requirements :-

- (a) all equipment and utensils used in food handling areas which may come in contact with food shall be made of materials which do not transmit any toxic substances, odour or taste. All equipment and utensils shall be of non-absorbent material resistant to corrosion and capable of withstanding repeated cleaning and disinfection. Surfaces shall be smooth and free from pits and crevices. The use of wood and other materials which cannot be adequately cleaned and disinfected shall be avoided except when their use would clearly not be a source of contamination ;
- (b) all equipment and utensils shall be so designed and constructed as to prevent hygienic hazards and permit easy and thorough cleaning and disinfection and, where practicable, be open for inspection. Where necessary, equipment shall be capable of being dissembled for cleaning and maintenance ;
- (c) containers for collection of inedible materials and waste shall be leak-proof, constructed of metal or other impervious material which shall be easy to clean and be closed securely ;
- (d) equipment and utensils used for collection of waste materials shall be identifiable and shall not be used for edible products ;
- (e) all facilities for refrigeration and freezing, whenever appropriate, shall be provided with calibrated temperature measurement or recording devices ; and
- (f) equipment, utensils and all other physical facilities of the establishment shall be maintained in good repair.

(3) Other facilities :-

- (a) the establishments shall be provided with adequate, suitable and conveniently located changing facilities and flushable water-seal toilets. Toilets shall conform to sanitary requirements to ensure hygienic removal of waste matter. These areas shall be well lit, ventilated and shall not open directly onto food handling areas. Hand washing facilities with warm or cold water, a suitable hand cleaning preparation and with suitable hygienic means of drying hands shall be provided adjacent to the toilet ;
- (b) processing areas shall be provided with adequate and conveniently located facilities for hand washing and drying, with facilities for disinfection of hands where appropriate ;
- (c) adequate facilities for cleaning and disinfection of working implements and equipment shall be provided. These facilities shall be constructed of corrosion resistant materials, capable of being easily cleaned and shall be fitted with suitable means of supplying hot (where appropriate) and cold water in sufficient quantities ;

- (d) adequate and appropriate lighting shall be provided throughout the establishment. Light bulbs and fixtures suspended over food materials in any stage of production shall be of a safety type and protected to prevent contamination of food in case of breakage ;
 - (e) adequate ventilation shall be provided to prevent excessive build up of heat, steam condensation and dust, and to ensure the removal of contaminated air. The direction of air flow within the premises shall not be from a dirty area to clean area. Ventilation openings shall be provided with a screen or other protective enclosures. Screens shall be easily removable for cleaning ;
 - (f) there shall be facilities to store waste and inedible materials prior to removal from the establishment. These facilities shall be designed to prevent access to waste or inedible materials by pests and to avoid cross contamination of food, potable water or equipment ;
 - (g) any pesticides or other substances which may represent a hazard to health shall be suitably labelled with a warning about their toxicity and use. Pesticides shall be stored in locked rooms or in cabinets away from food processing and handling areas and shall be used and handled only by authorized and properly trained persons. Extreme care shall be taken to avoid contamination of foods with these substances ;
 - (h) food establishments shall have an efficient effluent and waste disposal system which shall at all times be maintained in good order and repair ; and
 - (i) mobile facilities and vending machines shall be designed and maintained to avoid contamination of food and harbouring of pests.
6. Cleaning and disinfection process shall be meticulous and shall be carried out subject to the following :—
- (a) a permanent cleaning and disinfection schedule shall be drawn up for each establishment to ensure that all areas are appropriately cleaned and that critical areas, equipment and materials are designated for special attention ;
 - (b) there shall be in attendance a worker whose duty shall be to ensure that cleaning and disinfection operations are properly carried out in the required manner ;
 - (c) no person shall, while food is being prepared, served or consumed in any room in a food establishment, clean the floor of that room by any means other than a dustless method of floor cleaning ;
 - (d) every owner or occupier of a food establishment shall cause all utensils, other than single service articles, used in the service or consumption of food in their respective establishments, to be scraped to remove gross particles of food and then to be effectively cleaned and rendered hygienic by thorough washing in warm water containing adequate amount of soap or other detergents and rinsing in potable water ;
 - (e) adequate precautions shall be taken to prevent food from being contaminated during cleaning and disinfection of rooms, equipment or utensils by water and detergents and disinfectants and their solutions. Any residues of these agents on a surface which may come in contact with food should be removed by thorough rinsing with potable water ;
 - (f) where CIP systems are used for cleaning, they shall ensure effective cleaning and disinfection of the processing line ; and
 - (g) walls, floors including drains of the food handling area shall be thoroughly cleaned.
7. (1) Materials used for wrapping and packaging shall not be a source of contamination.
(2) Wrapping materials shall be stored in such a manner that they are not exposed to risk of contamination.
8. (1) No person shall keep or cause to be kept any animal, bird or any other pets in any food establishment.
(2) All food handling and processing areas shall be free of pests. There shall be an effective and continuous programme for the control of pests.
9. (1) Processed and unprocessed food shall be stored in separate defined areas with suitable labelling.
(2) By-products shall be stored separately to avoid contamination of food.
(3) Waste material shall not be allowed to accumulate in food handling areas.

10. (1) Conveyances or containers used for transporting foodstuffs shall be kept clean and maintained in good repair and condition to protect foodstuffs from contamination and where necessary, shall be so designed and constructed to permit adequate cleaning and disinfection.

(2) Receptacles contained in vehicles or containers meant for the transport of food shall not be used for transporting anything other than foodstuffs.

(3) Where either conveyances or containers have been used for transporting anything other than foodstuffs or for transporting different foodstuffs at the same time, where necessary, there shall be effective separation of products.

(4) Where either conveyances or containers have been used for transporting anything other than foodstuffs or for transporting different foodstuffs, there shall be effective cleaning between loads.

(5) Foodstuffs in either conveyances or containers shall be so placed and protected as to avoid contamination.

(6) Where necessary, either conveyances or containers used for transporting foodstuffs shall be capable of maintaining foodstuffs at appropriate temperatures and allow those temperatures to be monitored.

11. Every person who works in the capacity of a food handler shall be certified fit by a Medical Officer registered with Sri Lanka Medical Council, prior to their employment in the form set out in the Schedule to this regulation. Medical examination of a food handler shall be carried out periodically as determined by the Medical Officer of Health of the area and, at other times, when clinically or epidemiologically indicated.

12. (1) Every person engaged in food handling shall, while on duty, maintain a high degree of personal cleanliness, and shall at all times, while engaged, wear suitable protective clothing including head covering, gloves, masks and foot wear.

(2) Any person entering a food handling area shall wash his hands thoroughly with a suitable hand cleaning preparation under running potable water. Food handlers shall always wash hands before commencing or recommencing work, upon the use of toilets or upon handling of any raw or contaminated material.

(3) Food handlers engaged in the preparation and serving or otherwise handling food within the premises shall, while engaged in food handling, wear aprons that are :-

(a) clean and made of washable material ; and

(b) without pockets.

(4) Gloves used in handling of food products shall be maintained in a sound, clean and sanitary condition.

(5) Any person who has a cut or wound shall not continue to handle food or food contact surfaces until the injury is completely protected by a water-proof covering.

(6) Adequate first-aid facilities shall be provided in the premises.

(7) No person, who is known or suspected to be suffering from or to be a carrier of a disease likely to be transmitted through food or while afflicted with infected wounds, skin infections, sores or with diarrhoeas, is permitted to work in any food handling area in any capacity in which there is any likelihood of such a person directly or indirectly contaminating food. Any person so affected shall immediately report to the management that he is ill.

(8) Every person engaged in food handling activities shall refrain from behaviour which could result in contamination of food, for example : eating, smoking, spitting, chewing (betel, nuts, gum etc.) sneezing, picking the nose or coughing over unprotected food in food handling areas.

(9) Every person engaged in handling of food -

- (a) shall not deposit personal effects and clothing in food handling areas ;
- (b) shall not place the food in any place where there is a risk of contamination ;
- (c) shall ensure that any food kept within the premises is fit for human consumption ; and
- (d) shall adequately protect the food from contamination during storage, transport, expose for sale or during sale.

(10) Personal effects such as jewellery, watches, pins or other items should not be worn or brought into food handling areas if they pose a threat to the safety and suitability of food.

(11) No person shall use as a sleeping place, any premises intended for use in the preparation of food. No sleeping area adjoining such premises shall communicate with such premises except through an intervening ventilated space.

(12) Visitors to food manufacturing, processing or handling areas shall wear appropriate protective clothing and adhere to the other personal hygiene requirements in these regulations.

(13) Food handlers shall be skilled in the hygienic handling of food.

(14) Managers shall ensure effective procedures are in place -

- (a) to deal with any hazards to food safety ; and
- (b) to enable the complete, rapid recall of any implicated lot of the finished food from the market.

(15) Recalled product shall be held in a separate place under supervision until they are destroyed or used for purposes other than human consumption or determined to be safe for human consumption or reprocessed in a manner to ensure their safety.

13. (1) No person shall process meat or fish in any premises, except in accordance with the following requirements :-

- (a) all meat and fish shall be stored, as soon as practicable after delivery and when not being processed, at a temperature below 2° C in a room or cabinet and shall at all times be protected from spoilage and contamination ;
- (b) all surfaces of tables, benches or shelves that are liable to come into direct contact with meat or fish shall have an impervious, smooth surface that is free from imperfection ;
- (c) bones, fish offal, and waste matter shall not be allowed to accumulate, but shall be removed from the premises at least once daily and disposed of in such a manner as to prevent a nuisance being caused ;
- (d) a sufficient number of colour coded, portable watertight receptacles for the storage of bones, fish offal and waste matter, which shall be made of metal or of any other suitable impervious, non-absorbent material with impervious fly covers, shall be provided in every processing room and in any area, used in connection with that room, in which food is handled.

(2) The receptacles referred to in subparagraph (d) of paragraph (I) hereto -

- (i) at all times when not being used for the immediate reception of bones, fish offal, or waste matter, shall be kept covered and stored in a cold room, or in a separate room, enclosure or outside on a stand that is constructed of impervious materials and extends well above a paved area that is suitably graded and drained :

Provided that bones, fat and other butchers' waste may be taken to a separate room, enclosure or outside area and immediately placed in clean dry sacks or other suitable containers and then stored in suitable pest-proof containers pending removal from the premises ; and

- (ii) immediately after emptying shall be effectively cleaned and inverted to dry.

(3) Effective measures shall be taken by means of the screening of all windows and entrances by the use of properly directed air currents or other suitable control methods to exclude pests and to ensure that the premises are kept free from pests.

14. (1) No person shall display or serve food in any food establishment except in accordance with the following requirements :-

- (a) where any food is set out for individual selection by customers, the food shall not be so placed as to require the customer, when obtaining it, to extend his arm directly over any other food ; and
- (b) sufficient, sanitized tongs, forks, spoons, picks, spatulas, scoops or other suitable utensils shall be provided for use by workers and customers to prevent unnecessary handling of food.

(2) Where, in the opinion of the Authorized Officer, the arrangement of the food and the protection provided against contamination is inadequate, such additional precautions as the Authorized Officer may direct shall be taken to protect the food against contamination.

(3) Every person preparing, handling or serving food in a food establishment shall exercise care to avoid any contamination of the food and avoid all unnecessary contact with the food and any utensils used on the premises ;

(4) No person engaged in preparing, handling or serving food in a food establishment shall -

- (a) serve any food with his fingers, except to the extent that is impracticable to serve the food in any other manner ;
- (b) wipe his hand on his clothing or on anything else except a clean towel ;
- (c) place, carry or store any food in such a manner that the bottom side of any plate, dish or container comes into contact with food in a lower plate, dish or container ;
- (d) handle any spoon, knife, fork, drinking utensil in such a manner as to permit the transfer of microorganisms from food handler to customer ; and
- (e) carry spoon, knife or fork in the pocket of any garment or apron.

(5) Every person serving food in a food establishment shall use a sanitized fork or other suitable implement, unless it is impracticable to serve the food by such means.

(6) No worker in a food establishment shall wipe any utensil with a tea towel or other cloth, that is not clean or that is, in any other respect, unsuitable for the purpose of wiping.

(7) Cloths used for wiping table tops shall be clean and changed at least three times a day.

15. Every owner or occupier of a food establishment shall carry on its operation in accordance with the following requirements :-

- (a) all readily perishable food that has been cooked shall be maintained at a temperature not exceeding 4⁰ C, or alternatively at temperature of not less than 60⁰ C, except -
 - (i) where food is not exposed or exhibited for sale for any period or periods exceeding in the aggregate 2 hours ; or
 - (ii) during necessary periods of preparation and service.
- (b) all cooked meat, cooked pastry containing meat, meat patties, meat savouries, pizzas and similar foods containing meat or fish that are ordinarily consumed in the state in which they are sold, shall be stored in enclosed containers, or shall be stored separately and kept away from food that is not stored in sealed containers or that is not completely enclosed in a container or wrapper ;
- (c) no milk shall be kept on the premises of the food establishment unless the milk is kept during the whole period of storage in a refrigerator at a temperature not exceeding 7⁰ C ;
- (d) all milk jugs and sugar basins on tables or counters shall be provided with suitable covers to protect the contents from contamination ;
- (e) all fruits and vegetables that are ordinarily consumed in the state in which they are sold shall, before service to customers, be washed and thoroughly cleaned ; and
- (f) all uncooked vegetables shall be kept in well ventilated, adequately lit, rodent-proof compartments, or in any other compartment suitable for the purpose or in a refrigerator or cold room.

16. (1) Owner or occupier of a food establishment shall ensure that food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity.

(2) Managers and supervisors of food establishments shall have the necessary knowledge of food hygiene principles and practices to be able to judge potential risks and take necessary action to remedy deficiencies.

17. In these regulations -

“Authorized Officer” means the persons appointed as officers authorized under the Food Act, No. 26 of 1980;

“cleaning” means the removal of soil, food residue, dirt, grease or other objectionable matter ;

“CIP” means Clean in Place ;

“contaminant” means any biological or chemical agent, foreign matter, other substances not intentionally added to food which may compromise food safety or suitability ;

“contamination” means the introduction or occurrence of a contaminant in food or food environment ;

“disinfection” means the reduction, by means of chemical agents and/or physical methods, of the micro-organisms in the environment, to a level that does not compromise food safety or suitability ;

“food establishment” means any building or area in which food is handled and the surroundings under the control of the same management ;

“food hygiene” means all conditions, measures and practices necessary to ensure the safety and suitability of food at all stages of the food chain ;

“hazard” means a biological, chemical or physical agent in or condition of food with the potential to cause an adverse health effect ;

“food handler” means any person who directly handles packaged or unpackaged food, food equipment and utensils or food contact surfaces and is therefore expected to comply with food hygiene requirements ;

“food safety” means assurance that food will not cause harm to the customer when it is prepared and/or eaten according to its intended use ;

“potable water” means water having no impurities present in amounts sufficient to cause disease or harmful physiological effects and conforming in its bacteriological and chemical qualities to national standards.

18. Food Regulation 1988 made under the Food Act, No. 26 of 1980 and published in Gazette Extraordinary No. 560/13 of June 2, 1989, is hereby rescinded.

SCHEDULE

(Regulation 11)

MEDICAL CERTIFICATE ISSUED TO FOOD HANDLER

I Medical Officer of Health of the area of
have physically examined after appropriate laboratory investigations of Mr./Ms.
bearer of National Identity Card No. and certify that he/she is not suffering from any communicable
disease or carrier of any pathogen which constitutes a threat or potential threat to food safety and that he/she is not afflicted
with infected wounds, skin infection, sores or diarrhoea.

Medical Officer of Health
(Official Seal)

Date :

02-369