

FOOD SAFETY ORDINANCE, 2016

FOOD SAFETY (GENERAL FOOD HYGIENE) REGULATIONS, 2017
(Section 7)

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PART 1

PRELIMINARY AND INTERPRETATION

Citation and commencement

1. These Regulations may be cited as the Food Safety (General Food Hygiene) Regulations, 2017, and come into force on 1st April 2017.

Interpretation

2. (1) For the purposes of these Regulations, any word or expression to which a meaning has been assigned in the Ordinance, or any other subsidiary legislation made under it, bears the meaning so assigned, and—

“clean seawater” means natural, artificial or purified seawater or brackish water that does not contain micro-organisms, harmful substances or toxic marine plankton in quantities capable of directly or indirectly affecting the health quality of food;

- “**clean water**” means clean seawater and fresh water of a similar quality;
- “**contamination**” means the presence or introduction of a hazard;
- “**establishment**” means any unit of a food business;
- “**final consumer**” means the ultimate consumer of food stuff who will not use the food as part of any food business operation or activity;
- “**food handler**” means any person engaged in the handling of food for the purposes of a food business;
- “**food hygiene**” means the measures and conditions necessary to control hazards and to ensure fitness for human consumption of a foodstuff taking into account its intended use;
- “**HACCP principles**” means the Hazard Analysis Critical Control Point principles referred to in regulation 5;
- “**hazard**” means a biological, chemical or physical agent in, or condition of, food or feed with the potential to cause an adverse health effect;
- “**open food**” means food not enclosed and protected in containers so as to exclude all risk of contamination;
- “**packaging**” means the placing of one or more wrapped foodstuffs in a second container, and the latter container itself;
- “**potable water**” means water meeting the minimum requirements on the quality of water intended for human consumption laid down in Schedule III;
- “**primary products**” means products of primary production including products of the soil, of stock farming, of hunting and fishing;
- “**processed products**” means foodstuffs resulting from the processing of unprocessed products and these products may contain ingredients that are necessary for their manufacture or to give them specific characteristics;
- “**unprocessed products**” means foodstuffs that have not undergone processing, and includes products that have been divided, parted, severed, sliced, boned, minced, skinned, ground, cut, cleaned, trimmed, husked, milled, chilled, frozen, deep-frozen or thawed;
- “**wrapping**” means the placing of a foodstuff in a wrapper or container in direct contact with the foodstuff concerned, and the wrapper or container itself.

(2) The terms ‘if necessary’, ‘if appropriate’, ‘adequate’ and ‘sufficient’ bear such meaning so as to achieve the objective of these Regulations of achieving a high level of protection for human health.

PART 2

OBLIGATIONS ON FOOD BUSINESS OPERATOR

General obligation

3. Food business operators must ensure that all stages of production, processing and distribution of food under their control satisfy the relevant hygiene requirements laid down in these Regulations.

General and specific requirements

4. (1) A food business operator carrying out primary production and any associated operations listed in Schedule I must comply with the general hygiene provisions laid down in that Schedule and any additional requirements provided for in the Food Safety (Products of Animal Origin) Regulations which may also apply.

(2) All food business operators carrying out any stage of production, processing,

distribution or sale of food after those stages to which paragraph 1 applies, must comply with the general hygiene requirements laid down in Schedule II and any additional requirements provided for in the Food Safety (Products of Animal Origin) Regulations, 2017, which may also apply.

(3) Food business operators may only import food which complies with the relevant requirements of the Ordinance and subsidiary legislation made thereunder or with conditions equivalent to it.

(4) Food business operators must give the Food Authority at least 3 days' notice of the importation of food by the submission of either health certificates, commercial invoices, bill of lading, air freight document or any combination of these.

Hazard Analysis Critical Control Point principles

5. (1) A food business operator must put in place, implement and maintain a permanent procedure or procedures based on Hazard Analysis Critical Control Point (HACCP) principles and which must be commensurate with and reflect the nature, size and food safety risk of the business.

(2) The HACCP principles referred to in paragraph (1) consist of the following:

- (a) identifying any hazards that must be prevented, eliminated or reduced to acceptable levels;
- (b) identifying the critical control points at the step or steps at which control is essential to prevent or eliminate a hazard or reduce it to acceptable levels;
- (c) establishing critical limits at critical control point which separate acceptability from unacceptability for the prevention, elimination or reduction of identified hazards;
- (d) establishing and implementing effective monitoring procedures at critical control points;
- (e) establishing corrective actions when monitoring indicates that a critical control point is not under control;
- (f) establishing procedures which shall be carried out regularly to verify that the measures outlined in items (a) to (e) are working effectively; and
- (g) establishing documents and records commensurate with the nature and size of the food business to demonstrate the effective application of the measures outlined in paragraphs (a) to (f).

(3) Food business operators must review the procedure and make any necessary changes to it whenever a modification is made in the product, process or any step.

(4) Food business operators must—

- (a) provide the Food Authority with evidence of their compliance with paragraph (1);
- (b) ensure that all documents and records describing the procedures are accurate and up to date at all times;
- (c) retain all documents and records for an appropriate time as agreed with the Food Authority.

Traceability

6. Food and feed business operators must—

- (a) be able to identify any person or business from whom they have been supplied with a food, a food-producing animal or any substance intended to be, or expected to be, incorporated into a food;
- (b) be able to identify any other businesses to which their products have been supplied;
- (c) have in place systems and procedures which allow for this information to be made available to the Food Authority; and
- (d) make this information available to the Food Authority on demand.

Recall

7. (1) If a food business operator considers or has reason to believe that a food which he has imported, produced, processed, manufactured, distributed or sold is not in compliance with the food safety requirements, the food business operator must—

- (a) if the food has left the control of that initial food business operator—
 - (i) immediately initiate procedures to withdraw the food in question from the market; and
 - (ii) inform the Food Authority about this;
- (b) if the product may have reached the consumer, the operator must—
 - (i) effectively and accurately inform the consumers of the reason for its withdrawal; and
 - (ii) if necessary, recall from consumers products already supplied to them when other measures are not sufficient to achieve a high level of health protection; and
 - (iii) inform the Food Authority about this.

(2) A food business operator must—

- (a) immediately inform the Food Authority if the operator considers or has reason to believe that a food which the operator has placed on the market may be injurious to human health; and
- (b) inform the Food Authority of the action taken to prevent risks to the final consumer; and
- (c) not prevent or discourage any person from co-operating, in accordance with the requirements of the Ordinance, with the Food Authority if this may prevent, reduce or eliminate a risk arising from the food.

(3) Food business operators must collaborate and co-operate with the Food Authority on any action taken to avoid or reduce risks posed by a food which they supply or have supplied.

Durability labelling

8. (1) The Food business operator must ensure that any food ready for delivery to the final consumer or a catering establishment is marked or labelled with—

- (a) the name of the food;
- (b) a list of ingredients and allergens;
- (c) subject to paragraph (3), the appropriate durability indication referred to in paragraph (2);
- (d) any special storage conditions or conditions of use;
- (e) instructions for use, if required;
- (f) the name or business name.

(2) For purposes of paragraph (1)(c), the appropriate durability indication means—

- (a) in the case of a food which, from the microbiological point of view, is highly perishable and in consequence likely after a short period to constitute a danger to health, a 'use by' date;
- (b) for food other than that specified in paragraph (a), a minimum durability indicated by the words 'best before' followed by—
 - (i) the date up to and including which the food can reasonably be expected to retain its specific properties if properly stored; and
 - (ii) any storage conditions which need to be observed if the food is to retain its specific properties:

Provided that the date in the indication of appropriate durability must be expressed in terms of a day, month and year in that order.

(3) The following foods need not be marked or labelled with an appropriate durability indication:

- (a) Fresh fruit and vegetables (including potatoes but not including sprouting seeds, legume sprouts and similar products) which have not been peeled or cut into pieces;
- (b) wine, liqueur wine, sparkling wine, aromatised wine and any similar drink obtained from fruit other than grapes;
- (c) any drink with an alcoholic strength by volume of 10 per cent or more;
- (d) any flour, confectionery and bread which, given the nature of its content, is normally consumed within 24 hours of its preparation;
- (e) vinegar;
- (f) cooking and table salt;
- (g) solid sugar and products consisting almost solely of flavoured or coloured sugars;
- (h) chewing gums and similar products;
- (i) edible ices in individual portions.

(4) Food which is placed on the market or found to be offered for sale after the date shown in a 'use by' durability marking relating to it may be certified under section 18(2) of the Ordinance as not having been distributed in accordance with the regulations under section 7 of the Ordinance and any food so certified fails to comply with food safety requirements.

(5) No person may remove or alter the durability indication of a food without permission from the Food Authority.

PART 3 MISCELLANEOUS

Official guides

9. (1) The Food Authority may adopt or develop official guides to good practice for hygiene and for the application of HACCP principles.

(2) The guides under paragraph (1) may be adopted from existing guidance used elsewhere or may be developed or adapted for St Helena and if these guides are so adopted, they should be developed and disseminated by the Food Authority having regard to the relevant codes of practice of *Codex Alimentarius* established by the World Health Organization and the United Nations Food and Agriculture Organization.

(3) Food Business Operators may obtain the guides referred to in paragraph (1) from the Food Authority.

Amendment and revocation of legislation

10. (1) The following Regulations issued under the Public Health Ordinance, Cap. 49, are revoked:

- (a) the Public Health (Food Hygiene) Regulations;
- (b) the Bakehouse Regulations; and
- (c) the Aerated Water Factory Regulations, Cap. 49.

(2) The Fish and Fish Products Regulations, 2011, are amended—

- (a) by deleting the words “the Public Health Ordinance, Cap. 49” in regulation 3(4) and substituting “the Food Safety Ordinance, 2016” therefor;
- (b) by deleting regulation 16(2)(b) and substituting the following therefor:
 - “(b) the Senior Medical Officer/Clinical Director or an authorised officer pursuant to section 18 of the Food Safety Ordinance, 2016”;
- (c) by deleting paragraph 1(a) of Part II of Schedule 3 and substituting the following therefor:
 - “(a) undergo an annual medical examination and possess a certificate of good health issued by a medical officer in the form approved by the Senior Medical Officer; and”;
- (d) by deleting the paragraph 4(a) of Part C of Schedule 8 and substituting the following therefor:
 - “(a) that persons handling fishery products undergo an annual medical examination and possess a certificate of good health issued by a medical officer in the form approved by the Senior Medical Officer; and”;
- (e) by deleting the reference to “section 54 of the Public Health Ordinance, Cap. 49” in paragraph 4 of Schedule 13 and substituting “section 18 of the Food Safety Ordinance, 2016” therefor.

SCHEDULE I (Regulation 4(1))

PRIMARY PRODUCTION

General Hygiene Provisions for Primary Production and Associated Operations

1. Scope

This Schedule applies to primary production and the following associated operations:

- (a) The transport, storage and handling of primary products at the place of production, provided that this does not substantially alter their nature;
- (b) the transport of live animals, if this is necessary to achieve the objectives of this Regulation; and
- (c) in the case of products of plant origin and wild game, transport operations to deliver primary products, the nature of which has not been substantially altered, from the place of production to an establishment.

2. Hygiene provisions

- (1) As far as possible, food business operators must ensure that primary products are protected against contamination, having regard to any processing that primary products will subsequently undergo.
- (2) The general duty laid down in subparagraph (1) is in addition to any requirement to comply with legislative provisions relating to the control of hazards in primary production and associated operations, including—
 - (a) measures to control contamination arising from the air, soil, water, feed, fertilisers, veterinary medicinal products, plant protection products and biocides and the storage, handling and disposal of waste; and
 - (b) measures relating to animal health and welfare and plant health that have implications for human health, including programmes for the monitoring and control of zoonoses and zoonotic agents.
- (3) Food business operators rearing, harvesting or hunting animals or producing primary products of animal origin are to take adequate measures, as appropriate—
 - (a) to keep any facilities used in connection with primary production and associated operations, including facilities used to store and handle feed, clean and, if necessary after cleaning, to disinfect them in an appropriate manner;
 - (b) to keep clean and, if necessary after cleaning, to disinfect, in an appropriate manner, equipment, containers, crates, vehicles and vessels;
 - (c) as far as possible to ensure the cleanliness of animals going to slaughter and, if necessary, production animals;
 - (d) to use potable water, or clean water, whenever necessary to prevent contamination;
 - (e) to ensure that staff handling foodstuffs are in good health and undergo training on health risks;
 - (f) as far as possible to prevent animals and pests from causing contamination;
 - (g) to store and handle waste and hazardous substances so as to prevent contamination;
 - (h) to prevent the introduction and spread of contagious diseases transmissible to humans through food, including by taking precautionary measures when introducing new animals and reporting suspected outbreaks of such diseases to the competent authority;
 - (i) to take account of the results of any relevant analyses carried out on samples taken from animals or other samples that have importance to human health; and
 - (j) to use feed additives and veterinary medicinal products correctly, as required by the relevant legislation.
- (4) Food business operators producing or harvesting plant products must take adequate measures, as appropriate—
 - (a) to keep clean and, if necessary after cleaning, to disinfect, in an appropriate manner, facilities, equipment, containers, crates, vehicles and vessels;
 - (b) to ensure, if necessary, hygienic production, transport and storage conditions for, and the cleanliness of plant products;
 - (c) to use potable water, or clean water, whenever necessary to prevent contamination;
 - (d) to ensure that staff handling foodstuffs are in good health and undergo training on health risks;
 - (e) as far as possible to prevent animals and pests from causing contamination;
 - (f) to store and handle wastes and hazardous substances so as to prevent contamination;
 - (g) to take account of the results of any relevant analyses carried out on samples taken from plants or other samples that have importance to human health; and
 - (h) to use plant protection products and biocides correctly, as required by the relevant

legislation.

(5) Food business operators are to take appropriate remedial action when informed of problems identified during official controls.

3. Record-keeping

(1) Food business operators are to keep and retain records relating to measures put in place to control hazards in an appropriate manner and for an appropriate period, commensurate with the nature and size of the food business as determined by the Food Authority. Food business operators are to make relevant information contained in these records available to the Regulatory Authority and receiving food business operators on request.

(2) Food business operators rearing animals or producing primary products of animal origin must keep records on—

- (a) the nature and origin of feed fed to the animals;
- (b) veterinary medicinal products or other treatments administered to the animals, dates of administration and withdrawal periods;
- (c) the occurrence of diseases that may affect the safety of products of animal origin;
- (d) the results of any analyses carried out on samples taken from animals or other samples taken for diagnostic purposes, that have importance for human health; and
- (e) any relevant reports on checks carried out on animals or products of animal origin.

(3) Food business operators producing or harvesting plant products must keep records on—

- (a) any use of plant protection products and biocides;
- (b) any occurrence of pests or diseases that may affect the safety of products of plant origin; and
- (c) the results of any relevant analyses carried out on samples taken from plants or other samples that have importance to human health.

(4) The food business operators may be assisted by other persons, such as veterinarians, agronomists and farm technicians, with the keeping of records.

SCHEDULE II (Regulation 4(2))

GENERAL HYGIENE REQUIREMENTS FOR ALL FOOD BUSINESS OPERATORS

(Except when Schedule I applies)

INTRODUCTION

The Chapters in this Schedule apply as follows:

- Chapter I applies to all food premises, except premises to which Chapter III applies;
- Chapter II applies to all rooms where food is prepared, treated or processed, except dining areas and premises to which Chapter III applies;
- Chapter III applies to those premises listed in the heading to the Chapter and
- Chapter IV applies to all transportation.
- Chapters V to XI apply to all stages of production, processing and distribution of food.

CHAPTER I

General requirements for food premises (other than those specified in Chapter III)

1. All parts of a food premises must be kept clean and maintained in good repair and condition.
2. The layout, design, construction, siting and size of food premises must—
 - (a) permit adequate maintenance, cleaning and/or disinfection, avoid or minimise air-borne contamination, and provide adequate working space to allow for the hygienic performance of all operations;
 - (b) be such as to protect against the accumulation of dirt, contact with toxic materials, the shedding of particles into food and the formation of condensation or undesirable mould on surfaces;
 - (c) permit good food hygiene practices, including protection against contamination and, in particular, pest control; and
 - (c) if necessary, provide suitable temperature-controlled handling and storage conditions of sufficient capacity for maintaining foodstuffs at appropriate temperatures and designed to allow those temperatures to be monitored and, if necessary, recorded.
3. Food premises must have adequate natural and/or artificial lighting.
4. There must be suitable and sufficient means of natural or mechanical ventilation. Mechanical airflow from a contaminated area to a clean area must be avoided. Ventilation systems must be so constructed as to enable filters and other parts requiring cleaning or replacement to be readily accessible. Such parts should be regularly cleaned commensurate with their use and the nature of the premises.
5. An adequate number of flush lavatories must be available and connected to an effective drainage system. Lavatories must be kept clean and must not open directly into rooms in which food is handled.
6. Sanitary conveniences must have adequate natural or mechanical ventilation. In every sanitary convenience there must be a clearly legible notice requesting users to wash their hands after using a sanitary convenience.
7. An adequate number of washbasins must be available, if appropriate none hand operable, suitably located and designated for cleaning hands. Washbasins for cleaning hands must be provided with hot and cold running water, or hot water at a suitable controlled temperature, materials for cleaning hands and for hygienic drying. Washbasins for cleaning hands must be kept clean and the taps connected with them must be kept clean and in efficient working order. If necessary, the facilities for washing food must be separate from the hand-washing facility.
8. Drainage facilities must be adequate for the purpose intended. They must be designed and constructed to avoid the risk of contamination. If drainage channels are fully or partially open, they must be so designed as to ensure that waste does not flow from a contaminated area towards or into a clean area, in particular an area where foods likely to present a high risk to the final consumer are handled.
9. If necessary, adequate changing facilities for personnel must be provided, including sufficient cupboards or locker accommodation, if needed.
10. Cleaning agents and disinfectants must not be stored in areas where food is handled.

CHAPTER II

Specific requirements in rooms where foodstuffs are prepared, treated or processed (excluding dining areas and those premises specified in Chapter III)

1. In rooms where food is prepared, treated or processed (excluding dining areas and those premises specified in Chapter III, but including rooms contained in means of transport)

the design and layout must permit good food hygiene practices, including protection against contamination between and during operations. In particular—

- (a) floor surfaces must be maintained in a sound condition and be easy to clean and, if necessary, to disinfect. This will require the use of impervious, non-absorbent, washable and non-toxic materials unless food business operators can satisfy the Food Authority that other materials used are appropriate. If appropriate, floors must allow adequate surface drainage;
 - (b) wall surfaces must be maintained in a sound condition and be easy to clean and, if necessary, to disinfect. This will require the use of impervious, non-absorbent, washable and non-toxic materials and require a smooth surface up to a height appropriate for the operations unless food business operators can satisfy the Food Authority that other materials used are appropriate;
 - (c) ceilings (or, if there are no ceilings, the interior surface of the roof) and overhead fixtures must be constructed and finished so as to prevent the accumulation of dirt and to reduce condensation, the growth of undesirable mould and the shedding of particles;
 - (d) windows and other openings must be constructed to prevent the accumulation of dirt. Those which can be opened to the outside environment must be fitted, if necessary, with insect-proof screens which can be easily removed for cleaning. If open windows would result in contamination, windows must remain closed and fixed during production;
 - (e) doors must be easy to clean and, if necessary, to disinfect. This will require the use of smooth and non-absorbent surfaces unless food business operators can satisfy the Food Authority that other materials used are appropriate; and
 - (f) surfaces (including surfaces of equipment) in areas where foods are handled and in particular those in contact with food must be maintained in a sound condition and be easy to clean and, if necessary, to disinfect. This will require the use of smooth, washable corrosion-resistant and non-toxic materials, unless food business operators can satisfy the Food Authority that other materials used are appropriate.
2. Adequate facilities must be provided, if necessary, for the cleaning, disinfecting and storage of working utensils and equipment. These facilities must be constructed of corrosion-resistant materials, be easy to clean and be kept clean. These facilities must have an adequate supply of hot and cold water or water at a suitable controlled temperature.
 3. Adequate provision must be made, if necessary, for washing food. Every sink or other such facility provided for the washing of food must have an adequate supply of hot and/or cold potable water consistent with the requirements of Chapter VII and be kept clean and, if necessary, disinfected.

CHAPTER III

Requirements for movable and/or temporary premises (such as marquees, market stalls, mobile sales vehicles), premises used primarily as a private dwelling-house but where foods are regularly prepared for placing on the market and vending machines

1. Premises and vending machines must be, so far as is reasonably practicable, so sited, designed, constructed and kept clean and maintained in good repair and condition as to avoid the risk of contamination, in particular by animals and pests.2. In particular, if necessary—
 - (a) appropriate facilities must be available to maintain adequate personal hygiene (including facilities for the hygienic washing, drying and cleansing of hands, hygienic sanitary arrangements and changing facilities);

- (b) surfaces in contact with food must be in a sound condition and be easy to clean and, if necessary, to disinfect. This will require the use of smooth, washable, corrosion-resistant and non-toxic materials, unless food business operators can satisfy the Food Authority that other materials used are appropriate;
- (c) adequate provision must be made for the cleaning and, if necessary, disinfecting of working utensils and equipment;
- (d) if foodstuffs are cleaned as part of the food business operations, adequate provision must be made for this to be undertaken hygienically;
- (e) an adequate supply of hot and/or cold potable water must be available;
- (f) adequate arrangements and/or facilities for the hygienic storage and disposal of hazardous and/or inedible substances and waste (whether liquid or solid) must be available;
- (g) adequate facilities and/or arrangements for maintaining and monitoring suitable food temperature conditions must be available;
- (h) foodstuffs must be so placed as to avoid the risk of contamination so far as is reasonably practicable.

CHAPTER IV

Transport

1. Conveyances and/or containers used for transporting foodstuffs must be kept clean and maintained in good repair and condition to protect foodstuffs from contamination and, if necessary, must be designed and constructed to permit adequate cleaning and/or disinfection.
2. Receptacles in vehicles and/or containers must not be used for transporting anything other than foodstuffs if this may result in contamination.
3. If conveyances and/or containers are used for transporting anything in addition to foodstuffs or for transporting different foodstuffs at the same time, if necessary, there must be effective separation of products.
4. Bulk foodstuffs in liquid, granulate or powder form must be transported in receptacles and/or containers/tankers reserved for the transport of foodstuffs. Such containers must be marked in a clearly visible and indelible fashion, to show that they are used for the transport of foodstuffs, or must be marked 'for foodstuffs only'.
5. If conveyances and/or containers have been used for transporting anything other than foodstuffs or for transporting different foodstuffs, there must be effective cleaning between loads to avoid the risk of contamination.
6. Foodstuffs in conveyances and/or containers must be so placed and protected as to minimise the risk of contamination.
7. If necessary, conveyances and/or containers used for transporting foodstuffs must be capable of maintaining foodstuffs at appropriate temperatures and allow those temperatures to be monitored.

CHAPTER V

Equipment requirements

1. All articles, fittings and equipment with which food comes into contact must—
 - (a) be effectively cleaned and, if necessary, disinfected. Cleaning and disinfection must take place at a frequency sufficient to avoid any risk of contamination;
 - (b) be so constructed, be of such materials and be kept in such good order, repair and condition as to minimise any risk of contamination;

- (c) with the exception of non-returnable containers and packaging, be so constructed, be of such materials and be kept in such good order, repair and condition as to enable them to be kept clean and, if necessary, be disinfected; and
 - (d) be installed in such a manner as to allow adequate cleaning of the equipment and the surrounding area.
- 2. If chemical additives have to be used to prevent corrosion of equipment and containers, they must be used in accordance with good Health and Safety practice.

CHAPTER VI

Food waste

1. Food waste, non-edible by-products and other refuse must be removed from rooms where food is present as quickly as possible, so as to avoid their accumulation, and at least at the end of each working day or shift.
2. Food waste, non-edible by-products and other refuse must be deposited in closable containers, unless food business operators can demonstrate to the Food Authority that other types of containers or evacuation systems used are appropriate. These containers should be appropriately labelled, of an appropriate construction, kept in sound condition, be easy to clean and, if necessary, to disinfect.
3. Adequate provision must be made for the storage and disposal of food waste, non-edible by-products and other refuse. Refuse stores must be designed and managed in such a way as to enable them to be kept clean and, if necessary, free of animals and pests.
4. All waste must be eliminated in a hygienic and environmentally friendly way in accordance with St Helena legislation, and must not constitute a direct or indirect source of contamination.

CHAPTER VII

Water supply

1. There must be an adequate supply of potable water, which must be used whenever necessary to ensure that foodstuffs are not contaminated and—
 - (a) clean water may be used with whole fishery products;
 - (b) clean seawater may be used with live bivalve molluscs, echinoderms, tunicates and marine gastropods; clean water may also be used for external washing. When such water is used, adequate facilities must be available for its supply.
2. If non-potable water is used, for example for fire control, steam production, refrigeration and other similar purposes, it must circulate in a separate duly identified system. Non-potable water must not connect with, or allow reflux into, potable water systems.
3. Recycled water used in processing or as an ingredient must not present a risk of contamination. It must be of the same standard as potable water, unless the competent authority is satisfied that the quality of the water cannot affect the wholesomeness of the foodstuff in its finished form.
4. Ice which comes into contact with food or which may contaminate food must be made from potable water or, when used to chill whole fishery products, clean water. It must be made, handled and stored under conditions that protect it from contamination.
5. Steam used directly in contact with food must not contain any substance that presents a hazard to health or is likely to contaminate the food.
6. If heat treatment is applied to foodstuffs it must be ensured that any water used to cool the containers or food stuffs after heat treatment is not a source of contamination for the foodstuff.

CHAPTER VIII

Personal hygiene

1. Every person working in a food-handling area must maintain a high degree of personal cleanliness and must wear suitable, clean and, if necessary, protective clothing.
2. No person may smoke or use any form of tobacco, including snuff, while working in a food handling area or handling open food.
3. Food handlers must refrain from eating, drinking and/or spitting while working in a food handling area or handling open food.
4. Food handlers must keep any open cut or abrasion on any exposed part of his or her person covered with a conspicuously coloured waterproof dressing.
5. A person suffering from cold or flu like symptoms or being a carrier of a disease likely to be transmitted through food or afflicted, for example, with infected wounds, skin infections, sores or diarrhoea must not be permitted to handle food or enter any food-handling area in any capacity if there is any likelihood of direct or indirect contamination, and—
 - (a) any person so affected and employed in a food business who is likely to come into contact with food must report immediately the illness or symptoms, and if possible their causes, to the food business operator;
 - (b) the food business operator must inform the Food Authority of the actions taken to prevent transmission of the disease.
6. If the Food Authority has any reason to believe that a food handler is suffering from cold or flu like symptoms, or is a carrier of a disease likely to be transmitted through food or is afflicted, for example, with infected wounds, skin infections, sores or diarrhoea, an authorised officer may require that food handler to submit to a medical examination by a medical officer, and—
 - (a) the medical officer must issue a certificate stating whether the person is fit or unfit to come into contact with food;
 - (b) the food handler must cease handling food during the process of medical examination, including the time required for processing of any specimens; and
 - (c) if the certificate states the person is unfit to handle food that person must cease work until he or she has obtained a certificate of good health from a medical officer.

CHAPTER IX

Provisions applicable to foodstuffs

1. A food business operator must not accept raw materials or ingredients, other than live animals, or any other material used in processing products, if they are known to be, or might reasonably be expected to be, contaminated with parasites, pathogenic microorganisms or toxic, decomposed or contain foreign substances to such an extent that, even after the food business operator had hygienically applied normal sorting and/or preparatory or processing procedures, the final product would be unfit for human consumption.
2. Raw materials and all ingredients stored in a food business must be kept in appropriate conditions designed to prevent harmful deterioration and protect them from contamination.
3. At all stages of production, processing and distribution, food must be protected against any contamination likely to render the food unfit for human consumption, injurious to

- health or contaminated in such a way that it would be unreasonable to expect it to be consumed in that state.
4. Adequate procedures must be in place to control pests. Adequate procedures must also be in place to prevent domestic animals from having access to places where food is prepared, handled or stored (or, if the Food Authority so permits or authorise in special cases, to prevent such access from resulting in contamination).
 5. Raw materials, ingredients, intermediate products and finished products likely to support the reproduction of pathogenic micro-organisms or the formation of toxins must not be kept at temperatures that might result in a risk to health and the following requirements apply:
 - (a) Chill Holding Requirements:
 - (i) Any food which is likely to support the growth of pathogenic micro-organisms or the formation of toxins held in a food premises which does not require approval under the Food Safety (Products of Animal Origin) Regulations must be kept at or below 5⁰C, but if the food is for service or on display for sale it may be held above 5⁰C for a single period, not exceeding 4 hours.
 - (ii) Any food which is likely to support the growth of pathogenic micro-organisms or the formation of toxins which is held in an establishment requiring approval under the Food Safety (Products of Animal Origin) Regulations must comply with the chill holding requirements of that Regulation.
 - (iii) The cold chain must not be interrupted; however, limited periods outside temperature control are permitted to accommodate the practicalities of handling during preparation, transport and storage, of food, provided that it does not result in a risk to health.
 - (b) Hot Holding Requirements:
 - (i) Food in a food premises which has been cooked or re-heated, which is for service or on display for sale and which is likely to support the growth of pathogenic micro-organisms or the formation of toxins must be kept at or above 63⁰C, but if the food is for service or on display for sale it may be held below 63⁰C for a single period, not exceeding 2 hours.
 6. Food businesses manufacturing, handling and wrapping processed foodstuffs must have suitable rooms, large enough for the separate storage of raw materials from processed material and sufficient separate refrigerated storage.
 7. If foodstuffs are to be held or served at chilled temperatures they must be cooled as quickly as possible following the heat-processing stage, or final preparation stage if no heat process is applied, to a temperature which does not result in a risk to health.
 8. The thawing of foodstuffs must be undertaken in such a way as to minimise the risk of growth of pathogenic microorganisms or the formation of toxins in the foods. During thawing, foods must be subjected to temperatures that would not result in a risk to health. If run-off liquid from the thawing process is likely to present a risk to health, the liquid must be adequately drained. Following thawing, food must be handled in such a manner as to minimise the risk of growth of pathogenic microorganisms or the formation of toxins.
 9. Hazardous and/or inedible substances, including animal feed, must be adequately labelled and stored in separate and secure containers.

CHAPTER X
Provisions applicable to the wrapping and packaging of foodstuffs

1. Material used for wrapping and packaging must not be a source of contamination.
2. Wrapping materials must be stored in such a manner that they are not exposed to a risk of contamination.
3. Wrapping and packaging operations must be carried out so as to avoid contamination of the products. If appropriate and in particular in the case of cans and glass jars, the integrity of the container's construction and its cleanliness must be assured. Any container not originally used for food should not be used for storage of food.
4. Wrapping and packaging material re-used for foodstuffs must be easy to clean and, if necessary, to disinfect.

CHAPTER XI
Training

1. Food business operators must ensure—
 - (a) that food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity;
 - (b) that those responsible for the development and maintenance of the procedure referred to in Regulation 5(1) have received adequate training in the application of the HACCP principles; and
 - (c) compliance with any requirements of the law concerning training programmes for persons working in certain food sectors.

SCHEDULE III
(Regulation 2)

PARAMETERS FOR POTABLE WATER
PRESCRIBED CONCENTRATIONS AND VALUES

TABLE A
MICROBIOLOGICAL PARAMETERS

<i>Item</i>	<i>Name</i>	<i>Concentration or Value maximum)</i>	<i>Units of Measurement</i>	<i>Point of compliance</i>
1.	Enterococci	0	number/100ml	Consumers' taps
2.	<i>Escherichia coli</i> (<i>E. coli</i>)	0	number/100ml	Consumers' taps

TABLE B
CHEMICAL PARAMETERS

<i>Item</i>	<i>Name</i>	<i>Concentration or Value maximum)</i>	<i>Units of Measurement</i>	<i>Point of compliance</i>
1.	Acrylamide	0.10	µg/l	(i)
2.	Antimony	5.0	µgSb/l	Consumers' taps
3.	Arsenic	10	µgAs/l	Consumers' taps

4.	Benzene	1.0	µg/l	Consumers' taps
5.	Benzo(a)pyrene	0.010	µg/l	Consumers' taps
6.	Boron	1.0	mgB/l	Consumers' taps
7.	Bromate	10	µgBrO ₃ /l	Consumers' taps
8.	Cadmium	5.0	µgCd/l	Consumers' taps
9.	Chromium	50	µgCr/l	Consumers' taps
10.	Copper	2.0	mgCu/l	Consumers' taps
11.	Cyanide	50	µgCN/l	Consumers' taps
12.	1, 2 dichloroethane	3.0	µg/l	Consumers' taps
<hr/>				
13.	Epichlorohydrin	0.10	µg/l	(i)
14.	Fluoride	1.5	mgF/l	Consumers' taps
15.	Lead	10	µgPb/l	Consumers' taps
16.	Mercury	1.0	µgHg/l	Consumers' taps
17.	Nickel	20	µgNi/l	Consumers' taps
18.	Nitrate	50	mgNO ₃ /l	Consumers' taps
19.	Nitrite	0.50	mgNO ₂ /l	Consumers' taps
		0.10		Treatment works
20.	Pesticides ⁽ⁱⁱ⁾⁽ⁱⁱⁱ⁾			
	Aldrin	0.030	µg/l	Consumers'

	Dieldrin			taps
	Heptachlor			
	Heptachlor epoxide			
	other pesticides	0.10	µg/l	Consumers' taps
21.	Pesticides: Total ^(iv)	0.50	µg/l	Consumers' taps
22.	Polycyclic aromatic hydrocarbons ^(v)	0.10	µg/l	Consumers' taps
23.	Selenium	10	µgSe/l	Consumers' taps
24.	Tetrachloroethene and Trichloroethene ^(vi)	10	µg/l	Consumers' taps
25.	Trihalomethanes: Total ^(vii)	100	µg/l	Consumers' taps
26.	Vinyl chloride	0.50	µg/l	(i)

Notes:

(i)

The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water. This is controlled by product specification.

(ii)

Pesticides means:

organic insecticides

organic herbicides

organic fungicides

organic nematocides

organic ascaricides

organic algicides

organic rodenticides

organic slimicides

related products (inter alia, growth regulators) and their relevant metabolites, degradation and reaction products.

(iii)

The parametric value applies to each individual pesticide.

(iv)

“Pesticides: Total” means the sum of the concentrations of the individual pesticides detected and quantified in the monitoring procedure.

(v)

The specified compounds are:

benzo(b)fluoranthene
benzo(k)fluoranthene
benzo(ghi)perylene
indeno(1,2,3-cd)pyrene.

The parametric value applies to the sum of the concentrations of the individual compounds detected and quantified in the monitoring process.

(vi)

The parametric value applies to the sum of the concentrations of the individual compounds detected and quantified in the monitoring process.

(vii)

The specified compounds are:

chloroform
bromoform
dibromochloromethane
bromodichloromethane.

The parametric value applies to the sum of the concentrations of the individual compounds detected and quantified in the monitoring process.

PART II: NATIONAL REQUIREMENTS

<i>Item</i>	<i>Parameters</i>	<i>Concentration or Value (maximum)</i>	<i>Units of Measurement</i>	<i>Point of compliance</i>
1.	Aluminium	200	µgAl/l	Consumers' taps
2.	Colour	20	mg/l Pt/Co	Consumers' taps
3.				
4.	Iron	200	µgFe/l	Consumers' taps
5.	Manganese	50	µgMn/l	Consumers' taps
6.	Odour	Acceptable to consumers and no abnormal change		Consumers' taps
7.	Sodium	200	mgNa/l	Consumers' taps
8.	Taste	Acceptable to consumers and no abnormal change		Consumers' taps
9.	Tetrachloromethane	3	µg/l	Consumers' taps
10.	Turbidity	4	NTU	Consumers' taps

