



THE FOOD HYGIENE REGULATIONS 1974, AMENDMENT NO. 4

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 19th day of December
1983

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 117 of the Health Act 1956 and section 46 of the Food and Drug Act 1969, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Food Hygiene Regulations 1974, Amendment No. 4, and shall be read together with and deemed part of the Food Hygiene Regulations 1974* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of January 1984.

2. Food storage—(1) Regulation 15 (3) of the principal regulations is hereby amended by revoking paragraph (d), and substituting the following paragraph:

“(d) All food to be sold by retail in a frozen condition shall,—

“(i) Before being displayed for sale, have been maintained in a wholesome condition at or below a temperature of -18°C ; and

“(ii) While being displayed for sale, be maintained in a wholesome condition at or below a temperature of -12°C ,— and shall not at any time have been refrozen after thawing; and”.

*S.R. 1974/169

Amendment No. 1: S.R. 1976/268

Amendment No. 2: S.R. 1980/266

Amendment No. 3: S.R. 1981/326

(2) Regulation 15 of the principal regulations is hereby further amended by inserting, after subclause (3), the following subclause:

“(3A) For the purposes of subclause (3) (d) (ii) of this regulation, ice cream and frozen confection kept in bulk packages from which individual servings are taken for retail sale shall be deemed to be being displayed for sale whether or not those packages are exposed to the view of a customer.”

(3) The following regulations are hereby revoked:

- (a) Regulation 6 (4) of the principal regulations (as added by regulation 6 of the Food Hygiene Regulations 1974, Amendment No. 1):
- (b) Regulation 6 of the Food Hygiene Regulations 1974, Amendment No. 1:
- (c) Regulation 3 of the Food Hygiene Regulations 1974, Amendment No. 2.

3. Transport of meat and fish—(1) The principal regulations are hereby amended by revoking regulation 47, and substituting the following regulation:

“47. (1) In this regulation,—

“ ‘Carcass’ means the body and head of any slaughtered animal (other than poultry and rabbits) after bleeding and dressing;

“ ‘Dressing’ has the same meaning as the term ‘dress’ in section 2 (1) of the Meat Act 1981:

“ ‘Portion of a carcass’ means the head, sides, and quarters of a carcass.

“(2) No person shall convey or deliver any meat or fish for sale unless, while it is being conveyed or delivered, it is kept covered and enclosed so as to be protected from dust, flies, and all other sources of contamination.

“(3) No person shall convey any cooked meat from the place where it is prepared to any other place for sale unless—

“(a) It is enclosed in clean paper, and in an outer wrapper or container that will adequately protect it from contamination; or

“(b) It is conveyed in a clean receptacle of a suitable type and material that protects the meat from contamination.

“(4) No person shall use more than once for the packing of cooked meat for sale any outer wrapper or container referred to in subclause (3) (a) of this regulation that is made of cardboard or similar absorbent material.

“(5) No person shall use any vehicle to convey any carcass or portion of a carcass for sale unless the vehicle is equipped with a permanent canopy that is constructed of metal or other suitable material so that—

“(a) The meat in transit can be suspended or hung on rails; and

“(b) Apart from screened ventilating openings, the canopy completely encloses the meat:

“Provided that this subclause shall not apply to any vehicle if the Medical Officer of Health, taking into account the conditions under which the vehicle operates, is of the opinion that it is constructed so as to protect the meat adequately while it is being conveyed in the vehicle and while it is being loaded and unloaded.

“(6) Except in a case where the Medical Officer of Health is satisfied that the vehicle complies with the proviso to subclause (5) of this regulation, no person shall use any vehicle to convey any carcass or portion of a carcass for sale unless the carcass or portion is suspended or hung on rails in such a way as to avoid contact with the floor.

“(7) No person shall, during the conveyance of any carcass or portion of a carcass, deposit it on any roadway, wharf, or railway platform, or on the floor of any railway wagon or on the deck of any vessel or vehicle, or on any similar surface open to traffic, unless—

“(a) In the case of conveyance by road, the carcass or portion is adequately protected from contamination; or

“(b) In any other case, the carcass or portion is enclosed in a clean receptacle or cover.

“(8) No person shall convey any inedible offal, refuse meat, bone, or other rejected material from premises used for the sale of meat or fish, in any vehicle used for the conveyance of meat or fish for sale, unless the offal, refuse meat, bone, or other material is carried in a separate container constructed of impervious material, with a close fitting lid or other effective means of closing, and the container, if not a single service article, is cleaned immediately after each such use and is kept clean and in good repair.

“(9) Every person engaged in the handling or conveyance of meat for sale shall wear protective coverings, made of light-coloured material, on his head, neck, and shoulders to prevent the meat from coming into direct contact with his head and neck, and shall ensure that the coverings are maintained in a clean condition, and are sufficient for the purpose.

“(10) No person shall use any vehicle for the conveyance of meat or fish for retail sale, unless the vehicle—

“(a) Is kept closed when containing meat or fish for sale (except during the loading, unloading, or sale of the meat or fish); and

“(b) Is kept clean and in good repair; and

“(c) Is cleaned at the end of each working day, except on any day when it is used only for delivering frozen food.

“(11) Every person who receives for sale any meat or fish packed in any receptacle intended to be used again for containing meat or fish for sale shall clean the receptacle or cause it to be cleaned as soon as practicable after the contents are removed from it.

“(12) No person shall use any container for the packing of fish for sale, except in accordance with the following requirements:

“(a) All returnable fish containers shall be constructed entirely of metal, plastic materials, or plastic coated wood, or of a combination of those materials:

“(b) All returnable fish containers shall, immediately after use, be thoroughly washed with clean hot water to which a suitable detergent has been added, and shall be scrubbed and rinsed with chlorinated water containing 100 milligrams per litre of chlorine or of any other sterilising agent of equivalent strength:

“(c) All non-returnable fish containers shall be constructed of new materials, and shall not be used more than once for the conveyance and holding of fish:

“(d) No fish container shall be used for any purpose other than the holding of fish in transit.”

(2) Regulation 18 of the Food Hygiene Regulations 1974, Amendment No. 1 is hereby revoked.

4. Duty of local authorities—Regulation 83 (4) of the principal regulations (as inserted by regulation 21 of the Food Hygiene Regulations 1974, Amendment No. 1) is hereby amended by omitting the word “retail”.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

Regulation 2 amends regulation 15 of the principal regulations relating to the storage of frozen food for retail sale. As the regulation stands at present, as from 1 January 1984 all such food must be stored at -18°C . Under this amendment, food displayed for sale (including ice cream and frozen confection) may be stored at -12°C or below.

Regulation 3: The principal change is to require meat carcasses to be hung on hooks while being transported unless the Medical Officer of Health is satisfied that some other arrangement adequately protects the meat from contamination.

Regulation 4 has the effect of making it clear that the Department of Health has the responsibility of inspecting vehicles transporting meat from the abattoir to the wholesaler as well as those transporting meat direct to the retailer.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 December 1983.

These regulations are administered in the Department of Health.