

A.L. 105 ta' l-2004**ATT DWAR IS-SIGURTÀ FL-IKEL
(KAP. 449)****Regolamenti ta' l-2004 li jemendaw ir-Regolamenti ta' l-2002
dwar l-Iġjene ta' l-Ikel**

BIS-SAHHA tas-setghat moghtija bl-artikolu 10 ta' l-Att dwar is-Sigurtà fl-Ikel, il-Ministru tas-Sahha ghamel ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2004 li jemendaw ir-Regolamenti ta' l-2002 dwar l-Iġjene ta' l-Ikel, u ghandhom jinqraw u jinftiehm bhalha haġa wahda mar-Regolamenti ta' l-2002 dwar l-Iġjene ta' l-Ikel, hawn iktar il-quddiem imsejhin "ir-regolamenti prinċipali".

Titolu. A.L. 264 ta' l-2002.

2. Dan li ġej ghandu jizzied mar-regolament 3 tar-regolamenti prinċipali minnufih wara t-tifsira 'ikel':-

Jemenda regolament 3 tar-regolamenti prinċipali

“ “ikel utieq” tfisser ikel tajjeb għall-konsum uman safejn ghandha x'taqsam l-iġjene;”.

3. Minflok regolament 4(3) tar-regolamenti prinċipali ghandu jidhol dan li ġej:-

Jemenda regolament 4 tar-regolamenti prinċipali

“(3) “Jekk, fl-opinjoni ta' l-awtorità tas-sahha, nuqqas ta' konformità ma' dawn ir-regolamenti jista' jwassal għal riskji għas-sigurtà jew tjubija wtieqa ta' oġġetti ta' l-ikel, hi ghandha tiehu l-miżuri mehtieġa kollha biex timpedixxi jew tnaqqas kemm jista' jkun dawk ir-riskji, inkluż l-irtirar ta' l-ikel jew l-gheluq għalkollox jew ta' parti minn negozju ta' l-ikel għal dak il-perjodu li jista' jkun mehtieġ biex tkun żgurata konformità mad-disposizzjonijiet ta' dawn ir-regolamenti.”.

4. (1). Minflok regolament 6(2) tar-regolamenti prinċipali ghandu jidhol dan li ġej:-

Jemenda regolament 6 tar-regolamenti prinċipali

“(2) “Il-proprjetarju ghandu wkoll jadotta dawk il-metodi adatti u mehtieġa li jistghu jiżguraw is-sigurtà ta' l-ikel. Għal dak l-iskop, konformità ma' kull gwida -

(i) pubblikata mill-Kummissjoni ghas-Sigurtà fl-Ikel skond il-paragrafu (i) tas-subartikolu (1) ta' l-artikolu 7 ta' l-Att, jew

(ii) approvata u rikonoxxuta mill-Kummissjoni ghas-Sigurtà fl-Ikel, ghandha titqies, safejn hu provdut fil-gwida, li tikkostitwixxi metodi ta' xoghol adatti u mehtiega.”

(2) Minnufih wara r-regolament 6(2) tar-regolamenti prinċipali, ghandhom jizdiedu dawn is-subregolamenti godda li ġejjin :-

“(3) Meta l-gwidi msemmija fir-regolament 6(2)(ii) ikunu żviluppatti, dawn ghandhom ikunu żviluppatti kif ġej:

(a) minn setturi tan-negozju ta' l-ikel u rappreżentanti ta' partijiet interessati ohra, bhalma huma awtoritajiet u gruppi ta' konsumaturi adatti,

(b) b'konsultazzjoni ma' interessi li jintlaqtu b'mod sostanzjali, inkluża l-Kummissjoni ghas-Sigurtà ta' l-Ikel,

(c) fejn ikun adatt, billi jinghata każ tal-Kodiċi ta' Prattika Internazzjonali Rakkomandat, Prinċipji ġenerali ta' Iġjene ta' l-Ikel tal-*Codex Alimentarius*.

6 (4) Il-Kummissjoni ghas-Sigurtà fl-Ikel, qabel ma tapprova u tirrikonoxxi xi gwida msemmija fir-regolament 6(2)(ii), ghandha tevalwa dik il-gwida bl-iskop li tiddeċiedi safejn tista' tkun prezunta li tkun qed tikkonforma mar-regolament 7.”.

Jemenda Part II ta' l-Iskeda li tinsab mar-regolamenti prinċipali.

5. Minflok il-paragrafu 4 ta' Parti II ta' l-Iskeda li tinsab mar-regolamenti prinċipali ghandu jidhol dan li ġej:-

“4. Twieqi u ftuh iehor ghandhom ikunu mibnija b'mod li jimpedixxi l-akkumulazzjoni tal-hmieġ. Dawk li jistgħu jinfethu għal fuq ambjent fuq barra ghandhom ikunu mghammra bi skrinijiet li jilqgħu għall-insetti u li jistgħu jinqalgħu malajr biex jitnaddfu; meta twieqi miftuhin jistgħu jikkagunaw kontaminazzjoni ta' oġġetti ta' l-ikel, it-twieqi ghandhom jibqgħu magħluqin u f'posthom waqt il-produzzjoni:

Iżda l-awtorità tas-sahha tista' tawtorizza l-użu ta' mekkanizmi ohra għall-kontroll ta' l-insetti flok il-htieġa ta' skrin li jilqa' għall-insetti.”.

6. Minflok is-sub-paragrafu (ċ) tal-paragrafu 2 tal-Parti V ta' l-Iskeda li tinsab mar-regolamenti prinċipali għandu jidhol dan li ġej:-

Jemenda Part V ta' l-Iskeda li tinsab mar-regolamenti prinċipali.

“(ċ) bl-eċċezzjoni ta' kontenituri u ppakkjar li ma jitreġġgħux lura, ikun mibni b' mod, ikunu ta' materjal tali u jinżamm fi stat daqstant tajjeb, u fi stat ta' tiswija u kondizzjoni li jippermettu li jinżammu ghalkollox nodfa u, meta jkun hekk mehtieg, jiġu dizinfettati, biżżejjed għall-iskopijiet maħsuba;”.

7. Il-paragrafu li ġej għandu jżied mal-Parti IX ta' l-Iskeda li tinsab mar-regolamenti prinċipali:-

Jemenda Part IX ta' l-Iskeda li tinsab mar-regolamenti prinċipali

“Ittikettjar adegwat

8. Sustanzi perikolużi uċjew li ma jistgħux jittieklu, inkluż ikel għall-annimali, għandhom ikunu ttikkettati adegwament u maħzunin f' kontenituri separati u siguri.”.

8. Dan li ġej għandu jżied minnufih wara Parti IX bhala Parti X ta' l-Iskeda li tinsab mar-regolamenti prinċipali:-

żieda ta' Taqsima ġdida ma' l-Iskeda li tinsab mar-regolamenti prinċipali

“PARTI X

Tahriġ

Operaturi ta' negozji ta' l-ikel għandhom jiżguraw li dawk li jmissu l-ikel ikollhom superviżjoni u jkunu mghallma uċjew imharrġa f'dak li għandu x'jaqsam ma' iġjene ta' l-ikel skond li jkunu jagħmlu fuq ix-xogħol.”.

L.N. 105 of 2004

**FOOD SAFETY ACT
(CAP. 449)**

The Hygiene of Food (Amendment) Regulations, 2004

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister of Health has made the following regulations:-

Citation. L.N. 264
of 2002.

1. The title of these regulations is the Hygiene of Foods (Amendment) Regulations, 2004, and they shall be read and construed as one with the Hygiene of Food Regulations, 2002, hereinafter referred to as “the principal regulations”.

Amends regulation
3 of the principal
regulations

2. The following shall be added to regulation 3 of the principal regulations immediately after the definition ‘sale’:-

““wholesome food” means food which is fit for human consumption as far as hygiene is concerned.”

Amends regulation
4 of the principal
regulations

3. For regulation 4(3) of the principal regulations there shall be substituted the following:-

“(3) “If, in the opinion of the health authority, failure to comply with these regulations may result in risks to the safety or wholesomeness of food, it shall take all the appropriate measures to prevent or minimize such risks, including the withdrawal of the food or the closure of all or part of a food business for such period as may be required to secure compliance with the provisions of these regulations.”.

Amends regulation
6 of the principal
regulations

4. (1) For regulation 6(2) of the principal regulations there shall be substituted the following:-

“(2) The proprietor shall also adopt such appropriate working methods as will ensure the safety of the food. For such purpose, compliance with any guide -

(i) published by the Food Safety Commission in terms of paragraph (i) of subarticle (1) of article 7 of the Act, or

(ii) approved and recognized by the Food Safety Commission, shall be deemed, to the extent provided in the guide, to constitute appropriate working methods.”.

(2). Immediately after regulation 6(2) of the principal regulations, there shall be added the following new sub-regulations :-

“(3) Where the guides referred to in regulation 6(2)(ii) are developed, they shall be developed as follows:

(a) by food business sectors and representatives of other interested parties, such as appropriate authorities and consumer groups,

(b) in consultation with interests substantially affected, including the Food Safety Commission,

(c) where appropriate, having regard to the Recommended International Code of Practice, General Principles of Food Hygiene of the *Codex Alimentarius*.

(4) The Food Safety Commission, prior to approving and recognizing any guide referred to in regulation 6(2)(ii), shall assess it with a view to determining the extent to which it may be presumed to comply with regulation 7.”.

5. For paragraph 4 of Part II of the Schedule to the principal regulations there shall be substituted the following:-

Amends Part II of the Schedule to the principal regulations

“4. 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 with insect-proof screens which can be easily removed for cleaning; where open windows would result in contamination of food, windows must remain closed and fixed during production:

Provided that the health authority may authorise the use of other insect control mechanisms in lieu of the requirement for an insect-proof screen.”.

6. For subparagraph (c) of paragraph 2 of Part V of the Schedule to the principal regulations there shall be substituted the following:-

Amends Part V of the Schedule to the principal regulations

“(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 thoroughly cleaned and, where necessary, disinfected, sufficient for the purposes intended;”.

Amends Part IX of the Schedule to the principal regulations

7. The following paragraph shall be added to Part IX of the Schedule to the principal regulations:-

“Adequate labelling

8. Hazardous and/or inedible substances, including animal feedstuffs, shall be adequately labelled and stored in separate and secure containers.”.

Adds new Part X to the Schedule to the principal regulations

8. The following shall be added immediately after Part IX as Part X of the Schedule to the principal regulations:-

“PART X

Training

Food business operators shall ensure that food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity.”.