

## THE FOOD ACT, NO.26 OF 1980

REGULATIONS made by the Minister of Health, Nutrition and Indigenous Medicine after consultation with the food advisory committee under section 32 of the Food Act, No.26 of 1980, read with section 7 of the aforesaid Act.

Dr. Rajitha Senarathne

Minister of Health  
Nutrition and Indigenous Medicine

Colombo,  
....., 2019

### REGULATIONS

1. These regulations may be cited as Food (Registration of Premises) Regulations of 2019, and shall come into operation from 01.01.2020
2. Every person who manufactures, prepares, preserves, packages, stores, any food for sale or offers for sale in a premises set out in schedule II shall make an application for registering of such premises in the form as set out in Schedule I hereto and submit it to the relevant Food Authority, along with the certified copies of the relevant documents, the report on medical examination of food handlers as set out in Schedule VI, and the applicable fee.
3. Fee payable for the processing of the application shall be as set out in schedule V hereto.
4. On receipt of an application, and the payment of the processing fee, the relevant Food Authority shall, enter the relevant details in the register set out in the Schedule III hereto and within seven working days, refer the application to the relevant authorized officer.
5. The authorized officer shall maintain a register as set out in the Schedule IV hereto, at his office where the details of each application shall be entered.
6. The authorized officer shall within fourteen working days of the receipt of the Application, inspect the relevant premises in accordance with the specifications set out in the application and submit the report to the food authority together with his recommendations. In case the first inspection is not satisfactory, second inspection shall be carried out on the written instructions of the food authority.

7. The relevant food Authority, after receiving the assessment report from the relevant authorized officer and verifying the assessment if necessary shall within seven working days -
  - (a) issue the certificate of registration with a copy to the relevant authorized officer; or
  - (b) reject the application and inform the applicant of the recommendations with a copy to the relevant authorized officer.
8. The applicant whose application was rejected under paragraph (b) of regulation 7 may upon receipt of the decision of the relevant food Authority, after fulfilling the recommendations set out in the assessment report of the authorized officer, resubmit his application in a fresh application form as set out in Schedule I hereto together with certified copies of all the documents he may have received regarding his previous application.
9. Any application received under regulation 8 shall be considered as an application received under regulation 2.
10. The certificate of registration as set out in the Schedule VII hereto, shall be in force for a period of two years and be renewed by submitting an application as set out in Schedule I together with the certified copies of the relevant documents and the applicable application and processing fee.
11. The certificate of registration as set out in Schedule VII hereto shall contain an unique Identification numbering system provided by the chief food authority and signed by the relevant Food Authority and affixed with the official seal. The details of every certificate of registration issued shall be entered in the Register as set out in Schedule VIII by the relevant Food Authority.
12. Any person aggrieved by a decision made under paragraph (b) of regulation 7 may appeal to the Regional Director of Health Services within ten working days of the receipt of such decision.
13. The Regional Director of Health Services upon receiving an appeal under regulation 12 shall appoint a committee consisting of a Medical Officer of Health from an area where the appeal did not originate, Food and Drugs Inspector and Divisional Supervising Public Health Inspector (hereinafter referred to as the "Appeal Committee")
14. The Appeal Committee shall within ten working days after its constitution, inspect the relevant premises and make its recommendations to the Regional Director of Health Services.

15. The Regional Director of Health services after considering the recommendations of the appeal Committee may –
- (a) Allow the appeal; or
  - (b) Dismiss the appeal with reasons assigned,

And shall inform the applicant and the food authority of his decision within seven working days and the food authority shall carry out the decision of the regional Director of health services.

16. The registering and processing fee in respect of any premises shall be paid in accordance with the categories of premises as set out in the Schedule II hereto and a receipt indicating the amount paid and the registration number shall be issued to the applicant.?
17. The certificate of registration shall be displayed at a conspicuous place within the premises in a manner that it is visible to the customers and inspecting officers.
18. No changes or alteration to the structure or facilities shall be made to the premises in respect of which the certificate of registration is issued without notifying the Food Authority in writing. However this shall not prevent the changes or alterations which are carried out in order to improve the processes including food safety and hygiene subject to provisions of the food (Hygiene) Regulations 2011.
19. Application for the renewal of the certificate of registration shall be made to the Food authority three months before the date of expiration of the certificate of registration.
20. In the event of loss or damage to the certificate of registration , an application for a copy thereof shall be made to the Food Authority subject to a fee of rupees five hundred.
21. Any person who manufactures, prepares, preserves, packages, stores any food for sale or offer for sale in any premises on the relevant operational date of these regulations, obtain a certificate of registration within six months from the date of coming into force of these regulations.
22. Notwithstanding the type of the establishment applied for the description appearing in the signboard displayed in respect of the existing establishment, the establishment shall be designated in accordance with the provisions of categories stipulated in schedule II of these regulations.
23. For the purposes of these regulations –

“AOC” means Ameba, ova and cyst

“authorized Officer” has the same meaning as assigned to it in the Food Act;

“bakery” means a commercial establishment that produces and sells baked flour based foods such as bread, cookies, cakes, pastries, pies etc.;

“canteen” means a commercial establishment where customers sit and eat meals served in the same premises provided by the organization such as an institution, school, college, university, factory or company for its students or staff;

“catering establishment” means a commercial establishment providing food and beverages at a social event or other gathering;

“Food Act” means the Food Act, No.26 of 1980;

“Food Authority” has the same meaning offering as assigned to it in the Food Act;

“food handler” means any person who directly handles unpackaged food, food equipment and utensils or food contact surfaces;

“food store” means a warehouse for the temporary keeping of food;

“GHP” means Good Hygiene practices;

“GMP” means Good Manufacturing practices;

“hotel or resort” means a commercial establishment providing accommodation, meals, beverages and other guest services;

“ice cream, confections, yoghurt and dessert manufacturing facility” means a premises where ice cream, confections, yoghurt and desserts are manufactured and served or sold or distributed to customers;

“Ice manufacturing facility” means where ice made of potable water is manufactured/sold.

“person” includes any body, persons corporate or unincorporated;

“potable water” means water that is physically, chemically and microbiologically safe for drinking, cooking and usable in food processing in compliance with SLS 614;

“premises” means any building or area in which food is handled for commercial purposes and it’s surroundings;

“restaurant or eating house” means a premises where people sit and consume meals, beverages or refreshment cooked or prepared and served on the premises;

“supermarket” means a self service store offering wide variety of food and household products, including ready to eat or prepared food; and

“tea, coffee, beverages or ice cream boutique” means a premises where tea, coffee, beverages and ice-cream are served.

“UFR” means Urine full report.

DRAFT