

L.N. 178 of 2001

**FOOD, DRUGS AND DRINKING WATER ACT
(CAP. 231)**

**FEES ORDINANCE
(CAP. 35)**

Food Handlers (Registration) Regulations, 2001

IN exercise of the powers conferred by article 12 of the Food, Drugs and Drinking Water Act, and by article 2 of the Fees Ordinance, the Minister of Health on the advice of the Malta Standards Authority and with the concurrence of the Minister of Finance, has made the following regulations:—

1. The title of these regulations is the Food Handlers (Registration) Regulations, 2001. Citation and commencement.

(2) These regulations shall come into force on the 1st January, 2002.

2. In these regulations unless the context otherwise requires - Definitions.

“the Act” means the Food, Drugs and Drinking Water Act;

“commercial operation” in relating to food or contact material means any of the following:

(a) selling, possessing for sale, and offering, exposing or advertising for sale;

(b) consigning, delivering or serving by way of sale;

(c) preparing for sale or presenting, labelling or wrapping for the purpose of sale;

(d) storing or transporting for the purpose of sale;

(e) importing or exporting,

and, in relation to any food source, means deriving food from such source for the purpose of sale or for purposes connected with sale;

“food business” means any business in the course of which commercial operations with respect to food or food sources are carried out, including the import and export of food, and whether carried on for profit or not;

“food handler” means any person engaged in the preparation, manufacture and treatment in terms of the Act in a food business, whether for profit or not, and who handles or prepares food intended for human consumption; and food handling shall be construed accordingly;

“high risk food” means foods which, under favourable conditions, support the multiplication of pathogenic bacteria and are intended for consumption without treatment which would destroy such pathogens;

“registration document” means a form of identification issued by the Superintendent to food handlers in possession of a valid certificate and in accordance with the categories of the Schedule;

“the Superintendent” means the Superintendent of Public Health;

“valid certificate” means any certification in good food hygiene practice issued by a body approved by the Superintendent, and certification shall be construed accordingly.

Registration of food handlers.

3. (1) No person shall act as a food handler without registering as such with the Superintendent.

(2) No person shall employ any food handlers in any food business who are not registered with the Superintendent and are in possession of a current registration document.

(3) Any food handler who applies for registration with the Superintendent must possess a valid certificate as described in the Schedule to these regulations.

Identification of food handlers.

4. (1) Any food handler registered with the Superintendent shall be issued with a registration document.

(2) The Superintendent shall keep a register of all food handlers issued with a registration document.

(3) Such registration document shall be valid for a period of two years or five years depending on the type of valid certificate presented.

(4) The Superintendent shall renew the registration document when requested to do so provided a valid certificate is also presented when the request is made.

(5) Such registration document shall be available for inspection by an authorised officer when so demanded.

5. There shall be paid to the Superintendent a fee of one lira when issuing or renewing a registration document. Such fee shall also be payable for the issuing of a replacement registration document. Levy of registration fee.

6. Food handlers are to submit to any medical examination or treatment as shall be required by the Superintendent. Medical requirements.

7. The Food (Licences) Regulations, 1998, are hereby repealed. Repeals L.N. 144 of 1998.

SCHEDULE

(Regulation 3)

<i>Category</i>	<i>Description</i>	<i>Validity of Certificate</i>
A.	1. Food handlers involved in the preparation, manufacture, packaging or handling of non-high risk food and wrapped food	2 years.
	2. Food handlers not directly involved in the preparation or manufacture of food	2 years.
B.	Food handlers involved in the preparation or manufacture of high risk food, and retailers and wholesalers that handle open (unwrapped) high risk food	5 years.