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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B. 11/1980 (XXXIII)

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,
14th June, 2019.

Regulations

1. These regulations may be cited as Food (Registration of Premises) Regulations of 2019, and shall come into effect from 1st January, 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 hereto shall make an application for the registration 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 with the application processing fee.



3. The application 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 application number shall be issued to the applicant.

4. On receipt of an application and the receipt of the payment for the application processing fee as set out in the Schedule V, 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 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 assessment report together with recommendations, to the relevant Food Authority :

Provided however, where the applicant has failed to fulfill the required specifications set out in the application, the relevant Food Authority shall instruct the authorized officer in writing to carry out a subsequent inspection of the premises.

7. The relevant Food Authority, after receiving the assessment report from the authorized officer and verifying the assessment report if necessary, shall within seven working days -

(a) issue the certificate of registration ; or

(b) reject the application and inform the applicant in writing of the reasons therefor.

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 requirements 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 relevant documents and the application processing fee.

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 application processing fee.

11. The certificate of registration, as set out in Schedule VII hereto shall contain a unique identification number issued 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 (MOH) from an area where the appeal did not originate, a Food and Drugs

Inspector (FDI) and the Divisional Supervising Public Health Inspector (SPHID) (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 relevant Food Authority of his decision within seven working days :

Provided where the appeal is allowed under Paragraph (a), the relevant Food Authority shall carry out the decision of the Regional Director of Health Services accordingly.

16. 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.

17. No changes or alterations to the structure or facilities shall be made to the premises in respect of which the certificate of registration is issued without the approval of the relevant Food Authority in writing. However, this shall not prevent the changes or alterations which may be carried out in order to improve the processes including food safety and hygiene.

18. Application for the renewal of the certificate of registration shall be made to the relevant Food Authority three months before the date of expiration of the certificate of registration.

19. In the event of loss or damage to the certificate of registration, an application for a copy thereof shall be made to the relevant Food Authority subject to a fee of Rupees five hundred.

20. Any person who has been manufacturing, preparing, preserving, packaging, storing any food for sale or offering for sale in any premises on the date on which these regulations come into effect shall, obtain a certificate of registration within six months from the date on which these regulations come into effect.

21. Where the ownership of the premises changes, the new owner shall notify the relevant Food Authority of the change of ownership.

22. These regulations shall not be applicable to any category of premises set out in Schedule II hereto in respect of which a valid certification of food safety management system, equivalent to ISO 22000 or above has been issued.

23. For the purposes of these regulations -

“AOC” means Amoeba, Ova and Cysts ;

“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, cookeis, cakes, pastries, pies and 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 social events and other gatherings ;
- “Food Act” means the Food Act, No. 26 of 1980 ;
- “Food Authority” has the same meaning as assigned to it in the Food Act ;
- “Food Handler” means any person who directly handles packaged or unpackaged food, food equipment and utensils or food contact surfaces ;
- “Food Store” means a ware house 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, Confectioneries, Yoghurt, Curd and Dessert manufacturing cottage industry” means an Ice Cream, Confectioneries, Yoghurt, Curd and desserts manufacturing business or such activity carried out in people’s homes ;
- “Ice manufacturing facility” means a facility where ice made of potable water is manufactured or sold ;
- “Person” includes anybody of persons corporate or unincorporate ;
- “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 under the control of the same management ;
- “Restaurant or Eating House” means a premises where people sit and consume meals, beverages or refreshments 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 ;
- “Tea, Coffee, Beverages or Ice Cream Boutique” means a premises where tea, coffee, beverages or ice-cream are served ; and
- “UFR” means a urine full report.

SCHEDULE I

(Regulations 2, 8 and 10)

Application for the certificate of registration of a Food Premises

Serial Number of the Application (Office use only)	
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Part I Identification Details		
	For Limited Company, Unlimited Company or a Company limited by guarantee	
1	Name of the company	
2	Address of Company (Please attach a map showing access)	
3	Company Registration Number	
4	Name of the premises (If different from above)	
5	Address of premises	
	For Individually owned Private Establishments	
6	Name of the premises	
7	Address of the premises (Please attach a map showing access)	
	Contact Details	
8	Name of the Applicant	
9	Position of the Applicant	
10	Telephone (fixed line)	
11	Telephone (mobile)	
12	E-mail address (if any)	
13	Category of the premises (Please refer to instructions before filling) Circle the relevant letter	A B C D E F G H I J

Part II Details of Food Handlers							
	<i>To be filled by the Applicant</i>						<i>To be filled by the authorized officer</i>
<i>Serial No.</i>	<i>Name</i>	<i>Position</i>	<i>Age</i>	<i>Sex</i>	<i>Duration of Employment</i>	<i>Whether trained (Yes/No)*</i>	<i>Personal medical examination done (Yes/No)*</i>
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
* Check records							
If this space is not enough please attach a separate sheet							

Part III Premises							
		<i>To be filled by the applicant (whether steps have been taken by the applicant to ensure the compliance of the following)</i>		<i>1st visit (To be filled by the authorized officer)</i>		<i>2nd visit (To be filled by the authorized officer)</i>	
		<i>Yes</i>	<i>No</i>	<i>Satisfactory</i>	<i>Unsatisfactory</i>	<i>Satisfactory</i>	<i>Unsatisfactory</i>
1	Premises clear of weeds, grass and litter						
2	Free from stagnant water on the ground						
3	Quality and safety of water supply						
4	Maintenance of floors, walls, ceilings, windows and screens and their cleanliness						
5	Measures in place to keep out insects						
6	Doors to the food handling area adequately sealed						
7	In areas where food is exposed, holes and cracks been filled so as not to provide hiding places or entry points for pets						
8	No signs of leaks in the roof, sky lights, windows screens or overhead piping in areas where food is exposed						

Part III (Contd.) Premises							
		To be filled by the applicant (whether steps have been taken by the applicant to ensure the compliance of the following)		1st visit (To be filled by the authorized officer)		2nd visit (To be filled by the authorized officer)	
		Yes	No	Satisfactory	Unsatisfactory	Satisfactory	Unsatisfactory
9	In areas where foods is exposed, the overhead lights covered with shields to prevent contamination of products by broken glass in case the lamps burst.						
10	No evidence of the presence of domestic animals or any pets						
11	Cleanliness of workers' restrooms						
12	Cleanliness of toilets						
13	Hand-washing facilities and hand drying facilities provided						
14	Pest control activities						
15	Storing of pesticide applicators						
16	Cleanliness of waste bins						
17	Lighting						
18	Availability of a smoke hood						
19	Toilet facilities provided for customers						

Part III (Contd.) Premises							
		To be filled by the applicant (whether steps have been taken by the applicant to ensure the compliance of the following)		1st visit (To be filled by the authorized officer)		2nd visit (To be filled by the authorized officer)	
		Yes	No	Satisfactory	Unsatisfactory	Satisfactory	Unsatisfactory
20	Hand washing facilities available for customers						
21	Paper serviettes (not printed papers) provided for customers						
22	Liquid waste is properly disposed of						

Part IV Equipment and Containers							
		To be filled by the applicant (whether steps have been taken by the applicant to ensure the compliance of the following)		1st visit (to be filled by the authorized officer)		2nd visit (To be filled by the authorized officer)	
		Yes	No	Yes	No	Yes	No
1	All the equipment and containers that come into contact with food are of food grade.						
2	Take away food is wrapped or packeted in food grade materials						
3	Whether polythene or plastic sheets or containers are used for steaming, baking, or in any form of heating						
4	All equipment and containers that come in contact with food are cleaned and sanitized as often as necessary to prevent contamination of the food						
5	Is there a build-up of food or other material on the equipment ? (rust, sludge)						
6	Is there any seepage of cleaning solvents or lubricants on equipment, which can contaminate foods ?						
7	Is the equipment hard to disassemble for clean-up and inspection ?						
8	Are there food and other debris collected in and around in machinery where nests of insects and bacteria could form ?						
9	Are there dusty, damaged, faded or discoloured food containers in the premises ?						
10	Are the working platforms or table tops suitable for such purpose ? (preferably stainless steel)						
11	Adequate numbers of tongs available						

Part V Processes							
		<i>To be filled by the applicant (whether steps have been taken by the applicant to ensure the compliance of the following)</i>		<i>1st visit (to be filled by the authorized officer)</i>		<i>2nd visit (To be filled by the authorized officer)</i>	
		<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>
1	The employees wear proper hair covering, beard covering, face masks, disposable gloves, clean protective clothes and foot wear while directly handling food products						
2	The employees do not wear jewelery, rings, watches, fingernail polish or plasters or bandages while directly handing food products.						
3	The employees wash and sanitize their hands after each visit to the toilet						
4	Hand washing facility is used when their hands become soiled or contaminated						
5	Food handlers maintain good personal hygienic practices						
6	Visitors wear proper outfits and hair nets when entering the food processing area						
7	The traffic within the plant controlled to prevent cross contamination of the production area						
8	The food handlers are aware of the reasons why they should follow the above precautions						
9	Training of food handlers covers GHP and GMP						
10	Are food products stored on pallets and are at least eighteen inches away from the walls ?						

Part V (Contd.) Processes							
		To be filled by the applicant (whether steps have been taken by the applicant to ensure the compliance of the following)		1st visit (to be filled by the authorized officer)		2nd visit (To be filled by the authorized officer)	
		Yes	No	Yes	No	Yes	No
11	Are products stored on a first-in, first-out (FIFO) basis or any other accepted method to reduce the possibility of contamination through spoilage ?						
12	Are all incoming products dated to ensure a proper rotation of stocks and for internal tracking purposes ?						
13	Are unused materials properly resealed to prevent contamination ?						
14	Cooked and uncooked items kept separately						
15	Ice is made from potable water						
16	Only permitted food additives are used in permitted amounts						
17	(a) leftover food is re-used as hygiene regulations (b) whether cooking oil is reused ? if so, for how many times ?						
18	Refrigerated food items are marked with the date						

Part VI Documentation checklist (To be filled by the authorized officer)				
		<i>Available</i>	<i>Not Available</i>	<i>Remarks</i>
1	Business registration			
2	Ownership/Leasing document			
3	Trade License from local authority			
4	Approval for the building			
5	Valid certificates of quality (GMP, ISO etc.)			
6	General Cleaning schedule			
7	Toilet cleaning schedule			
8	Medical certificates of all food handlers			
9	Equipment maintenance plan			
10	Records of pest control activities			
11	Records of pesticides used			
12	Documentation on the chemicals used in pest control activities			
13	Pest control logs and documentation readily available			
14	Training programs documented and available for inspection			

Declaration of the Applicant :

I hereby declare that the information provided in this application and it's attachments are correct and accurate to the best of my knowledge and the relevant Food Authority may reject registration or recall registration if false information is provided or all the requested information is not provided.

I am aware that failure to fill all the responses in the application may lead to rejection of the same. I am also aware that I am bound to adhere by the directions issued by the relevant Food Authority from time to time, failing which my registration is likely to be revoked. I further acknowledge that the application fee paid along with the application is non-refundable.

.....
Signature of Applicant.

Date :.....

Part VII Summary of Inspections - 1st visit			
	<i>Satisfactory</i>	<i>Unsatisfactory</i>	<i>Deficiencies to be corrected if unsatisfactory (mention item number)</i>
PART I			
PART II			
PART III			
PART IV			
PART V			
PART VI			

I was informed of the findings by the Inspector

.....
Signature of Applicant

.....
Name of the Applicant

.....
Date

Comments of the authorized officer

.....
.....

Recommendation of the authorized officer

.....
.....

Time period to rectify deficiencies if any.....

.....
Signature of the authorized officer

.....
Date

Comments of the Medical Officer of Health.....

.....

Approved/ Not approved

.....
Signature of Medical Officer of Health

.....
Date

Part VIII Summary of Inspection - 2nd visit			
	<i>Satisfactory</i>	<i>Unsatisfactory</i>	<i>Deficiencies to be corrected if unsatisfactory (mention item number)</i>
PART I			
PART II			
PART III			
PART IV			
PART V			
PART VI			

I was informed of the findings by the authorized officer

.....
 Signature of Applicant

.....
 Name of the Applicant

.....
 Date

Comments of the authorized officer

.....

Recommendation of the authorized officer

.....

.....
 Signature of the authorized officer

.....
 Date

Comments of the Medical Officer of Health.....

Approved/ Not approved

.....
 Signature of Medical Officer of Health

.....
 Date

SCHEDULE II

(Regulation 2 and 3)

Categories of Food Premises

- A. hotel or resort ;
- B. catering establishment ;
- C. restaurant or eating house ;
- D. ice cream, confectioneries, yoghurt, curd, dessert manufacturing cottage industry ;
- E. tea, coffee, beverages, ready to serve drinks, ice cream boutique ;
- F. bakery ;
- G. canteen ;
- H. supermarket serving ready to eat or prepared food ;
- I. food store ;
- J. ice manufacturing premises.

SCHEDULE III

(Regulation 4)

Register of Applications Received for Registration of premises under the food (Registration of Premises) Regulations

Serial No.	Name of the Applicant	Date Received	PHI* area	Date sent to PHI*	Signature MOH*/ SPHI*	Fee levied	Receipt No.	Date of the certificate of registration	certificate of registration Number	Comments

*“PHI” means Public Health Inspector,

“MOH” means Medical Officer of Health ; and

“SPHI” means Supervising Public Health Inspector

SCHEDULE IV

(Regulation 5)

Register of Applications Received for Registration of Premises

<i>Serial No.</i>	<i>File Number</i>	<i>Date Received</i>	<i>Name of the premises</i>	<i>Address of the premises</i>	<i>Name of the Applicant</i>	<i>Category of the premises</i>	<i>Proposed date of commencement Date established</i>	<i>Dates of Inspection</i>	<i>Date approved</i>	<i>Remarks</i>

SCHEDULE V

(Regulation 4)

Fees for the Processing of Applications for the Registration of Premises

<i>Categories of Premises</i>	<i>Application processing fee (Rs.)</i>
1. hotel or resort large (4 star or above)	50,000.00
2. hotel or resort medium (3 star)	30,000.00
3. hotel or resort (all other)	20,000.00
4. catering establishment	10,000.00
5. restaurant or eating house	5,000.00
6. ice cream, confectioneries, yoghurt, curd, dessert manufacturing cottage industry	5,000.00
7. food manufacturing or processing facility	5,000.00
8. supermarket	10,000.00
9. all other	3,000.00

SCHEDULE VI

(Regulation 2)

Report on Medical Examination of Food Handlers

TO BE FILLED BY THE APPLICANT

Name with initials

Age

Sex

Have you ever had chronic diarrhea ?

Yes/No

Have you ever had Jaundice ?

Yes/No

Have you ever been diagnosed with typhoid ?

Yes/No

Have you ever been diagnosed to have had amoebiasis ?

Yes/No

TO BE FILLED BY THE MEDICAL OFFICER

Name		Date	
Address		NIC Number	
Contact number (Work Place)		Contact number (Home)	
Clinical Findings		Yes	No
1. History of chronic diarrhea (more than 7 days)			
2. Has he had any,			
(i) Recurring skin or ear infection			
(ii) A recurring bowel disorder			
(iii) Other infections (specify)			
3. History of carrier state of any disease			
4. At present, is he suffering from any of the conditions mentioned below			
(i) skin problems affecting hands, arms or face			
(ii) boils, styes of septic finger			

(iii) bleeding/discharge from nose or gums		
(iv) jaundice (yellowish discoloration of eyes)		
(v) sore throat wit fever		
(vi) cut or wounds that are open and draining, or lesions containing pus on the hand, wrist, an exposed body part		
5. Any evidence of,		
(i) smoking (evidence of smoking alone is not a disqualification)		
(ii) betel chewing (evidence of betel chewing alone is not a disqualification)		
(iii) poor hygiene		
6. Laboratory tests	Positive	Negative
(i) stool AOC		
(ii) nasal swab for any pathogen		
(iii) UFR (if necessary)		
(iv) any other tests (please specify)		

Recommendation of the Medical Officer,

I have examined this person and certify that to the best of my knowledge is fit to be employed as a food handler.

Any other comments

.....

.....
Signature of the Medical Officer

.....
SLMC Registration Number

.....
Date

SCHEDULE VII

(Regulations 10 and 11)

Certificate of Registration of a Food Premises

(Issued under the Food Act, No. 26 of 1980)

MOH Area	
Registration Number As per General Circular of Ministry of Health numbered 46/2017	
Category of the premises	
Name and address of the premises	

This is to certify that the above premises situated at belonging to is in compliance of the provisions of the Food (Registration of Premises) Regulations of 2019 and is registered under the above category of food premises effective from

The registration is valid for a period of two years from the date of the issue of the Certificate of Registration unless cancelled earlier on account of non-compliance with any of the provisions of these regulations.

.....
Signature of Food Authority

Date :

Official Seal

SCHEDULE VIII

(Regulation 11)

Register of Registered Premises

<i>Serial No. of Register</i>	<i>Certificate of Registration Number</i>	<i>Date of the Certificate Registration</i>	<i>Category of the Premises</i>	<i>Name of the Premises</i>	<i>Address of the Premises</i>	<i>Name of the Applicant</i>	<i>Remarks</i>