

THE FOOD SAFETY ACT 1990 – A GUIDE FOR FOOD BUSINESSES – FSA COMMENT ON CONSULTATION RESPONSES

Respondent	Received date	Response	Agency Comment
British Retail Consortium	11.07.08	<p>Following receipt of the consultation package from you, we circulated the package to the relevant position holders in our membership base.</p> <p>Over the twelve week period, no strong or particular concerns about the document were raised by our members and in general we feel that the guide is clear and concise and satisfactorily outlines the key points that the Food Safety Act encompasses. In particular we feel that the Guide would be a useful tool for small businesses. Although not being able to provide comments on behalf of this sector, we feel that small and medium sized food businesses without in-house expertise would find this document very useful.</p>	Noted.
East Ayrshire Council	29.07.08	The content, layout and clarity of the guidance for food business generally is satisfactory.	Noted.
Food Solutions	18.06.08	<p>We welcome this new guidance as it incorporates the provisions of the EC regulations and brings up to date the wording and approach. However, we do have some reservations.</p> <p>At 59 pages the guidance is rather too long to be easily read and accessible to small food businesses. The previous guidance called “The Food Act and You” was considerably shorter and more easily understood. Should you wish to produce an abbreviated version for small businesses as we did for the allergen guidance we would be happy to assist. An 8-10</p>	The guidance has been simplified and the references to other documents have been reduced. It is a guide to the law rather than a good practice guidance document.

		<p>page A5 booklet is less intimidating to many.</p> <p>The guidance covers the responsibility of the various officials, their limits of authority, the offences and their possible defence. It does not appear to give practical advice to small food businesses except in the event of a food safety incident. In these circumstances it may be too late to prevent a hazard to potential consumers.</p> <p>The guidance refers in many places to other documents that have to be read alongside the text. This can be difficult for small businesses who may not be aware of the significance of the other documents or even how to obtain them. The guidance and indeed the singularly emasculated Act do not give practical advice on food safety.</p> <p>It may be pertinent to refer to the relevant legislation more clearly. For instance, when on page 12 you refer to labelling, it may be useful to quote article 16 of EC 178/2002 as well as your guidance to the labelling regulations.</p> <p>We applaud your use of examples. This we find most useful in understanding the points being made.</p> <p>The overall approach is negative. This compares badly with the European legislation which is far more positive in its approach. We would question whether this is the most effective means of communication with small business. Our findings are that they want positive advice so that they know what to do rather than negatives.</p>	
Hybu Cig Cymru - Meat	10.07.08	HCC have no comment to make on this consultation, but we would appreciate being kept informed of any further developments in this area.	Noted.

Promotion Wales			
LACORS	10.07.08	<p>LACORS has no comments on the content, layout or clarity of the text which is suitable for its intended purpose.</p> <p>As with guidance notes every opportunity should be takes to reduce the length of the document but only if this can done without prejudice to the areas which need to be covered and the clarity of the guidance.</p> <p>LACORS takes the view that there is certainly a need for a simplified version for SMEs and for ethnic food business operators and staff including those in the food service sector whose first language may not be English. LACORS is not able to suggest what form the guidance should take but is willing to work with the Agency and other business stakeholders to develop such guidance.</p>	<p>Noted. The length of the document has been reduced. A summary has been included for SMEs and guidance as to how different types of FBO can best use the guidance.</p>
London Borough of Lambeth	09.07.08	<p>The SW Sector Food Liaison Group would like to put forward the following comments in response to the specific issues relating to the review of the Food Safety Act 1990: A Guide for Food Businesses.</p> <ol style="list-style-type: none"> 1. The group questioned the need for such a document and who it was intended to inform. It is noted that the summary indicates that the guidance notes are intended for food businesses however the group would question the whether such a lengthy and complicated document is wholly appropriate. 2. Whilst the group acknowledges that the document updates the 	<p>The guidance is aimed at food business operators. It has been simplified since the version sent for consultation and references to other legislation lessened. The guidance only covers the provisions</p>

		<p>earlier publication “The Food Safety Act 1990 and You”, it was felt that the document does not properly reflect the full range of legislation that would be of interest to food businesses. Whilst paragraph seven of the introduction does state that food hygiene requirements for food businesses are dealt with separately by different legislation it was felt that this was an opportunity to consolidate and simplify guidance on food law to business.</p> <p>3. The group felt that the document should have a more generic title. Much of the legislation that will be of interest to business whilst made under the Food Safety Act 1990 will not be the main frame of reference.</p> <p>4. The group felt that the document should emphasise the following:</p> <ul style="list-style-type: none"> • The importance of food businesses registration • Environmental Health Professionals are available to give advice to business • Inspections may be carried out unannounced • Officers powers of entry <p>5. The group felt that more simplified guidance would be required for small businesses. It was felt that the guidance in its current format was very complicated and over-prescriptive, referring excessively to legislative references.</p>	<p>which are specifically in the Food Safety Act 1990 and not legislation made under it, on which there is much other guidance available. A summary of responsibilities has been included for small businesses.</p>
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National Childminding Association	11.07.08	<p>Childminders are professional childcare workers that work in their own home. They are registered by Ofsted and CSSIW and required to meet national minimum standards (from September 2008 these will be drawn together in the Early Years Foundation Stage in England and Foundation Phase in Wales). During the course of looking after children, childminders will sometimes prepare a meal for them or store pre-made meals that parents have prepared. NCMA has been advised that under these circumstances childminders would need to register as “food businesses”. However, provision of food is not their primary business: most are self-employed and work alone and all work from their own homes, preparing meals for children in the same kitchens that they use to feed themselves and their families.</p> <ol style="list-style-type: none"> 1. While the guidance is clear, it is nonetheless complex and includes guidance that is applicable mainly to large food businesses. NCMA would recommend guidance that is tailored to smaller businesses and those with only a low food throughput, including reflecting that food businesses such as childminders work in their own homes and present a low level of risk. 2. The statement in appendix 2 section 2 that “extends the meaning of sale to include food supplied in the course of a business” should be incorporated in the main text as it may otherwise be missed. 	<p>The guidance has been simplified, and there is a line on “What activities are included in the Act” about the responsibilities of childminders. It states in the main guidance that the Act covers free supply in the course of a business.</p>
North Cornwall District Council	09.07.08	<p>We are writing to make comments on the above document.</p> <ol style="list-style-type: none"> 1. We find the guide very confusing and difficult to follow. We believe this will confuse the trade as to which legislation should be used in certain 	<p>Guidance has been simplified, including reducing the sections on Improvement</p>

		<p>circumstances and may falsely lead them to believe that notices etc. may have been served under the wrong legislation giving them the view that they can challenge the notice on technical issues i.e. page 18 Dealing with Unsatisfactory Premises - closure is discussed under the Food Safety Act 1990, but in fact we would now use the Food Hygiene (England) Regulations 2006</p> <p>2. Section 56 does actually contradict itself talking about Improvement Notices under the FSA 1990 being used to deal with unsatisfactory businesses but then states they can only be used for animal by products legislation.</p> <p>3. It may have been easier to have developed a table stating contravention or power available e.g. cleanliness, foreign object contamination or use of notices then state whether Environmental Health or Trading Standards enforcement, then give a column stating the legislation breached.</p> <p>4. If the public need to know the process of having notices etc. served and going to court, flow charts may have been easier to understand.</p> <p>5. Is Section 55 relevant for the trade to know about the Food Law Code of Practice?</p>	<p>Notices and Prohibition Orders to a brief mention of their occasional use now. We do not consider a table/ flow chart appropriate here. The reference to the Food Law Code of Practice has been omitted.</p>
Premier Foods	11.07.08	<p>Premier Foods welcomes this new guidance to replace the previous document 'The Food Safety Act and You' following the recent amendments to the Act. We believe this guidance is comprehensive and generally well laid out and clearly written, subject to some specific comments.</p> <p>As a large food manufacturer producing a wide range of different food types it is not appropriate for us to comment on the needs of very small</p>	<p>Noted.</p>

		businesses or particular sectors.	
Royal Environmental Health Institute of Scotland	10.07.08	We support the publication of this updated guide as it will help food business operators to comply with the requirements of the Food Safety Act. We would have no comments to make in relation the drafting.	Noted.
Seafish	08.07.08	<p>Responding on behalf of the Seafish Food Legislation Expert Group, a cross-sectoral group composed of representatives from the various trade organisations of the UK seafood industry, from catchers through to retailers.</p> <p>This guide is an amended version of an earlier MAFF guide to the Food Safety Act 1990, originally written in 1996. This was before the Food Standards Agency was created to represent the consumers' interest in relation to food. This was in response to a lack of consumer confidence in the food industry and MAFF.</p> <p>MAFF's remit was centred on food production rather than processing, retail and the consumer, which are the areas that the Food Safety Act 1990 was originally aimed at.</p> <p>This different target audience is apparent in the style of this guide in comparison to the guides that are now produced by the Agency.</p> <p>The style of the Agency's current guides is more readable and user friendly. They focus more on helping the reader to understand what the law means to them and how to apply it to their business.</p> <p>This guide is a description of the Food safety Act and does not inform</p>	The guidance has been simplified. There is much guidance in "Safer Food, Better Business" on best practice for caterers and retailers in selling safer food.

		<p>the reader of their responsibilities under the law. This is an important factor as it is an individual's responsibility and as such anyone whether employer or employee can be prosecuted for failing to comply.</p> <p>The intended audience for this guide is stated as being food businesses. Food businesses need clear simple advice on what they should be doing to comply with the law, preferably with interpretation and clear examples. Although a statement of the law to help put the requirements into context is useful, this is generally not what the business needs to know.</p> <p>The guide does not need to cover the enforcement aspects of the FSA90 in much detail as this is already covered in the Agency's code of practice and practice guidance and not of day to day relevance to business.</p> <p>As most business do want to comply with the law and produce safe food, the guide should be expanded to give more detail on what a business needs to do to comply, rather than what to do if action is taken for non-compliance. If non compliances are found the enforcement officer will be able to give advice on corrective action and would do this in preference to enforcement action. Therefore for a business wishing to comply with the law, the detail given on enforcement is unnecessary. Businesses not wishing to comply would not read the guide.</p> <p>The layout of the guide is good as it follows in the order of events as they would happen.</p> <p>The guidance could be made clearer with interpretation of the text where there is a possibility for ambiguity and also real world examples</p>	
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		<p>of how the rules can be implemented.</p> <p>If this guidance is published in its current form, then extra guidance would be needed for small businesses and also for certain business sectors. For example fishermen having to comply for the first time will need specific advice on how it applied to them.</p>	
Jane Tait, Tynedale Council	15.04.08	<p>It is a beautifully written guide but far too complex for an average food business operator. Flow diagrams might help to show the relationships between the various pieces of legislation.</p> <p>Paras which particularly need simplifying are para's 7 and 15, 31. Would be best to keep advice as absolutely simple as possible and advise businesses to contact their local EH/TS dept if they need further assistance.</p>	<p>The guidance has been simplified, including the specific paragraphs mentioned. We have advised food businesses in the introduction that the Environmental Health/ Trading Standards Department of their local authority should be the main source of advice on food safety legislation.</p>
Paragraph 1			
Dr Barbara Lund	08.07.08	<p>I suggest the following improved wording:</p> <p>“1. The Food Safety Act 1990 concerns the overall safety of food; detailed requirements in relation to food hygiene are specified in the Food Hygiene</p>	<p>It is made clear in this paragraph that that hygiene issues are not specifically</p>

		Regulations 2004 (etc). The safety of food is vital to all consumers and food businesses”	covered by the Food Safety Act 1990. Paragraph 7 gives details on the Food Hygiene Regulations 2006.
Barry Atwood	19.05.08	There are two points here. First, although food safety should no doubt be regarded as the paramount objective of the 1990 Act, it is (like its predecessors since 1875) also very much concerned with the protection of consumers from fraud. This is the essential purpose of sections 14 and 15, which paragraph 12 of the draft itself invokes in describing the aims of the Act. The importance of this other objective is also demonstrated by the number of food Regulations which have been made under sections 16 and 17 of the Act (and mostly now of EC inspiration) to ensure proper labelling and to create specific food standards. (Those on chocolate, sugar, coffee, honey, fruit juice, condensed milk, jam, mineral water, drinking milk, spreadable fats and eggs are only some of them.) It should also be noted here that the vital role of public analysts in achieving this objective, as well as in ensuring the chemical safety of food, seems in recent times almost to have been overlooked. There is much to be said for referring to their functions in the guidance (see sections 27-31 and the Food Safety (Sampling and Qualifications) Regulations 1990).	The paragraph has been amended to refer to fraud. We do not consider it necessary to refer to the work of public analysts.
Premier Foods	11.07.08	It would be helpful to make reference in the text here that the Food Safety Act 1990 and this guidance apply only to Great Britain (England, Scotland & Wales), and that Northern Ireland is covered by separate (though similar)	This is referred to in Paragraph 5, which we consider

		legislation (The Food Safety (Northern Ireland) Order 1991 and a separate Guidance document).	appropriate.
Paragraph 6			
Premier Foods		The web link does not work, and should not be in bold letters (so that it will fit on one line).	It is now not in bold letters and works.
Paragraphs 7 and 56			
Barry Atwood	19.05.08	The suggestion that “hygiene issues” are excluded from the food safety matters covered by the 1990 Act needs to be clarified. The main hygiene regulations are no longer made under the Act and provide their own bespoke sanctions for unhygienic businesses. However, sections 9 and 12 evidently continue to apply generally and even sections 10 and 11 still apply to the Part II regulations which make provision for any of the matters specified in section 10(3). The Food (Control of Irradiation) Regulations 1990 and the Ungraded Eggs (Hygiene) Regulations 1990 as caught by section 10(3)(a) and (b) should be acknowledged. On the other hand, is it really right that the Animal By-Products (Identification) Regulations 1995 are so caught, given that they apply to “any carcase or part of a carcase which is not intended for human consumption ...” while section 10(3) concerns food which in essence means “any substance or product ... intended to be, or reasonably expected to be ingested by humans” (see Regulation (EC) 178/2002 Article 2)?	The guidance on Improvement Notices and Prohibition Orders has been simplified to state that these are rarely used under the current legislation.
Paragraph 12			
East of England Trading Standards Association	11.07.08	One of the aims of the Act is stated to be “to ensure that all food reaches <i>expectations</i> in terms of nature, substance and quality”. Whose <i>expectations</i> ? Maybe better wording would be something like “the required standard”?	Amended to “of the nature, substance or quality consumers would expect”. The expectations may vary

			according to what type of consumer the product is being aimed at.
Premier Foods	11.07.08	Formatting – needs indents to prevent the text overlapping the bullet points.	Amended.
Paragraph 15			
East of England Trading Standards Association	11.07.08	<p>Definition of “Food” - Could some explanation of “as defined in Article 6 of Directive 98/83/EC and without prejudice to the requirements of Directives 80/778/EEC and 98/83/EC” be given instead of the reader having to look at a further 3 pieces of legislation in order to make some sense of this?</p> <p>‘Food’ shall not include – (a) feed – clarify that this means animal feed as this may not be apparent to the average reader running a food business,</p> <p>(d) medicinal products within the meaning of Council Directives 65/65/EEC and 92/73/EEC. Again, is it reasonable in a set of guidance notes intended to assist the reader in understanding a piece of legislation to expect them to refer to a number of other pieces of legislation (often EC) which are not within their sphere of expertise. Could examples or an explanation of what that EC legislation covers be given instead?</p>	We have now simplified the reference to point of compliance of water by saying when this usually applies. The reference is now to animal feed. We consider that in most cases “medicinal products” should be self-explanatory to food business operators, and they can refer to EHOs is it is not..
Paragraph 16			
Premier Foods	11.07.08	‘Purchasing’ should be included since referred to in Paragraph 28.	Not amended, as this might give the impression that the purchaser might have responsibilities. “Selling” is mentioned

			and every sale necessarily means a purchase also.
Paragraph 17			
National Childminding Association	11.07.08	The statement in paragraph 17 that “The Act does not cover specific hygiene issues or food prepared in the home for domestic purposes” is confusing, as the business premises in which childminders work are their domestic premises. Childminders use the same kitchen to prepare food for the children for whom they care professionally and for themselves and their family.	An extra sentence has been added, referring to childminders.
Paragraph 21			
East of England Trading Standards Association	11.07.08	Would it be worth giving a couple of examples of legislation made under the Act? If not, there seems little point mentioning this subordinate legislation.	Examples now quoted of legislation made under this Act and the European Communities Act 1972.
Premier Foods	11.07.08	The final sentence underneath the bullet points is awkwardly phrased and hard to understand.	Sentence deleted.
Paragraphs 22-30			
Premier Foods	11.07.08	It needs to be made clear that the references to section numbers throughout are to Section numbers in the Food Safety Act, not to the paragraph/section numbers of the Guidance.	The words “of the Act” are now included after the first section mentioned.
Paragraph 25			
Barry Attwood	19.05.08	Acts which constitute an offence under two or more Acts (or instruments)	The words “both or” in paragraph 25 have

		cannot be punished more than once (see Interpretation Act 1978 sections 18 and 23). (Paragraph 30 refers to a further overlap.)	now been deleted.
Paragraph 26			
LACORS	10.07.08	With regard to the example quoted in relation to the term “quality” it could be argued that this is more akin to the term “nature” and so perhaps another example could be quoted instead. Such as example could be “breaded scampi” where minced scampi is used rather than whole tail scampi.	Example amended.
Premier Foods	11.07.08	For the bullet point ‘substance’ it is not at all clear what ‘ <i>or where there is a statutory or other standard for a food and the substance falls below it</i> ’ means, or how this differs from the reference to statutory standards in the explanation of ‘Quality’ (next bullet point). Requires further explanation, preferably with an example. For the bullet point ‘quality’, the word ‘be’ has been omitted on the 3 rd line between ‘would’ and ‘standard’.	Example amended.
Food and Drink Federation	04.08.08	The Guide points towards Food Hygiene Regulations (section 7 on p7) and to the Food Labelling Regulations (section 30, 13). It would be consistent, in the context of section 14 on p12 (nature, substance and quality) to point out that substance, and to some extent quality, is set through compositional standards in a few commodity regulations for which complementary guidance exists.	Text added to entry on “substance”.
Paragraph 29			
LACORS	10.07.08	As the Trade Descriptions Act 1968 has now been substantially revoked following adoption of the Unfair Commercial Practices Directive it may be appropriate to refer to the Consumer Protection from Unfair Trading	Amended.

		Regulations 2008.	
East of England Trading Standards Association	11.07.08	The reference to the Trade Descriptions Act 1968 needs to be removed and replaced by reference to the Consumer Protection from Unfair Trading Regulations 2008. It may also be worth mentioning that these regulations create offences for misleading <i>omissions</i> as well as for false claims about products/services.	Amended.
Paragraph 30			
Premier Foods	11.07.08	The web address doesn't work as a hyperlink.	The hyperlink now works.
Torfaen Council	10.06.08	<p>In addition to the main offences under the Food Safety Act 1990 and the detailed regulations relating to the labelling of the food as outlined in the Food Labelling Regulations 1996, it is important to note that it is an offence to have in your possession food past its use by date.</p> <p>It is recommended that all businesses in the food chain should have systems in place for identifying food past its use by date and that food is checked on a daily basis and disposed of accordingly. Additionally, it is recommended that food is not frozen and kept past its use by date, where it is evident that food will not be used within a short period of time it is recommended that the food be purchased frozen. Frozen foods can normally be kept for longer periods of time and are usually given best before dates.</p>	The offence of having in your possession food past its use by date is not one specifically in the Food Safety Act and therefore, along with similar provisions on Labelling, Hygiene etc., is not included.
Paragraph 31			
Barry Attwood	19.05.08	The fact that "Animal Health" is an executive agency "of DEFRA" should be specified. The Meat Hygiene Service is an executive agency too.	As the enforcement responsibilities of

			these agencies are under EU Regulations, not the Act, this has now been omitted.
Premier Foods	11.07.08	For clarity, it may be helpful to add 'Food Alerts' after 'Please see paragraph 73' (within the brackets on 5 th line).	Done.
Paragraph 33			
Premier Foods	11.07.08	The reference to Northern Ireland (end line 4 / start line 5) should be deleted since the Act & this Guidance only apply to England, Scotland & Wales.	This is accurate and not misleading.
Paragraph 34			
Premier Foods	11.07.08	This paragraph states that there are two main departments (Trading Standards & Environmental Health) responsible for enforcing food law, but Paragraph 37 (England) & 39 (Scotland) then contradict this, which is confusing. It may be better to say "Generally there are two main departments within local authorities who are responsible for enforcing food law, Trading Standards and Environmental Health. However note that for some authorities in England and normally in Scotland, food standards work is carried out by Environmental Health Officers (please see paragraphs 37 & 39).	Amendments have been made to clarify the position.
Paragraph 39			
Premier Foods	11.07.08	The entry for Scotland does not describe the local authority with responsibility for food law enforcement (unlike Paragraphs 37 & 38 covering England & Wales). 'Departments' should be replaced by 'officers' to be consistent with references elsewhere in the document.	A reference is now made to "unitary authorities". The word "departments" has now been replaced by "practitioners".
Paragraph 40			

Premier Foods	11.07.08	Public Analysts & Food Examiners are not strictly speaking 'local government', the heading above this paragraph should be in bold and 'de-boxed'. This Guidance document only covers Great Britain, so the paragraph should commence 'Throughout Great Britain	The heading has been amended. It is accurate to say that the powers are within all of the UK, so this has not been amended.
Paragraph 43			
National Childminding Association (NCMA)	11.07.08	Paragraph 43 indicates that "officers have the right to enter any premises..." However, as the premises from which a childminder works is their home, this implies that officers have the right to enter a childminder's home. NCMA would question whether the law does in fact allow officers to enter a person's home without a warrant from a judicial authority. NCMA recommends that this be clarified by the FSA and the outcome be set out in the guidance note.	FSA Scotland has produced a guide for childminders, and the FSA is in the process of producing a general guide. If a childminder is using their home for their childminding business, it is no longer premises used only as a private dwelling house (section 32(1) of the Food Safety Act 1990) and so a warrant is not required.
Paragraph 45			
Premier Foods	11.07.08	There should be a reference to private dwellings to be consistent with Paragraph 48.	Not considered necessary.
National	11.07.08	It is unclear from paragraph 45 that the definition of "premises" includes	A premises includes a

Childminding Association		childminders' homes.	childminder's home. However, we do not consider it appropriate to include sector-specific details in a general guide.
Paragraph 52			
Barry Atwood	19.05.08	The first sentence should be moved to the end of paragraph 51 which is evidently intended to explain the two options afforded by section 9(3). The rest of paragraph 52 is concerned with the details but seems to require revision. Three notices are contemplated by the legislation. They are known as the detention of food notice (section 9(3)(a)), the withdrawal of detention of food notice (section 9(4)(a)) and the food condemnation warning notice (section 9(5)) (see further the Detention of Food (Prescribed Forms) Regulations 1990).	Amended.
Paragraph 54			
Barry Atwood	19.05.08	Having decided that there is a contravention of the food safety requirements, the JP must (not may) condemn the food (see R (on the application of the Food Standards Agency) v Brent Justices and Kelman's Kosher Products (2004) 168 JP 241).	Amended.
Paragraph 55			
Barry Atwood	19.05.08	Wales also has a similar Code of Practice and Guidance.	Amended.
Premier Foods	11.07.08	At line 6, add 'in England and Wales' after 'Detainment and Seizure'. At the end of the paragraph, the references to the equivalent Codes of Practice for Scotland should be added.	The specific paragraph has been omitted.

Paragraph 56			
Barry Atwood	19.05.08	Paragraph 56 and Appendix 3: As to the Animal By-Products (Identification) Regulations 1995, see paragraph 2 above.	See comments on paragraphs 7 and 56 above.
East of England Trading Standards Association	11.07.08	Clarification of the meaning of “unsatisfactory premises”, along with an explanation of who has the power to close such premises, would be useful.	This wording has now been omitted.
National Childminding Association	11.07.08	Paragraph 56 states that authorised officers have “powers to close unsatisfactory premises” but it is not clear how this applies to business premises that are also homes. NCMA recommends that this is clarified.	Business premises that are also homes can be closed for business purposes where the relevant regulations have been breached.
Paragraph 62			
Premier Foods	11.07.08	Should read ‘It is an offence to knowingly breach”	The original text is better English
Paragraph 63			
Dudley MBC	22.05.08	Having look at this draft, I would just comment just that at paragraph 63, that document indicates that to remove a prohibition order on a business, the proprietor etc should apply to the food authority ‘ that placed the order on them’ for a certificate. I would point out that it is the court that places the order on the business (not the food authority), although is the food authority that can remove the order and issues the certificate.	This paragraph has now been omitted.
Paragraph 73			
Barry Atwood	19.05.08	There is no provision for food alerts in the FSA 1990.	The text has been amended to clarify that this is not a

			specific power under the Food Safety Act 1990.
Paragraph 88			
Barry Atwood	19.05.08	Why is it only in respect of Scotland that persons considering appealing a decision are advised to consult a solicitor. Presumably the Agency does not wish to suggest that this is unnecessary in England and Wales?	This sentence has now been omitted.