
GOVERNMENT NOTICE

DEPARTMENT OF HEALTH

No. R. 364

30 April 2015

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT NO. 54 OF 1972)

REGULATIONS GOVERNING GENERAL HYGIENE REQUIREMENTS FOR FOOD PREMISES, THE TRANSPORT OF FOOD AND RELATED MATTERS

The Minister of Health intends, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), as amended, to make the Regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed draft Regulations, to the Director-General, Department of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Food Control), within three months of the date of publication of this notice.

SCHEDULE

DEFINITIONS

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context otherwise indicates –

“**abattoir**” means a facility used for the slaughtering of animals of which the meat and meat products are intended for human consumption, approved and registered in terms of the Meat Safety Act, 2000 (Act No. 40 of 2000);

“**animal**” means any member of the animal kingdom;

“**available**” means also available elsewhere than on the food premises in question;

“**batch**” means a volume or quantity of milk that is stored under controlled temperature and time frame or period when offered for sale to the consumer as stipulated in Regulation 7(5)(a);

“best available method” means a method which is practicable and necessary for the protection of food against contamination or spoilage, having due regard to local conditions and circumstances whether at or on food premises or elsewhere, the prevailing extent of established practice and the financial implications thereof;

“butchery equipment” means the equipment normally used in connection with the processing of carcasses and meat and includes, but is not limited to, bandsaws, mincers, fillers, tenderizers and vacuum packing machines;

“certificate of acceptability” means a certificate of acceptability referred to in Regulation 3;

“clean” means free of any soil, food residues, dust, dirt, dung, impurity, grease or other objectionable matter or contamination to the extent that a state of hygiene is attained and “cleaning”, “keep clean” & “cleaned” has a similar meaning;

“container” or **“food container”** means anything in which or with which food is manufactured, prepared, processed, stored, served, displayed, packed, wrapped, kept or transported and with which food is in direct contact;

“contaminate” means the effect exerted by any biological or chemical agent (including allergens), foreign matter, or other substances present in food so that it –

(a) does not meet a standard or requirement determined by any law;

(b) does not meet acceptable food hygiene standards or consumer norms or standards;
or

(c) is unfit for human consumption;

and **“contamination”** has a corresponding meaning;

“core temperature” means the temperature reading taken in the estimated centre of the food;

“facility” means any apparatus, appliance, equipment, implement, storage space, working surface or object used in connection with the handling of food;

“food” means a foodstuff intended for human consumption as defined in Section 1 of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), excluding food referred to in Regulation 14, and raw milk when produced and handled in a milking shed;

“food handler” means a person who in the course of his or her normal routine work on food premises, directly handles or comes into contact with packaged or unpackaged food, food equipment and utensils, or food contact surfaces and is therefore expected to comply with food hygiene requirements;

“food hygiene” means all conditions and measures necessary to ensure the safety and suitability of food at all stages of the food chain;

“food premises” means a building, structure, stall or other similar structure, and includes a caravan, vehicle, stand or place used for or in connection with the handling of food;

“good manufacturing practice” means a method of manufacture or handling or a procedure employed, taking into account the principles of hygiene, so that food cannot be contaminated or spoiled during the manufacturing process;

“handle” includes manufacture, process, produce, pack, prepare, keep, offer, store, transport or display for sale or for serving, and **“handling”** has a corresponding meaning;

“hands” includes the forearm or the part of the arm extending from the wrist to the elbow;

“health hazard” means any condition, act or omission that may contaminate or spoil food so that consumption of such food is likely to be dangerous or detrimental to health;

“inspector” means a person authorized as such by or under Section 10 of the Act;

“local authority” means a municipality as defined in Section 1 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read in conjunction with Section 32 of the National Health Act, 2003 (Act No. 61 of 2003), and duly authorized in terms of Section 23(1) of the Act;

“meat” means the carcass of an animal slaughtered at an abattoir as provided for in terms of the Meat Safety Act, 2000 (Act No. 40 of 2000);

“meat products” means the parts of a slaughtered animal which are not part of the carcass such as the head, trotters and washed or cleanly scraped entrails;

“perishable food” means any foodstuff which on account of its composition, ingredients, moisture content and/or pH value, lack of preservatives and suitable packaging is susceptible to an uninhibited increase in microbes thereon or therein, when the foodstuff is kept within the temperature spectrum of 5⁰C to 60⁰C, and includes the perishable foodstuffs listed in Government Notice No. R.1183 of 1 June 1990, as amended, excluding unprocessed fruit and vegetables;

“person in charge”, with regard to any food premises, means a natural person who is responsible for the food premises and/or the owner of such food premises, as the case may be;

“prepacked food”, means food which, before it is presented for sale or for serving, has been packed as contemplated in Regulation 7(3);

“Unprocessed” means any food that is not changed from its natural, raw state through any processing methods;

“Unprocessed agricultural crops” means fresh, raw and unprocessed fruit, vegetables, maize, wheat, rye, unshelled peanuts, sugar cane, sunflower seed or other unprocessed agricultural crops;

“ready-to-consume food” means any perishable food which may be consumed without having to undergo any further process of preparation to make it consumable and ready-to-eat food has a similar meaning;

“serve” means the provision of food whether for a consideration or otherwise;

“the Act” means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), as amended;

“thermometer” means an apparatus which can give the temperature readings referred to in these , the combined accuracy of such a thermometer and its temperature-sensitive sensor being approximately 0,5°C;

“unsound” means unwholesome sick, polluted, infected, contaminated, decayed or spoiled, or unfit for human consumption for any reason whatsoever;

“vehicle” means a train, trolley, wagon, cart, bicycle, sled, truck, boat, ship or aircraft, and includes any other craft, vehicle or conveyance used in the handling, storage or transport of food;

“water” means water that complies with the specifications set out in Water for domestic supplies: SANS 241.

APPLICATION

2. No provision of these Regulations that is in conflict with Regulations made under the Act with regard to the handling or transport of certain foods shall be valid in so far as it so conflicts.

CERTIFICATE OF ACCEPTABILITY (CoA)

3. (1) Subject to the provisions of Subregulation (11) and Regulation 14(4) and (5), no person shall handle food or permit food to be handled -
 - (a) on food premises in respect of which a valid certificate of acceptability, subject to Subregulation (5), has not been issued or is not in force; provided that this shall also apply to a vehicle used for

- the transport of food on behalf of a person in charge of another food premises;
- (b) in contravention of any restriction or condition or stipulation contained in such certificate of acceptability.
- (2) The person in charge of any food premises wishing to obtain a certificate of acceptability in respect of such food premises shall apply therefore in writing to the local authority in whose area of jurisdiction the food premises are situated on a form containing at least the particulars that are substantially the same as those contained in the form in **Annexure A** to these Regulations.
- (3) Upon receipt of an application referred to in Subregulation (2), the local authority shall without delay refer the application to an inspector for consideration.
- (4) An inspector may, in considering such an application, request such further information as may deem necessary or expedient from the applicant or from any other person.
- (5) If an inspector, after having carried out an inspection, is satisfied that the food premises concerned, having due regard to existing conditions of the adjacent land and facilities, subject to the provisions of Regulation 4(2) and Regulation 14 –
- (a) do in all respects comply with the provisions of Regulations 5 and 6, a local authority shall issue a certificate of acceptability in the name of the person in charge on a form that is substantially the same as the form in **Annexure B** of these Regulations; provided that the issuance of such certificate does not constitute an approval for the applicant to conduct business on the premises concerned in the absence of compliance to all other relevant requirements of the authority or legislation concerned; or
- (b) do not in all respects comply with the provisions of Regulations 5 and 6, a local authority may, subject to the provisions of Regulation 4(2), grant an extension for a maximum of six months to enable the person in charge so to change or equip the food premises that they comply with the provisions in question: Provided that during the said period of extension the provisions of Subregulation (1) shall not apply to the person concerned.
- (6) In respect of a premises for which a Certificate of Acceptability (CoA) has been issued in terms of Subregulation 3(5), no person shall effect any changes as it relates to the provisions of Regulations 5 and 6 without informing the local authority in advance and in writing of such changes.

- (7) A Certificate of Acceptability (CoA) shall be displayed in a conspicuous place for the information of the public on the food premises in respect of which it was issued or a copy thereof shall immediately be made available on request where the display thereof is impractical.
- (8) If the person in charge of food premises is replaced by another person, such person shall inform the local authority in writing of such replacement within 30 days after the date thereof and the local authority shall subject to the provisions of Regulation 4(2), issue a new Certificate of Acceptability in the name of the new person in charge.
- (9) A Certificate of Acceptability (CoA) –
- (a) shall not be transferable from one person to another person and from one food premises to another food premises;
 - (b) shall be valid only in respect of the nature of handling set out –
 - (i) in point D of the application for a Certificate of Acceptability; and
 - (ii) in point D of the Certificate of Acceptability;
 - (c) may at any time be endorsed by a local authority by –
 - (i) the addition of any further restriction that may be necessary to prevent a health hazard; and
 - (ii) the removal of any restriction with regard to the category or type of food or the method of handling;
 - (d) shall expire temporarily for the period during which a prohibition under Regulation 4(2) is in effect;
 - (e) shall expire permanently if a prohibition referred to in Regulation 4(2) is not removed within a stipulated period which shall not exceed six months from the date on which a notice was issued in terms of Regulation 4(2); and
 - (f) shall expire permanently if the provisions of Subregulation (8) and (9) (b) are not complied with.
- (10) No person may make any unauthorized changes or additions to or forge a Certificate of Acceptability.
- (11) The provisions of Subregulation (1) shall:
- (a) subject to the provisions of Subregulation 3(8) and (9), a Certificate of Acceptability issued prior to the commencement of these Regulations in terms of the Regulations published in Government Notice No. R.918 of 30 July 1999 and Government Notice No. R.962 of 23 November 2012 shall be deemed a Certificate of Acceptability issued in terms of these Regulations;

- (b) apply to all food premises, including those on government premises, the first day following a period of one year, after the date of promulgation of these Regulations.

PROHIBITION ON THE HANDLING AND TRANSPORTATION OF FOOD

- 4. (1) No person shall handle food in a manner contrary to the provisions of these Regulations.
- (2) If an inspector following an inspection of food premises or a facility is of the opinion –
 - (a) that such food premises or facility –
 - (i) are or is in such a condition or used in such a manner; or
 - (ii) do or does not comply with these Regulations to the extent;
 - (b) that a particular activity with regard to the handling of food takes place in such a manner; or
 - (c) that such circumstances exist with regard to the food premises or facility or any other activity, that they or it constitute a health hazard and that the continued use of the food premises or facility or the activity should be prohibited, the local authority may summarily prohibit the use of the food premises or facility for the handling of food or any of the activities that relate to the handling of food, by issuing a written prohibition order on a form that is substantially the same as the form in **Annexure C** of these Regulations to the person in charge or, if he or she is not available, his or her representative informing such person of the prohibition
- (3) (a) A prohibition shall come into operation from the time at and the date on which a prohibition order is served under Subregulation (2).
(b) Any person shall be guilty of an offence if performing any act that is contrary to such prohibition.
- (4) An inspector shall, within 72 working hours of receiving a written request for the removal of a prohibition order, carry out an investigation of the food premises, facility, activity or circumstance which gave rise to the prohibition and the local authority shall upon completion of such investigation in writing inform the person on whom the prohibition order was served or, if he or she is not available, any other person representing such person that the prohibition order has been withdrawn or remains in force, as the case may be.

STANDARDS AND REQUIREMENTS FOR FOOD PREMISES

5. (1) Subject to the provisions of Regulation 14, no person shall handle food elsewhere than on food premises that meet the requirements of this Regulations and Regulation 6.
- (2) A food premises shall be of such location, design, construction and finish and shall be so equipped and maintained in the condition for which it was intended, that it can be used at all times for the purpose for which it was designed, constructed and equipped - without creating a health hazard and that food –
- (a) can be handled hygienically on the food premises and facilities thereon; and
- (b) can be protected effectively by the best available method against contamination or spoilage by poisonous or offensive gases, vapors, odors, smoke, soot deposits, dust, moisture, insects or other vectors, or by any other physical, chemical (including allergens) or biological contamination or pollution or by any other agent whatsoever.
- (3) For the purposes of Subregulation (2) food premises shall meet the following requirements;
- (a) All interior surfaces of walls, sides or ceilings, or of roofs without ceilings, and the surfaces of floors, or any other similar horizontal or vertical surfaces that form part of or enclose the food-handling area shall-
- (i) have no open joints or open seams and shall be made of smooth, rust-free, non-toxic, cleanable and non-absorbent material that is dust-proof and water-resistant: Provided that in a food-serving or storage area –
- (aa) face brick;
- (bb) similar walls the joints of which are formed properly or are so formed and finished that they are easy to clean; or
- (cc) decorative wall or ceiling finishes which are easy to clean, may be used;
- (ii) be of such a nature that they cannot contaminate or contribute to the contamination of food.
- (b) Each area of a food premises shall be -
- (i) ventilated effectively by means of -
- (aa) natural ventilation through openings or openable sections which are directly connected to the outside air and so positioned in the external walls and/or roof that effective cross-ventilation is possible: Provided

- that such openings shall have a surface area equal to at least 5% of the floor area of the room concerned; or
- (bb) artificial ventilation that complies with the requirements of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), whichever of the two methods will facilitate the addition of adequate fresh air to and the effective removal of polluted or stale air from the food premises to the extent that air contaminants that could contaminate food, and that gas, vapors, steam and warm air that may arise during the handling of food are effectively removed, and that the emergence of any unhygienic or unhealthy condition on the food premises is prevented;
- (ii) illuminated by means of –
- (aa) unobstructed transparent surfaces in the external walls and/or roof which admit daylight, with an area equal to at least 10% of the floor area in the room concerned; or
- (bb) artificial illumination which complies with the requirements of the National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977), which permits an illumination strength equal to at least 200 lux; provided that the intensity of the lighting should be adequate based on the nature of the operation and lighting fixtures are appropriately protected to prevent glass contamination of food.
- (c) Food premises shall -
- (i) have a wash-up facility with hot and cold water for the cleaning of facilities;
- (ii) be bird and rodent proof in accordance with the best available method;
- (iii) be provided with effective means of controlling and preventing access of flies, cockroaches, or other insects;
- (iv) have a waste-water disposal system approved by the local authority.
- (d) The following shall be available in respect of food premises:
- (i) The number of latrines, urinal stalls and hand washbasins specified in **Annexure D** to these Regulations for the use of workers on the food premises and for use by persons to whom food is served for consumption on the food premises: Provided that separate sanitary facilities for workers and clients shall not be required: Provided further that where

- persons of only one sex or no more than ten persons work on food premises, separate sanitary facilities shall not be required for workers of different sexes;
- (ii) hand-washing facilities which shall be provided with cold and/or hot water for the washing of hands by workers on the food premises and by persons to whom food is served for consumption on the food premises, together with a supply of soap (or other cleaning agents) and clean disposable hand-drying material or other hand-cleaning facilities or hand-drying equipment for the cleansing and drying of hands by such workers and persons;
 - (iii) liquid proof, easy-to-clean refuse containers with close-fitting lids suitable for the hygienic storage of refuse pending its removal from the food-handling area;
 - (v) storage space for the hygienic storage of food, facilities and equipment and a suitable separate area for the hygienic storage of refuse containers on the food premises;
 - (vi) a separate changing area with storage facilities for clothes of workers;
 - (vi) an adequate supply of water.
- (e) No room in which food is handled shall have a direct connection with any area -
- (i) in which gas, fumes, dust, soot deposits, offensive odors or any other impurity is present or may arise in such a manner that food in the food-handling room could be contaminated or spoiled;
 - (ii) in which an act is performed in any manner or where any condition exists that could contaminate or spoil food in the food handling area;
- (f) A room in which food is handled may be connected to a changing area or a room in which a latrine or urinal is situated -
- (i) only via a properly ventilated lobby: Provided that all relevant inter-connecting doors shall cover the whole area of their apertures: Provided further that they shall be equipped with durable self-closing devices; or
 - (ii) without such a lobby between them: Provided that the connecting aperture shall have a self-closing door as contemplated in item (i): Provided further that the latrine or urinal room shall be equipped with effective mechanical extraction ventilation to the outside air to render the atmosphere inside such room under a negative pressure in relation to the atmosphere in the food-handling room.

STANDARDS AND REQUIREMENTS FOR FACILITIES ON FOOD PREMISES

6. (1) The surface of any table, counter or working surface on which unwrapped food is handled and any equipment, utensil or basin or any other surface which comes into direct contact with food shall be made of smooth, rust-proof, non-toxic and non-absorbent material that is free of open joints or seams: Provided that wooden chopping blocks, cutting boards and utensils shall not be prohibited providing such items are kept in such a condition that dirt does not accumulate thereon or therein and maintained as such.
- (2) No surface referred to in Subregulation (1) and no crockery, cutlery, utensils, basins or any other such facilities shall be used for the handling of food if they are not clean or if they are chipped, split or cracked.
- (3) Any utensil or item which is suitable for single use only –
(a) shall be stored in a dust-free container until used; and
(a) shall not be used more than once.
- (4) A surface referred to in Subregulation (1) and a facility referred to in Subregulation (2) shall be –
(a) cleaned and washed before food come into direct contact with it for the first time during each work shift; and
(b) cleaned and washed, as and when necessary, during and/or immediately after the handling of food, so that contamination of the food that comes into contact with any such surface or facility is prevented, and any such surface or facility shall, before food comes into direct contact therewith, contain –
(i) no more than 100 viable micro-organisms per cm² upon analysis, conducted in accordance with acknowledged scientific microbiological methods of analysis, of a sample taken in accordance with the swab technique prescribed in the Efficacy of Cleaning Plant, Equipment and Utensils – SANS 5763; and
(ii) no remains of cleaning materials or disinfectants which may contaminate the food.
- (5) (a) Every chilling and freezer facility used for the storage, display or transport of perishable food shall be provided with a thermometer which at all times shall reflect the degree of chilling of the refrigeration area of such facility and which shall be in such a condition and positioned so that an accurate reading may be taken unhampered.
(b) Every heating apparatus or facility used for the storage, display or transport or heated perishable food shall be provided with a thermometer which at all times shall reflect the degree of heating of

the heating area concerned and which shall be in such a condition and positioned so that an accurate reading may be taken unhampered.

- (6) All equipment and apparatus used for heat treatment of milk, shall be fitted with dial thermometers and thermostats accurate to 0.5 degree Celsius (0.5°C) in respect of the entire given series of scales and, in addition to mechanical temperature and time regulators and alarms, such apparatus shall have flow-regulating and flow-averting valves by which milk not subjected to heat treatment is automatically redirected to the balance tank.

STANDARDS AND REQUIREMENTS FOR FOOD CONTAINERS, APPLIANCES, BULK MILK TANKS AND BUTCHERY EQUIPMENT

7. (1) No person shall sell canned or hermetically sealed food in a container which –
- (a) bulges at the flat or round sides or ends or one side of which bulges when the other side is pressed;
 - (b) is in any way blown or from which gas escapes from the lid or from any part thereof when it is opened or punctured, unless
 - (i) the container contains an aerated drink; or
 - (ii) gas has been used as a preservative;
 - (c) is so rusted, dented or damaged that it is liable to contaminate or spoil the food or that it leaks or has become unsealed;
 - (d) has a leak or had a leak that was resealed.
- (2) Any container, or appliance used in connection with food shall be clean and of such composition or nature as not to yield, or be liable to yield, to its food contents, or to food with which it comes in contact, any unwholesome, injurious or toxic substance, or any other substance liable to contaminate or spoil the food in the container.
- (3) Pre-packed food, depending on the type of food, shall be packed in a dustproof and liquid proof container that protects the product therein against contamination under normal handling conditions and shall be so packed, wrapped or sealed that the food cannot be removed from its container without the stopper or lid or similar seal being removed or without the wrapping, container or seal being damaged.
- (4) Perishable food, excluding unprocessed agricultural crops and products that are not prepacked, except food for consumption as meals on food premises, shall, when served to the consumer, be packed in a container that protects the food therein against contamination.

- (5) Bulk milk tank equipment provided on a food premises for selling milk to the consumer in a container provided by the consumer or by the person in charge of the food premises, whichever the case may be, and filled on such premises, shall -
- (a) consist of at least two tanks to make allowance for the alternate cleaning of the tanks so that a new batch of milk is not added to a tank still containing milk from a previous batch;
 - (b) not be made wholly or partly of copper, or any copper alloy or any toxic material;
 - (c) have a smooth finish free of open seems, cracks and rust stains and constructed with such material and in such a way that any surface that comes into contact with milk shall be accessible for the purposes of proper washing and disinfection;
 - (d) use pipes, valves, containers or any other equipment which comes into direct contact with the milk during the operation of the bulk tank facility, which is of a material and design that will enable proper washing and disinfection and storage;
 - (e) have a drainage incline leading directly to the outlet point;
 - (f) be fitted with an outlet pipe manufactured and fitted in such a way that all liquid can drain out of such tank and the end of such outlet pipe shall be screw-threaded and fitted with a screw cap permitting such end to be shut off;
 - (g) be provided with a stainless steel agitator capable of thoroughly mixing the contents of the tank;
 - (h) be provided with a lid, where applicable, that closes and seals properly to protect the milk from insects, dusts and other contaminants;
 - (i) be fitted with a thermometer capable of measuring the temperature of the milk in such tank accurately to the nearest 2°C;
 - (j) be equipped to cool the milk in such tank to 5°C or lower temperature within three hours after receiving it, and of keeping such cooled milk at a temperature indicated in **Annexure E** of the Regulations;
 - (k) be installed at a minimum distance of 0,5 meters from any roof, ceiling or wall;
 - (l) be insulated in such a way that when cooling takes place, the temperature of the milk in such a tank shall not increase by more than 3°C in 12 hours if the surrounding temperature is 32°C;
 - (m) not be used for any other purpose except the storage of milk.
- (6) The requirements applicable to the cleaning of butchery equipment provided on butchery premises, or on any other premises where it is used for the same purpose, should be complied with as set out in **Annexure F**.

STANDARDS AND REQUIREMENTS FOR THE DISPLAY, STORAGE AND TEMPERATURE OF FOOD

8. (1) Food that is displayed or stored shall not be in direct contact with a floor or any ground surface.
- (2) Any shelf or display case used for displaying or storing food or any container shall be kept clean and free from dust or any other impurity.
- (3) Non-prepacked, ready-to-consume food, including food served as meals and displayed in an open container, shall be protected in accordance with the best available method, *inter alia*, against droplet contamination or contamination by insects or dust.
- (4) (a) Subject to Subregulation (5) all food specified in **Annexure E** to these regulations shall, excluding the time taken by the food to cool down or to be heated to the required temperature in accordance with good manufacturing practice, during the storage, transport or display thereof be kept at a core temperature not exceeding the core temperature specified in Column 3 of **Annexure E** opposite the relevant category of food, and no food shall be sold if, in the case of frozen or chilled food products, the core temperature thereof is higher than the required core temperature or the surface temperature thereof is more than 2°C higher than the required core temperature, and, in the case of heated food products, the core temperature thereof is lower than the required core temperature or the surface temperature thereof is more than 2°C lower than the required core temperature.
- (b) The provisions of paragraph (a) shall not apply to -
- (i) any perishable food that will be sold directly to a consumer within one hour of being processed or prepared or that will be consumed on the food premises within one hour of being processed or prepared;
 - (ii) venison, for a period not exceeding eight hours after the animal concerned has been killed: Provided that the surface temperature thereof shall not exceed 25°C;
 - (iii) unprocessed raw fish, molluscs or crustaceans or raw meat or edible offal or the carcasses of cattle, sheep, goats, pigs, horses, mules, donkeys, rabbits or ostriches while being transported for a period not exceeding one hour during delivery: Provided that the surface temperature thereof shall not exceed 25°C;
 - (iv) any food exposed to higher temperatures than those referred to in this Regulation during a maturation period or as part of

a manufacturing process: Provided that exposure to such higher temperatures shall be in accordance with good manufacturing practice.

- (5) Any food, excluding frozen fish and seafood, that is marketed as a frozen product and has thawed but the surface temperature of which has not exceeded 5°C may be refrozen: Provided that such refrozen product shall be handled in accordance with good manufacturing practice and in the case of frozen fish and seafood be handled in accordance with the relevant provisions of the Compulsory Specification stipulated by the National Regulator for Compulsory Specifications.
- (6) Frozen food thawed for further processing can be re-frozen, provided that such food:
 - (a) the core temperature shall not exceed 5 °C;
 - (b) the thawing process shall not exceed 10 hours (as the case may be);
 - (c) unless processed immediately after thawing is complete the chilling of the thawed food shall commence immediately to comply with the temperatures indicated in **Annexure E**;
 - (d) run-off liquid from the thawing process should be adequately drained to prevent cross contamination;
 - (e) shall be handled in accordance with good manufacturing practice.
- (7) The code of practice for measuring the temperature of food set out in **Annexure G** to these Regulations shall, in so far as it is applicable, be applied to measuring the temperature of food.

STANDARDS AND REQUIREMENTS FOR PROTECTIVE CLOTHING

9. (1) No person shall be allowed to handle food without wearing suitable protective clothing as specified in Subregulation (2).
- (2) The protective clothing, including head and other coverings and footwear, of any person handling food that is not packed so that the food cannot be contaminated shall -
 - (a) be clean and neat when such person begins to handle the food;
 - (b) at all times during the handling of the food be in such a clean condition and of such design and material that it cannot contaminate the food;
 - (c) be so designed that the food cannot come into direct contact with any part of the body, excluding the hands.
- (3) Visitors to food premises should, where applicable, wear suitable protective clothing.

DUTIES OF A PERSON IN CHARGE OF FOOD PREMISES

10. A person in charge of food premises shall ensure that –
- (a) (i) he or she is suitably qualified or otherwise adequately trained in the principles and practices of food safety and hygiene, as appropriate: Provided that such training is accredited and conducted in accordance with the relevant SETA / SAQA requirements;
 - (ii) any other person working on the food premises, is suitably qualified or adequately trained in the principles and practices of food safety and hygiene, as appropriate, by an inspector or any other suitable person;
 - (iii) routine assessments are conducted to determine the impact of the training required under Regulation 9(a)(ii) and arrange follow up training as applicable;
 - (iv) training programmes and records shall be kept and routinely updated, as applicable, and made available to an inspector on request;
 - (b) the provisions of these Regulations are complied with;
 - (c) effective measures are taken to eliminate flies, other insects, rodents or vermin on the food premises;
 - (d) refuse is removed from the food premises or from any room or area in which food is handled as often as is necessary and whenever an inspector requires it to be done;
 - (e) refuse is stored or disposed of in such a manner that it does not create a nuisance;
 - (f) refuse bins are -
 - (i) cleaned regularly; and
 - (ii) disinfected whenever necessary and whenever an inspector requires it to be done;
 - (g) waste water on the food premises is disposed of to the satisfaction of the relevant local authority;
 - (h) the food premises and any land used in connection with the handling of food and all facilities, freight compartments of vehicles and containers are kept clean and free from any unnecessary materials, goods or items that do not form an integral part of the operation and that have a negative effect on the general hygiene of the food premises;
 - (i) no person handling non-prepacked food wears any jewellery or adornment that may come into contact with the food, unless it is suitably covered;
 - (j) no animal, subject to the provisions of any law, is kept or permitted in any room or area where food is handled, except that –
 - (i) a guide dog accompanying a blind person and or a person with any other disability may be permitted in the sales or serving area of the food premises;

- (ii) fish, molluscs or crustaceans may be kept alive until prepared for consumption;
- (k) no condition, act or omission that may contaminate any food arises or is performed or permitted on the food premises;
- (l) all persons under his or her control who handle food at all times meet the standards and requirements and execute the duties prescribed by Regulations 9 and 11, respectively;
- (m) a room or area in which food is handled shall not be used for -
 - (i) sleeping purposes;
 - (ii) washing, cleaning or ironing of clothing or similar laundry;
 - (iii) any other purpose or in any manner that may contaminate the food therein or thereon;
- (n) no food handler touches ready-to-consume non-prepacked food with his or her bare hands, unless it is unavoidable for preparation purposes, in which case such food shall be handled in accordance with good manufacturing practice;
- (o) the reporting of diseases and conditions contemplated in Regulation 11(2)(b) are properly recorded and kept for perusal by an inspector.
- (p) notwithstanding Subregulations 10(a) and 10(o) and subject to Subregulation 10(b) and the best available method, must demonstrate compliance to these Regulations through appropriate records; Provided that records applicable to processing, production and distribution should be kept and retained for a period that exceeds the shelf-life of the product/s;
- (q) any foodstuff manufactured, kept or sold from the premises contemplated in Regulation 3(1) complies in all respects to the provisions of the Act and the Regulations promulgated there under, including the labeling thereof.
- (r) notwithstanding the provisions of Subregulation 10(q), a traceability system is maintained according to the best available method; a recall procedure is in place and any incident requiring recall activation is reported to the local Environmental Health Practitioner and the National Directorate: Food Control.

DUTIES OF A FOOD HANDLER

11. (1) Food, a facility or a container shall not be handled by any person –
- (a) whose hands or clothes are not clean;
 - (b) whose fingernails are not trimmed and clean;
 - (c) who has not washed his or her hands thoroughly with soap and water or cleaned them in another effective manner –
 - (i) immediately prior to the commencement of each work shift;
 - (ii) at the beginning of the day's work or after a rest period;
 - (ii) after every visit to a latrine or urinal;

- (iii) every time he or she has blown his or her nose or after his or her hands have been in contact with perspiration or with his or her hair, nose or mouth;
 - (iv) after handling a handkerchief, money or a refuse container or refuse;
 - (v) after handling raw vegetables, fruit, eggs, meat or fish and before handling ready-to-use food;
 - (vi) after he or she has smoked or used tobacco in any form or on return to the food premises; or
 - (vii) after handling a foodstuff classified as a common allergen where such contamination can result in the cross contamination of other food not associated with common allergens; or ,
 - (viii) after his or her hands have become soiled or contaminated for any other reason.
- (2) Food, a facility or a container shall not be handled by any person –
- (a) who has on his or her body a suppurating abscess or a sore or a cut or abrasion, including other infected skin lesions, unless covered with a moisture proof dressing which is firmly secured to prevent contamination of the food;
 - (b) who is or who is suspected of suffering from or being a carrier of a disease or condition in its contagious stage likely to be transmitted through food, unless any such person immediately reports the disease or condition to the person in charge which, *inter alia*, includes jaundice; diarrhoea; vomiting; fever; sore throat with fever and discharges from the ear, eye or nose; Provided a certificate by a medical practitioner stating that such person is fit to handle food is submitted;
 - (c) whose hands or clothing are not clean.
- (3) No person shall –
- (a) spit in an area where food is handled or on any facility;
 - (b) smoke or use tobacco in any other manner while he or she is handling non-prepacked food or while he or she is in an area where such food is handled;
 - (c) handle non-prepacked food in a manner that brings it into contact with any exposed part of his or her body, excluding his or her hands;
 - (d) lick his or her fingers when he or she is handling non-prepacked food or material for the wrapping of food;
 - (e) cough or sneeze over non-prepacked food or food containers or facilities;
 - (f) spit on whetstones or bring meat skewers, labels, equipment, or any other object used in the handling of food or any part of his or her hands into contact with his or her mouth, or inflate sausage

- casings, bags or other wrappings by mouth or in any other manner that may contaminate the food;
- (g) walk, stand, sit or lie on food or on non-hermetically sealed containers containing food or on containers or on food-processing surfaces or other facilities;
 - (h) use a hand washbasin for the cleaning of facilities; or
 - (i) while he or she is handling food, perform any act other than those referred to above which could contaminate or spoil food.

STANDARDS AND REQUIREMENTS FOR THE HANDLING AND TRANSPORTATION OF MEAT AND MEAT PRODUCTS

12. (1) No person shall on food premises handle meat derived from an animal slaughtered in contravention of the Meat Safety Act, 2000 (Act No. 40 of 2000).
- (2) Unskinned carcasses shall not be so handled that the skin thereof comes into contact with other food on food premises or that the meat of such carcasses is contaminated or spoiled.
- (3) No Person shall transport meat and meat products unless –
- (a) a suitable vehicle is provided for the exclusive use of the transportation and delivery of meat or meat products kept at all times in a clean condition and further so maintained that the meat and meat products transported or delivered therein are not contaminated by flies, dust, filth, impurity or any other injurious matter or thing;
 - (b) the compartment of every vehicle used for the transportation of meat and meat products from an abattoir to any food premises where the meat and meat products are to be processed further, or to be sold to the public, is lined with a suitable impervious jointless material which shall be capable of being cleaned and where necessary disinfected, easily, and shall further be so contrived that
 - (i) all carcasses or parts thereof may hang from a crossbeam with stainless steel hooks fitted at such a height that, if suspended there from, no part of any carcass touches the floor of the vehicle;
 - (ii) all meat is at all times properly protected from dust and flies;
 - (c) no tarpaulins or cloths are allowed in or on the vehicle;
 - (d) the vehicle is furnished with a removable rust-proof box of impervious material with a tight-fitting lid, in which meat products of animals slaughtered at the abattoir may be transported;

- (e) the box as well as the body of the vehicle and associated parts are clean when meat is loaded therein; when the meat has been delivered, the box as well as the interior surfaces of the body of the vehicle and associated parts shall be washed thoroughly to remove all impurities, if necessary with hot water, soap or detergent and thereafter disinfected where necessary; and
- (f) no uncleaned or unscraped offal, hides or related products, other food or material that can contaminate the interior surfaces of the body of a vehicle are to be transported in any vehicle used exclusively for the transportation of meat and meat products.

STANDARDS AND REQUIREMENTS FOR THE TRANSPORT OF FOOD

13. (1) No person shall transport food including unprocessed agricultural crops on or in any part of a vehicle –
- (a) unless that part is clean and has been cleaned to such an extent that chemical (including allergens), physical or microbiological contamination of the food is prevented;
 - (b) together with –
 - (i) contaminated food or waste food;
 - (ii) poison or any harmful substance;
 - (iii) a live animal; or
 - (iv) any object that may contaminate or spoil the food.
- (2) Subject to Subregulations (1) and (4), the freight compartment of a vehicle that is used for the transportation of food that is not packed or wrapped in liquid proof and dustproof sealed containers –
- (a) shall have an interior surface made of an easy-to-clean and smooth, rust free, non-toxic and non-absorbent material without open joints or seams and, before food is loaded into such freight compartment, no square centimeter of the said surface shall upon analysis as referred to in Regulation 6(4)(b)(i) contain more than 100 viable micro-organisms;
 - (b) shall be dustproof;
 - (c) shall not be used simultaneously for the transport of any person or any other item that may contaminate the food.
- (3) Notwithstanding any provisions to the contrary contained in this Regulation, no non-prepacked food shall be –
- (a) transported in such a manner that it comes into contact with the floor of a vehicle or the floor covering thereof or a surface thereof that can be walked on or with anything else that could pollute the food; or
 - (b) transported or carried in such a manner that the food could be spoiled or contaminated in any way.

- (4) Subregulations (2) and (3) (a) shall not apply to the transport of venison, fish, molluscs or crustaceans between the food premises and the place where the animals are hunted or the place where the fish, molluscs or crustaceans are caught or harvested: Provided that such transport shall be by the best available method and within a suitable time limit for transport as required by circumstances and with specific reference to Regulation 8(4)(b)(ii) and (iii).

EXEMPTIONS, ADDITIONAL REQUIREMENTS AND RESERVATIONS

14. (1) A person in charge of food premises may, subject to Regulation 3(1)(a), apply to the local authority concerned for exemption from any of the provisions of these , excluding exemption from the issuing of a certificate of acceptability.
- (2) Upon receipt of an application referred to in Subregulation (1) a local authority shall refer the application to an inspector without delay, and exemption shall not be granted unless the inspector has submitted a report to the local authority to the effect that he or she is satisfied that –
- (a) the provision from which exemption is requested imposes unreasonable requirements in the case in question; and
 - (b) the granting of such exemption does not or will not result in conditions that constitute a health hazard.
- (3) An exemption referred to in this Regulation –
- (a) shall be subject to the conditions listed by the local authority in the certificate of acceptability or notice of exemption, as the case may be; and
 - (b) shall be withdrawn by the local authority on the grounds of an inspection report and a recommendation by an inspector to the effect that he or she is of the opinion that such exemption will result in conditions that constitute a health hazard.
- (4) Subject to Regulation 3(5)(a), a local authority may, on the grounds of an inspection report and recommendations from an inspector, set additional requirements to be met on any food premises where, despite compliance with any provision contained in these Regulations, a health hazard exists which is not provided for in these , which additional requirements shall, subject to the principles of the best available method and good manufacturing practice, be limited to the minimum necessary to remove the health hazard in question.
- (5) The provisions of Regulation 3(1) and Regulation 5 shall not apply to the killing, bleeding or evisceration of an animal after the hunting thereof or of

fish, molluscs or crustaceans after the catching or harvesting thereof and the packing, storage, display, sale or transport of unprocessed agricultural crops, provided that -

- (a) the principles of best available method and good agricultural and manufacturing practice shall apply;
 - (b) the provisions of other applicable legislation where relevant shall apply;
 - (c) unprocessed agricultural crops are not offered for sale at local authority markets
 - (d) an inspector shall, in the event that conditions prevail that constitute a health hazard-
 - (i) subject to Regulations made in terms of Section 15 of the Act relating to inspections and investigations in respect of the handling of food, order that any condition that led to or could lead to such or any other health hazard be corrected or that any provision of these Regulations be complied with; or
 - (ii) prohibit the continued use of the food premises for the packing, storage, display, sale or transport of any of the afore-mentioned food, and the provisions of Regulations 4(2) to (4) shall *mutatis mutandis* apply to such prohibition.
- (6) The provisions of Regulation 3(1) shall not apply to -
- (a) any vehicle used by the person in charge of a food premises, for which a certificate of acceptability exists, to transport, display or serve prepacked food deriving from such food premises;
 - (b) a private residence where food is handled for the purpose of making it available without compensation to a church, educational or amateur sports organisation or any registered welfare or fund-raising organisation for sale: Provided that the person in charge of any such organisation who receives such food shall keep a record of the type of food and the address of the private residence where the food was handled for a period of at least 30 days after receipt of the food; and
- (7) These Regulations shall not apply to a private household which handles food for consumption by such household or, without compensation, by any other person.

OFFENCES

15. Any person who contravenes a provision of these , or allows such a contravention to take place, shall be guilty of an offence and is liable for a penalty as provided for under Section 18 of the Act.

COMMENCEMENT

16. These Regulations shall come into operation on the date of the publication of the final Regulations, with the exception of Regulations 7(5) and 10 (b), which will come into operation six (6) months after date of publication of these Regulations.

REPEAL OF REGULATIONS

17. Government Notice No. 692 of 23 November 2012, and Government Notice No. 2064 of 2 November 1973 are hereby repealed.



DR. A MOTSOLEDI, MP
MINISTER OF HEALTH
DATE: 16/9/2015

ANNEXURE A
[Regulation 3(2)]

**APPLICATION FORM OF A CERTIFICATE OF ACCEPTABILITY FOR
FOOD PREMISES**

A. PERSON IN CHARGE

Surname and first names of person in whose name the certificate of acceptability must be issued:	I.D. Number:
---	-----------------------

ADDRESS	
Postal address:	
Residential address:	
Tel. No.: Business	
Tel. No.: Residential	

B. PARTICULARS FOR FOOD PREMISES

Name of food premises (if any)	
Erf No.(if applicable)	
Type of food premises (e.g building, vehicle, stall)	
Location address or address where the food premises can be inspected	

If the following are not situated on the food premises, note the address or describe the location thereof:

	Erf No.	Address
Sanitary (latrine) facilities		
Cleaning facilities (wash-basins for facilities)		
Hand-washing facilities		
Storage facilities for food/facilities		
Preparation premises		

C. FOOD CATEGORY

List and describe the food items or the nature or type of food involved.

D. NATURE OF HANDLING

List and describe what your activities will entail (e.g preparation or packing and processing).

E. STAFF

Number of persons employed or to be employed.

Men	
Women	
Total	

F. PARTICULARS OF EXEMPTION BEING APPLIED FOR [Regulation 14(1)]

G. PARTICULARS OF APPLICANT

Name	
Capacity (e.g. owner, managing director, secretary, manager)	
Postal address	
Tel no:	

Date of application:

Signature

**ANNEXURE B
[Regulation 3(5)(a)]**

**CERTIFICATE OF ACCEPTABILITY FOR FOOD PREMISES
This certificate is not transferable from premises to premises**

A. LOCAL AUTHORITY:
CERTIFICATE NO:
NAME:
TEL. NO:
OFFICIAL DATE STAMP

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B. FOOD PREMISES

Name (if any)	
Address: (Location or trading area, stand no. or vehicle registration No.):	
Address where food is processed:	

C. PERSON IN CHARGE

Name:	
I.D. Number	

D. CERTIFICATION AND RESTRICTION

It is hereby certified that the above-mentioned food premises comply with the provisions of 5 and 6 made by Government Notice No. ___ of ___ in respect of(the handling of food as specified in the application).

Restrictions, conditions or stipulations in terms of regulation 3(1)(b):

E. SIGNATURE OF INSPECTOR

Name of Inspector:
 Official Designation:
 Signature:
 Date:

F. ENDORSEMENTS/EXEMPTIONS - In terms of regulation 15

Endorsements / Exemptions	Date	Signature of Inspector

**ANNEXURE C
[Regulation 4(2)(c)]**

(Health authority's letterhead and contact details)

.....

ORDER FOR AN INSTRUCTION

ADDRESS OF PREMISES:

PERSON IN CHARGE:

POSTAL ADDRESS:

NAME OF INSPECTOR:

DATE OF INSPECTION:

1. It is hereby instructed that the following condition(s) existing on the above-mentioned food premises be rectified immediately, or by the following date:

- (a).....
- (b).....
- (c).....
- (d).....
- (e).....

2. The reason(s) for the prohibition:
.....
.....
.....
.....

3. The prohibition will in writing be removed by a local authority as soon as the reason(s) for the prohibition has (have) been removed and provided that the inspector is satisfied that the reason(s) for the prohibition is (are) not likely to recur.

4. No person shall perform any act that is contrary to this prohibition. Any person performing an act contrary to this prohibition order will be guilty of an offence and liable for prosecution.

SIGNATURE OF INSPECTOR:

TIME:

DATE:

ANNEXURE D [Regulation 5(3)(d)(i)]					
SANITARY CONVENIENCES					
Population: The number of staff members and the maximum number of customers for whom provision is made to consume food on any premises at any one time	Number of sanitary conveniences to be installed in relation to the population as given in the first column				
	Men			Women	
For a population up to	Toilets	Urinals	Hand washbasins	Toilets	Hand washbasins
15	1	1	1	2	1
30	1	2	2	3	2
60	2	3	3	5	3
90	3	5	4	7	4
120	3	6	5	9	5
	For a population in excess of 120 add 1 toilet, 1 urinal and 1 hand washbasin for every 100 persons			For a population in excess of 120 add 1 toilet, for every 50 persons	For a population in excess of 120 add 1 hand washbasin, for every 100 persons

ANNEXURE E [Regulations 7(5)(j) / 8(4)(a) / 8(6)(c)]		
FOOD TEMPERATURES		
Column 1 Category	Column 2 Type of food	Column 3 Required core temperature of food products that are stored, transported or displayed for sale
Frozen products	Ice cream and sorbet, excluding sorbet which is used for soft serve purposes	-18°C
	Any other food which is marketed as a frozen product	-12°C
Chilled products	Raw unpreserved fish, mollusks, crustaceans, edible offal, poultry meat and milk	+4°C
	Any other perishable food that must be kept chilled to prevent spoilage	+5°C
Heated products	Any perishable food not kept frozen or chilled	>/+60°C

ANNEXURE F
[Regulation 6(7)]

CLEANING OF BUTCHERY EQUIPMENT

a) Bandsaw

Clean the bandsaw properly at least once a day using SABS approved detergents and disinfectants.

- Disconnect machine from main power supply.
- Loosen top nut and take off blade
- Remove top wheel.
- Remove the blade scrapers.
- Remove sliding table.
- Remove fixed table.
- Remove T bolt and clean thread.
- Clean all loose parts and also the base of the bandsaw.
- Clean all loose parts:
 - o Underneath the sliding table.
 - o Underneath the cutting table.
 - o The grooves of the wheels.
 - o The scrapers of the blades.
 - o The blades.
 - o Inside the top and bottom doors.
- Use hot water at 40 – 60 deg C together with detergent to wash and scrub all of the above parts.
- Wash the bandsaw ensuring it is thoroughly clean from grime and grease.
- Mix a solution of hot water and disinfectant and wash the bandsaw and all of the above parts.
- Rinse with clean water.

b) Tenderiser

Clean the tenderizer properly at least once a day using SABS approved disinfectants and detergents.

- Using a pair of safety cleaning gloves, dis-assemble cradle assembly by removing the strippers first and then both blade assemblies.
- Rinse blade assembly in a bath of water 40 – 60 deg C to loosen particles.
- After particles are loosened, immerse all items in a soapy bath 40 – 60 deg C and clean using a brush.
- Be sure to remove all meat build-up. Ensure the tenderizer is clean from grime and grease.
- Mix a solution of hot water and disinfectant and wash all parts.
- Rinse with clean water.
- Wear safety gloves when removing the stripper attachment.

Cleaning and disinfection at the end of the day is an essential routine procedure aimed at removing and destroying undesirable substances and organisms which may have a harmful effect on the consumer or the products.

c) Filler

Clean the filler properly at least once a day using SABS approved detergents and disinfectants.

- Dismantle the filler and remove all attachments.
- Where applicable, remove the chamber / barrel daily to wash the piston.
- Remove the O-ring on the barrel and piston and clean the grooves.
- Use hot water at 40-60 deg C together with detergent to wash and scrub the barrel, piston and all parts.
- Clean nozzles thoroughly using a nozzle brush, and wash the whole filler.
- Mix a solution of hot water and disinfectant and wash the whole filler, barrel, piston and all parts.
- Rinse with clean water.
- Where applicable, remove piston and O-ring to wash underneath.
- The chamber must be cleaned daily.
- Remove the chamber / barrel and wash under the piston.
- Take care not to damage the nozzle tips.
- This will tear the casing and smear the product.
- Wash nozzles well. Dirty nozzles will contaminate fresh product.

d) Mincer

Clean the mincer properly at least once a day using SABS approved disinfectants and detergents.

- Dismantle the mincer and remove all attachments.
- Remove locking and inside parts: worm, knife and plate.
- Remove the barrel with a ring spanner, supplied with machine.
- Use hot water at 40 – 60 deg C together with detergent to wash and scrub the above parts.
- Be sure to remove all meat build-up from the plate surface and edge as well as from its seating area on the grinder ring so that it fits perfectly.
- Clean threads on the head so the end ring tightens easily by hand.
- Wash and disinfect the stomper daily.
- Clean infeed safety grid top, bottom and holes using a brush.
- Clean machine base.
- Mix a solution of hot water and disinfectant and wash mincer, plates, knives and all of the above parts thoroughly.
- Rinse with clean water.

e) Vacuum Packing Machine

Clean the vacuum packing machine properly at least once a day, or as often as required throughout the day, using SABS approved disinfectants and detergents.

- Use hot water at 40 – 60 deg C together with detergent to wash and scrub the vacuum machine.
- Mix a solution of hot water and disinfectant and wash vacuum machine and all parts.
- Remove trays and wash and sanitize.
- Clean sealing bar (top and bottom) with damp cloth.
- Clean inside of machine (chamber with trays removed). Also clean inside the lid / plexiglass.
- Clean base of machine.
- Rinse with clean water.

**ANNEXURE G
[Regulation 8(7)]**

CODE OF PRACTICE FOR MEASURING TEMPERATURES OF FOOD

1. Informing the person in charge or person responsible

The inspector shall inform the person in charge, or a person supervising the operation if the person in charge is not available, that he or she wishes to measure the temperatures of the food concerned and shall explain to him or her all the procedures contained in this code.

2. Precautionary measures

- (1) All procedures shall be carried out as far as is practicable in a manner that is aseptic and free from chemical pollutants.
- (2) In the case of prepacked food, and if it is necessary, the inspector shall remove the packaging in such a manner that the minimum and only the most reasonable essential damage is caused, or the person in charge or the person supervising the operation shall remove the packaging at his or her own risk.
- (3) The temperature of food shall as far as is practicable be measured without removing the food from a chilling, freezing or heating facility.

3. Measurement of temperature

Prepacked food

- (1) If the food is prepacked, the estimated temperature of the food may be measured by placing or at least one minute the stem of a thermometer (hereinafter referred to as the "stem") between two or more food packages or, in the case of a single food package, on the outer surface of the package.
- (2) If the temperature reading is not in compliance with the core temperatures specified in Annexure F to these or if the inspector has any doubts regarding the temperature of the food inside the package, the surface of core temperature of the food may be measured to determine the actual temperature.

Core temperature

- (3) If the food product is frozen a hole shall be drilled in the food up to the estimated core of the food product with a sterilised stainless steel bit with an external measurement of about 4mm. The sterilised stem shall be inserted into the hole up to the estimated center of the product and a reading shall be taken after two minutes. In the case of a heated, chilled or unchilled product, the sterilised stem shall be inserted up to the estimated core of the food product and a reading shall be taken after one minute.

Surface temperature

- (4) The surface temperature shall be measured by placing the sterilised stem directly on the surface of the food for at least one minute or, in the case of liquid, in the liquid for at least one minute, and the reading shall be taken immediately thereafter.

4. Presumption in respect of representative temperature reading

The food temperature determined in accordance with this code of practice shall be regarded as being representative of the temperature of all food in the freezing, chilling or heating facility concerned if the inspector is satisfied that such food is in the same condition or has the same characteristics as the food the temperature of which was taken.