

## STATUTORY INSTRUMENTS

# 1991 No. 762

## The Food Safety (Northern Ireland) Order 1991

### PART II

#### GENERAL PROVISIONS AS TO FOOD

##### *Food safety*

#### **Improvement notices**

**9.**—(1) If an authorised officer has reasonable grounds for believing that the proprietor of a food business is failing to comply with any regulations to which this Article applies, he may, by a notice served on that proprietor (an “improvement notice”)—

- (a) state the officer's grounds for believing that the proprietor is failing to comply with the regulations;
  - (b) specify the matters which constitute the proprietor's failure so to comply;
  - (c) specify the measures which, in the officer's opinion, the proprietor must take in order to secure compliance; and
  - (d) require the proprietor to take those measures, or measures which are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice.
- (2) Any person who fails to comply with an improvement notice shall be guilty of an offence.
- (3) This Article and Article 10 apply to any regulations under this Part which make provision—
- (a) for requiring, prohibiting or regulating the use of any process or treatment in the preparation of food; or
  - (b) for securing the observance of hygienic conditions and practices in connection with the carrying out of commercial operations with respect to food or food sources.

#### **Modifications etc. (not altering text)**

- C1** Art. 9 applied with modifications (7.10.2013) by [The Fish Labelling Regulations \(Northern Ireland\) 2013 \(S.R. 2013/219\)](#), regs. 1, 4
- C2** Art. 9 applied with modifications (31.10.2013) by [The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations \(Northern Ireland\) 2013 \(S.R. 2013/220\)](#), regs. 1, 7
- C3** Art. 9 applied with modifications (20.11.2013) by [The Fruit Juices and Fruit Nectars Regulations \(Northern Ireland\) 2013 \(S.R. 2013/253\)](#), regs. 1(1), 17 (with reg. 22)
- C4** Art. 9(1) applied (with modifications) (13.12.2014) by [The Products Containing Meat etc. Regulations \(Northern Ireland\) 2014 \(S.R. 2014/285\)](#), regs. 1, 7(1)
- C5** Art. 9(1)(2) applied (with modifications) (24.6.2015) by [The Honey Regulations \(Northern Ireland\) 2015 \(S.R. 2015/261\)](#), reg. 1, **Sch. 2**
- C6** Art. 9(1) applied (with modifications) (11.9.2015) by [The Country of Origin of Certain Meats Regulations \(Northern Ireland\) 2015 \(S.R. 2015/321\)](#), regs. 1, 6(1), **Sch. Pt. 1 para. 1**

- C7** Art. 9(1)(2) applied (28.11.2015) by The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (Northern Ireland) 2015 (S.R. 2015/365), regs. 1, **33(1)** (with reg. 33(2)(3))
- C8** Art. 9(1) applied (with modifications) (28.11.2015) by The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (Northern Ireland) 2015 (S.R. 2015/365), regs. 1, 33(1), **Sch. 12 Pt. 1**
- C9** Art. 9(1) applied (with modifications) (20.7.2016) by The Food Safety (Information and Compositional Requirements) Regulations (Northern Ireland) 2016 (S.R. 2016/251), regs. 1, 5(1), **Sch. 2**
- C10** Art. 9(1) applied (with modifications) (22.12.2016) by The Caseins and Caseinates Regulations (Northern Ireland) 2016 (S.R. 2016/415), reg. 1, **Sch. 5 para. 1**
- C11** Art. 9(1) applied (with modifications) by S.R. 2012/384, reg. 26(1) (as substituted (14.9.2017) by The Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 2017 (S.R. 2017/157), regs. 1, 12) (Amendment to earlier affecting provision S.R. 2012/384, Sch. 2 (29.11.2018) by S.R. 2018/186, reg. 12)
- C12** Art. 9(1) applied with modification(s) (1.1.2018) by The Novel Foods Regulations (Northern Ireland) 2017 (S.R. 2017/233), regs. 1, 5(1), **Sch. 2 Pt. 1** (with reg. 5(4))
- C13** Art. 9(1)(2) applied (with modifications) (23.4.2018) by The Condensed Milk and Dried Milk Regulations (Northern Ireland) 2018 (S.R. 2018/77), regs. 1, 6(1), **Sch. 3 Pt. 1**
- C14** Art. 9(1)(2) applied (with modifications) (23.4.2018) by The Jam and Similar Products Regulations (Northern Ireland) 2018 (S.R. 2018/78), regs. 1, 10, **Sch. 4** (with reg. 3)
- C15** Art. 9(1) applied (with modifications) (13.12.2016 for specified purposes) by The Food Information Regulations (Northern Ireland) 2014 (S.R. 2014/223), regs. 1(4)(b), 12, **Sch. 4 Pt. 1 para. 1** (as amended (1.10.2021) by The Food Information (Amendment No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020/80), regs. 1, **2(9)**)
- C16** Art. 9(2) applied (with modifications) (13.12.2014) by The Products Containing Meat etc. Regulations (Northern Ireland) 2014 (S.R. 2014/285), regs. 1, **7(1)**
- C17** Art. 9(2) applied (with modifications) (11.9.2015) by The Country of Origin of Certain Meats Regulations (Northern Ireland) 2015 (S.R. 2015/321), regs. 1, **6(1)**, Sch. Pt. 1 para. 1
- C18** Art. 9(2) applied (20.7.2016) by The Food Safety (Information and Compositional Requirements) Regulations (Northern Ireland) 2016 (S.R. 2016/251), regs. 1, **5(1)**
- C19** Art. 9(2) applied (22.12.2016) by The Caseins and Caseinates Regulations (Northern Ireland) 2016 (S.R. 2016/415), regs. 1, **8(1)**
- C20** Art. 9(2) applied by S.R. 2012/384, reg. 26(1) (as substituted (14.9.2017) by The Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 2017 (S.R. 2017/157), regs. 1, **12**)
- C21** Art. 9(2) applied (1.1.2018) by The Novel Foods Regulations (Northern Ireland) 2017 (S.R. 2017/233), regs. 1, **5(1)** (with reg. 5(4))

**Changes to legislation:**

There are currently no known outstanding effects for the The Food Safety (Northern Ireland) Order 1991, Section 9.