

ACCRA METROPOLITAN ASSEMBLY(Food Safety and Hygiene) Bye-laws, 2017

In exercise of the powers conferred upon the ACCRA METROPOLITAN ASSEMBLY by section 181 of the Local Governance Act, 2016 (ACT 936), this Bye-law is hereby made.

1. Licence and Suitability Health Certificate

- (a) A person shall not designate a place as a hotel, motel, pub, guest house, restaurant, chop bar or food joint, unless the premises have been approved and issued with Suitability Health Certificate by the Assembly for that purpose.
- (b) A license issued under this Bye-law is subject to such conditions as the Assembly shall impose;
- (c) A license issued shall take effect from the date on which it is granted and shall determine on the 31st day of December in the year in which the license is issued.
- (d) Every license granted shall be personal to the licensee only and not transferable.

2. Provision of separate places for eating, cooking and lavatory

A hotel, motel, guest house, pub, restaurant, chop bar or food joint shall provide the following;

- (a) a separate room used solely as a public eating room
- (b) a separate kitchen used solely for cooking and for the preparation of food and liquid refreshment for use in the premises aforementioned;
- (c) a separate lavatory for male and female;
- (d) A separate changing/cloak room for male and female

3. Requirement as to public Eating Room

- (a) A public eating-room in the premises aforementioned shall have the minimum dimensions of not less than five meters long, four meters wide and four meters high. The minimum requirements so stated may change having regard to the circumstances of the case.
- (b) The floor of every public eating-room shall have a minimum of concrete floor, and the wall shall be capable of being washed or painted.
- (c) The proprietor of public eating-room shall provide adequate lighting, ventilation and shall keep the premises clean at all times.
- (d) The eating room shall be fly proof.

(e) A kitchen in the aforementioned premises shall have a concrete floor, a suitable fly-proof storage for foodstuffs, meat, fish and vegetables, together with one or more tables for the preparation of food.

(f) The proprietor shall provide adequately covered receptacles for storage and the disposal of refuse and shall maintain the kitchen to ensure cleanliness of the premises.

(g) The Metro Public Health Department may direct directions on standards that are to be maintained by chop bars and food joints in accordance with scope of their operations.

4. Washing of Plates and others

A proprietor shall have a suitable arrangement for the washing of plates and utensils. Where the proprietor is not using a dish washer, he shall constantly replace the water used for washing.

5. Prevention of Contamination

(a) Food shall be handled to avoid contamination from biological, chemical and physical contaminants.

(b) Food shall be processed in a manner that protects the food from flies, dirt or other animals.

(c) Utensils, cutlery and other items used in the processing or preparation of food shall be adequately sanitized and kept away from dust, flies or any other contaminants.

(d) A person who sells food shall ensure that the preparation and the venturing area is not situated close to an open drain or sanitary site and is clean at all times.

(e) The Assembly shall, on application, register a food operating premises to ensure adherence to specific standards.

6. Infected Person

A person suffering from

(a) boils

(b) discharges from the ear, nose and throat.

(c) skin lesions

(d) diarrhoea

(e) rhinitis / rhino rhea /cold

(f) any other food borne communicable disease are to be excluded from the food premises.

7. Sanitary Conditions to be kept on Premises

- (a) Solid and liquid waste from premises where food is processed shall be managed in accordance with the conditions specified by the Metro Public Health Department.
- (b) Sanitary facilities and other necessary facilities may be provided by the proprietor as directed by the Environmental Health Officer.

8. Personal hygiene by Food Vendors

- (a) Any person who sells food shall use protective gear that is required to prevent contamination of food.
- (b) A food seller shall observe good personal hygiene.

9. Food Handler's Certification

- (a) All food handlers shall be subjected to screening by service providers contracted by the Assembly or Accredited by the Metro Public Health Department.
- (b) All food handlers who are found fit to handle food shall be issued with valid health certificate by the Metro Public Health Department. This certificate shall be renewed after expiry on yearly basis.
- (c) Food handlers shall produce health certificate on demand by an authorized officer of the Assembly or its accredited or contracted service provider.
- (d) Food handlers may be required to undergo training in basic food hygiene and obtain certificate to that regard from recognised institution

10. Use of Wholesome Ingredients

- (a) A person who is responsible for the preparation of food for sale shall ensure that the food is prepared with wholesome ingredients and potable water.
- (b) A food operator shall provide potable running water and detergents for washing of hands and drinking purposes.

11. Food Preservation

Food shall be kept in such a manner to avoid deterioration and spoilage.

12. Withdrawal of Licence

- (a) The Assembly in its discretion may withdraw a licence issued under this Bye-law if

- i. An alteration is made to any premises licensed hereunder without the permission of the Assembly or the necessary planning authority;
 - ii. If the licensee operates contrary to the provisions of this Bye-law
 - ii. If the licensee is convicted of any of the offences under this Bye-law;
- (b) A licensee whose license is withdrawn shall apply for a fresh license to operate the premises as such after satisfying all the conditions of the Assembly in respect of operating premises as a hotel, restaurant, food joint or a chop bar.
- (c) A licensee whose license is withdrawn shall pay a penalty fixed by the resolution of the Assembly before a new license is issued.

13. Appeal

- (a) A person dissatisfied with the withdrawal of his license shall within 7 days from the day of the decision appeal to the Metropolitan Chief Executive for a redress.
- (b) The Metropolitan Chief Executive on receipt of same shall constitute a panel of three, comprising the Solicitor of the Assembly, the heads of the Planning and Metro Public Health Departments of the Assembly who shall hear the appeal and report to the Metropolitan Chief Executive within two weeks with their recommendations.
- (c) The Metropolitan Chief Executive, on receipt of the recommendations shall accept, reject or modify the committee's recommendations and notify the appellant in writing of the decision taken by the Metropolitan Chief Executive containing the recommendations.

14. Penalty

A person who contravenes this Bye-law commits an offence and is liable on summary conviction to a fine, not more than one hundred penalty units or a term of imprisonment of not less than thirty days and not more than six months or to both; and in case of a continuing offence, is liable to a fine of not more than one penalty unit for each day that the offence continues. Fifty percent (50%) of the fine paid should be allotted to Accra Metropolitan Assembly

15. Interpretation

In this Bye-law unless the context otherwise requires —

"Assembly" means ACCRA METROPOLITAN ASSEMBLY

"Food" means food stuffs, crops, meat, fish, fruits (whether raw or processed), pastries, confectionary, water, beverage (non-alcoholic and alcoholic) , ingredients and food flavour or colour that is for public consumption. A place where food is prepared or cooked or liquid refreshment is provided for sale to the public for consumption on the premises shall be deemed to be a restaurant or eating-house or chop bar or food joint for the purpose of this Bye-law.

16. Revocation

Any Bye-law on food safety and hygiene in force immediately before the coming into force of this Bye-law is hereby repealed.

Made at a meeting of the Accra Metropolitan Assembly held on the 19th of April, 2017

Presiding Member

HON THOMAS MUSTAPHER ASHONG

Co-ordinating Director/Secretary

SAMUEL AYEH DARTEY

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Minister of local Government and Rural Development.

.....April, 2017

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Regional Co-ordinating Director and secretary to R.C.C