

## **Order on the hygienic competences of seafarers handling food on board ships<sup>1</sup>**

Pursuant to section 8(4), section 18(1) and section 27(3) of the act on the manning of ships (*lov om skibes besætning*), cf. consolidated act no. 168 of 27 February 2012, as amended by act no. 493 of 12 May 2010, and in consultation with the shipowner and seafarer organisations, the following shall be laid down by authority:

**Section 1.** A person signing on for a position on a Danish merchant ship involving this person's handling of articles of food on board who does not hold a certificate of competency as a ship's cook shall be able to document competences within the following areas:

- 1) Self-monitoring, including critical items to be checked and monitoring procedures; and
- 2) general microbiology, including foodborne diseases; and
- 3) hygienic principles, including cleaning, personal hygiene and the handling and storage of food.

*Subsection 2.* The competences may be acquired either as part of a training programme or through a certificate training programme in food hygiene the contents of which is decided by the Danish Veterinary and Food Administration where a certificate is acquired upon completion, or through training on board a ship of at least seven days' duration where, inter alia, e-learning is used.

*Subsection 3.* Courses completed outside of Denmark shall be approved by the Danish Maritime Authority when it is documented by the applicant that the level and contents of the course corresponds to the Danish certificate training programme in food hygiene.

*Subsection 4.* Training as mentioned in subsection 2 shall be carried out by a competent person who has completed the course mentioned in subsection 2 which meets the conditions stipulated in section 1(1) and shall cover both practical training and going through the subjects mentioned in section 1(1)(i)-(iii). When the training has been completed, the master of the ship shall attest that the person has satisfactorily completed the practical training and gone through the relevant information material.

*Subsection 5.* Subsection 1 shall not apply to ships where the crew consists of one person who is not to cook for other persons.

**Section 2.** The master shall be responsible for the persons handling articles of food on board having documentation of the competences mentioned in section 1.

**Section 3.** Contraventions of section 2 shall be liable to punishment by fine.

*Subsection 2.* Companies, etc. (legal persons) may incur criminal liability pursuant to the provisions of chapter 5 of the penal code (*straffeloven*).

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<sup>1</sup> This order contains provisions implementing parts of Council Directive 2009/13/EC of 16 February 2009 implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC, Official Journal 2009, no. L 124, pp. 30-50.

*Subsection 3.* When determining criminal liability pursuant to subsection 2, persons employed to carry out work on board the ship by others than the shipowner shall also be considered as being associated with the shipowner. If a document of compliance has been issued pursuant to the International Safety Management Code or a certificate has been issued pursuant to the Maritime Labour Convention to another organisation or person, the master as well as the seafarers shall be considered to be associated with the one to whom the document has been issued.

**Section 4.** This order shall enter into force on 20 August 2013.

*Subsection 2.* No later than one year after the entry into force, all persons handling food on board Danish ships and not holding certificates of competency as ship's cooks shall meet the requirements of section 1.

*Danish Maritime Authority, 15 April 2013*

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