

Starting a new Food Business



Relevant legislation to food businesses

- Regulation (EC) No. 852/2004 (Hygiene of Foodstuffs)
- The Food Hygiene (Scotland) Regulations 2006
- The General Food Regulations 2004
- Regulation (EC) No. 178/2002
- EU Food Information for Consumers Regulation 2014
- Food Information Regulations 2014

Registering a food premises with the Council

If you are planning to start a new catering business, you must register your premises with Business Regulation at Renfrewshire Council at least 28 days before opening. This is a legal requirement and applies to most types of food business, including catering businesses run from home and mobile or temporary premises such as stalls and vans. If you use two or more premises, you will need to register all of them. If food premises are used by several catering businesses (for example, a village hall or conference centre), the person who allows the premises to be used for this purpose is responsible for registering them.

Contact Business Regulation for a food premises registration form

- **e-mail:** b-serv.es@renfrewshire.gov.uk
- **phone:** 0300 300 0380
- **write to or visit:** Business Regulation, Renfrewshire Council, Renfrewshire House, Cotton Street, Paisley PA1 1BR
- or fill in the form on line at www.renfrewshire.gov.uk.

Licences

You will need a licence if you want to do the following things:

- sell or supply alcohol
- sell hot food between 11pm and 5am
- provide entertainment, such as theatre, cinema or live music
- sell food from a stall or van on the street

Contact Licensing for further information or for a licence application on

- **email:** licensing.cs@renfrewshire.gov.uk
- **phone:** 0300 300 0300
- **write to or visit:** Licensing Section, Finance and Resources, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

Planning Permission

If the building in which you wish to carry out the operation of a food business was not used for this purpose previously then you may need planning permission. Building regulations approval may also be needed for any structural alterations or extra drainage.

Contact the Planning Department for further advice on

- **email:** dc@renfrewshire.gov.uk
- **phone:** 0300 3000 144
- **write to or visit:** Development and Housing Services, Renfrewshire House Cotton Street Paisley PA1 1JD

The Premises, Structure and Fittings

You must keep your premises clean and maintained in good repair and condition. Your premises must allow you to follow good food hygiene practices, including protection against contamination and, in particular, pest control.

The premises must permit adequate maintenance, cleaning and disinfection. Food premises are to protect against the accumulation of dirt, shedding of particles into food and the formation of condensation or undesirable mould on surfaces.

Where necessary, you must provide suitable temperature-controlled equipment such as refrigerators and freezers which allow those temperatures to be monitored and recorded.

The following rules apply to your whole premises, not just the areas used for preparing food.

Hand washing facilities and toilets

You must have enough washbasins for staff to wash their hands, with hot and cold running water, and materials for cleaning hands and drying them hygienically. Separate sinks must be provided, where necessary, for washing food and cleaning equipment. There must also be enough toilets and these must be ventilated and not lead directly into food areas i.e. has an intervening space between them.

Changing facilities

You must provide adequate facilities for staff to change their clothes, where necessary.

Other requirements

Your premises must also have adequate mechanical or natural ventilation and lighting as well as sufficient drainage facilities.

Requirements in food preparation areas

Floors and walls

Floors and walls must be maintained in a 'sound condition'.

They must be easy to clean and (where necessary) to disinfect. In practice, this means that floors and walls should be smooth, hard-wearing, washable and in a good state of repair.

Ceilings

Ceilings must be constructed and finished in a way that prevents dirt from building up and reduces condensation, mould and shedding of particles. This means that ceilings should be in good condition, smooth and easy to clean, with no flaking paint or plaster.

Windows

Windows and any other openings must be constructed in a way that prevents dirt building up. Windows and any other openings such as doors that can be opened to the outside must be fitted, where necessary, with insect-proof screens that can be removed easily for cleaning. Where open windows would result in contamination they must remain closed and fixed during food preparation.

Doors

Doors must be smooth, easy to clean and, where necessary, to disinfect.

Food Contact Surfaces

Surfaces (including surfaces of equipment) in areas where food is handled, particularly those that are touched by food, must be maintained in a sound condition and be easy to clean and, where necessary, to disinfect. A bactericidal cleaning solution should be used for food contact surfaces.

Facilities for cleaning equipment

Your premises must have adequate facilities, where necessary, for cleaning, disinfecting and storing utensils and equipment. The facilities must have an adequate supply of hot and cold water and be separate to wash-hand basins and food washing sinks.

Facilities for washing food

You must have adequate facilities, where necessary, for washing food. Each sink for washing food must have an adequate supply of hot and/or cold water. The water must be drinking quality. These facilities must be kept clean and, where necessary, disinfected.

Equipment

All items, fittings and equipment that food touch must be kept in good order and repair. Food contact articles must be of a condition that enables them to be kept clean and to be disinfected to prevent contamination.

Waste - Duty of Care - Recycling

Under Section 34 of the Environmental Protection Act 1990, any business, not-for-profit organisation, or public sector body has a legal requirement to store, present, and dispose of their waste in a responsible manner. This responsibility is referred to as a 'Duty of Care'. Every organisation and business has a Duty of Care (a legal responsibility) for waste they generate. This means:

- Store your waste securely so it does not cause litter or attract vermin.
- Ensure your waste is transferred to an authorised collector such as your local authority or a reputable waste contractor.
- Complete a waste transfer note for any transfer of waste and retain a copy of this note for two years.

If carrying your own waste to recycling facilities you should be appropriately registered with the Scottish Environment Protection Agency (SEPA). This registration is free and the simple application form is available on the SEPA website. www.sepa.org.uk

Waste (Scotland) Regulations

Waste (Scotland) Regulations were passed by the Scottish Parliament on 9 May 2012. The changes mean that businesses are required to take all reasonable steps to recycle as much of their waste as possible. The following have a direct affect on businesses:

- Your business must present metal, plastic, glass, paper and card separately for collection.
- If you run a food business which produces over 50 kg of food waste per week, you must present it for separate collection.
- The requirement to present food waste for separate collection will extend to all food businesses which produce over 5 kg of food waste per week from 1 January 2016.

The changes apply to all waste producers including tradesmen, shops, offices, factories, restaurants, schools and hospitals, whether public or private.

Mobile/temporary premises

If you run a food business from mobile or temporary premises you still need to comply with the same hygiene rules as other food businesses. However as space is limited, the legal requirements for premises are slightly different and allow greater flexibility. Mobile and/or temporary premises include marquees, stalls and vans and also must be registered.

For more information, you can refer to the Food Standards Agency, www.food.gov.uk and for advice on how food hygiene regulations apply to you, contact Business Regulation at the number shown at the end of the leaflet.

Health and safety

You must work in a way that protects the health and safety of your employees and other people who might be affected by what you do. If you have **5 or more** employees, you are required to have a written health and safety policy, which describes your health and safety arrangements and also produce a documented Risk Assessment of activities within your business. For businesses with less than 5 employees, the risks associated with work activities still require to be assessed. Information and model Risk Assessments can be obtained from the Health & Safety Executive at www.hse.gov.uk.

Fire safety

You must carry out a fire risk assessment at your premises and take fire safety precautions to help protect you, your staff and customers. The type of precautions you must have will depend on a number of things, such as the size of your premises. For advice, contact your local Scottish Fire and Rescue Service. For your nearest Fire Station visit www.firescotland.gov.uk.

Managing Food Safety

Food safety management is all about what you do to manage how food is produced in your business in order to make sure it is safe to eat. Under EC Regulation 852/2004 Article 5, food business operators are to put in place, implement and maintain a permanent food safety management system (FSMS) based on the principles of hazard analysis and critical control points or 'HACCP'.

Renfrewshire Council has produced a **Safe Food Manual** which can be downloaded from www.renfrewshire.gov.uk

You must complete the manual and keep it up to date. It must reflect what you actually do in your business.

Staff & training

When you hire a member of staff, you should make sure they understand the main food hygiene issues before they start. Employers must also ensure that any member of staff who handles food is supervised and instructed and/or trained in food hygiene in a way that is appropriate for the work they do. The person(s) responsible for developing and maintaining your business's food safety management (FSMS) procedures must have received adequate training to enable them to do this.

There is no legal requirement to attend a formal training course or get a qualification, although many businesses may want their staff to do so. Renfrewshire Council advises that all food handlers within a business are trained to at least an Elementary Food Hygiene level or equivalent. Training should be refreshed every 5 years. It is expected that persons managing the food business or responsible for on-the-job training and development have completed Intermediate Food Hygiene level training or equivalent.

It is a good idea to keep a record of any training you or your staff have completed as you will then be able to show this to enforcement officers when they visit your premises.

Training is available from the following sources;

West College, Renfrew Rd. Paisley PA3 4DR Tel: 0300 600 6060
City of Glasgow College, 60 North Hanover St. Glasgow G1 2BP Tel: 0141 566 6222
Glasgow Clyde College, 690 Mossbank Drive, Glasgow G52 3AY Tel: 0141 272 9000

www.westcollegescotland.ac.uk
www.cityofglasgowcollege.ac.uk
www.glasgowclyde.ac.uk

For details of other trainers/courses contact The Royal Environmental Health of Scotland
Tel: 0131 229 2968 website: www.rehis.com email: contact@rehis.com

Suppliers

Always purchase foodstuffs from reputable suppliers. Your choice of supplier is important because a supplier's reliability and the safety and quality of the food they supply could affect your business. It is especially important that the products you buy have been stored, processed and handled safely.

When food is delivered to your premises always check that:

- chilled and frozen food is cold enough
- packaging is not damaged
- it is what you ordered
- it is within date

If you do not think that the food a supplier delivers has been handled safely, reject the delivery, if possible and contact your supplier immediately.

Traceability

Records of all the suppliers that provide you with food or any food ingredients must be kept for traceability purposes. The records should include the name and address of the supplier, the type and quantity of products and the dates when you take delivery. You may also wish to record the batch number or the 'use by' or 'best before' date. Often this information will be on the invoice.

You should keep all the invoices and receipts for any food products you buy from any supplier, including a shop or cash-and-carry. This is so that if there is a safety problem with food you have sold, you or an enforcement officer can check the details of the food. It is worth remembering also that if a food has a long shelf life, you will need to keep the records for longer.

If you supply food to another business, you also need to keep records containing the same details. Make sure that you keep all your records in a way that means that you could quickly find the details of a particular food if and when asked by an enforcement officer.

Product withdrawal and recall

If you have supplied some food to another business and you think that it is harmful to health or unfit for people to eat, you will need to arrange for it to be withdrawn from sale. If it has reached consumers, you may need to arrange for its recall, which means the consumers must be asked to return or throw away the product – contact our Business Regulation Team [immediately](mailto:businessregulation@renfrewshire.gov.uk) (0300 300 0380).

Transport

When you transport food – perhaps from your premises to another venue, or from the cash-and-carry to your premises – you must prevent it from becoming contaminated, for example with dirt or bacteria.

It is especially important to make sure that:

- food is transported in packaging or containers that protect it from contamination
- chilled and frozen foods are kept at the correct temperature (some businesses use cool bags and boxes, or refrigerated vans)
- raw and ready-to-eat foods are kept apart
- Vehicles used to transport food must be kept clean and in good repair.

Good food hygiene

Good food hygiene is essential to make sure that the food you serve is safe to eat. Furthermore, it makes good business sense because good hygiene helps prevent food poisoning and protects your reputation with customers. Bear in mind that Renfrewshire Council make food hygiene inspection results available online. When you are setting up a catering business, it is a good opportunity to introduce ways of working that will help you ensure good hygiene right from the start.

The four main things to remember for good hygiene are [the 4 Cs](#):

- Cleaning
- Cooking
- Chilling
- Cross Contamination

You can use the 4 Cs to help you prevent the most common food safety problems.

Cleaning

Effective cleaning gets rid of bacteria on hands, equipment and surfaces thus helping to stop bacteria from spreading onto food. You should do the following things.

- Make sure that all your staff wash and dry their hands thoroughly before handling food. Ensure wash-hand basins are supplied with soap and hand drying materials.
- Clean food areas and equipment between different tasks, especially after handling raw food.
- Clean as you go. If you spill some food, clear it up straight away and then clean the surface thoroughly.
- Detergents are cleaning substances used for degreasing and general cleaning.
- Disinfectants are chemicals that when applied to **a visibly clean surface** are able to reduce bacteria to a safe level.
- Disinfectants should be used to clean **food preparation surfaces, equipment, utensils and hand-contact points**.
- Antibacterial products are not effective enough to be used in a food business - look instead for the term 'bactericide' or 'disinfectant.'
- BSEN 1276 1997 BSEN 13697 2001. These two officially recognised standards mean that your disinfectant is effective against a range of bacteria including E.coli 0157 if used correctly. You should check that your cleaning chemicals meet these standards.

Dilutions

- It is vital that any chemical you use is diluted correctly as too much or too little will reduce its effectiveness. Check the instructions on your disinfectants and work out easy to follow volumes. For example, work out the volume of your sink and how much chemical you will need to achieve the correct dilution, e.g. 'two capfuls to a sink.'
- Ensure all staff know these volumes.

Contact times

- Ensure you follow manufacturer's instructions as some chemicals require time on a surface to work effectively.

Cleaning schedules

Having a cleaning schedule is a good way to make sure that surfaces and equipment are cleaned when they need to be. It can also help to stop cleaning products being wasted or used incorrectly. Work out what needs cleaning every day, or more than once a day, and what needs cleaning less frequently, at intermittent times throughout the week for example. A basic schedule should show:

- what needs to be cleaned
- how often it needs to be done
- how the cleaning should be done and what, if any, protective equipment must be worn
- what cleaning products should be used
- how the products should be used, including how much they should be diluted and how long they should be left in contact with the surface (following the manufacturer's instructions)
- how the products should be stored (in a special place, not in food areas)

Lack of basic cleanliness is one of the most common reasons for food businesses being prosecuted.

Cooking

Thorough cooking kills harmful bacteria in food so it is extremely important to make sure that food is cooked properly as undercooked food could cause food poisoning. **You should use a probe thermometer to check the temperature at the centre of foods.**

Bactericidal probe cleaning wipes should also be purchased to clean probe thermometers.

Cooking food until the CORE TEMPERATURE is 75°C or above is obtained will ensure that harmful bacteria are destroyed.

However, it should be noted that lower cooking temperatures are acceptable provided that the core temperature is maintained for a specified period of time as follows:

- 60°C for a minimum of 45 minutes
- 65°C for a minimum of 10 minutes
- 70°C for a minimum of 2 minutes

Reheating foods

In Scotland it is a legal requirement for any food that is cooked and then reheated at a later time to reach at least 82°C.

Never reheat food more than once.

It is especially important to make sure that you thoroughly cook poultry (such as chicken), pork, rolled joints and products made from minced meat, such as burgers and sausages. This is because there could be bacteria in the middle of these types of meat. Proper cooking is essential to kill any bacteria, so these types of meat should not be served pink or rare and should be piping hot all the way through. Whole cuts such as steaks or joints of beef or lamb can be served pink/rare at the customer's request. As long as the meat is sufficiently scored, the meat in the middle will remain sterile.

Keeping food hot

When you are keeping cooked/reheated food hot, **you must keep it at 63°C or above.** This is a legal requirement. Exemptions apply when;

- the food is undergoing preparation for sale
- the food is exposed for sale or has been sold to a consumer for immediate consumption
- food, which, in order that it may be conveniently available for sale on the premises to consumers, it is reasonable to keep otherwise than above 63°C.
- food that is being cooled immediately after cooking under hygienic conditions
- food that for the duration of its shelf life may be kept at ambient temperatures with no risk to health (such as pickles and jams or some smoked or cured products)

Chilling

Chilling food properly helps to stop harmful bacteria from growing. Some foods need to be kept chilled to keep them safe, for example food with a 'use by' date, cooked dishes and other ready-to-eat food such as prepared salads and desserts.

It is very important not to leave these types of food out at room temperature so make sure you do the following things.

- Check chilled food on delivery to make sure it is cold enough. You can do this with a temperature probe and also by requesting a printout of delivery vehicles temperature levels on occasion.
- Put food that needs to be chilled in the fridge straight away.
- Cool cooked food as quickly as possible and then put it in the fridge. Food should be cooled to 10°C or below within 90 minutes of cooking then refrigerated. Blast chillers can achieve this requirement as can the method of portioning or reducing cooked produce into smaller quantities.
- Keep chilled food out of the fridge for the shortest time possible during preparation.
- Check regularly that your fridge and display units are cold enough.

Chilling and freezer equipment should have their temperature monitored and recorded daily as part of the food safety management procedures. Frozen food should be kept in freezers operating at -18°C or below.

Keeping food cold

In Scotland, the regulations do not set a specific temperature for cold food, but foods that need to be chilled should be kept in the fridge or other chilling equipment. We recommend this should be at temperatures of between 0°C and 5°C. The Scottish regulations do not give a specific length of time that food can be kept out of the fridge to be served or displayed (but this should be as short as possible).

- Remember - Keep food at a safe temperature until it is used.
- Check regularly that your fridge and any display units are cold enough. Verify with a temperature probe or similar reading device.
- Document daily the equipment temperatures you have checked to demonstrate due diligence and comply with legal requirements.

Cross-contamination

Cross-contamination is when bacteria are spread between food, surfaces or kitchen equipment. It is most likely to happen when raw food touches (or drips onto) ready-to-eat food, equipment or surfaces. So, if raw meat drips onto a cake or open cooked meats in the fridge, bacteria will spread from the meat to the cake and cooked meats.

If you cut raw chicken on a chopping board, bacteria will spread from the chicken to the board and knife. If you then use the same board and knife (without washing them thoroughly) to chop a cucumber, the bacteria will spread from the board and knife to the cucumber. Hands can also spread bacteria. If you touch raw food and do not wash your hands thoroughly you can spread bacteria to the other things you touch in the kitchen.

Cross-contamination is one of the most common causes of food poisoning. Do the following things to avoid it.

- Keep raw meat/poultry and ready-to-eat foods separate at all times. This may be achieved by having separate zones of your food production area for preparing raw produce and cooked foods.
- Wash your hands thoroughly after touching raw meat/poultry/vegetables.
- Clean work surfaces, chopping boards and equipment thoroughly before you start preparing food and after you have used them with a bactericidal cleaning solution.
- Ideally, use different chopping boards and knives for raw meat/poultry and ready-to-eat food. Many businesses choose to colour code knives and boards for certain foodstuffs e.g.

RED	Raw meat
BLUE	Fish
YELLOW	Cooked meats
GREEN	Salad and fruit products
BROWN	Vegetables
WHITE	Bakery and dairy products

- Always keep raw meat/poultry below ready-to-eat food in the fridge.
- If possible, use a separate fridge for raw meat/poultry.

Cross-contamination and personal hygiene

To keep food safe, it is essential for you and your staff to have high standards of personal hygiene. Effective hand washing is extremely important to help prevent harmful bacteria from spreading. Make sure that all staff that work with food wash their hands properly:

- before preparing food
- after touching raw food, especially meat/poultry or eggs
- after a break (smoking for example)
- after going to the toilet
- after cleaning

The provision of protective clothing for food handlers also prevents the risk of contamination onto food products. Staff should:

- keep hair tied back and/or wear a suitable head covering, e.g. hat or hairnet, when working with food
- not wear watches or jewellery when preparing food (except a wedding band)
- not smoke, spit, eat or chew gum when preparing food
- avoid touching their face and hair, sneezing or coughing when preparing food.

Illness

It is recommended that staff should not return to work until they have been free of gastro-intestinal symptoms (vomiting/diarrhoea) for 48 hours. Staff who have been taking anti-diarrhoeal medication should not return to work until they have been symptom-free for at least 48 hours after stopping the use of the medication.

If you or one of your staff has diarrhoea and/or vomiting, they must not handle food and must not enter a food handling area. Make sure that your staff tell you (or a manager/supervisor) if they have this type of symptom. If you are not sure whether someone should be working with food, ask for advice from a doctor or Business regulation at Renfrewshire Council. Certain infections including dysentery, E.coli O157, typhoid and paratyphoid require formal exclusion and then medical clearance before returning to food handling duties.

Storage & Stock rotation

- Keep foods in the fridge if they need to be chilled.
- Store raw meat/poultry separately from ready-to-eat food.
- Never use or sell food after the 'use by' date as it might not be safe to eat and can leave you open to prosecution.
- If you save cooked food to be eaten later, cool it quickly, and keep it in the fridge – it is a good idea to date food, using stickers, or another method of labelling, to keep track of when food should be used or thrown away.

- Store dried foods (such as grains and pulses) off the floor, ideally in sealable containers, to allow proper cleaning and protect them from pests.
- Remember the rule **first in, first out** to ensure that older food is used first. This will also help to prevent waste. When you put food in the fridge or storeroom, make sure the foods with a closer 'use by' or 'best before' date are at the front of the shelf, so they are used first.

Labelling & Describing food

You must describe food and drink accurately on menus, blackboards and adverts.

Any illustrations must accurately represent the food you are selling. Descriptions and illustrations must not be misleading. Descriptions like 'fresh', 'home-made' and 'suitable for vegetarians' can easily be used misleadingly. Products described as 'sausages' or 'burgers' on menus must contain a minimum amount of meat, by law.

All food labelling on produce must be legible and in English. Pre-packed foods and loose and non-pre-packed foods must follow the legislation set out in the EU Food Information for Consumers Regulations 2014.

The same rules apply to food that you pre-pack to sell direct to the customer (for example, sandwiches made and packed in advance in a sandwich bar). There are more extensive labelling rules for businesses that supply pre-packed food to catering or retail businesses, or sell products for customers to cook.

For advice on how to make sure your descriptions do not mislead and for more information on meat content, allergens and labelling visit the Food Standards Agency website www.food.gov.uk or contact us on 0300 300 0380.

Allergens

It's very important for all caterers to be aware about food allergy and to take it seriously. This is because when someone eats a food they are allergic to, even the tiniest amount, this can cause a very severe reaction called anaphylaxis.

The EU Food Information for Consumers Regulations list 14 allergens that need to be identified if they are used as an ingredient in a dish.

- Peanuts (also called groundnuts)
- Nuts
- Cereals containing Gluten
- Fish
- Sesame seeds
- Eggs
- Milk
- Soya
- Celery
- Lupin
- Crustaceans
- Molluscs
- Mustard
- Sulphur dioxide

Details of these allergens should be listed clearly in an obvious place such as a menu, chalk board or information pack. If it is not provided up front, you will need to signpost to where it could be obtained, either in written or oral formats. If you give the advice orally, the information must be verifiable, accurate, and consistent. For further information visit www.foodstandards.gov.scot or www.food.gov.uk

Inspections

Enforcement officers from Business Regulation will inspect your premises to make sure you are following food hygiene rules. They might come on a routine inspection, or visit because of a complaint and in most cases visits will be unannounced.

How often your business is routinely inspected will depend on the type of business, its operations and its previous record. Premises may be inspected at least every six months, others less often. Enforcement officers will offer help and advice on food safety but can take action if they find that your standards of food hygiene are not good enough. In serious cases, action can include serving notices, closing the premises or prosecution. For more information see our Enforcement Policy at www.renfrewshire.gov.uk

Renfrewshire Council supports the following Initiatives:

Food Hygiene Information Scheme

Run by Food Standards Scotland all Scottish Local Authorities make the results of their inspections public. After Inspection you will be given a Pass or an Improvement Required status. Premises are given certificates to display and their status is made available to the public online at www.food.gov/ratings

Eat Safe Award

Run by Food Standards Scotland the Eat Safe Award provides an incentive to food businesses to strive for food hygiene and food safety management standards beyond those required by law. For consumers, it provides a recognisable sign of excellence in standards of food hygiene. For more information visit www.eatsafe.gov.uk

Healthy Living award is administered by NHS Scotland. The conditions of the award are based on the principles of a healthy balanced diet; using healthier ingredients and preparation methods. Award winners also require to be a Pass under the Food Hygiene Information Scheme. For more info go to www.healthylivingaward.co.uk

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Community Resources
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Paisley
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Sept 2015