

New Food Business Information Pack

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1. Introduction

Thank you for registering as a food business. Blaby District Council is keen to help businesses grow and thrive and we have put together this guide to help you comply with your legal obligations.

2. Planning and Building Regulations

You should always make sure that you have the correct planning permission for your food business. Even if you're taking over from an existing business you should still check that the appropriate planning consent has been given.

Planning permission or Building Regulations may be needed if you:

- Change the use of the existing premises
- Install a ventilation system to the building
- Erect an external smoking shelter
- Make major changes to the structure of a premises.

If you are unsure whether any works you intend to carry out requires approval, please contact:

Planning	planning@blaby.gov.uk	0116 272 7705
Building Control	building.control@blaby.gov.uk	0116 272 7533

3. Licensing

A licence may be required if you intend to:

- Sell alcohol
- Supply alcohol by on behalf of a club, or to the order of a member of a club
- Provide regulated entertainment
- Provide late night refreshment
- If you sell food on the street.

For further advice on licensing, please visit <http://www.blaby.gov.uk/business/licences-permits/> or contact;

Licensing Team	licensing@blaby.gov.uk	0116 272 7782/7783
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4. Visiting your food business

We may need to visit your food business to:

- Undertake routine inspections
- Investigate complaints of poor hygiene conditions and alleged food poisoning
- Take samples of food items
- Undertake pieces of work on specific projects.

Our visits are usually unannounced but please do not worry about an official visit; we always aim to be polite and courteous and we ask for the same from you and your staff. We will give you advice and guidance to ensure your food business complies with legal obligations.

Environmental Health Officers have certain legal powers for example, the power of entry at reasonable times. If you do not provide reasonable assistance for officers, this may be considered an obstruction. Occasionally, officers may need to take emergency action and close a food business but this only applies if an officer considers there to be an imminent risk to health.

5. Requirements for a food premises

The basic requirements for the structure of your food premises are that it must:

- Be in a sound condition
- Be easy to clean and maintain
- Be well lit and ventilated
- Have suitable prevention of pest access
- Have adequate storage and preparation facilities
- Have enough provision, including a hot and cold water supply for washing hands, equipment and food and adequate drainage.

6. Food Safety Management System

All food businesses are required, by law, to have a food safety management system in place to ensure food is safe. You should think about what might go wrong with the food that is being sold and work out what must be done to ensure that it is safe for customers to eat. This is called the food safety management system and it should be based on Hazard Analysis Critical Control Point (HACCP) principles, which helps to prevent problems rather than reacting to events after they have happened. The level of documentation required will depend on the nature and size of your business and we are able to apply a degree of flexibility, particularly in small businesses. Please do contact us if you are unsure what we may expect.

Implementing a Food Safety Management System based on HACCP principles means you will be complying with legislation and helps to ensure food is safe for customers to eat. In addition, if your food business is taken to court, you may be able to demonstrate that you exercised due diligence through arrangements put in place to prevent an offence being committed.

When your business receives its first inspection, our officers will expect the food safety management system to be available and for it to be completed and regularly reviewed. If you do not have a food safety management system in place by the time an officer carries out an inspection, it will greatly affect your score on the national Food Hygiene Rating Scheme.

The Food Standards Agency has produced a national food safety management system called 'Safer Food Better Business' (SFBB) aimed at helping smaller businesses put procedures in place and to comply with regulations. SFBB packs and diary refills can be downloaded from the Food Standards Agency website at: <https://www.food.gov.uk/business-industry/sfbb>

7. Food Hygiene Rating Scheme

Blaby District Council participates in the national Food Hygiene Rating Scheme.

The scheme generally includes all food businesses that supply food directly to the consumer. This includes restaurants, takeaways, cafes, sandwich shops, pubs, hotels, supermarkets and other retail food outlets, as well as other businesses where consumers can eat or buy food.

During an inspection, we assess whether your food business complies with food hygiene legislation and you will be given a hygiene rating.

Food hygiene ratings are based on the level of compliance in three areas:

- Compliance with food hygiene and safety procedures: how hygienically the food is handled, how it is prepared, cooked, reheated, cooled and stored and temperature control.

- Compliance with structural requirements: cleanliness, layout, ventilation, lighting and the provision of food-wash and hand-washing facilities.
- Confidence in management/control procedures: this includes an assessment of what you do to ensure food is safe so that the officer can be confident standards will be maintained in the future e.g. food safety management system.

You will be given one of six ratings based on the above criteria:

5 – Very good

4 – Good

3 – Generally satisfactory

2 – Improvements necessary

1 – Major improvement necessary

0 – Urgent improvement necessary

The scheme runs in partnership with the Food Standards Agency (FSA) and your rating will be published on the FSA website. In addition, all ratings are published on the Council's social media accounts to recognise food businesses with the highest standards and to encourage others to improve.

Further information about the scheme can be found on our website at:

<http://www.blaby.gov.uk/business/environmental-health/food-hygiene-rating-scheme/>

8. Food Safety Training

There is no legal requirement to attend a training course but the law stipulates that food handlers must be adequately trained, instructed and/or supervised in accordance with their duties.

Training courses are a good way of demonstrating what training has been undertaken. We generally recommend that food handlers should be trained to Level 2 in Food Safety and managers to be trained at Level 3. Those responsible for the food safety management system should also undertake Level 2 training in HACCP principles.

We do not run training courses but training providers can be found online. It is recommended that you attend an accredited course in food hygiene such as the Chartered Institute of Environmental Health.

9. Traceability

You must have a traceability system in place for the food you sell. This allows the Food Standards Agency and local authorities to find out where food has originated from and where it has been supplied to. If there is unsafe food, it means authorities can respond to incidents quickly.

To comply with traceability requirements, you must:

- Keep records from food suppliers such as invoices, to show where food has come from
- Keep records of food you have sold to other businesses, and their details
- Not buy food unless you can be sure that it comes from a reliable source and you have records so you can prove you know where it comes from.

10. Temperature Control

Temperature control is extremely important in ensuring food is safe to eat and you must ensure food is always cooked, cooled, chilled or reheated properly to minimise the risk of harmful levels of bacteria in the food you sell.

Meat products are typically regarded as high risk but dried goods such as vegetable and salads and rice and pulses can contain bacteria that may grow if food is subject to poor temperature control. You must ensure perishable food is kept out of the danger zone of 8-63°C to prevent the growth of harmful bacteria.

You should monitor and record temperatures as part of your food safety management system.

10.1. Cooking and reheating

In raw foods such as meat, fruit and vegetables, there can be high levels of bacteria. Food should be cooked thoroughly to a core temperature of at least 75°C for at least 30 seconds to kill the bacteria.

You can use a probe thermometer to check food has been cooked thoroughly but you must clean and disinfect them before and after each use to avoid cross contamination.

10.2. Chilling

Foods should be cooled as quickly as possible. You can achieve this by reducing portion size, spreading food on an open tray or using ice to cool food before it is refrigerated and you should aim to cool foods to below 8°C within 90 minutes.

Chilling food does not kill bacteria but prevents them from growing to harmful levels. It is a legal requirement that perishable foods should be kept at 8°C or below. It is good practice to keep fridges at 5°C or below.

Frozen food should ideally be kept at a temperature at or below -18°C.

10.3. Hot holding

If food is to be held hot, it must be cooked to at least 75°C for two minutes and then held at a temperature at or above 63°C.

11. Pest Control

There is no legal requirement to have a pest control contract in place, although the law requires you to keep premises free from pests.

It is possible to undertake your own treatment; however, we recommend that you seek advice from an expert because their knowledge of pests and control methods mean they are able to act quickly and effectively.

There are a number of things you can do to prevent pests:

- Ensure your premises are in a good state of repair by blocking up or filing in any holes that may allow pests to gain entry and use bristle doors where necessary on external doors.
- Good housekeeping – keep your premises clean and free from refuse accumulation. If pests do gain entry to your premises, do not have any food available for them to eat.
- Use of chemicals – if you do have a pest infestation, you may need to use pesticides to kill pests. This should be undertaken by a pest control company who are trained to use such products and that understands the use of these products in a food premise.

12. Waste disposal

Under the Environmental Protection Act 1990, you have a duty of care regarding how you dispose of your waste. You must have suitable arrangements in place for the disposal of food waste, food packaging and waste oil. Commercial refuse is not included in your business rates so you must pay for an authorised waste carrier to remove waste from your food premise. It is important to have collections regularly because a build-up of this type of waste may attract pests.

Waste oil must not be poured down drains, sinks or toilets because this can lead to blockages, odour, and vermin problems and may also pollute watercourses. You must collect any waste oil in a drum or suitable container and store it appropriately until it is collected.

You must ensure your waste is collected by a Licensed Waste Contractor, who should provide you with a receipt or an invoice for the waste they collect. It is possible to search for licensed waste disposal companies online.

13. Labelling

Food labelling helps consumers get information about their food. It is important this information is accurate so consumers can make informed decisions about the food they buy.

The name used to describe your food must not mislead anyone as to the nature, substance or quality of it.

Labelling requirements are enforced by Trading Standards based at Leicestershire County Council but further information about food labelling can be found online at <https://www.gov.uk/food-labelling-and-packaging>

14. Food Allergens

For a person with a food allergy, dishes containing the food they react to can be highly dangerous. There are currently 14 major allergens that must be declared when they are used as ingredients in food. These are:

1. Celery (including celeriac)
2. Cereals containing gluten, namely wheat, rye, barley and oats
3. Crustaceans, for example crabs, lobster, prawns and crayfish
4. Eggs
5. Fish
6. Lupin, which includes lupin seeds and flour and can be found in types of bread, pastries and pasta
7. Milk, including lactose
8. Molluscs, for example mussels, whelks, oysters, snails and squid
9. Mustard
10. Nuts such as almonds, hazelnuts, walnuts, cashews, pecan nuts, brazil nuts, pistachio and macadamia nuts
11. Peanuts
12. Sesame seeds
13. Soya
14. Sulphur Dioxide (sometimes known as sulphites), which is a preservative often used in dried fruit such as raisins, dried apricots and prunes.

It is possible to manage allergen risks by adopting the following guidance:

- Check the ingredients list of anything you buy in
- Keep a record of all foods and ingredients purchased
- Store foods that contain allergens separate from other foods and consider using colour-coded containers
- Wash your hands thoroughly
- Use a separate area to prepare the food when catering for an allergy sufferer
- Clean and disinfect the work area, equipment and utensils

To comply with the Regulations, you must ensure customers have information on ingredients and allergens. Written allergen information can be provided on menus, menu boards or in a 'menu allergen folder'. If you do not provide allergenic information in a written format upfront, then there should be signage to direct customers where the information can be found, for example, by asking a member of staff. Verbal allergenic information must be accurate, consistent and verifiable.

Staff must be trained on allergens before handling food and be made aware of the effects of providing wrong information. Staff should know where allergen ingredients and information can be found or be able to handle information requests.

For further information, please contact Trading Standards based at Leicestershire County Council, who enforce the allergen provisions. Their phone number is 0116 305 8000 or email tradingstandards@leics.gov.uk

15. Useful Sources of Information

Better Business for All

Better Business for All is an initiative of the Leicester and Leicestershire Enterprise Partnership (LLEP) aimed at removing the regulatory barriers to growth. The service is for anyone who is starting their own business or for existing businesses in need of support and assistance to improve or grow.

The service offers support in relation to starting up a business, hiring and training, finance and regulation. They can provide answers to queries relating to trading standards, consumer protection, taxation, employment and fire safety.

You can access this support by phoning the National Business Helpline on 0300 456 3565 or the Business Support Signposting Local number on 0116 366 8487.

Alternatively, you can visit their website at <http://www.llepbizgateway.co.uk>

Where to find further information

Food Standards Agency - <https://www.food.gov.uk/business-guidance>

The Nationwide Caterers Association - <https://www.ncass.org.uk/>

Legislation:

- Food Safety Act 1990
- The Food Safety and Hygiene (England) Regulations 2013
- Regulation EC No 852/2004
- Regulation EC No 178/2002

Contact us

Environmental Health
Blaby District Council
Desford Road
Narborough
Leicester
LE19 2EP

Tel: 0116 272 7784

Email: Environmental.Health@blaby.gov.uk

A copy of the New Food Business Information Pack is available on request by contacting us by email or at the above address.

If you require this document in another language, format or require the use of an interpreter, please contact Blaby District Council on 0116 275 0555.