



**PERTH &
KINROSS
COUNCIL**

New Food Business Information Pack

**The Environment Service
Pullar House
35 Kinnoull Street
Perth
PH1 5GD**

**Telephone: 01738 476476
Fax: 01738 476410**



New Food Business Information Pack Contents

	<u>Actioned</u>
1 <u>General</u> Application Form For Registration of Food Premises (Legal requirements to return this 28 days prior to operating food business)	<input type="checkbox"/>
New Business Risk Assessment Questionnaire (Please complete and return)	<input type="checkbox"/>
New Food Business Seminar – Details and Application Form (Please complete and return)	<input type="checkbox"/>
Food Safety Management System Seminar – Details and Application Form (Please complete and return)	<input type="checkbox"/>
<i>The above items should be returned in the enclosed pre-paid envelope (see inside back cover)</i>	
Perth and Kinross Council Food Law Enforcement Policy Food Law Inspections and Your Business	
2 <u>Structure</u> Guidance on Structural Requirements for Food Premises Insect Screen Suppliers	
3 <u>Cleanliness</u> Guidance on Cleanliness in Food Premises	
4 <u>Temperature Control</u> Guidance on Temperature Requirements Temperature Monitoring Equipment and Anti-bactericidal Probe Wipe Suppliers	
5 <u>Other Practices</u> Guidance on Food Hygiene Training Guidance on Personal Hygiene Guidance on Prevention of Cross Contamination	
6 <u>Food Standards</u> General Guidance on Food Standards For Caterers	
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Please Note: the above information is not exhaustive and the companies/suppliers are not specifically recommended by Perth and Kinross Council. The onus to determine the most appropriate supplier for your needs is therefore at your discretion.

1 G E N E R A L

APPLICATION FOR THE REGISTRATION OF A FOOD BUSINESS ESTABLISHMENT

This form should be completed by food business operators in respect of food business establishments* (including new businesses or those that have changed hands) and submitted to the relevant food authority 28 days before commencing food operations. On the basis of the activities carried out, certain food business establishments are required to be approved rather than registered. If you are unsure whether any aspect of your food operations would require your establishment to be approved, please contact Perth and Kinross Council for guidance.

1. **Address of establishment** _____
(or address at which moveable establishment is kept)
Post Code _____

2. **Name of food business** _____ **Telephone No.** _____
(trading name)

3. **Full Name of Food Business Operator**** _____

4. **Address of Food Business Operator (alternative to establishment address)** _____
_____ **Post Code** _____

Telephone No. _____ **E-Mail** _____

5. **Type of food business** (Please tick ALL the boxes that apply):

- | | |
|--|--|
| Farm Shop <input type="checkbox"/> | Staff restaurant/canteen/kitchen <input type="checkbox"/> |
| Food manufacturing/processing <input type="checkbox"/> | Catering <input type="checkbox"/> |
| Packer <input type="checkbox"/> | Hospital/residential home/school <input type="checkbox"/> |
| Importer <input type="checkbox"/> | Hotel/pub/guest house <input type="checkbox"/> |
| Wholesale/cash and carry <input type="checkbox"/> | Private house used for a food business <input type="checkbox"/> |
| Distribution/warehousing <input type="checkbox"/> | Moveable establishment e.g. ice cream van <input type="checkbox"/> |
| Retailer <input type="checkbox"/> | Market stall <input type="checkbox"/> |
| Restaurant/café/snack bar <input type="checkbox"/> | Food Broker <input type="checkbox"/> |
| Market <input type="checkbox"/> | Takeaway <input type="checkbox"/> |
| Seasonal Slaughterer <input type="checkbox"/> | Other (Please give details): _____ |

6. **Type of Business:**

- Sole Trader
Partnership
Limited Company
Other **(Please give Details)**

(If Limited Company, please complete 7. below)

7. **Limited Company Name** _____ **Company No.** _____

Registered Office Address _____
_____ **Post Code** _____

8. **Number of vehicles or stalls kept at, or used from, the food business establishment and used for the purposes of preparing, selling or transporting food:**

None 5 or less 6-10 11-50 51 plus

9. **Water Supplied to the Food Business Establishment** Public (Mains) Supply Private Supply

10. **Full Name of manager (if different from operator)** _____

11. **If this is a new business** _____ (Date you intend to open)
12. **If this is a seasonal business** _____ (Period during which you intend to be open each year)

13. **Operating hours of the business** _____

14. **Number of people engaged in food business** 0-10 11-50 51 plus **(Please tick one box)**
Count part-time worker(s) (25 hrs per week or less) as one-half

Signature of Food Business Operator _____

Date _____

Name _____
(BLOCK CAPITALS)

On completion of this form it requires to be submitted to:
Perth and Kinross Council
Environment Services
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD
Tel: 01738 476476

Following submission of this form food business operators must notify any changes to the activities stated above or closure of the food business operation to Perth and Kinross Council, preferably before the change occurs and certainly within 28 days of the change(s) being implemented

* and ** - see definitions on reverse of form

What is Registration?

Registration of food businesses is required by law. Registration will allow local authorities to keep an up-to-date list of all those premises in their area so they can be visited or contacted where necessary. The frequency of the visits will depend on the type of business.

The majority of food businesses will require to register, with the exception of those detailed below and those activities undertaken on a small scale and infrequent basis. In order to clarify whether your food business requires registration please contact Perth and Kinross Council Environment Services to discuss further.

Exemptions to registration:

- (a) Primary production for private domestic use;
- (b) The domestic preparation, handling or storage of food for private domestic consumption;
- (c) The direct supply, by the producer, of small quantities of primary products to the final consumer or to local retail establishments directly supplying the final consumer;
- (d) Collection centres and tanneries which fall within the definition of a food business only because they handle raw material for production of gelatine or collagen.

How do I Register?

By filling in this form. Registration cannot be refused and there is no charge. The Registration Form must be sent to your local authority. The address can be found in the telephone directory. If the form is sent to the wrong address your application will not take effect until it is received at the proper place. If you use premises in more than one local authority area, you must register with each authority separately.

You must tick all the boxes which apply to your business, answer all the questions and give all the information requested. Seasonal businesses operating for a certain period each year should give the dates between which they will be open in answer to question 12. If you have any questions your local authority will help you. It is an offence to give information which you know to be false.

What Happens to the Information Given on the Form?

The local authority will enter the details on its Register. A register of addresses and the type of business carried out at each will be open to inspection by the general public. Records of the other information provided will not be publicly available.

Definitions:

* **"Food Business"** – means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of production, processing and distribution of food.

** **"Food Business Operator"** – means the natural or legal persons responsible for ensuring that the requirements of food law are met within the food business under their control.

**These notes are provided for information only
and should not be regarded as a complete statement of the law**

Data Protection Act 1998

The information provided by you will be used in assessing your Application for Registration of a Food Premises. Your details will also be placed in a Public Register of Food Premises as per the guidelines in The Food Safety Act 1990. In terms of the Data Protection Act 1998, you are entitled to know what personal information Perth and Kinross Council hold about you, on payment of a fee of £10. Application should be made to Executive Director (Environment) Services, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

OFFICIAL USE ONLY

Entered in Register By, Initials Date

Completion of form generated by FEO Inspection, Officer Initials: Date of Inspection:

New Business Pack issue: YES / NO
Date issued



New Food Business Questionnaire

Name of Business: _____

Address of Premises: _____

E-Mail: _____

Opening Hours: _____

Date of Opening / Proposed Opening: _____

Section 1 – General Information

1. Do you handle raw meat or chicken?

YES / NO

2. Do you sell open ice cream on a takeaway basis?

YES / NO

3. What other foods do you manufacture, prepare, handle or cook? (Please list foods or send us a copy of your menu)

.....
.....
.....
.....

4. Which of the foods are high-risk? (perishable, ready to eat eg sandwiches, cooked meats)

.....
.....
.....
.....

5. Do you provide an outside catering service?

YES / NO

6. Is your business carried out within a hospital, nursing home, day care centre or childrens nursery?

YES / NO

If YES, do you cater for vulnerable groups (eg children under 5 years, people who are sick or immuno compromised or elderly people over 65 years of age)

YES / NO

If YES, please provide details of number of vulnerable persons:

Under 5's

Over 65

Immuno compromised / sick

7. Do you keep records of incoming goods eg receipt / delivery notes etc?

YES / NO

If you supply food to other businesses do you keep records detailing type of food and businesses supplied?

YES / NO

Section 2 – Temperature Control

1. Do you have a written policy on temperature control including monitoring procedures?

YES / NO

If YES, please enclose. If NO how do you ensure that all high risk food receives proper temperature control? (give details below)

.....
.....
.....

2. Do you have a probe thermometer?

YES / NO

How do you clean your probe thermometer? (eg probe wipes)

.....
.....
.....
.....

Section 3 – Cross Contamination

1. Do you have a written policy including monitoring procedures on the precautions required to prevent cross contamination when preparing high risk foods?

YES / NO

If YES please enclose. If NO, how do you ensure that cross contamination is prevented when handling high risk foods (give details below)

.....
.....
.....
.....

Section 4 – Cleaning

1. Do you operate formalised cleaning schedules including monitoring procedures?

YES / NO

If YES, please enclose. If NO, how do you ensure that all parts of your premises are cleaned and disinfected to an acceptable standard and frequency? (give details below)

.....
.....
.....

2. Do you have:

- Twin Sinks YES / NO
- A dishwasher YES / NO
- A bactericidal detergent YES / NO
- An antibacterial surface cleaner YES / NO
- A separate wash hand basin YES / NO

Section 5 – Personal Hygiene

1. Do you have a written policy on personal hygiene including monitoring procedures?

YES / NO

If YES, please enclose. If NO, please advise your requirements for securing personal hygiene and how this is controlled / supervised (give details below)

.....
.....
.....
.....

2. Have all your staff been advised, in writing, of their responsibilities when suffering from vomiting and diarrhoea?

YES / NO

If YES, please enclose a copy of information supplied to staff. If NO, how do you adequately control food handlers in respect of this requirement? (give details below)

.....
.....
.....
.....

Section 6 – Training

1. Have all staff been trained / instructed in the implementation of the business food safety management procedures?

YES / NO

Number of staff involved in food preparation / service?

Number of staff trained to Elementary level in Food Hygiene?

Other Training (please state)

.....
.....
.....
.....

Section 7 – Private Water Suppliers

1. If you indicated on the registration form that you have a Private Water Supply.

Is your water supply treated?

YES / NO

If YES, please provide details of the water source (eg spring, borehole, run off etc) and the treatment system (eg filters, chlorination, ultra violet light etc)

.....
.....
.....
.....

Signature: _____

Position: _____

Date: _____



New Food Business Seminar

Background

It is recognised that all businesses now have to deal with a minefield of legislation and paperwork associated with various Agencies. As a result it was felt in order to assist and support new food businesses in Perth and Kinross that a seminar specifically to explain current legal obligations in terms of food safety would be beneficial. The Seminar also aims to provide an early insight into the likely interaction between food businesses and Food Enforcement Officers from Environment Services.

These Seminars are appropriate for all future food business proprietors/managers who are seriously proposing or due to open a food business and are provided at **no cost**. It must be stressed however that this Seminar is **not a substitute for food hygiene training**. It is intended solely for those who have already attained a food hygiene qualification such as the elementary food hygiene certificate or equivalent.

The Seminar is a one off, lasts for approximately three hours, is delivered in a relatively informal manner and although there is no examination and therefore no qualification at its conclusion, it will provide invaluable assistance for those setting up a new food business. A certificate of attendance will be issued to each individual who attends.

Please note that this Seminar differs from other courses/seminars also currently offered by this Service which are held at different times. (Information on other courses/seminars are detailed on the back of this application form along with feedback on New Food Business Seminars held previously).

Venue: Pullar House, 35 Kinnoull Street, PERTH, PH1 5GD

Time: 10.00 am – 12.00 pm

Dates for 2009: 4 March 10 June 19 August
16 September 11 November

If you book a place on one of the sessions and later find that you are unable to attend, could you please let us know as it may be possible to offer the place to someone else.

**Perth and Kinross Council
Environment Services
New Food Business Seminar**

I wish to attend the New Food Business Seminar on

Name: _____ Telephone No: _____

Premises: _____ Position within Business _____

Complete and return this tear-off slip and send to Environment Services, Food Safety Section, at the above address or book by phone on 01738 476426. Please indicate if you have any special requirements regarding access to Pullar House, loop system etc.

Customer Feedback regarding Food Safety Management System Seminars January 2008 – December 2008

In order for us to help you we ask questions from you, our customers and potential customers as to how we should deliver the Food Safety Management System (FSMS) Seminars. Customer Feedback from previous Seminars is detailed below. This Feedback has resulted in some modifications in the way that we approach delivery of this free service.

We asked 220 people when they would prefer the seminar to be carried out

- 83% - Said they were happy with the current delivery time
- 3% - Said they would have preferred the Seminar to be in the Afternoon
- 5% - Said they would have preferred the Seminar to be in the Evening
- 9% - Said they would prefer the Seminar to be on varying days

As a result of this feedback we have maintained the delivery of Seminars at the normal time but have made our FSMS specialist available for, "one to one" seminars by appointment

We asked 224 people if they would have preferred the FSMS Seminar in a different format.

- 85% - Said they were happy with the format
- 7% - Said they would prefer some participation
- 7% - Said they would prefer a workshop
- 1% - Said they would prefer an exam

As a result of this feedback the current format is to be maintained however, 14% of respondents specified that they would like more participation. As a result a workshop was introduced in 2008 to facilitate the seminar.

We asked 222 people if they found the Seminar useful.

- 100% - Said they found the Seminar useful

"As a result of this continued positive feedback we believe that we have identified a need for the FSMS Seminar and have demonstrated our commitment to food business operators and potential food business operators within Perth and Kinross". Jim Dixon, Food & Health & Safety Manager.

.....
Other Training Courses Available

2 levels of Food Hygiene Training are available to staff/residents of local voluntary/charity groups, namely:

Introduction to Food Hygiene Course

This is a 3 hour course appropriate for those preparing low risk foods e.g. snacks such as teas/coffees, cakes, toast, reheating tinned foods, providing uncooked breakfasts etc. There is no exam, but a certificate of attendance is issued. Cost £4 per person.

Elementary Food Hygiene Course

This is a 6 hour course followed by a 30 minute multiple choice exam, normally the following week. Appropriate for those preparing high risk foods e.g. preparing and cooking meals. An accredited certificate is issued following a pass in the exam. Cost £10 per person. The above courses may be offered free of charge where external funding is available.

Elementary Food and Health Course

This is a 6 hour course followed by a 30 minute multiple choice exam, normally the following week. Appropriate for those in a position to influence the nutritional diet of others. An accredited certificate is issued following a pass in the exam. No charge regarding the 6 courses proposed to be held in 2006 at Pullar House, Perth.

Food Safety Management System Seminars

Free, weekly courses provided by Environment Services at Pullar House, Perth. Two hour course to assist local food businesses in compiling a documented food safety management system. Folder containing generic rules and monitoring forms for caterers provided, along with a certificate of attendance.

Alternative venues may be considered in consultation with the course organisers.



Food Safety Management System

Introduction

All catering food businesses are covered by The Food Hygiene (Scotland) Regulations 2006 which implement regulation (EC) No.s 852/2004 & 853/2004. Article 5 of Regulation (EC) No 852/2004 requires all food businesses to implement and maintain a Food Safety Management System based on HACCP (Hazard Analysis Critical Control Point) principles and to establish documents and records commensurate with the size and nature of the food business. To assist businesses in the implementation of this requirement Perth and Kinross Council regularly run a Food Safety Management System Seminar which is available to food proprietors and staff at no cost. It must be stressed however that that this Seminar is **not a substitute for food hygiene training**. It is intended solely for those who have already attained a food hygiene qualification such as the certificate in Elementary Food Hygiene or equivalent.

The Seminar is free to proprietors and management staff of all food businesses within the Perth and Kinross area and is intended for proprietors and / or members of staff involved in the day to day running of a food business.

The Seminar is a one off, lasts for around two hours, is delivered in a relatively informal manner and although there is no examination and therefore no qualification at its conclusion, it has proved invaluable to businesses who require assistance in setting up an acceptable Food Safety Management System.

Venue: Pullar House, 35 Kinnoull Street, PERTH, PH1 5GD

Time: 10 am – 12 pm

Dates for 2009:

28 January	25 February	11 March 25 March	08 April 22 April	6 May 20 May	3 June 17 June
01 July 15 July 29 July	12 August 26 August	09 September 23 September	07 October 21 October	04 November 18 November	2 December 16 December

To book a place on one of the Seminars complete and return the slip below, or alternatively telephone: (01738) 476426

If you book a place on one of the sessions and later find that you are unable to attend, could you please let us know as it may be possible to offer the place to someone else.

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Environment Services
Food Safety Management System**

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The above courses may be offered free of charge where external funding is available.

Food Safety Management System Seminars

Free, weekly courses provided by Environment Services at Pullar House, Perth. Two hour course to assist local food businesses in compiling a documented Food Safety Management System. Folder containing generic rules and monitoring forms for caterers provided, along with a certificate of attendance.

New Food Business Seminars

Free, course provided by Environment Services at Pullar House, Perth, held approximately every 2 months. 3 hour course to assist individuals wishing to start up a new food business. The course covers food law applicable to food businesses and what to expect when an Officer from Environment Services comes to visit. Certificate of attendance issued.

Specific applications to attend the aforementioned seminars are available by calling 01738 476476.

Although the majority of these courses are held within the Council Offices in Pullar House, Perth alternative venues can be organised where sufficient numbers of attendees are identified (eg 15 or more people).



Perth & Kinross Council Food Enforcement Policy

Perth & Kinross Council is the nominated “Food Authority” in terms of the Food Safety Act 1990 for Perth & Kinross and is therefore legally required to ensure that all aspects of Food Law Enforcement are implemented within their area. Food businesses within Perth & Kinross are therefore included in an ongoing programme of inspection visits to assess their compliance with food law and will where necessary be the subject of more formal legal proceedings dependent upon the extent and / or significance of any unsatisfactory conditions found during inspections.

There are two main topics for assessment during inspection of food premises namely Food Hygiene and Food Standards. These terms are explained as follows:

Food Hygiene Requirements: Food business proprietors are required to ensure that all foodstuffs sold for human consumption are prepared under adequate conditions of hygiene and where appropriate temperature control to ensure that foods are safe for consumption and are free from any harmful contamination such as foreign bodies etc.

Food Standards Requirements: Food business proprietors are required to ensure that the legal requirements in relation to food standards covering the quality, composition, labelling, presentation and advertising of food etc are met.

Food Hygiene inspections are carried out on the basis of risk to the consumer with priority attention being given to those businesses which are perceived to present the greatest risk because of the type and levels of food production being carried out or due to the absence of legally required food safety management systems. Food standards inspections are carried out simultaneously with food hygiene inspections for non-manufacturing premises. However such combined inspections are not considered practical for manufacturing premises as the additional time required to address food standards, a topic which is more applicable to manufacturing processes, could be disruptive to the business operation and therefore food standards in these premises are dealt with by separate inspection methods.

To ensure that all businesses are treated fairly and consistently Perth & Kinross Council has approved a formal Food Enforcement Policy which specifies the further actions to be taken by Food Safety enforcement staff when varying degrees of non-compliance are found during inspection visits. This enforcement policy relates to food hygiene and food standards matters for non-manufacturing premises and food hygiene matters only for manufacturing premises. The main ways in which unsatisfactory conditions are dealt with are:

- by way of warning letters
- by the service of Improvement Notices
- by reporting alleged offences to the Procurator Fiscal's Office
- by the immediate closure of any premises which pose an imminent risk to health
- by suspension or revocation of licence / approval where applicable

Failure to comply with food hygiene requirements is usually related to poor structural standards, lack of cleanliness, poor temperature control and unhygienic practices relating to the handling of food and tend to be present due to a lack of adequate management controls over these issues. Food business proprietors are required to implement suitable controls over areas of their business which are critical to food safety and ensure that these controls are regularly monitored to ensure that acceptable standards are maintained at all times.

Once a business has been visited the results of the inspection are confirmed in writing to the proprietor within 10 working days and are set out in the post inspection report under the following two headings.

Appendix 1. Statutory Requirements (i.e. The Physical Conditions / Practices noted during the inspection)

The conditions observed at the time of inspection, are scored on a scale of 0 – 3 under the four sub-headings of Structure, Cleanliness, Temperature Control and Other Practices. The lowest score of 0 means that the business is generally satisfactory in respect of that particular subject with higher scores indicating increasing levels of non-compliance. The resultant sequence of scores is illustrated in the post inspection report as an “ Enforcement Action Template” and they determine what, if any, further action the Officer is required to take. The use of this format is also intended to serve as a notification to the business of their performance in terms of legal compliance / non-compliance. If the business is deemed to be in a position of non-compliance then the template clearly indicates whether or not any further enforcement actions will be carried out, the timescales involved for remedial action and the consequences of any continuing non-compliance. All non-compliances will be highlighted in the report in relation to the Regulation being breached. In any case where non-compliances remain in evidence between one programmed inspection and another the score will be increased to ensure that repeated failure to comply with the minimum legal requirements is eventually dealt with in a formal rather than an informal manner i.e. by service of an Improvement Notice in terms of the Food Safety Act 1990; by the submission of a report to the Procurator Fiscal’s Office or by suspension or revocation of Licence / Approval, where applicable.

Appendix 2. Food Safety Management Systems - such as HACCP and Hazard Analysis (i.e. The presence or absence of suitable control procedures for activities critical to food safety)

Food proprietors are required by law to carry out a risk assessment on their food handling activities to identify critical areas of their operations which require to be controlled in order to minimise the risks of food poisoning and food contamination and to implement supervisory checks aimed at ensuring that the relevant controls are always in place eg adequate cleaning and disinfection, correct cooking and refrigeration temperatures. The implementation and on-going review of appropriate management systems should ensure that the physical conditions and food handling practices within the business are in compliance with the relevant Food Hygiene Regulations at all times and not just at the time of inspection. **The purpose of food safety management systems is therefore to produce safe food consistently and in compliance with the law.**

Approved premises and licensed butcher shops are required to have in place a fully implemented and documented food safety management system prior to the granting of their approval / licence. Failure to comply with food safety management controls could ultimately lead to suspension / revocation of their licence / approval. Whilst there is currently no legal requirement for other food businesses to document their food safety management system, these businesses are still required to progress towards a fully implemented food safety management system within either two or three inspections and for these premises the Inspecting Officer will indicate their opinion of the businesses progress towards achieving an adequate system of control in a “Risk Assessment Enforcement Policy Template” which will form part of the inspection outcome report. A change in legislation due shortly will require all food businesses to document their food safety management system. Meanwhile documentation will continue to be recommended to all food businesses as best practice for ensuring safe food handling. A well documented and implemented system reduces the frequency of inspection carried out by enforcement officers and provides businesses with a due diligence defence should an inadvertent food safety breach occur. As with the template relating to the physical circumstances found during the inspection this template will indicate where the business sits in relation to their progress towards meeting their legal obligation to implement an adequate food safety management system and will indicate what, if any, further action is required by the business in this respect.

The outcome of the inspection is therefore a summary of the circumstances evident at the time of inspection and the Inspector’s opinion of the effectiveness of your food safety management system. A larger number of items appearing in Appendix 1 indicate the management system is not being effective and this will be reflected by the comments in Appendix 2.

Note: The aim of this Enforcement Policy is therefore to provide a transparent, consistent and uniform application of food law enforcement in Perth & Kinross which treats all food businesses in a fair and equitable manner with formal legal actions being taken on a basis which is proportionate to the level of risk to public health.

Level of Service you can expect from Inspecting Officers

Enclosed with the inspection report will be a leaflet, issued by the Food Standards Agency, entitled “Food Law Inspections and Your Business”, which explains the levels of service you can expect to receive from the Inspector during and after the inspection. This includes such matters as the need for identification, feedback on the outcome of the inspection and a written explanation for any actions you may have been asked to take.

In order that the Council can assess the performance of the Inspection team against these requirements a short questionnaire has been included with your report and I would be most grateful if you would take the time to complete it and return it to this office in the reply paid envelope provided.

Comments received from businesses involved in the Council’s inspection programme will be used to ensure, where necessary, that the service being provided to food businesses in the Perth & Kinross area meets with the needs of those concerned.

Jim Dixon
Food / Health & Safety Manager

NOTE

Should you have any concerns regarding any aspect of the inspection or its outcome, please do not hesitate to contact me at the above address, or telephone me on 01738 476471.

Food law inspections and your business

If you run a business that makes or prepares food, it will be inspected to make sure you are following food law. The inspectors will be enforcement officers from your local authority (or district council in Northern Ireland).

This booklet explains what inspections might involve and the action that inspectors can take if they find a problem in your business.

Making sure food is safe to eat

The inspectors will check if your business produces food that is safe to eat. To do this, they will look at:

- > your premises
- > the kinds of food you make or prepare > how you work
- > your food safety management system

For information about the legal requirements on food hygiene, see the Food Standards Agency (FSA) booklet 'Food hygiene – a guide for businesses' or contact the environmental health service at your local authority.

Making sure descriptions are not misleading

The inspectors will also look at how you describe food, for example on a menu or label, to make sure the description is not misleading for customers.

For more information on describing food visit the FSA website: www.food.gov.uk

Frequency of inspections

The inspectors might come on a routine inspection, or they might visit because of a complaint. How often the inspectors routinely inspect your business depends on the type of business and its previous record. Some premises might be inspected at least every six months, others much less often.

Inspectors have the right to enter and inspect food premises at all reasonable hours. They do not have to make an appointment and will usually come without notice.

Inspection visits

When inspectors visit, they must follow the Food Standards Agency's Framework Agreement on local authority foodlaw enforcement, and the Food Law Code of Practice. The Framework Agreement sets standards for how local authorities carry out their enforcement duties. You can read it on the FSA website: www.food.gov.uk

You can expect the inspectors to show you identification when they arrive and be polite throughout the visit. They should always give you feedback on an inspection. This means they will tell you about any problems they have identified and advise you about how they can be avoided.

If inspectors advise you to do something, they must tell you whether you need to do it to comply with the law, or whether it is good practice.

If you are asked to take any action as a result of the inspection, you must be given the reasons in writing. If the inspectors decide that you are breaking a law, they must tell you what that law is.

The inspectors should give you a reasonable amount of time to make changes, except where there is an immediate risk to public health. They must also tell you how you can appeal against their actions (see page 7).

Taking action

When they think it is necessary, inspectors can take 'enforcement action', to protect the public. For example, they can:

- > inspect your records
- > take samples and photographs of food
- > write to you informally, asking you to put right any problems
- > detain or seize suspect foods

They can also serve you with a notice. There are three main types of notice:

- > 'hygiene improvement notice', which sets out certain things that you must do to comply, if your business is breaking the law
- > 'hygiene emergency prohibition notice', which forbids the use of certain processes, premises or equipment and must be confirmed by a court
- > 'remedial action notice' (approved establishments only), which forbids the use of certain processes, premises or equipment, or imposes conditions on how a process is carried out – it is similar to a hygiene emergency prohibition notice, but it does not need to be confirmed by a court

Inspectors can also recommend a prosecution, in serious cases. If a prosecution is successful, the court may prohibit you from using certain processes, premises or equipment, or you could be banned from managing a food business. It could also lead to a fine or imprisonment.

Every local authority must have a formal procedure to deal with complaints about its service. So if you do not agree with action taken by an inspector, you should contact the head of environmental health or trading standards services at your local authority, to see if the problem can be resolved through talking or writing letters. If you still disagree after that, you could approach your local councillor.

If you think your local authority is applying the law in a different way from other authorities, you can seek advice from the Local Authorities Co-ordinators of Regulatory Services (LACORS), or the Scottish Food Co-ordinating Committee, either through your trade association or your local authority.

You can appeal to the magistrates' court (or a Sheriff in Scotland) about a local authority's decision to issue a hygiene improvement notice or remedial notice, or not to lift a hygiene emergency prohibition order. When there is a ban on an individual, this can only be lifted by the court.

When inspectors impose a hygiene emergency prohibition notice on premises, a process, or a piece of equipment, they must apply to the court (or a Sheriff in Scotland) for confirmation within a specified period of time.

Food that has been seized by an inspector can only be condemned as unfit for human consumption on the authority of a Justice of the Peace (or a Sheriff).

You can attend the court hearing if you want to. If the court decides that premises have been shut without proper reason, or food has been wrongly seized or detained, you have a right to compensation.

Further information

Your local authority can advise you about food law and the food safety knowledge needed for you and your staff. You can also find information on the FSA website: www.food.gov.uk and from the publications listed below.

Food Standards Agency publications

Food hygiene – a guide for businesses
– general guide to food hygiene regulations

Starting up – Your first steps to running a catering business – a guide for new catering businesses

To order copies of these booklets or other publications produced by the FSA, see the contact details on the back of this booklet.

Food safety management packs

If you run a small catering or food retail business, there are packs available from the FSA to help you put in place a food safety management system. Contact your local authority for more information or visit the FSA website: www.food.gov.uk

Good practice guides

Good practice guides produced by industry also give advice on how to comply with food hygiene regulations. A number of new guides are being developed. For details, visit the FSA website: www.food.gov.uk

2 S T R U C T U R E

BASIC STRUCTURAL REQUIREMENTS FOR NEW / RENOVATED FOOD BUSINESSES

Re Submission of Plans

Pertinent Regulations: The Food Safety Act 1990 Regulation (EC) No 852/2004

To assist in complying with the above mentioned Regulations, the following points should be considered and detailed on any plans submitted for assessment.

1. All work surfaces should be constructed of a smooth, impervious material which is capable of being easily and effectively cleaned. They should be maintained in a good state of repair. **Please state finishes for all surfaces in food areas.**
2. The ceiling should be smooth, light coloured and durable and capable of being easily cleaned. **Please confirm the ceiling finish.**
3. The walls should be smooth and impervious. Ideally they should be coved at junctions with the floor and be capable of being easily and effectively cleaned. **Please confirm wall finish.**
4. The floor should be durable and impervious without crevices and be capable of being easily and effectively cleaned. **Please confirm floor finish.**
5. Adequate facilities should be available for the washing and disinfection of utensils and equipment. This will normally require at least a double sink unit or 1 sink and a dishwasher. **Please detail the locations and usage of any sinks and dishwashers.**
6. A wash hand basin should be provided with adequate supplies of both hot and cold/warm water, soap and hygienic drying facilities. This unit must be situated in an easily accessible position for food handlers. **Please detail location of wash hand basin.**
7. The layout of the premises should enable food operations within it to be carried out hygienically. Please consider workflow eg do not design so dirty dishes have to be layed next to food undergoing preparation.
8. Splashbacks may be required in areas, e.g. around sinks and hobs / fryers to facilitate easy cleaning, especially where tiles etc not used. **Please detail the presence / finish of splash backs.**
9. Lighting must be sufficient to allow the safe handling of food and monitoring of cleaning standards. Diffuser covers or shatter proof lighting should be used. **Please detail location and type of lighting.**
10. Ventilation should be adequate to prevent the build-up of heat and humidity in the kitchen. Please consider not only cooking but also if a dishwasher to be provided. **Detail location and type of ventilation eg canopy, wall extraction etc.**
11. The structure of rooms should be such that the entry of insects, rodents and birds is prevented (as far as reasonably practicable). This includes fly-screening of opening windows / doors. **Please detail where screening is to be provided.**
12. Provision should be made for the storage of personal possessions and outdoor clothing outwith the kitchen. Please consider for handlers requiring to change. Toilet facilities are not recommended for this purpose. **Detail the proposed areas designated for this purpose.**
13. All equipment and other utensils should be capable of being easily and effectively cleaned.
14. Lavatories are not to open directly into rooms in which food is handled.
15. There must be an adequate supply of potable water to the business. Where a private supply is utilised a suitable treatment system will require to be provided.

Contact The Environment Service on 01738 476476 if you require any further advice.



Insect Screen Suppliers

(Any doors or windows left open for ventilation must be fitted with a suitable insect screen)

Grill City , PERTH

Telephone: 01738 582336

Abertay Hygiene Services, DUNDEE

Telephone: 01382 522593

Rentokil, DUNDEE

Telephone: 01382 737055

Hampton Timber Specialists Ltd, DUNDEE

Telephone: 01382 450555

Ecolab Ltd, ABERDEEN

Telephone: 01224 684 466

(The above list is not exhaustive)



Guidance on Cleanliness in Food Premises

Equipment / Surface Cleaning Requirements

1. Where dishes, equipment etc are washed by hand a suitable bactericidal detergent requires to be used at the correct dilution, in accordance with manufacturers instructions. Antibacterial washing up liquids are not suitable for this purpose.
2. Some bactericidal detergents may be suitable for cleaning surfaces, alternatively a food grade antibacterial cleaner would be sufficient. All chemicals must be used in accordance with manufacturers instructions.
3. Re-usable cloths should be boil washed regularly or be soaked in disinfectant, rinsed and dried before use. Ideally single use cloths should be used.

Bactericidal Detergent Suppliers

Alpha Chemicals
29 Winchester Avenue
DENNY
FK6 6QE

Tel: 01324 824181
Mobile: 07768 427480

'Co-an' Group
Railway Road
Welton Road Industrial Estate
BLAIRGOWRIE
PH10 6EP (Product – 'Beatogerm')

Tel: 01250 874455

Stag-Chem
6 Mid Road
Blairlinn Industrial Estate
CUMBERNAULD
G67 2PT

Tel: 01236 457 900

Booker Cash and Carry
Glover Street
PERTH

(Product -Unibac)

Tel: 01738 639858

(The above list is not exhaustive)

4 T E M P E R A T U R E C O N T R O L



Guidance on Temperature Requirements

Temperatures must be monitored at each critical stage of the food operations. A digital temperature probe is required and ideally disinfectant probe wipes should be used for cleaning the probe to avoid contamination

DELIVERIES	0°C to 5°C (Chilled Goods, tolerance +2°C) -12°C or cooler (Frozen Goods)
FRIDGES	0°C to 5°C (Tolerance +2°C)
FREEZERS	-18°C or cooler
COOKING	75°C or hotter or where no time is measured equivalent time / temperature formula
REHEATING	82°C or hotter
HOT-HOLDING	hotter than 63°C
AMBIENT DISPLAY	Ideally high-risk foods on display should be held in a refrigerated cabinet. Where this is not possible time outwith refrigeration is permitted, but should be kept to a minimum. This Service recommends a maximum of 2 hours and disposal of leftovers thereafter.
COOLING	All high risk food must be cooled as soon as possible, ideally within 90 minutes. (please note cooling can be aided by decanting food into large shallow trays, placing pots in a sink of cold water etc)
DEFROSTING	All high risk food should be defrosted under cool conditions eg refrigeration.



Temperature Monitoring Equipment / Antibacterial Probe Wipe Suppliers

Digital probe thermometers and anti-bacterial probe wipes are available from the following suppliers.

Hanna Instruments Ltd
Unit 28 Eden Way
Pages Industrial Estate
LEIGHTON BUZZARD
Bedfordshire
LU7 8TP
(01525) 850 855

Comark Ltd
Comark House
Gunnels Wood Park
Gunnels Wood Road
Stevenage
HERTFORDSHIRE
SG1 2TA
(01438) 367 367

Electronic Temperature Instruments Ltd
Dominion Way
WORTHING
Sussex
BN14 8NW
(01903) 202151

A T P Instrumentation Ltd
22 Tournament Way
Ivanhoe Industrial Estate
ASHBY-DE-LA-ZOUCH
Leicestershire
LE65 2UU
(01530) 416 876

Deemac
PO Box 22
Crieff
PH7 3YE
(01764) 652620

Mackay & Lynn Ltd
17-19 Taits Lane
DUNDEE
DD2 1DZ
(01382) 645145

Sinclair & Campbell
Clachan House
Rosneath
HELENSBURGH
G84 0QR
(01436) 831 065

Booker Cash and Carry
Glover Street
PERTH
PH2 0JR
(01738) 639 858

Walton Catering Equipment Ltd
22 Tannadice Street
DUNDEE
DD3 7QH
(01382) 452 444

Antibacterial Probe wipes are available from the following suppliers:

Co-an Group } see previous sheet re cleanliness
Stag Chem }

(The above list is not exhaustive)

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Guidance on Food Hygiene Training

Training Requirements

All food handlers must be supervised, instructed and / or trained in food hygiene matters commensurate with their duties. In the case of persons handling open high risk foodstuffs the recommended level of training is the Royal Environmental Health Institute of Scotland (REHIS) Elementary Food Hygiene Certificate or equivalent.

It is also good practice for managers or supervisors who handle food to be trained to REHIS Intermediate Level in Food Hygiene (or above) or for them to obtain an equivalent level of training.

In addition those responsible for the development and maintenance of a relevant Food Safety Management System should receive adequate training in its application of HACCP principles and ensure all food handlers are suitably trained / instructed in the implementation of the system.

Centres providing the Royal Environmental Health Institute of Scotland Food Hygiene Training Courses

Mrs Liana Steven, 'West Dura', Cupar, KY15 5SY
Telephone: 01334 650778, Fax: 01334 657612, E-mail: liana@fast2000.freeserve.co.uk

* Perth College, Crieff Road, Perth
(Telephone: 01738 877000)

* Dundee College of Further Education
(Telephone: 01382 834834)

Lauder College, Dunfermline
(Telephone: 01383 845000)

Full Circle Training Ltd, Arran House, Arran Road, Perth
(Telephone: 01738 459260, Fax: 01738 459261)

Food Training Services, 8/10 Needless Road, Perth
(Telephone: 01738 637785, Fax: 01738 441059)

* Hygiene & Safety Concepts, 53 Adrian Road, Glenrothes, Fife, KY7 4LP
(Tel: 01592 750235, E-mail: hygiene@hasconcepts.co.uk)

* John Morris Safety Limited, Craignavie Farm House
Craignavie Road, Killin, Perthshire, FK21 8SJ
(Telephone: 01567 820787, Mobile: 07866 514 033, E-mail: john.morris787@virgin.net)

HSS, Ancaster Business Centre, Cross Street, Callander, Perthshire, FK17 8AE

M.D. Longhorn & Co, Cairnton House, Pitcairn Green, Perth, PH1 3LR
Tel.: 01738 583455, Fax: 01738 583568, Mobile: 07801 266260, E-mail: mary.longhorn@btinternet.com

Tickety-Boo (Scotland), 23 High Street, Dunblane, FK15 0EE
Tel: 01786 825205, Email: samantha@ticketybooscotland.co.uk or explore@ticketybooscotland.co.uk

* **Known HACCP Trainers**



Guidance on Personal Hygiene

Food Handlers Must:

1. Not smoke in food rooms.
2. Wash hands regularly throughout the working day, especially after:
 - Visiting the toilet
 - On entering / re-entering food rooms;
 - Between handling raw and cooked foods;
 - After eating, smoking, coughing, sneezing or blowing their nose;
 - After handling waste food or refuse;
 - After handling cleaning chemicals.

Hand wash basins to be provided with soap and hand drying facilities (eg single use towels) and allocated solely for hand washing.

3. Keep short, clean fingernails with no nail varnish.
4. Cover cuts, spots and sores with a blue plaster.
5. Not wear any jewellery with the exception of a plain wedding band.
6. Wear clean protective clothing at the commencement of each working day and replace regularly. This should include a head covering when preparing open foods. Outdoor clothing and personal effects should not be kept in food rooms and protective clothing should be removed before leaving the premises.
7. Report symptoms of food poisoning ie diarrhoea, vomiting to their supervisor. They should be excluded from food preparation until 48 hours after their symptoms stop.



Guidance on Prevention of Contamination

Food Handlers Must:

1. Store raw meat / fish below or separate from prepared / ready to eat products in both fridges and freezers.
2. Ensure raw meat / fish is store separately from prepared / ready to eat products during deliveries.
3. Ensure food is covered / wrapped during receipt, storage, cooling, display and transit etc.
4. Ensure food is stored off the floor.
5. Ensure salad items and vegetables especially those to be eaten raw are thoroughly washed under running water prior to use. If the same sink is to be used for other purposes it must be thoroughly cleaned and disinfected between uses.
6. Ensure waste is kept away from food and is regularly removed.
7. Ensure that the content of open tins are transferred to plastic / covered containers.
8. Ensure that open packets of dried goods are held in lidded, impervious containers.
9. Ideally use separate utensils, equipment and surfaces, including chopping boards and knives for handling raw meats and prepared ready to eat products. If dual purpose equipment / surfaces are used ensure adequate cleaning, disinfection and, where appropriate, time separation between uses.
10. Store cleaning materials and equipment separately from food.

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General Guidance on Food Standards for Caterers

'Food standards' is defined as the legal requirements covering the quality, composition, labelling, presentation and advertising of food. Food standards also covers materials and articles in contact with food.

All food businesses, to a greater or lesser extent depending on their food activities, now require to be assessed in accordance with various Food Standards Regulations.

Similar to the legal requirements relating to food hygiene it is the responsibility of each food business to understand, implement and monitor the necessary controls to ensure compliance with food standards legislation.

In order to carry out a thorough food standards inspection food enforcement officers may look at relevant documentation such as recipes, invoices, specifications, menu's, advertising leaflets and ask a variety of questions.

To assist you in this task the topics below provide information on the main generic requirements for caterers. Combined with this basic information are related questions to prompt your own self assessment.

Please note this guidance is general and should not be read as a direct interpretation of the law. Specific queries should be referred to The Environment Service on 01738 476476 or further information gained via the Food Standards Agency website (www.food.gov.uk).

Menu / Advertising Claims

It is also an offence to sell food which is not of the nature, substance or quality demanded or is falsely described through misleading advertisement claims or the way food is presented in terms of the shape appearance, display etc.

Examples of typical food claims may relate to:

- the origin e.g. 'Scotch beef', 'Tayside salmon';
- the process e.g. roasting, smoking etc;
- beneficial health characteristics e.g. low fat or salt;
- the product composition e.g. '100% beef burger'.

Other claims may include 'vegetarian', 'homemade', 'organic', 'gluten free' etc. An extreme example of a misleading menu claim would be if a caterer reheated in the microwave frozen chicken nuggets made from reformed meat, but described them on the menu as 'roasted homemade chicken nuggets - made from chicken breast'.

An example of misleading presentation could relate to the display of an ambient stable, high sugar juice amongst refrigerated fresh fruit juices.

Any claims must be true, be able to be substantiated and must not mislead consumers. It is essential before making a claim you confirm these requirements and do not seek unfair commercial advantage over other food businesses.

Self Assessment Questions

- If you are making any claims can you substantiate them?
- Can you prove that the Aberdeen Angus Steak on your menu is authentic and not some cheaper cut?
- If a customer asks if the cheese in your vegetarian lasagne is suitable for vegetarians would you know?
- How could you prove the local lamb you purchase is actually 'local' in origin?

Allergens

Although individuals may have allergies to a wide variety of foods, twelve foods and products derived from them, have been recognised as the most common, namely:

- **celery** (including celeriac)
- **cereals** containing gluten (wheat, barley, rye and oats)
- **crustaceans** (such as lobster and crab)
- **eggs** (includes eggs from birds and laying hens)
- **fish**
- **milk** (includes cows, sheep, goats milk etc)
- **mustard** (includes mustard seeds, leaves, flour and oils)
- **nuts** (such as almonds, hazelnuts, walnuts, Brazil nuts, cashews, pecans, pistachios and macadamia nuts)
- **peanuts**
- **sesame seeds** (includes sesame oils and also derived products such as tahini and humous)
- **soybeans**
- **sulphur dioxide and sulphites** (preservatives used in some foods and drinks) at levels above 10mg per kg or per litre
- **Lupin** (lupin seed and flour, note those suffering from peanut allergies can also react to lupin)
- **Molluscs** (such as oyster, squid, cockles, mussels, scallops and snails)

All pre-packed food, including foods supplied by local butchers, bakers etc must now indicate the presence of such allergens either in the ingredients list or detailed separately on the packaging or an accompanying document.

Consideration must be given not only to the direct use of the above allergens but also their presence in ingredients (including those bought in) or used at low levels e.g. the use of a nut oil in a salad dressing, mustard in macaroni cheese etc.

In addition as only tiny quantities of an allergenic ingredient can cause a reaction in vulnerable individuals you must also consider whether strict controls during handling, storage, preparation etc have been implemented to prevent cross contamination between foodstuffs. For example, consider whether a knife used to cut a sandwich has also been used to cut a nut roast?

Self Assessment Questions

- If a customer asked if a particular allergen such as 'gluten' was present in a meat dish on display e.g. a sausage casserole, how would you investigate?
- If a customer asked for a nut free dish to be produced could you be confident it would be nut free?

Recipes

It is strongly recommended that where a catering business prepares/produces food that up to date documented recipes are maintained for all dishes detailing the following:

- The ingredients (including brand names);
- Exact quantities of the ingredients;
- The preparation method;
- Any processing details e.g. cooking time, temperatures, roasting, grilling etc.

This should ensure food items are produced to the same consistent quality each time without the worry that unsupervised or new food handlers create a variation of a dish by, for example, randomly including an additive above permitted levels, adding an ingredient which creates a misleading menu claim or contains an allergenic ingredient unidentifiable in the final product.

Self Assessment Questions

- What training do you provide regarding recipes?
- If you have no written recipes, how can you ensure a consistent product?
- If a customer asks about the presence of a certain ingredient, who would supply this information?

Genetically Modified Ingredients

Genetically modified organisms (GMO's) are now used in a variety of different products. All pre packed food you purchase, even from local butchers, bakers etc should detail if GMO's are present. You will not be able to advise your customers if any of the foods you sell or dishes you prepare contain GMO's or not unless you have checked all your incoming ingredients and/or received written confirmation from your suppliers.

A notice declaring the presence of any GMO's must be permanently/visibly displayed at the point of sale of any open food in order to advise the public. Similarly any foods pre packed by you for sale on the premises must also detail the presence of any GMO's.

Self Assessment Questions

- Have you checked to see if you use any foods containing GMO'S?

Imported Foods

Imported foods are deemed to be foods from a non EU state, and only around 4% of imported foods are currently checked by customs authorities. To this end problems have been identified by businesses where imported foodstuffs fail to meet national standards in terms of packaging, labelling information etc. You should not use any imported food unless the necessary labelling information is clear otherwise you will not know if any additives, allergens etc are present. Imported foods should therefore only be purchased from a reputable supplier or registered importer. If you identify a problem with any imported food please contact this Service.

Self Assessment Questions

- Do you use any imported foodstuffs?
- Does the label provide all the necessary information you need?

Additives

Additives whether natural or artificial require to go through rigorous safety assessments prior to approval, however some people can react adversely to certain additives. As a result you and relevant members of staff should be aware of the additives contained in the dishes you produce in order that you can provide the necessary information to members of the public, if requested. Most additives are allocated a specific E number.

You may use additives indirectly in food items you buy in and use as an ingredient, or directly as an ingredient such as flavour enhancers, colours or sweeteners etc. If you do use additives directly as an individual ingredient you must ensure the following:

- The additives used are permissible and purchased from a reputable supplier;
- The function of the additives are clearly understood;
- The additive containers provide the supplier / manufacturer details and instructions for use, including quantities;
- Be aware if there are specific usage rates which may suggest maximum permitted levels for any additive used, in which case the exact measured quantity must be calculated and added.
- Where any additives have not specific usage levels then this suggests no upper toxic level has been identified, however care should still be taken to ensure consistent quantities are used to no higher a level as is necessary to produce the effect required eg if two drops of artificial colouring create the desired effect and six drops makes no significant difference then use the lesser. All recipes should detail the use of additives to avoid inconsistent or excessive use.

Self Assessment Questions

- If a customer were to ask if there was a particular E number in a dish prepared on site would you or your staff know how to investigate?
- How would you ensure a new member of staff did not use additives inconsistently or above permitted levels?

Labelling

Labelling covers a wide range of information and the level of detail normally required relates to the route the food is sold, for example sold over the counter, to other retailers or caterers etc.

For example, in a restaurant the food for sale only requires to detail the name of the dish, be it on a menu or displayed at the point of sale. No other labelling information is required as it is assumed that a member of staff should be able to answer any further queries relating to allergens, additives etc.

Similarly if food is packed and sold on the same premises again very little labelling information is required with the exception of the name of the food and details of any relevant additives or genetically modified or irradiated ingredients.

Any pre-packed food e.g. produced by your business and sold to another retailer or to a caterer must be labelled with the following general requirements:

Name of the food, list of ingredients (including allergen / additives), quantity of certain ingredients which characterise the food, durability (usually a 'use-by' or 'best before' date), any special storage conditions, the name and address of the producer, packer or seller and the origin of the food if failure to detail could be misleading.

Note: When supplied to caterers this information, with the exception of the product name, durability and manufacturer/packed/seller details, can be detailed on accompanying documentation. Some foods are also exempt from general labelling requirements such as wines, eggs, fruit and vegetables etc.

You must ensure that, where appropriate, you not only provide necessary labelling information, but also that you are receiving foods on to your premises labelled correctly in order that you can provide customers with the relevant information on request.

For example, if a customer asked the percentage of meat in your steak pie which you purchased from a local bakers would this information be available?

If you identify labelling deficiencies in this regard contact the manufacturers or supplier to remedy the problem. Misleading claims are often made unwittingly as a result of insufficient labelling of incoming goods.

Where you provide additional voluntary labelling information it must be provided in accordance with the prescribed format as if it was legally required to be declared.

Stock Rotation


Pre packed foods are normally marked with either a 'use-by' date or 'best before' date. 'Use by' dates are applied to perishable foods which could pose a risk to health if consumed after this date. It is an offence to sell foods beyond the declared 'use by' date.

'Best before' dates are applied to lower risk foods and it is not an offence to sell such foods beyond this date unless the food is found to be unsafe or not of the nature, substance or quality demanded by consumers. However the sale of food beyond the 'Best before' would be deemed poor practice in terms of stock rotation and should be controlled via the business's food safety management system (see Appendix 1).

Materials and Articles in Contact with Food

This subject covers all materials such as containers, utensils, packaging/wrappings, chopping boards, utensils, equipment, crockery, disposable gloves etc produced specifically for food use.

Such materials in contact with food must be food grade and suitable for the purpose so that chemicals are not transferred in quantities that could endanger health or change the food composition, taste, smell or characteristics in any way.

Materials and articles intended for contact with food should be marked with 'for food contact' (or similar) or the symbol . However even though you use food grade containers, wrapping etc they must not be used for any

purpose other than that originally intended. For example, a container in which ice cream was originally sold may not be appropriate for cooling, storing and reheating homemade soup, as the chemical constituents of the container may be affected and migrate into the soup.

Non-food grade materials that are typically misused in contact with foods include non-food grade polythene bags, buckets, refuse sacks and bins which contain chemicals which may be transferable to the foods stored therein. Highly glazed / painted ceramics and pottery dishes used for food storage can also contain undesirable chemicals such as lead.

Self Assessment Questions

- Do you use any non food grade contact materials?
- Do you re- use any food grade containers for different processes / foods?

Customer Complaints/Enquiries

Food complaints should not be dismissed as 'one offs'; genuine complaints require investigation and action in order to prevent a recurrence or a more serious incident of a similar nature.

The details of all complaints, the investigation undertaken and subsequent action implemented should be recorded. These records will not be seen unfavourably if managed effectively to improve safety / quality standards.

You may also wish to document any food enquiries for reference/training purposes.

Food Sampling

Larger food businesses including caterers often submit food samples for compositional and/or bacteriological analysis to assess compliance with statutory or recommended standards.

Although it is less likely smaller businesses will undertake such analysis, where it is identified through inspection that a food business has failed to adequately implement effective food standards controls and/or a food safety management system (see Appendix 1) The Environment Service may instigate appropriate sampling. Details of all sample results will be forwarded directly to the business.

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Perth and Kinross Council

Smoking, Health and Social Care (Scotland) Act 2005 General Guidance for Dutyholders

The new legislation came into effect at 6.00 am on Sunday 26 of March 2006 and prohibits smoking in all enclosed places to which members of the public have access. This will include places of work, entertainment, education, health and care services, recreational facilities and private clubs. Vehicles including buses, taxis, company vehicles, ferries and trains will also be covered. Private vehicles are not affected. Perth & Kinross Council will be the enforcing authority for this legislation and officers from Environment Services will be visiting and if necessary taking enforcement action.

To comply with the new laws businesses and others affected will need to:

- Display approved "No smoking" signs in conspicuous places to inform people entering the premises of the no smoking status
- Develop and enforce a smoke-free policy with clear procedures for staff to deal with any breaches of the policy
- Ensure staff are suitably trained in implementing those procedures
- Ensure that any facilities provided out with the premises for the use of smokers complies with the requirements of the Regulations.

Signage:

The "No smoking" signs must be conspicuously and permanently displayed to be visible to and legible by persons in and persons approaching no-smoking premises (i.e. at all entrances to the premises). The minimum signage requirement for premises is a no-smoking notice which:

- Is at least 230mm by 160mm in size
- States that the premises are no-smoking premises and it is an offence to smoke there or knowingly to permit smoking there
- Displays the international "No-smoking" symbol (a burning cigarette enclosed in a red circle with a red bar across it at least 85 mm in diameter)
- Displays the name of the person to whom a complaint should be made in the event of non-compliance
- Is displayed in such a manner that it is protected from tampering, damage, removal or concealment

No-smoking signs used in vehicles should reflect the above requirements but are not subject to the mandatory size requirements for signs in no-smoking building.

Any additional no-smoking notices displayed on no-smoking premises will need to show the international "No – smoking" symbol at least 85 mm in diameter.

Offences

Fixed Penalty Notices will be the initial enforcement sanction, and smokers can be fined £50 with management breaches for allowing smoking on no-smoking premises attracting a penalty of £200.

These penalties will be reduced if payment is made within 14 days of the date of issue of the Notice. Where duty holders blatantly ignore or regularly disregard the legal requirements the offences may be reported to the Procurator Fiscal where penalties may be as much as a £2500 fine.

Additional advice or assistance can be obtained by contacting Environment Services Helpline on 01738 476476 or email to es@pkc.gov.uk or visit www.clearingtheairscotland.com

Recommended Management Controls

It is recommended that those in control of premises (i.e. managers, proprietors) implement the following managerial control measures. Although not required by law, these procedures will enable the business to demonstrate compliance with the legislation and enable the business to fulfill its duties more effectively:

Develop a smoke-free policy. It is strongly *recommended* that owners and managers establish and implement a written policy to demonstrate their compliance with the law. A sample smoke-free policy was provided as part of the Scottish Executive's guidance to businesses. This can be adapted by individual businesses and organisations for their own use. The policy should identify members of management and/or staff who have responsibility for its implementation and review.

Develop a procedure for dealing with an individual attempting to smoke on the premises. Examples of what should be included in a procedure such as this are:

- Draw the person's attention to the "No Smoking" signs in the area and inform them that he/she is committing an offence by smoking. Politely ask them to stop smoking.
- Direct them to the nearest place where they are able to smoke legally.
- Advise the person smoking that their actions could result in the person in control of the premises receiving a Fixed Penalty Notice of £200 or being prosecuted and receiving a fine of £2,500.
- Refuse the person service.
- If the person continues to smoke, ask them to leave the premises.
- If he/she refuses, implement normal procedures for anti-social/illegal behaviour on the premises.
- Maintain a written record of all such incidents and outcomes.
- If physical violence is threatened by the person smoking, notify and/or seek assistance from the Police.

Staff. Employers and managers of no-smoking premises should ensure that all staff, including new members of staff, are aware of the no-smoking policy. All staff working in no-smoking premises should be aware of which member of staff or management present is the responsible person for dealing with any persons smoking.

Incident Recording. In order to assist any future defence of "due diligence", each premises should keep a documented record of any incidents. Businesses should be encouraged to contact their local Environmental Health section after any incident. Owners, occupiers, managers or other persons in charge should only be reported to the Procurator Fiscal after repeated failure to comply with the legislation. Again, this should be reserved for serious or persistent contraventions, and an educational and non-confrontational approach should be used whenever possible.



Other Useful Contacts

A Perth and Kinross Council

Environment Services Helpline 01738 476476

For:

- >Health and Safety Advice
- >Trading Standards Advice (weights, measures and pricing etc)
- >Additional Food Safety and Food Standards Information
- >Pollution Section (guidance on ventilation system requirements)
- >Cleansing / Waste Collection (waste disposal arrangements)
- >Planning and Development
- >Building Control / Building Warrants
- >Private Water Supply team

Corporate Services – Legal Division

Liquor Licensing	01738 475167
Other Licensing	01738 475166

B Scottish Water (Public Water Supply) 0845 602 8855

C Tayside Fire Brigade

'B' Division Headquarters 01738 622226

Please note that there are currently two Business Advisors employed by the Council to assist and coordinate the start up of new food businesses within Perth and Kinross. They may also have access to certain funding. Their details are:

Andrew Webster, 01738 477952, e mail : aalwebster@pkc.gov.uk

Donna Menzies, 01738 477954, e mail: dmnmenzies@pkc.gov.uk



Additional Publications / Guidance Leaflets

1. A variety of food safety and food standards publications can be obtained from your local authority or:

Food Standards Agency Publications

Tel: 0845 606 0667

Minicom: 0845 606 0678

Fax: 020 8867 3225

E-mail: foodstandards@eclogistics.co.uk

For example:

- (i) Catering from Home Safely
- (ii) A Guide to Food Hazards and Your Business
- (iii) Be Allergy Aware
- (iv) Understanding Food Labels
- (v) About Food Additives

2. A variety of health and safety publications can be obtained from your local authority or:

Health and Safety Executive Publications

HSE Books

PO Box 1999

Sudbury

SUFFOCK

C010 2WA

Tel: 01787 881165

Fax: 01787 313995

Website: www.hsebooks.co.uk