



# **Food Safety Guidance**

## **Starting a new food business**

## **Introduction**

This guidance document provides general guidance for starting most food businesses. Guidance specific to childminders [Safer food, better business for childminders | Food Standards Agency](#)

You may find this guidance does not provide enough information for your business. If that is the case, you should contact the food team at [foodhealthsafety@pkc.gov.uk](mailto:foodhealthsafety@pkc.gov.uk) and officers may be able to provide further guidance.

Links to relevant legislation and guidance will be provided throughout the document where appropriate as well as in Annex I.

## **Registering your food business with the Council**

If you are planning to start a new food business, you must register your premises with the Food & Safety team at Perth and Kinross Council at least 28 days before opening. It is a legal requirement to register. This is required even if the food business has been operating by under different ownership previously; if you are the new food business operator you must register.

A form can be accessed on our website [Registration of food businesses - Perth & Kinross Council](#)

Some manufacturers of products of animal origin supplying other businesses may need to be approved by Food Standards Scotland and/or the Local Authority – approval has a different process to registration. See [Local authority approvals | Food Standards Scotland](#) and [FSS approved establishments | Food Standards Scotland](#) for further information.

If you have any questions about registration or approval please contact the food team at [foodhealthsafety@pkc.gov.uk](mailto:foodhealthsafety@pkc.gov.uk)

## **Other Local Authority teams and external organisations to consider**

### **Licensing**

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

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

The Council's Licensing Section may be able to provide for further information on at [civiclicensing@pkc.gov.uk](mailto:civiclicensing@pkc.gov.uk)

## **Planning and Building Standards**

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. You can seek advice from the Council's Planning Department [Planning and building - Perth & Kinross Council](#)

Building regulations approval may also be needed for any structural alterations, for example additional drainage or ventilation.

## **Business Support**

The Council's Business team can provide valuable advice, support and even access to finances to assist your business. You can contact them at [Perth & Kinross - Local Support | Business Gateway | Business Gateway](#) to discuss your proposals and see what help they can offer. Business Gateway also provides support with offices throughout the country.

## **Private Water Supplies**

Scottish Water provides water to most food businesses, however some businesses may be served by a private water supply. This water can come from various sources such as lochs, burns, wells or boreholes. Private water supplies must be registered with the Local Authority and if used for a food business will be regulated by the Environmental Health team. If you have a private water supply and require further information you should contact [waterteam@pkc.gov.uk](mailto:waterteam@pkc.gov.uk)

## **Health & Safety at Work**

You must comply with the requirements of the Health and Safety at Work, etc. Act 1974, and all relevant Regulations made under this Act. In some cases, the officers responsible for enforcing food law at the Local Authority will also be responsible for enforcing health and safety at work legislation. The Health & Safety Executive is responsible for other businesses, for example food manufacturers and businesses operating from home. You will find further information and guidance to assist you in your duties at [HSE: Information about health and safety at work](#). In addition Public Health Scotland's Healthy Working Lives can provide information on workplace health, safety and well-being - see [Healthy Working Lives - Public Health Scotland](#).

## **Scottish Fire & Rescue**

You must take fire safety precautions to help protect you, your staff and customers. Further advice is available at [Businesses and landlords | Scottish Fire and Rescue Service \(firescotland.gov.uk\)](#)

## **Food premises, structure and fittings**

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

You must keep your premises clean and maintained in good repair and condition. The layout, design, construction and size of your premises must allow you to:-

- Provide adequate working space to allow for hygienic operations
- Permit adequate maintenance, cleaning and disinfection
- Permit good food hygiene practices, including protection against contamination and, in particular, pest control
- Protect against the accumulation of dirt, shedding of particles into food and the formation of condensation or undesirable mould on surfaces
- Avoid or minimise air-borne contamination
- Where necessary, provide suitable temperature-controlled equipment, such as refrigerators and freezers, of sufficient capacity able to maintain appropriate temperatures and designed to allow temperatures to be monitored and recorded

### **Toilets**

There must be an adequate number of toilets. The toilet areas must be ventilated and must not lead directly into food areas i.e. an intervening space must be present between the toilet and the area where food is handled.

### **Hand washing facilities**

You must have enough wash hand basins for staff to wash their hands. The wash hand basins must be suitably located, for example within toilet areas and at any food preparation areas. Each basin must be provided with hot and cold running water, a supply of liquid soap and materials for drying hands hygienically. This may be paper towels or effective hand dryers. Fabric towels cannot be used. Ideally, non-hand operated taps should be provided.

### **Changing facilities**

You must provide adequate facilities for staff to change their clothes. Adequate provision must be made to allow staff to keep outdoor clothing and personal belongings away from food areas, for example lockers.

### **Ventilation**

Your premises must have adequate mechanical or natural ventilation throughout all areas. Mechanical airflow must not take air from contaminated areas to clean areas. Ventilation systems must be constructed to allow access to clean/replace filters and other parts. **Lighting**  
Your premises must also have adequate natural or artificial lighting. Glass lights in food preparation areas should be protected with shatter-proof diffusers.

### **Drainage**

Your premises must have sufficient drainage facilities. They must be designed and constructed to avoid the risk of contamination. Where necessary grease traps should be provided - see [Preventing pollution and blockages in commercial kitchens](#).

## **The following rules apply to the areas where food is prepared, treated or processed**

### **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, non-absorbent, washable and in a good state of repair.

Floors must allow adequate surface drainage where appropriate.

### **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**

Food contact and equipment surfaces must be maintained in a sound condition and be easy to clean and, where necessary, to disinfect. Surfaces must be smooth, washable, corrosion resistant and in a good state of repair. Stainless steel is an option, but other surfaces are acceptable.

### **Facilities for cleaning equipment**

Your premises must have adequate facilities for cleaning, disinfecting and storing utensils and equipment. These facilities must have an adequate supply of hot and cold water. Sinks for cleaning utensils and equipment are separate to wash hand basins. In most cases, two sinks will be required so one is used for cleaning (removal of food debris, visible dirt and grease) and the second is used for disinfection (reducing bacteria to a safe level). Ideally, a dishwasher will be available.

### **Facilities for washing food**

You must have adequate facilities, where necessary, for washing food. In some cases, the sinks for washing equipment can also be used for washing food, as long as they are cleaned between uses. Each sink for washing food must have an adequate supply of hot and/or cold water. The water must be of drinking quality. The sink(s) must be kept clean and 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.

Equipment must be installed in a manner that allows adequate cleaning of the equipment and the surrounding area.

## **Mobile and temporary premises (market stalls, mobile food units) and premises used primarily as a domestic premises**

If you run a food business from mobile, temporary or domestic premises you still need to comply with the same food law as other food businesses however the legal requirements for the structure of these premises are slightly different and allow greater flexibility.

The Mobile Traders Food Hygiene National Standard [Mobile food units - Perth & Kinross Council](#) details the structural requirements for mobile trading units.

As detailed in the introduction, additional guidance notes are available for some of these business types, however if you require further information you should contact the food team at [foodhealthsafety@pkc.gov.uk](mailto:foodhealthsafety@pkc.gov.uk)

## **Food Safety Management System / Documentation Requirements**

**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.**

[Regulation \(EC\) 852/2004 Article 5](#) requires food business operators are to put in place, implement and maintain a permanent procedures based on the principles of hazard analysis and critical control points or 'HACCP'.

These HACCP procedures are often referred to as Food Safety Management System (FSMS) covering only the safety of food or Food Control Management System (FCMS) covering all of food law.

Documented systems must be tailored to your food business and accurately reflect your practices. Documentation and record keeping is required to evidence your compliance with Article 5. The requirement is flexible allowing procedures to be proportionate to the size and nature of the business. Some businesses will be able to have fairly simple and straightforward procedures to follow while others will require more in-depth systems.

Your FSMS/FCMS must be available on the premises, in a format that is easily accessible, at all times and all staff must be trained in your system at induction and at every review.

In Scotland, most caterers use a system named [CookSafe](#). [RetailSafe](#) is a similar system for retailers who handle or prepare unwrapped high risk food. Perth and Kinross Council developed an in house Food Safety Management System, templates can be found here [Food safety management systems - Perth & Kinross Council](#). [ButcherSafe](#) is a system aimed at butchers who handle or produce both raw and ready-to-eat food. These systems are designed to help businesses understand and implement a system based on HACCP. By reading the specific manual and following the instructions, businesses are able to develop HACCP-based procedures that fit their needs. The food business operator must complete and implement the relevant system. This system must be reviewed and, if necessary, updated whenever there are changes, or at least annually.

Some businesses and processes require more in-depth HACCP procedures than CookSafe, for example caterers undertaking high-risk methods of processing such as sous-vide, steak tartare, sushi, less than thoroughly cooked burgers; and food manufacturers. an example is [my HACCP](#).

Monitoring records demonstrating you are adhering to your procedures must be maintained.

Templates are available within the CookSafe and RetailSafe Manuals but you can record your monitoring checks in any format that suits your business. You must however ensure the monitoring records are always completed and available for officers to check during any visit.

It is important that management check that the documented system is being implemented. Management should observe staff and make checks to ensure that all rules are being adhered to. These checks and any corrective actions must be recorded. In reality, supervisors would be expected to continually make checks, while it may only be recorded weekly/monthly.

**When any changes are made (for example a new process, use of new equipment, change in cleaning chemicals) you must review the FSMS/FCMS and make any necessary changes to it. You should also review it every year to ensure it is still accurate.**

## **Staff training**

Employers must ensure that any member of staff who handles food is supervised, instructed and/or trained in food hygiene in a way that is appropriate for the work they do.

You must have documented training rules/procedures detailing what you expect for training, instruction and supervision as well as evidence to demonstrate compliance, even if training is inhouse. This can include certificates and sign-off sheets.

When you hire any member of staff, you should make sure they understand the main food safety issues before they start and instruct them how to do their job hygienically. This must be completed before they are allowed to handle any food unsupervised.

Where the food handler will be handling or preparing open high risk food, they must receive food hygiene training. This should be equivalent to a Level 2/Elementary course and completed before they handle open high risk food unsupervised.

The person(s) responsible for developing and maintaining your business's FSMS/FCMS must have received adequate training to enable them to do this. They should then instruct the other food handlers.

It is recommended that persons managing the food business or responsible for on-the-job training of other staff have completed the Intermediate Food Hygiene level training or equivalent Level 3 course.

Guidance suggests that staff receive refresher training in basic food hygiene at least once every 3-5 years. Training in your own FSMS/FCMS should, however, be completed annually.

Re-training will be required for staff who have not followed your FSMS/FCMS.

Training is available from a range of training centres or online. Local Authorities cannot recommend any particular course or provider, however, training centres accredited by the Royal Environmental Health Institute of Scotland can be found at [Community Training - REHIS](#). If accessing online training or training in-house, you must assess whether the food handler has gained the necessary knowledge.

Food Standards Scotland has prepared free online allergy courses that can be accessed at [Online Allergy Training | Food Standards Scotland](#) and [Advanced Online Allergen Training | Food Standards Scotland](#).

## **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
- after a break
- after going to the toilet
- after cleaning
- after smoking/vaping

Staff must be trained how to wash their hands properly. You may display a poster [CookSafe - House rules - Personal hygiene - Guidance.pdf](#) at the wash hand basins to remind staff. This includes a step-by-step method for washing hands including the use of liquid soap, hygienic drying methods (paper towels) and how to avoid contamination from the taps, for example turning the tap off with a paper towel. Ideally, non-hand operated taps would be in place.

Gloves should not be worn as a replacement to hand washing. If gloves are used, they must be changed as often as handwashing would be required (as above) and also if they become damaged or torn. Hands should be washed when the gloves are changed.

The provision of protective clothing for food handlers is often required to prevent the risk of contamination onto food products. It should replace or cover the handlers own clothing. Protective clothing must be kept clean and changed regularly, so spares should be available where required. Food handlers should not travel to work in their protective clothing.

Staff should also:

- cover hair when working with open foods for example wearing suitable hat, hairnet, beard cover or keep hair tied back
- not wear watches or jewellery when preparing food (except a plain wedding band and sleeper earrings)
- not smoke, spit, eat or chew gum when preparing food
- avoid touching their face and hair, sneezing or coughing when preparing food
- keep nails short, clean and free of decorative nails (including gels, acrylics, BIABs etc)

## **Illness**

Staff must not handle food if they have an infection that could contaminate food. This includes infected wounds, skin infections, sores or diarrhoea, or even a heavy cold.

If you or one of your staff has diarrhoea and/or vomiting, they must tell their supervisor and not handle food or enter a food handling area.

Staff should not return to work until they have been free of symptoms of 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.

Certain infections including dysentery, E.coli O157, typhoid and paratyphoid require formal exclusion then medical clearance before returning to food handling duties.



[Food Handlers: Fitness to Work](#) provides more information and an example Return to Work questionnaire.

## **Cleaning and Disinfection**

Everything within a food premises must be kept clean. Some areas and equipment may need to be disinfected after cleaning to get rid of bacteria.

A cleaning schedule should be provided to make sure that areas, surfaces and equipment are cleaned when they need to be. Work out what needs to be cleaned every day, or more than once a day, and what needs cleaning less frequently, for example at intermittent times throughout the week. The Schedule must also detail how to clean, and where necessary disinfect. Make sure this is easily understood by all staff involved in cleaning.

Staff should clean as they go. If they spill anything, clear it up straight away then clean the surface thoroughly.

Staff must use cleaning products that are suitable for the job and follow the manufacturer's instructions. The Cleaning Schedule should make sure everyone is clear on this.

For businesses handling open foods, disinfection is required. After cleaning, a suitable bactericidal solution must be used to disinfect food preparation surfaces, food equipment, hand contact points and cleaning equipment. This disinfectant must meet BS EN 1276 or BS EN 13697. You should contact your chemical supplier to ensure it meets this standard and how it should be used if it's not clear from the labelling. Everyone must ensure the dilution and contact time of the disinfectant is followed, otherwise the bacteria will not be killed. Disinfection can also be achieved using heat, for example using a dishwasher that can achieve a suitably high temperature.

## **Food Suppliers**

You must use reputable and registered suppliers. You can check many businesses at [Food Hygiene Information Scheme](#), or [Food Hygiene Ratings](#) for elsewhere in the UK. Businesses that only supply other businesses are out of the scope of this scheme. The business may be approved for products of animal origin so you can check the [Approved Establishments Register](#) for Scotland or the [Lists of Approved Establishments](#) for the rest of the UK. Otherwise you should ask for the supplier to provide evidence they are registered with a Local Authority.

If you are importing food directly into Scotland, you must adhere to any relevant regulations. More information can be found at [FSS Imports and Exports](#) and [GOV.UK](#).

If checks of deliveries reveal issues you should reject the delivery/product and, where ongoing issues arise, change supplier. This could be due to inadequate temperature control; damaged products/packaging; out of date/short dated products; inadequate, missing or non-English labelling. It is your responsibility to check the products are compliant.

## **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 of delivery or purchase. This involves any supplier, including a shop or cash-and-carry. Receipts and invoices must be kept. This is so that if there is

a safety problem with food you have supplied, you or an enforcement officer can check the details of the food.

If you supply food to another business, you also need to keep records containing the same details in the case of a food recall. 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 asked by an enforcement officer.

## **Temperature Control**

Unless your food establishment only deals with foods that can be maintained at ambient temperatures you must adhere to temperature control requirements to prevent bacteria growing to unacceptable levels.

### **Incoming food**

Check chilled and frozen food on delivery to make sure it's cold enough. Ensure staff know acceptable temperatures, for example maximum 8°C for chilled and -15°C for frozen. You can check temperatures with an infra-red thermometer or probe between packs. You can also request a printout of delivery vehicles temperatures.

Put delivered food that needs to be chilled or frozen in the fridge or freezer straight away.

If you collect food, make sure the temperature is maintained. Ideally using a temperature-controlled vehicle but alternatively using cool bag/boxes and returning the food as quickly as possible.

Where food is delivered hot, the temperature must be checked using a probe thermometer to ensure it's hot enough. Ensure staff know the acceptable temperature, for example 63°C.

### **Storage**

In Scotland, the regulations do not set a specific temperature for chilled food, but foods that need to be chilled should be kept in the fridge. It is expected that food in fridges will be maintained **below 5°C** (between 1°C and 4°C). You should be aware of any warm spots in your fridges.

When checking the temperature of fridges, you must not rely on the temperature display at the front of the appliance as this can often be inaccurate. Ideally you should keep a plastic bottle of water/tub of jelly or similar (which is changed regularly and marked "for temp checks") within the fridge and probe this. This will give a more accurate indication of the temperature of the food within the fridge. Air thermometers within the fridge may also be used but it should be noted that these will only provide an air temperature, and it may vary considerably, for example if the fridge door has been opened or food has recently been added to the fridge.

There isn't a specific length of time that food can be kept out of the fridge to be prepared, served or displayed but this should be as short as possible.

Do not put hot food into the fridge as it may increase the temperature of the fridge and its contents.

Some foods, particularly sauces, may be kept at ambient temperatures at purchase but when opened require to be refrigerated. Ensure you check the instructions and store these appropriately.

Frozen food should be kept in freezers operating at **-18°C or below**. Air thermometers are good for checking the temperature of freezers.

## 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. Infra-red thermometers are not suitable for this purpose as they will only indicate the surface temperature, not the centre temperature of a food.

The probe thermometer must be cleaned and disinfected before and after each use. Bactericidal probe cleaning wipes can be purchased for this purpose - note these have an expiry date.

In addition, you must check that the probe thermometer is working. This can be achieved by checking in boiling water (acceptable 99°C to 101°C) and in iced water (acceptable -1°C to 1°C). Each thermometer should be checked at least monthly and the results of the checks recorded.

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

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

It is especially important to make sure that you thoroughly cook poultry, 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 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.

## Cooling

Cool cooked food as quickly as possible then put it in the fridge. Food should be cooled as quickly as possible, usually within 90 minutes of cooking. Blast chillers are ideal but other methods can also be used, for example portioning into smaller quantities or placing the food container in cold water/ice.

## Hot Holding

Food must be hot held above 63°C to prevent bacterial growth. Many businesses will hot hold for a maximum time period, for example 2 hours, as the product quality can diminish with prolonged hot holding.

## Reheating

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

Food should not be reheated more than once.

## **Deliveries**

Food must be maintained at safe temperatures. Like incoming foods, temperature-controlled vehicles, cool boxes/bags and reducing the transport time are all ways of reducing bacterial growth.

## **Cross-contamination**

Cross-contamination is when bacteria transfer from something which is contaminated, usually raw food, to ready-to-eat food. Raw food does not only involve meat/poultry; it also includes unwashed raw fruits/vegetables.

This cross-contamination can be direct contamination, for example raw food is stored above or next to ready-to-eat food in the fridge, or indirect contamination, for example the same chopping board is used for raw food and then ready-to-eat food.

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. You must do the following things to avoid it:

- Always keep raw food and ready-to-eat foods separate.
- Always keep raw foods away from and below ready-to-eat food in the fridge. Ideally, have a separate fridge for raw foods.
- Keep raw and ready-to-eat foods separate within the freezer.
- Ideally separate areas should be used for preparing raw foods and ready-to-eat foods. If this is not possible, you will have to ensure time separation with adequate cleaning and disinfection between uses.
- Wash your hands thoroughly after touching raw foods.
- Clean work surfaces, chopping boards and equipment thoroughly before you start preparing food and after you have used them. Use a bactericidal solution meeting BS EN 1276 or BS EN 13697 to disinfect them after cleaning.
- Use different equipment (such as chopping boards, knives, containers) for raw foods and ready-to-eat food. Colour-coding is recommended. This is particularly important when you are not using a dishwasher or using complex equipment.
- Do not store equipment used for ready-to-eat foods below raw food preparation areas.
- Keep raw and ready-to-eat foods separate during service, display and delivery

Further information is available in the [E.coli O157 Control of Cross Contamination Guidance](#)

## **Allergens**

Recording allergen information and clear communication with your staff, customers and suppliers will help to ensure that customers with food allergies are given accurate information.

You will need to think about how:

- food allergens are handled
- information is given to the customer
- staff can be trained about allergens

You must provide allergy information for all food you provide. The way that information is provided depends on how it is sold/provided.

- Pre-packed food must have allergy information within the full mandatory labelling requirements.
- Foods that are pre-packed for direct sale i.e., packed on your premises before the customer orders/buys the food must have the name of the food, full ingredients list and allergens highlighted. See [Prepacked for direct sale allergen labelling | Food Standards Scotland | Food Standards Scotland](#)
- Businesses selling loose food, for example in catering establishments, must also provide allergy information. This information can be given verbally although the customer should be directed to this information, for example a poster to advise the customer to speak to a member of staff. See [Food Safety - Allergy Poster | Food Standards Scotland | Food Standards Scotland](#). You should have documented information such as an [Allergy Matrix](#) that is kept up to date.
- When distance selling, allergen and ingredient information must be available before food is purchased, for example on a website. When the food is delivered allergen and ingredient information must be with the food, this could be in writing (for example on allergen stickers on food) or verbally.

Further information can be found at [Food allergen labelling and information requirements Technical Guidance | Food Standards Scotland](#).

You must check incoming foods and store, prepare, display and serve foods in a manner that avoids cross contamination or inadvertent contamination in terms of allergens. The allergy training detailed in the training section above will assist with this requirement as well as your FCMS/FSMS.

## **Stock Control**

You must have a system of stock rotation to ensure foods are used within their shelf lives.

Ideally order what you need, when you need it. Don't be tempted to bulk buy if you are not confident you can use the product within its shelf life.

Never use or sell food after the **use by date** as it is an offence.

You must provide dates on all the food you prepare. A variety of date stickers are available to purchase. Ideally both the date of production and the use by date should be added for food prepared on the premises. You must identify a suitable shelf life for all foods you prepare, for example day of production plus 2 days is recommended for many foods but this could be less or more depending on the product.

You must provide dates on any fresh foods which are frozen by you i.e. frozen on date and amended use by date. You must ensure foods are frozen before their use by date.

You must provide dates on any foods which are defrosted i.e. defrosted on date and amended use by date.

Many foods must be used within a specified period after opening. You must check packaging for after opening instructions and where necessary provide an opened date and the amended use by date.

Although it is not a strict offence to use or sell food past the **best before date**, you should adhere to this date. After this date, the quality of the food may deteriorate.

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.

Check food within your fridge every day (first thing in the morning or before you leave) to make sure all foods are within their 'use by' dates. Discard out of date food immediately or, if sale and return, segregate it from "other foods to ensure it is not accidentally used or purchased.

To ensure that food is not contaminated during storage and transport you must adhere to the following:-

- Keep all foods in containers, or suitably covered, for example with cling film
- Keep foods in clean and well maintained areas/vehicles
- Store food off the ground
- Ensure all containers/wrapping are food-grade. Check for the food-grade symbol



## **Pest Control**

You must ensure that your premises is adequately proofed against pests. This may involve filling in holes with durable materials, fitting bristle strips to ill-fitting doors, fitting insect-proof screens to windows.

You must carry out regular inspections to check for evidence of pests. You should pay particular attention to difficult to reach areas, such as under equipment where you could use a torch for your checks. In addition to your own checks, you may use a pest control contractor to ensure your premises remains pest-free. If you identify an issue with pests, contact a reputable Pest Control contractor for advice or treatment.

## **Waste Control**

You must remove food waste and other rubbish from rooms containing food as quickly as possible, at least daily, to avoid it building up. You must have adequate facilities for storing and disposing of food waste and other rubbish.

You must separate the dry recyclable materials (i.e. glass, metals, plastics, paper or card, including cardboard) and food waste (if more than 5kg per week) from the rest of your waste for collection.

You must have a suitable waste contract for the disposal of your waste. Waste Transfer Notes or evidence of a waste contract must be available for inspection.

## **Product withdrawal and recall**

Food law requires you to be able to trace all the foods received by you and supplied by you (one step back and one step forward). This will include being able to trace, as required, the ingredients used to produce finished products.

If you have supplied food to another business and information indicates it may be 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, for example by displaying a poster asking consumers to return or throw away the product – contact the food team immediately at [foodhealthsafety@pkc.gov.uk](mailto:foodhealthsafety@pkc.gov.uk)

Further information can be found at [Withdrawals and recalls guidance | Food Standards Scotland](#).

## **Labelling and Describing Food**

You must describe food and drink accurately on labels, menus, display boards adverts, online information etc.

Any illustrations or descriptions must accurately represent the food you are selling and must not be misleading. Descriptions like 'fresh', 'home-made' and 'suitable for vegetarians' can easily be used misleadingly.

All food labelling must be legible and in English. If you buy imported foods, it's your responsibility to ensure all mandatory information is in English.

There are different requirements for prepacked foods, prepacked for direct sale and loose foods. Further information is available at [Food labelling regulations & composition | Food Standard Scotland | Food Standards Scotland](#).

Sector specific food standards guidance is being developed to assist businesses. The first to be published is for butchers: [Food Standards Guide: Butchers | Food Standards Scotland](#).

There are strict rules for the use of nutritional and health claims. Further information can be found at [Nutrition and health claims: guidance to compliance with Regulation \(EC\) 1924/2006 - GOV.UK \(www.gov.uk\)](#).

If medicinal claims are being made, the product is no longer considered a food and will be regulated as a medicine by the Medicines and Healthcare products Regulatory Agency (MHRA). Further information can be found in HMRA's guidance: [A guide to what is a medicinal product](#).

Food information and composition requirements vary depending on the type of business, foods involved and claims being made so you should research the requirements.

## **Annex I Legislation and Guidance**

The list below provides the main legislation and guidance you should be aware of. Please note the list is not exhaustive.

### **Legislation**

[EC Regulation 852/2004](#)

[Food Hygiene \(Scotland\) Regulations 2006](#)

[EC Regulation 178/2002](#)

[The General Food Regulations 2004](#)

[EU Regulation 1169/2011](#)

[Food Information \(Scotland\) Regulations 2014](#)

[Food Safety Act 1990](#)

[EC Regulation 853/2004](#) - for approved establishments only

[EC Regulation 2073/2005](#) - microbiological criteria

### **Guidance**

[Guide to registering your business](#)

[Industry Guide to Good Hygiene Practice: Catering Guide](#)

[E.coli O157 Control of Cross Contamination Guidance](#)

[Vacuum and modified atmosphere packed chilled foods guidance](#)

[Food Handlers: Fitness to Work](#)

[Prepacked for direct sale allergen labelling](#)

[Food allergen labelling and information requirements Technical Guidance](#)

[Food Labelling and Packing](#)

[Labelling and composition standards](#)

[Criteria for the use of the terms fresh, pure, natural etc. in food labelling](#)

[MyHACCP](#)

[CookSafe](#)

[RetailSafe](#)

[Safer food, better business for childminders](#)

[ButcherSafe](#)

[Food Standards Guide: Butchers](#)

[Withdrawals and recalls guidance](#)

[Nutrition and health claims: guidance to compliance with Regulation \(EC\) 1924/2006](#)

[Zero Waste Scotland Guide to Single-use Plastic Products \(Scotland\) Regulations 2021](#)