

## Annexe 4

# FOOD SAFETY LICENCE CONDITIONS FOR MARKETS

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### 1. APPLICATION FOR LICENCE

- A list of all food stallholders attending the market along with full details of all foodstuffs to be displayed for sale must accompany the application for the market licence. (Additional food stalls appearing at the market on the operating day(s) and not on the list of stallholders will not be allowed to operate).
- Each food stallholder intending to operate at the market must provide the Environmental Health Service with documentary evidence of their food safety management system detailing the controls in place to protect the food from contamination during the entire operation of the market. The documentation must be provided to the Environmental Health Service at least 28 days prior to the proposed operating day(s) of the market. (Failure to provide such documentation will result in food stalls not being allowed to operate).

### 2. INSPECTION

- All food stalls may be inspected before or during the market by food enforcement officers from the Environmental Health section to ensure that all licence conditions and legislative requirements have been complied with.

### 3. GENERAL FOOD HYGIENE REQUIREMENTS (FOOD HYGIENE (SCOTLAND) REGULATIONS 2006)

The following is a list of legal requirements which you must comply with and it is also recommended that advice be sought from the food stallholder's local Environmental Health Service.

#### **Requirements:**

1. High risk food handlers must be trained to the Royal Environmental Health Institute of Scotland Elementary Food Hygiene level or equivalent. For all other food handlers, they are required to be trained to a level commensurate with their duties.
2. All displayed food must be covered or wrapped and transported under hygienic conditions.
3. High risk chilled food must be transported and stored on site under temperature controlled conditions [target 5°C or less (tolerance 0°C to 8°C)].
4. Frozen food must be transported and stored on site under temperature controlled conditions [target -18°C or colder (tolerance -12 ° C to -25°C)].
5. If food requires to be cooked or reheated prior to service, cooking equipment must be adequate to cook food to a minimum temperature of 75°C (or equivalent time/temperature combination) and to reheat the food to a temperature of not less than 82°C.

6. If food is held hot, then it must be held at a minimum of 63°C.

**All above temperature requirements must be monitored throughout the operation of the market, recorded on appropriate record sheets and made available for inspection, if required. An example of a temperature control record for use at markets is attached. Further information on temperature control and food safety in general for farmers markets is available in the Food Safety Guide For Farmers Markets In Scotland published by the Scotland Food Standards Agency.**

<http://www.food.gov.uk/multimedia/pdfs/farmermarketscot.pdf>

7. Adequate facilities, e.g. a portable probe thermometer, and arrangements for monitoring temperatures must be available.
8. Food workers must maintain a high degree of personal hygiene, including the wearing of suitable protective clothing and thorough hand washing at the appropriate times.
9. A suitable means of hand washing must be provided. This may be provided by a mobile hand wash unit with adequate supplies of hot and cold or warm water, soap and towels.
10. Foodstuffs must be so placed as to avoid the risk of contamination.
11. Work surfaces and food equipment must be kept clean and be constructed in such a way that they are smooth, impervious to moisture, and capable of being easily cleaned.
12. Adequate cleaning equipment must be provided to ensure effective cleaning and disinfection takes place (e.g. a suitable sink of adequate size, with supplies of hot and cold water and a bactericidal detergent).
13. Smoking must not be permitted.
14. Customers must be discouraged from handling food.
15. A first aid box must be provided including a supply of waterproof coloured dressings.
16. Suitable facilities for the disposal of waste and waste water are required.
17. Where customers are encouraged to try before they buy, adequate arrangements must be in place to prevent food samples becoming contaminated, e.g. provision of separate containers for clean and used spoons, and use of individual cocktail sticks.
18. The risk of *E. coli* O157 cross contamination must be considered and controlled in any food business where both raw foods and ready-to-eat foods are handled. Major *E. coli* O157 outbreaks occurred in Scotland in 1996 and Wales in 2005 and were attributed to poor food handling practices which led

to cross contamination. *E. coli* O157 is a particularly dangerous organism because it can lead to serious untreatable illness and even death and it is reported to have a very low infective dose (less than 100 bacteria can cause illness. The Food Safety Guide for Farmers Markets (pages 7&8) and following Food Standards Agency E Coli Fact Sheet provides further information on cross contamination prevention:

<http://www.food.gov.uk/multimedia/pdfs/publication/ecolifactsheet0211.pdf>

#### **4 LABELLING OF FOODSTUFFS (THE FOOD LABELLING REGULATIONS 1996 AS AMENDED).**

##### **Foods sold loose or pre-packed by the person selling direct to the customer.**

1. The name of the food must be given on either a label on the food or a notice in close proximity to the food. The name must be accurate and unambiguous.
2. A declaration (on a label or a notice in close proximity to the food) of the category of any additives used, such as antioxidants, colours, flavour enhancers, flavourings, flour improvers, preservatives or sweeteners.
3. It is recommended that where cheeses (or other foods) are made from raw milk that this be highlighted.
4. It is recommended that where foods contain any of the declarable categories of food allergens that this be highlighted (or information be readily available on the unit).
5. There are other specific requirements for different types of foods, eg meat products and you are advised to seek further advice in relation to such foods

##### **Foods sold pre-packed**

Pre-packed foods other than those that have been pre-packed by the person selling direct to the consumer will need the following:

1. The name of the food.
2. The list of ingredients (in descending order of quantity at the preparation or 'mixing bowl' stage of manufacture).

There are specific requirements for declaring the percentages of certain ingredients. For instance where an ingredient is highlighted in the name of a food, e.g. "Apple and Ginger Chutney" the percentages of apple and ginger would have to be declared on the label

3. A Best Before or Use By date. Best Before dates are mainly for foods whose quality decreases over a medium to long shelf life, such as cakes and biscuits. Use By dates are for foods which deteriorate rapidly and may end up posing a risk to health, such as cold meats, pate or soft cheeses.

4. Any special storage conditions or conditions of use.
5. The name and address of the person putting the food into circulation.
6. Particulars of the place of origin or provenance of the food, if failure to do so could mislead a customer.
7. Instructions for use, if it would be difficult to make use of the food without instructions.
8. Any previous processes or treatment, for example “previously frozen”.
9. Where cheeses (or other foods) are made from raw milk this information should be given.
10. If the foods contain any of the declarable food allergens their presence must be clearly indicated.

#### **Others**

Meat products require a label showing their meat content, or in the case of cured meat, their added water content.

All Products of Animal Origin (e.g. meat products, dairy products, fish products, shellfish products) must show (where necessary) evidence in the form of an approval number that the product was produced in an EC approved establishment.

**N.B. All labelling must be provided in the language of the country of sale.**

#### **5. ENFORCEMENT**

- Any breach of Community Regulation (EC) 852/2004 that constitutes an imminent risk to health will result in the serving of a Hygiene Emergency Prohibition Notice in accordance with Regulation 8 of The Food Hygiene (Scotland) Regulations 2006 which will require the immediate closure of any stall(s) meeting the health risk condition.

**For further guidance please contact:**

**The Environmental Health Section  
The Moray Council  
High Street  
ELGIN  
IV30 1BX  
Telephone: 01343 563345 or 563347**