

Annexe 4

FOOD SAFETY LICENCE CONDITIONS FOR MARKETS

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 may 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, it is also recommended that advice be sought from the food stallholder's local Environmental Health Service.

Requirements:

1. Training - The Hygiene Regulations require food business operators to ensure that food handlers are supervised and instructed and /or trained in food hygiene matters appropriate to their work activities. Some market organisers may require you to hold a formal food hygiene qualification as a condition of trading.
2. Food transported to markets must be wrapped, covered and/or placed in suitable containers to prevent contamination. All wrappings in contact with food must be made of food grade material. All displayed food must be covered or wrapped to prevent contamination.
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.

7. The market stall should be designed in such a way to protect food, for example, from cross contamination, adverse environmental conditions (rain, dust, direct sunlight etc) and pests.
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. 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.
11. 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).
12. 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. Cross contamination occurs when harmful bacteria are transferred from contaminated food to uncontaminated food, either directly (contact between raw food and ready-to-eat food during transport, storage, preparation or display) or indirectly (spread of bacteria from raw food to ready-to-eat food via hands, equipment, surfaces or cloths). Workspace and flow of foods should be organised to ensure total separation between raw and ready-to-eat foods at all times.
13. Do not eat, drink or smoke where open food is handled.
14. Customers must be discouraged from handling food.

15. Where customers are encouraged to try before they buy, adequate arrangements must be in place to prevent food samples becoming contaminated, e.g. Use individual cocktail sticks.
16. A first aid box must be provided including a supply of waterproof coloured dressings
17. Suitable facilities for the disposal of waste and waste water are required.

4 LABELLING OF FOODSTUFFS

Further guidance is available on the Food Standards Scotland website [HERE](#)

Foods sold loose or 'non prepacked'

'Loose' means food that is sold or displayed without packaging. Food that is packaged at the request of the consumer' means food that is still sold or displayed as 'loose', but may be placed in packaging after purchase.

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. Allergens present in the food items.
3. It is recommended that where cheeses (or other foods) are made from raw milk that this be highlighted.
4. 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 for direct sale

Foods that are prepacked for direct sale have simpler labelling requirements than those that are prepacked, but more complex requirements than those that are non-prepacked.

'Prepacked' means a single item of food and the packaging into which it was put **before being offered for sale**, whether such packaging encloses the food completely or only partially, but in any event in such a way that the contents cannot be altered without opening or changing the packaging and where the food item is put into packaging before being offered for sale to the customer by the same food business

If your business produces food sold as 'Pre-packed for direct sale' it will need to be labelled with:

1. The name of the food. The name must be accurate and unambiguous.

2. A full list of ingredients. All ingredients must be listed in descending order of weight as recorded at the time of their use in preparing the food.

Note: some products are exempt from the need to display an ingredient list. Examples of products which are exempt include;

- Fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated;
- Cheese, butter, fermented milk and cream, to which no ingredient has been added other than lactic products, food enzymes and micro-organism cultures essential to manufacturer, or in the case of cheese other than fresh cheese and processed cheese the salt needed for its manufacture.
- Foods consisting of a single ingredient, where:
 - the name of the food is identical to the ingredient name;
 - the name of the food enables the nature of the ingredient to be clearly identified, such as eggs.

3. Allergens present in the food items.

4. Meat products such as cooked pies or raw sausages require a meat content declaration. The information must appear either on a label accompanying the food or on a notice in close proximity to the product.

Pre-packed foods

It maybe that your business sells prepacked foods that have been produced by another food business/food manufacturer. This other business is required to provide you with a 'fully labelled' product for you to sell.

The following information is mandatory on prepacked foods:

- The name of the food
- An ingredients list
- Information relating to allergenic ingredients
- Quantitative ingredient declarations (QUID)
- A nutritional declaration
- Durability date marking
- A net quantity declaration
- The name and address of the manufacturer
- Storage instructions (where required)

- Instructions for use (where required)
- Origin marking
- Alcoholic strength (for beverages containing more than 1.2% alcohol by volume)

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:

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