



**South Hams
District Council**

**A Guide to Starting a Food Business &
How to
Meet Basic Food Safety & Health and
Safety Laws**

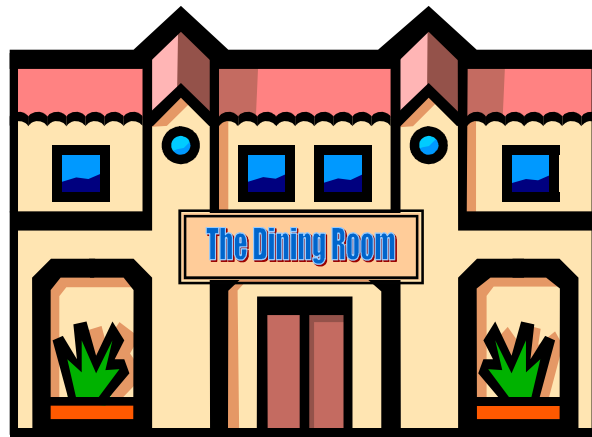
**South Hams District Council
Environmental Health Section**

Follaton House
Plymouth Road
Totnes
Devon
TQ9 5NE

Tel 01803 861234

Website Address : www.southhams.gov.uk

A Guide to Starting a Food Business & How to Meet Basic Food Safety & Health and Safety Laws



The Initial Idea

You've thought of setting up a food business and you want to know what the next step is, well, this short guide should help you through the steps in a logical, easy to read format.

Firstly you need to be honest and open when you start planning your business. You need to determine what your current knowledge is and what your capabilities are. The questions you need to ask yourself are:-

- *What do I know about food safety?*
- *What ideas do I have?*
- *What do I want to achieve?*
- *What is my current financial situation?*
- *How much will I need to borrow?*
- *What skills do I have?*
- *What new skills will I need?*
- *What sort of premises will I need?*
- *What equipment, furnishings and staff will I need?*
- *How will I make myself better than competitors?*
- *Do I know where to get help?*

A business plan is essential and you should seek advice from your bank or other business advisor. A good business plan should include:-

- *your objectives*
- *a marketing plan*
- *financial plan*
- *staffing plan.*

Various websites are available for guidance on starting up a business such as www.businesslink.org.

NB THIS GUIDANCE, WHILST PRINCIPALLY FOCUSING ON CATERERS, CAN ALSO BE USED FOR OTHER TYPES OF FOOD BUSINESSES SUCH AS RETAILERS OR SMALL MANUFACTURERS. HOWEVER, SOME MANUFACTURERS NEED SPECIFIC ADVICE AND AS SUCH IF YOU ARE CONSIDERING SUCH AN OPERATION THEN YOU SHOULD SEEK CONFIRMATION.

The Location

Where are you most likely to find your target customers and in sufficient numbers to sustain and even allow the business to grow?

The style of catering and your objectives will determine where your business should be located. A takeaway for instance will need to be on a busy street with plenty of passing trade, car parking may also be necessary. However, a food delivery business will need to be central with good access for delivery vehicles.

If you have already identified a possible business location and even a premises then be critical, assess the number of people outside, think of how you can persuade them to into your premises. Don't decide with your heart, decide with your head. So many businesses fail in the first year by not being in the right location or by not carrying out sufficient market research.

If you are looking to manufacture high risk foods only such as meat, fish or dairy products, you will need to be 'approved' by the local authority. In this case you should involve the Council's Environmental Health Section at the earliest possible opportunity.

Food Safety – General Hygiene Requirements

(NB Words in bold are legal requirements)

Premises

Once a premises is found you must ensure that it is suitable for its intended purpose. Is it sufficient in size and will it allow for the safe production of food?

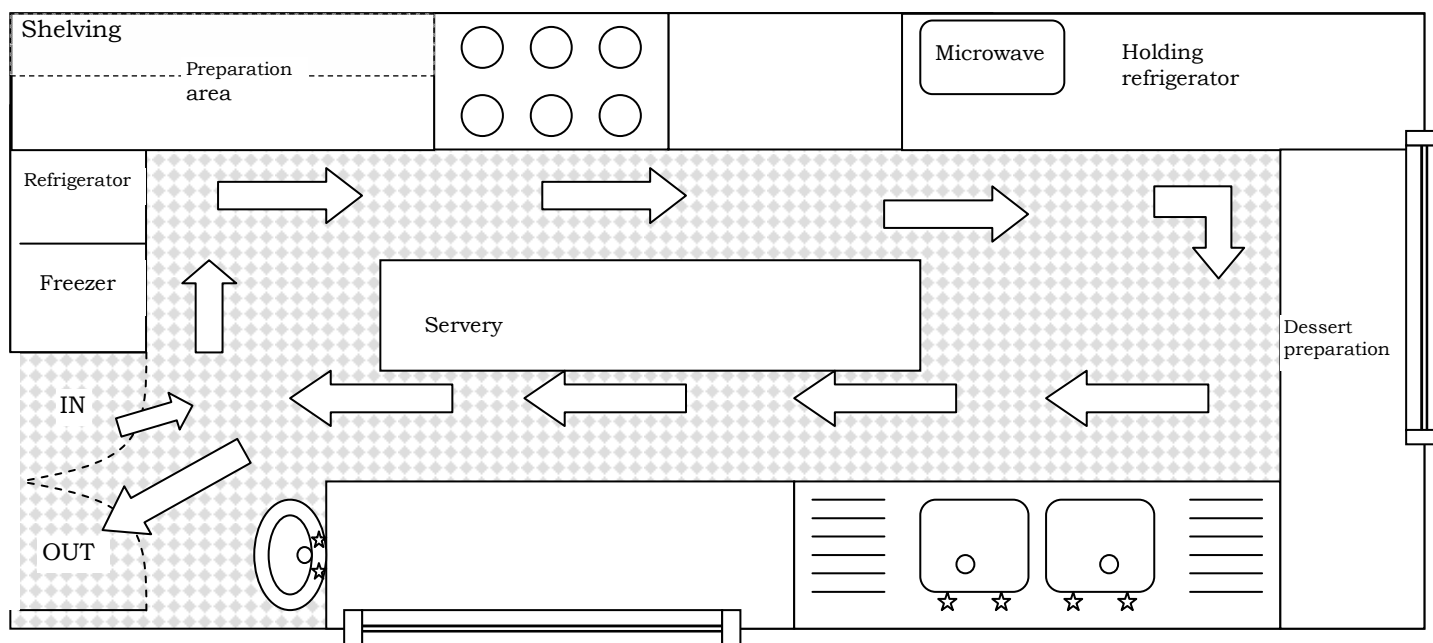
If it is not already a similar type food business then it almost certainly requires planning permission for 'change of use'. The planning department (01803 861234 or 861122) will be able to assist you in this matter.

You must consider not only the size and location but access, WC facilities, water and other services such as gas and electricity, drainage, storage areas, staff accommodation, refuse area, parking availability etc and whether you could cause a nuisance such as smell or noise to other persons in the vicinity.

The Design

It is important to design the kitchen in such a way as to provide a natural workflow without food backtracking. This means there is a reduced risk of cross contaminating foods. It is therefore imperative that you know what catering arrangements to plan for i.e. restaurant, takeaway etc. To summarise, **food premises must be designed, constructed and of sufficient size to permit adequate cleaning/disinfection, it must protect against accumulations of dirt, toxic materials, shedding of particles into food and formation of condensation and mould.**

The following diagram gives a typical overview of a good workflow in a catering premises.



The basis of every kitchen is to produce good, safe food. In doing so debris and waste is obviously produced. Without proper kitchen management this waste can build up to an unacceptable level and cause the kitchen to become dirty and therefore a risk to food safety. In order to assist in maintaining a clean kitchen it is important that the **structure is capable of being properly cleaned. This means it must also be kept in good repair and condition.**

Keeping the kitchen clean is not the only element in a maintaining food safety although it is the most basic and a good indication of food safety awareness and management control. A sound, well planned cleaning schedule should enable the kitchen and all its appliances and worksurfaces to be kept in a clean condition. It is also important to make good all defects as they occur and not to leave them.



There must be a wash hand basin always available complete with hot and cold running water or at a variable controlled temperature. It must be connected to a proper drainage system and be positioned in a conveniently located area. The fact that it is located within the kitchen does not make it legally compliant. It must be in a position where it is reasonable for food handlers to go to and use it on a regular basis. In larger premises it may be more appropriate to provide more than one wash hand basin particularly when you consider waiting staff are also food handlers. Suitable hand washing and drying facilities must also be provided. Although soap bars and washable towels are acceptable, provided they are changed and managed properly, it is far more hygienic to provide single use hand towels and liquid, bactericidal soap in a dispenser.

Separate food washing and equipment washing facilities must also be provided and this can be achieved in a number of ways. If a dishwasher is used for all equipment then additionally only a single sink need be provided. If no dishwasher is used then a double sink must be provided. In only exceptional conditions i.e. a Bed and Breakfast where no food washing takes place, will a single sink be acceptable. Hot and cold running water or water at a variable controlled temperature must be provided and again connected to a proper drainage system.



An adequate number of flush lavatories must be provided and connected to a proper drainage system. Although the lavatories provided can be used by both staff and customers it is recommended that if possible you provide separate facilities for each. Enclosed is South Hams District Councils' WC number requirements relating to food premises.

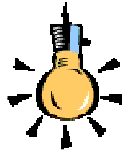
Toilet compartments must be suitably ventilated either by mechanical or natural means and not lead directly into rooms in which food is handled. This can be achieved by separation or by the provision of an intervening lobby. It is recommended that all toilet compartment doors and lobby doors are fitted with self closing devices to ensure that this requirement is assured.



Suitable and sufficient natural or mechanical ventilation must be provided and must not be provided through a dirty area such as a toilet. Trying to determine suitable and sufficient at the planning stage is difficult but, as a guide, wherever cooking with oil or other fats takes place, then it is assumed mechanical ventilation will be necessary. Calculating the correct ventilation input and output is a specialist task which is best left to ventilation experts. In any event, it is essential that suitable inlet ventilation is provided in addition to extraction so as to balance air in and out. A ventilation engineer will be able to assist you.

Ventilation could be the most costly single piece of equipment required for a food business and therefore it is essential it is carefully thought out. Odour and noise problems could occur as a result of installing a poorly designed ventilation system and as such it is suggested you discuss any proposals with the Council's Planning Department and the Environmental Health's Control Section. Installing the system correctly in the first place is far easier and cheaper than altering it at a later stage.

Good ventilation will provide a comfortable working environment, eliminate condensation and ease cleaning operations by removing greasy fumes, smoke and steam created by cooking. **All filters or other parts requiring regular cleaning must be easily accessible or removable.**



Adequate lighting must be provided in all food rooms either by natural or artificial means. The word 'adequate' means bright enough to allow for safe food handling, cleaning and for monitoring cleaning standards. If fluorescent lighting is provided, which is the most common, then it is recommended that diffusers are fitted to reduce direct glare, ease cleaning operations and prevent glass fragments entering foodstuffs in the event of a tube breakage.



Floor surfaces must be impervious, non-absorbent, easily cleansable and non-toxic. They must be maintained in a sound condition and where necessary capable of disinfection. The materials considered acceptable are flooring tiles such as quarry, ceramic and vinyl, vinyl safety flooring, terrazzo and screed resin flooring. However, the above acceptable materials must be carefully chosen as they all have their pro's and con's. For instance, it would not be prudent to put vinyl floor tiles in an area subject to continual water pooling or resin flooring in a small food business due to the cost. Grouting used for quarry and ceramic tiles should be epoxy based as it is less absorbent than cement based grouting. In addition, it is recommended that the floor to wall junctions are coved to assist cleaning and a drainage channel be provided where the floor is subject to significant amounts of water. In assessing the type of floor covering to be provided, you should also take into account the safety aspect such as how slippery it will become when wet.



As with floor surfaces, walls must be **smooth, impervious, non-absorbent, washable and made from non-toxic materials. They must be easy to clean and maintained in a clean, sound condition.** Suitable materials include painted plaster, ceramic tiles, stainless steel and PVC sheeting. Painted plaster walls can become easily damaged and therefore it is recommended that suitable splashbacks are provided behind worksurfaces. With partial finished kitchen walls it is recommended that whatever materials are used, they are provided to a height of around 1.8m from the floor. PVC sheeting should not be used next to heat generating equipment such as ovens or cooking ranges. In this situation, stainless steel sheeting would be more appropriate.

Ceilings and overhead fixtures must not give rise to the accumulation of dirt and prevent condensation, the growth of mould and the shedding of particles. Suitable surfaces includes smooth painted plaster and suspended ceilings used in conjunction with smooth, washable ceiling tiles. Polystyrene tiles and textured ceilings are not acceptable in food preparation areas. All ceilings and overhead fixtures must be subject to routine cleaning to prevent the build up of dirt and grease deposits which, if evident, may also be linked to poor ventilation.



Windows must be constructed to prevent the accumulation of dirt. Where **necessary** (such as if the window opens to a dustbin area or flower garden, where flying insects are encouraged) **then they must be fitted with detachable, cleansable insect proof screens.** It is recommended however, that all windows used for ventilation purposes in kitchen areas are provided with insect proof screens. Where windows are not used for ventilation purposes and not required for escape in an emergency, then they should be fixed shut.



Doors must be easy to clean and therefore need to be **smooth and constructed from non-absorbent materials or finishes.** Door handles or door plates in the case of swing doors are a potential source of food contamination and therefore need to be capable of being disinfected. Wooden doors will require painting or varnishing so as to make them non-absorbent. However, in order to prevent insects gaining access it is recommended that doors are fitted with self closing devices and exterior doors fitted with fly screens. In the case of swing doors, vision panels must be fitted to prevent accidents. Double swing doors must also be fitted with vision panels and a clear policy, which all staff must be aware of, to establish which door is used for 'in' and which one for 'out'.



Surfaces which come into contact with food must be maintained in a sound condition, easy to clean and disinfect. This means the surfaces must be smooth, washable and non-toxic. Worktops, cutting boards and other food contact surfaces must comply. Suitable materials include stainless steel, food grade plastics and ceramics. However, the latter could introduce other physical problems such as after a breakage. Wooden cutting boards used for high risk foods are not recommended due to the absorbent nature of wood. However, purpose made wooden cutting boards may be suitable for low risk food use. Worktop joints should be smooth and properly sealed to prevent dirt traps. Badly scored worktops and cutting boards will not comply with this requirement. Storage and transportation containers will also need to meet the legal standard.

Articles and fittings such as crockery, cutlery, utensils, equipment, shelving and cupboard units **must be constructed and maintained in such good order and repair as to minimise the risk of contamination of food.** Unsealed wooden framed cupboards and galvanised equipment is not recommended where food contact is possible. Aluminium cooking utensils should also be avoided due to their adverse reaction with acidic foods.



Food waste and other food related waste must not be allowed to accumulate in food rooms except where it is unavoidable due to the nature of the work.

Cleaning as you go and regular emptying of refuse bins is the only way to deal with this particular issue. **Refuse bins must be closable and maintained in a sound condition.** However, short term, regularly used refuse containers need not be closable due to its impracticality. **Refuse areas must be capable of and be kept clean and suitably protected against pests.** By far the best means of storing and disposing of waste is by employing a waste disposal company who will provide a closable, wheeled refuse container and collect the waste regularly according to your requirements. Good control and management of refuse and refuse areas can also prevent odour nuisances occurring and avoid pest and insect infestations. You may wish to contact the Waste Management Section on 01803 861234 for further information.



Water, ice and steam used in the production and preparation of food must be of a potable standard. The mains water supply provided by the water company is deemed to be acceptable. However, water taken directly from a storage tank will not generally comply unless it is from a sealed water tank designed for that particular purpose and filled from a mains supply. Water taken from a private supply either from a well or spring must be subject to routine sampling and analysis by an approved analyst in order to demonstrate compliance with this requirement and specific private water supply regulations.

As ice is considered as food it should never be handled with bare hands and suitable scoops used instead. All scoops must be stored out of the ice making machine and on no account should cans or bottles of drink be placed in the ice due to the risk of contamination.



Every person working in a food handling area shall maintain a high degree of personal cleanliness and wear clean and where appropriate, protective clothing. This applies to everyone working in the food handling area and the word 'cleanliness' is taken to include hygiene, practices and habits. Cleanliness will therefore include clean hands, no smoking in food rooms, covering cuts and other skin wounds with waterproof dressings and where appropriate, particularly in food production, the prohibition of jewellery, make-up, perfume and false nails, tying back hair, wearing head coverings etc. It is recommended that waterproof dressings should be of the metal detectable, blue, food grade type to enable them to be easily found if they come off.

No person, known or suspected to be suffering from or is a carrier of a disease transmissible through food contact such as infected wounds or gastro-intestinal illness shall be allowed to work in any food area or in any capacity where there is a likelihood of direct or indirect food contamination. It must be a policy of the proprietor to ensure all staff notify of any such symptoms which could result in contaminating food. Enclosed is a booklet entitled 'Fitness to Work' which gives further guidance on this matter.



No food shall be accepted by a food business if it is known to be or is expected to be contaminated in such a way that processing and cooking will not make the food fit for human consumption. This means in reality that all incoming goods are checked for quality and temperature checks are made on refrigerated or frozen foods to ensure they are delivered at or near to $<8^{\circ}\text{C}$ for refrigerated foods and around -12°C for frozen. In addition, it is important to ensure that all food is within its 'use by' date and all packaging is undamaged.

All raw materials and ingredients must be stored in appropriate conditions to prevent harmful deterioration and contamination. Dry goods will therefore be stored in dry, cool conditions and opened packets of dried goods should be transferred into airtight, cleansable containers. Chilled goods must be stored at temperatures specified in the temperature control regulations ie $<8^{\circ}\text{C}$. Certain frozen items are subject to other regulations which specify temperatures therefore it is sensible to ensure that all frozen foods are kept at that temperature which is colder than -18°C .

Because high risk foods are subject to temperature control regulations, it is vital that regular temperature checks are carried out on refrigerators and freezers to ensure that the correct temperatures are being maintained. It is also a good idea to record the results of these checks as this could be deemed as evidence and as such support any defence in court should the need arise.

The only exemptions which would apply is where high risk foods such as sandwiches, rolls, quiches etc are on unrefrigerated display or foods such as coleslaw are out of refrigeration during service times. In this case the foods are allowed to remain unrefrigerated for a single period of no more than 4 hours. After this time they must be placed back under refrigeration or discarded. There is also a further exemption which applies to individual meat products completely encrusted in pastry, namely pasties and pies. In these cases the products can remain unrefrigerated for a period no longer than the day after production provided they are displayed unwrapped.

When hot food is displayed such as on a carvery, the food must not be allowed to get to a temperature below 63°C . Again there is an exemption to this requirement. This is where the food is to be consumed or placed under refrigeration within 2 hours from the moment it gets below 63°C .

Storage of foods must be managed in such a way as to prevent other foods being contaminated. This means proper management of storage arrangements. For instance raw meat must be stored on the lowest shelves within refrigerators and high risk, ready to eat foods at the top. However, if it is possible, then separate

refrigerators should be provided for raw and cooked foods. To summarise, **all food which is handled, stored, displayed and transported shall be protected against any contamination likely to render the food unfit for human consumption.** Enclosed is a leaflet entitled 'Guide to Food Hygiene'



Adequate procedures must be in place to ensure pests are controlled. This means that entrances and other access points must be proofed and if evidence of pest activity is found then competent contractors should be employed to bait, survey and advise. Stock rotation, eliminating harbourage and regular cleaning of refuse areas will assist as will eliminating all possible food sources.



Cleaning chemicals, pet foods and other hazardous and inedible substances must be stored in such a manner as to prevent contaminating food which is meant for human consumption. All pet food must be appropriately labelled and all foods not designated as for human consumption must be kept separate and placed in a designated container where it is obvious that its intention is to be disposed of. If it is not obvious then the Food Safety Act 1990 clearly indicates that any food found on food premises is presumed to be for sale or use and as such an offence may have been committed.



The proprietor of a food business shall ensure that food handlers engaged in the food business are supervised and instructed and/or trained in food hygiene matters commensurate with their work activities. This legal requirement allows for flexibility insofar as it states commensurate with their work activities'. This suggests that the level of supervision, instruction and training of food handlers depends on the food handling involved and their responsibilities. The following guide is used by industry to determine the level of training and time scales.

Category of Staff	Essentials of Food Hygiene	Hygiene Awareness Instruction	Basic Food Hygiene Training	Intermediate or Advanced Food Hygiene Training
Handling low risk food only.	Prior to commencement of work	Within 4 weeks	Depending on responsibility	NA
Handling open high risk foods.	Prior to commencement of work	Within 4 weeks	Within 3 months	NA
As above with supervisory role	Prior to commencement of work	Within 4 weeks	Within 3 months	As soon as reasonably practicable

Essentials of food hygiene can be relayed during induction training or sent to the employee prior to commencement of work in the form of a leaflet. The information should include personal hygiene matters, illness policy, clothing requirements and basic food safety details such as temperature control and cleanliness.

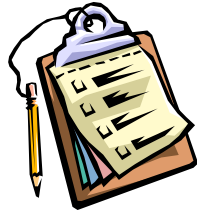
Hygiene awareness instruction should be carried out on-the-job and should include such matters as company food safety policies on temperature control, smoking, food storage and pest control, micro-biological and physical contamination of food, cleaning and disinfection and the causes of cross contamination and hazard analysis.



Hazard analysis is a legal requirement and is basically a procedure for identifying the stages in the storage and production of food which are critical to food safety and putting into place adequate controls to ensure that safety. The two main hazard analysis formats are Hazard Analysis Critical Control Points (HACCP) which is designed for manufacturers and large caterers and, Assured Safe Catering (ASC) which is primarily designed for small caterers such as pubs, hotels and restaurants. However, the principles of hazard analysis can also be applied to retailers and warehouses. Enclosed is a guidance leaflet entitled 'A Guide to Food Hazards and Your Business'



Any person who is known to be suffering from a disease which can be transmitted through food or has an infected wound, skin infection, sores, diarrhoea or similar condition must report that knowledge or suspicion to the proprietor of the business. The regulations go on to state 'No person, who is known or suspected to be suffering from, or to be a carrier of a disease likely to be transmitted through food shall be permitted to work in a food handling area'. A company policy relating to this type of situation must therefore be prepared and brought to the attention of the staff. The policy should include details of alternative arrangements for staff such as prohibition from the workplace or to provide alternative, non-food handling duties. Enclosed is a guidance leaflet entitled 'Food Handlers, Fitness to Work'.

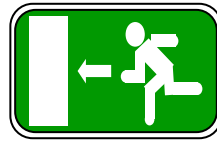


All food premises, with the exception of a few, must be registered with the local authority in order that an up to date register can be prepared and food premises can be inspected at a frequency determined by the food safety risk. If you are intending to run a mobile food business or a stall, then you should register with the local authority where the vehicle or stall is stored when not in use. In addition, you should register your food business 28 days prior to opening in order to allow time for an inspector to visit. Enclosed is a registration form and guidance notes.

Enclosed guidance leaflets

- *A Guide to Food Hygiene*
- *Food Safety Regulations*
- *Keeping Foods Cool and Safe*
- *Food Law Inspections and Your Business*
- *Food Handlers Fitness to Work*

Food Premises Registration Form



Health and Safety

In addition to food safety, health and safety, including welfare arrangements for staff, is an important area, which must be properly planned and financed.

The Environmental Health Section of South Hams District Council is responsible for the inspection and enforcement of health and safety law in most food premises including shops, warehouses, cafés, pubs and hotels. Health and safety affects employers, employees, the self-employed and anybody affected by work activities including members of the public. It is not possible to include advice for every health and safety topic but this guidance includes those, which are most common to catering situations.

Registration

Under the Offices, Shops and Railway Premises Acts 1963 you must register your business with the Local Authority if you intend to employ any persons or persons. However there are certain exemptions from registration, most notably being when the sum total of hours worked by all employees does not exceed 21 hours per week or if all employees are direct family members. The registration form, **OSR1**, should be completed and returned to this office prior to the employment of staff

Safety Policy

Employers having 5 or more staff must have a written health and safety policy. This policy must include a statement of the commitment to health and safety, the organisation structure including responsibility of persons and the policy arrangements. This statement must be brought to the attention of all employees and should be signed, dated and periodically reviewed by the employer.

Guidance = Stating Your Business

Risk Assessment

Under the Management of Health and safety at Work Regulations 1999 all employers and self employed persons must assess the risks to their workers or any person affected by their business operations. This will involve a careful examination of the business so as to identify any areas, which could cause harm to people. A decision is then necessary as to whether enough precautions have been taken and if not, what more can be done to prevent injuries or illness. If you employ 5 or more staff then all significant findings must be recorded in writing and brought to the attention of all affected staff members.

Guidance = 5 Steps to Risk Assessment

Accident Reporting

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) require that certain types of accidents or incidents which occur at work are reported. In the case of major injuries, notification must be made without delay i.e. by fax or telephone, then followed up within 10 days, by a completed accident report form (F2508) (available from HSE Books or single copies from this office). In addition, injuries involving members of the public, where hospital treatment is required, and where a member of staff is off for more than 3 days as a result of an injury, must also be reported.

Guidance = RIDDOR Explained

Health and Safety Poster

The Health and Safety Information for Employees Regulations 1989 require every employer to prominently display a poster providing certain health and safety information. The poster "Health and Safety - What you should know" must contain the name and address of South Hams District Council as the enforcing authority, the address of the Employment Medical Advisory Service (EMAS) Ballard House, West Hoe Road, Plymouth, PL1 3BL and names of the organisations Health and Safety Representatives and Competent Persons.

Poster = HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS Tel: 01787 881165

Chemicals

Under the Control of Substances Hazardous to Health Regulations 1999 (COSHH) every employer must carry out a suitable and sufficient assessment of the risks associated with the use of all substances at work which may be hazardous to health. These include chemicals such as those used in cleaning. The Regulations lay down a sensible step by step approach to the identification, evaluation and control of these substances, which allows employers with limited expertise to carry out the assessment. However, extremely hazardous substances will require the assistance of a person with additional expertise.

Guidance = COSHH: A Brief Guide to the Regulations

First-Aid

The Health and Safety (First Aid) Regulations 1981 require you to provide adequate and appropriate equipment, facilities and personnel to enable first aid to be given to employees if they are injured or become ill at work. An assessment should be carried out to identify first aid needs as each business has its own hazards and as such first aid arrangements should reflect this. Arrangements should include training for appointed persons and first-aiders and the formulation of emergency procedures.

***Guidance = First Aid at Work: Your Questions Answered.
= Basic Advice on First Aid at Work***

Manual Handling

The Handling Operations Regulations 1992 require that potentially hazardous manual handling operations are to be avoided so far as is reasonably practicable. Those which cannot be avoided must be assessed and then to use the assessment to identify whether there is a problem, where it lies and how it may be resolved.

Guidance = Getting to Grips with Manual Handling

Electricity At Work

The Electricity at Work Regulations 1989 place a duty on employers and the self-employed to ensure that electrical equipment and any installation is suitable for the purpose intended and is maintained in a safe condition so as to prevent danger.

Guidance:-

***Maintaining Electrical Equipment in Offices and Low-Risk Environments
Maintaining Electrical Equipment in Hotels and Tourist Attractions***

Pressure Systems

Pressure systems and equipment includes boilers for heating and steam, pressure cookers, beer cellar equipment including valves and gauges. The regulations require that all pressure equipment is both safe and suitable, those who work with pressure vessels understand the normal operating conditions, the equipment is fitted with suitable protection devices, it maintained and examined by competent persons and suitable training is given to operators.

Guidance = Pressure Systems - safety and you.

The Workplace

The Workplace (Health, Safety and Welfare) Regulations 1992 lay down specific requirements so as to provide acceptable workplace conditions. These include ventilation, lighting, temperature, cleanliness, room dimensions and general safety and welfare requirements.

Guidance = Workplace Health, Safety and Welfare: A Short Guide for Managers

Should you require any further information, then please contact the Councils' Environmental Health Service, the details of which are on the cover of this guidance.

GOOD LUCK