

Food Safety

Are you breaking the law?

If you operate a food business you must ensure you comply with food safety legislation. This fact sheet highlights some of the steps that must be taken. Failure to do so could mean you are guilty of a criminal offence for which you could be fined or even sent to prison. You could be breaking the law if you fail to meet any of the following requirements.

Hazard Analysis and Record Keeping

You must ensure you have in place detailed food safety procedures based on the internationally recognised HACCP principles. These principles require you to:

- Have conducted an analysis of all potential hazards to food safety and identified what measures should be taken and when to prevent these hazards.
- Have checks in place to ensure the food safety procedures are working as intended and any corrective action is identified.
- Maintain proper up-to-date records of all the food safety procedures you have in place to ensure compliance with HACCP principles. These records must be available for inspection by your local authority.

Maintenance of Premises

Your premises must:

- Be kept clean and maintained in good repair and condition.
- Have adequate space to work, clean and properly store food.
- Have an adequate number of flush lavatories and washbasins with hot and cold water and material to clean and dry hands.
- Be properly ventilated.
- Have adequate lighting.
- Have adequate drainage.
- Have separate storage for cleaning products away from the area where food is handled.

In your food preparation areas:

- Surfaces, floors, walls and doors must be maintained in a sound condition and be easy to clean.
- Ceilings and windows must be constructed so as to prevent the accumulation of dirt.
- There must be adequate facilities for the washing of food and the cleaning and storing of your working utensils and equipment.
- All fittings and equipment must be cleaned on a regular basis to avoid contamination.

Food

- You must not include anything in food, remove anything from it or treat it in anyway which would be damaging to the health of the people eating it.
- The food must be of the nature, substance or quality which consumers would expect.
- The food must be labelled, advertised and presented in a way that is not false or misleading.
- All food must be kept at the proper temperature.
- Raw materials and ingredients must be kept in appropriate conditions to protect them from contamination or deterioration. They must also be kept separate to processed materials.
- Food waste and other refuse must not be allowed to accumulate and must be removed from rooms where food is present as quickly as possible.
- You must have an adequate supply of drinking water.

Staff

- Every person working in food handling must maintain a high degree of personal cleanliness and must wear clean and suitable clothing.
- No person must be permitted to handle food or enter any food handling area if they are suffering from any disease likely to be transmitted through food or have any skin infections, wounds or diarrhoea.
- Food handlers must be supervised and instructed in food hygiene matters.
- Those staff responsible for maintaining food safety principles must receive adequate training in this area.

Pest control

- You must have adequate procedures in place to control pests and to prevent domestic animals from having access to food preparation areas.

Notices from the Local Authority

- You must comply with any hygiene improvement notice or hygiene emergency prohibition order. These are notices which your local authority has the power to serve on you if it considers you are in breach of any food safety legislation.

Whilst some of the above requirements may seem obvious, compliance must be taken seriously. If you are charged with a criminal offence any evidence that you can put forward to show that you have taken all reasonable steps to comply with the legislation may avail you with a defence to the allegation of criminal wrongdoing.

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