



## STARTING UP A FOOD BUSINESS

The following information is designed to help you understand your legal responsibilities as a food business operator and to help you get your business off to a good start.

### **Registering your food business**

If you are planning to start a new food business, or are taking over a food business, you must register your premises with us at least 28 days before opening. This applies to most types of food business, including catering businesses run from home, and mobile or temporary premises such as stalls and vans. Information specific to mobile and temporary premises, childminders and running a food business from home can be found on our website <http://www.derbyshiredales.gov.uk/environment-and-waste/food-safety/starting-a-food-business>

Once you have registered your food business an officer will visit you to undertake an inspection of your premises.

A registration form has been included with this pack, but you can also download one from our website:

<http://www.derbyshiredales.gov.uk/environment-and-waste/food-safety>

### **Legislation**

Depending on the scope and nature of your food operation the following legislation may apply:

The Food Hygiene (England) Regulations 2006

<http://www.legislation.gov.uk/ukSI/2006/14/contents/made>

Regulation (EC) No 852/2004 of the European Parliament and of the Council, of 29 April 2004, on the hygiene of foodstuffs

[http://europa.eu/legislation\\_summaries/food\\_safety/veterinary\\_checks\\_and\\_food\\_hygiene/f84001\\_en.htm](http://europa.eu/legislation_summaries/food_safety/veterinary_checks_and_food_hygiene/f84001_en.htm)

Regulation (EC) No 853/2004 of the European Parliament and of the Council, of 29 April 2004, laying down specific hygiene rules for food of animal origin

[http://europa.eu/legislation\\_summaries/food\\_safety/veterinary\\_checks\\_and\\_food\\_hygiene/f84002\\_en.htm](http://europa.eu/legislation_summaries/food_safety/veterinary_checks_and_food_hygiene/f84002_en.htm)

### **Food hygiene requirements**

- **General;** You must be aware of the hygiene requirements that relate to your food business. Your premises must comply with the necessary regulations, be suitable for the purpose of your business and allow you to prepare food safely. Your premises must be kept clean and be maintained in good repair and condition.

- **Surfaces;** There are many different surfaces that can be used in a kitchen for floors, walls, ceilings and equipment. The basic requirements are that surfaces are smooth, impervious to water, non-toxic and easy to clean.
- **Toilets;** You must provide clean and ventilated toilet(s), with wash hand basin(s). The toilet must not lead directly into a food room. Toilets will normally be required for customers and the District Council has set its own policy on the provision of sanitary facilities for customers. Details can be found on our website.  
<http://www.derbyshiredales.gov.uk/environment-and-waste/food-safety/starting-a-food-business/sanitary-facilities>
- **Wash hand basins;** You must have enough wash hand basins for staff to wash their hands and these must be supplied with hot and cold water, soap and hand drying facilities. Separate sinks must be provided, where necessary, for washing food and cleaning equipment.
- **Protective clothing;** Clean, protective over-clothing must be worn by food handlers. It must only be worn at work and therefore suitable changing areas must be provided away from food rooms.
- **Extraction systems;** Sufficient ventilation must be provided, designed to allow easy access for cleaning and maintenance. Planning permission may be required for certain systems. Further information on ventilation and extraction systems can be found on our website.  
<http://www.derbyshiredales.gov.uk/environment-and-waste/food-safety/starting-a-food-business/kitchen-design>
- **Pest Control;** Pests pose a serious health risk, and therefore you must have adequate systems in place to prevent and control infestations of insects and rodent pests.
- **Refuse disposal;** You must make suitable arrangements for the hygienic disposal of waste materials.
- **Training;** Attending a formal course is not a legal requirement but you must ensure all food handlers have specific and appropriate training in food hygiene. Details of food hygiene courses area available on the CIEH website at  
[http://www.cieh.org/training/food\\_safety.html](http://www.cieh.org/training/food_safety.html)

### **Food Safety Management System**

Regulations introduced in 2006 say that you must be able to show what you do as a food business to make food that is safe to eat. This information must be written down and is called a food safety management system (FSMS). In terms of your food safety management system you need to "Write what you do and do what you write".

The FSMS is:

- a practical, logical analyses carried out at your business which is designed to produce safe food
- a systematic examination of what you do each day with all foods
- the identification all food safety hazards in the business and putting systems in place to control them.

The FSMS should be based on the Hazard Analysis Critical Control Points (HACCP) system. The principles of the HACCP prescribe a number of requirements to be met throughout the cycle of production, processing and distribution of food in order to enable, via hazard analysis, the identification of the critical points which need to be kept under control in order to guarantee food safety:

- identify any hazards that must be prevented, eliminated or reduced to acceptable levels;
- identify the critical control points at the step or steps at which control is essential;
- establish critical limits beyond which intervention is necessary;
- establish and implement effective monitoring procedures at critical control points;
- establish corrective actions when monitoring indicates that a critical control point is not under control;
- implement procedures to verify whether the HACCP is working effectively;
- keep records to demonstrate the effective application of these measures

You can chose to develop and implement your own FSMS, however the Food Standards Agency (FSA) has developed a pack which we would recommend that you use.

**Safer Food, Better Business** (SFBB) is an innovative and practical approach to food safety management developed by the FSA. It has been developed to help small businesses put in place food safety management procedures and comply with food hygiene regulations. The SFBB pack highlights things that are important in order to sell food safely and provides advice on what to do if things go wrong. The pack includes safe method sheets and a diary.

There are a number of SFBB packs available that are designed to meet the specific needs of different food businesses. There are packs for small catering businesses, small retail businesses, and restaurants and takeaways that serve different cuisines, such as Chinese or Indian, Pakistani, Bangladeshi and Sri Lankan cuisines. There is also a pack for childminders and a supplement for care homes that is designed to be used with the pack for caterers.

All the packs, apart from the childminders, include an introduction to food hygiene '*Working with food? What you need to know before you start*' and a DVD guide, available in 16 different languages, which have been produced to help food businesses implement SFBB and train staff on SFBB. An online training tool is available at <http://www.sfbtraining.co.uk/>

If you would like to order an SFBB pack guide, call the Food Standards Agency Publications on 0845 606 0667 or email [foodstandards@ecgroup.co.uk](mailto:foodstandards@ecgroup.co.uk).

### **Checklist for starting up**

Have you registered your food business?	
Do the design, layout and construction of your premises meet legal requirements?	
Are you aware of the main General Food Law Requirements?	
Do you keep written records of all the suppliers that provide you with food or any food ingredients?	
Have you put food safety management procedures in place and are you keeping up-to-date records of these? eg. SFBB pack.	
Do you and your staff understand the principles of good food hygiene?	
Have you and you staff had appropriate food hygiene training?	
Have you considered health and safety and fire safety arrangements?	
Do you have a refuse collection service?	
Do you have a pest control contract or have you made other arrangements to deal effectively with pests?	
Have you registered as self-employed, if relevant?	
Do you need to register for VAT?	
Are you keeping records of all your business income and expenses?	
Are you keeping records of your employees' pay and do you know how to pay their tax and National Insurance contributions?	
Do you describe food and drink accurately?	
Do you need to apply for a licence to sell alcohol, for entertainment, for selling hot food and drink late at night, or selling food on the street?	

## **Recommended guidance**

Food Standards Agency – Starting up booklet

<http://www.food.gov.uk/enforcement/enforceessential/startingup/startingup>

Food Standards Agency – A Guide for Businesses

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

Food Standards Agency – Safer Food, Better Business

<http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/sfbb/>

Derbyshire Dales – Food Safety.

<http://www.derbyshiredales.gov.uk/environment-and-waste/food-safety>

Food Standards Agency – Food Law

<http://www.food.gov.uk/foodindustry/regulation/foodlaw/>

## **Further information**

**Planning permission** - The use of any premises (including domestic properties) for food business purposes may be considered a change of use. You are advised to seek the views of our Planning and Development Services Department who can be contacted on 01629 761336 or by email [planning@derbyshiredales.gov.uk](mailto:planning@derbyshiredales.gov.uk).

<http://www.derbyshiredales.gov.uk/planning-a-building-control>

**Building Control** - If you intend to alter the premises' internal layout you may require Building Regulations approval. You are advised to seek the views of the Building Control Section who can be contacted on 01629 761321 or by email [buildingcontrol@derbyshiredales.gov.uk](mailto:buildingcontrol@derbyshiredales.gov.uk). Alternatively you may wish to seek the advice of an Approved Inspector.

<http://www.derbyshiredales.gov.uk/planning-a-building-control>

**Licensing** - If you intend to sell alcohol, or provide any form of "public entertainment", you may require a licence. Please contact the Licensing Section on 01629 761313 or by email [licensing@derbyshiredales.gov.uk](mailto:licensing@derbyshiredales.gov.uk) for further assistance.

<http://www.derbyshiredales.gov.uk/services-business/licensing>

**Trading Standards** - Trading Standards at Derbyshire County Council can offer advice on the labelling of products, declared weights and product claims. They can be contacted at Call Derbyshire on 08456 058 058 / 01629 533190 or by email [trading\\_standards@derbyshire.gov.uk](mailto:trading_standards@derbyshire.gov.uk)

[http://www.derbyshire.gov.uk/business/trading\\_standards/food\\_standards/default.asp](http://www.derbyshire.gov.uk/business/trading_standards/food_standards/default.asp)