

Community Services - Environmental Health

Guidance Note for Vendors at Licensed Events

The guidance below is intended to assist you as a food business operator on the current legal requirements. The guidance should be read in conjunction with the EH checklist for vendors:-

1. Food Registration

- You must register your business with your Local Authorities – Environmental Health Department. A new business must register at least 28 days prior to operating at any market event. If you live outside the Highland area you should contact your local authority to register with them. Highland Council contact details are included on the link <https://bit.ly/3tDteZt>

2. Existing Food Registered businesses

- Are required to be inspected by the local authority – Environmental Health Department in the area they are registered. Highland Council would expect all food business operators to have been inspected and receive a pass before they can operate at any market event. Food Standards Scotland operate the Food Information Scheme where these details are retained and where you can obtain what your status is after registering with the local authority. There are three categories of registered food businesses, and these are detailed below:

Awaiting Inspection – Registered with the local authority and not yet inspected.

Improvement required – Inspected by the local authority Environmental Health Department, but the business did not meet the legal requirements and needs to make improvements.

Pass - the business meets the legal requirements for food hygiene.

- If you have not achieved a pass rating, either because you have not been inspected, or you have been inspected and rated as improvement required, you should contact your local authority environmental health department to arrange a visit, or revisit. Link - <https://bit.ly/3vKKTRq>

3. Food Safety Management Procedures:

- You must put in place 'food safety management procedures' based on the principles of HACCP (hazard analysis and critical control point). See Cooksafe: <https://bit.ly/3KsJxPH>
- You must also keep up-to-date documents and records relating to your procedures
- You must review your procedures if you change what you produce, or how you work in practice. This means that you must have procedures in place to manage food safety 'hazards' in your business. You must write these procedures down, update them as needed and keep records that can be checked by your local authority. The regulations are designed to be flexible, so these procedures can be proportionate to the size of your business and the type of work you do. This

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means that many small businesses will have very simple procedures and records. Cook safe is a food safety management System for high-Risk Food business Operators.

- Retail safe is a Food Safety Management System that can be used for low-risk food business operators (Retail Safe: <https://bit.ly/3CmIXzP>).
- Where you are supplying food types that require strict temperature control or there are risks of cross contamination between unwrapped low and high-risk foods (see categories below), then specific controls to prevent temperature abuse or cross contamination require to be put in place. See Cooksafe manual for further guidance.

If you are in any doubt you should consult with your local authority Environmental Health Department before the event for further clarification.

4. Food Safety Training

- Food businesses must make sure that any staff who handle food are supervised and instructed and/or trained in food hygiene in a way that is appropriate for the work they do.
- Food handlers who handle or prepare low risk foods only should complete level 1 food safety Training.
- Food handlers who handle or prepare high risk foods should complete food safety training to level 2
- **Useful Training Organisation Links**

Food Training Scotland -
HighSpeedTraining -
Virtual College -
Fife College -

<https://bit.ly/3tHE4Oe>
<https://bit.ly/3Mvw770>
<https://bit.ly/3sWRPJL>
<https://bit.ly/3sWRFID>

5. Allergen Training

- Specific training can assist you in awareness about allergen labelling requirements. Although this is not a legal requirement the training (link below) provided by Food Standards Scotland is free and will assist key staff in a better understanding on the allergen requirements and is highly recommended. Link: <https://bit.ly/3KjtF1K>

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6. Allergens

- All prepacked or prepacked foods for direct sale are required to identify the allergens present in the foods sold and this must be on the labelling. Where you are selling non-pre-packed food, you are required to carry out an allergen assessment of the allergens present in the foods sold and provide this information to the customer. This should include:
 - i. A point of display notice at the point of sale advising if the customer requires further information on allergens present, they can ask a member of staff; and
 - ii. An allergen assessment of the unwrapped foods sold which should be available to the customer, if required.
- The table on this link (<https://bit.ly/3CIATi0>) should be completed for unwrapped foods
- There are also new requirements for products sold pre-packed for direct sale and in terms of allergen declaration. This web link (<https://bit.ly/3Cjwihf>) to the Food Standards agency website explains the allergen requirements for pre-packed foods for direct sale.

7. Packaging and Labelling

Where you are packing food, it would be classed as either **prepacked**, or **prepacked for direct sale**.

Prepacked - Definition

Any single item for presentation as such to the final consumer and to mass caterers, consisting of a 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

Prepacked for direct sale - Definition

Any food that has been put into packaging before it goes on sale and not pre-ordered by the stall holder

In a physical retail environment this is likely to apply to foods which are sold loose from a delicatessen counter (e.g., cold meats, cheeses, quiches, pies, and dips), fresh pizza, salad bars, bread sold in bakery shops, meat from butchers, pick and mix confectionery (including individually wrapped sweets and chocolates), etc.

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If you wrap or package food as part of your business, then you require to ensure that any material used for wrapping and packaging must not be a source of contamination. Packaging may contain the “*Fork and Glass*” to demonstrate it is food grade. If this is not available, you should check with the supplier for a certificate of conformance that it is made of food grade material.

For further information on prepacked labelling requirements and the need to include allergens – see links and section below on allergens:

- Highland Council Advice - <https://bit.ly/3ISFmvV>
- Food Standards Scotland Allergen labelling - <https://bit.ly/3vKJfzf>
- Food Standards Scotland Allergen labelling & Technical guidance - <https://bit.ly/3vKJfzf>
- Food Standards Scotland Labelling of Pre-packed for direct sale - <https://bit.ly/3vKJfzf>

8. Categories of Food businesses 1-4

The following is the definitions of the 4 categories of food business

Category 1 - Low risk pre-packed foods

Low-risk foods are ambient-stable such as bread, biscuits, cereals, crisps, and cakes (not cream cakes), unprocessed fruit and vegetables. Such foods are unlikely to be implicated in food poisoning.

Category 2 - Low risk non-prepacked foods

Low risk pre-packed foods as defined above but have not been wrapped/bagged/containerised. Some low-risk food items i.e. loose vegetables such as potatoes or onions are soil based and if handled or stored unwashed alongside category 3 foods, they can be a source of E. coli bacteria a source of food poisoning if stored or prepared in close proximity to unwrapped high-risk foods (meat or fish)

Category 3 -High risk open foods

High risk unwrapped foods can be defined as uncooked/cooked foods of animal origin (meat or fish/shellfish) that unless processed and are ambient stable (such as tinned meat or fish), will support the growth of pathogenic (harmful) organisms which could cause food poisoning. Such foods require to be stored under refrigeration.

Category 4 – High risk pre-packed

High risk prep-packed foods are defined as above but fully wrapped to minimise handling.

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9. Moveable Premises/stalls

Movable and/or temporary premises include marquees, market stalls, mobile vans, vending machines. This category also includes people's homes where food is regularly prepared to be sold or given to the public, and includes B&Bs.

Premises and vending machines must be positioned, designed, constructed, and kept clean and maintained in good repair and condition in a way that avoids the risk of contamination. This includes avoiding the risk from the contamination from animals and pests as far as is reasonably practicable. The law says:

- You must have appropriate facilities to maintain adequate personal hygiene, including facilities to wash and dry hands hygienically, hygienic toilet facilities and changing facilities. (Where category 2 and 3 foods are sold)
- Surfaces that are touched by food must be in a sound condition and be easy to clean and, where necessary, to disinfect. This means that they need to be made of materials that are smooth, washable, corrosion-resistant, and non-toxic, unless you can satisfy your local authority that other materials are appropriate. (Where Category 2, or 2 and 3 foods sold)
- You must have adequate facilities for the cleaning and, where necessary, disinfecting of working utensils and equipment. (Where category 3 or categories 2 and 3 foods are sold)
- If you wash or clean food as part of your business, then you must have adequate facilities to do this hygienically. You must have an adequate supply of hot and/or cold water that is potable (drinking quality) (Where Category 2, or 2 and 3 foods are sold)
- You must have adequate arrangements and/or facilities to store and dispose of hygienically any hazardous and/or inedible substances, and waste (whether liquid or solid). (All categories)
- You must have adequate facilities and/or arrangements for keeping food at suitable temperatures and monitoring these. (Categories 3 and 4 food sold)
- You must place food in a way that avoids the risk of contamination as far as reasonably practical. (Categories 2 and 3 food sold)
- Labelling and allergen requirement – see paragraphs 4 and 5 above.

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10. Gas Safety

- Gas appliances and pipework, valves etc require to have been inspected and tested within the previous 12 months by a suitably competent Gas Safe registered engineer holding the correct qualifications. When on site pipework connections should be checked as soon as installation is set up for any gas leaks and again prior to any working day or if an appliance or cylinder are moved.
- Other than LPG cylinders in use, it is recommended that only 1 spare LPG cylinder should be stored at the unit (i.e keep the number of cylinders to a minimum). Additional cylinders should be kept in the LPG compound if one available. Please check upon arriving at site if a compound is provided.

For further information on gas safety requirements in mobile vendors – see links below:

- Health & Safety Executive – Gas Safety - <https://www.hse.gov.uk/gas/>
- Gas Safety in Catering & Hospitality - <https://bit.ly/3HPM6Jy>
- NCASS Nationwide Caterers Association – Gas Safety Advice - <https://bit.ly/3tA8xO2>
- Gas Safe Register - Check a Gas Engineer - <https://www.gassaferegister.co.uk/>

11. Electrical

- All electrical systems and appliances require to have been examined and tested by a competent electrical specialist within the previous 12 months. All portable appliances should be regularly checked for damage etc.

For further information on electrical safety requirements in mobile vendors – see links below:

- HSE– Electrical Safety at Events - <https://bit.ly/35wszkD>
- HSE - Maintaining Portable Electrical Equipment - <https://bit.ly/3MtDdJg>

Should you require any further information or clarification on any of the above items, please contact Highland Council Environmental Health on envhealth@highland.gov.uk