

Guidance on Compliance with Food Hygiene and Safety Requirements for Mobile Food Vehicles, Food Stalls and Marquees (including Food Stalls at Farmers' Markets)

This guidance has been produced to provide information for those selling food from market stalls or marquees about the relevant parts of Regulation (EC) No 852/2004 and the Food Safety and Hygiene (England) Regs 2013, and to outline some good hygiene practices.

Please note the guidance covers only the minimum standards for food stalls and marquees operating in the Eden District Council area.

Registration as a Food Business

The food business operator(s) is required to register with the Council's Environmental Health Section at least 28 days before beginning to trade. Generally all types of food businesses will need to be registered, including market stalls, food mobiles, ice cream vans, restaurants, cafes, take aways, hotels, guest houses, shops, supermarkets, staff canteens, warehouses, delivery vehicles, food manufacturers, etc.

There is no fee to register and a registration form is available on the Council's website. If you prefer a form can be posted out for you to complete and return to the Council.

Please note: Some food businesses will also require a license issued by the Council's Licensing Team. This is usually those businesses that sell hot food between 11pm and 5am and/or sell food from a stall or mobile food vehicle on certain, designated streets. More information can be obtained from the Council's Licensing Team or the Council's website.

Health and Safety

The main piece of health and safety legislation is the Health and Safety at Work etc Act 1974. This sets out the general duties which employers, the self employed and people in control of a business have towards their employees and others who could be affected by their work activities, such as visitors and customers. It also gives employees the general duty to ensure the health and safety of themselves and each other.

Further advice can be obtained from the Health and Safety Executive website.

The Food, Health and Safety team can also provide information and advice and Eden District Council has produced some guidance notes on health and safety which can be found on the Council's website.

Please note that the Health and Safety Executive may be the enforcing authority where the main activity on a site is of an agricultural nature.

Organising an Outdoor Event

Anyone organising an outdoor event is also advised to read the current information on organising such events which can be found on the Council's website.

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Legal Requirements and Good Practice Recommendations

The guidance has been split into legal requirements and recommended good practice. Legal requirements **must** be complied with, recommendations should be followed where possible as they will assist food business operators to maintain high standards of hygiene in their premises.

The list is not exhaustive and as food premises vary greatly, you are strongly advised to contact the Food, Health and Safety Team to discuss matters more fully.

Food Hygiene Essentials

No matter what type of food you handle, there are four main things which can help you to prevent the most common food safety problems:

- **Cross-contamination**
- **Cleaning**
- **Chilling**
- **Cooking**

Cross-contamination

Cross-contamination occurs when bacteria spread to food, equipment and surfaces. For example when raw food touches ready to eat food, or when the same utensil is used to handle raw food and then used to handle ready to eat food without being washed thoroughly in between.

Cross-contamination is one of the most common causes of food poisoning. To help to prevent it:

- Clean work surfaces, chopping boards and equipment thoroughly before starting to prepare food and after they have been used to prepare food.
- Use different chopping boards, utensils and equipment for raw and ready to eat food.
- Thoroughly wash your hands before preparing food, after touching raw food.
- Keep raw and ready to eat food separate; if raw and ready to eat food have to be stored in the same fridge, keep raw products wrapped or enclosed in containers at the bottom of the fridge, to prevent juices dripping onto ready to eat products.
- Train staff so they know how to avoid cross-contamination.

Cleaning

Effective cleaning is vital, to remove bacteria from hands, equipment and surfaces:

- Make sure staff wash and dry their hands thoroughly before handling food.
- Clean surfaces and equipment between different tasks, especially after handling raw food.
- Follow the 'Clean As You Go' system – clear away used equipment and spilt food from one task before starting another.

Chilling

Chilling food helps to stop bacteria, including the ones that cause food poisoning, from growing. Some foods have to be kept chilled to keep them safe, for example, foods with a 'use by' date, cooked dishes and other ready to eat foods like prepared salads and desserts. It is very important not to leave these types of food at room temperature for any length of time, so:

- Check chilled food when it is delivered to make sure it is still cold enough.
- Put food that needs to be kept chilled in the fridge straight away.
- Cool cooked food as quickly as possible (within 2 hours) and then put it in the fridge.
- Cook food in smaller amounts (for instance keep joints of meat down to 6 pounds or 3 kilos) or divide dishes into smaller portions after cooking so that they can be cooled down within 2 hours.
- Keep chilled food out of the fridge for the shortest time possible during preparation.
- Check regularly that fridges and chilled displays are operating correctly.

Cooking

One of the main food safety controls is thorough cooking. Always check that cooked or reheated food is piping hot all the way through. Poultry, pork, rolled joints and products made from mince meat, such as burgers and sausages must be thoroughly cooked right the way through, because products like these could have bacteria in the middle. They should not be served pink or rare.

The core temperature of cooked food should reach at least 75°C. Check the temperature with a probe thermometer. Make sure that the thermometer probe is thoroughly cleaned before and after use. If the probe is disinfected using anti bacterial wipes, these must be suitable for use with food.

The probe can be checked for accuracy by placing in boiling water – it should measure between 99°C and 101°C – and holding in a container of crushed ice and water – it should read between -1°C and +1°C. If it doesn't get it checked by the manufacturer or replace it.

Food Safety Management Procedures

Under the Food Safety and Hygiene (England) Regs 2013 food business operators must have Food Safety Management procedures based upon the principles of HACCP (Hazard Analysis Critical Control Point). Generally the Food Safety Management procedures must be in writing. Although for very simple and small scale businesses there is some limited flexibility about the level of written information required, this matter should be discussed in more detail with an officer from the Food, Health and Safety Team.

What is HACCP?

Put simply, HACCP is a way of managing food safety, which involves:

- looking closely at what happens at all stages in your food business and considering what could go wrong;
- identifying the critical points within the food business/handling practices where something must be done which will eliminate hazards or reduce them to an acceptable level;
- putting in place procedures to make sure that the appropriate action is taken at these points;
- deciding what action needs to be taken if something goes wrong and ensuring that there are procedures in place to follow;
- making sure procedures are working by carrying out monitoring checks;
- keeping appropriate records.

The Food Safety Management procedures need to be reflective of the actual food business, the more complex the business, the more detailed and extensive the documented procedures and monitoring will need to be. The more straightforward and simple a food business, the more straightforward the procedures and associated documentation can be.

Food Businesses can develop their own Food Safety Management documentation (procedures, monitoring records and similar) or can make use of the food safety packs produced by the Food Standards Agency which include “Safer Food Better Business” and “Cook Safe”.

Food Businesses must also be aware of the legal requirements relating to Allergens.

More information on the packs available, and allergen awareness can be found on the Food Standards Agency website.

For small food businesses, such as mobile food vehicles, food or small food retailers, the “Safer Food Better Business” packs produced by the Food Standards Agency, are likely to be appropriate. The packs contain simple fact sheet systems that tell food business operators how to ensure that the most significant hazards in a food business can be safely controlled. They also include a diary and other useful forms which, when completed, give the food business operator a practical way of meeting the requirements to document their food safety management procedures.

The SFBB packs, or the booklets, are available to download free of charge from the Food Standards Agency website.

Eden District Council has also produced a range of guidance notes to help to comply with the food legislation which applies to different activities which can be found on the Council's website.

General Requirements

Food stalls and mobile food vehicles **must** be positioned, designed, constructed and maintained in good repair and condition in a way that avoids the risk of contamination, particularly from animals and pests, so far as reasonably practical.

Appropriate facilities **must** be provided to maintain adequate personal hygiene, including facilities to wash and dry hands hygienically, hygienic toilet facilities and changing facilities.

This means that a wash hand basin **must** be provided, which is conveniently accessible to food handlers. It **must** have an adequate supply of hot and cold water so that hands can be washed throughout the period of trading, and it must have adequate supplies of soap, and paper towels or other means of hand drying.

Where a fixed wash hand basin is not provided, plastic bowls may be acceptable for hand washing and washing up, provided that hot and cold water is always available and bowls are emptied after each use. See also hand washing below.

Obviously it may not be possible to provide toilet or changing facilities on a food stall but it may be appropriate in premises used in connection with the operation of the stall.

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 **must** be made of materials that are smooth, washable, corrosion-resistant and non-toxic, unless it can be confirmed with the Food, Health and Safety Team that other materials are appropriate. Surfaces must be in good repair as well. Stainless steel is often preferred but other surfaces are acceptable as long as they remain in a condition which allows them to be easy to clean.

Adequate facilities for cleaning and, where necessary, disinfecting working utensils and equipment **must** be provided. If foods are washed and cleaned as part of the business, then there **must** be adequate facilities to do this hygienically. This means sufficient sinks must be provided for the business being carried out at the stall. If only food is washed at the stall, one sink (in addition to the wash hand basin) may be appropriate, but if pieces of equipment or utensils are washed as well, then two sinks may be required. Check with the Food, Health and Safety Team.

Bactericides and sanitisers should be used to clean surfaces, utensils and equipment which come into contact with food.

There **must** be an adequate supply of hot and/or cold water that is potable (drinking quality). There **must** be enough water and it has to be of drinking quality. The water used at food stalls is usually stored in large plastic containers. Containers need to be sanitised regularly and thoroughly to ensure the quality of the water in them.

There **must** be enough hot water at the stall/mobile food vehicle during all of the time that food is being prepared or sold.

There **must** be adequate arrangements and/or facilities to store and dispose of hygienically any hazardous and/or inedible substances, and waste (whether liquid or solid). Refuse bins with close fitting lids **must** be provided at the stall, and they **must** be emptied regularly, as necessary. They **must** be constructed, designed and positioned so as not to attract pests.

There **must** be adequate facilities and/or arrangements for keeping food at suitable temperatures and for monitoring this. There **must** be refrigerators and freezers at the stall/mobile food vehicle if chilled or frozen foods are used. (See below for additional information).

Food **must** be placed in a way that avoids the risk of contamination as far as reasonably practical. If necessary, foods have to be covered or screened to prevent contamination.

Lighting

There **must** be adequate lighting, either natural (daylight) and/or artificial (electric light). Food handlers and cleaners have to be able to see what they are doing, work safely and have sufficient light at all times to see if the premises need cleaning and that they are clean when they've been cleaned.

Plastic diffuser covers should be fitted to fluorescent strip lights in the food preparation areas, to assist with cleaning light fittings and to help contain glass fragments in the event of a breakage.

Drainage

Waste water from stalls/mobile food vehicles/marquees **must** be dealt with properly. It **must** be collected and disposed of down a foul drain. It **must not** be allowed to discharge onto the road/field or to a surface water drain. Melt water from ice used to keep food cool **must** also be dealt with properly, as waste water.

Floors

Kitchens, preparation areas, food stores and bars should be provided with a suitable and safe floor. Some examples are:

- sites on grass or earth
- synthetic duck boards
- concrete slabs on sand
- prepared sites, eg concrete
- vinyl sheet floor covering

Care **must** be taken in wet weather or on slopes as wooden boards and plastic sheets can become very slippery.

Construction of Stalls

Tent/marquees should be of cleanable materials or the kitchen/preparation areas should be provided with washable wall linings.

Stalls should be adequately screened at the sides and back to prevent risk of contamination.

Food Marquees

Outdoor events take place in a wide variety of sites and locations. At some sites which are used regularly it may be possible to provide essential services such as water, drainage and electricity in prime locations.

Where possible, catering facilities should be sited close to essential services.

Adequate space needs to be allowed for preparation, cooking, storage and wash-up.

Refrigerated storage vehicles and trailers should be sited so that they are easily accessible.

Movement of soiled crockery and dirty laundry should not be through food handling areas.

The organiser should arrange collection and removal of refuse and kitchen waste from the site.

The use of disposable glasses, crockery and cutlery can reduce the need for washing facilities.

Transport

Vehicles (including delivery vehicles) and/or containers used to transport foods **must** be kept clean and maintained in good repair and condition, to protect foods from contamination.

Where necessary, they **must** be designed and constructed to allow adequate cleaning and/or disinfection.

Items used to hold food (eg boxes) in vehicles and/or containers **must not** be used for transporting anything other than foods where this may cause contamination.

Where vehicles and/or containers are used for transporting anything other than foods, or for transporting different foods at the same time, products **must** be separated effectively, where necessary.

Where vehicles and/or containers have been used for transporting anything other than foods or for transporting different foods, they **must** be cleaned effectively between loads to avoid the risk of contamination.

Foods in vehicles and/or containers **must** be placed and protected in a way that minimises the risk of contamination.

Where necessary, vehicles and/or containers used for transporting foods **must** be capable of keeping foods at appropriate temperatures and allow those temperatures to be monitored in the same way that they have to in vehicles from which food is sold.

Equipment

All items, fittings and equipment that food touches **must** be effectively cleaned and, where necessary disinfected, frequently enough to avoid any risk of contamination.

Personal Hygiene

Every person working in a food-handling area **must** maintain a high level of personal cleanliness.

Staff **must** wear suitable, clean clothing and, where necessary, protective clothing.

Staff should keep hair tied back and it is recommended that they wear a suitable head covering, eg hat or hairnet, when preparing food.

Staff should not wear watches or jewellery when preparing food (except a wedding band).

Staff should not touch their face and hair, smoke, spit, sneeze, eat or chew gum when they are handling food.

Washable plasters (preferably coloured) are required in the first aid box.

Fitness for Work

No one **must** be allowed to handle food or enter a food handling area if they:

- are suffering from, or carrying, a disease likely to be transmitted through food;
- have infected wounds, skin infections, sores;
- have diarrhoea.

Anyone working in a food business, who is affected by any of these and is likely to come into contact with food through their work, **must** tell the business owner or manager immediately about the illness or symptoms and, if possible, what has caused them.

Staff with diarrhoea or vomiting should not return to work until they have had no symptoms for 48 hours.

Handwashing

Effective handwashing is extremely important to help prevent harmful bacteria from spreading from people's hands to food, work surfaces, equipment etc. All staff working with food **must** wash their hands properly:

- when entering the food handling area, eg after a break or going to the toilet;
- before preparing food;
- after touching raw food, such as meat/poultry and eggs;
- after handling food waste or emptying a bin;

- after cleaning;
- after blowing their nose.

Staff should dry hands thoroughly on a disposable towel – harmful bacteria can spread more easily if hands are wet or damp.

Foods

Deliveries of Food

Raw materials or ingredients, or any other material used in processing products, **must not** be accepted if they are known to be, or might reasonably be expected to be, contaminated in a way that means the final product would be unfit for human consumption.

Packaging should be checked for signs of damage and pests and any contaminated product **must** be rejected.

Storage

Raw materials and all ingredients **must** be stored in appropriate conditions, designed to prevent harmful deterioration and protect them from contamination.

This means that products **must** be stored so that they are not damaged and that they are kept under refrigeration or frozen if necessary.

Preparation

At all stages of production, processing and distribution, food **must** be protected against any contamination likely to make it unfit for human consumption, harmful to health or contaminated in a way that means it would be unreasonable to expect it to be eaten in that state.

It is especially important to prevent raw foods, like raw meat and chicken, contaminating ready to eat foods, either by direct contact or by contaminating work surfaces on which ready to eat foods are prepared. The food safety management system in operation should cover this. For example, it may be that different coloured chopping boards are used, or different parts of the premises, or it may be that raw food is prepared at a different time to ready to eat foods and then the premises are cleaned down before the ready to eat food is made.

Where possible tongs, forks or other utensils should be used for handling food.

Prevention of Contamination by Pests and Pets

Pests **must** be prevented from entering a stall, marquee or a food vending vehicle or any associated food storage areas, by pest proofing and by maintaining the vehicle or building in good condition.

Staff **must** be trained to identify signs of pest activity and be instructed to report anything they see to management.

Temperature

Foods **must not** be kept at temperatures that might cause a risk to health (see below).

The 'cold chain' **must not** be interrupted for foods that rely on temperature control for their safety. However, food businesses are allowed to have foods outside temperature control for limited periods of time to allow for preparation, transport, storage, display and service, as long as this does not cause a risk to health. (See below)

Sufficient refrigerators and freezers for the amount of food preparation carried out **must** be provided. Where possible raw and ready to eat foods should be kept in separate refrigerators but where space available does not allow this, raw foods **must** be kept on the bottom shelf, so that they cannot drip onto ready to eat foods.

The temperature of refrigerators should be checked in accordance with the written food safety management system. The temperatures shown on digital displays and thermometers kept in the fridges and freezers should be checked and a record kept of their readings. It will also be useful to check the temperature of a product stored in a refrigerator occasionally to see if the temperature the display or thermometer is showing corresponds to the temperature of the products in the fridge.

If foods are going to be kept or served at chilled temperatures, they **must** be cooled as quickly as possible after cooking (or other heat processing), or after final preparation if they are not to be heated to a temperature that does not cause a risk to health (see below). It is recommended that foods which have been cooked and are to be cooled down for service either hot or cold at a later time are cooled down as quickly as possible, but at least quickly enough so that they can be refrigerated within 90 minutes.

Foods which have to be kept cold to be safe **must** be kept at 8°C or below.

This is a legal requirement in England, Wales and Northern Ireland. In Scotland food **must** also be kept cold.

However it is best practice to keep foods at 5°C or below.

Hot foods **must** be kept at 63°C or above. This is a legal requirement throughout the UK.

In Scotland, there is a legal requirement for reheated foods prepared on the premises to reach at least 82°C.

When reheating food, it is essential to make sure that it is piping hot all the way through.

For more information on which foods need to be kept chilled to be safe see the guidance available on the Council's website or the Food Standards Agency website.

Food should be prepared immediately before service rather than many hours in advance. If this is not possible, the food should be prepared in small batches and kept at the correct temperature, either very hot or very cold (5°C or below).

All foods **must** be covered when stored under refrigeration.

Display

When displaying food, it can be kept out of temperature control for a limited period of time:

- Cold foods can be kept above 8°C for up to four hours. This should only happen once. If any food is left after this time, it should be thrown away or kept chilled at 8°C or below until it is used.
- Hot foods can be kept below 63°C for up to two hours. Again this should happen only once. If any food is left after this time, it should be thrown away, reheated to 63°C or above, or cooled as quickly as possible to 8°C or below. Remember to keep the food at a safe temperature until it is used.

Food should only be displayed like this if it is really necessary to do so. It is vital that food is not kept out of temperature control for longer than these times.

Defrosting

Food **must** be defrosted in a way that minimises the risk of harmful bacteria growing, or toxins forming, in the foods. Whilst they are being defrosted, food should be kept at a temperature that would not result in a risk to health. If time allows, food should be defrosted in a refrigerator.

Where liquid coming from the defrosting food may present a risk to health (eg when defrosting raw meat) it **must** be drained off adequately. The liquid **must not** be allowed to drip onto ready to eat foods, for example.

Following defrosting, food **must** be handled in a way that minimises the risk of harmful bacteria growing or toxins forming (eg keeping it in the fridge).

Wrapping and Packaging

If food is wrapped or packaged as part of the business (including selling food to take away) then the requirements **must** be met.

Material used for wrapping and packaging **must not** be a source of contamination.

Wrapping materials **must** be stored so they are not exposed to a risk of contamination.

Wrapping and packaging **must** be carried out in a way that avoids contamination of products. It is necessary to make sure, where appropriate, that the container is clean and not damaged, particularly if cans and/or glass jars are used.

If any wrapping and/or packaging material for foods is to be re-used, it **must** be easy to clean and, where necessary, to disinfect.

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.

A record should be kept of any food hygiene training given to staff, this could include in house training or formal food hygiene training.

Food Allergy and Intolerance

As a food business serving loose food there is a legal requirement to be able to inform your customers if the food you supply contains any of the following 14 ingredients which may cause allergic reactions: celery, cereals containing gluten, crustaceans, eggs, fish, lupin, milk, mustard, molluscs, nuts (almond, brazil, walnuts, cashews, pecans, pistachio, macadamia, mustard, hazelnuts and Queensland nuts), peanuts, sesame seeds, soya and sulphur dioxide.

The information can be supplied in a number of ways including on the menu, on a board or verbally by an appropriate member of staff. More detailed information and resources that may assist you in complying with this legislation can be found on the Food Standards Agency. In addition the Trading Standards Department at Cumbria County Council can offer advice and assistance.

Further Information

Eden District Council Main switch board: Telephone 01768 212491

Food, Health and Safety Team:

Eden District Council, Mansion House, Penrith CA11 7YG

Telephone 01768 212491

Website: www.eden.gov.uk

Email: env.health@eden.gov.uk

Food Standards Agency: www.food.gov.uk

Health and Safety Executive: www.hse.gov.uk

Cumbria County Council Trading Standards:

Website: www.cumbria.gov.uk

Email: trading.standards@cumbria.gov.uk