

## **Food Safety Guidance - Open Markets**

The purpose of this leaflet help you comply with the food safety laws that apply to stalls and vehicles selling food at an open market. It is intended help for you focus on the key issues; and identify the more complicated food safety issues where traders should seek further advice. (You are recommended to contact independent legal advisor if you require a detailed interpretation of legislation)

### **1. Registration of a Food Business**

You are required to complete and submit a registration form to the local authority where your food business is based. There is no charge or 'food test' to pass to register your business.

For market stalls, you do not need to register each market site, only the premises where you normally keep the stall and its materials overnight. In most cases, this will be your home or base premises e.g. farm. There are some exceptions to the need to register, particularly if you do not trade every week, so you should seek advice if you are in any doubt. Bear in mind that whether or not you need to register, your premises will still be subject to inspection for food safety purposes.

Formal approvals (similar to licences) are required for premises that cut up or joint wholesale raw meat, or produce meat, dairy or fish products.

### **3. Requirement to display Weights, Prices & Business Names**

Officers working for Trading Standards enforce these requirements.

#### **i. Weights and Measures**

As a general rule, most loose foods such as fruit and vegetables must be sold by net weight, using approved metric weighing equipment. If food is pre-packed, the metric weight must be marked on the pack, but you can also add an imperial weight provided it is less prominent than the metric one. Some pre-packed foodstuffs must be sold in specific quantities; these include potatoes, jams, honey, dried fruit and dried vegetables.

#### **iii. Prices**

Prices must be clearly communicated to the consumer, either per item or per kilogram, litre, square metre or metre as appropriate. The price can be displayed as a list at the stall or shown directly on the product.

#### **iv. Business Names**

If you are a sole trader or a partnership, you must clearly display, to customers, the name(s) of the person(s) running the business and the address where they can be contacted. If the business is a registered company, you must clearly display, to customers, the registered company details.

### **4. Food Labelling**

Food labelling can be very specific but as a general rule, the following advice applies:

Loose foods and foods pre-packed by yourself must display the name of the food, which must be accurate and unambiguous. You will also need to indicate any additives used, such as flavouring, flavour enhancers, preservatives, flour improvers, colours, anti-oxidants or sweeteners.

Pre-packed foods, other than those you have pre-packed yourself, may require:

- A Best Before or Use By date. Best Before dates are mainly for foods whose quality decreases over a medium to long shelf life, such as cakes and biscuits. Use By dates are for foods which deteriorate rapidly and may end up posing a risk to health, such as chilled meat products.
- A list of ingredients.
- The name and address of the person putting the product into circulation.
- Any storage conditions.
- Any previous process or treatment, for example "previously frozen".

There are specific requirements for declaring the percentages of certain ingredients. For instance, where an ingredient is highlighted in the name of a food, e.g. "Apple and ginger chutney" the percentages of apple & ginger would have to be declared on the label.

There are also specific requirements regarding the inclusion of genetically modified and irradiated ingredients.

Meat products require a label showing the percentage of each meat present and, in the case of cured meat, the added water content. For farmers' markets, this is a chance for exploiting any superior meat content of your product over those that are available in the high street.

## **5. Food Safety Management**

Safer food, better business (SFBB) is an innovative and practical approach to food safety management developed by the food Standards Agency to help small businesses put in place food safety management procedures and comply with food hygiene regulations.

There are a number of SFBB packs available (free of charge) 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 includes a DVD guide, available in 16 different languages. The guide can be viewed online at [food.gov.uk/sfbbtraining](http://food.gov.uk/sfbbtraining) or you can download a copy to your computer.

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

## **Controlling Hazards**

The law requires you to identify possible hazards to food safety, know which of these is actually important for the type of food that you prepare or sell and to provide suitable controls to stop problems occurring. While this can be complicated for some businesses, simple measures are all that is required for most traders at a market. The most important of these are described below.

### **i. Transportation**

- Food transported to a market must be wrapped, covered or placed in suitable containers to prevent contamination. Vehicles and containers should be kept clean and in good repair and the food should be kept separate from other items.
- Simple cardboard boxes and paper-lined crates are fine for some produce but you will need higher grade materials, such as metal or plastic crates, for bakery products and meats.
- Some foods must be kept cold (below 8°C) to prevent the growth of dangerous bacteria. These include soft or semi-hard cheeses, most other dairy products, cooked meat and vegetable products, most smoked or cured meat and fish and shellfish. Insulated containers with icepacks and a thermometer are usually sufficient and the temperature must be checked from time to time (and preferably written down in a log book). Larger volume traders should consider using refrigerated vehicles. Temperature controlled vehicles/containers must be designed to enable the temperature to be maintained and, where necessary, monitored.
- Vehicles or containers must be kept clean and in good condition and repair so that they may protect food from contamination.

### **ii. Preparation**

- The surface that you lay out or prepare food on must be smooth and impervious so that it can be thoroughly cleaned. If you are using wooden tables, you must provide plastic sheeting or other suitable covering material.
- You will need to wash and dry your hands from time to time and if facilities are not provided on site, you must bring your own. For stallholders selling open foods, such as meats, or high risk unwrapped foods such as cooked meats, dairy products and seafoods, there must be handwashing facilities at the stall. These should include a supply of hot water, towels, bowl and soap. For hot water, insulated flasks should be sufficient in most cases.
- If you are using knives or other serving implements you will need washing facilities for these, which must not be the same as those used for handwashing - separate bowls or sinks must be used.
- Wear clean protective overclothing while handling unwrapped food.

### **iii. Display and Service**

- To avoid possible contamination, food must not be placed directly onto the floor. It is best to keep all unwrapped food off the ground by at least 45cm.
- Make sure that high risk and low risk foods are well separated- for example, keep raw foods away from cooked foods. The high risk foods described in ii above should be protected from the public touching, coughing or sneezing in the display area.
- Check the temperature of chilled foods from time to time and preferably keep a record of this in a logbook. Make sure you know the correct temperature for the food that you are selling.
- Regularly wipe down surfaces with a clean (preferably disposable) cloth using a food grade cleaner/disinfectant.
- If the market does not have refuse services, make sure you have sacks or containers for waste food and water.

#### **iv. Training and basic hygiene measures**

It is not obligatory in law for all market traders to have attended formal training courses on food hygiene but you must at least be aware of the basic principles that apply to the safe handling and preparation of food. However, if you have no experience of running a retail food stall or business, or if you are manufacturing food at home or from other premises, you will need some specific training. In any case, food hygiene training courses are always strongly recommended for anyone involved in the running of a food business. Indeed, you may find that your local market will require evidence of such training before allowing you to join.

For basic retailing operations, such as for selling fruit and vegetables, or for bakery products that do not contain meat or cream, the following advice should be of help.

- Keep yourself clean and wear protective clothing.
- Always wash your hands thoroughly before handling food, after using the toilet, handling raw food or waste and after every break.
- If you have a skin, nose or throat problem or an infected wound, do not handle unwrapped food.
- If you have a stomach upset, do not handle food for at least 48hrs after you are free of symptoms
- Ensure that cuts, spots or sores are covered with a brightly coloured waterproof plaster.
- Do not smoke, eat or drink where open food is handled.
- Clean as you go - keep all equipment and surfaces clean and disinfected.

- Avoid unnecessary handling of food.

## **6. Selling farm-produced meat**

Many aspects of the sale of meat have their own sets of rules and regulations. While there are some exceptions from these special controls, it is very important that traders are aware of what the law requires. It is a complicated and bureaucratic area and needs explaining in a little more depth than some of the other subjects in this leaflet.

### **i. Slaughtering your animals**

If you are going to supply meat to the public your animals must be slaughtered at a licensed slaughterhouse. At the slaughterhouse the animals will be inspected by staff employed by the Meat Hygiene Service to make sure that they are fit to enter the human food chain.

### **ii. Getting your meat cut for you**

You may well be used to having some of your animals sent to a local slaughterhouse (if you are fortunate enough to have one) and the meat cut up there or at a local butchers before being sent back to you for your own consumption. However, you may need to think again about doing things this way if you intend to sell this meat from your own premises or stall.

If you have a local meat cutting plant that will cut your meat for you at a reasonable price, you must use it. Often, however, there is no local cutting plant or the plant is just not interested in cutting small quantities for you. In these circumstances it is acceptable for a local butcher to cut your meat at their shop. You must sell meat cut at a local butchers directly to the public, and not supply it to any other food businesses.

### **iii. Cutting up meat yourself**

If you cut up your own meat at your farm or other premises you own, and then sell it only from your market stall, your farm buildings that you use will need approval as a cutting premises. However, if you sell meat both direct from your farm shop and also from a market stall, you may not need approval depending on how much meat you sell away from the shop. Seek advice from your local Council if you are unsure.

If meat is cut up for sale to the public only at your market stall, you do not need cutting premises approval.

## **7. Manufacturing food at home for sale from your market stall**

This is an area that covers everything from jams and cakes to frozen and chilled meals and meat products. Special rules and regulations can apply to some of these foods, particularly when making meat, fish and dairy products, which will include pre-packed meals and dishes. If you do not comply with these rules, the consequences can be very serious. It cannot be stressed enough that when thinking about starting such a business you must get advice from your local Council as there are specific requirements that cannot be covered in this leaflet. Here are a few pointers.

### **i. Making low risk items such as cakes and jams**

Generally these present few problems and many people safely produce a range of jams and non-dairy cakes from home. You must make sure you know about the basics of food hygiene and law and also the labelling and shelf-life requirements that apply. Before starting out, contact your local Council for advice.

## **ii. Making high risk items such as meat, dairy and fish products**

These foods are much higher risk because they support the growth of harmful bacteria and are often sold ready to eat without further cooking. A mistake in their preparation and handling can have serious consequences for public health. As a result, many of these products, which include hams, pates, ice-cream, cheeses, yoghurts and prepared foods such as meat pies, lasagne, shepherds pies etc. require approval of the production premises and process under specific legislation. It can be very difficult, and sometimes impossible, to obtain approval for a domestic premises to manufacture these kind of products, even on a small scale. As a result, you will need to plan your operation carefully.

In addition, attractive traditional recipes, which may be perfectly safe for immediate consumption, do not always lend themselves to a production process, packaging or an easily assessable shelf life for prolonged storage.

Although this can sound quite daunting, with a little dedication it is perfectly possible to set up a business to produce these kind of products and many operate successfully from small units. Before starting out, contact your local Council for advice.

## **8. Giving away free samples**

You will want to introduce your customers to as wide a range of your foods as possible and having tasting samples available is a good way to get their attention. Bear in mind that even though you may give samples away free of charge, the law sees this transaction as a sale, and their production and handling is still subject to legal control. Samples need to be protected from contamination such as undue handling, usually either from inquisitive pets or equally inquisitive children, so ensure samples are stored high up. If your customers have to handle your food, try and make sure they don't touch other samples on the plate - cocktail sticks or tongs help to stop this. Most importantly, don't leave food that must be chilled for safety reasons out of chill control for long periods, so keep quantities to a minimum and throw out uneaten food if it has been out of refrigeration for a long time. The law permits a maximum of four hours in most cases but it is best if high risk food is disposed of after one hour out of chill control. Bear in mind that for some foods, such as hard cheeses, temperature control is not critical to safety and longer periods are acceptable, so seek advice if in any doubt.

You may find your local market has its own conditions about food samples and they may not be permitted. This is at the discretion of the market operator rather than any national legal requirement.

## **9. Visits to businesses**

Environmental Health and Trading Standards staff, who work for Darlington Borough Council may carry out arranged or unannounced visits to your stall, or at any other premises

in Darlington, from which you operate your food business. This may be for a variety of reasons:

- Carrying out planned inspections to monitor levels of compliance with food safety legislation
- Responding to requests for advice and information
- Investigation of complaints
- Investigation of food poisoning
- Investigating workplace accidents
- Taking samples of food, environment, drinking water etc

All Officers carry a certificate of appointment that includes their name, job title and photograph. You should ask an Officer who is not known to you to produce this identification before allowing them into your premises.

***We hope this leaflet is of help to you.***

***If you require any further information relating to food hygiene matters within Darlington Borough Council, please use the contact details below:***

***Telephone calls are received by a Call Centre (01325 388799). An officer will respond to a request for advice within one working day.***

***You can make requests by e.mail to customerservices@darlington.gov.uk.***

***Written correspondence should be addressed to:***

***Environmental Health Section, Town Hall, Darlington DL1 5QT: or  
Trading Standards Team, Town Hall, Darlington DL1 5QT***