



# FOOD, CATERING & RETAIL

A HANDY GUIDE

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# Disclaimer

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# Food Business Registration

## Overview

You must contact your local council to register your business if you want to carry out any 'food operations'.

Food operations include:

- Selling food
- Cooking food
- Storing or handling food
- Preparing food
- Distributing food

## Restrictions

You must register every premises where you carry out food operations, including your home, mobile or temporary premises such as stalls and vans.

If you make, prepare or handle food that comes from animals (meat or dairy products for example) other than for direct sale to the consumer, your premises may need to be approved by the council before you undertake the activity.

Go to the Government website to check the Food Premises Approval sections if you think this applies to you.

If you are approved you don't need to register as well.

## How to Apply

You need to contact your local council to apply.

You must register at least 28 days before you start any food operations.

It doesn't cost anything to register and your registration can't be refused.

## Fines & Penalties

You may be fined, imprisoned for up to 2 years or both if you run a food business without registration.

Further helpful information on starting up a new food business is available from [Food Standards Agency Website](#)

# Food Labelling and Packaging

## Overview

To sell food and drink products, the label must be:

- Clear and easy to read
- Permanent
- Easy to understand
- Easily visible
- Not misleading

You must show certain basic information and list the ingredients. You might also have to show certain warnings.

There are special regulations for labelling wine.

## Products Sold Loose or in Catering Businesses

If you run a catering business, you sell food loose or package it for sale in your shop, you only need to show:

- the name of the food
- if any of the ingredients have been irradiated, or have come from genetically modified sources
- certain warnings
- any food additive you have added
- allergen information

You must show more information if you sell meat products loose.

## Packaging

If you package food yourself, you must use packaging that's suitable for food use. Suitable packaging is marked 'for food contact' or has a symbol on it that looks like a wine glass and a fork.

There are special rules for using plastics, ceramics or cellophane for packaging. You must have written evidence that you've kept to them.

This is known as a 'declaration of compliance' and you can get it from your packaging supplier. You also have to get one if you buy food that's already packaged for sale in any of those materials.

*Read the national legislation on food contact materials for England, Northern Ireland, Wales or Scotland.*

## Food assurance schemes

You could also join voluntary food assurance schemes such as Red Tractor or Lion Eggs. These schemes let customers know food has been produced to certain standards, for example on food safety or animal welfare.

## Food labelling - what you must show

You must show the following information on the front of packaged food:

- the name of the food
- a 'best before' or 'use by' date (or instructions on where to find it)
- any necessary warnings
- quantity information

You must also show the following information - it can be on the front, side or back of the packaging:

- a list of ingredients (if there are more than 2)
- the name and address of the manufacturer, packer or seller
- the lot number (or use-by date if you wish)
- any special storage conditions
- instructions for use or cooking, if necessary

## Quantity information

You must put the net quantity in grams, kilograms, millilitres or litres on the label of:

- packaged food over 5g or 5ml
- packaged herbs and spices

Solid foods packed in a liquid must show the drained net weight.

You must be able to see the quantity information when you read the name of the food on the label and, for alcohol, the alcoholic strength.

You don't have to show the weight or volume on foods sold by number, for example 2 bread rolls, provided that you can clearly see the number of items inside the packaging.

Read [more guidance on quantity labelling](#).

## Using the e mark

If you put the [e mark](#) on the label you can export your product to another European Economic Area (EEA) country without having to meet weights and measures requirements of that country.

## Information you may have to show

You must also show these if they apply to your product:

- a warning for drinks with an alcohol content above 1.2%
- a warning if the product contains GM ingredients, unless their presence is accidental and 0.9% or less
- a warning if the product has been radiated
- the words 'packaged in a protective atmosphere' if the food is packaged using a packaging gas

## Country of origin

The label for beef, veal, fish and shellfish, honey, olive oil, wine, most fruit and vegetables and poultry imported from outside the EU must show the country of origin.

[Download 'Country of Origin labelling guidance' \(PDF, 180KB\)](#)

You must also show the country of origin if customers might be misled without this information, for example if the label for a pizza shows the leaning tower of Pisa but the pizza is made in the UK.

## Special rules for some products

There are special rules about what you have to show on the label if you supply any of the following:

- bottled water
- bread and flour
- cocoa and chocolate products
- fats and oils
- fish
- fruit juices and nectars
- honey
- jams and preserves
- meat and meat products
- milk and milk products
- soluble coffee
- sugar

## Ingredients list

If your food or drink product has 2 or more ingredients (including any additives), you must list them all. Ingredients must be listed in order of weight, with the main ingredient first.

### Ingredient quantities

You also have to show the percentage of an ingredient if it is:

highlighted by the labelling or a picture on a package, for example 'extra cheese'

mentioned in the name of the product, for example 'cheese and onion pastry'

normally connected with the name by the consumer, for example fruit in a summer pudding

[Download 'Quantitative Ingredient Declaration guidance' \(PDF, 61KB\)](#)

## Allergens

If your product contains any of the following allergens you must say so clearly on the label, and list them in the ingredients:

- celery
- cereals containing gluten - including wheat, rye, barley and oats
- crustaceans - including prawns, crab and lobster
- eggs
- fish
- lupin
- milk
- molluscs - including squid, mussels, cockles, whelks and snails
- mustard
- nuts
- peanuts
- sesame seeds

- soya beans
- sulphur dioxide or sulphites at levels above 10mg per kilogram or per litre

## Food and drink warnings

You must show an appropriate warning on the label if your food contains certain ingredients.

| <b>Ingredient</b>              | <b>Wording you must use</b>   |
|--------------------------------|---|
| Allura red (E129)              | 'May have an adverse effect on activity and attention in children'  |
| Aspartame                      | 'Contains a source of phenylalanine'  |
| Caffeine over 150 mg/l         | 'Not suitable for children, pregnant women and persons sensitive to caffeine'   |
| Carmoisine (E122)              | 'May have an adverse effect on activity and attention in children'  |
| Liquorice                      | 'Contains liquorice' ( <a href="#">you may need extra wording for confectionery or alcohol containing liquorice</a> ) |
| Polyols                        | 'Excessive consumption may cause a laxative effect'   |
| Ponceau 4R (E124)              | 'May have an adverse effect on activity and attention in children'  |
| Quinoline yellow (E104)        | 'May have an adverse effect on activity and attention in children'  |
| Raw milk                       | 'This milk has not been heat-treated and may therefore contain organisms harmful to health'                           |
| Skimmed milk with non-milk fat | There's no fixed wording, but you must show a warning that the product is unfit or not to be used for babies.         |
| Sulphur dioxide over 10mg/l    | 'Contains sulphur dioxide (or sulphites/sulfites)'  |
| Sunset yellow (E110)           | 'May have an adverse effect on activity and attention in children'  |
| Sweeteners                     | 'With sweetener(s)'   |
| Sweeteners and sugar           | 'With sugar and sweetener(s)'   |
| Tartrazine (E102)              | 'May have an adverse effect on activity and attention in children'  |

# Nutrition, health claims and supplement labelling

## Nutrition labelling

You must follow the European Union (EU) rules for nutrition labelling if you want to show nutrition information on pre-packed products.

You must have nutrition labelling if:

- you make a nutrition or health claim
- you've added vitamins or minerals to the food

You'll need to provide this information for all pre-packed products from December 2016.

## Nutrition and health claims

You have to follow certain rules if you want to make a nutrition claim (for example, low fat) or a health claim (for example, calcium helps maintain normal bones).

You can't claim or imply that food can treat, prevent or cure any disease or medical condition.

## Food supplements, fortified foods and foods for specific nutritional uses

You must follow certain rules if you are manufacturing, selling or importing:

- a food supplement
- a food fortified with vitamins and minerals

There are also specific rules for 'parnuts foods', for example:

- formula milk for infants and young children
- baby food
- meal and total diet replacement for weight control
- medical foods

*You must tell the Department for Health if you want to sell infant formula or medical food in the UK.*

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*PARNUTS is the term for foodstuffs for particular nutritional uses. These have a special composition or manufacturing process that distinguishes them from foodstuffs for normal consumption, are suitable for their claimed nutritional purposes, and are marketed to indicate such suitability. Clear examples are baby foods, infant formulae and food for special medical purposes.*

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## Organic food

If you're a retailer, you can label products 'organic' as long as:

- at least 95% of the farm-grown ingredients are organic
- you sell direct to customers in your shop

## **Organic certification**

You must be certified by one of the organic control bodies if you produce or prepare organic food and you want to sell or label it as organic.

You can decide which body to register with based on your location and needs.

Once registered you'll have to:

- follow a strict set of guidelines laid down by national and international law
- keep thorough and accurate records of production processes
- allow annual and random inspections

You'll also have to follow the rules for labelling organic products.

## Food safety

If your business deals in food you must:

- make sure food is safe to eat
- make sure you don't add, remove or treat food in a way that makes it harmful to eat
- make sure the food is the same quality that you say it is
- make sure you don't mislead people by the way food is labelled, advertised or marketed
- keep records on where you got food from and show this information on demand - known as 'traceability' (PDF, 86KB)
- withdraw unsafe food and complete an incident report
- tell people why food has been withdrawn or recalled, e.g. a leaflet or poster
- display your food hygiene rating (if you sell food direct to the public)

## Food additives

If you use an additive in food you must:

- only use an approved additive
- only use it if it is approved for use in that food
- the food additive doesn't exceed the maximum permitted level

## Food hygiene

Part of complying with food safety is managing food hygiene.

### Hazard Analysis and Critical Control Point (HACCP) plan

You usually have to write a plan based on the HACCP principles if you run a food business. This keeps your food safe from biological, chemical and physical safety hazards.

### Food contact materials

Materials and packaging that can be reasonably expected to come into contact with food are called 'food contact materials'. These can include:

- packaging
- food processing equipment
- cookware
- work surfaces

### To keep food safe for consumption:

- make sure food contact materials don't transfer anything to food they touch
- make sure food contact materials don't change the food they touch
- when inspected, be able to show where the food contact materials came from

### Bacteria and food poisoning

To keep food safe from bacteria, you should follow HACCP. Bacteria that cause serious health problems are:

- E.coli O157 and campylobacter
- salmonella, especially with the storage and handling of eggs

## **Food hygiene training**

Employers are responsible for staff hygiene training. It can be either a formal programme or informal training, e.g. on the job training or self-study.

## **Food allergies**

If you are a food retailer or caterer you need to manage food allergies when preparing and selling food.

## **Food inspections**

You can be inspected by your local council at any point in the food production and distribution process. All inspectors must follow the Food Law Code of Practice. Usually, you won't be told an inspection is going to happen.

How often you're inspected depends on the risk your business poses to public health. You might not be inspected as often if you're a member of a recognised assurance scheme. You can search for a registered assurance scheme online.

If you're a food retailer or caterer you will be inspected on a more regular basis to make sure you comply with food safety laws.

Your premises, food, records and procedures can be inspected. Food samples can be taken as well as photographed.

## **After the inspection**

You'll be sent a letter confirming any improvements you need to make and by when. Usually, you're responsible for confirming these improvements have been made.

For serious food safety problems you may be sent a 'notice'. The notice can include banning you from using certain equipment or processes until improvements have been made. Your business will be revisited to make sure you have followed the improvements in the notice.

Example notices include a:

- Hygiene Improvement Notice
- Hygiene Emergency Prohibition Notices - banning you from using certain equipment or following certain processes

## **Appeals**

Your letter or notice should tell you how you can appeal a decision by an inspector.

## **Report a food safety incident**

You must tell the Food Standards Agency (FSA) if you think any food your business:

- has sold is unsafe
- has is unsafe

The FSA will tell you if the food must be withdrawn and customers asked to return it.

Submit a food safety incident report.

FSA food incidents helpline: 020 7276 8448

## Make an HACCP food plan

If you run a food business, you must have a plan based on the Hazard Analysis and Critical Control Point (HACCP) principles.

The HACCP plan keeps your food safe from biological, chemical and physical food safety hazards. To make a plan you must:

- identify any hazards that must be avoided, removed or reduced
- identify the critical control points (CCPs) - the points when you need to prevent, remove or reduce a hazard in your work process
- set limits for the CCPs
- make sure you monitor the CCPs
- put things right if there is a problem with a CCP
- put checks in place to make sure your plan is working
- keep records

You can get detailed advice on food safety management based on HACCP.

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*You might be inspected, and the inspector will need to see your records.*

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