Regulation (EC) No 852/2004 on the hygiene of foodstuffs

HANDOUT
HO
55
MODULE 13

This Regulation lays down general hygiene rules for all food businesses on the basis of the following principles:

- Primary responsibility for food safety rests with the food business operator
- The cold chain must be maintained for perishable and high-risk food
- Procedures must be based on good hygiene practices and HACCP principles
- Microbiological criteria and temperature control based on a scientific risk assessment

Food business operators must:

- Ensure that all steps in the production, processing and distribution of food satisfy the relevant hygiene requirements
- Implement a food safety management system based on HACCP principles
- Register with the local authority
- Not allow food handlers who are ill or affected with skin infections etc., to handle food if there is any risk of contamination
- Ensure that food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity
- Ensure that those responsible for the HACCP system are trained in the application of the HACCP principles

Personnel must:

- Have high standards of personal hygiene
- Wear clean protective clothing
- Report to the food business operator when suffering, or suspects he/she is suffering, from a foodborne disease or condition (e.g. skin infection or sores) which may result in food contamination.

Premises must:

- Be kept clean
- Be maintained in good repair
- Have satisfactory design, layout and construction
- Have adequate washing facilities and potable water
- Have satisfactory lighting and ventilation

Equipment must:

- Be kept clean and in good condition
- Be installed to allow cleaning of surrounding area

Food must:

- Be protected against contamination and from pests
- Not be kept at temperatures that might result in a risk to health (adequate refrigeration required). Hot food to be cooled, must be cooled as quickly as possible

Waste must:

- Not accumulate in food rooms
- Be deposited in closable containers

Penalties:

- In Magistrates' Court - £5,000.00 for each offence
- In Crown Court - unlimited fine and two years' imprisonment

The Food Hygiene (England) Regulations 2006

HANDOUT
HO
56
MODULE 13

Temperature control

Chill-holding requirements

High-risk foods must be kept at 8°C or below unless:

- **it is hot food on display**
- **there is no health risk**
- **it is canned or dehydrated (until opened); or**
- **it is raw food intended for cooking/processing**

NB Food on display may be kept above 8°C for up to 4 hours on a single occasion.

Hot-holding requirements

Hot food on display must be kept at or above 63°C

NB Hot food may be kept below 63°C for up to 2 hours on a single occasion.

These Regulations also provide for the enforcement of the EU Hygiene Regulations and in particular:

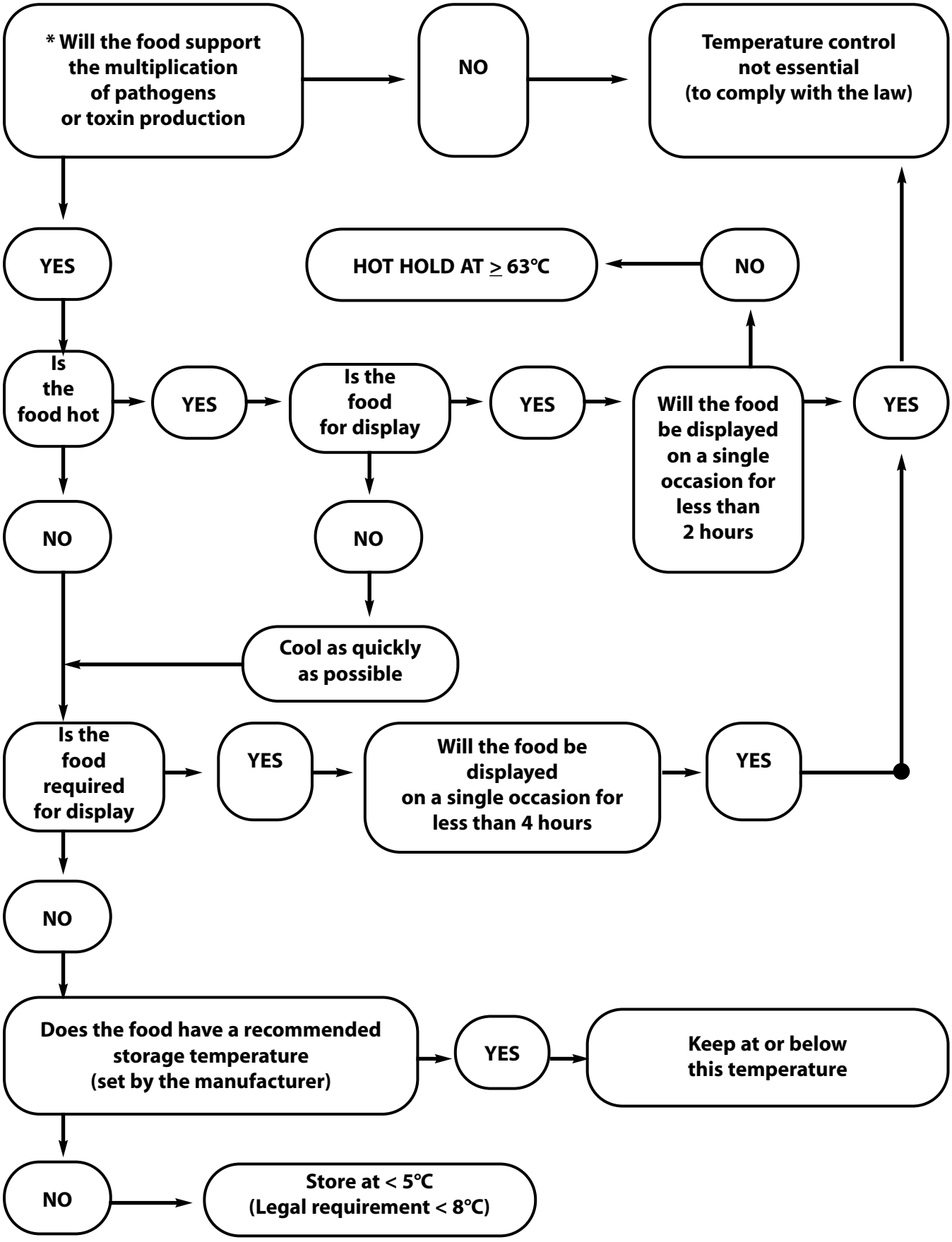
- **hygiene improvement notices**
- **hygiene prohibition orders**
- **hygiene emergency prohibition notices and orders**
- **the defence of due diligence**
- **powers for authorized officers**
- **offences, defences, penalties and rights of appeal**
- **seizing food which fails to comply with the food safety requirements**

Restrictions on the sale of raw milk are included in these Regulations.

Temperature control for the storage and display of high-risk food

HANDOUT
HO
57
MODULE 13

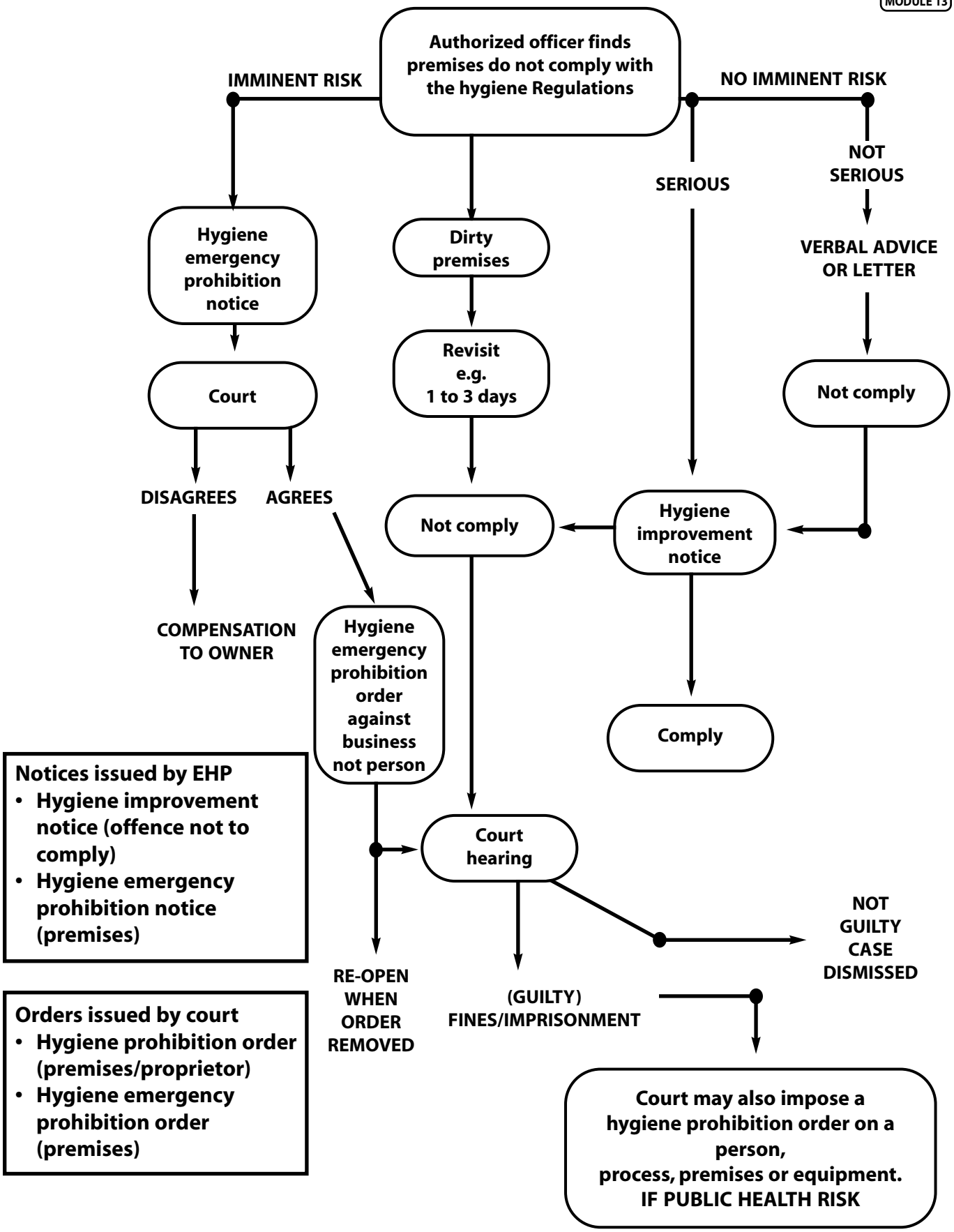
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Enforcement - food premises

The Food Hygiene (England) Regulations 2006

HANDOUT
HO
58
MODULE 13



Enforcement - suspect food

The General Food Regulations 2004
The Food Hygiene (England) Regulations 2006
The Food Safety Act 1990

HANDOUT
HO
59
MODULE 13

