

What are the legislative requirements for food safety?

All businesses and organisations that involve the preparation and handling of food must implement food safety systems to comply with relevant legislation. This applies to a variety of establishments, such as food production factories, restaurants, takeaway services, schools, and hospitals. Failure to adhere to food safety laws can lead to severe consequences for your business and the health of your customers and/or service users.

It is crucial to prioritise food safety to prevent contamination by harmful bacteria and viruses that can cause food poisoning. While the symptoms are usually temporary, including nausea, diarrhoea, vomiting, cramps, and fever, they can be severe and even fatal, particularly in vulnerable groups like young children and the elderly. Dehydration caused by untreated diarrhoea and vomiting can lead to serious illness and complications.

Aside from the health risks, a case of food poisoning caused by food produced or served on the premises can damage the reputation of a business, leading to legal action and financial repercussions like lost business, fines, and compensation claims. Food safety laws exist to provide guidance on how to identify and control or eliminate the risk of food poisoning. Government agencies also have the power to prosecute employers who fail to prioritise the safety of their workforce, consumers, and service users.

What are the key components of food safety compliance?

If you operate a food business, you are required to ensure that:

- The food you sell is safe for consumption.
- You do not add, remove or treat food in any way that makes it harmful to eat.
- The food you sell is of the same quality that you claim it to be.
- You do not mislead customers by labelling, advertising or marketing food falsely.
- You maintain records of where you sourced the food and make this information available upon request, which is known as "traceability".

- You withdraw any unsafe food from circulation and complete an incident report.
- You inform customers why food has been recalled or withdrawn, for example, by using a leaflet or poster.
- If you sell food directly to the public, you display your food hygiene rating.

Complying with food legislation guidance helps you to meet these requirements, and ensures that the food you sell is safe, of good quality, and meets legal standards.

What are the legislations for food safety?

In the UK, the legislative requirements for food safety are mainly governed by the [Food Safety Act 1990](#) and the General [Food Law Regulation \(EC\) No 178/2002](#).

The [Food Standards Act of 1999](#) established the [Food Standards Agency \(FSA\)](#), which provides functions and powers and transfers certain functions related to food safety and standards. Its primary goal is to protect public health regarding food and to act in the consumer's interest at any stage in the food production and supply chain.

Local authorities and health inspectors from the [Food Standards Agency](#) have the power to carry out inspections of any food business' premises to ensure compliance with food safety legislation. Failure to comply with relevant food safety legislation leads to enforcement action, including improvement notices, prohibition orders, fine, and prosecution.

We will look at the key legislation next, starting with the [Food Safety Act 1990](#):

Food Safety Act 1990

The [Food Safety Act 1990](#) is a UK law that sets out the framework for food safety legislation in England, Wales, and Scotland. The purpose of this act is to ensure that all food sold or provided to consumers is safe to eat and does not pose a risk to human health.

The Act defines the responsibilities of food businesses and their employees to ensure that food is prepared, stored, and sold in a safe and hygienic manner. It also outlines the powers of local authorities and the Food

Standards Agency to enforce the regulations and carry out inspections of food premises.

Under this Act, it is illegal to sell food that is unfit for human consumption or that contains harmful substances, and any breaches can result in fines or even imprisonment. The [Food Safety Act 1990](#) is an important piece of legislation that helps to protect public health and maintain consumer confidence in the safety of the food they eat.

Food Safety Act 1990 in Schools

The [Food Safety Act 1990](#) applies to all establishments that handle and serve food, including schools. Schools have a legal responsibility to ensure that the food served to their students is safe to eat and does not pose a risk to their health.

The Act requires that food served in schools is prepared, cooked, stored, and served in a safe and hygienic manner. This means that schools must have appropriate food safety systems in place, including risk assessments, temperature controls, cleaning and disinfection procedures, and staff training.

In addition, schools must also comply with specific regulations that relate to the provision of food to children, such as the [School Food Standards](#), which were introduced in 2014 and set out minimum nutritional requirements for school meals. The School Food Standards mean that school meals must:

- Be based on starchy carbohydrates like potatoes, bread, and rice, with whole grain options where possible.
- Include a variety of fruit and vegetables.
- Include a source of protein such as meat, fish, eggs, beans, or tofu.
- Include a source of dairy such as milk, cheese, or yoghurt.
- Limit the amount of added sugar, salt, and saturated fat.

The standards also specify that schools must provide free drinking water to students throughout the day and limit the availability of unhealthy snacks and drinks.

[You can download Learn Q's FREE Kids School Lunches Checklist Poster by clicking here.](#)

The Food Safety (General Food Hygiene) Regulations 1995

[The Food Safety \(General Food Hygiene\) Regulations 1995](#) provides detailed requirements for the hygiene and safety of food handling and preparation. The regulations apply to all food businesses, including restaurants, cafes, food trucks, food manufacturers, schools and any other premises that prepare or handle food.

The key requirements of the [Food Safety \(General Food Hygiene\) Regulations 1995](#) include:

- Food premises and equipment must be designed and maintained in a way that enables effective cleaning and prevents contamination.
- Food handlers must have appropriate training and supervision to ensure they understand the risks of contamination and how to prevent it.
- Raw materials and ingredients must be stored correctly to prevent contamination and deterioration.
- Temperature controls must be in place to ensure that food is stored and cooked at appropriate temperatures to prevent the growth of harmful bacteria.
- Cross-contamination between different foods must be prevented, and suitable cleaning and disinfection procedures must be followed.
- Food labelling must be accurate and include information about allergens and other potential hazards.
- Records must be kept to demonstrate compliance with the regulations.

Food Safety (temperature control) Regulations 1995

[The Food Safety \(Temperature Control\) Regulations 1995](#) specify the requirements for the safe storage, transport, and handling of perishable foods. The regulations apply to all businesses that handle perishable foods, including food manufacturers, retailers, and caterers.

The key requirements of the [Food Safety \(Temperature Control\) Regulations 1995](#) include:

- All perishable food must be stored at the correct temperature to prevent the growth of harmful bacteria. The regulations specify the maximum and minimum temperatures for different types of perishable food.

- All food must be transported under temperature-controlled conditions to prevent spoilage and contamination.
- All food premises must have suitable temperature monitoring equipment to ensure that food is stored at the correct temperature.
- Staff must be trained in temperature control procedures and the importance of maintaining correct temperatures.
- Records must be kept to demonstrate compliance with the regulations.

By ensuring that food is stored, transported, and handled at the correct temperature, these regulations help prevent the growth of harmful bacteria in perishable food, which can cause food poisoning and other illnesses.

Food Hygiene (England) Regulations 2006

[The Food Hygiene \(England\) Regulations 2006](#) provide requirements for food businesses to ensure the safety and hygiene of food handling and preparation. These regulations also apply to all food businesses in England, including catering, restaurants, cafes, food retailers, schools and food manufacturers.

The key requirements of the [Food Hygiene \(England\) Regulations 2006](#) include:

- Food businesses must implement a food safety management system based on the principles of Hazard Analysis and Critical Control Points (HACCP).
- Food premises, fixtures, fittings, and equipment must be designed and maintained in a way that enables effective cleaning and prevents contamination.
- All food handlers must have appropriate training, supervision, and instruction in food hygiene matters.
- All food must be stored, handled, and prepared in a way that minimises the risk of contamination and spoilage.
- Food must be cooked, cooled, and reheated properly to ensure that it is safe to eat.
- All food businesses must have effective pest control measures in place.
- Records must be kept to demonstrate compliance with the regulations.

The Food Safety and Hygiene (England) Regulations 2013

The [Food Safety and Hygiene \(England\) Regulations 2013](#) provide guidance on the safety and hygiene of food handling and preparation. The regulations apply to all food businesses.

The key points in the [Food Safety and Hygiene \(England\) Regulations 2013](#) are:

- Food businesses must implement a food safety management system based on the principles of Hazard Analysis and Critical Control Points (HACCP).
- Food premises, fixtures, fittings, and equipment must be designed and maintained in a way that enables effective cleaning and prevents contamination.
- All food handlers must have appropriate training, supervision, and instruction in food hygiene matters.
- All food must be stored, handled, and prepared in a way that minimises the risk of contamination and spoilage.
- Food must be cooked, cooled, and reheated properly to ensure that it is safe to eat.
- All food businesses must have effective pest control measures in place.
- Food businesses must provide information on allergenic ingredients in food, and make these available to customers.
- Records must be kept to demonstrate compliance with the regulations.

Regulation (EC) 852/2004: General Food Hygiene Requirements for Businesses

[Regulation \(EC\) 852/2004](#) is an EU regulation that sets out the general food hygiene requirements for all food businesses operating within the EU. The regulation applies to all stages of food production and distribution, from primary production to final consumption.

[Regulation \(EC\) 852/2004](#) covers:

- Food businesses must implement a food safety management system based on the principles of Hazard Analysis and Critical Control Points (HACCP).

- Food premises, fixtures, fittings, and equipment must be designed and maintained in a way that enables effective cleaning and prevents contamination.
- All food handlers must have appropriate training, supervision, and instruction in food hygiene matters.
- All food must be stored, handled, and prepared in a way that minimises the risk of contamination and spoilage.
- Food must be cooked, cooled, and reheated properly to ensure that it is safe to eat.
- All food businesses must have effective pest control measures in place.
- Records must be kept to demonstrate compliance with the regulations.

[Regulation \(EC\) 852/2004](#) also introduces requirements for food businesses to have traceability systems in place to enable the identification of the origin of food and its distribution. This is to ensure that food can be traced back to its source in the event of a food safety incident.

The Food Information (Amendment) (England) Regulations 2020

The [Food Information \(Amendment\) \(England\) Regulations 2020](#) amended the Food Information Regulations 2014, and came into effect on 1st October 2021. Their aim is to improve food allergen labelling for prepackaged foods sold in England.

The [Food Information \(Amendment\) \(England\) Regulations 2020](#) means:

- A full ingredients list, including any allergenic ingredients, must be provided for pre-packaged foods sold directly to the consumer.
- Pre-packaged food must be labelled with the name of the food and any allergenic ingredients used in the product, which must be emphasised in some way (such as bold font).
- The new regulations introduced a legal requirement for food businesses to include the name of the food business or supplier on the packaging of pre-packaged food.
- A new requirement is introduced for food businesses to include allergen information on foods that are prepacked for direct sale. These foods, known as PPDS, must have a label with a full ingredients list, with all allergenic ingredients emphasised on the packaging.

Food safety compliance

Compliance with these laws and regulations is essential for food businesses to ensure that the food they produce and sell is safe to eat and does not pose a risk to public health, which should be a priority for all food businesses.

Some of the punishments and enforcement actions that can be taken by UK authorities for non-compliance with food regulations include:

- Improvement notices: which require a food business to take specific actions to improve compliance with food regulations within a set timeframe.
- Prohibition orders: that prohibit a food business from carrying out certain activities until it has demonstrated compliance with food regulations.
- Seizure: and detainment of food to prevent it from being sold or distributed.
- Fines: which can range from a few hundred pounds to thousands of pounds, depending on the severity of the breach.
- Prosecution: of food businesses or individuals, which can result in fines, imprisonment, or both.

Specific examples include:

1. a UK food company was fined £180,000 after an outbreak of salmonella was traced back to its chicken products. The company had failed to implement adequate hygiene controls and had not conducted regular testing of its products.
2. a restaurant was fined £6,000 after food safety inspectors found evidence of rat infestation and poor hygiene practices. The restaurant was issued with an improvement notice requiring it to take action to improve hygiene and pest control measures.
3. a meat company was fined £264,000 for breaches of food safety regulations, including failing to implement adequate food safety management systems and failing to maintain adequate hygiene standards. The company was also ordered to pay £42,000 in costs.
4. a food retailer was fined £180,000 for selling out-of-date food and failing to maintain adequate hygiene standards. The retailer had sold food that was up to six months past its use-by date and had failed to implement adequate stock rotation procedures.

What could these punishments do to your business?

Staff Training

Training is important in helping your business comply with food legislation. By providing proper training for you and your colleagues on food safety matters, you can reduce the likelihood of non-compliance with food regulations, thus ensuring the safety and quality of the food you produce and/or serve, protecting public health, and maintaining the reputation and profitability of your food business.

A great way to start training yourself and your colleagues is to take a Food Hygiene course.

The [Level 2 Food Safety Training](#) is an introductory course that covers the fundamental principles and practices of food safety. This course is suitable for anyone who works with food, including front-line staff and supervisors. The topics covered typically include food hygiene, food contamination, food storage and preservation, and personal hygiene.

On the other hand, the [Level 3 Food Safety Training](#) is an advanced course that provides a more in-depth understanding of food safety principles and practices. This course is designed for managers and supervisors who have a greater level of responsibility for food safety in their workplace. The topics covered typically include food safety legislation, [Hazard Analysis and Critical Control Points \(HACCP\)](#) principles, risk assessment, and the management of food safety hazards.

Level 2 training is ideal for front-line staff, while Level 3 training is more suitable for managers and supervisors who have a greater degree of responsibility for ensuring food safety in their workplace.

The [Learn Q Level 2 Food Hygiene Course and Certificate](#) is just £17.50 per person

The [Learn Q Level 3 Award in Food Safety](#) is just £30 per person

Our [HACCP course](#) is £17.50 per person

All of our courses have with discounts available for 10+ orders

Or **SAVE OVER 50%** and ensure your business is even safer by choosing one of our bundles:

- [Food Hygiene Level 2 plus Allergy Awareness](#) - £17.50

- [Food Hygiene Level 2, Allergy Awareness, Health and Safety, plus Fire Safety](#) - £34.98
- [Food Hygiene Level 3, Allergy Awareness, HACCP, Health and Safety, plus Fire Safety](#) £49.89