

# Food Safety and Labelling Guide for **FARMERS' MARKETS IN SCOTLAND**





## **Foreword**

The success of Farmers' Markets in our towns and cities has delivered many benefits to producers, consumers, the environment, local economies and communities. Having secure and regular market outlets is especially valuable to smaller businesses which may be unable to produce the large quantities required by general retailers or may prefer to sell their products directly to consumers. Producers and consumers have direct contact at markets, and this provides an opportunity in informing consumers as to the production and origin of their food. Consumers also benefit from increased choice and access to food. Farmers' Markets bring life into towns and cities and encourage social interaction between urban and rural communities, and can have important social and economic benefits for both.

Over the years, this guide has provided invaluable advice and information for producers and businesses. Positive feedback received from stakeholders has indicated the importance of this manual in encouraging and developing good practice which has gone a long way to establishing Farmers' Markets as an important and distinctive sector of the food retail supply chain.

This updated edition of the guide in association with a new and easy to use leaflet: "Selling at a Scottish Farmers' Market: The First Steps" will provide valuable resources for producers and market traders by assisting them in meeting both food labelling and food safety requirements, and thereby providing protection to consumers.

### **Charles Milne**

Director, Scotland  
Food Standards Agency

## **Introduction**

Welcome to this the second revision of the Farmer's Market Manual, first published with considerable foresight by the Food Standards Agency in 2005. Over the years farmers and others, new to the possibilities of producing and retailing food direct to the customer, have been able to find the guidance needed to help them realise their ambitions within this document. This latest production of the manual builds on the collaborative partnership between the Food Standards Agency and the Scottish Association of Farmers' Markets.

From the inception of the first farmers' markets in Scotland thirteen years ago, we continue to see a steady growth in their number across Scotland as consumers become increasingly "food conscious" and look for new ways to shop.

Local, lower food miles, food security and carbon footprint have all become the buzzwords of this new food scene, stimulating consumer interest in not only the farmers' markets in high streets but also the smaller community markets in village halls. Hand in hand with these markets go the building of new businesses, the creation of jobs and a contribution to the local economy and community in a multitude of ways.

Which is why this new version of the Food Standards Agency's Farmer's Market Manual is so timely and important – it is essential reading for anyone thinking about becoming a food producer or considering organising a farmer's or community market. Tailored to meet their very specific needs, this is an invaluable guide, which explains the whys and wherefores of food safety regulations as well as how to meet them. This contributes to the support of consumer confidence, helping to convert interest into sales, as customers view the tasty and tempting offerings before them on the market stall.

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*(SAFM is a member of the Scottish Farmers' Markets Partnership which is supported by the Scottish Government)*

## **CONTENTS PAGE**

<b>SECTION 1 - ORGANISING A MARKET</b>	<b>4</b>
<b>SECTION 2 - FOOD SAFETY</b>	<b>6</b>
<b>SECTION 3 - COMPOSITION AND LABELLING</b>	<b>17</b>
<b>SECTION 4 - CONTACT INFORMATION</b>	<b>81</b>
<b>APPENDIX 1 - GLOSSARY</b>	<b>85</b>
<b>APPENDIX 2 - MARKET STALLHOLDER INFORMATION/APPLICATION FORM</b>	<b>86</b>
<b>APPENDIX 3 - PRODUCTS OF ANIMAL ORIGIN</b>	<b>89</b>
<b>APPENDIX 4 - FOOD SAFETY MANAGEMENT SYSTEMS</b>	<b>92</b>
<b>APPENDIX 5 - BUSINESS SELECTOR</b>	<b>93</b>
<b>APPENDIX 6 - EFFECTIVE HAND WASHING</b>	<b>94</b>
<b>APPENDIX 7 - ALL-IN-ONE RECORD</b>	<b>95</b>
<b>APPENDIX 8 - MONTHLY PROBE CHECK</b>	<b>97</b>

### **Legal Responsibilities**

This guide contains general advice only and is based on the Food Standards Agency's understanding of the law however, it is for the courts to provide a definitive interpretation of that law. This guide is not a substitute for the relevant legislation which will continue to apply and it remains the duty of food business proprietors to comply with that legislation.

In the event of any apparent conflict between the guide and the relevant legislation, you should seek your own legal advice on the application of the guide in relation to your own circumstances.

## **SECTION 1**

### **MARKET ORGANISERS: ORGANISING A MARKET**

Market organisers may also be referred to as market operators, managers or co-ordinators.

You may wish to set up a market yourself, or as a co-operative with other market traders, or in conjunction with your local authority. In the first instance, you should contact your local authority's licensing department which will be able to advise you on market licensing requirements and whether planning permission is required. The licensing department will also consult with all other potentially interested bodies such as the fire services and police. There may also be traffic management issues depending on the site in question.

You will also need to consult your local environmental health service to check that you are clear about those aspects of food hygiene which are **your** responsibility as a market organiser and those facilities you need to make sure are in place so that your stall holders can meet their obligations in terms of food hygiene. For example, table/stalls for off-ground display of food and the provision of electricity if chill units are to be used. You will also be required to ensure that there is adequate provision of toilets in the vicinity as well as hand washing facilities with hot water. The latter you will probably need to provide onsite yourself. You need to make sure there are arrangements in place for collection of waste food and general rubbish to keep the site clean and tidy, although this is usually the responsibility of the individual stall holder.

You should be aware of your food producers' obligations in the broadest sense and that they understand what is required of them in terms of food safety, food handling, storage, labelling and so on. Making sure that your food producers are registered as food business operators with their local authority's environmental health service is essential, as is checking that they are fully insured for product and third party liability and that any electrical/gas appliances carry up to date test certification.

You will need public liability yourself as market organiser along with the accompanying fire and risk assessments.

To summarise, it is essential that the market is organised and run in such a way to ensure that adequate facilities are in place to help market traders meet their responsibilities for maintaining a hygienic environment.

## **MARKET TRADERS: FOOD BUSINESS OPERATOR REGISTRATION**

As a food business operator, you must notify your local authority Environmental Health Service (which is the enforcement authority in terms of the Hygiene Regulations) of every food business under your control so that the business can be registered. If you use vehicles or stalls for your business in connection with a permanent registered premise, there is no need to register the vehicle separately, but if there is no permanent premise, you must advise your local authority of where the vehicle is kept. If the market is already registered by the market organiser, stalls operated by the organiser need not be separately registered.

Registration is free of charge and if you require to be registered, the local authority cannot refuse to register you. Registration ensures that the local authority is aware of you so that they may offer advice and carry out inspections as necessary. Whether registered or not, your food stall/premises, like any other food premises, will be subject to inspection on a regular basis by food enforcement officers, from the local authority Environmental Health Service.

## **STALLHOLDER APPLICATION FORM**

In addition, each local authority or market organiser may also ask you to complete a Market Stallholder Information/Application Form, prior to your first market. A sample form is found in **Appendix 2** but this may differ depending on arrangements in place with your local authority.

## **SECTION 2**

### **FOOD SAFETY**

As a food business operator (FBO), you have a responsibility to ensure that food is kept safe and free from contamination. The purpose of this guide is to provide advice on safe working practices at farmers markets. It is not intended to cover the activities which take place at the home base e.g. washing, processing and packing. Guidance on your on-farm food activities may be found on the [FSA website](#)<sup>1</sup>. Some key points, however, are contained within the appendices in this document. Model forms have been provided for recording and monitoring of food safety controls. They may be adapted to suit your own specific needs. In order to minimise burdens on businesses, we have combined forms which may be used both at the home base and on the market stall, although these can be separated if preferred.

### **FOOD HYGIENE**

The general hygiene and other requirements of the Food Hygiene Regulation are covered within this guide. Specific requirements for businesses handling products of animal origin, including game, are detailed in Appendix 3.

FBOs need to put in place, implement and maintain food safety management procedures based on HACCP (Hazard Analysis and Critical Control Point) principles. FBOs are required to establish documents and records for this system, the extent of which will depend on the nature and size of the business.

This guidance document aims to advise you on how to reduce the hazards associated with your process by following pre-requisite procedures, and therefore reduce the HACCP requirements. The Food Safety Management procedure requirements can be found in Appendix 4. Most local authority Environmental Health Services will have advice available on food safety management procedures. In addition, you can obtain further information from the Food Standards Agency website.

This document will help you consider your own day-to-day working practices. The guidance and examples given are not exhaustive and you should discuss your working practices with your local Environmental Health Service. Consideration should be given to restricting using both cooked and raw food and preparing as much as possible at the home base in order to minimise potential sources of contamination. If you are unable to implement and maintain safe working methods, consideration must be given to changing what you do.

Planning and documenting your process steps and consideration of the hazards will help you meet the requirements of the relevant legislation. To determine what types of business you have, and therefore what procedures and controls apply to you, you should work through the flow diagram (“Business Selector”) found in Appendix 5.

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<sup>1</sup> <http://www.food.gov.uk/>



## GENERAL FOOD LAW

Food shall only be placed on the market if it is safe and if it is presented (labelled, advertised etc) in such a way so as not to be misleading to the consumer. FBOs must be able to identify the suppliers from whom their products are sourced, as well as non-retail customers (i.e. customers other than members of the public).

FBOs have a responsibility to withdraw food which does not meet food safety requirements. If the food has reached customers, then the product must also be recalled and this can be done by point of sale notices etc. In addition, you must inform the local authority of the withdrawal recall of food.

## FOOD SAFETY PROCEDURES

### Contamination

Contamination of food may occur as a result of microbiological contamination (cross contamination), chemical or physical contamination. Contamination by allergens (foods or materials that cause allergic reactions) may also occur.

### Cross Contamination

Cross contamination occurs when harmful bacteria are transferred from contaminated food to uncontaminated food, either directly (contact between raw food and ready-to-eat food during transport, storage, preparation or display) or indirectly (spread of bacteria from raw food to ready-to-eat food via hands, equipment, surfaces or cloths).

Cross contamination has frequently been found to be the cause of food poisoning outbreaks. Bacteria in or on contaminated food are not visible to the naked eye and do not cause noticeable food spoilage or affect taste, smell or texture. Importantly, ready-to-eat food must be protected from cross contamination at all times. This is because there are no further controls to protect your customers from the risk of food poisoning, once contamination has taken place.

The risk of *E. coli* O157 cross contamination must be considered and controlled in any food business where both raw foods and ready-to-eat foods are handled. Major *E. coli* O157 outbreaks occurred in Scotland in 1996 and Wales in 2005 and were attributed to poor food handling practices which led to cross contamination. *E. coli* O157 is a particularly dangerous organism because:

- it can lead to serious untreatable illness and even death
- it is reported to have a very low infective dose (less than 100 bacteria can cause illness)
- it has the ability to survive refrigeration, freezing and environments which have a low pH or reduced water activity

This guidance will also help control cross contamination risks from other food poisoning bacteria such as Campylobacter and Salmonella.

For further information refer to the Food Standards Agency guidance on ‘*E. coli* O157 control of cross contamination – Guidance for food business operators and enforcement authorities’.

<http://www.food.gov.uk/foodindustry/guidancenotes/hygguid/ecoliguide>

The following raw foods or ingredients present a potential source of cross contamination and should be handled with care:

- Raw meat such as beef, pork, lamb, chicken, turkey and game
- Other raw foods such as fish, shellfish and eggs
- Vegetables and fruit that have not been labelled as ready-to-eat and especially vegetables that are visibly dirty.

Cross contamination can be prevented by consideration of temporary separation measures. This is most likely to apply on your stall if you are **cooking food for consumers**:

- Restrict raw food-handling to specific times and make sure that personal hygiene procedures are followed at all times.
- Identify a temporary raw food area for preparing raw food.
- This raw food area should only be used for raw food at pre-arranged times.
- Never allow any food to come into direct contact with the work surfaces in your temporary raw food area – e.g. always use chopping boards.
- This area may then be used for handling ready-to-eat foods – but only after careful cleaning and disinfection
- Always keep raw food separate from ready-to-eat food.
- The dual-use of equipment for both raw food and then for ready-to-eat food is dangerous. Separate equipment is the only safe option.

The safety of temporary separation measures can only be relied upon if cleaning and disinfection practices and regular, rigorous hand-washing are strictly adhered to at all times.

In addition, workspace and flow of foods should be organised to ensure total separation between raw and ready-to-eat foods at all times. Utensils used for handling raw food at the start of the cooking process e.g. ladles, spoons, and spatulas should be used in such a way that there is no risk of cross-contamination between raw food and ready-to-eat food.

### **Chemical Contamination**

- Detergents, disinfectants, pesticides (e.g. pest bait) must be adequately labelled and stored separately from food to avoid contamination.
- Only food grade contact packaging may be used for food.

### **Physical Contamination**

- Personal hygiene practices must be followed at all times.
- Effective pest control measures must be put in place to prevent pest ingress. These include clearing away rubbish, proper storage of food and packaging off the ground and adequate cleaning.
- Food must not be placed directly on the floor/ground as this may present a contamination risk.
- Displayed food should be covered or wrapped, as appropriate, however, if this is not practical (e.g. unwrapped cheeses), then consideration must be given to install clear guards and/or wrapping or clear wrapping, to prevent physical contamination.
- Food transported to markets must be wrapped, covered and/or placed in suitable containers to prevent contamination. All wrappings in contact with food must be made of food grade material. You should ensure that vehicles and containers are kept clean and in good repair. Food must be kept separate from other items. You should consider how to prevent contamination from animals, fuel etc. by clear and adequate separation. Cardboard boxes and paper-lined crates may be suitable for most agricultural produce. Food grade, washable material, such as metal or plastic crates, should be used to transport higher risk (perishable) food (for example, cooked meats, sandwiches, cheese etc) and bakery goods.

### **Allergens**

- Some people have a sensitivity to certain foods such as nuts, seeds, gluten and shellfish. Some foods may result in a severe allergic reaction (these include peanuts (known also as groundnuts), tree nuts (e.g. almonds, hazelnuts, walnuts, Brazil nuts etc), fish, shellfish, sesame seeds, eggs, celery, mustard seeds, milk and soya), while others may cause an intolerance (e.g. gluten, which is the protein found in many cereals such as wheat, rye and barley, and lactose, the sugar found in milk).
- Nut allergies can be particularly severe and the consumption of nuts and nut products, even in tiny quantities, can be fatal. Often, these very small quantities of nuts can find their way into foods unintentionally, due to inadequate controls. The following steps represent good practice: -
- Keep foods which can cause reactions separate from other foods and ensure that hands are washed after handling these foods.

- Utensils and equipment should be separate or cleaned thoroughly after use.
- Store these ingredients and store and display finished food, which may contain them, separately.
- Check that the ingredients have not changed their composition and that your supplier has not substituted one brand or ingredient for another, which may contain any of these allergens.
- Be aware of hidden ingredients e.g. nuts used in the base of a cheesecake. This will require you to check with your suppliers what is contained within your bought in ingredients.
- You should never guess whether or not an ingredient is present in a food – check every time. It's better to tell a customer that you don't know if a food contains a particular ingredient than to guess.
- Allergen labelling is covered in **Section 3**.

### **Personal Hygiene**

- The risks associated with the contamination of food can be mitigated by good personal hygiene. As the Food Business Operator, it is your responsibility to ensure that any staff employed understands the need for good personal hygiene.
- Do not eat, drink or smoke where open food is handled.
- A properly equipped first aid box should be available and should include a supply of waterproof dressings. Ensure that cuts, spots and sores are covered with a highly visible waterproof dressing.
- Food handlers suffering from any of the following complaints must be excluded from food handling until they have recovered fully: any skin, nose, throat, stomach or bowel trouble, or any other complaint likely to be transmitted through food. In the case of a stomach upset, sickness and/or diarrhoea, you are required to wait until at least 48 hours have passed after you are free of symptoms. It is recommended that you obtain GP clearance. For further advice, refer to the Department of Health publication "Food Handlers: Fitness to Work" (**see Section 4**).
- All food handlers must maintain a good level of personal hygiene, wearing suitable clean clothing appropriate for the task. Examples may be aprons (disposable would be sufficient), and hair covering is recommended, especially where there are potential risks to open food.
- If protective clothing is worn, it should be changed and laundered regularly at a suitably high temperature, ideally 82°C, in order to protect the food you are preparing. If protective clothing becomes contaminated from handling raw food it must be changed before handling ready-to-eat food. In this case, the use of

disposable plastic aprons is recommended when carrying out any activities where raw foods are being handled and where there is a high risk of protective clothing being contaminated by raw food. Hand washing should take place after removing contaminated clothing and before putting on clean protective clothing.

- When handling food, the wearing of jewellery should be minimised to prevent contamination of food by jewellery or ineffective hand washing. It is recommended that jewellery be restricted to plain wedding rings and hoop earrings.
- Reducing the handling of raw food will minimise the need for hand washing. This can be achieved by the use of barrier methods such as designated tongs and utensils and the safe use of disposable gloves.

➤ Hand washing

- Unless the barrier methods described above are effective, hand washing must be used to prevent the risk of cross contamination. Appendix 6 shows the six step hand washing technique which requires a wash hand basin, with hot and cold running water, soap (liquid soap meeting the BS EN 1499 standard, with disinfectant properties, is recommended for extra protection against cross contamination) and towels, ideally single-use, paper towels. These should be available in close proximity to the stall (or shared with a neighbouring stall, preferably selling similar products). However, it would not be appropriate to share facilities between stalls selling high risk foods (e.g. cooked meats, cheeses) with stalls selling raw meat and unwashed vegetables. Refuse facilities must be made available for disposable towels. A mobile hand wash basin may also be suitable. If mobile, suitable facilities must be provided for the disposal of waste water. The facilities should be checked to ensure they are working correctly.
- Hands must be washed at the following times:
  - before starting work,
  - before handling food,
  - after handling raw food and raw food packaging
  - after breaks,
  - after using the toilet,
  - after handling waste, or touching bins
  - after eating and drinking
  - after cleaning,
  - after blowing your nose.

- Hygienic hand rubs (meeting the BS EN 1500 standard) can provide an additional level of protection against contamination are recommended after hand washing where there is an increased risk of cross contamination e.g. where raw foods have been handled prior to hand washing. It should be noted that hygienic hand rubs should never be used as a replacement for hand washing.
- Disposable hand wipes may be used to wipe hands, after handling pre-packed foods only, however they are no substitute for hand washing using soap and water.
- Disposable gloves may be used, however you need to consider that hands should always be washed thoroughly before putting gloves on, damaged gloves must be disposed of, gloves must be changed if they are in contact with items such as money and must not then be used to handle ready to eat foods.

### **Facilities (Stall)**

- The market stall should be designed in such a way to protect food, for example, from cross contamination, adverse environmental conditions (rain, dust, direct sunlight etc) and pests.
- Store raw and ready to eat foods separately, in accordance with appropriate temperature controls. If possible, use designated (e.g. colour coded) containers. It is not acceptable to use a container for raw food and then re-use it for ready to eat food, without thorough cleaning and disinfection.
- Work surfaces and equipment must be constructed in such a way that they are smooth, impervious and capable of being easily cleaned.
- If using wooden tables or surfaces, plastic sheeting or another suitable washable covering material must be used to cover the tables.
- If water is required on the stall, you are encouraged to use water provided by the public water authority if available, however you may wish to use or have to use water from a private supply. Where water is used from a private water supply, you must ensure that the water is safe to drink (the term used is “potable”). It is important to ensure that there is adequate cleaning and disinfection of any water storage containers, or bottles used to transfer water

### **Temperature Control (see Appendices 7 and 8)**

- It is important to keep perishable foods chilled or frozen. Chilled food should be kept at a temperature of 5°C or below to discourage the growth of harmful bacteria. Frozen food should be stored at a temperature of –18°C or below. Eggs should be kept out of direct sunshine, at a temperature, preferably constant, best suited to assure optimal conditions. Ice-cream should be stored between -15 and -25°C and served between -10 and -15°C<sup>2</sup>

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<sup>2</sup> “A Guide to the Safe Handling and Service of Ice Cream” and “Code of Practice for the Hygienic Manufacture of Ice Cream”, Ice Cream Alliance

- Chilled and frozen food should be transported to and from the market, and stored on site, under temperature controlled conditions. Whilst large volume traders should consider refrigerated vehicles for transport, smaller traders may use icepacks in insulated containers, provided the temperature is kept at a suitably low temperature that will discourage the growth of harmful bacteria.
- On site, food can be kept at chill temperatures by means of a refrigerator (if a generator or mains electricity is available) or an insulated cool box. In the case of fish, ice should be provided for keeping the temperature down to 5°C or below. Food must not be displayed in direct sunlight as it will increase the temperature of the food.
- If food requires to be cooked at the market stall, the cooking equipment should be adequate to cook food to 75°C for 30 seconds, or equivalent (see **Appendix 7**). If food requires to be reheated prior to service, the equipment used must be adequate to reheat food to at least 82°C. Food need not be reheated to 82°C if this results in deterioration of the food quality. Reheat finished food only once. In these circumstances, it is good practice to reheat foods to a minimum core temperature of 70°C for 2 minutes, or equivalent. If food is held hot prior to serving, then it must be held at a temperature above 63°C.
- Temperature monitoring should take place to demonstrate temperature control throughout the food distribution chain. It is recommended that temperature checks are recorded at a frequency determined by your food safety management procedures as adequate. An example record is provided in **Appendix 7**.
- If the temperature is not within the tolerance range, take the food temperature (by placing probe between packs) and/or recheck air temperature after short period of time, or check actual food. Arrange disposal of food or move to alternative storage location or further cooking. Investigate and remedy cause.
- Temperature monitoring equipment such as probe thermometers must be made available where necessary. Any probe thermometer used for monitoring cooking temperatures must be identifiable for use for ready-to-eat food only. Disinfectant wipes should also be made available for cleaning probes for other purposes before and after use. Equipment should be checked regularly to ensure they are working properly. If inaccuracies are highlighted, then the probe or thermometer should be rechecked and replaced if necessary. Please see **Appendix 8**.
- Temperature monitoring can take place without using a temperature probe or thermometer e.g. when cooking very thin meats (e.g. bacon), it may be sufficient to cook until the meat is visibly cooked on both sides.

- Left-over food should either be disposed of or excess stock frozen for use at a later time, provided temperature control has been maintained throughout the distribution chain. It is important that any food which has been frozen has been temperature controlled throughout the entire market day, that it is labelled appropriately, and, if thawed, that it is not frozen again at a later date. If the food has been previously frozen, the customer must be advised accordingly. If the food was supplied by someone else, it is necessary to obtain permission from that supplier to change the new durability date (“use by” or “best before”).

## Cleaning

- Cleaning is the process of physical removal of food debris, visible dirt and food particles from surfaces, equipment and fittings using hot water and detergent. Cleaning on its own will not remove all bacteria. Disinfection is the process of killing bacteria and viruses following general cleaning. ***It is the responsibility of the food business operator to decide when disinfection is necessary. The document provides guidance on how to control cross contamination within the business by means of disinfection. The application of this guidance will also enable you to maintain adequate general hygiene. Please note that disinfection will always be necessary as part of your cross contamination controls.*** Any disinfectant used must be applied to a visibly clean surface and be of the following standard: BS EN 1276 or BS EN 13697. Cleaning and disinfection are important to prevent food poisoning (proper cleaning and disinfection will facilitate the removal of harmful bacteria from surfaces and equipment and will help to reduce the risk of cross contamination) and to remove physical materials which may contaminate food or attract pests.
- Utensils and serving implements must be washed between handling raw and ready to eat foods. If utensils cannot be washed on site, ensure you have sufficient supplies of clean utensils for use on market day. Dirty utensils and dishes etc must be stored appropriately.
- Keep all equipment and surfaces clean and, as necessary, disinfected. On a stall, the most likely method of cleaning is to clean and disinfect in place, as appropriate. The disinfectant usually is in a spray form with residual disinfection properties. Check the label of the product, to see if it should be diluted and if a rinse step is required. This method requires the following steps:
  - Remove loose debris
  - Clean the surface using hot water and detergent
  - Treat with disinfectant spray
  - Dry
- If this cleaning and disinfection procedure is not practical on a market stall, a sanitiser, combining both cleaning and disinfection properties, may be used. However, when used in a single stage process these products are **only** suitable as an interim ‘clean-as-you-go’ measure and never as a disinfection control for cross-contamination. In these cases a single sanitising product that meets the requirements of the BS EN 1276:1997 or the BS EN 13697:2001 can only be used to achieve the separate general cleaning and disinfection outcomes set



out above, where the sanitiser is used in **both** stages of the cleaning and disinfection processes.

- Single-use cloths provide a reliable way of ensuring cleaning and disinfection does not present cross contamination risks and can be used on hand contact surfaces. Re-useable dishcloths must be kept clean and should be laundered at a wash cycle that achieves 82°C or higher.
- Chemicals must be clearly labelled and stored separately to food
- An example cleaning schedule is included in **Appendix 7**.

### **Storage and Stock Control**

- Stock (food and packaging) must be stored in a dry, clean environment which is free from pests and in a temperature controlled environment when necessary. Stored food must not be used if its packaging has become damaged.
- Stock should be checked, when preparing for the market, to ensure that it has adequate shelf life remaining (“Use By” date or “Best Before” date). It is an offence to sell food beyond its use by date. Stock should be rotated to ensure that older stock is used before newer stock (“first in, first out”)

### **Waste Control**

- Waste must be kept away from food and regularly removed, for disposal.
- The market organiser must make sure arrangements are in place for waste disposal from the market. As a stallholder, you must arrange adequate provision for waste collection on their stall e.g. covered bins/sacks for refuse and waste food and for the disposal of waste water.

### **Samples**

- It is recognised that samples can provide a useful means for you to advertise your products to customers. The same controls and food safety legislation apply to samples as to food for sale.

As with all food, you must protect samples from contamination and they should be stored out of reach of animals and young children. In order to prevent customers contaminating samples, you should provide tongs, disposable spoons, cocktail sticks etc for use. Food which must be chilled for safety reasons may only be kept out of temperature control conditions for a minimum period of time, especially in warmer weather.

### **Cookery Demonstrations**

If the food from the cookery demonstration is made available to consumers, the controls described in this guide must be followed closely, in particular those relating to cross contamination, before, during and after cookery demonstrations.

## Training

The Hygiene Regulations require food business operators to ensure that food handlers are supervised and instructed and /or trained in food hygiene matters appropriate to their work activities.

Some market organisers may require you to hold a formal food hygiene qualification as a condition of trading, and food enforcement officers (from the local authority Environmental Health Service) may ask you about your training and to demonstrate your understanding by asking you to explain what food safety controls you have in place and why.

Formal training will involve an examination with a certificate issued at the end. Examinations may be taken in written or verbal format and may take place in languages other than English. Formal training can take place at one of three levels, and it is recommended that level 1 training (“Elementary” or “Basic”) is carried out although level 2 training (“Intermediate”) may be considered for those in a supervisory position. Training courses will be accessible through most local colleges. Lists of courses can be found by contacting your local authority Environmental Health Service. Alternatively, you can contact the organisations listed in **Section 4** for lists of their courses and training centres.

Where informal training has taken place, all food handlers should be aware of the basic principles that must be applied to the safe handling and preparation of food. These essentials of food hygiene include personal hygiene, temperature control, cross contamination and cleaning and disinfection.

If you have staff working with you, it is your responsibility to establish the level and type of training appropriate for you and your staff to ensure that food available for sale on your stall is safe.

It is important that vital information gained during training is not forgotten and that training is put into practice. You may wish to consider, therefore regular refresher training.

## **SECTION 3**

### **COMPOSITION AND LABELLING**

#### **GENERAL**

All food businesses have a responsibility to ensure that the food they sell is labelled correctly. The main principle of the Food Labelling Regulations 1996 (SI 1996/1499), as amended, is to ensure that the information on food labels is easily visible, clearly legible and indelible and that labelling is sufficiently precise to ensure that the consumer is not misled about the food they are purchasing. This means that the language used on the label must be one which is understood by the consumer in the country in which the product is sold.

The Food Labelling Regulations sets out the detailed provisions which must be provided on food labels in order to satisfy the law. Further advice to supplement this guidance is available from the [Food Standards Agency website](#) and you should consider this and advice from your local Environmental Health Service before designing labels for your products.

Regulation 5 of The Food Labelling Regulations require that all food sold to the ultimate consumer, subject to a few exemptions, which are detailed in this guide should be marked or labelled with the following general requirements:

- The name of the food
- List of ingredients
- Appropriate durability indication (e.g. Use By date or Best Before date)
- Any special storage conditions or conditions of use
- The name and address of manufacturer or packer or seller
- Particular of the place of origin/provenance of the food if failure to provide might mislead the purchaser
- Instructions for use, if a lack of instructions would make it difficult to make appropriate use of the food, and
- Where applicable, the quantity of certain ingredients or categories of ingredients, referred to as the Quantitative Ingredients Declaration (QUID).

Please note that there are additional requirements e.g. GM labelling, allergen labelling, nutritional labelling which may be required and these are covered later in this guide.

The information in this guidance can be used in conjunction with the Scottish version of the [Food Standards Agency Training Manual](#)<sup>3</sup> which can be found on the Food Standards Agency's website.

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<sup>3</sup> <http://www.food.gov.uk/multimedia/pdfs/publication/foodstandtrainingmanualscot.pdf>

## HOW TO USE THIS GUIDANCE DOCUMENT

Planning your labelling in advance will help you meet the requirements of the relevant legislation. This section starts with an explanation of the principal requirements of labelling. This is broken down into different sections to help you decide whether the requirements apply to your products. This is followed by the specific labelling requirements for certain foods and product types. Product specific examples of labels are also provided.

Not all requirements will necessarily apply to you; however, it is your responsibility to carry out an assessment of the requirements applicable to your products.

## TYPE OF SALE

How you intend to sell your products will determine how the products are to be labelled. There are three different ways in which food products may be sold,

- **Pre-packed:** means food put into packaging in such a way that the food cannot be altered without opening or changing the packaging (e.g. a canned product) and ready for sale to the ultimate consumer or to a catering establishment.
- **Pre-packed for direct sale:** means food which is packed by a retailer on the premises from which the food is sold (this may include a vehicle or a stall) e.g. butchers or bakers shop. For certain products, e.g. bread, this includes food pre-packed by the producer for sale from another premises from which that producer conducts business under the same name.
- **Loose/ Non-pre-packed foods** are foods which are sold loose i.e. non wrapped at the point of retail e.g. fruit and vegetables.

The following labelling requirements apply mainly to pre-packed food. Foods which are pre-packed for direct sale or loose are exempt from most of the labelling requirements e.g. bread and flour confectionery (cakes etc). Examples of different types of food products, sold both pre-packed and loose are provided later in this guide. For example, there is a need to declare the presence of any additives in bread, if the product or any ingredients contain genetically modified organism or has been irradiated.

## **NAME OF FOOD**

Where a name has been prescribed by law for a food, that name must be used as the name of the food. A list of prescribed names can be found in Schedule 1 of the Food Labelling Regulations. The prescribed name may also be qualified by a description to make the name more precise. If there is no prescribed name for a food a customary name may be used. A customary name is one which is customary in the area where the food is sold (without need for further description) e.g. “Bakewell Tart”.

If there is no prescribed name or customary name, the name used must be sufficiently precise to inform a purchaser of the true nature of the food. Hence any trade mark, brand name or fancy name is not to be substituted for the name of the food (but may be used in addition to that name). Further detail on these matters can be found in regulations 6 to 11 of the Food Labelling Regulations.

There are specific rules where a food contains an allergenic ingredient.

Reserved Descriptions are also names prescribed in law. This term is given to certain names of products that have been reserved for use with specified food products that must meet specified legal requirements - usually compositional standards. Such foods include meat products, jam, honey, fruit juices, dried milks, coffee products and chocolate products.

## **PROCESS AND TREATMENTS**

The name of the food must include or be accompanied by an indication of its physical condition or treatment which it has undergone (e.g. frozen, previously frozen, pasteurised, sliced etc) where omission of that information could mislead the purchaser.

The names of treatments used must accurately describe the treatments that have been used. For example, a chicken that has been boiled followed by flash roasting, cannot be described as “roasted”.

## INGREDIENTS

### List of Ingredients

A list of ingredients must be headed up using (or including) the word “**Ingredients**”. Ingredients must be listed in descending order according to the weight of each ingredient at the time of preparation. The name of the ingredient given should be the name which would be given to that ingredient if were it to be sold as a food in its own right. For more detail on ingredient lists please refer to The Food Labelling Regulations 1996.

The following products, and products with only one ingredient, do not require an ingredient declaration: fresh fruit and vegetables, including potatoes, which have not been peeled or cut into pieces, flour (to which only required substances have been added), any drink with an alcoholic strength by volume of not more than 1.2 per cent, carbonated water, fermentation vinegars, cheese, butter and fermented milk and cream.

Generally, where an ingredients list is given or required to be given, ingredients are to be listed in descending order of weight (as at the time of use in preparation of the food).

Ingredients that make up less than 2% of the finished product may be listed in a different order after the other ingredients.

If a dehydrated ingredient is used as an ingredient in a product, it may be declared as “reconstituted”, or “rehydrated” and its position will be based on its weight as reconstituted (which will include the weight of water). Alternatively, it may be declared as the dehydrated ingredient and water will be declared separately.

### Added Water

Water used as a food ingredient must generally be shown in a list of ingredients where it exceeds 5% of the finished product. Fresh and frozen chickens are permitted to have between 2% and 7% water present as a result of the absorption of water from the normal process of plucking, spray washing and cooling. This water does not need to be declared on the label but any additional water would have to be declared, further information on this matter can be found in [Regulation 16](#) of the Food Labelling Regulations 1996<sup>4</sup>.

### New European Food Information for Consumers Regulation

As a producer or stall holder, it is important if you are supplying packaged and labelled food to consumers that you are aware of the new EU Regulation covering food labelling and information to consumers. Regulation(EU) No 1169/2011 was published in November 2011 although to give businesses time to adapt to the new rules, most of the requirements will not apply until 2014 with back of pack nutrition labelling becoming mandatory in 2016, see details below. The new rules bring

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<sup>4</sup> <http://www.legislation.gov.uk/uksi/1996/1499/made>

together the EU requirements on general food labelling and nutrition labelling information for consumers.

### **Origin information**

The new Regulation introduces requirements for “Country of Origin” and “Place of Provenance information in the following areas:

- Where failure to provide information might mislead.
- Fresh and frozen meat (pork, lamb, goat and poultry).
- The origin of the primary ingredient where a claim is made.
- Place of Provenance means that it will be possible to use “Scotland”, “England”, “Wales” and “Northern Ireland” or a recognised area therein without also having to mention UK.

The impact of the tightening up of origin rules and how information should be given still has to be discussed by the European Commission.

### **General points**

Some general points in the new Regulation include:

- A minimum font size to be used for giving required essential information e.g. ingredients lists. There are exemptions for small pack sizes.
- Meat and fish products that look like a cut, joint or slice and contain more than 5% added water will have to show this in the name of the food. Similarly, if these products contain added proteins from a different animal origin, this will also be needed in the name of the food.
- If the consumer could be misled, the physical condition e.g. defrosted, re-frozen, powdered etc. will be needed in the name of the food.
- “Use by” and “best before” dates will continue. Food that is beyond a use by date will be classed as unsafe.
- A date of freezing or date of first freezing will be required for meat, meat preparations and unprocessed fishery products.

### **Food allergens**

On food allergens, the need to provide information to consumers will be extended to non-prepacked foods (i.e. loose foods and those packed on the premises for direct sale to consumers). For prepacked foods allergen information will need to be highlighted in the ingredients list, if not already given in the name of the food.

## **Nutrition information**

From 2016, back of pack nutrition information will be required i.e. Energy and the amounts of fat, saturates, carbohydrate, sugars, protein and salt. Information should be given per 100g or 100ml. Front of pack nutrition information will be voluntary and may be supported by traffic light symbols and High – Medium-Low text. It will also be possible to use Percentage Guideline Daily Amounts to support nutrition information given on a per portion basis. Nutrition information may also be given for non-prepacked foods per portion.

## **GLUTEN RULES - COMPOSITION AND LABELLING OF FOODSTUFFS SUITABLE FOR PEOPLE INTOLERANT TO GLUTEN**

Legislation is now in place across the whole of the EU, which governs the use of the labelling terms 'gluten-free' and 'very low gluten'. Prior to this there were no legally defined compositional standards for gluten free foods. Gluten is a protein found in wheat, rye and barley. People with an intolerance to gluten (coeliac disease) need to avoid all food containing gluten.

The Regulation covers all food that makes a claim about its suitability for people with coeliac disease. This means all food products that are labelled as 'gluten-free' or 'very low gluten', sold either prepacked or non prepacked (including catering), must meet the compositional standards.

'Gluten- free' foods must contain no more than 20 parts of gluten in a million. These can be foods that:

- Are specially made for someone with gluten intolerance, by using an ingredient that has been treated to reduce its gluten content (such as bread made with gluten-reduced flour).
- And/or have a gluten-containing ingredient substituted with one that does not contain gluten (such as pasta made with rice instead of wheat).
- Are everyday foods that meet the gluten limit even though they are not specifically made for this purpose (such as a soup made only from vegetables).

'Very low gluten' foods are those that are specifically prepared for people with a gluten intolerance. They must contain no more than 100 parts of gluten in a million and contain an ingredient that has been specifically processed to reduce its gluten content. They may also contain substitute ingredients (such as maize flour which has been substituted for wheat flour).



## **MANNER OF MARKING**

Labelling must be clearly legible, indelible and easy to understand. If the product is being sold to the ultimate consumer, the information must be in a conspicuous place so that it is easily visible. There is no requirement as to the size and type of lettering to be used in labelling (other than required by Weights and Measures legislation). The labelling required by a product must not be hidden or obscured by other words or pictures etc. Certain labelling particulars must be provided in the same field of vision (i.e. it should be visible without having to turn the pack over):

- Name of the food;
- Durability indication;
- Alcoholic strength by volume, if appropriate;
- A warning where the product is skimmed milk with non-milk fat (or any other product capable of being used as a substitute for milk) that it is not suitable for babies;
- Net quantity.

## **FANCY CONFECTIONARY PRODUCTS/ FOODS SOLD IN SMALL PACKAGES**

A fancy confectionery product is one which is in the form of a figure, animal, cigarette or egg, or in any other fancy form<sup>14</sup>. Subject to certain conditions, as specified in the Food Labelling Regulations, individually wrapped fancy confectionery products not enclosed in any further packaging and intended to be sold as single items, do not need to be labelled with any of the particulars specified in regulation 5 (general labelling requirement) of the Food Labelling Regulations except the name of the food.

Individually wrapped fancy confectionery products, as described above, are also exempt from the labelling requirements of regulation 32 (products consisting of skimmed milk together with non-milk fat), regulation 33 (Foods packaged in certain gases), regulation 34 (Foods containing sweeteners and added sugar etc), regulation 34B (foods containing allergenic ingredients) and regulation 34C (confectionery and drinks containing glycyrrhizic acid).

However, if such products contain additives (regulation 24) they must be labelled with the category of additive contained within; and if such products contain ingredients which have been irradiated (regulation 25), the word 'irradiated' must accompany the name of those irradiated ingredients on the label.

## Small packages

Subject to certain conditions, as specified in the Food Labelling Regulations, prepacked food in packaging with a surface of less than 10 square centimetres does not need to be labelled with any of the particulars specified in regulation 5 of the Food Labelling Regulations except the name of the food and, (unless specifically exempt) the appropriate durability indication (e.g. Use-by date). Such products in small packaging, as described above, are also exempt from the labelling requirements of regulations 33, 34 and 34C.

## DATE MARKING

There are two types of date making: **Best Before** dates and **Use By** dates. ‘Best Before’ dates apply to most foods and indicate the period for which a food can be reasonably expected to retail in its optimum condition. ‘Use By’ dates apply to foods which are highly perishable microbiologically and will have a fairly short shelf life, after which the consumption of that food may present a risk of food poisoning.

**Best Before:** the durability indication should be expressed in terms of day, month and year or alternatively given as follows depending on the shelf life of the product:

Less than 3 months	Best Before: day/month
3 to 18 months	Best Before end: month/year
More than 18 months	Best Before end: month/year or year only

The dates can be given either as words e.g. July 2012 or numbers e.g. 07/12, provided it is clear what the numbers refer to i.e. month/year or day/month.

In addition, there is a requirement to detail any storage conditions which need to be followed so the food can reasonably be expected to remain in optimum condition for the designated length of time e.g. keep frozen or store in a cool, dry place.

**Use By:** the durability indication must contain the words “use by” followed by either: -

- Day and month, or
- Day, month and year

The dates can be given either as words e.g. 17 July or numbers e.g. 17/07, provided it is clear what the numbers refer to i.e. month/year or day/month.

There is a requirement to detail the storage conditions which must be followed so that the food can reasonably be expected to remain in optimum condition for the designated length of time, e.g. keep refrigerated.

It is an offence to sell or offer to sell a food after its “Use By” date, or to alter the date code.

## Shelf Life

It is the responsibility of the food manufacturer to establish the shelf life of their products i.e. to ensure that the durability indication is appropriate for that food when held in the designated storage conditions. You may obtain advice on doing this from your local authority. If you are simply extending the range of current products which have a proven track record of shelf life, you may be able to use that shelf life as a guide. Alternatively, you may wish to carry out your own performance and sensory (taste, smell etc.) tests and contract microbiological or chemical tests as appropriate.

## PLACE OF ORIGIN

Details of the place of origin or provenance of a food must be given if failure to do so would mislead the customer as to the true of origin of the food. The origin need not necessarily be the country of origin. This may be important if the name of a place or a country is given in the name of the food, but that place is not the place of origin e.g. Dundee cake. The Food Labelling Regulations 1996 do not define the term 'origin'; or 'provenance'. However, further guidance can be found in the [Country of Origin Labelling Guidance](#)<sup>5</sup>

## MISLEADING DESCRIPTIONS

There are specific controls in place for preventing the use of misleading descriptions. The descriptions which must meet certain criteria are found in Regulation 42 and Schedule 8 of the Food Labelling Regulations: -

- Dietary or dietetic
- Ice cream or dairy ice cream
- Milk
- Starch reduced
- Vitamin
- Alcohol free
- Dealcoholised
- Low alcohol
- Low calorie
- Non alcoholic
- Liqueur
- Indian tonic water or quinine tonic water
- Tonic wine
- Any words or pictures, which implies that the food has the flavour of a food represented.

In addition, cheese and cream products may only be given a particular name if they meet the requirements detailed in Schedule 8 of the Food Labelling Regulations. Meat products (pies, sausages, burgers etc) must comply with particular compositional standards if they are to be known as a "pie", "burger" etc.

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<sup>5</sup> <http://www.food.gov.uk/scotland/regsscotland/regsguidscot/originlabelling>

The word Chocolate may be used (e.g. in the name “chocolate cake”), without any further qualification provided the consumer would not be misled by the description.

### **Avoiding Misleading Labelling in Relation to Origin Labelling**

The true place of origin of a food should always be given if the label, as a whole, would otherwise imply that the food comes from, or has been made in, a different place or area. Consumers are, however, unlikely to expect products such as Chelsea buns, York ham, Madras curry or Frankfurters to come from those areas in the absence of other material on the label suggesting that they do.

Where the label carries other material that may imply origin, the actual country of origin declaration must be sufficiently prominent, precise and compelling to correct any potentially misleading impression to avoid misleading consumers. The sort of information that could lead consumers to attribute a particular place of origin to a food include:

- Use of country or place names in the name of the food or in its trade name, brand name or fancy name;
- Written or illustrative material including maps, flags, emblems (like a shamrock), choice of colour (like the colours of a country's national flag), references to persons associated with a particular place (like ‘John Bull’, ‘Uncle Sam’) and famous landmarks (like the Eiffel Tower, Ben Nevis)

More information can be found on the [Food Standards Agency's website](#)<sup>6</sup>

### **Descriptive Terms**

The Food Advisory Committee undertook a review of the use of descriptive foods terms in order to advise how these terms can be used, without misleading the consumer. Further information on the use of the following terms can be found on the Agency's website.

- Fresh
- Natural
- Pure
- Traditional
- Original
- Authentic/ real
- Home-made
- Farmhouse
- Farmhouse Pate
- Hand-made
- Premium, Finest Quality and Best

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<sup>6</sup> [www.food.gov.uk](http://www.food.gov.uk)

The following information should be considered if businesses/producers wish to use the above terms for their produce and products:

- foods should be sold without deceit and therefore should be labelled and advertised so as to enable a prospective purchaser to make a fair and informed choice, based on clear and informative labelling;
- a food must be able to fulfil the claim being made for it and therefore adequate information must be available to show that the claim is justified;
- where the use of the marketing term is potentially ambiguous or imprecise, the likely understanding of the ‘average’ consumer is a good benchmark;
- claims should allow fair comparison and competition between products, sectors and traders.

[FSA Guidance Notes - Criteria for the use of the terms fresh, pure, natural etc. in food labelling](#)<sup>7</sup>

## ALLERGENS

All pre-packed food products require the following 14 most common allergens, and their derivatives, to be declared even where the allergen is no longer present in its original form. There is no requirement to label allergens for products that are pre-packed for direct sale or loose although this has been the subject of consultation due to industry pressure, and may be amended in the future. If an ingredient is otherwise exempt from labelling, the allergens labelling requirements override this and still require to be declared.

The allergens are: -

### Schedule AA1

1. Cereals containing gluten (i.e. wheat, rye, barley, oats, spelt, kamut or their hybridised strains), except:
  - (a) wheat-based glucose syrups including dextrose(\*);
  - (b) wheat-based maltodextrins(\*);
  - (c) glucose syrups based on barley;
  - (d) cereals used for making distillates or ethyl alcohol of agricultural origin or spirit drinks and other alcoholic beverages.
2. Crustaceans.
3. Eggs.

<sup>7</sup> <http://www.food.gov.uk/multimedia/pdfs/markcritguidance.pdf>

4. Fish, except:
  - (a) fish gelatine used as a carrier for vitamin or carotenoid preparations;
  - (b) fish gelatine or isinglass used as a fining agent in beer and wine.
5. Peanuts
6. Soybeans, except:
  - (a) fully refined soybean oil and fat(\*);
  - (b) natural mixed tocopherols (E306), natural D-alpha tocopherol, natural D-alpha tocopherol acetate, natural D-alpha tocopherol succinate from soybean sources;
  - (c) vegetable oils derived from phytosterols and phytosterol esters from soybean sources;
  - (d) plant stanol esters produced from vegetable oil sterols from soybean sources.
7. Milk (including lactose), except:
  - (a) whey used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages;
  - (b) lactitol.
8. Nuts, i.e. almonds (*Amygdalus communis* L.), hazelnuts (*Corylus avellana*), walnuts (*Juglans regia*), cashews (*Anacardium occidentale*), Pecan nuts (*Carya illinoensis* (Wangenh.) K.Koch), Brazil nut (*Bertholletia excelsa*), Pistachio nut (*Pistacia vera*), Macadamia nut and Queensland nut (*Macadamia ternifolia*), except:
  - (a) nuts used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages.
9. Celery
10. Mustard.
11. Sesame seeds.
12. Sulphur dioxide and sulphites at concentrations of more than 10mg/kg or 10 mg/litre expressed as SO<sub>2</sub>.
13. Lupin
14. Molluscs

The Food Labelling (Declaration of Allergens) (Scotland) Regulations 2008 also repealed the following legislation

- Food Labelling (Amendment No. 2) (Scotland) Regulations 2005 SSI No. 396
- Food Labelling (Amendment No. 2) (Amendment) (Scotland) Regulations 2005 SSI No. 475
- Food Labelling (Declaration of Allergens) (Scotland) Regulations 2007 (SSI. No.498)

*“\*” The exception only applies to products derived from these products in so far as the process they have undergone is not likely to increase the level of allergenicity assessed by the European Food Safety Authority for the relevant product from which they originated.*

The provisions for allergen labelling within the Food Labelling Regulations 1996 (SI No. 1499) were amended by the Food Labelling (Declaration of Allergens) (Scotland) Regulations 2008 (SSI No. 180), by inserting the above new Schedule AA1 “Allergenic Ingredient”. The regulation required that where any food containing any allergenic ingredient or any ingredient originating from an allergenic ingredient referred to in the new Schedule AA1, and did not specify the allergenic ingredient in the name of the food, that food must be marked or labelled with a clear reference to the name of the allergenic ingredient concerned.

The [FSA guidance on allergen management and consumer information](#)<sup>8</sup> provides best practice with particular reference to avoiding cross-contamination and using appropriate advisory labelling (e.g. may contain labelling).

## **NAME AND ADDRESS**

- The food must be marked or labelled with the name or business name, and
- an address or registered office of either or both of the manufacturer or packer, or the seller established within the EU.

## **Instructions for Use**

Instructions for use must be given if it would be difficult to make appropriate use of the food without them.

## **Special Storage Conditions or Conditions Of Use**

Special storage conditions or conditions of use should be given, for example, if:

- The consumer would need to follow certain practices once the packaging is opened (e.g. once open, keep refrigerated and consume within 3 days);
- If there are various options for storage e.g. suitable for home freezing;

<sup>8</sup> <http://www.food.gov.uk/multimedia/pdfs/maycontainguide.pdf>

- If the foods are not suitable for use in certain circumstances (e.g. not suitable for frying, shake well before use).

## **QUID (QUANTITATIVE INGREDIENT DECLARATIONS)**

With the exception of meat products, QUID applies only to pre-packed food. Where meat products are sold loose or pre packed for direct sale from a retail outlet a QUID declaration would be required. However, QUID declarations in meat products are required only for those ingredients that fall within the definition of meat.

(See section on meat products and meat preparations for the definition of “meat” and further details on QUID labelling).

In relation to pre-packed foods, a QUID declaration is required when:

- the ingredient is included in the name of the food (e.g. Banana cake) or is usually associated with that name by the consumer;
- the category of ingredients is included in the name of the food (e.g. Fruit slice) or is usually associated with that name by the consumer;
- the ingredient or category of ingredients is emphasised by words, pictures or graphics (e.g. “made with real butter”, picture of raspberries in a mixed fruit yoghurt);
- the ingredient or category of ingredients is essential to characterise a food and to distinguish it from products with which it might be confused because of its name or appearance.

It is a requirement to provide, either within the name of the food, or within the ingredient list, the quantity of that defining ingredient e.g. banana in a banana cake.

For example: -

- WITHIN THE PRODUCT NAME: “Banana Cake (contains 15% banana)”, or
- WITHIN THE INGREDIENTS LIST: “Wheat flour, vegetable fat, sugar, banana (15%), egg,”

<http://www.food.gov.uk/foodindustry/guidancenotes/labelregsguidance/quidguid>



## ADDITIVES

Additives must be listed within the list of ingredients on a pre-packed food. However, subject to allergen labelling rules, there are some exemptions (regulation 17 of the Food Labelling Regulations). Foods which do not need a list of ingredients (pre-packed for direct sale and unwrapped foods) are still required to be marked or labelled with any additives. Additives may be declared as their name (e.g. annatto) or by their serial number (e.g. E160 (b)) and must be accompanied by the category of the additive (e.g. colour). Note, a list of the categories of additives can be found in Schedule 4 of the Food Labelling Regulations. Information about food additives can be found in [The Food Additives \(Scotland\) Regulations 2009](#)<sup>9</sup> (SSI 436 2009)

These regulations control the use and sale of food additives, set out labelling requirements for business and consumer sales of food additives, and introduce a requirement for a warning label if certain colours are used in foods. They also require food additives to comply with relevant EU purity criteria.

For additives contained within edible ices and flour confectionery (cakes etc), which are packed in a crimp case only or in wholly transparent packaging, a notice displayed in a prominent position near the product stating that the products may contain specified categories of additives is sufficient.

### Southampton 6 Colours

In recent years food containing synthetic colours has been increasingly avoided by consumers, partly due to an increased trend to avoid foods containing artificial additives and the perceived link between the consumption of certain azo-dyes and their effect on childhood behaviour. Certain azo-dyes have become known as the “Southampton 6” and they are as follows: -

- Sunset yellow FCF (E110) – provides an orange shade
- Quinoline yellow (E104) – provides a yellow shade
- Carmoisine (E122) – Provides a yellow shade
- Allura red (129) – provides a red shade
- Tartrazine (E102) – provides an orange shade
- Ponceau 4R (E124) – provides a red shade

UK industry was asked to voluntarily remove these colours from their food and drink products by December 2009. Under EU legislation a mandatory warning label for food and drink containing one or more of the six colours was required for products placed on the market from July 2010 – exemptions are where the colour(s) has been used solely for the purposes of health and other marking on meat products or for stamping or decorative colouring on eggshells (also alcoholic drinks over 1.2% alcohol by volume).

Foods that are currently not required to label either the name or E number or the category of additive used in the product will not need to have the additional EU labelling referred to above.

<sup>9</sup> <http://www.legislation.gov.uk/ssi/2009/436/contents/made>

## Flavours

Flavours can be added to food but the type of flavour added will determine how the product will be described. Using the example of raspberry yoghurt: -

- **Artificial flavours:** if an artificial raspberry flavour has been used, the name of the product shall be “Raspberry flavour yoghurt”. It is not permissible to have a picture of raspberries on the pot, as this would imply that the flavour came from natural raspberries.
- **Natural flavour:** if a natural raspberry flavour or raspberries were used to flavour the yoghurt, the name of the product can be “Raspberry yoghurt” or “Raspberry flavoured yoghurt”, provided, the flavour comes wholly or mainly from the food described. It would be permissible to have a picture of raspberries on the pot.

## Compound Ingredients

Compound ingredients are ingredients within a food, which are food themselves made up of two or more individual ingredients, for example, bread in a sandwich. Subject to certain exceptions, it is necessary to declare the ingredients of the compound ingredient within the ingredient list of the product. The exceptions for declaring compound ingredients are: -

- If the compound ingredients makes up less than 2% of the finished product and the composition of that compound ingredient is already defined in EC law e.g. spreadable fats, fruit jams, cocoa and chocolate products;
- If the compound ingredients makes up less than 2% of the finished product and is made up of a mixture of herbs or spices or both;
- If the compound ingredient is identified in the list of ingredients by a generic name – see Regulation 14(4) and Schedule 3 of the [Food Labelling Regulations](#)<sup>10</sup>.

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<sup>10</sup> <http://www.legislation.gov.uk/ukxi/1996/1499/contents/made>

**NUTRITIONAL INFORMATION**

Nutritional labelling is only required if a nutritional claim is made (e.g. low fat, high fibre). However, a number of pre-packed products are labelled with nutritional information on a voluntary basis. In either case, if nutritional information is given, it must be provided in a designated format. It shall take one of two formats determined by which nutrient is subject to a claim.

**Group 1**

Energy x kJ and x kcal  
 Protein x g  
 Carbohydrate x g  
 Fat x g

**Group 2**

Energy x kJ and x kcal  
 Protein x g  
 Carbohydrate x g  
 Of which sugars x g  
 Fat x g  
 Of which saturates x g  
 Fibre x g  
 Sodium x g

**Other Nutrients which may be Declared**

The following nutrients can be included in a nutrition declaration on a voluntary basis, but must be declared if a claim about them is made. The table is a summary of the requirements:

Sugars\*  
 Polyols  
 Starch  
 Saturates\*  
 Mono-unsaturates\*\*  
 Polyunsaturates\*\*  
 Cholesterol\*\*  
 Fibre\*  
 Sodium\*  
 Vitamins\*\*\*  
 Minerals\*\*\*

\* If any of these items are declared in the nutrition information, they must all be declared appropriately by referring to the correct section of the Food Labelling Regulations 1996

\*\* When one of these is declared, saturates must also be declared.

\*\*\* Only vitamins and minerals listed in Schedule 6 of the Food Labelling Regulations can be declared, and they must be present in significant amounts. A significant amount means 15% of the recommended daily allowance supplied by 100g or 100ml of a food or per package if the package contains only a single portion.

- **Nutrients not covered above**

Any nutrient not listed above can only be declared if a claim has been made about it, in which case its declaration as part of nutrition labelling becomes compulsory, e.g. fructose or trans fatty acids.

Nutritional information must be given in amounts per 100g or 100ml and, if required, either as a serving of the food (quantity to be declared) or a portion of the food (provided the total number of portions in the food is given).

- **Health Claims**

The Nutrition and Health Claims (Scotland) Regulations 2007 now cover claims on foods. Only health claims that are listed in the Community Register can be used on food and only if the product meets specific conditions of use as well as the requirements of the Regulations.

The [FSA Official Guidance on Nutrition Labelling](#)<sup>11</sup> details guidance on layout terminology definitions, conversion factors etc. and it is strongly recommended that this guidance is consulted.

## **ORGANICS**

Products can only be labelled and advertised as organic products if they comply with the requirements of Council Regulation (EEC) No. 2092/91 and the Organic Products Regulations 2004. If they are organic, the following information should be included on the label: -

- A reference to the code number of the inspection authority or private inspection body to which the producer is subject
- The organic ingredients in the ingredient list are detailed as organic in the same colour and font size as the other ingredients.

Further information should be obtained from your local authority or your inspection scheme.

### **EU Organic Logo**

In 2010 the EU organic logo has appeared on pre-packed organic foods. The “Euro-leaf” will help to reassure consumers that products are of genuine organic origin, and of a quality that is standardized throughout the EU:

[ec.europa.eu/unitedkingdom/press/frontpage/100208\\_en.htm](http://ec.europa.eu/unitedkingdom/press/frontpage/100208_en.htm)

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<sup>11</sup> <http://www.food.gov.uk/multimedia/pdfs/nutlabel2.pdf>

## **GENETICALLY MODIFIED ORGANISMS (GMO)**

For products consisting of, or containing genetically modified organisms, the products must be labelled as such. However, labelling is not required for:

- small amounts of genetically modified (GM) ingredients, below 0.9%, that are adventitiously present in non-GM food;
- food from animals, such as meat, milk, eggs, that have been given GM feed;
- food produced with help from a GM processing aid, such as chymosin, which is used to make some hard cheeses.

Some food manufacturers label their food as 'GM-free'. However, there is no legally agreed definition in Europe of what this term means. Any food on sale labelled 'GM-free' is subject to the general requirements of food law, in particular the Food Safety Act 1990. This Act makes it an offence to describe, by way of labelling or advertising, a food falsely, or in a way likely to mislead as to its nature, substance or quality.

## **IRRADIATED FOODS OR FOODS CONTAINING IRRADIATED INGREDIENTS**

Such foods must be marked or labelled with an indication that the ingredient has been irradiated by having the words "irradiated" or "treated with ionising radiation" alongside the ingredient name.

## **RAW MILK**

The sale of raw milk from all farmed animals is prohibited in Scotland (The Food Hygiene (Scotland) Regulations 2006, SSI 2006/3, Schedule 6). Raw milk products e.g. cheese made with unpasteurised milk must be labelled with the words: "made with raw milk".

## **PACKAGING GASES**

If the shelf life of a food product has been extended by the use of authorised packaging gases, then the declaration "Packaged in a protective atmosphere" must be given.

## **SWEETENERS**

A food containing a sweetener, provided it is authorised as a sweetener, shall be labelled "with sweetener(s)". If the food contains both sugars and sweeteners then it should be labelled "with sugar(s) and sweetener(s)". These declarations should accompany the name of the food.

## SKIMMED MILK WITH NON-MILK FAT

Any product containing skimmed milk together with non-milk fat and which may be used as a substitute for milk must be labelled prominently with a warning that the product is unfit for babies (see Manner of Marking section).

## SEASONAL SELECTION PACKS

Seasonal selection packs are packs which contain two or more different items of food which are wholly or partly enclosed in outer packaging decorated with seasonal designs. Provided the items of food contained with the selection pack are individually packed and have been marked or labelled in accordance with the Food Labelling Regulations (or any other applicable regulations), there is no need for this information to be repeated on the outer packaging of the seasonal selection pack.

## PRODUCT SPECIFIC LABELLING REQUIREMENTS

This section covers labelling requirements, which are specific to particular products. We have tried to cover the products most commonly found at farmers markets but it is possible that a product you intend to sell has not been included. In this instance you should therefore contact your local Environmental Health Service.

## PRODUCTS OF ANIMAL ORIGIN

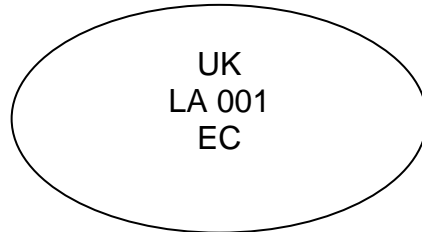
This section summarises the over-arching labelling of products of animal origin. Examples include: -

- Fresh meat, game and poultry
- Meat products e.g. bacon, meat pies
- Meat preparations e.g. sausages, burgers
- Dairy e.g. cheese, yoghurt
- Eggs
- Fish and shellfish

The establishment in which products of animal origin are produced are likely to require approval. – **‘Farm Supplied Produce’ of the Food Safety Guide for Farmers Markets in Scotland** for further information see the details at the end of this section.

Products that are produced in an approved establishment shall be labelled with the Identification Mark (ID Mark) of that establishment. This is a unique number allocated by the local authority (or Food Standards Agency in the case of fresh meat plants). The number aids traceability and enables enforcement officers to identify premises where the food was processed and/or packaged. The ID Mark must be provided on a label or on a consignment note that accompanies the food and in the format prescribed by the Regulations governing the sale of these products. Typically, it will look like this: -

Previously, "Identification Marks" were known as health marks. Now, the term "health marks" is used to describe only the mark which is applied directly to carcasses, under official veterinary supervision, at approved slaughterhouses and approved game handling establishments.



### **FRESH MEAT (INCLUDING GAME)**

Fresh meat and game, other than beef which is described below, is subject to labelling if pre-packed. It is subject to the general food labelling requirements described in the introduction of this guide.

## THE BEEF LABELLING SCHEME

The Beef Labelling Scheme is a European Union (EU) wide system which is intended to provide consumers with clear, accurate information about the beef (including veal) that they are buying. The Scheme is administered in Scotland by the Scottish Government contact details are supplied in this document.

Compulsory beef labelling applies to fresh and frozen beef and veal at all stages of production from slaughterhouse to retailer. The Beef Labelling (Enforcement) (Scotland) Regulations 2011 [SSI 2011/252] provide the means for enforcement of the system in Scotland.

The labelling of beef (and veal) at processor and retail level is governed by EU Beef and Veal labelling (Scotland) Regulations 2010. In addition to ensuring traceability, this EU-wide labelling is intended to provide consumers with clear, reliable information about the beef they are buying. Information must be provided on country of birth, rearing and Slaughtering at member state level.

Businesses must supply specific compulsory information giving references and codes to ensure traceability of the beef back to its source. The Scheme has two aims:

- to provide customer information, and
- to ensure traceability

Businesses must provide information that states the countries of birth and rearing (EU or third country); and where the beef was slaughtered and cut. As provision of this information is mandatory, you do not need to apply to the Scottish Government for its approval. All other labelling claims you wish to make about the origin, type and method of production of the beef you sell require approval, by Scottish Government, under the Beef Labelling Scheme.

The type(s) of beef which must comply with the rules includes whole or part carcasses, cuts and joints e.g. fresh or frozen sirloin, rump steak, etc. and mince and uncooked beef burger patty with no added ingredients. It does not include uncooked beef that has been seasoned in depth or seasoned on the surface of the product, where it is visible to the eye or clearly distinguishable by taste. Neither does it include beef and veal which have been incorporated into processed products.

Pre-wrapped beef must be labelled with the required information on its packaging. If packages are grouped together in boxes or cartons then the information can be shown on the box or carton, rather than individual packages. If the package is split then the information must be transferred to the individual packages. For non pre-wrapped meat sold to the customers e.g. shoppers, caterers, etc. the information must be on the meat tray or be displayed within the shop e.g. on a ticket close to the beef or on a sign visible to the customer. It must be obvious to customers what labelling information applies to which beef. The relevant European legislation is Commission Regulation No. 1760/2000 and Commission Regulation No.1825/2000.



The Beef Labelling Scheme requires that written information must be given to customers at the point of sale. This includes information given on packaging material and on labels near the product. It also includes information given at the points of sale in advertisements, posters, announcements and leaflets associated with the product. Information given by word of mouth is not covered, although it is an offence under other legislation to mislead the consumer. Information conveyed by pictures or symbols may require approval too. A summary of the significant definitions is provided below and an example of the information that should appear on a label attached to a pre-packed piece of beef is shown at the end of this section.

**A. Compulsory Information** which must accompany beef and veal includes;

- **Reference number/code** - this is a traceability reference number or reference code which ensures the link between the animal or group of animals from which it is derived. (For a retail outlet, any reference number or code enabling traceability can be used provided there is a link through your register and documentation to your supplier's reference number/code).
- **Member state or third country where the animal or group of animals were born** - this must be a single member state or single third country. A regional name e.g. 'Aberdeenshire' or 'Scotland' is not enough. Meat from animals born in different countries cannot be together in the same batch.
- **Member state or third country where the animal or group of animals were raised** - this must include all of the countries where the animal lived between birth and slaughter and each animal in a group must have lived in each of the countries listed. If the animal spent less than 30 days immediately after birth in the country of birth, then you do not have to list it. Similarly if the animal spent less than 30 days immediately before slaughter in the country of slaughter then you do not have to list that country on the label as a country of rearing.

If beef was derived from animals that were born, raised and slaughtered in the same country, then separate details are not needed. It is enough to state 'Origin; name of member state or third country', e.g. 'British beef – origin: UK' and the label would have to show 'slaughtered in the UK (licence number), cut in UK (licence number(s))' together with the reference number/code.

- **Member state or third country of slaughter** - labelling must include the words 'slaughtered in (name of member state or third country)'. This must be a single member state or third country.
- **Licence (approval – for premises inspected after December 2005) number of the slaughterhouse** - this is the licence (approval) number which has been granted to the establishment by the Food Standards Agency (UK plants) and which appears on the health mark stamp.
- **Licence (approval) number of the cutting plant** - this is the licence (approval) number which has been granted to the establishment by the Food Standards Agency (UK plants) and which appears on the operator's

identification mark. The labelling must also include the Member State or third country in which the plant is established.

### **Meat from animals aged 12 months or less**

When labelling meat from animals aged 12 months or less at slaughter, additional indications must be made:

- Age on slaughter: up to 8 months (or V) and Veal; or
- Age on slaughter: from 8 to 12 months (or Z) and Beef

### **Labelling of Beef Mince**

**Mince** must be labelled with the following indications:

- **The reference number/code** - this traces back to the source animal, group of animals or batches of beef used for mincing.
- **The member state or third country of slaughter** - beef minced in UK may be derived from animals slaughtered in more than one country but not more than two countries. Labelling must include the words 'slaughtered in (names of countries)'.  
• **The member state or third country of mincing** - mince must show the country where the beef was minced. The batch must be minced in only one country. Labelling must include the words "minced in (name of country)".

You should be aware that machines must be cleaned between mincing of batches where animals have been slaughtered in a different country or mix of two countries.

If different from the country of mincing, all the countries where the animals lived must be indicated. The label must include the words 'Origin: name of member state or third country' or if non-EU then 'origin non-EC'. This information does not have to be shown if the country of mincing is the same as the country of origin.

## **B. Non-Compulsory Information Requiring Approval**

Non-compulsory information labelling requires to be approved by an independent verifier before it can be used. The following are examples of information for which approval is needed:

- region or local origin where the animal was born and reared
- breed or crossbreed
- age or sex of the animal
- method of production e.g. organic, farm assured, grass assured, grass-fed, etc.
- method of slaughter e.g. halal, kosher, etc.
- date of slaughter
- method or length of maturation.

*If you label your beef with this type of information you must ensure that it is common to all animals/meat from which it was sourced. Terms must be clear to your customers.*

If you cannot guarantee that all your labelling is accurate and common to all meat or animals from which the beef is sourced, then your application may not be approved.

### **Verification**

You are required to employ an independent verifier, accredited to European Standard EN45011, who will check your traceability system to ensure that your labelling information is true. This verifier must be employed at your expense. The verifier must be allowed access to the premises at all times to check records and systems of work. Verification must cover all outlets at which you intend to sell beef.

### **Application for Approval**

To apply for approval of labelling you should apply for an application pack and return the completed application to:

The Beef Labelling Section  
Scottish Government Livestock Policy Branch  
B1 Spur  
Saughton House  
Broomhouse Drive  
Edinburgh, EH11 3XD

Telephone number: 0330-244-9290

A list of independent verifiers can also be obtained from this address.

### **C. Non-Compulsory Information Not Requiring Approval**

Besides non-compulsory labelling not requiring approval, any information that can be easily checked at the point of sale also does not need approval. This includes:

- name of the product or cut
- the weight of the product
- the 'best before' or 'use-by' dates
- storage conditions or conditions of use
- instructions for use
- name and address of manufacturer, packer, seller etc.
- details of any atmospheric packaging
- health marks.

The provision of the above information is normally required for compliance with other legislation that governs the sale of food.

### **In- House Traceability**

All operators in the supply chain must operate a system of recording which will link animals/beef to reference numbers/codes of the beef sold. The information it should contain depends on the nature of the business. It should record the reception and despatch of each carcass, part-carcass, primal cut, etc.

Examples of what may be included are:

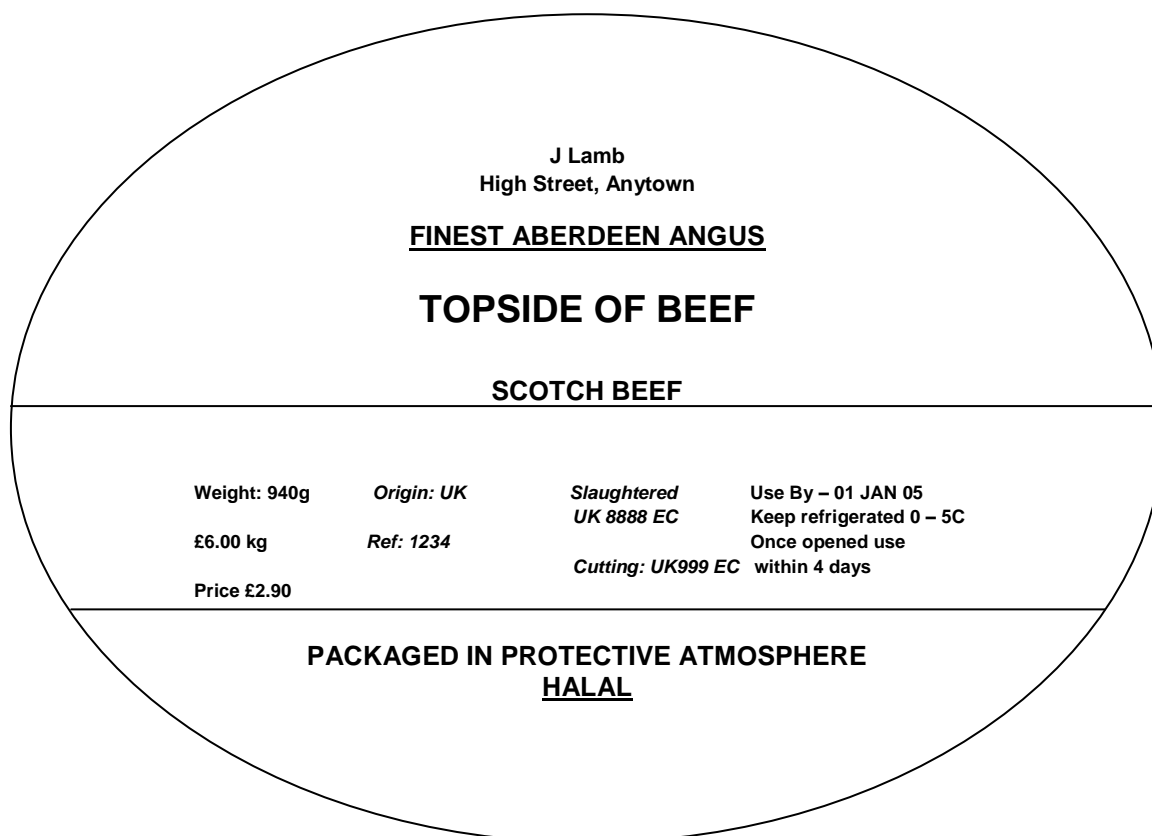
- intake date
- name of supplier
- delivery note details
- kill date
- weight
- UK ear tag/cattle passport number or reference code
- product (cut)
- tray number or colour
- date displayed
- reference numbers/codes
- compulsory labelling.

### **Further Information:**

[The Beef and Veal Labelling \(Scotland\) Regulations 2010](#)<sup>12</sup>

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<sup>12</sup> [www.legislation.gov.uk/ssi/2010/402/contents/made](http://www.legislation.gov.uk/ssi/2010/402/contents/made)



**Italics** = Compulsory Information – see Section A above

**Underlined** = Non-Compulsory Information Requiring Approval – see Section B above

Details of Non-Compulsory Information **not** Requiring Approval – see Section C above

An example of the consumer information that should be provided on a label attached to a Beef Cut/Joint where it has been pre-packed by a business other than your own or where it is packed by you but intended to be sold from premises other than your own. This is referred to as “**Pre-packed**”.

## POULTRY MEAT

The **Poultrymeat Marketing Standards** apply to fresh, chilled, frozen or quick frozen whole carcasses, parts and offal of the following species of poultry only (other areas of legislation may have a wider interpretation of 'poultry'):

- Domestic fowl (*Gallus domesticus*) (e.g. meat (broiler) chickens, laying hens, etc)
- Ducks
- Geese
- Turkeys
- and Guinea fowls.

### The following products are not covered:

- Prepared or preserved poultry (e.g. cooked, processed, treated or value added products/recipe dishes);
- Poultrymeat intended for export from the EC;
- Sale from farms with an annual production of under 10,000 birds, providing the farmer supplies fresh poultrymeat from the holding direct to the final consumer or to local retail establishments directly supplying to the final consumer; or
- New York Dressed poultry (i.e. delayed evisceration poultry, such as Traditional Farm Fresh turkeys).

**NOTE:** The above would, if pre-packed still have to comply with the Food Labelling Regulations 1996 Marketing Standards.

## MARKETING STANDARDS

The Poultrymeat Marketing Standards were adopted to facilitate harmonised standards throughout the EU for the marketing of poultrymeat intended for human consumption. They relate in particular to the classification by quality, weight, packaging (including labelling), water content and storage.

In this guide, the term "Poultrymeat Marketing Standards" refers to Council Regulation (EEC) No. 1906/90 on certain marketing standards for poultrymeat and Commission Regulation (EEC) No. 1538/91 introducing detailed rules for implementing (EEC) No. 1906/90.

## SPECIAL MARKETING TERM (SMT)

Poultrymeat marketing standards allow optional indications of certain alternative farming methods, often referred to as Special Marketing Terms (SMT's).

These specify the criteria which must be met before claims about certain types of farming can be made. The standards seek to protect the consumer by setting high uniform standards and providing informative labelling. They also protect the producer against unfair competition.

An example of a SMT would be '**Free Range**' on pre-packed poultrymeat. In order to comply with this claim, the producer must comply with the criteria set out in the Poultrymeat Marketing Standards. The same would apply to terms such as 'Organic', 'Corn Fed' and 'Traditional Free Range'.

More detailed information and guidance is available at [www.defra.gov.uk](http://www.defra.gov.uk).



**NOTE:** A ticket or sign showing the name e.g. Fresh Whole Chicken with weight would be sufficient when displayed for sale.

**The Poultrymeat (Scotland) Regulations 2011 (SSI 318)** introduce statutory controls on the marketing of poultry meat following changes agreed at EU level. The regulations revoke the Poultry Meat (Water Content) (Scotland) Regulations 1983 and the Poultry Meat (Water Content) (Scotland) (Amendment) Regulations. The regulations will apply to those involved in the production, slaughter, processing, and sale.

## MEAT PRODUCTS AND MEAT PREPARATIONS

The Food Labelling Regulations 1996, and subsequent amendments, now reflect the revised EC definition of “meat”. In tandem with The Meat Products (Scotland) Regulations 2004 [SSI 2004/6], these Regulations lay down the requirements for the composition and labelling of meat products and meat preparations. Examples of the information that should appear on a label attached to a pre-packed meat product or a meat preparation are shown at the end of this section. A summary of the significant definitions is provided below:

- **Meat** is defined as skeletal muscle with naturally adherent fat and connective tissue. Details are provided in Schedule 3 of The Food Labelling Regulations 1996, as amended in 2002 and 2006.
- **Mechanically Recovered Meat and Offal** are excluded from the definition of EC meat content and must be identified by their species name(s) and be declared appropriately in the ingredients list of pre-packed meat products e.g. Mechanically Recovered Beef, Beef Heart etc.

The use of the **generic terms** Meat and Offal is prohibited - these must be identified by their species name from which they are derived.

- **Reserved Descriptions** for specified meat products and meat preparations have been retained but the minimum meat content requirements for these have been reduced. Details are provided in Schedule 2 of The Meat Products (Scotland) Regulations 2004.
- **Maximum Limits** have been introduced for the inclusion of associated Fat and Connective Tissue. All Excess Fat and/or Excess Connective Tissue must be declared appropriately in the product ingredient list e.g. Beef Fat, Beef Connective Tissue,
- **QUID** (Quantitative Ingredient Declarations) has replaced the term “minimum meat content”. All species and amounts of meat included in a food must be declared e.g. Beef (X %), Lamb (X %) etc.
- **Calculation of the actual meat** quantity can be done by visual lean (VL) assessment but should be verified by proper scientific analysis. For example, where the visual lean for Pork is assessed at 50VL the amount of actual EC meat for calculation purposes in terms of QUID is 66% (see table on the next page.)

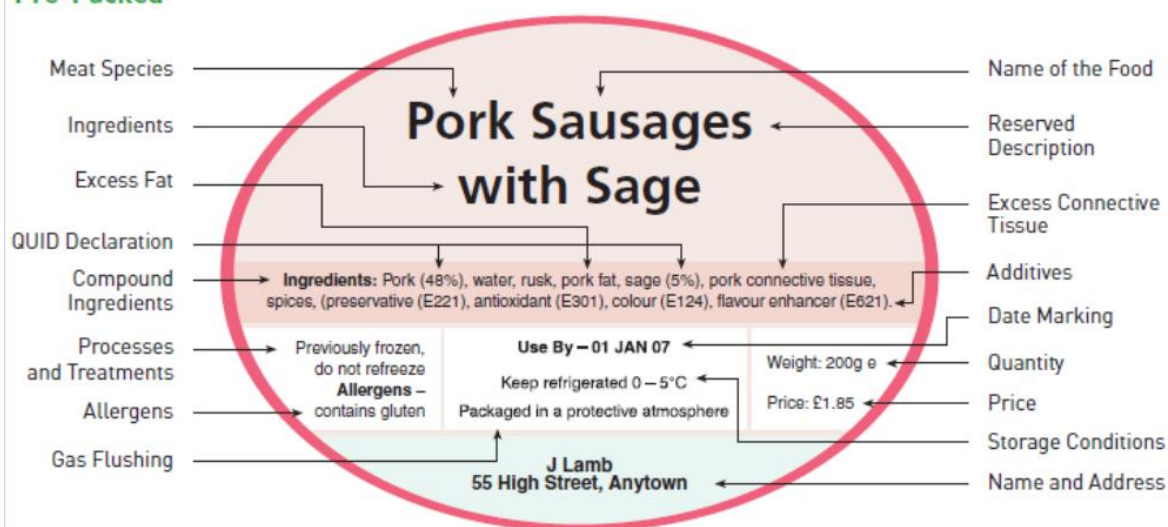


The Food Labelling Regulations 1996 have been extensively amended, but for meat the relevant amending instruments are SSI 2002/554 and SSI 2006/3.

How much of my meat ingredients count as EC meat		
Visual Lean (VL %)	Pork (%)	All other mammals (inc. Beef and Lamb) (%)
100	100	100
95	100	100
90	100	100
85	100	100
80	100	96
75	96	90
70	90	84
65	84	78
60	78	72
55	72	66
50	66	60

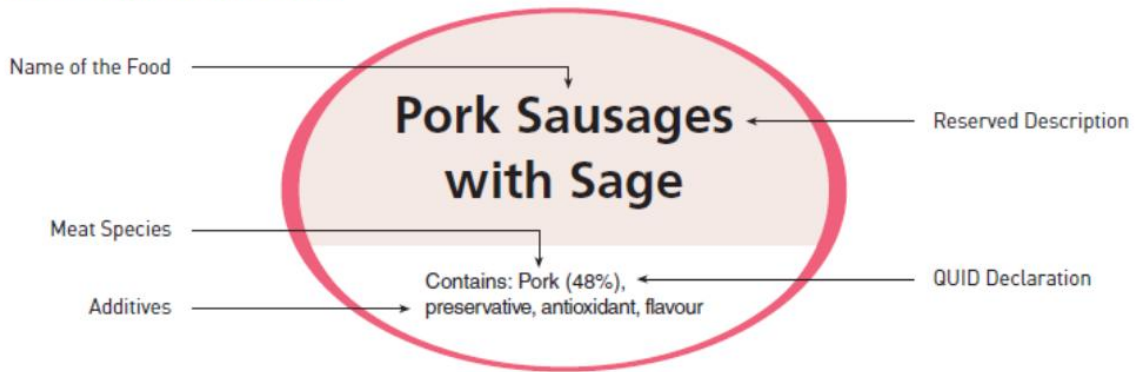
This is a complex subject, and further information should be obtained from your local Environmental Health Service. Alternatively, you can refer to the [FSA Guidance on Labelling and Composition of Meat Products](#)<sup>13</sup> for further advice: -

### Pork Sausages with Sage – Pre-Packed

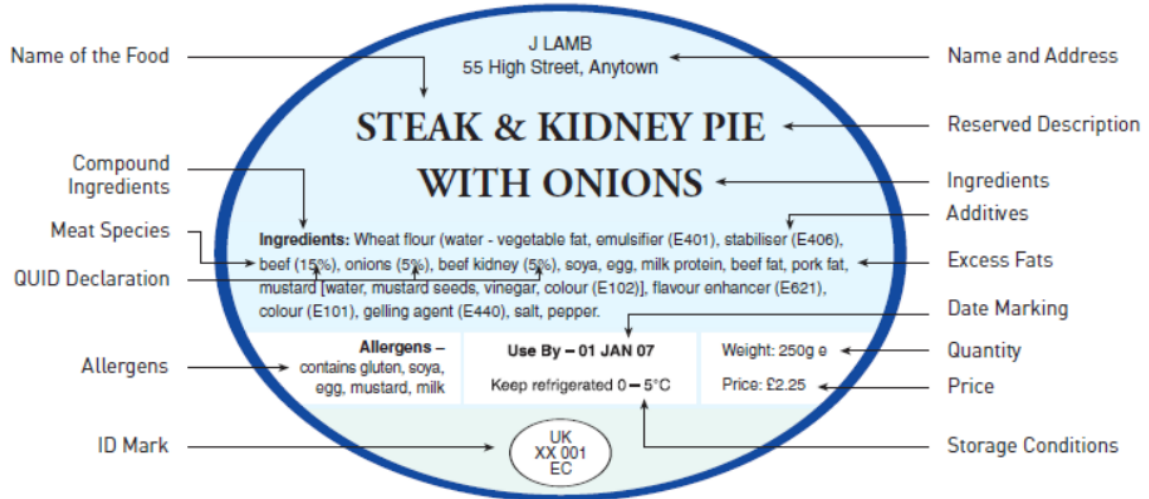


<sup>13</sup> [www.food.gov.uk/multimedia/pdfs/meatguidance.pdf](http://www.food.gov.uk/multimedia/pdfs/meatguidance.pdf)

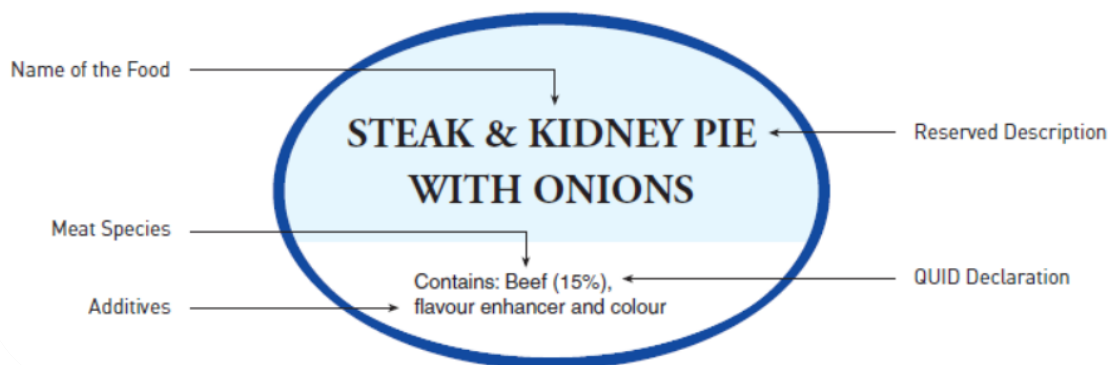
**Pork Sausages with Sage –  
Pre-Packed for Direct Sale**



**Meat Pie –  
Pre-Packed**



**Meat Pie –  
Pre-Packed for Direct Sale**



## EU PROTECTED FOOD NAME SCHEME

The EU Protected Food Name Scheme identifies regional and traditional foods whose authenticity and origin can be guaranteed. Under this system a named food or drink (separate arrangements exist for wines and spirits) registered at a European level will be given legal protection against imitation throughout the EU.

The rules allow for 3 types of registration-

### **PDO (Protected Designation of Origin)**

Open to products which are produced, processed **and** prepared within a particular geographical area, and with features and characteristics which must be due to the geographical area – examples include Parmesan Cheese, Orkney Beef, Shetland Lamb

### **PGI (Protected Geographical Indication)**

Open to products which must be produced **or** processed **or** prepared within the geographical area and have a reputation, features or certain qualities attributable to that area. – examples include Scottish Farmed Salmon, Scotch Beef, Arbroath Smokies

### **TSG (Traditional Speciality Guaranteed)**

Open to products which are traditional or have customary names and have a set of features which distinguish them from other similar products. These features must not be due to the geographical area the product is produced in nor entirely based on technical advances in the method of production – eg Traditionally Farmed Gloucestershire Old Spot Pork

[http://ec.europa.eu/agriculture/publi/fact/quality/2007\\_en.pdf](http://ec.europa.eu/agriculture/publi/fact/quality/2007_en.pdf)

The European Commission keeps an up to date register of all PDO's, PGI's and TSG's. Details can be found on the [Europa website](#).

Further information on the scheme can be found on the Scottish Government Website:

<http://www.scotland.gov.uk/Topics/Business-Industry/Food-Industry/national-strategy/rep/PFNs>

## EGGS

This guidance summarises the labelling requirements of the European Community's Egg Marketing Regulations.

In Scotland these are: The Eggs and Chicks (Scotland) (NO.2) Regulations 2008 as amended – SSI 2008 No.395. These regulations implement Council Regulation (EC No 1234/2007 and Commission Regulation (EC) 589/2008 as amended

### Stamping of eggs

A code showing the producer's distinguishing number and farming method is to be stamped on all Class A eggs and ungraded eggs sold at local public markets, either on farm or at the packing station. The code will comprise the following:

Digits 0, 1, 2 or 3 to indicate production method;

- 0** – for organic egg production;
- 1** – for free-range egg production;
- 2** – for barn egg production; and
- 3** – for cage egg production.

followed by the code for the country of production. This is '**UK**' for eggs produced in the United Kingdom; followed by the packing centre number e.g. **7**, then the individual producers registration number e.g. '**123**'.

This information must be in legible letters and figures in food grade ink, indelible and resistant to boiling.

### Large Boxes or Packs

All large boxes, or small packs pre-packed for direct sale to retail businesses, must bear this information which is specified in the Regulations.

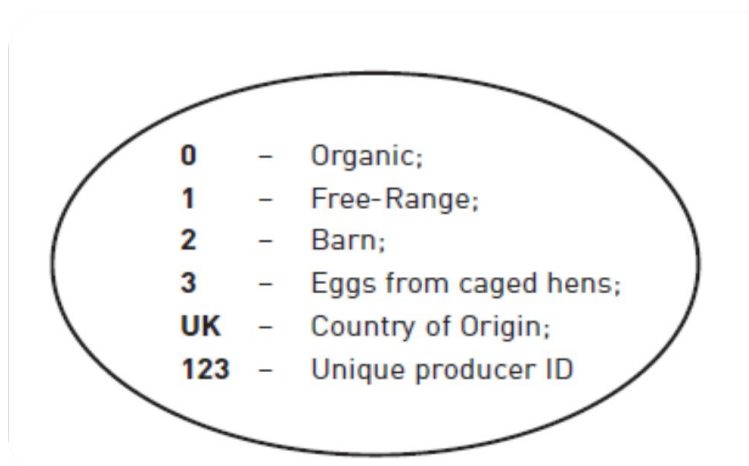
For example:

<b>UK-7-123 SCO</b>	<b>Packing Station Number</b>
Name, or business name and address	
Particulars of refrigeration or Preservation <i>(if appropriate)</i>	Best Before
<b>Consumer advice:</b>	Quality Class A
Keep refrigerated after purchase	
Egg stamping explanation (see paragraph below)	Size
	Minimum Net Weight
	Number of eggs packed

All large boxes or packs must show, or be labelled with, a key to explain to the consumer the code printed on the eggs.

FOR EXAMPLE:

CLASS A eggs are marked with the following code:



If the above key is clearly displayed at the point of retail sale then the information need not be shown on individual packs or boxes. (Organic eggs are dealt with under separate legislation).

**NOTE:** Dates on egg boxes should tell you how old the eggs are. The maximum 'best before' date is 28 days after laying. Eggs must be sold ('delivered to the consumer') no more than 21 days after laying.

## UNGRADED EGGS SOLD AT PUBLIC MARKETS

### All Egg Producers – Free-Range, Barn and Cage

If you are not already registered, you will need to apply to Scottish Government's Egg Marketing Inspectorate to obtain a producer identification code – contact details are provided at the bottom of the page.

Ungraded eggs may be sold loose on trays, or in small packs, but the '**Best Before**' date (a maximum of 28 days from the date of lay) **must be clearly indicated by:**

- (i) a notice on the stall; or
- (ii) a pre-printed note on the package or given with the eggs to the consumer at the time of purchase.

However, if the ungraded eggs come from a producer with less than 50 laying hens, the eggs do not require to be stamped provided the name and address of the producer are indicated at point of sale.

For further information or advice please contact:

Scottish Government  
Rural payments and Inspections Directorate  
Eggs and poultry unit  
C1 spur, Saughton House  
Bromomhouse Drive  
Edinburgh, EH11 3XDT

[Eggsandpoultrymailbox@scotland.gsi.gov.uk](mailto:Eggsandpoultrymailbox@scotland.gsi.gov.uk)

## **FLOUR CONFECTIONERY**

Most items of Flour Confectionery such as cakes, biscuits, shortbread etc. are likely to be sold at farmers markets in a predominantly loose state or prepacked for direct sale.

Subject to certain conditions, as outlined in the Food Labelling Regulations any flour confectionery products which are packed in a crimp case only or in wholly transparent packaging which is either unmarked or marked only with an indication of the price of the food and any lot marking indication given in accordance with the Food (Lot Marking) Regulations 1992, if there is not attached to the flour confectionery or its packaging any document, notice, label, ring or collar (other than a label (or labels) on which only the price of the food and any lot marking indication are marked); need not be labelled with any of the particulars specified in regulation 5 except the name of the food. Such flour confectionery products are also exempt from the labelling requirements of regulations 32, 33 and 34.

Additional labelling of flour confectionery products, which are packaged as above, would be necessary in the following instances:

1. Where the flour confectionery product contains an allergenic ingredient or any ingredient originating from any of the allergens listed in the Allergen section of this guide then the packaged food should be marked or labelled with a clear reference to the name of the allergenic ingredient concerned;
2. Where the flour confectionery product contain additives (regulation 24) they must be labelled with the category of additive contained within; (NB Flour confectionery products, packaged as above, need not be marked or labelled if there is displayed in a prominent position near the food a ticket or notice stating that the flour confectionery contains such categories of additives).

Where it would be necessary for such flour confectionery products to be labelled with allergen information (as outlined in point 1 above) then the exemption from the labelling requirements of regulation 5 would be removed.

In this instance the flour confectionery products would require to be labelled with the particulars specified in regulation 5.

Food which is not prepacked or which is prepacked for direct sale Subject to certain conditions, food which is exposed for sale not prepacked (i.e. sold loose), or which is prepacked for direct sale (as defined in regulation 2), does not need to be labelled with any of the particulars specified in regulation 5 except the name of the food. Such food, is also exempt from the labelling requirements of regulations 32, 33, 34, 34B and 34C.

However, if such products contain additives (regulation 24) they must be labelled with the category of additive contained within, or if sold loose a ticket or notice stating that the food contains such categories of additives should be displayed in a prominent position near to the food.

Similarly, if such products contains any ingredient which has been irradiated (and which comprises a particular with which, had that food not been subject to that exemption, the food would have been required by these Regulations to be marked or labelled), shall be marked or labelled with an indication that it contains that ingredient, and in such a case the reference within that indication to that ingredient shall include or be accompanied by the word "irradiated" or the words "treated with ionising radiation"



**Flour Confectionery  
Pre-Packed – Back of Pack**

**Name of the Food** → **Cherry and Almond Flavour Cake**

**Ingredients List** → **Ingredients**  
Wheat Flour, sugar, reconstituted whole milk powder, butter (6%), whole egg, glace cherries (5%), (contain preservative sulphur dioxide), flaked almonds (2%), raising agent (sodium bicarbonate), flavouring, salt.

**Compound Ingredients** → (points to the ingredients list)

**Allergen Advice** → **Allergens**  
Contains: wheat, milk, egg, nuts, sulphur dioxide.

**Nutritional Information** → **Nutritional Information**

	Typical value per 100g	Per slice (70g)
Energy	1087KJ/260kcal	794KJ/190kcal
Protein	2.7g	2.0g
Carbohydrate	34.2g	25.0g
Fat	13.7g	10.0g

**GUID Declaration** → (points to the ingredients list)

**Additives** → (points to the ingredients list)

**Name and Address** → **Produced by The Aberdeen Cake Company, Aberdeen AB1 1AA**

**Flour Confectionery  
Pre-Packed – Front of Pack**

**Cherry and Almond Flavour Cake**

A traditional rich buttery sponge cake with glace cherries and almond flavouring decorated with flaked almonds. ← **Descriptive Terms**

**Date Marking** → **Best Before 17 July 2006**

**Storage Conditions** → Suitable for home freezing  
Once opened keep in an airtight container and consume within 5 days.

**Quantity** → **300g**      **£1:20** ← **Price**

**Flour Confectionery  
Pre-Packed for Direct Sale**

**Cherry and Almond Flavour Cake** ← **Name of the Food**

**Additives** → Contains preservative, flavouring



## DAIRY PRODUCTS

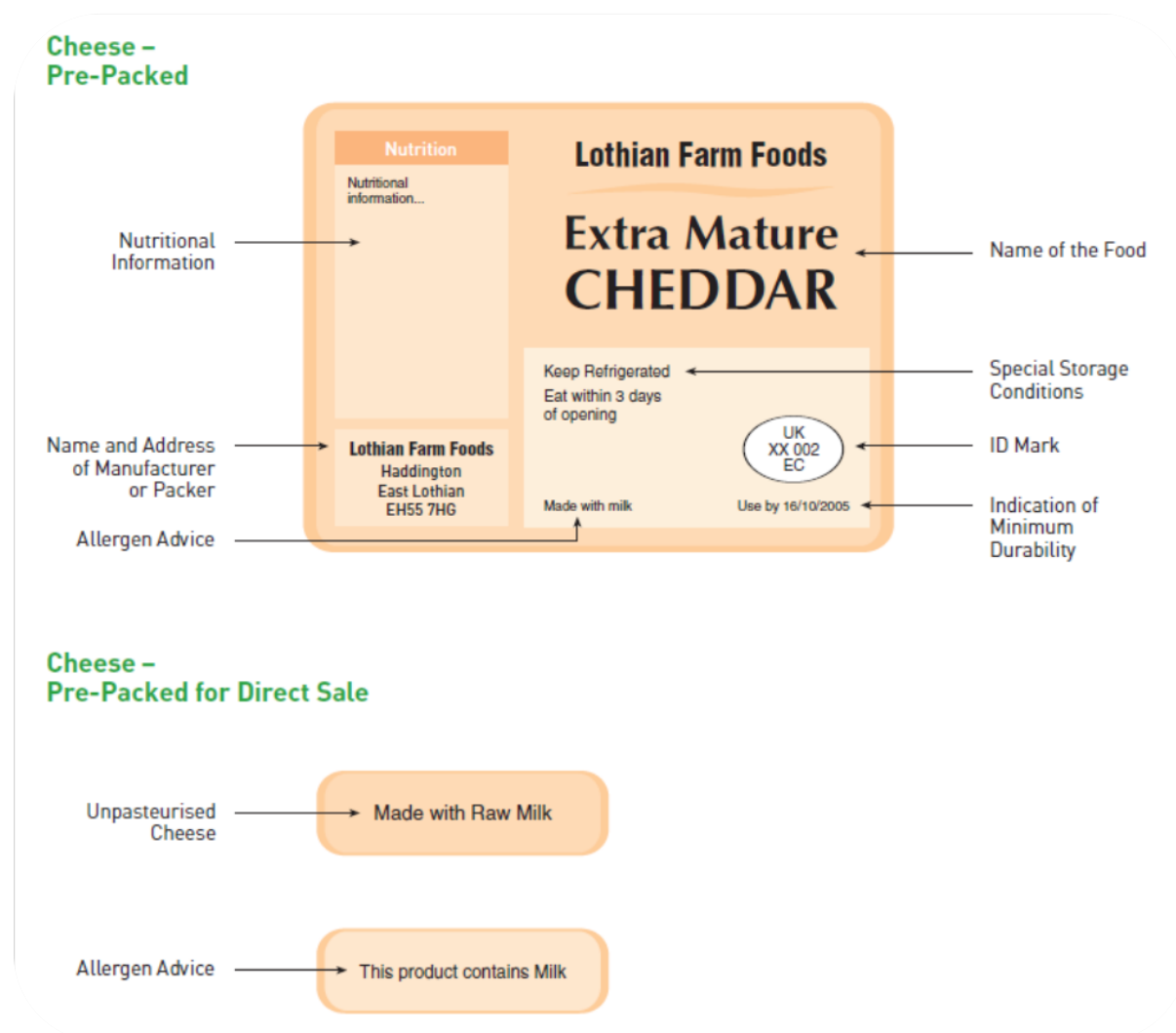
Because dairy products are produced in approved establishments, they must be labelled or accompanied by an Identification Mark.

### Cheese

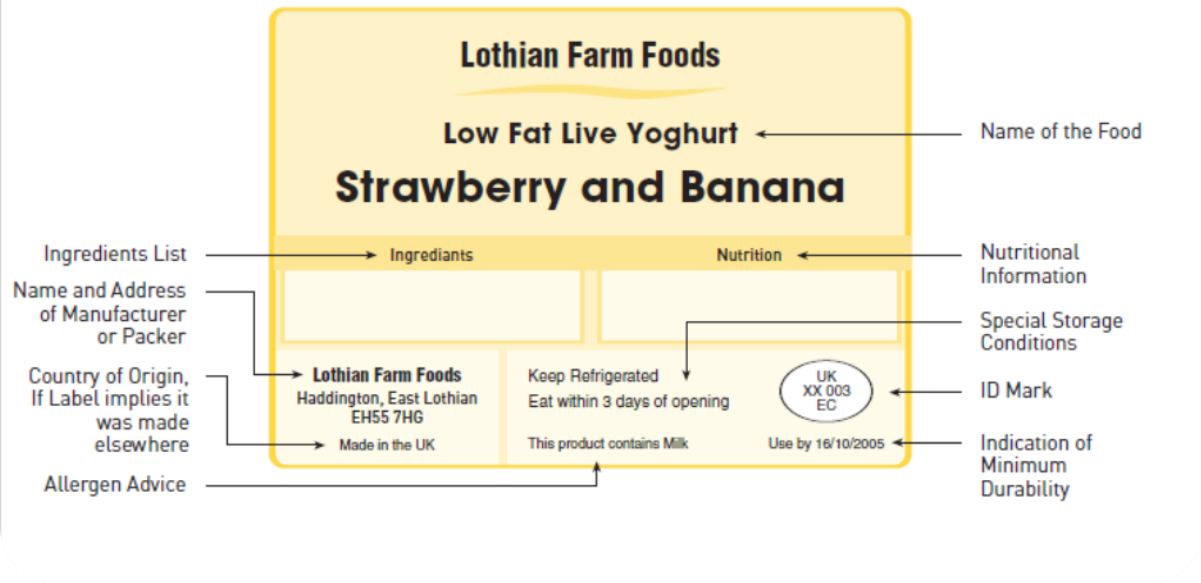
Under the Food Labelling Regulations 1996, as amended, cheese is not required to bear a list of ingredients if the only ingredients that are used, in addition to milk, are those such as lactic products, enzymes and micro-organism cultures which are essential for the manufacture of the cheese. Salt, where added, is not required to be listed as an ingredient unless the cheese is fresh or processed curd.

### Unpasteurised Cheese

Regulation (EC) No. 853/2004 (in Annex III, Section IX, Chapter IV, paragraph 1 (b)) requires that cheese made from “raw” or unpasteurised milk must be accompanied by the words “made with raw milk” on a label (if pre-packed), notice or sign (if pre-packed for direct sale).



**Yoghurt –  
Pre-Packed**



## HONEY PRODUCTS

The following section summarises the Food Labelling Regulations 1996, as amended, as well as the labelling requirements contained in the Honey (Scotland) Regulations 2003 (SSI 569), as amended.

Honey products have “reserved descriptions”. A food may only be labelled and sold as a specified honey product if it has had no other ingredient added to it. However, honey can be sold with a declared ingredient if a suitable name is used. e.g. Honey with Cherries.

Filtered honey is a reserved description for finely filtered honey obtained by removing foreign, inorganic or organic matter that results in the significant removal of pollen. Honey filtered under pressure to remove unwanted matter would not need to be labelled “filtered honey” unless fine filters are used to remove a significant amount of pollen to improve the shelf life and clarity.

### General Honey Labelling requirements

A specified honey product must be labelled as follows when offered for sale to the ultimate consumer.

#### 1. Reserved descriptions for specified honey products

The description ‘honey’ may be used as per Schedule 1 of the Honey Regulations. The following specified honey products are contained in Schedule 1 of these regulations and include:

- blossom honey
- nectar honey
- honeydew honey
- comb honey
- chunk honey or cut comb in honey
- drained honey
- extracted honey
- baker’s honey
- filtered honey.

These descriptions (other than “baker’s honey” and “filtered honey”) can be supplemented with additional words that make the description more precise, but they must be clarifying and not misleading e.g. Acacia Blossom Honey.

#### 2. The Country or Countries of Origin

Specified honey products must be labelled with the country or countries of origin when offered for sale to the ultimate consumer. There is an exception in the case of honey originating in more than one Member State or third country.

The following descriptions can be used:

- a blend of EC honeys
- a blend of non EC honeys
- a blend of EC and non EC honeys
- a specific country e.g. produced in Scotland (or produced in the UK)
- a smaller geographic area of harvesting can be used, e.g. Perthshire Honey, but the country of origin must still be stated, e.g. Scotland or UK.

Where honey is pre-packed for direct sale i.e. harvested at home and sold in market stalls, home or farm gate, it may be exempt from the country of origin labelling requirements.

### **3. Optional Labelling Requirements (not applicable to filtered honey)**

Honey can also be labelled with the following information

- Floral or vegetable origin if the product is derived wholly or mainly from the indicated source and has certain specified characteristics.
- Regional, territorial or topographical origin if the honey is entirely from that source.
- Specific quality criteria such as 'pure', but the honey would have to comply with the guidance on the use of such terms.

### **4. Voluntary Labelling**

The British Honey Importers and Packers Association (BHIPA) adheres to a voluntary industry labelling code on all honey for retail sale which includes a warning statement "Honey should not be given to infants under 12 months of age".

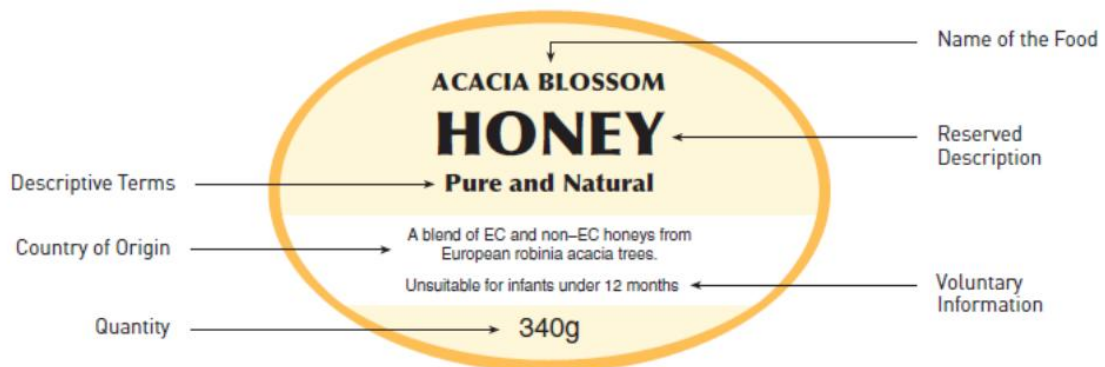
### **Manner of Marking**

Where food is sold other than to the final consumer and the labelling information is on accompanying documents, the name of the food, the appropriate durability information and the name and address of the seller must be on the outer packaging of the food.

**Honey –  
Pre-Packed**



**Honey –  
Pre-Packed for Direct Sale**



Further information can be obtained from:

[FSA Guidance on Honey](http://www.food.gov.uk/multimedia/pdfs/honeyguidance.pdf)<sup>14</sup>

[The Honey Association Website](http://www.honeyassociation.com/)<sup>15</sup>

<sup>14</sup> <http://www.food.gov.uk/multimedia/pdfs/honeyguidance.pdf>

<sup>15</sup> <http://www.honeyassociation.com/>

## FRUIT JUICE

### Reserved Descriptions

Under the Fruit Juices and Fruit Nectars (Scotland) Regulations 2003 (SSI 293), fruit juices have been categorised into five different “designated products”, each of which have reserved descriptions i.e.

#### (a) Fruit Juice

The fermentable but unfermented product obtained from fruit which is sound and ripe, fresh or preserved by chilling, of one or more kinds mixed together having the characteristic colour, taste and flavour typical of the juice of the fruit from which it comes, and where,

1. Flavour, pulp and cells from the juice, which are separated during processing, may be restored to the same juice.
2. In the case of citrus fruits, except limes, the juice must come from the “fleshy” part of the fruit; and,
3. In the case of limes, the juice may come from the whole fruit, by suitable production processes whereby the proportion of constituents of the outer part of the fruit is reduced to a minimum.

#### (b) Concentrated Fruit Juice

The product obtained from fruit juice of one or more kinds, by the physical removal of a specific proportion of its water content.

If the product is intended for direct consumption, the proportion of water content removed must be at least 50%.

#### (c) Fruit Juice from Concentrate

The product obtained by replacing, in concentrated fruit juice, the water removed during the concentration process, and by restoring the flavours and, if appropriate, pulp and cells lost from the juice but recovered during the process of producing the fruit juice in question or fruit juice of the same kind and where –

1. The added water displays the same characteristics that will guarantee the essential qualities of the fruit juice; and
2. The product must display characteristics at least equivalent to those of an average type of fruit juice obtained from fruit or fruits of the same kind.

#### (d) Dehydrated or Powdered Fruit Juice

The product obtained from fruit juice of one or more kinds, by the physical removal of virtually all its water content.

**(e) Fruit Nectar**

The fermentable but unfermented product obtained by adding water and, in an amount not exceeding 20% of the total weight of finished product, any one or more of-

- Sugars;
- Sweeteners; or
- Honey,

to,

1. Fruit Juice;
2. Concentrated Fruit Juice;
3. Fruit Juice from Concentrate;
4. Dehydrated Fruit Juice;
5. Powdered fruit juice;
6. A Fruit Puree; or
7. To any mixture of products in 1 to 6.

Any fruit nectar must meet the minimum content requirement as specified in Schedule 5 of the Fruit Juices and Fruit Nectars (Scotland) Regulations 2003 and where sweeteners are also used; their use is to be in accordance with Directive 94/35/EC.

If the fruit used is any one or more of apricots or the fruits listed in Part II and III of Schedule 5, it may be made without the addition of sugars, sweeteners or honey.

If sugars are added to a fruit juice, a concentrated fruit juice, a fruit juice from concentrate or a dehydrated or powdered fruit juice to sweeten them, the word “sweetened”, or the words “with added sugar” must be added to the reserved description for that product. This must be followed by an indication (calculated as dry matter, and expressed in grams per litre) of the maximum quantity of sugar added.

If pulp or cells are added other than, or in excess of, the pulp or cells originally extracted from the product, to a fruit juice, a concentrated fruit juice, or a fruit juice from concentrate, that addition must be indicated.

If the product is a mixture of fruit juice and fruit juice from concentrate, and marked or labelled with the single reserved description “fruit juice”; or it is a fruit nectar obtained partly from one or more concentrated products; the words “partially made from concentrate”, or “partially made from concentrates” must be placed close to the reserved description. These words must be in letters that are clearly visible and easily distinguished from the background of the label.

If the product is a fruit nectar which is obtained from one or more concentrated products, the words “made with concentrate” or “made with concentrates” must appear close to the reserved description. These words must be in letters that are clearly visible and easily distinguished from the background of the label. If the product is a fruit nectar it must bear an indication of the minimum amount of fruit juice, or fruit puree, or mixture of both that it contains. This must appear in the same field of vision as the reserved description, and must use the words “fruit content: [x] % minimum”, where x is the appropriate figure.

If the product is a concentrated fruit juice which is not intended for delivery to the ultimate consumer, it must bear an indication on its packaging, on a label attached to its packaging, or in an accompanying document the presence and quantity in it of any added sugars, added lemon juice, or acidifying agents.

Further information can be obtained from:

[British Soft Drinks Association](#)<sup>16</sup>

[FSA Guidance on Fruit Juices and Nectars Regulations 2003](#)<sup>17</sup>

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<sup>16</sup> <http://www.britishsoftdrinks.com/>

<sup>17</sup> <http://www.food.gov.uk/multimedia/pdfs/fruitjuiceguidefeb07.pdf>



## COCOA AND CHOCOLATE PRODUCTS

The following section summarises the Food Labelling Regulations 1996, as amended, as well as the labelling requirements contained in The Cocoa and Chocolate Products (Scotland) Regulations 2003 [SSI 2003/291], as amended.

The Cocoa and Chocolate Products (Scotland) Regulations 2003 make provision for “Designated Products” (see below). The reserved descriptions and compositional requirements for these are contained in Schedule 1 of these Regulations.

Designated Products include:

- Cocoa butter
- Cocoa powder or Cocoa
- Chocolate
- Milk chocolate
- Family milk chocolate or Milk Chocolate
- White chocolate
- Filled chocolate or Chocolate with....filling or Chocolate with ... centre
- Chocolate a la taza
- Chocolate familiar a la taza
- Chocolate or praline

### General Labelling Requirements

A product described as plain chocolate must meet the compositional requirements for chocolate.

A filled chocolate product must meet the compositional requirements for the chocolate part. The labelling must include a description of the filling e.g. ‘chocolate with X filling’. The chocolate part must be labelled specifically with the type of chocolate e.g. ‘milk chocolate’.

### Vegetable Fats Declaration

Where chocolate or a chocolate product contains any vegetable fats other than cocoa butter, labelling must include the words: ‘Contains vegetable fats in addition to cocoa butter’. This statement is required in addition to the listing of the vegetable fats in the ingredients listing. It must be in same field of vision as the list of ingredients and in **bold lettering** at least as large as that in the list of ingredients. The declaration should be located near to the reserved description, which may also appear elsewhere. Where the chocolate or chocolate product does not contain vegetable fats other than cocoa butter, the manufacturer may make a claim that the chocolate (or chocolate product) does not contain vegetable fats in addition to cocoa butter.

Products do not require a vegetable fat declaration where chocolate containing vegetable fats is used as a compound ingredient in another food, but general labelling requirements still apply. However, the list of ingredients should indicate that

the vegetable fat is an ingredient of the chocolate component e.g. 'milk chocolate covered wafer biscuit'.

*Ingredients: Milk chocolate (66%) (sugar, whole milk, powder, cocoa mass, cocoa butter, vegetable fat, emulsifier, lecithin, flavouring) Wheat flour, sugar, vegetable fat, cocoa powder, yeast, raising agent.*

### **Milk Solids Declaration**

Milk chocolate requires a milk solids declaration, i.e. 'milk solids Y% minimum'. It is recommended that this appears near the reserved description and in the same position as the vegetable fat declaration and the cocoa solids declaration. The minimum milk solids declaration for milk chocolate should be 14%, or 20% for family milk chocolate or milk chocolate. The actual content, if higher, may be declared.

### **Cocoa Solids Declaration**

A cocoa solids declaration is required for most chocolate i.e. 'cocoa solids X% minimum'. However, cocoa butter, white chocolate, filled chocolate, chocolates and pralines do not require a label with a cocoa solids declaration.

### **Quality Description**

The reserved description may be supplemented to emphasise the quality of a chocolate product, e.g. 'extra fine' milk chocolates, but the product then must meet following additional requirements:

- **Chocolate:** Minimum 43% dry cocoa solids, including minimum 26% cocoa butter.
- **Milk Chocolate:** Minimum 30% dry cocoa solids and minimum 18% dry milk solids.
- **Couverture Chocolate:** Minimum 16% dry non fat cocoa solids.

Vegetable fats other than cocoa butter can still be used as long as the general rules for declaration, as described above, are followed.

### **Liqueur Chocolates**

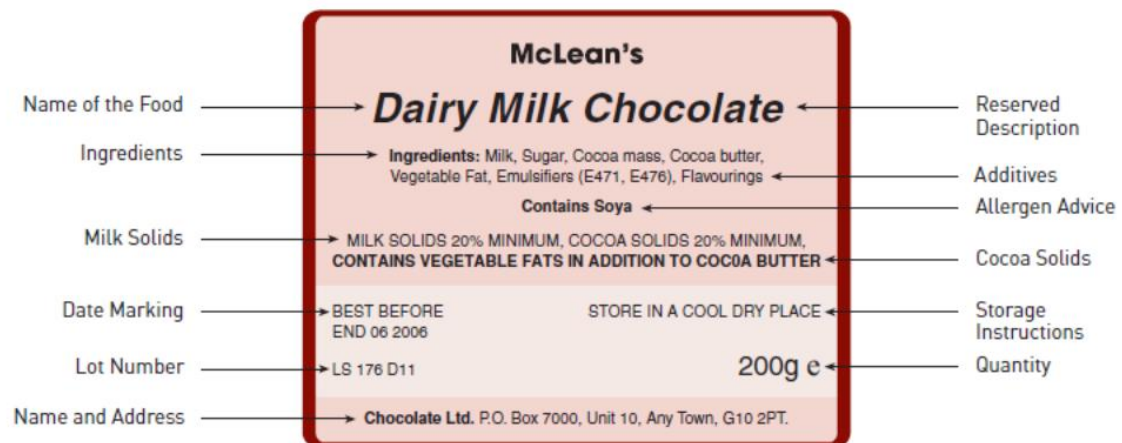
The normal rules of QUID apply in relation to spirits or other alcoholic ingredients. Where the name of the food of a chocolate product refers to a spirit or other alcoholic ingredient, a QUID declaration may be required for that ingredient. Where an ingredient is essential to characterise a food e.g. 'Assorted Liqueur Chocolates' or similar, may require a QUID declaration for the alcoholic ingredients.

## Products sold in Assortments

These may be described as 'assorted chocolates', 'assorted filled chocolates', or similar. There is an option to label the assortment with a single list of ingredients covering all the products, instead of a separate list of ingredients for each constituent product. General Provisions Designated products are not required to carry a QUID declaration in respect of cocoa or milk ingredients content as this is already declared. However when chocolate is used as an ingredient of other food, a QUID declaration of the amount of chocolate may be required e.g. chocolate chip cookie. No QUID declaration is required in a designated product such as filled chocolate or chocolate bar with additional ingredients.

Fancy Confectionery Product is defined as any confectionery product in the form of a figure, animal, cigarette or egg or any other fancy form (regulation 2 of the Food Labelling Regulations 1996).

### Chocolate – Pre-Packed



### Chocolate – Pre-Packed for Direct Sale



## JAM AND SIMILAR PRODUCTS

The following section summarises the Food Labelling Regulations 1996, as amended, as well as the labelling requirements contained in the Jam and Similar Products (Scotland) Regulations 2004 [SSI 2004/133], as amended, that apply to jam and similar products such as extra jam, jellies and marmalade.

There are reserved descriptions for jam and similar products. The composition of the jam or similar product must comply with the compositional requirements as laid out in The Jam and Similar Products (Scotland) Regulations 2004,

### Schedule 1

The reserved descriptions cover any product to be sold as:

- Jam
- Extra Jam
- Jelly
- Extra Jelly
- Marmalade
- Jelly Marmalade
- Sweetened chestnut puree
- X curd (i.e. any type of curd)
- Lemon cheese
- Y Flavour Curd (i.e. any type of flavoured curd)
- Mincemeat.

With regard to fruit curds and mincemeat, as these are traditionally British Products their reserved descriptions are covered only in UK Regulations and not in that of the other Member States. For this reason and because they are a different kind of product to jams, jelly and marmalade, some of the general provisions of the aforementioned Jam regulations affect these products in a slightly different way.

Further details on this are described in the [Jam & Similar Products Regulations 2003 guidance notes](#)<sup>18</sup>.

### Permitted Additional Ingredients

Only specified ingredients can be added to jam, extra jam, jelly, extra jelly, marmalade and jelly marmalade in addition to the core ingredients of fruit, sugar and water. These are strictly controlled and include, amongst other things, honey, fruit juices, spirits, wine, wine liqueurs, etc. If any unspecified ingredients are added, a reserved description cannot be used for the product and it would require to be called an alternative name, e.g. raspberry and cider conserve.

<sup>18</sup> <http://www.food.gov.uk/scotland/regsscotland/regsguidscot/jamregguidnotes2003>

## **Sugar Content**

The regulations require as a general rule that jam, extra jam, jelly, extra jelly, marmalade, jelly marmalade and sweetened chestnut puree have a sugars content (expressed as soluble dry matter) of at least 60%. However, there are exceptions to this rule for products where the sugar has been wholly or partly replaced by permitted sweeteners, for products labelled “reduced sugar”, and for fruit curds and mincemeat where the minimum required soluble solid content permissible is 65%.

## **Specified Ingredient: Fruit**

The fruit content of the product must be declared. If the product were a single fruit jam, the declaration of the fruit content should satisfy QUID requirements, e.g. prepared with Xg of fruit per 100g. In the case of jam, extra jam, jelly, extra jelly, the minimum required amount of fruit ingredients differ depending on the type of fruit used.

If jams contain two or more fruits the fruit content of each requires to be declared separately and in descending order of weight. e.g. Blackcurrant and Apple Jam made with 45g of blackcurrants and 35g of apples per 100g.

This does not apply if the fruits are used in equal proportions, or if the product is called “Mixed Fruit” Jam.

## **Specified Ingredient labelling**

- Sulphur dioxide content must be declared where the residual sulphur dioxide content is more than 10mg per kg
- The total sugar content of the product must be declared. e.g. prepared with Xg of sugar per 100g
- Where fruit sugar is used, it is advised that the type of fruit from which the sugar is derived should be declared on the ingredient list, in the form ‘X sugar’ e.g. ‘apple sugar’
- If nutritional information is provided voluntarily, a declaration of sugar content will still require to be made
- If products are labelled “reduced sugar” they must have a soluble dry matter content of between 25% and 50%

### **Specified Products containing permitted sweeteners**

Products with reserved descriptions can contain permitted sweeteners where those products are: “energy reduced” or “no added sugar”. If permitted sweeteners are used, the product must be labelled with the following information:

- 1) The words ‘with sweetener(s)’ must follow the name of food e.g. ‘Strawberry
- 2) Jam, with sweeteners’. Where the product contains both sugars and sweeteners it must be labelled “with sugars and sweeteners”.
- 3) If a product contains aspartame, the words ‘contains a source of phenylalanine’ should be used.
- 4) If a product contains more than 10% added polyols, the words: ‘excessive consumption may produce laxative effects’ should be used.

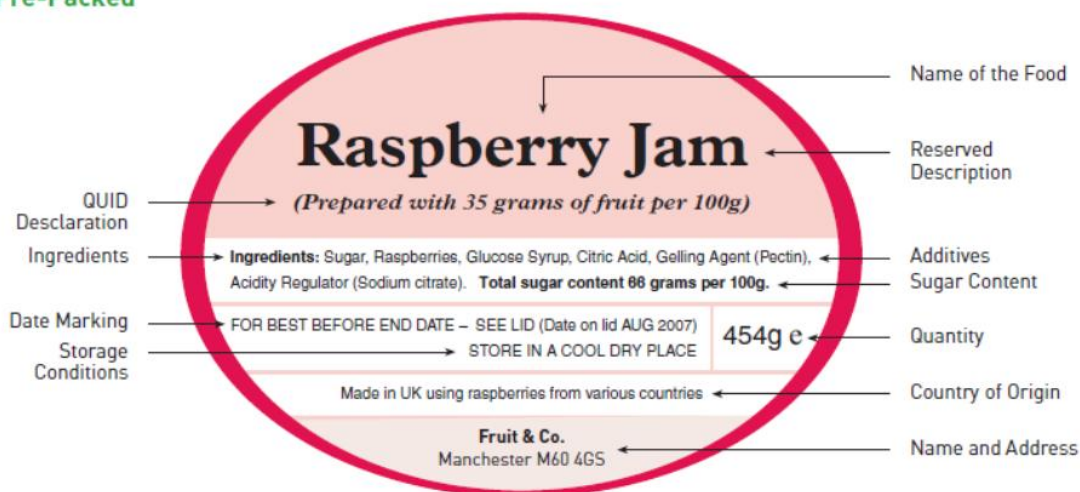
### **General Provisions**

Fruit and sugar declarations must appear in same field of vision as the name of the product in clearly visible characters. The name of the product may also appear elsewhere on the label where it need not be accompanied by the fruit and sugar declarations.

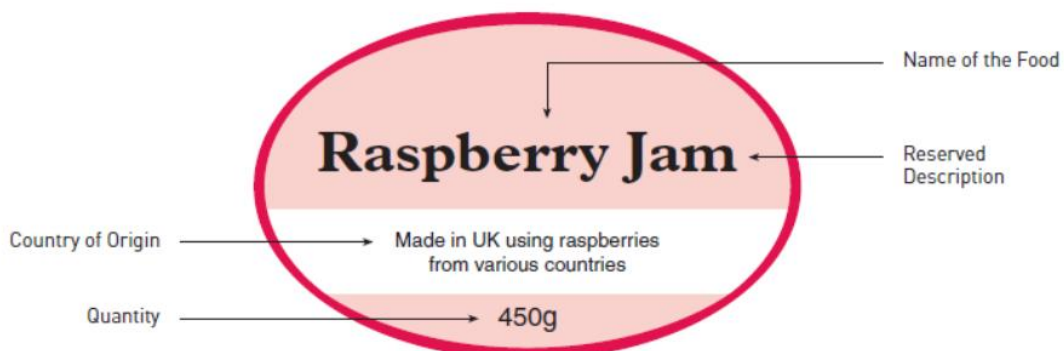
### **Pre-packed for Direct Sale**

Where jams and similar products are made and pre-packed at home to be sold at the farm gate, from market stalls or by charitable institutions such as the WRVS, these products are exempt from the requirement to declare the fruit and sugar content per 100g.

**Raspberry Jam –  
Pre-Packed**



**Raspberry Jam –  
Pre-Packed for Direct Sale**



**Further information:**

[FSA Guidance note 'The Jam and Similar Products Regulations 2003'](#)<sup>19</sup>

[Quick Guide to Jam](#)<sup>20</sup>

<sup>19</sup> [http://www.food.gov.uk/multimedia/pdfs/jamregguid\\_rev.pdf](http://www.food.gov.uk/multimedia/pdfs/jamregguid_rev.pdf)

<sup>20</sup> <http://www.food.gov.uk/multimedia/pdfs/publication/jamfactsheet0210.pdf>

## FISH AND SHELLFISH

The relevant legislation in this area is Council Regulation (EEC) No. 104/2000 (on the common organisation of the markets in fishery and aquaculture products) and Commission Regulation (EC) No. 2065/2001 (laying down detailed rules) as well as the Fish Labelling (Scotland) Regulations 2010 (SSI 90), as amended.

The Regulations contain a comprehensive list of commercial accepted designations (names) and catch areas which must be used.

Detailed guidance on these Regulations has been produced by the Food Standards Agency.

### Fish Labelling Regulations and Traceability

Although the labelling requirements apply to retail sales to the final consumer only, products which fall within the scope of the Regulations further along the distribution chain, must be accompanied by traceability information (see below) to allow the required labelling to be applied where necessary. This traceability requirement is in addition to, and should not be confused with, the general requirement for traceability of all foods.

#### [The Fish Labelling \(Scotland\) Regulations 2010](#)<sup>21</sup>

The Regulations apply to all fish and aquaculture products but in certain forms only:

- Fresh, chilled and frozen fish
- Fish fillets and other fish meat (including cut, flaked or minced)
- Dried, salted or brined fish
- Hot or cold Smoked fish
- Crustaceans (except where both cooked and peeled)
- Uncooked molluscs.

The labelling requirements are not required for fish that has been further processed, preserved, treated or cooked, or smoked fish with colours, flavours etc. included as additional ingredients other than from a smoking process and salt, e.g.

- smoked salmon with honey and sugar
- smoked mackerel with colourings and other ingredients (e.g. peppered smoked mackerel)
- poached salmon, poached salmon fillets/slices.

Aquaculture products means all fish born and raised in controlled conditions or caught in their natural environment when juvenile and kept until they reach the desired commercial size whether sold loose or packaged.

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<sup>21</sup> <http://www.legislation.gov.uk/ssi/2010/90/contents/made>



**What Information must be provided?**

The information given must include:

- a) The accepted commercial designation of the fish species
- b) The production method (caught at sea, inland waters or farmed)
- c) The catch area

**(a) Commercial Designation**

Fish must be named using the accepted commercial designation for the country it is intended to be sold in. These names are prescribed in law by each Member State and are referenced to the scientific name. The list of commercial designations for each scientific name is contained the schedule to the 2003 Regulations.

The commercial designation may be made more precise by the use of additional words provided this does not allow the product to be confused with another or mislead the consumer. For example, *Pandalus borealis* must be called 'prawn', but may also be called deepwater prawn.

In the case of smoked fish (except salmon), widely used and recognised names are also acceptable as a commercial designation e.g. kipper.

**(b) Production Method**

This is the method by which the fish were harvested. The terms which must be used are:

- a) caught (for fish caught at sea)
- b) caught in freshwater
- c) farmed (It is recommended that this term is used in respect of fish)
- d) cultivated (it is recommended that this term is used in respect of shellfish)

It is recommended that the production method is given equal prominence to the commercial designation so as to avoid misleading the consumer e.g. farmed Norwegian salmon.

**(c) Catch Area**

The indication of catch area should consist of the following: -

- a) For fish caught at sea it will be one of the 12 catch areas defined in the annex to Commission Regulation (EC) No.2065/2001. For example, the catch area "North East Atlantic" would need to be indicated for any fish / shellfish caught in UK waters (e.g. North Sea, Irish Sea).
- b) For fish caught in freshwater it will be the Member State or third country of origin.
- c) If it is a farmed product it will be the Member State or third country in which the product is harvested for consumption. To enable consumers to have accurate and meaningful information it is recommended that all the countries involved in production be indicated e.g. 'Farmed Icelandic fish reared in France and Denmark'. The name of the specific catch area must be used rather than the number.

Guidance on specific catch areas can be found at <http://www.food.gov.uk/> and [www.seafish.org](http://www.seafish.org)

### **Optional information - Scientific Name**

This is the Latin name; it allows the species of fish to be identified internationally. It is not required for final sales to the consumer, but may be provided in addition to the commercial designation if desired. (The Latin names can be found in the Schedule in the Fish Labelling (Scotland) Regulations 2003, as amended).

### **Wrapping and Packaging of Live Bivalve Molluscs**

Oysters must be wrapped or packaged with the concave shell downwards. Individual customer-size packages of live bivalve molluscs must be closed and remain closed after leaving the dispatch centre and until presented for sale to the final consumer. Live bivalve molluscs may only be placed on the market for retail sale if they have been sourced from a dispatch centre where an identification mark has been applied. The label including the mark must be waterproof and must state the species of bivalve mollusc (common name and scientific name). The date of packaging, comprising at least the day and month must be displayed. A date of minimum durability can be replaced by "these animals must be alive when sold". The retailer must also retain the label attached to the packaging of live bivalve molluscs that are not in individual customer size packages for at least 60 days after splitting up the contents. This information comes from Regulation (EC) No. 853/2004 laying down specific hygiene rules for food of animal origin.

### **What businesses do these Regulations apply to?**

All businesses involved in the sale of those products included in the scope of the Regulations to the final consumer are required to provide the necessary information. Other businesses who handle such products within the supply chain are required to provide traceability information to facilitate labelling by those further along the distribution chain who may be required to do so.

Catering establishments are exempt from the origin labelling requirements for products that are ready to eat.

### **How can the required information be provided within the supply chain?**

For all stages of marketing, up to final sale to the consumer, information can be passed on by:

- Labelling on the packaging of the product
- Commercial documents accompanying the product, such as invoices
- Point of sale labelling.

### **How should the information be presented to the final consumer?**

There is no requirement on the layout of the information. It is recommended that it is presented in a way that is easy to understand, clearly legible, indelible and in a place where it is easily visible.

An example of the consumer information that should be provided on a label attached to a food product where it has been pre-packed by a business other than your own or where it is packed by you but intended to be sold from premises other than your own. This is referred to as “**Pre-packed**”.

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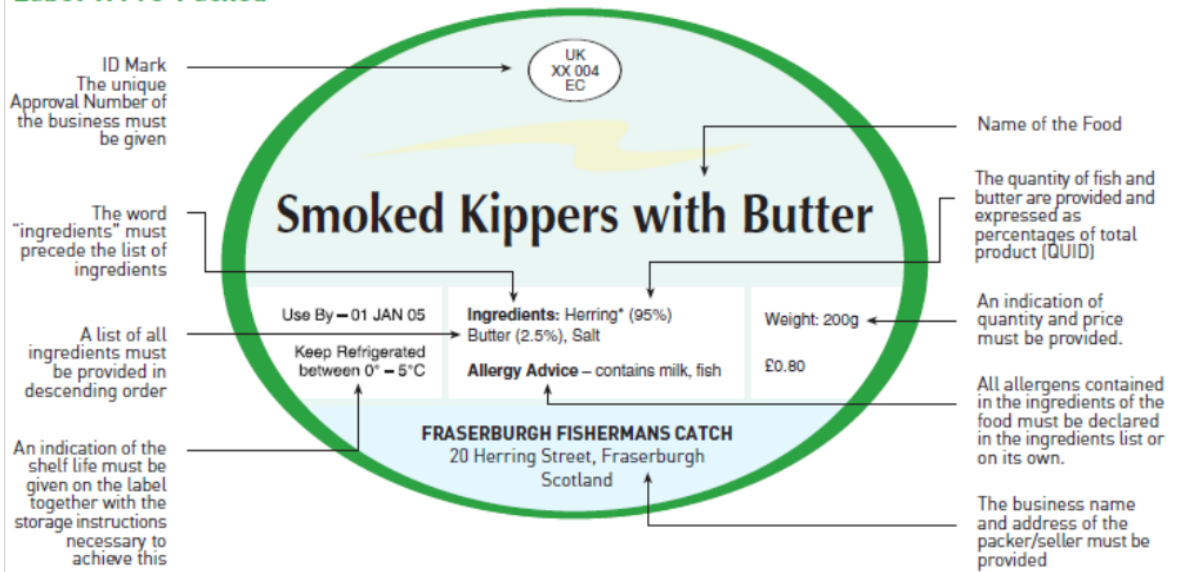
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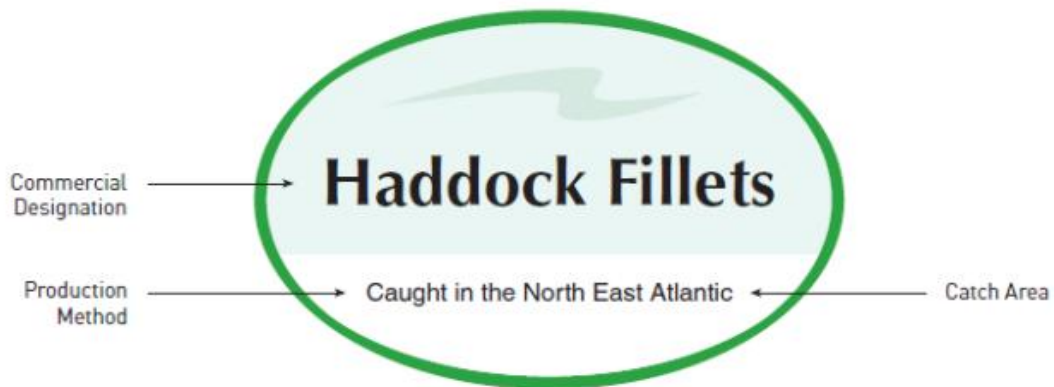
### Fish – Label 1: Pre-Packed



An example of the consumer information that should be provided on a notice, ticket or label at the place where an intending customer chooses a fish product, and where it has been pre-packed and offered for sale from the same business.

This would include food products that are normally displayed for sale loose/unwrapped. This is referred to as **“Pre-packed for Direct Sale”**.

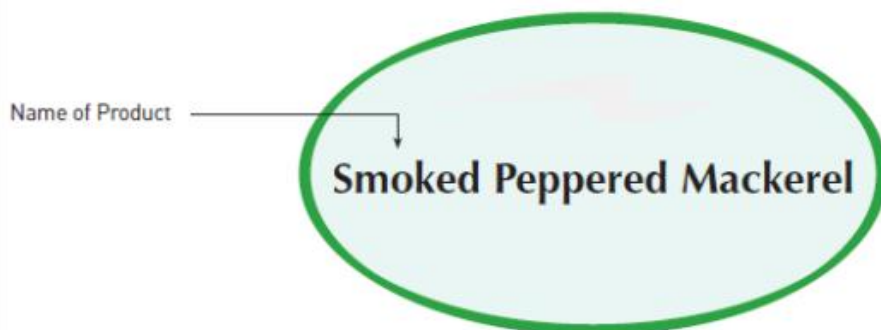
Label 2: Pre-Packed for Direct Sale



Fish –  
Label 3: Pre-Packed for Direct Sale



Fish –  
Label 4: Pre-Packed for Direct Sale



**NOTE:** The Fish Labelling Regulations do not apply here as the fish has been further processed by the addition of peppercorns.

**OTHER INFORMATION THAT MAY BE REQUIRED**

**Nutritional Claims:** any claim that a product has specific properties e.g. high in omega 3, shall trigger the requirement to provide nutritional information.

**Indication of a particular treatment:** this is required where the food has been –

- Previously frozen
- Contains Genetically Modified Organisms
- Irradiated
- Packaged in a protective atmosphere.

**Instructions for Use:** these are required where it would otherwise be difficult to use the food e.g. cooking instructions.

**Country of Origin:** this is required where omission would mislead a purchaser as to the true origin of the food.

## ALCOHOLIC DRINKS

The Food Labelling Regulations 1996 as amended apply to most alcoholic drinks intended for sale in Scotland but there are exceptions as shown below.

- A list of ingredients is only required for drinks with an alcoholic strength by volume of 1.2% or less.
- Drinks with an alcoholic strength of more than 10% are **not** required to bear a date mark.
- All drinks with an alcoholic strength of more than 1.2% must be labelled with an indication of alcoholic strength by volume (abv). This must be shown as a figure (to not more than 1 decimal place) and may be preceded by the word “alcohol” or the abbreviation “alc” (this will depend on the instrumentation used to measure the alcohol content) and followed by the symbol “% vol”. Specified descriptions can be used to describe drinks of not more than 1.2% (abv), they include:
  - **“Low alcohol”** – a drink with an alcoholic strength of not more than 1.2%.
  - **“De-alcoholised”** – a drink from which the alcohol has been extracted and which has an alcoholic strength of not more than 0.5%.
  - **“Alcohol free”** – a drink from which the alcohol has been extracted and which has an alcoholic strength of not more than 0.05%.

When any of the above descriptions is used, the drink must be labelled with an indication of its maximum alcoholic strength immediately preceded with the words “not more than”.

The description “non-alcoholic” may not be used in conjunction with a name commonly associated with an alcoholic drink, except in the composite name non-alcoholic wine.

The word “wine” must not be used as part of a composite name for any drink in a way that is likely to cause confusion with drinks that are covered by the terms “wine” or “table wine” as defined in EC Regulations<sup>24</sup>. When a composite name including the word “wine” is used for a drink that has been made from fruit or similar substances other than grapes, the name of the fruit must accompany the word “wine”. When a composite name including the word “wine” is used, each word that forms part of the name must appear in lettering of the same type and colour and of such height that the composite name is clearly distinguishable from other particulars.

<sup>24</sup> See Council Regulation (EC) 1493/1999 on the common organisation of the market in wine.

## Allergens

Some wines contain preservatives and if these include sulphur dioxide or sulphites at concentrations of more than 10mg/litre this must be clearly indicated on the labelling e.g. contains sulphur dioxide.

## Wine

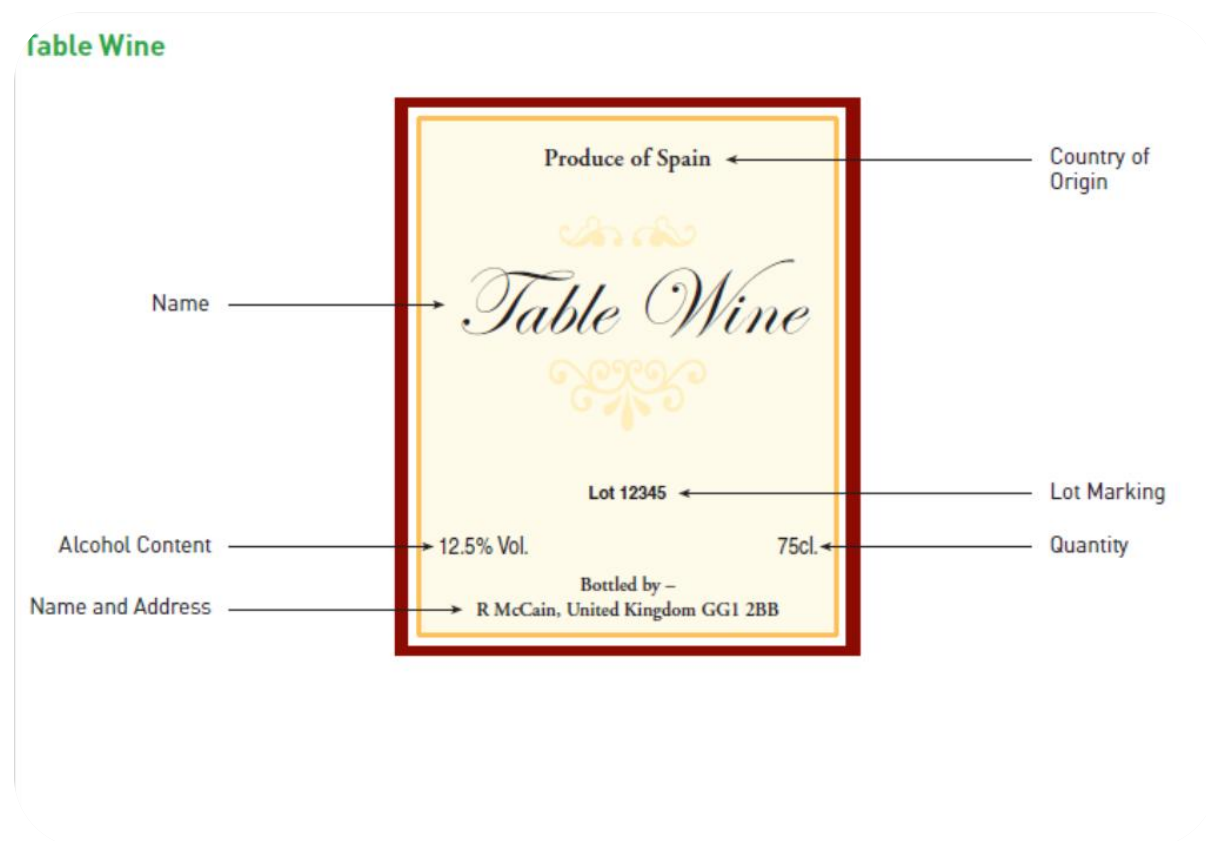
There are a number of different requirements for wine labelling depending on origin, region, vine variety or varieties, quality and whether still or sparkling.

Table wine is given as an illustration here as it will be the most basic. However, should you require further advice please contact your local Environmental Health Service or the Food Standards Agency.

## Table Wine

Regulation (EC) 1493/1999 specifies that the following must be included on the label:

- The words “Table Wine”.
- The sales designation of the product.
- Bottler details – name or corporate name of the bottler.
- Nominal volume.
- Actual alcohol strength by volume.
- The lot number.

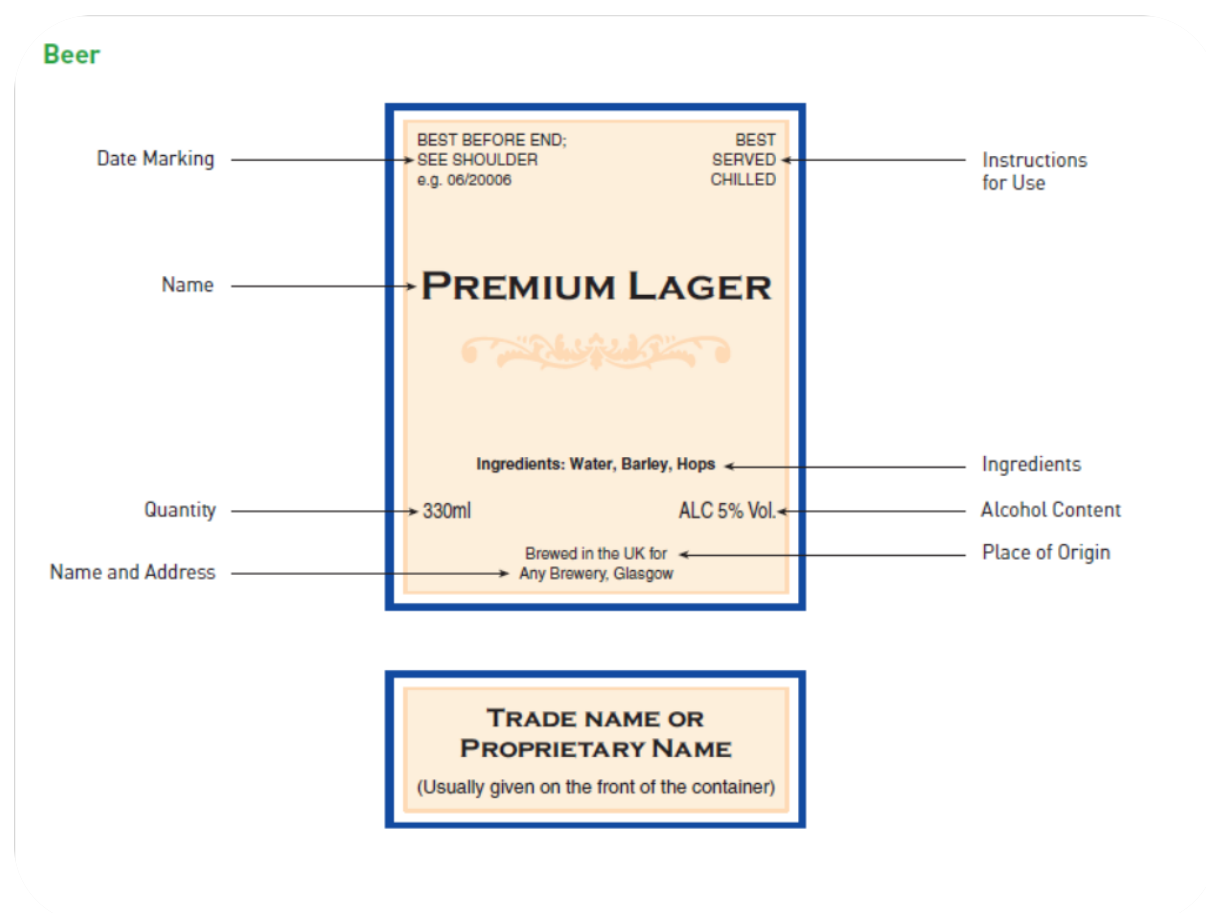




## Beer

Beer in bottles or cans is labelled with the under noted.

- A name e.g. premium lager.
- Name and address of the brewer or seller.
- A best before date.
- A volume.
- An alcohol content.
- An indication of the country of production where necessary.
- It may be labelled with an ingredients list although this is not strictly required unless the abv is 1.2% or less.
- It may list conditions of use e.g. serve chilled.



## Further Information

The Portman Group operates a strict Code of Practice to ensure alcohol is marketed responsibly and not in a way that might appeal to children. This Code applies to all pre-packaged alcohol sold or marketed in the UK. Since the Portman Group was set up in 1989, it has banned over 80 irresponsible products and constantly update our Code to ensure it reflects the rapid changes.

The Group also offers a Code Advisory Service which last year alone answered 500 separate advice requests about responsible marketing.

The Portman Group's Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks was introduced in 1996. The Code, which is supported throughout the industry, seeks to ensure that drinks are marketed in a socially responsible way and to an adult audience only.

The Code applies to all pre-packaged alcoholic drinks and covers the drink's naming, packaging, point-of-sale advertising, brand websites, sponsorship, branded merchandise, advertorials, press releases and sampling. The Code has an open and accessible complaints system.

## **WEIGHTS**

The Weights and Measures Act 1985 requires that most pre-packed food carries an indication of its net weight or volume of the container. If the food is not prepacked then the seller must make the quantity clear to the customer.

Products can be sold by either minimum weight or average weight, and specific rules apply to bread. The Act also requires that the font size of the print on the pack is a particular size depending on the weight/volume of the pack.

This is a complicated area of legislation and for further advice on weights and measures you are advised to consult your local Trading Standards Department.

## **PRICES**

The Price Marking Order 2004 [SI 2004/102] requires a selling price for goods that are available for sale, when sold loose or pre-packed and, where appropriate, a unit price e.g. price per kg. Prices must be sterling and include VAT. The prices must be clear and legible and not obstructed.

There is no requirement to price goods individually: they may be shown on the goods themselves or on a ticket or notice close by.

## **LOT MARKING**

Foods bearing a best before or use by date are exempt from the lot marking requirements because that date acts as an indicating mark. The Food (Lot Marking) Regulations 1996 [SI 1996/1502] detail the provisions for identifying the lot to which a foodstuff belongs. This is required to facilitate the tracing of product along the food chain. The manufacturer may determine for themselves the size of the batch and the form that the batch or lot marking takes. The marking must be easily visible, clearly legible and indelible. It must be prefixed with the letter L except where it clearly distinguishes from other indications appearing on the packaging or label.

Further advice on lot marking can be found on the [FSA website](#).

## SECTION 4

### CONTACTS AND USEFUL SOURCES OF INFORMATION

We hope that this guide is of use to you. If you require any further information, you may find the following useful:

#### CONTACTS

Personal Contacts

For **Food Safety, Labelling and Health and Safety** advice:-

Environmental Health Service (local authority) - Please check your phone book for contact details.

Please insert your own contacts:-

#### **Environmental Health**

Name:

Telephone numbers:

For **Weights and Measures and Pricing**:-

Trading Standards Department (local authority) - Please check your phone book for contact details.

Please insert your own contacts:-

#### **Trading Standards**

Name:

Telephone numbers:

## SECTION 4 – CONTACT INFORMATION

### ADDITIONAL CONTACTS

Scottish Association of Farmers Markets  
[www.scottishfarmersmarkets.co.uk](http://www.scottishfarmersmarkets.co.uk)

Food Standards Agency in Scotland  
Tel: 01224 285100  
[www.food.gov.uk](http://www.food.gov.uk)

Deer Commission for Scotland  
Tel: 01463 725000 or 01786 446282  
<http://www.snh.gov.uk/snh-for-you/deer-managers/>

Scottish Environmental Protection Agency (SEPA)  
[www.sepa.org.uk](http://www.sepa.org.uk)

*or please check your phone book for local contact details.*

For advice on Health and Safety: -  
Health and Safety Executive

*Please check your phone book for local contact details.*

### TRAINING ORGANISATIONS

Royal Environmental Health Institute of Scotland (REHIS)  
Tel: 0131 229 2968  
[www.rehis.com](http://www.rehis.com)

Chartered Institute of Environmental Health (CIEH)  
Tel: 0207 928 6006  
[www.cieh.org](http://www.cieh.org)

Royal Society for Public Health  
Tel: 0207 265 7300  
[www.rsph.org.uk](http://www.rsph.org.uk)

**PUBLICATIONS AND WEBSITES**

You may find the following publications useful, available through most booksellers.

**Industry Guides to Good Hygiene Practice**  
**Markets and Fairs Guide** (ISBN 1 902423 00 3)  
**Retail Guide** (ISBN 9780112432852)  
**Bottled Water Guide** (ISBN 9780112431008)  
**Mail Order Guide** (ISBN 9780112430971)  
**Catering Guide** (ISBN 0-11-321899-0)  
**Baking Guide** (ISBN 0-900103-55-8)

[http://archive.food.gov.uk/dept\\_health/pdf/complete.pdf](http://archive.food.gov.uk/dept_health/pdf/complete.pdf)

**Food Handlers: Fitness to Work.**

Guidelines for Food Business Managers

<http://www.food.gov.uk/multimedia/pdfs/publication/fitnesstoworkguide09v3.pdf>

**Avoiding Ill Health at Open Farms**

(AIS no. 23, revised)

[www.hse.gov.uk/pubns/ais23.pdf](http://www.hse.gov.uk/pubns/ais23.pdf)

***E-coli* O157 Schools Information Pack**

Issued by the Scottish Executive

[www.scotland.gov.uk/library5/health/ecsip-01.asp](http://www.scotland.gov.uk/library5/health/ecsip-01.asp)

**Keeping It Safe - Is your Private Water Supply Safe?**

(Ref: B21682 12/01) Issued by the Scottish Executive

[www.scotland.gov.uk/library3/environment/kisl.pdf](http://www.scotland.gov.uk/library3/environment/kisl.pdf)

**Food Hygiene for Caterers**

[www.cleanup.food.gov.uk](http://www.cleanup.food.gov.uk)

<http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/sfbb/sfbbcaterers/>

**Allergy Advice**

<http://www.food.gov.uk/safereating/allergyintol/>

**Food Hygiene A Guide For Businesses**

<http://www.food.gov.uk/multimedia/pdfs/hygienebusinessguide.pdf>

## SECTION 4 – CONTACT INFORMATION

### **Report on Small-Scale Cheese Production in Scotland**

Issued by the Food Standards Agency in Scotland and the Scottish Executive  
Available from your local Environmental Health Department

### **Cutting of Meat for Direct Sale by Farmers**

<http://www.food.gov.uk/scotland/regsscotland/regsguidscot/meatcuttingdire>

In addition, a wide variety of **food safety and food standards publications** can be obtained from your local authority or:

### **Food Standards Agency Publications**

Tel: 0845 606 0667

Minicom: 0845 606 0678

Fax: 020 8867 3225

Email: [foodstandards@eclogistics.co.uk](mailto:foodstandards@eclogistics.co.uk)

A variety of **health and safety publications** can be obtained from your local authority or:

### **Health & Safety Executive Publications**

HSE Books

PO Box 1999

Sudbury

Suffolk CO10 2WA

Tel: 01787 881165

Fax: 01787 313995

Website: [www.hsebooks.co.uk](http://www.hsebooks.co.uk)

You will be able to access current legislation through: -

### **Office of Public Sector Information**

[www.opsi.gov.uk](http://www.opsi.gov.uk)

Or place an order through: - (check spelling)

TSO

PO Box 29

St Crispins

Duke Street

Norwich NR3 1GN

Tel: 0870 600 5522

Fax: 0870 600 5533

Email: [book.orders@tso.co.uk](mailto:book.orders@tso.co.uk)

Online ordering: [www.tsoshop.co.uk/](http://www.tsoshop.co.uk/)

Allergen	A substance that causes an allergy
Bacteria	Groups of single cell living organisms. Some are known to cause food poisoning or food spoilage
Bactericidal Detergent	A detergent which is a combined detergent and disinfectant, designed to kill bacteria during the cleaning process
Best Before Date	The date marked upon the label of a food up to and including the date that the food can reasonable be expected to remain in optimum condition if properly stored
Contamination	The introduction to, or occurrence in, foods of any harmful substance which may compromise the safety or wholesomeness of that food.
Detergent	A chemical or mixture of chemicals for removing grease/food particles during cleaning.
Disinfection	A part of overall cleaning process aimed at reducing the level of harmful microorganisms to a level that will not lead to either harmful contamination or spoilage of food.
Food Poisoning	Acute illness caused by consumption of contaminated or poisonous food. Symptoms commonly include vomiting and diarrhoea
HACCP (Hazard Analysis and Critical Control Point)	A food safety management system, the main aim of which is to focus attention on critical points in the operation and take measures to ensure that problems do not occur
Harmful Bacteria	Bacteria capable of causing illness such as food poisoning.
Hazard	A hazard may be microbiological, chemical or physical and may cause harm through eating contaminated food
High Risk Food/ Perishable food	Usually considered as food which supports the multiplication of harmful bacteria and which is intended for consumption without any further treatment such as cooking, which would destroy such organisms. High risk food is usually high in protein, requires refrigeration and must be kept separate from raw food.
Low Risk Food	Foods other than high risk foods, such as raw food or ingredients that are still to be cleaned or processed.
Ready to Eat Food	Food which may not require to receive further cooking or reheating prior to consumption e.g. cooked meats
Sanitise	The action of cleaning and disinfecting
Shelf Life	The length of time a product may be stored without becoming unsafe or unsuitable for use or consumption.
Use By Date	A date mark required on microbiologically perishable pre-packed food after which its consumption could present a risk of food poisoning

**MARKET STALLHOLDER INFORMATION/APPLICATION FORM (EXAMPLE)  
XXXXXXXXX COUNCIL**

Name:

Address:

Tel No.:

Product types available for sale from stall:

Products other than meat, fish, poultry

Product	Loose or pre-packed	Source of product	Place of production

**Meat/Meat Products/Poultry**

Product (loose/pre-packed)	Source of product	Place of slaughter (inc. approval number)	Place of cutting/packing (inc. approval number)	Place of manufacture (eg sausages, pies) (inc. approval number where appropriate)





4. I will notify the market organisers of any changes in the foregoing circumstances which could have a direct bearing on my eligibility to attend any future market.

Yes                      No                      N/A

**I understand that I may be asked to vacate my stall if it is determined that I have falsely answered any of the foregoing questions or fail to comply with the requirements detailed in the leaflets.**

Signed:

Date:

-----

Application accepted by ..... Council

Signed:

Date:

-----

## PRODUCTS OF ANIMAL ORIGIN

### 1. Farm Supplied Produce

If you are selling food from your stall, it is possible that you will be producing the food at your farm. If the food is a food of animal origin or made with a product of animal origin, the premises in which the food is produced may have to be approved. This section provides an overview of the processing of products of animal origin e.g. meat, game, fish, egg and dairy products) which are governed by more specific rules. Below is some general guidance but we recommend that you contact your local authority Environmental Health Service for more detailed information depending on your circumstances. Again, you may want to familiarise yourself with the Hygiene Regulations as they apply here

#### Slaughter

Cattle, sheep, goats and pigs must be slaughtered in an approved slaughterhouse if the meat is to be sold for human consumption. If buying meat to sell on the stall, ensure it is from a reputable supplier and that the meat is traceable to source. It is a legal requirement that beef is specifically labelled and details of these requirements can be found in **Section 3**.

Poultry, rabbits and farmed game should also be slaughtered in an approved slaughterhouse if the meat is to be sold for human consumption. However, if a farmer supplies small quantities (in the UK, this is interpreted as less than 10,000 in a year) of lagomorphs (rabbits, hares and rodents) or birds, slaughtered on farm, directly to the consumer or to another local retailer supplying lagomorph or bird meat direct to the consumer, he may be exempt from this requirement. "Local" is defined in the UK as 30 miles/50 kilometres from the boundary of the local authority in which the supplying establishment is located, or the outer boundary of the neighbouring local authority area, whichever is greater.

#### Cutting, of Meat (Cattle, Sheep, Goats, Pigs, Poultry and Rabbits and Farmed Game)

The Hygiene Regulations require that cutting plants are approved and subject to veterinary audit. Some butchers shops are approved cutting plants. The TSE Regulations<sup>22</sup> require that cattle and sheep are only marketed for human consumption if SRM (Specified Risk Material) has been removed from the meat in approved cutting plants and authorised butchers.

#### Production of products of animal origin

Production of products of animal origin<sup>23</sup> must take place in accordance with the Hygiene Regulations (i.e. the establishment in which it is produced must be approved), unless it is subject to the "retail to retail exemption".

<sup>22</sup> TSE (Scotland) Regulations 2010 (SSI 177/2010)

<sup>23</sup> Examples include mince, sausages, burgers, bacon, cheese, yoghurt, fish pates

If the manufacturing establishment supplies other businesses e.g. retailers and caterers and those sales are marginal, localised and restricted, they may qualify for this exemption. The business must also supply the final consumer from that establishment (e.g. via a shop, internet sales etc). The UK interpretation of marginal, localised and restricted is as follows: -

- “Marginal” is defined as less than 25% of total food sales
- “Localised” is defined as 30 miles/50 kilometres from the boundary of the local authority in which the supplying establishment is located, or the outer boundary of the neighbouring local authority area, whichever is greater.
- “Restricted” is to be determined by consideration of the products being supplied and the establishments that are supplying or being supplied.

The stall at a farmers market is considered an extension of the on-farm production unit.

Establishments producing food which is a combination of both food of plant origin and **processed** food of animal origin (known as “composite products”) e.g. the production of pies, made with cooked pre-cooked meat, are exempt from approval. However, processed products used to prepare such foods are to be obtained and handled in accordance with the Hygiene Regulations.

### **Health marking**

Certain products of animal origin must bear an identification mark. Details of the identification mark can be found in **Section 3**.

## **2. Wild Game**

### **Licensing**

Game intended for human consumption must be handled correctly and hygienically from the point where it is shot, through to the point of sale or consumption. The Wildlife and Natural Environment (Scotland) Act 2011 (WANE) has introduced the modernisation of Game Law in Scotland. The Act has abolished game licensing and updated legislation which is nearly 200 years old. The Act transferred wildlife licensing from Ministers to Scottish Natural Heritage (SNH) which now provides a simplified and streamlined process for applicants.

<http://www.legislation.gov.uk/asp/2011/6/contents>

However, the requirement for venison dealers' licences, as set out in the Deer (Scotland) Act 1996 was retained.

The Deer (Scotland) Act 1996 (c.58) regulates the sale of venison in Scotland. This Act requires that a person wishing to deal in venison requires a venison dealer's licence. The licence is issued by the local authority. Every licensed venison dealer must keep a book in which a copy of all purchases and receipts of venison should be recorded in the prescribed form which can be found on the Deer Commission

website<sup>24</sup>. Any person who sells, offers or exposes for sale or purchases or offers to purchase or receives the carcase of a deer, or any part of such a carcase, which he knows or has reason to believe has been killed unlawfully shall be guilty of an offence.

### Production of game

There are different scenarios which could be used to describe the production and sale of game, and this will determine what controls are required in its production. These are summarised below: -

- (a) The direct supply by the producer (person responsible for the carcase e.g. an estate) of small quantities<sup>25</sup> of primary products (in-skin or in-feather wild game) to the final consumer or to local<sup>26</sup> retailers directly supplying the final consumer. Direct supply to the final consumer includes a market stall operated by the producer. The detailed requirements of the Hygiene regulations do not apply, however, Regulation (EC) 178/2002 (which lays down general principles and requirements of food law) will apply which means the person supplying the food must ensure that it is safe, not injurious to health and fit for human consumption.
- (b) Hunters (i.e. individual hunter, or active members of a hunting party, who shoot the game) supplying small quantities of game meat directly to the final consumer or to local retailers supplying the final consumer. The requirements of Regulation (EC) 852/2004 apply which includes the requirement to implement and maintain a procedure based on HACCP principles. In addition, they must comply with the structural and operational hygiene requirements of Annex II of that Regulation.
- (c) A game handling establishment that has been approved under the Hygiene Regulations. In such circumstances there will be no restriction on the quantities or markets (national or domestic) that can be supplied with game meat.

The Food Standards Agency has produced a Guide to The Hygiene Regulations for people who shoot wild game and supply it either in -fur or in-feather or as small quantities of wild game meat.

<http://www.food.gov.uk/multimedia/pdfs/wildgameguide0611.pdf>

This Guide does not cover other legislation on wildlife management, firearms, game licensing, game dealing, etc. There is a separate FSA 'Guide to the Food Hygiene and Other Regulations for the UK Meat Industry' for those who buy in wild game shot by others and produce meat from it. See

<http://www.food.gov.uk/foodindustry/meat/guidehygienemeat>

See also the 'Wild Game Guide Photo Annex' on the FSA web-site at:

<http://www.food.gov.uk/multimedia/pdfs/wildgamephotos.pdf>

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<sup>24</sup> <http://www.snh.gov.uk/snh-for-you/deer-managers/>

<sup>25</sup> Small quantities expected to be self limiting in a local market.

<sup>26</sup> The UK interpretation of "local" is 30 miles/50 kilometres from the boundary of the local authority in which the supplying establishment is located, or the outer boundary of the neighbouring local authority area, whichever is greater

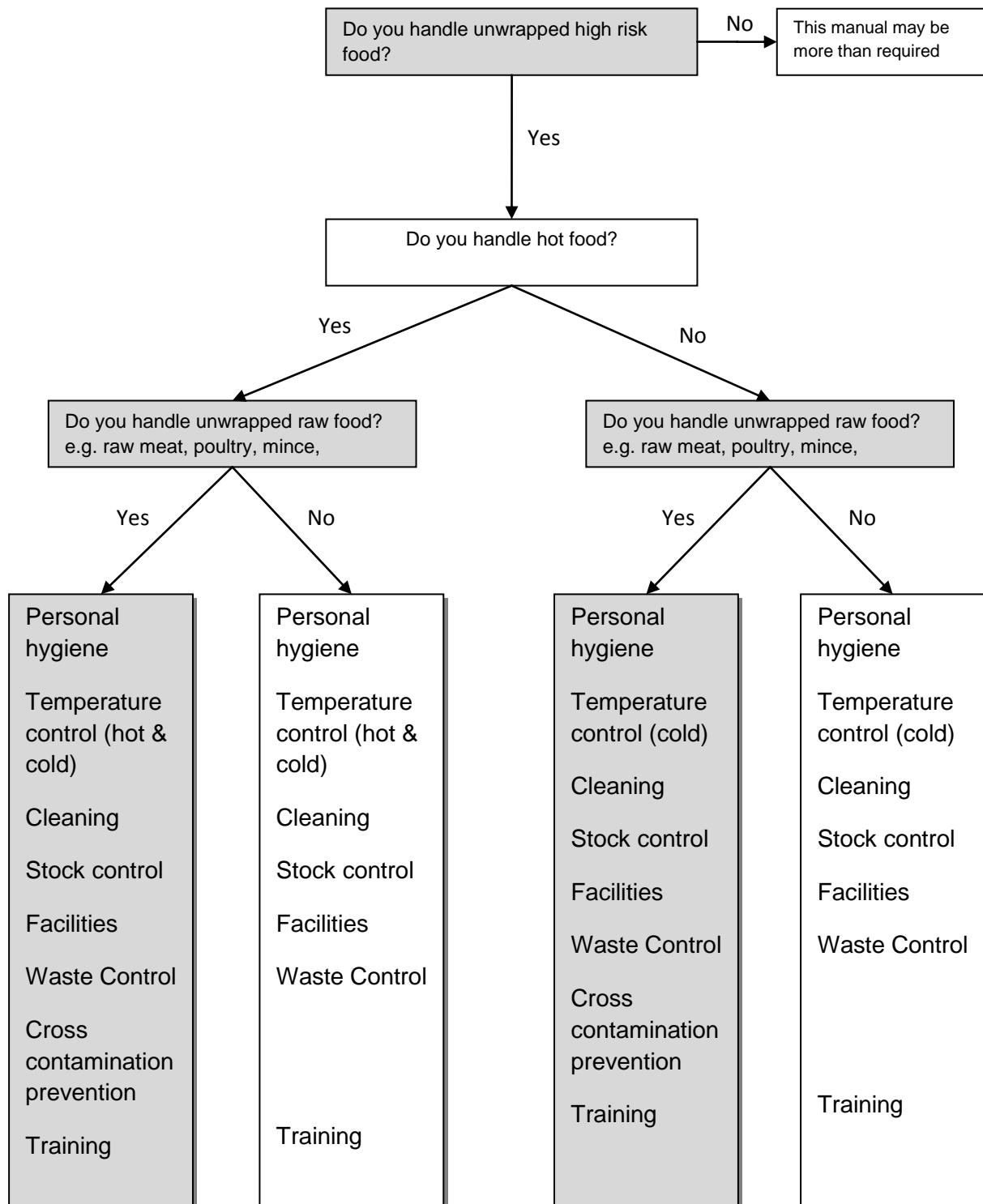
## FOOD SAFETY MANAGEMENT SYSTEMS

Food Business Operators are required to:

- Identify all the food safety hazards at each process step in the business and ensure that steps are in place to control or prevent them occurring. A hazard is anything that can cause harm to customers. There are three main types of hazard – microbiological (e.g. bacteria that can cause food poisoning), chemical (e.g. taint by cleaning chemicals) and physical (e.g. contamination by hair, glass or stones). Once all the hazards likely to occur in the food business have been identified, FBOs must find ways of preventing or controlling them. Control measures can take many forms, for instance the thorough cooking of foods will control the survival of harmful bacteria.
- Identify the controls in the food safety management system that are critical to food safety, known as critical control points (CCPs). In other words, points after which nothing further will be done to eliminate or reduce the hazard and thus make food safe to eat. For example, the temperature and method used to store and transport ready-to-eat foods, such as cooked meats, is critical as the meat will be eaten without further cooking.
- Identify critical limits – specified safety limits which controls at critical control points must achieve. For example, maintaining temperature control for the storage and transport of cooked meats.
- Monitor procedures that are critical to ensure the hazards are under control, e.g. use a thermometer to check the temperatures are satisfactory or otherwise.
- Deal with any problem identified at a critical control point (corrective action). This action must deal with the problem and prevent the problem from recurring.
- Keep records of the monitoring carried out if appropriate (e.g. of temperature checks) although visual checks can also be appropriate. Keeping records of control procedures and monitoring will demonstrate that hazards are under control in an effective manner. For example, temperature control records will demonstrate that all reasonable precautions have been taken to ensure that the food has been kept at a safe temperature. Simple measures should be all that is necessary for most stallholders.
- Verify the system is working.
- Review the system on a regular basis and when any changes are made to the way things are done to ensure that your system is still appropriate and up to date.

**BUSINESS SELECTOR**

Work through the business selector to determine what type of business you have and therefore which procedures and controls apply to you.

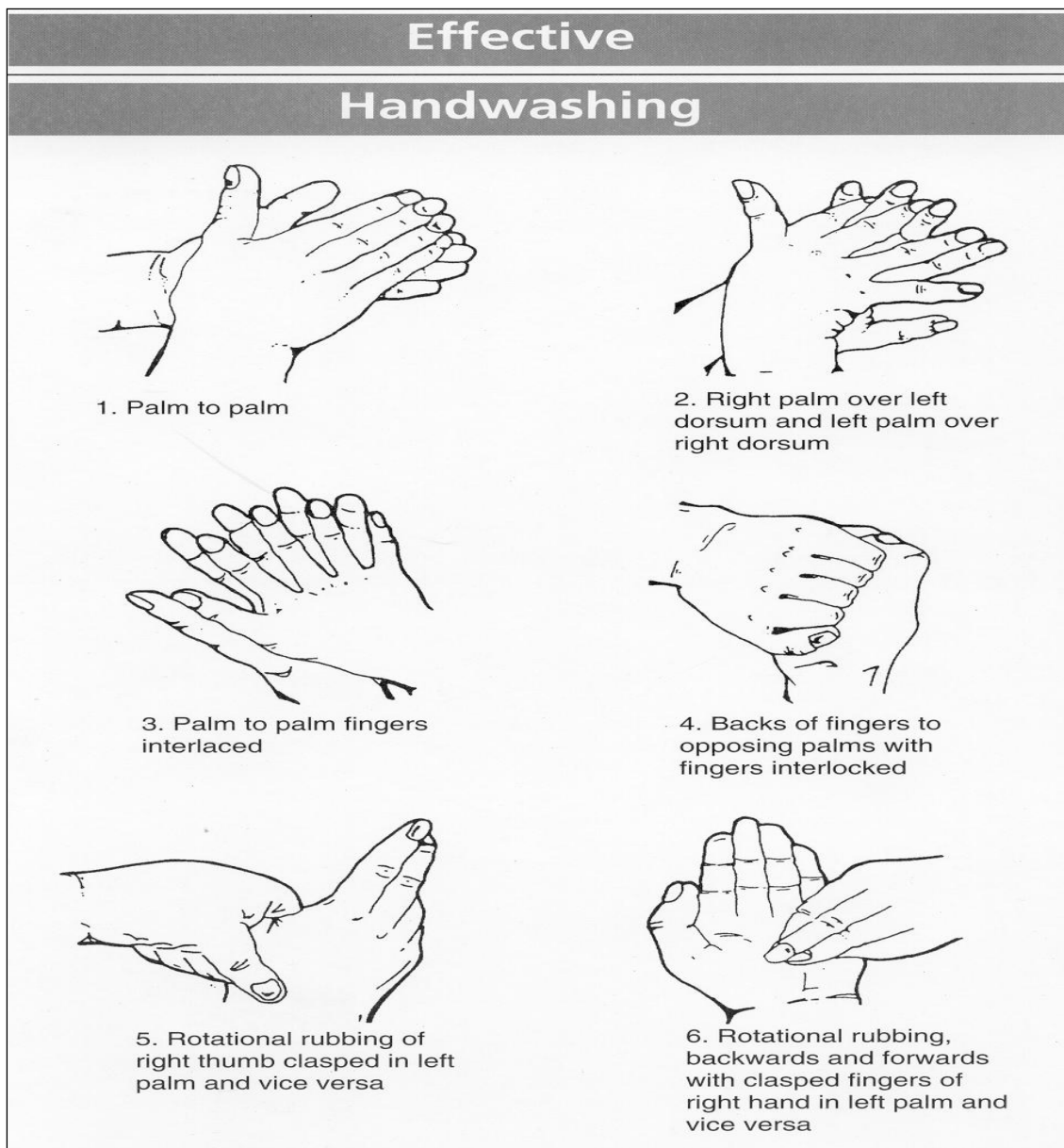


## EFFECTIVE HAND WASHING

In order to minimise the risk of cross contamination between raw and ready-to-eat foods, the following stages should always be included:

1. Wet hands, then apply liquid soap
2. Rub hands to physically remove contamination from all areas following the **6 Step Hand Washing Technique** (Aycliffe *et al*, 1979) found below
3. Rinse
4. Dry hygienically with a single use towel
5. To ensure washed hands do not come into contact with the taps, use a clean single use towel to turn the taps off.

Please Note: If after washing, your hands are not visibly clean, then the **6 Step Hand Washing Technique** has not been effective and should be repeated.





Date(s):

Venue:

DELIVERIES (IF APPLICABLE)			
Supplier			
Food/packaging items			
Items as ordered			
Van condition, separation of raw and ready to eat foods			
Food Temperature (if applicable)			
Condition of food and packaging			
Within "use by" and "best before" dates			
Corrective action			

TEMPERATURE AT MARKET			
	1	2	3
Display unit (if applicable)			
On site cooking of samples (if applicable)			
On site re-heating of food (if applicable)			
Hot holding (if applicable)			
On site storage (chilled) (if applicable)			
On site storage (frozen) (if applicable)			
Storage temperature after loading with returned food			
Corrective Action			

### Target Temperatures and tolerances

Chilled: 5°C or less

Frozen: -18°C or less

Cook: 75°C for minimum 30 seconds, or equivalent<sup>27</sup>Hot Holding: Above 63°C<sup>28</sup>Reheat: Minimum 82°C<sup>29</sup>

Air temperatures should be taken, unless the air temperature is above the target, in which case, temperature between packs of food, or food temperature should be taken. Disinfect probe before and after use for food temperature monitoring. Check accuracy of thermometer regularly

### Corrective Action

If unacceptable air temperature, take food temperature (by placing probe between packs) and/or recheck air temperature after short period of time. Arrange disposal of food or move to alternative storage location or further cooking. Investigate and remedy cause, calling out engineer if necessary.

<sup>27</sup> 60oC for 45 minutes, 65oC for 10 minutes, 70oC for 2 minutes

<sup>28</sup> Legal requirement

<sup>29</sup> Legal requirement, except when reheating results in loss of quality. Best practice: follow cooking temperatures

**CLEANING**

Date:

<b>Items &amp; areas to be cleaned</b>	<b>Frequency</b>	<b>Method of cleaning</b>	<b>Chemical, dilution, contact time</b>	<b>Monitor and Record (sign)</b>
Moveable equipment and utensils				
Tables/work surfaces				
Refrigerator, freezer (if applicable)				
Market stall cover				
Food waste containers, bins etc				
Cleaning cloths, work clothes				

Sign

Follow cleaning chemicals manufacturer’s instructions regarding dilution rates and the use of safety equipment and clothing, as necessary.

**MONTHLY PROBE CHECK**

MONTH (Year.....)	Agitate probe in melting ice (-1°C to +1°C acceptable) Record Actual temperature	Agitate probe in boiling water (99°C to 101°C acceptable) Record Actual temperature	Date	Sign	Corrective Action
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					

If more than one probe is used, a separate form should be used for each, and identified.