

Food Business Guidance

This information has been prepared to help you understand clearly what you need to do to meet the food safety laws that apply to all food businesses. This will ensure that the food you supply is safe to eat.

The guidance also provides other important information that you need to consider when setting up a new food business.

FOOD SAFETY

Generic information about starting a food business can be found on the Food Standards Agency (FSA) website, although the guidance is produced by the UK, our legislation is almost identical, so please read any references to UK/ England as being applicable to the Isle of Man, [Food Standards Agency | Business guidance](#).

The Regulations that apply to food businesses are:

- [Regulation \(EC\) 178/2002](#)
- [Regulation \(EC\) 852/2004](#)
- [Regulation \(EC\) 853/2004](#)

Registration of a Food Business

Subject to a few exceptions, all food businesses must be registered with the Department at least 28 days prior to starting to trade. Registration is free of charge and cannot be refused. The application form can be completed online at: [Register a food business](#). Once you have submitted your application form, your premises will be listed on the register and you will receive confirmation of your registration number.

Food businesses include any premises used to produce, prepare, store, distribute and sell food. The food business operator needs to register the food premises. The food business operator is the person or company who owns the business and is responsible for ensuring that the premises complies with food law. A food business operator can be a sole trader, partnership or legal entity.

If the nature of your business changes, the business closes, the food business operator or manager changes, or if you change the storage location of your mobile premises, you must notify us.

A register of addresses, contact numbers and the type of business carried on at the registered address is open to public inspection. Records of the other information provided will not be publicly available, but may be used for the purpose of registration, enforcement and the protection of public funds.

Individuals or organisations who handle, prepare, store or serve food occasionally and on a small scale, such as a church, school or village fair or organised charities comprising of individual volunteers may be exempt from registration. Please contact us for further details.

Inspections

All food businesses are inspected by authorised officers from The Department's Environmental Health team. The frequency of inspection is determined by the food safety risks associated with the particular business.

During the inspection, officers will visit your premises to check if your business is complying with food law and producing food that is safe to eat. To do this, they will look at:

- your premises
- how you work
- your food safety management system
- the types of food you make and prepare

Authorised officers may visit your premises for several reasons, including:

- food hygiene and food standards inspections
- sampling
- complaint follow-up
- advisory visits

They have the right to enter and inspect your premises at any reasonable time. Authorised officers will usually arrive without making an appointment.

How often your business is routinely inspected will depend on the type of business and its previous record. Some premises might be inspected at least every six months, others much less often. Authorised officers will offer help and advice on food safety. They can take action if they find that your standards of food hygiene are not good enough. In serious cases, action might include serving notices, closing the premises or prosecution.

Food Hygiene Rating Scheme

The Isle of Man Government is considering introducing a Food Hygiene Rating Scheme. This will be designed to help consumers choose where to eat out or shop for food by giving them information about the hygiene standards in food outlets at the time they are inspected to check compliance with legal requirements. If the scheme is implemented you will have to display your rating in a prominent place at your business or on a website or other promotional materials if your food business isn't visited by the public.

The scheme is intended to be very similar to the successful Food Hygiene Rating Scheme introduced over 10 years ago by the [Food Standards Agency in England, Wales and Northern Ireland](#). The food hygiene rating given reflects the inspection findings and has been calculated using the 'food hygiene intervention rating scheme' as set out in the [Food Law Code of Practice](#).

Food Safety Management

A documented food safety management system is central to complying with food safety legislation. It involves considering in detail how you handle, store, and prepare foodstuffs at all stages from purchase of ingredients to serving your customers. You need to identify what food safety hazards exist at each stage and ensure that the appropriate controls and procedures are in place to prevent these hazards from causing illness or injury. Once your food business is in operation, we will expect to see documentation that is relevant and covers the following areas:

- Possible food safety hazards related to your business.
- Things that must be checked in your premises to ensure that the food is safe.
- Records of any important checks adapted to and relevant to your business on things like cleaning, correct cooking, chilling of food or the prevention of cross contamination.

The size of the documented system will be dependent on the nature and size of the business. The FSA has produced the safer food, better business (SFBB) pack to assist small businesses in meeting this requirement. You can download and print a copy of the pack from the [FSA website](#). (If you are a childminder, please use [this](#) Safer Food Better Business pack.)

If the SFBB pack is not suitable for your business you will need to write a bespoke Hazard Analysis Critical Control Point (HACCP) system to ensure the safety of your products. To do this you will need to have sufficient technical and microbiological knowledge to identify all the risks and control measures. You may need to seek advice from a food technologist and/or microbiologist. Should you wish to contact the Government Analyst in relation to testing your product or determining shelf life etc., they can be contacted on 642250.

The FSA has also devised [MyHACCP](#), a free online tool intended to support small food manufacturing businesses in the development of their HACCP-based food safety management system. It takes you through a step-by-step process to identify the food safety hazards and controls and documents the outputs in a downloadable form.

Training

The food business operator must ensure that food handlers are supervised and instructed and/or trained in food hygiene matters relevant to their work. You (and other key staff) are advised to undertake training equivalent to the CIEH Level 2 Award in Food Safety in Catering or equivalent before you start to trade. These courses are readily available online and if you require any further advice in relation to which course to complete, please do not hesitate to contact us.

Please note that for high risk food activities or those requiring a bespoke HACCP, a higher level of training is advisable.

Prevention of cross-contamination

The FSA has issued [guidance](#) on the steps that food businesses need to take to control the risk of food becoming contaminated by E. coli O157. The key measures are:

- Identification of separate work areas, surfaces, and equipment for raw and ready-to-eat food, where possible.
- Use of separate complex equipment such as vacuum-packing machines, slicers, and mincers where the cleaning of such equipment between use for raw and ready-to-eat food would be too difficult.
- Hand washing carried out using a recognised technique. Anti-bacterial gels must not be used instead of thorough hand washing.
- Effective cleaning procedures.
- Use of disinfectants and sanitisers that meet officially recognised standards BS EN 1276:1997 or BS EN 13697:2001. If the labels do not provide this information you may be able to check whether the products meet the standards from this [website](#). All products should be used as instructed by the manufacturer.

Temperature control

Foods that could potentially support the growth of harmful bacteria e.g. cooked meats, dairy products etc. must be stored at safe temperatures (below 8° C), which is prescribed in legislation.

Structure

The structure of the premises must enable the preparation of food to be carried out hygienically; allow for the correct storage of foodstuffs; and provide adequate hand and equipment washing facilities. The premises you choose for your business must comply with the necessary regulations and allow you to prepare food safely. Your premises must allow you to follow good food hygiene practices, including protection against contamination and pest control. When you are choosing new premises, or making changes to existing premises please do not hesitate to contact us for advice. Further information can be found [here](#).

Provision of customer toilets

Where seating is provided for customers to eat on the premises, customer toilets must be provided in accordance the table below:

No. of Covers	Male			Female	
	WC	Urinal	WHB	WC	WHB
Up to 50	1	-	1	1	1
50-100	1	1	2	2	2

If you require any further advice in relation to toilet provision, please get in touch with us.

Domestic kitchens

Domestic kitchens can be used to carry out low risk activities such as cake making. However, we do not recommend the use of a domestic kitchen for the preparation of high-risk food because of the cross-over between domestic and commercial activities. If a domestic kitchen is to be used for such purposes we would expect there to be a high degree of separation between the domestic and commercial activities. This may require separate areas and facilities to be provided within the domestic premises.

Food Standards

Environmental Health Officers are also responsible for ensuring that food businesses comply with the regulations concerning product description, composition and labelling.

You must display the following mandatory information on the product packaging or on a label attached to the packaging:

- the name of the food
- a list of ingredients (including allergens)
- the weight or volume of the food (net quantity)
- a 'best before' or 'use by' date
- any special storage conditions and/or conditions of use (store in fridge/ once opened refrigerate and use within "x" days)
- Alcoholic strength (where above 1.2%)
- a warning for drinks with an alcohol content above 1.2%
- Nutritional declaration
- the name and address of the food business operator (FBO) responsible for the food information

Further guidance regarding the labelling of food can be found [here](#). Please also find further guidance on the appropriate use of "[free-from](#)" and "[gluten-free](#)" claims in relation to food allergens.

Allergens

All food businesses are required to provide customers with information regarding the presence of allergens in the food which they serve or sell. For all pre-packed food, allergens must be listed on the ingredients label. For non-packaged food, sold directly to the customer, allergen information must be made available at both the time of ordering (e.g. verbally or via a website) and at the point of delivery (e.g. verbally, on a label or via a menu).

There is an interactive food allergy training course which you can work through and print out a certificate on satisfactory completion. This can be accessed [here](#).

Both the [Isle of Man Government](#) and the [FSA](#) have produced comprehensive allergen guidance for Food businesses, including the introduction of prepacked for direct sale (PPDS) food, also known as [Natasha's Law](#). You should refer to that guidance to ensure that you comply with current legislation.

HEALTH AND SAFETY

General requirements

The Health and Safety at Work etc. Act 1974 covers workplaces, including food establishments. A comprehensive range of health and safety regulations has been made under this main legislation.

You will need to carry out a risk assessment for your business in which you consider the safety of yourself, your staff and other people (such as members of the public) who could be affected by the activities you undertake.

The Health and Safety Executive (HSE) [website](#) provides comprehensive information and guidance with specific information aimed at catering businesses.

Other health and safety issues that may be of relevance to your business include:

- [Gas safety](#)
- [Asbestos](#)
- [Managing work-related violence in licensed and retail premises](#)

Fire safety

If you operate from business or non-domestic premises, you will be responsible for fire safety. Your duties will include carrying out a fire risk assessment of the premises; putting in place appropriate fire safety measures and an emergency plan; and providing your staff with appropriate information and fire safety instruction.

Ventilation extraction systems

Ventilation extract systems remove heat, fumes, and odour from within the kitchen. Correct design and installation followed by regular maintenance are vital to ensure that the system performs correctly and does not create odour or noise problems (for example by discharging too close to a residential window). Please contact us at an early stage if you intend to install a new extraction system or make alterations to an existing one at the business premises.

Regular cleaning is also essential to prevent dirt and grease from building up in the ductwork and creating a fire hazard. The HSE provides a guidance note on '[Ventilation in Catering Kitchens](#)'.

PLANNING AND BUILDING CONTROL

General requirements

You should contact the Planning and Building Control team to find out whether there are any planning restrictions that apply to the premises you intend to trade from and to discuss what is required concerning any alterations to the building you intend to make.

For all details on how to contact the Planning and Building Control team, please visit their website [here](#).

WASTE DISPOSAL

Section 71B of the Public Health Act 1990 sets out the legal duty of care a business has with respect to waste. It applies to all commercial and industrial premises regardless of the size of the organisation or the amount of waste produced. Particular attention needs to be taken to ensure the correct disposal of fats, oils and greases which must not be poured down the drains.

LICENSING AND TRADING

Street trading

Street trading is defined as the selling or offering for sale of any article in the street. Local authorities are responsible for street trading in their area and the policies applied differ across the Island. If you intend to carry out any street trading you should check what rules apply with the specific Local Authority.

Alcohol licensing

If you intend to sell alcohol you need to have a licence. You will also need a licence to set up a sitting out area on the public highway. More information and how to apply for a licence are available from the [Courts of Justice](#).

USEFUL CONTACTS

Organisation	Website	Contact
Environmental Health Team	https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/regulation-directorate/environmental-health-unit/	ehenquiries@gov.im 01624 685894
Food Standards Agency (FSA)	www.food.gov.uk	
Chartered Institute of Environmental Health (CIEH)	www.cieh.org	020 7928 6006
Local food marketing	https://www.iomfoodanddrink.com/	food@gov.im
Government Analyst		01624 642250
Buy with Confidence	www.buywithconfidence.gov.uk	
Business Companion	www.businesscompanion.info	
Nationwide Caterers Association	www.ncass.org.uk	0121 6032524
British Sandwich Association	www.sandwich.org.uk	
Health & Safety Executive (HSE)	www.hse.gov.uk	
Environment Agency (EA)	www.gov.uk/government/organisations/environment-agency	
Gas Safe Register	www.gassaferegister.co.uk	0800 408 5500