

Advisory Note 31

Food Safety Guidance for Farmers' Market Traders

HOW THIS LEAFLET WILL HELP YOU

This leaflet will explain how to meet the food safety laws that apply to you while trading at a farmers' market. It covers the basic areas that apply to typical farmers' market stalls. To make it readable and straightforward to understand, it is not a detailed guide but you should find information here about how to obtain further advice on some of the more complicated food safety issues.

Farmers' markets are the subject of routine checking by food safety officers from your local Environmental Health and Trading Standards Department, who may visit you on the day a market is held. In addition, the farm or other premises from which you operate may also be subject to inspection

1. THE RULES OF HYGIENE - CONTROLLING HAZARDS

The law requires you to identify possible hazards to food safety, know which of these is actually important for the type of food that you prepare or sell and to provide suitable controls to stop problems occurring. While this can be complicated for some businesses, simple measures are all that is required for most traders at a farmers' market. The most important of these are described below.

i. Transportation

- Food transported to a market must be wrapped, covered or placed in suitable containers to prevent contamination. Vehicles and containers should be kept clean and in good repair and the food should be kept separate from other items. For example, if you are accustomed to transporting farm dogs, game birds or containers of agricultural diesel in the back of your Land Rover, you should think about how you can avoid tainting or direct contamination of fruit and vegetables.
- Simple cardboard boxes and paper-lined crates are fine for most agricultural produce but you will need higher grade materials, such as metal or plastic crates, for bakery products and meats.
- Some foods must be kept cold (below 8 °C) to prevent the growth of dangerous bacteria. These include soft or semi-hard cheeses, most other dairy products, cooked meat and vegetable products, most smoked or cured meat and fish and shellfish. Insulated containers with icepacks and a thermometer are usually sufficient and the temperature must be checked from time to time (and preferably written down in a log book). Larger volume traders should consider using refrigerated vehicles.

ii. Preparation

- The surface that you lay out or prepare food on must be smooth and impervious so that it can be thoroughly cleaned. If you are using wooden tables, you must provide plastic sheeting or other suitable covering material.

- You will need to wash and dry your hands from time to time and if facilities are not provided on site, you must bring your own. For stallholders selling open foods, such as meats, or high risk unwrapped foods such as cooked meats, dairy products and sea foods, there must be hand washing facilities at the stall. These should include a supply of hot water, towels, bowl, soap and preferably a nailbrush.
- If you are using knives or other serving implements you will need washing facilities for these, which must not be the same as those used for hand washing - separate bowls or sinks must be used.
- Wear clean protective over clothing while handling unwrapped food.

iii. Display and Service

- To avoid possible contamination, food must not be placed directly onto the floor. It is best to keep all unwrapped food off the ground by at least 45cm.
- Make sure that high risk and low risk foods are well separated- for example, keep raw foods away from cooked foods. The high risk foods described in (ii) above should be protected from the public touching, coughing or sneezing in the display area.
- Check the temperature of chilled foods from time to time and preferably keep a record of this in a logbook. Make sure you know the correct temperature for the food that you are selling.
- Regularly wipe down surfaces with a clean (preferably disposable) cloth using a food grade cleaner/disinfectant.
- If the market does not have refuse services, make sure you have sacks or containers for waste food and water.

iv. Training and basic hygiene measures

It is not obligatory in law for all market traders to have attended courses on training in food hygiene but you must at least be aware of the basic principles that apply to the safe handling and preparation of food. However, if you have no experience of running a retail food stall or business, or if you are manufacturing food at home or from other premises, you will need some specific training. In any case, food hygiene training courses are always strongly recommended for anyone involved in the running of a food business. Indeed, you may find that your local market will require evidence of such training before allowing you to join. If you are in any doubt as to what is required, your local Environmental Health Department will be happy to advise you.

For basic retailing operations, such as for selling fruit and vegetables, or for bakery products that do not contain meat or cream, the following advice should be of help.

- Keep yourself clean and wear protective clothing.
- Always wash your hands thoroughly before handling food, after using the toilet, handling raw food or waste and after every break.
- If you have a skin, nose or throat problem or an infected wound, do not handle unwrapped food.
- If you have a stomach upset, do not handle food for at least 48hrs after you are free of symptoms
- Ensure that cuts, spots or sores are covered with a brightly coloured waterproof plaster.

- Do not smoke, eat or drink where open food is handled.
- Clean as you go - keep all equipment and surfaces clean and disinfected.
- Avoid unnecessary handling of food.

2. DO I NEED TO BE REGISTERED?

There are many types of legal requirements in food safety legislation that involve licensing, approval or registration. As these all have their own distinct legal meaning, despite being at first sight rather similar, the whole area can be confusing for all concerned. This section will deal with the registration of food businesses under the Food Hygiene (England) Regulations 2006, which is a straightforward procedure for letting your local authority know that you are running a food business.

You may come across premises selling game and also premises that require formal approval as they cut or joint wholesale raw meat, or produce meat, dairy or fish products. These will be dealt with later.

Registration involves contacting your local authority for a form which you fill in and return. There is no fee and no 'food test' to pass. For market stalls, you do not need to register each market site, only the premises where you normally keep the stall and its materials overnight. In most cases, this will be your farm or smallholding.

3. LABELLING, WEIGHTS AND INGREDIENTS

This is an area that is largely enforced by Trading Standards Officers, except for Use-By dates where Environmental Health staff have powers as well. It can be a very complex subject and **if in any doubt about anything described below**, contact Trading Standards at Salford City Council for advice.

i. Weights

As a general rule, most loose foods such as fruit and vegetables must be sold by net weight, using approved metric weighing equipment. If food is pre-packed, the metric weight must be marked on the pack, but you can also add an imperial weight provided it is less prominent than the metric one. Some pre-packed foodstuffs must be sold in specific quantities; these include potatoes, jams, honey, dried fruit and dried vegetables.

ii. Labelling

Food labelling can be very specific but as a general rule, the following advice applies:

Loose foods and foods pre-packed by yourself must display the name of the food, which must be accurate and unambiguous. You will also need to indicate any additives used, such as flavouring, flavour enhancers, preservatives, flour improvers, colours, anti-oxidants or sweeteners.

Pre-packed foods, other than those you have pre-packed yourself, may require:

- A Best Before or Use By date. Best Before dates are mainly for foods whose quality decreases over a medium to long shelf life, such as cakes and biscuits. Use By dates are for foods which deteriorate rapidly and may end up posing a risk to health, such as chilled meat products.
- A list of ingredients.

- The name and address of the person putting the product into circulation.
- Any storage conditions.
- Any previous process or treatment, for example “previously frozen”.

There are specific requirements for declaring the percentages of certain ingredients. For instance, where an ingredient is highlighted in the name of a food, e.g. "Apple and ginger chutney" the percentages of apple & ginger would have to be declared on the label.

There are also specific requirements regarding the inclusion of genetically modified and irradiated ingredients.

Meat products require a label showing their minimum meat content or, in the case of cured meat, their added water content. For farmers’ markets, this is a chance for exploiting any superior meat content of your product over those that are available in the high street.

iii. Prices

Prices must be clearly displayed, either per item or per kilogram, litre, square metre or metre as appropriate. The price can be displayed as a list at the stall or shown directly on the product.

iv. Business Names

While it is usually good practice to display your full name and address on your stall, if you are trading in someone else’s name, you must clearly display to customers the business name and address of the owners.

v. Other Considerations

Some foods, such as jams and fruit juices, have specific Trading Standards requirements. This leaflet cannot cover all aspects of the law and just to re-emphasize the advice of the opening paragraph in this section, your local Trading Standards officer at Salford City Council will be happy to talk to you.

4. SELLING YOUR FARM-PRODUCED MEAT

Many aspects of the sale of meat have their own sets of rules and regulations. While there are some exceptions from these special controls, it is very important that traders are aware of what the law requires. It is a complicated and bureaucratic area and needs explaining in a little more depth than some of the other subjects in this leaflet.

i. Getting your meat cut for you

You may well be used to having some of your animals sent to a local slaughterhouse (if you are fortunate enough to have one) and the meat cut up there or at a local butchers before being sent back to you for your own consumption. However, you may need to think again about doing things this way if you intend to sell this meat from your own premises or stall.

A butcher’s shop where your meat is cut up and returned to you for sale must be formally approved as a meat cutting premises. Unless they supply meat to you on a marginal, localised and restricted basis. Marginal is classed as up to a quarter of the business in terms of food or meat up to 2 tonnes a week (or with game up to 0.5 tonnes a week). Localised is limited to supplying establishments, such as local farms, with their own or neighbouring county.

ii. Cutting up meat yourself

If you cut up your own meat at your farm or other premises you may also own, and then sell it only from your market stall, your farm buildings that you use will need approval as a cutting premises unless this is also done on a marginal, localised and restricted basis. Please contact your local Environmental Health Department for advice.

If meat is cut up for sale to the public only at your market stall, you do not need cutting premises approval.

The advice above is not exhaustive and it is understandable that you may find even what is given here confusing! You will find a sympathetic and constructive approach from Environmental Health staff.

5. MANUFACTURING FOOD AT HOME FOR SALE FROM YOUR MARKET STALL

This is an area that covers everything from jams and cakes to frozen and chilled meals and meat products. Special rules and regulations can apply to some of these foods, particularly when making meat, fish and dairy products, which will include pre-packed meals and dishes. **If you do not comply with these rules, the consequences can be very serious.** It cannot be stressed enough that when thinking about starting such a business you must get advice from your local Environmental Health Department. There is really too much here to cover in any great depth in this leaflet but it can help to give a few pointers.

i. Making low risk items such as cakes and jams

Generally these present few problems and many people safely produce a range of jams and non-dairy cakes from home. You must make sure you know about the basics of food hygiene and law and also the labelling and shelf-life requirements that apply. Before starting out, contact your local Environmental and Trading Standards department for advice.

ii. Making high risk items such as meat, dairy and fish products

These foods are much higher risk because they support the growth of harmful bacteria and are often sold ready to eat without further cooking. A mistake in their preparation and handling can have serious consequences for public health. As a result, many of these products, which include hams, pates, ice-cream, cheeses, yoghurts and prepared foods such as meat pies, lasagne, shepherds pies etc. require approval of the production premises and process under specific legislation. It can be very difficult, and sometimes impossible, to obtain approval for a domestic premises to manufacture these kind of products, even on a small scale. As a result, you will need to plan your operation carefully.

In addition, attractive traditional recipes, which may be perfectly safe for immediate consumption, do not always lend themselves to a production process, packaging or an easily assessable shelf life for prolonged storage.

Although this can sound quite daunting, with a little dedication it is perfectly possible to set up a business to produce these kind of products and many operate successfully from small units. Before starting out, contact your local Environmental and Trading Standards department for advice.

6. GIVING AWAY FREE SAMPLES

You will want to introduce your customers to as wide a range of your foods as possible and having tasting samples available is a good way to get their attention. Bear in mind that even though you may give samples away free of charge, the law sees this transaction as a sale, and their production and handling is still subject to legal control. Samples need to be protected from contamination such as undue handling, usually either from inquisitive pets or equally inquisitive children, so ensure samples are stored high up. If your customers have to handle your food, try and make sure they don't touch other samples on the plate - cocktail sticks or tongs help to stop this. Most importantly, don't leave food that must be chilled for safety reasons out of chill control for long periods, so keep quantities to a minimum and throw out uneaten food if it has been out of refrigeration for a long time. The law permits a maximum of four hours in most cases but it is best if high risk food is disposed of after one hour out of chill control. Bear in mind that for some foods, such as hard cheeses, temperature control is not critical to safety and longer periods are acceptable, so seek advice if in any doubt.

You may find your local market has its own conditions about food samples and they may not be permitted. This is at the discretion of the market organiser rather than any national legal requirement.

7. ANIMAL ATTRACTIONS AT FARMERS MARKETS

Some farmers markets use animals as an additional attraction to the produce stalls. They can be petted, fed or just admired and in most cases these will be part of the host farm or premises and not your direct responsibility as a stallholder.

However, it is possible you may be bringing your own livestock to show to the public. Although most farmers grow up with a degree of immunity to the various bugs that can be transmitted from their animals, the same will not be true for many market visitors and they can be subject to infection. Whatever are your feelings about modern lifestyles, it is inevitable that you will be faced with children and adults whose health could be at risk.

In addition, germs such as E. coli O157, which 20 years ago was virtually unheard of in this country, can cause serious illness that can be fatal in young children or cause life-long disability through kidney failure. As a result, you need to be very careful about managing any animals that you have on show.

Most local authority Environmental Health Departments should be able to give you detailed advice on animal handling at farmers' markets but some of the key elements are listed here.

- If you are bringing animals in, first make sure you have the necessary movement permits; contact your Animal Health unit at Salford City Council Trading Standards department for information.
- Make sure your animals are transported separately from your foodstuffs. The holding pen at the market must be well separated from your food stall and the animals should not have to be led to the pen past or close to other food stalls.
- If the animals are to be petted or fed, they must be supervised and you should have hand washing facilities present, including soap and towels.
- If visitors bring picnics or eat any of the food that they have bought on site, this should not be allowed to take place close to animals.
- Ensure children are supervised by adults and that children do not put fingers in their mouth or kiss the animals.

This is not an exhaustive list by any means but will give you an idea of what is required.

Useful contacts

The National Association of Farmers' Markets
Telephone: 0845 45 88 420 web: www.farmersmarkets.net

Farm Retail Association
Telephone: 0845 45 88 420 web: www.farmshopping.com

National Farmers Union
Telephone: 020 7331 7200 web: www.nfu.org.uk

The Countryside Agency
Telephone: 01242 521381 web: www.countryside.gov.uk

The Food Standards Agency
Telephone: (help line) 020 7276 8000 web: www.food.gov.uk

The Country Land and Business Association
Telephone: 020 7235 0511 web: www.cla.org.uk

**For further Advice/Information contact
Salford City Council
Environment Directorate, Turnpike House
631 Eccles New Road, Salford M5 2SH
Telephone: 0161 737 0551
Email: environment@salford.gov.uk**