



Food Safety Level 2

Lesson 1: Legal Responsibilities for Food Safety

Introduction

Hello and welcome to the lesson on Legal Responsibilities for Food Safety.

In this lesson we will learn about the requirements set out in European Food Legislation.

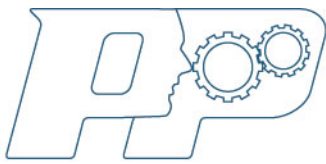
We will examine European Regulation 852/2004 “Hygiene of Foodstuffs” covering:

- the requirements for food premises, storage and water supply
- the requirements for application of HACCP principles
- the requirements for personal hygiene
- the requirements for training
- the enforcement of requirements

European and Irish food legislation requires that food operators comply with food hygiene requirements.

But what is food hygiene and what are these requirements?

Food Hygiene may be defined as the measures and conditions necessary to control hazards and to ensure fitness for human consumption of a foodstuff taking into account its intended use.



To prevent these food hazards from contaminating food products, food operators must look to implement controls.

Food premises, storage and water supply

To ensure that contamination does not come from building fabric or the external environment, food premises should be kept clean and maintained in good repair.

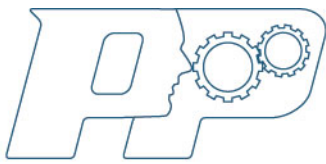
The layout, design, construction, siting and size of food premises are to:

- permit adequate maintenance, cleaning and/or disinfection, avoid or minimise air-borne contamination, and provide adequate working space to allow for the hygienic performance of all operations;
- be such as to protect against the accumulation of dirt, contact with toxic materials, the shedding of particles into food and the formation of condensation or undesirable mould on surfaces;
- permit good food hygiene practices, including protection against contamination and, in particular, pest control, and
- where necessary, provide suitable temperature-controlled handling and storage conditions of sufficient capacity for maintaining foodstuffs at appropriate temperatures and designed to allow those temperatures to be monitored and, where necessary, recorded.

An adequate number of flush lavatories are to be available and connected to an effective drainage system. Lavatories are not to open directly into rooms in which food is handled.

An adequate number of washbasins is to be available, suitably located and designated for cleaning hands. Washbasins for cleaning hands are to be provided with hot and cold running water, materials for cleaning hands and for hygienic drying. Where necessary, the facilities for washing food are to be separate from the hand-washing facility.

There is to be suitable and sufficient means of natural or mechanical ventilation. Mechanical airflow from a contaminated area to a clean area is to be avoided. Ventilation systems are to be so constructed as to enable filters and other parts requiring cleaning or replacement to be readily accessible.



Food premises are to have adequate natural and/or artificial lighting.

Drainage facilities are to be adequate for the purpose intended. They are to be designed and constructed to avoid the risk of contamination. Where drainage channels are fully or partially open, they are to be so designed as to ensure that waste does not flow from a contaminated area towards or into a clean area, in particular an area where foods likely to present a high risk to the final consumer are handled.

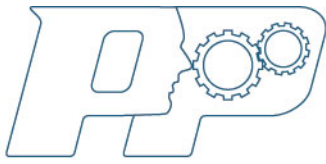
Where necessary, adequate changing facilities for personnel are to be provided.

Cleaning agents and disinfectants are not to be stored in areas where food is handled.

Specific requirements in rooms where foodstuffs are prepared, treated or processed.

In particular:

- floor surfaces are to be maintained in a sound condition and be easy to clean and, where necessary, to disinfect. This will require the use of impervious, non-absorbent, washable and non-toxic materials unless food business operators can satisfy the competent authority that other materials used are appropriate. Where appropriate, floors are to allow adequate surface drainage;
- wall surfaces are to be maintained in a sound condition and be easy to clean and, where necessary, to disinfect. This will require the use of impervious, non-absorbent, washable and non-toxic materials and require a smooth surface up to a height appropriate for the operations unless food business operators can satisfy the competent authority that other materials used are appropriate;
- ceilings (or, where there are no ceilings, the interior surface of the roof) and overhead fixtures are to be constructed and finished so as to prevent the accumulation of dirt and to reduce condensation, the growth of undesirable mould and the shedding of particles;



- windows and other openings are to be constructed to prevent the accumulation of dirt. Those which can be opened to the outside environment are, where necessary, to be fitted with insect-proof screens which can be easily removed for cleaning. Where open windows would result in contamination, windows are to remain closed and fixed during production;

- doors are to be easy to clean and, where necessary, to disinfect. This will require the use of smooth and non-absorbent surfaces unless food business operators can satisfy the competent authority that other materials used are appropriate; and

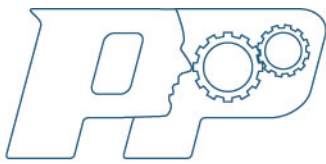
- surfaces (including surfaces of equipment) in areas where foods are handled and in particular those in contact with food are to be maintained in a sound condition and be easy to clean and, where necessary, to disinfect. This will require the use of smooth, washable corrosion resistant and non-toxic materials.

Adequate facilities are to be provided, where necessary, for the cleaning, disinfecting and storage of working utensils and equipment. These facilities are to be constructed of corrosion-resistant materials, be easy to clean and have an adequate supply of hot and cold water.

Adequate provision is to be made, where necessary, for washing food. Every sink or other such facility provided for the washing of food is to have an adequate supply of hot and/or cold potable water.

Raw materials and all ingredients stored are to be kept in appropriate conditions designed to prevent harmful deterioration and protect them from contamination. Ingredients and finished product that require refrigeration or freezing should be stored at suitable temperatures and condition recorded.

Adequate provision is to be made for the storage and disposal of food waste, non-edible by-products and other refuse. Refuse stores are to be designed and managed in such a way as to enable them to be kept clean and, where necessary, free of animals and pests.



The Application of HACCP Principles

Food business operators must put in place, implement and maintain a permanent procedure based on the HACCP principles Hazard Analysis and Critical Control Points.

The HACCP principles referred to above consist of the following:

- identifying any hazards that must be prevented, eliminated or reduced to acceptable levels;
- identifying the critical control points at the step or steps at which control is essential to prevent or eliminate a hazard or to reduce it to acceptable levels;
- establishing critical limits at critical control points which separate acceptability from unacceptability for the prevention, elimination or reduction of identified hazards;
- establishing and implementing effective monitoring procedures at critical control points;
- establishing corrective actions when monitoring indicates that a critical control point is not under control;
- establishing procedures, which shall be carried out regularly, to verify that the measures outlined are working effectively; and
- establishing documents and records commensurate with the nature and size of the food business to demonstrate the effective application of the measures outlined.

When any modification is made in the product, process, or any step, food business operators shall review the procedure and make the necessary changes to it.

Food business operators must:



- provide the competent authority with evidence of their compliance with the requirement to have procedures based on the HACCP principles in the manner that the competent authority requires, taking account of the nature and size of the food business;

- ensure that any documents describing the procedures developed in accordance with this are up-to-date at all times;

- retain any other documents and records for an appropriate period (as detailed in the relevant Statutory Instrument).

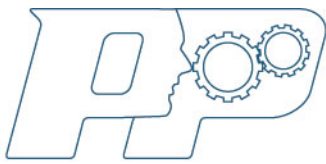
The Requirements for Personal Hygiene

Regulation (EC) No. 852/2004 requires that every person working in a food-handling area must maintain a high degree of personal cleanliness and is to wear suitable, clean and, where necessary, protective clothing.

No person suffering from, or being a carrier of a disease likely to be transmitted through food or afflicted, for example, with infected wounds, skin infections, sores or diarrhoea is to be permitted to handle food or enter any food-handling area in any capacity if there is any likelihood of direct or indirect contamination. Any person so affected and employed in a food business and who is likely to come into contact with food is to report immediately the illness or symptoms, and if possible their causes, to the food business operator.

The Requirements for Training

Regulation (EC) No. 852/2004 requires that food business operators (FBOs) must ensure:



that food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity;

that those responsible for the development and maintenance of the procedure referred to in Article 5(1) of Regulation (EC) No. 852/2004 (i.e. FBOs must put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles) or for the operation of relevant guides have received adequate training in the application of the HACCP principles; and

compliance with any requirements of national law concerning training programmes for persons working in certain food sectors

The Enforcement of Requirements

The Food Safety Authority of Ireland Act, 1998 contains enforcement provisions which are in addition to the powers to prosecute and other provisions in other specific pieces of food legislation.

Enforcement is carried out by authorised officers appointed by the FSAI or its official agents.

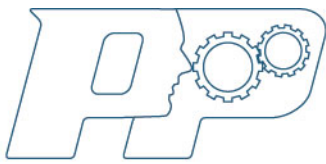
The provisions in the Food Safety Authority of Ireland Act, 1998 are as follows:

Improvement Order - It is issued by the District Court if an Improvement Notice is not complied with.

An Improvement Notice is issued where in the opinion of the authorised officer:

- a) any activity involving the handling, preparation etc. of food, or
- b) the condition of a premises (or part thereof) where this activity takes place is such that if it persists, it will or is likely to pose a risk to public health.

Closure Order - is issued if in the opinion of an authorised officer, there is or there is likely to be a grave and immediate danger to public health at/or in the food premises. Closures Orders can refer to the immediate closure of all or part of the food premises, or all or some of its activities. The Orders may be lifted when the premises has improved to the satisfaction of an authorised officer.



Prohibition Order - It is issued if the activities (handling, processing, disposal, manufacturing, storage, distribution or selling food) involve or are likely to involve a serious risk to public health from a particular product, class, batch or item of food. The effect is to prohibit the sale of the product, either temporarily or permanently.

Note: Orders may pertain to all or part of a food premises, the cessation of all or some of the activities thereat, or the withdrawal/detainment/destruction of described foodstuffs.

Summary

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