



## **Food Hygiene, you and the Law**

### **The Law**

From the 1<sup>st</sup> January 2006, new EU legislation came into effect regarding food hygiene regulations. This affects all food business operators who are now required to put into place, implement and maintain procedures based on the seven principles of HACCP.

### **What is HACCP?**

Hazard Analysis Critical Control Point (HACCP) is a food safety management system designed to assist food business operators in maintaining hygiene standards therefore proving that they are complying with the above legislation.

There are seven basic principles of HACCP which are outlined below:

#### ***You need to...***

- 1. Analyse Hazards** – identify all potential hazards (microbiological, physical and chemical).
- 2. Identify Critical Control Points** – identify the **point** at which a hazard could occur therefore harming the consumer
- 3. Establish Critical Limits** – set the parameters of the control points so that out of control activity can be identified.
- 4. Establish/implement a monitoring system** to monitor the critical control points.
- 5. Establish Corrective Action** – establish corrective action to be taken when the parameters of critical control points have been breached.
- 6. Establish procedures to verify** that points 1-5 are working effectively.
- 7. Establish reporting procedures** to provide evidence that the HACCP system is working effectively – these reports should be made available on request

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## How does our temperature monitoring system help you with HACCP?

When you are visited by an EHO they will expect you to:

	Client responsibility	RAG Systems will...
Monitor	√	√
Record	√	√
Log	√	√
Justify	√	√
Prove	√	√
Comply	√	√
Verify	√	√

### **Enforcement**

Current legislation places the onus on the food operator to make sure that their food is safe. HACCP has been designed to assist them in doing this.

#### ***Failure to comply with legislation carries serious penalties!***

In most cases the local authority is responsible for enforcing food hygiene laws and will take action against you in order to protect the public if necessary. It is often the case that enforcement officers will inspect premises without prior notice and can ask you to produce relevant reports and documentation in order to prove due diligence.

Preliminary Enforcement actions may include:

- Taking food samples
- Record inspection
- Written letters requesting that problems are corrected

In more serious cases, enforcement actions could involve one or more of the following:

- Serving of legal notices
- Serving of hygiene improvement notices
- Prohibition notices
- Closure of premises
- Prosecution, fines and even imprisonment

RAG will provide a temperature monitoring system that monitors your critical control points, alerts you when your set limits exceed their set parameters and produces the reports you need to satisfy your local enforcing authority.

### **Legal Requirements:**

Schedule 4 of the Food Hygiene Regulations regarding Temperature Control Requirements, states that foods that are likely to support the growth of pathogenic micro-organisms or encourage the formation of toxins, are to be held at or below 5°C, or, at or above 63°C (this being the danger zone).

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## **Food business operator - responsibilities:**

The following specification, relating to temperature monitoring, has been taken from Article 4, of Regulation (EC) No.852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs.

“Food business operators shall, as appropriate, adopt the following specific hygiene measures:

3.(c) compliance with temperature control requirements for foodstuffs;”

### *Use RAG systems as your first form of defence!*

The aspects of the law relating to temperature monitoring/control have been outlined above, *however*, the responsibility of proof rests with the food business operator. EHO's can enter premises without notice, (at a time of day which is considered to be reasonable), and request to see audit trails and all due diligence data. It is becoming more apparent that pen and paper is just not good enough! An automated system offers protection, accuracy and can justify that your foods are being 'temperature- monitored' appropriately.

It is also necessary to highlight that there are certain foods that are exempt from temperature control and can be kept at ambient temperature if they have been treated in a certain way and their packaging remains intact .e.g. foods kept in jars, canned foods or air-dried foods. Any specific instructions on packaging should also be taken into account.

### **To conclude:**

Temperature control requirements should be understood and interpreted within the general context of HACCP. HACCP covers various aspects of food safety and hygiene of which temperature monitoring is a part. Hazards are identified and controls put into place to minimise, even eliminate the risk to the consumer. Therefore being able to prove due diligence and have your stock and reputation protected is highly important. In addition you can run your business with the peace of mind that you are operating within the guidelines of HACCP and food safety legislation.

The following table has been produced to illustrate the benefits of an automated system.

## Manual system vs. automated system

Why would you choose a fully automated system as opposed to managing your temperature monitoring manually?

A manual process takes time – you are up against the clock to keep food out of the **‘Danger Zone’ (5°C – 63°C)**.

The manual process involves...	Who...	Automated system
<p><b><u>Taking temperatures:</u></b></p> <ul style="list-style-type: none"> <li>• using particular thermometers (depending on food type)</li> <li>• air temperature taken, (not the temperature of the food), in chilled units etc.</li> <li>• may not always be taken at suitable, regular intervals.</li> </ul>	<p>This process requires: an employee to manually take temperatures. However the level of accuracy is ambiguous as there is room for human error. This process also takes time.</p>	<p>Will...</p> <ul style="list-style-type: none"> <li>• monitor <b>food</b> temperature, (not air), continuously using thermal delay technology and food simulant</li> <li>• monitor wirelessly</li> <li>• (no need to probe)</li> <li>• monitor within set critical control points</li> </ul> <p><i>Saving...time and manpower with added energy efficiencies.</i></p>
<p><b><u>Accuracy:</u></b></p> <ul style="list-style-type: none"> <li>• The thermometers also need to be checked for accuracy</li> </ul>	<p>This process requires: an employee to manually carry out tests to check accuracy of thermometers.</p>	<p>Will...</p> <ul style="list-style-type: none"> <li>• be calibrated annually, (using a reference probe), by system engineers without any disruption to workforce or production.</li> </ul>
<p><b><u>Time:</u></b></p> <ul style="list-style-type: none"> <li>• temperatures need to be taken at least every four hours, 24 hours a day</li> </ul>	<p>This process requires: an employee to manually take temperatures, but can this be implemented 24 hours a day?</p>	<p>Will...</p> <ul style="list-style-type: none"> <li>• monitor temperatures every 40 seconds, 24 hours a day, logging at customer specified intervals.</li> </ul>
<p><b><u>Data collection:</u></b></p> <ul style="list-style-type: none"> <li>• requires information to be collected, collated and recorded accurately (at the risk of human error)</li> </ul>	<p>This process requires: an employee to manually collect, record and log data.</p>	<p>Will...</p> <ul style="list-style-type: none"> <li>• automatically collect, log and store temperature readings. Out of parameter readings will generate an alarm enabling staff to carry out remedial actions.</li> </ul>
<p><b><u>EHO’s requirements:</u></b></p> <ul style="list-style-type: none"> <li>• reports need to be produced on request (often at short notice) <b><i>proving</i></b> that <i>due diligence</i> data has been recorded</li> </ul>	<p>It is the local authority’s responsibility to enforce food hygiene laws. EHO’s may visit as a matter of routine or as a result of a complaint, often without notice, but at a reasonable time of day. They will want to see <b><i>your</i></b> proof.</p>	<p>Will...</p> <ul style="list-style-type: none"> <li>• <b>Prove</b> that temperatures are being monitored and recorded, regularly and accurately. Reports will be available on request showing full audit trails and providing due diligence data.</li> </ul> <p><i>Saving... Your business!</i></p>

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