

 West Lothian Council	Environmental Health		SUBJECT: COMMERCIAL HOME CATERING
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		Public Health	
Status: Trade Advice		Pollution Control	
		Pest Control/Dog Warden	

Information Sheet FH14

RUNNING A FOOD BUSINESS FROM HOME

Introduction

At Environmental Health we are often asked "**Can I run a food business from home?**"

Although in theory the answer to this question is YES - there are many serious considerations and implications which can easily make the answer **NO!**

This guidance is intended for anyone who intends to run a food business from their own home. This might include preparing food at home to sell in a shop or from a market, selling to other businesses, a sandwich round business, or even full scale catering. It is becoming increasingly popular to start and run a business from your own home, but when food is involved this can present a whole range of new problems which many people do not properly consider when starting out.

As a general principle, if you prepare high risk foods then the standards required of you will be much stricter than if you only prepare low risk foods.

Running a Food Business From Home

If a home based business is going to operate successfully and safely then you will need to take account of the following points.

1. REGISTRATION

Your home may well have to be registered with the Council as a food business. This is free, and there is only one simple form to fill in, but it is a legal requirement and you can be prosecuted if you do not register before starting. Contact us on 01506 –282500 for the form.

2. PLANNING PERMISSION

You may need planning permission to run a business from home, so take advice from the planning department of the council. Contact them on 01506-282480

3. BUSINESS RATES

You may have to pay increased rates if you use part of your property for a business. Contact the Revenues Section of the council on 01506-776800.

4. INSURANCE

Just in case things go wrong, we strongly recommend you to take out insurance to cover claims against you (third party insurance) just the same as any other business. Unfortunately this can be quite expensive. You should consult your solicitor or insurance agent about this.

5. RESTRICTIVE COVENANTS

Especially in older properties, you may find that the deeds contain clauses that prevent you from carrying out certain activities, and running a food business may be one of them. You should consult your own solicitor about this.

6. MORTGAGE RESTRICTIONS

If you have a mortgage on your property you must contact your lender and talk to them about your intentions.

7. FOOD SAFETY LAW

The laws on food safety apply just the same to a business run from home as they do to all other commercial premises. You will be liable to regular inspections by officers from the council's environmental health service, and you may face legal action if you are found to be breaking the food hygiene laws. This also applies if you use a kitchen somewhere else to prepare food, for example a village or community hall kitchen. You might wish to talk to an Environmental Health Officer and your solicitor about the legal aspects and the problems you could face.

8. TRAINING

You may need to attend a training course. One of the main requirements of the law is that all food handlers must know enough about food safety to allow them to work safely. This usually means passing a training course in food hygiene, at a level which is appropriate to the type of food being prepared. We can offer advice about what level of training you would need, and where the courses are held.

9. YOUR KITCHEN

Domestic kitchens are not designed for commercial use and so might need some alteration to comply with the food safety laws. Common problems include the following :-

- Nowhere in the kitchen, or close nearby, to have a wash basin just for washing hands.
- A toilet or bathroom which opens directly on to the kitchen.
- Decorative finishes which are not "easily cleanable" as required by the law.
- Domestic quality equipment which is not up to the standard needed for commercial use.
- Not enough storage or refrigeration space for large volumes of food.
- Inadequate ventilation leading to condensation, mould growth, and damage to decoration.
- Problems with keeping the kitchen free of flies, ants, and other sources of contamination.
- Limited space and worktops so that "cross contamination" becomes difficult to prevent.
- Access to the kitchen by children, pets, or other people, which can make good hygiene difficult.
- Separating family use of the kitchen from business use can be very awkward, but is essential for good food hygiene.

The standards you will have to meet depend upon a number of factors such as the type and quantity of food you intend to prepare, and what else the kitchen is used for. Since each case and each kitchen is different you will need to talk to your Environmental Health service to decide exactly what is necessary.

In general, we recommend that any business which intends to prepare food in anything more than very small quantities should be operating from properly designed and equipped commercial premises - and not from an ordinary domestic kitchen. The reason for this advice is quite simple. It is very difficult to achieve the standards of hygiene required by law in a domestic kitchen - and if hygiene fails then contamination and food poisoning can quickly follow.

Further help

Remember it is your responsibility to ensure that the food served to your customers is safe. If you would like help, or need any further advice, then please contact us on 01506 282500 or environmentalhealth@westlothian.gov.uk