

## A Guide to Home Baking as a Business

Domestic Premises registered as a Food Business with Telford & Wrekin Council



*This pack has been developed to assist domestic (from home) businesses who are registered as a food business with Telford & Wrekin Council. If you complete and follow this you will be complying with the requirement to provide a documented food safety management system. You should remember to keep all your paperwork such as where you buy your ingredients and decorations/packaging from, fridge temperatures, training certificates.*

## FOOD SAFETY MANAGEMENT SYSTEM HOME CAKE MAKERS AND GENERAL HOME CATERING

<b>Name of Business:</b>	
<b>Address from which business operates:</b>	
<b>Name of business owner/food business operator:</b>	
<b>Date this pack was first completed:</b>	
<b>Review Date:</b> (This document should be reviewed every year and amended when necessary, particularly if you start making a new product or use new methods of preparation).	

### How to complete

All food businesses however large or small, are required by law to have a documented food safety management system in place to show how they are producing safe food. This document can be used to meet this requirement for domestic premises registered as a food business. You should examine each safety point in turn and write down how you, as the business operator, will ensure that the food you produce is safe. Ensure that you consider any additional hazards specific to your business, for example if you also make jam etc

*If there is anything not covered in this document that you feel requires controls, you should include them as a supplementary sheet.*

### Monitoring

Some ingredients you use to make your cakes will have to be kept in the fridge (such as cream/cream cheese or butter) will require monitoring or checking every day, for example ensuring your fridges are running at a temperature below 8°C. Where you need to record data a simple daily diary will be sufficient.

### Traceability

If you sell products to other businesses you must be able to trace them. You should consider what labelling and record keeping is required.

### Qualifications

Provide an up to date food safety certificate which meets the standards for a Level 2 and evidence of having received recent Food Allergen training

<b>Safety Point – Cross Contamination</b>	
<b>Why it is critical to food safety?</b>	<b>What I do to meet this safety point:</b>
<b>Food handlers</b> should wash their hands thoroughly using hot water and soap before commencing work, and after handling potentially contaminated foods such as raw eggs or raw vegetables/fruits/salads. Bacteria and dirt can spread from the hands of food handlers to the product they are making.	
Clean aprons or clean clothing should be changed into prior to starting work. Dirty overalls or clothing can contaminate food.	
Hair should be tied back and excessive jewellery should be removed prior to commencing work. Loose hair can contaminate food and jewellery can trap dirt and bacteria and could also fall off into the food.	

<p><b>Food handlers</b> who are ill or have been unwell within the last 48 hours should not handle foods. This includes diarrhoea, vomiting and colds/flu. Some illnesses are contagious and can be passed on to customers through food handling. You should make sure that anyone who handles food has been symptom free for 48 hours before resuming work. (You may wish to have a plan to ensure orders are met if you are unwell).</p>	
<p>Where finished products are stored in the fridge, raw meats should either be stored elsewhere or on the bottom shelves of the fridge to prevent cross contamination. Cross contamination can easily occur during storage. Finished products and ingredients should be covered whilst in storage and during transit. Finished products should be boxed or wrapped in fresh, clean, non-toxic, food grade packaging. Safe storage of all packaging materials you use to prevent any physical contamination.</p>	
<p><b>Safety Point - Cleaning</b></p>	
<p><b>Why it is critical to food safety?</b></p>	<p><b>What I do to meet this safety point:</b></p>
<p><b>Domestic pets</b> should be removed from the food preparation area before commencing work. Animals can carry</p>	

potentially dangerous bacteria which could contaminate work surfaces, their hair/fur can also be a source of contamination.	
Domestic kitchen equipment and surfaces must be thoroughly cleaned and sanitised prior to use. Bacteria from raw meats or unwashed vegetables can contaminate work surfaces, fridges and equipment, which can then be spread onto the food (eg cakes) being prepared.	
Specify the type of cleaning chemicals used ideally to BS:EN 1276. Reusable cloths should be changed regularly. Alternatively single use, disposable cloths may be used. Bacteria can easily survive and spread from cleaning cloths onto food or work surface.	
Check your working area for anything (particularly very small items), that could drop into your products. Food could become physically contaminated, posing a risk to customers.	
Fridge shelves must be cleaned regularly. Fridge shelves can become contaminated with bacteria. This can easily pass onto hands and other products stored in the fridge.	

<p>The kitchen must be clean and tidy with no evidence of pests such as rodents or insects. Pests can contaminate foods and ingredients. Attention should be paid to cupboards where dry goods such as flour are stored.</p>	
<p><b>Safety Point – Cooking and Temperature</b></p>	
<p><b>Why it is critical to food safety?</b></p>	<p><b>What I do to meet this safety point?</b></p>
<p>Please specify the different types of food that you make.</p>	
<p>Raw egg products, such as some chocolate mousses and cheesecakes should be avoided. Products made with uncooked or lightly cooked eggs can carry <i>Salmonella</i> bacteria which can cause food poisoning.</p>	
<p>Ingredients requiring chilled storage (such as dairy items) must be kept in the fridge. (You should have some method of being able to monitor the temperature of your fridges to ensure they are 8C or colder).</p>	

Bacteria can survive and grow in foods which require refrigeration. Indicate here how often you will check your fridge temperature. It is recommended that you keep a record of fridge temperatures, will you do this?	
<p>If you are working on a market stall and have high risk foods that require refrigeration (such as fresh cream cakes or cheesecakes) you must have suitable refrigeration available to store them. This could include cool boxes with ice packs or portable refrigerators. How will you check that the temperature is ok?</p> <p><i>High risk foods can be kept unrefrigerated for a <b>single period of 4 hours</b> during service. If you are relying on this exemption you <b>must</b> be able to demonstrate what time the food was first put out.</i></p>	
<p>If you are working on a market stall and supply open foods, such as slices of cake that are not pre-wrapped you must take along a supply of water and cleaning materials for hand washing and equipment. Facilities for handwashing will enable personal hygiene to be maintained. (Antibacterial hand gels alone are not always sufficient).</p> <p>Safe storage of all packaging materials you use to prevent any physical contamination when at an event.</p> <p><b>Safety Point – Other</b></p>	
<b>Why it is critical to food safety?</b>	<b>What I do to meet this safety point:</b>
Catering premises should be using good quality, fresh, Grade A eggs. Lion marked eggs are recommended.	

<b>Allergens</b> such as nuts and some dairy products should be used in specific batches and care should be taken to avoid contaminating other foods. Some people have severe allergic reactions to allergens and cross contamination must be avoided.	
<b>Stock rotation</b> will ensure that foods beyond their use by date are not consumed. Where foods are prepared in large quantities and then stored, you should have some method of being able to identify their shelf life. This includes foods placed in the freezer. Usual methods include date labels. Either when made or to be used by	

## Labelling

The main pieces of legislation that cover food labelling requirements in England are The Food Information Regulations 2014 and the retained EU Regulation No 1169/2011 Food Information for Consumers. Labelling requirements are different depending on how you sell your products.

### Prepacked Foods

If you pack cakes and then supply these to other retailers (businesses) for sale this is a **prepacked food** and you should have full labelling. Full labelling would include the following mandatory information:

- a) **Name** of food \* that accurately describes the product and easily understood. (Note 'Chocolate' is a reserved description that has to comply with schedule 1 of The Cocoa and Chocolate Products (England) Regulations 2003 link to legislation <https://www.legislation.gov.uk/ukxi/2003/1659/contents/made> )
- b) **Ingredients**: A full list of ingredients given in descending order by weight with the heading 'Ingredients'.



This list must include a breakdown of all compound ingredients e.g. margarine, glace cherries, butter cream icing etc. You will be able to find information about the ingredients of ingredients on their packaging. Additives must be declared by reference to their category name (preservative, colour, anti-oxidant etc) plus an E number or chemical name. e.g. colour: E122 or colour: carmoisine

- c) **Allergens** (for 14 allergens see food not prepacked allergen information): Where any of the 14 allergens or products thereof are present their presence must be clearly indicated in the ingredients list and emphasised through a typeset that clearly distinguishes it from the rest of the list. Allergens may be emphasised by font, colour, style, boldness etc
- d) **QUID** the quantity of ingredients declaration.  
You must declare the percentage of any ingredient where the name of that ingredient appears in the name of the food e.g. % cherry in cherry shortbread. Or where an ingredient is associated with a food by the consumer e.g. almonds in a Bakewell tart. Or is emphasised on the packaging e.g. in a picture.
- e) **Net quantity\*** in grams
- f) **Date of minimum durability.** Most flour confectionery will need a 'best before' date to indicate when they can be eaten at their best. The date should be in the form 'best before: day month and year'.  
A 'use by' date is needed on products that will deteriorate quickly and carry the risk of food poisoning if they are not eaten by the stated date e.g. fresh cream cakes. The date should be in the form 'use by: day month and year. It is a criminal offence to sell goods after their 'use by' date.
- g) Special **storage conditions** or conditions of use where relevant
- h) **Business name and address.** All food must be marked with the name and address of the person who is responsible for the labelling information. The address needs to be sufficiently full to ensure that a letter sent to that address will arrive at its destination. A telephone number and/or email address may be given as well as an address but not instead of an address.
- i) **Country of origin or place of provenance** if it might be misleading to omit the information. For example, if a cake is described as a 'scone with Cornish clotted cream' the cream must be from Cornwall. If it is described as Italian Panettone the country of origin must be made clear if it's not made in Italy e.g. produced in the UK.
- j) **Instructions for use** where relevant
- k) **Nutrition Declaration:** The nutrition declaration must include energy value; and the amounts of fat, saturates, carbohydrate, sugars, protein and salt.

\*same field of vision

This list is not exhaustive. More information about full labelling can be found on the Food Standards Agency website:

<https://www.food.gov.uk/business-guidance/packaging-and-labelling> and on <https://www.gov.uk/guidance/food-labelling-giving-food-information-to-consumers>

The Food Standards Agency offer a free e-learning course on food labelling: <https://labellingtraining.food.gov.uk/index.html>

If possible, look at several labels on mass produced prepacked cakes at your local supermarket to visualise what labelling is required. There is an exemption from giving the mandatory nutrition declaration on food directly supplied by the manufacturer of small quantities of products to the final consumer or to local retail establishments directly supplying the final consumer. All pre-packed cakes must be marked with an indication of net **weight in grams**. The only exception is cakes traditionally sold by number e.g. cupcakes, scones, rock cakes etc. where the number of cakes can clearly be seen through the packaging.

### **Loose (not prepacked) and Food Prepacked for Direct sale**

If you take orders by distance communication i.e. over the phone, from social media or your website this is **distance selling** and has different requirements than if you sell directly to customers from your market stall or shop. When cakes are sold loose or are prepared and packed after a request has been received from a customer these are classed as **food not prepacked** (this would include orders for personalised celebration cakes etc). If you make your cakes and pack them before offering them for sale from yourself this is classed as **prepacked for direct sale (PPDS)**. This leaflet will give an overview of the labelling requirements for foods not prepacked and PPDS including offering these foods for sale by means of distance selling.

### **Food Not Prepacked**

Food businesses selling loose food from a stall or a small retail outlet such as a bakery or delicatessen, must provide the following information:

1. **The name of the food** – this can be a recognisable customary name (Victoria Sponge, Battenberg Cake etc) or one that describes the product accurately written on a label, ticket or notice.
2. **Allergen information.** You must be able to provide details of all allergens from the list below used in the preparation of the food:
  - a. Cereals containing gluten (e.g. wheat, barley etc),
  - b. Eggs
  - c. Milk
  - d. Lupin flour
  - e. Fish
  - f. Crustaceans
  - g. Molluscs
  - h. Sesame seeds or paste
  - i. Soya

- j. Tree Nuts (except coconut)
- k. Peanuts
- l. Mustard
- m. Celery
- n. Sulphur dioxide above 10mg/kg

Allergen information should be provided in verbal or written form. It can be written on a label attached to the food or a notice, menu, ticket or label where the customer can clearly see it before making their purchase. If there is a chance your products may be given as a gift to a third party, then allergen information should be provided in written form. If you decide to give information about allergens verbally you need to display a clear instruction about how to obtain that information (e.g. by providing an easily visible sign telling customers to ask a member of staff).

It is never sufficient simply to state that 'all products may contain allergens' or similar nonspecific statements. The information supplied must be specific to each individual product.

For celebration cakes, made to order it might be a good idea to clarify any allergens issues with the customer when the order is made – perhaps on the order form and to include a list of allergens on the invoice or box in which the cakes are delivered. However, information may be supplied in other ways should you wish to do so.

QUESTION TO THINK ABOUT: How do you inform customers of allergens within the product? More information can be found at <https://www.food.gov.uk/business-guidance/allergen-guidance-for-food-businesses>

3. **Colours** - Some decorations or ingredients contain colours that are associated with hyperactivity in children. The colours to check for are:
- a. E102 tartrazine yellow
  - b. E104 quinoline yellow
  - c. E110 sunset yellow
  - d. E122 carmoisine red
  - e. E124 ponceau 4R red
  - f. E129 allura red

If any of your specific products contain these colours in the cake or decorations, you need to display a warning sign. The warning required is the name of E number of the colour accompanied by the wording "may have an adverse effect on activity and attention in children". More information can be found at <https://www.businesscompanion.info/en/quick-guides/food-and-drink/colours-in-food>

- 4. If any of the ingredients have been irradiated, or have come from genetically modified sources this needs to be written on a label, ticket or notice
- 5. Cakes displayed for retail sale are also required to be marked with a **price** written on a label, ticket or notice.

Ready to eat Cakes sold loose or made to order from catering establishment like a cafe will require the following food information:

1. Allergens

This information can be communicated through a variety of means to suit the nature of the food business – see point 3 above.

Free food allergy training from the Food Standards Agency: <https://allergytraining.food.gov.uk/>

### Food prepacked for direct sale (PPDS)

The 5 points above under the heading food not prepacked also apply to food PPDS. In addition from 1<sup>st</sup> October 2021 new legislation requires all prepacked for direct sale food to have **a label on or attached to each individual product** showing:

1. the name of the food
2. a full ingredients list with the 14 allergens required to be declared emphasised on the ingredients list if present. Ingredients must be listed in order of weight, with the main ingredient first according to the amounts that were used to make the food.

### An example for a celebration cake:

A chocolate sponge cake filled and covered with chocolate ganache, finished with edible decorations

Ingredients: Sugar, DARK CHOCOLATE (cocoa mass, sugar, cocoa butter, butter oil (**milk**), emulsifier **soya lecithins** and flavouring), fortified wheat flour (**wheat** flour, calcium carbonate, iron, niacin, **thiamin**), pasteurised free range **egg**, rapeseed oil, butter (**milk**), double cream (**milk**), golden syrup, humectant vegetable glycerine, fat reduced cocoa powder, maize and wheat glucose syrup, cornflour, raising **agents** disodium diphosphate and sodium hydrogen carbonate, MILK CHOCOLATE (sugar, cocoa butter, dried full cream **milk**, skimmed **milk** powder, cocoa mass, emulsifier **soya lecithins**, flavouring and paprika), emulsifier sodium stearoyl-2-lactylate, dried free-range **egg** white, salt, acidity regulator citric acid

#### Allergy Advice

For allergens, including cereals containing gluten, see ingredients in bold

May also contain nuts and peanuts

### An example of a carrot cake:

Carrot Cake

Ingredients: Carrot, Sugar, Sunflower Oil, **Egg**, **Wheat** flour (**Wheat** flour, calcium carbonate, iron, niacin, thiamin), Wholemeal **Wheat** flour, Apricots, **Walnuts**, Orange juice, orange zest, sodium bicarbonate, Cream of tartar, Cinnamon

More information can be found on the Food Standards Website: <https://www.food.gov.uk/business-guidance/allergen-labelling-for-prepacked-for-direct-sale-food>

Check if your business sells PPDS Food with the FSA decision tool: <https://www.food.gov.uk/allergen-ingredients-food-labelling-decision-tool>

### **Distance Selling Information required:**

Distance selling requires mandatory food information outlined above to be provided at two stages:

- **before the purchase of the food is completed** - this can be in writing (on a website, Instagram, Facebook, catalogue or menu) or orally (by phone)
- **at the moment the food is delivered** - this can be in writing (allergen stickers on food or an enclosed copy of a menu) or orally (by delivery driver or yourself).

Food businesses selling non-prepacked foods through distance selling will need to provide allergen information but not a list of ingredients. Whatever the chosen method of presentation, you must always ensure that the allergen information is current and accurate.

The Food Standards Agency have more information on specific allergen information requirements for distance selling in their [food allergen labelling and information requirements technical guidance \(Opens in a new window\)](#).

Food businesses can also use the FSA [food safety for food delivery](#) advice to avoid cross-contamination in delivery.

### **Precautionary Allergen information**

Under Regulation (EU) No 1169/2011 on the provision of food information to consumers, as the producer you must be able to provide consumers with accurate information on the intentional presence of any of the 14 allergens in the food provided. This regulation does not require you to provide consumers with information on the unintentional presence of allergens. However, to avoid providing food that could be deemed unsafe (Article 14, Regulation (EC) No 178/2002), you should be able to provide consumers with accurate information about the unintentional presence of allergens where required (e.g. in response to a consumer query). Best practice would be to do a risk assessment of potential cross contamination of allergens in your preparation area (including baking equipment) and storage areas then make a list of allergens each product may contain.

Any food information provided to consumers must be based on a meaningful risk assessment by the yourself. Therefore, allergen waivers or disclaimers must only be used when a risk assessment demonstrates they are needed. You must not make any statements about food that could mislead consumers. For example, you should not make any statements about the intentional or unintentional presence of allergens in your food if you have not properly assessed the presence or completed a meaningful risk assessment.

If you cannot prevent allergen cross-contamination or use pre-packed ingredients that carry 'may contain' warnings, you should tell customers that the food you provide may contain the allergen and may not be safe for people with an allergy to eat it. The consumer can then make an informed decision. If there is a risk of a food product being affected by allergen cross-contamination and you provide a label it should include one of the following statements:

may contain X

not suitable for someone with X allergy

### **Glitters, Dusts and Colours**

You should ensure that no decorations, edible or non-edible are a choking hazard. It is advisable that only edible decorations are used. Any non-edible decorations must be capable of being removed from the product before it is eaten. You must advise your customers of this. It is good practice to provide written instructions for non-edible decorations. If you pre-pack your products, the warning should be on the label, if you sell loose (unwrapped) then advise every customer verbally.

Glitters and dusts must be edible and for food use, so always read the label when buying them. If there is any doubt, then do not buy them. Keep details of the glitters and decorations you are using in the form of the original packaging, as this is proof that the products are labelled as edible. This information may be requested by an Enforcement Officer when they carry out a routine visit or if there is an investigation following an incident or complaint.

### **Packaging**

If you package food yourself, you must use packaging that's suitable for food use. Suitable packaging is marked 'for food contact' or has a symbol on it that looks like a wine glass and a fork.

More information about the regulations can be found on Business companion <https://www.businesscompanion.info/en/quick-guides/food-and-drink/food-contact-materials> and on the FSA website: <https://www.food.gov.uk/business-guidance/food-contact-materials-regulations>

### **Voluntary Labelling**

This leaflet describes mandatory food information for food not prepacked and food PPDS. However, if you wish to give full labelling information you are free to do so. However, it will need to be in the format prescribed for prepacked food referred to at the start of this leaflet.

### **Claims**

Gluten free – there are specific rules covering the use of the words 'gluten free'. If your products contain less than 20mg/kg of gluten you may label them 'gluten free'. If your products are made with ingredients that have been specially treated to reduce the gluten content to less than 100mg/kg they may be labelled 'very low gluten'.

Guidance on nutrition and health claims can be found on <https://www.gov.uk/government/publications/nutrition-and-health-claims-guidance-to-compliance-with-regulation-ec-1924-2006-on-nutrition-and-health-claims-made-on-foods>

### **Further Advice:**

If you require any further information or advice please submit an enquiry via our online portal: <https://pp.telford.gov.uk/>

**Telephone:** 01952 381818