

Starting up a Food Business in Malta

Your first steps to running a food business

This booklet is for people setting up a food business, be it a restaurant, café or other catering business, or another food retail outlet like grocery shop, butcher shop, confectionery shop and others, whether you are taking over a business that already exists or starting a new one.

It is very important to get things right at the start, because this will make it much easier for you to run your business well in the future. This booklet tells you about the main things you need to consider.

Lots of the information in this booklet tells you about legal requirements. When something is good practice, rather than a legal requirement, the text will be highlighted in a box with this symbol: ❁

There are also some tips to help you. These are in boxes with this symbol: ❖

Where you Work

Registering food premises

If you are planning to start a new catering business, or taking over a catering business, you must register your premises with the Food Safety Commission. Call the office of the Regional Environmental Health Directorate or the Business Consultation and Certification Unit within the Environmental Health Directorate at least 28 days before opening.

This applies to most types of food business, including food businesses run from home, and mobile or temporary premises such as stalls, kiosks and vans. Contact the office of the Regional Environmental Health Directorate or the Business Consultation and Certification Unit for information on how to register. If you use two or more premises, you will need to register all of them.

If you want to make changes to your premises, or if you intend to work from home, remember that you should tell the Environmental Health Directorate and you might need a permit from the Planning Authority.

Rules about premises

When you choose the premises for your business, it is very important to make sure that they:

- comply with the necessary regulations
- are suitable for the purpose of your business
- allow you to prepare food safely

You must keep your premises clean and maintained in good repair and condition. Your premises must allow you to follow good food hygiene practices, including protection against contamination and, in particular, pest control.

❁ When you are choosing new premises, or making changes to premises, it is a good idea to ask the Environmental Health Directorate for advice.

The following rules apply to your whole premises, not just the areas used for preparing food.

Handwashing facilities and toilets

You must have enough washbasins for staff to wash their hands, with hot and cold running water, and materials for cleaning hands and drying them hygienically.

Separate sinks must be provided, where necessary, for washing food and cleaning equipment.

There must also be enough toilets and these must not lead directly into food areas.

Changing facilities

You must provide adequate facilities for staff to change their clothes, where necessary.

Other requirements

Your premises must also have adequate ventilation, lighting and drainage.

Food preparation areas

The following rules apply to rooms where food is prepared.

Floors and walls

Floors and walls must be maintained in a 'sound condition'.

They must be easy to clean and, where necessary, to disinfect.

In practice, this means that floors and walls should be smooth, hard-wearing, washable and in a good state of repair.

Ceilings

Ceilings must be constructed and finished in a way that prevents dirt from building up and reduces condensation, mould and shedding of particles.

In practice, this means that ceilings should be in good condition, smooth and easy to clean, with no flaking paint or plaster.

Windows

Windows and any other openings must be constructed in a way that prevents dirt from building up. Windows and any other openings (such as doors) that can be opened to the outside must be fitted, where necessary, with insect-proof screens that can be easily removed for cleaning.

Doors

Doors must be easy to clean and, where necessary, to disinfect.

Surfaces

Surfaces (including surfaces of equipment) in areas where food is handled, particularly those that are touched by food, must be maintained in a sound condition and be easy to clean and, where necessary, to disinfect.

Facilities for cleaning equipment

Your premises must have adequate facilities, where necessary, for cleaning, disinfecting and storing utensils and equipment. The facilities must have an adequate supply of hot and cold water.

Facilities for washing food

You must have adequate facilities, where necessary, for washing food. Every sink (or other facility) for washing food must have an adequate supply of hot and/or cold water. The water must be drinking quality. These facilities must be kept clean and, where necessary, disinfected.

Equipment

All items, fittings and equipment that food touches must be:

- kept in good order, repair and condition in a way that enables them to be kept clean and, where necessary, to be disinfected
- cleaned effectively and, where necessary, disinfected frequently enough to avoid any risk of contamination

Waste

You must remove food waste and other rubbish from rooms containing food as quickly as possible, to avoid it building up.

You must have adequate facilities for storing and disposing of food waste and other rubbish.

These are just some of the rules that apply to your business.

Specific legislation may be found by linking to:

<http://health.gov.mt/en/environmental/Pages/Food-Safety-Commission/Food-Legislation.aspx>

Mobile and temporary premises

If you run a food business from a mobile or temporary premises, or from premises mainly used as a private dwelling, you still need to comply with the same hygiene rules as other food businesses. However, because space is limited, the legal requirements for premises are slightly different and allow greater flexibility.

Mobile and/or temporary premises include marquees, stalls, kiosks and vans. 'Premises mainly used as a private dwelling' could be a cake-making or other low risk business.

For more information and advice on how food hygiene regulations apply to you, contact the regional office or the Business Consultation and Certification Unit within the Environmental Health Directorate.

Remember, mobile and/or temporary premises or premises mainly used as a private dwelling will also need to be registered with the Food Safety Commission

Health and safety

You must work in a way that protects the health and safety of your employees and other people who might be affected by what you do.

Managing food safety

Food safety management is all about what you do to manage how food is produced in your business, to make sure it is safe to eat.

Food safety management procedures

You must put in place ‘food safety management procedures’ and keep up-to-date records relating to your procedures. If you change the type of food you produce, or change how you work, you must review these procedures.

You could also ask the Regional Office or the Business consultation and Certification Unit within the Environmental Health Directorate for advice.

Staff

You must make sure that any member of staff who handles food is supervised and instructed and trained in food hygiene in a way that is appropriate for the work they do. In Malta it is a legal requirement to attend a formal food handling training course and to obtain a Food Handlers Card prior taking job as a food handler. A list of approved course providers can be found by linking to:

<http://health.gov.mt/en/environmental/Pages/Food-Safety-Commission/Registration-of-Food-Handlers.aspx>

The person (or people) responsible for developing and maintaining your business’s food safety management procedures must have received adequate training to enable them to do this. The necessary skills could also be obtained in other ways, such as through on-the-job training, self-study or relevant prior experience.

✿ When you hire a member of staff, you should make sure they understand the main food hygiene issues before they start work. See the Good food hygiene section.

✿ It is a good idea to keep a record of any training you or your staff have done, because you will be able to show this to enforcement officers when they visit your premises.

Suppliers

✱ Your choice of supplier is important because a supplier's reliability, and the safety and quality of the food they supply, could affect your business. It is especially important that the products you buy have been stored, processed and handled safely.

When food is delivered, check that:

- chilled and frozen food is cold enough
- packaging is not damaged
- it is what you ordered

If you do not think that the food a supplier delivers has been handled safely, reject the delivery, if possible, and contact your supplier immediately.

Traceability

You must keep written records of all the suppliers that provide you with food or any food ingredients. The records should include the name and address of the supplier, the type and quantity of products and the dates when you take delivery. You may also wish to record the batch number or the 'use by' or 'best before' date. Often this information will be on the invoice, but you should make sure.

You should keep all the invoices and receipts for any food products you buy from any supplier, including a shop or cash-and-carry. If there is a safety problem with food you have sold, you or an enforcement officer can check the details of the food. Bear in mind that if a food has a long shelf life, you will need to keep the records for longer.

If you supply food to another business, you also need to keep records containing the same details. Make sure that you keep all your records in a way that means that you could quickly find the details of a particular food when asked by an enforcement officer.

Product withdrawal and recall

If you have supplied some food to another business and you think that it is harmful to health or unfit for people to eat, you will need to arrange for it to be withdrawn from sale. If it has reached consumers, you may need to arrange for its recall, which means the consumers must be asked to return or throw away the product – ask your Regional Environmental Health Directorate Office for advice.

If you withdraw or recall any food or have food on your premises that may be harmful to health, you must immediately tell your Regional Environmental Health Directorate office.

Transport

When you transport food – perhaps from your premises to another venue, or from the cash-and-carry to your premises – you must prevent it from becoming contaminated, for example with dirt or bacteria.

It is especially important to make sure that:

- food is transported in packaging or containers that protect it from contamination
- chilled and frozen foods are kept at the right temperature (some businesses use cool bags and boxes, or refrigerated vans)
- raw and ready-to-eat foods are kept apart

Vehicles used to transport food must be kept clean and in good repair.

✿ Good food hygiene is essential to make sure that the food you serve is safe to eat. And it makes good business sense because good hygiene helps prevent food poisoning and protects your reputation with customers.

When you are setting up a food business, it is a good opportunity to introduce ways of working that will help you ensure good hygiene right from the start.

The four main things to remember for good hygiene are the 4 Cs:

- Cleaning
- Cooking
- Chilling
- Cross-contamination

You can use the 4 Cs to help you prevent the most common food safety problems. The following sections explain how you can use each one.

Cleaning

✿ Effective cleaning gets rid of bacteria on hands, equipment and surfaces. So it helps to stop bacteria from spreading onto food. You should do the following things.

- Make sure that all your staff wash and dry their hands thoroughly before handling food.
- Clean and disinfect food areas and equipment between different tasks, especially after handling raw food.
- Clean as you go. If you spill some food, clear it up straight away and then clean the surface thoroughly.
- Use cleaning and disinfection products that are suitable for the job, and follow the manufacturer's instructions.
- Do not let food waste build up.

❖ A cleaning schedule is a good way to make sure that surfaces and equipment are cleaned when they need to be. It can also help to stop cleaning products being wasted or used incorrectly.

Work out what needs cleaning every day, or more than once a day, and what needs cleaning less frequently. Your schedule should show:

- what needs to be cleaned
- what needs to be disinfected
- how often it needs to be done
- how the cleaning/disinfecting should be done

It is a good idea to include cleaning instructions showing:

- what cleaning products should be used
- how the products should be used, including how much they should be diluted and how long they should be left in contact with the surface (following the manufacturer's instructions)
- how the products should be stored (in a special place, not in food areas)
- staff training in cleaning procedures

Lack of adequate cleanliness is one of the most common reasons why food businesses are prosecuted.

☀ **Cooking**

Thorough cooking kills harmful bacteria in food. So it is extremely important to make sure that food is cooked properly. Undercooked food could cause food poisoning.

When cooking or reheating food, always check that it is steaming hot all the way through. (In Malta it is a legal requirement for reheated foods to reach a core temperature of 70°C.)

It is especially important to make sure that you thoroughly cook poultry (such as chicken), pork, rolled joints and products made from minced meat, such as burgers and sausages. This is because there could be bacteria in the middle of these types of meat. Proper cooking is essential to kill any bacteria, so these types of meat should not be served pink or rare and should be steaming hot all the way through.

Whole cuts (such as steaks) or joints of beef or lamb can be served pink/rare at the customer's request.

❖ If you work out the temperature and time you need to cook a particular dish in your oven, you can use these settings and times to cook the dish in the future.

But remember, ovens and other equipment can vary and go wrong, so you will need to check regularly that these settings and times are still right to cook dishes properly.

✿ Chilling

Chilling food properly helps to stop harmful bacteria from growing. Some foods need to be kept chilled to keep them safe, for example food with a 'use by' date, cooked dishes and other ready-to-eat food such as prepared salads and desserts.

It is very important not to leave these types of food standing around at room temperature. So, make sure you do the following things.

- Check chilled food on delivery to make sure it is cold enough.
- Put food that needs to be chilled in the fridge straight away.
- Cool cooked food as quickly as possible and then put it in the fridge.
- Keep chilled food out of the fridge for the shortest time possible during preparation.
- Check regularly that your fridge and display units are cold enough.

Keeping food cold

Cold food must be kept at 8°C or below. This is a legal requirement in Malta. In practice, it is recommended to set your fridge at 5°C to make sure that food is kept cold enough. Check regularly that your fridge and any display units are cold enough.

✿ Cross-contamination

Cross-contamination is when bacteria are spread between food, surfaces or equipment. It is most likely to happen when raw food touches (or drips onto) ready-to-eat food, equipment or surfaces. So, if raw meat drips onto a cake in the fridge, bacteria will spread from the meat to the cake.

If you cut raw chicken on a chopping board, bacteria will spread from the chicken to the board and knife. If you then use the same board and knife (without washing and disinfecting them thoroughly) to chop a cucumber, the bacteria will spread from the board and knife to the cucumber.

Hands can also spread bacteria. If you touch raw food and do not wash your hands thoroughly you can spread bacteria to the other things you touch.

Cross-contamination is one of the most common causes of food poisoning. Do the following things to avoid it.

- Keep raw meat/poultry and ready-to-eat foods separate at all times, including packaging material for ready-to-eat food.
- Wash your hands thoroughly after touching raw meat/poultry, fish, eggs and unwashed fruit and vegetables.
- Clean and disinfect work surfaces, chopping boards and equipment thoroughly before you start preparing food and after you have used them with raw meat/poultry, fish, eggs and unwashed fruit and vegetables.

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- Prepare raw meat/poultry, fish, eggs, unwashed fruit and vegetables in different areas. If this is not possible, separate by preparing them at different times and clean and disinfect thoroughly between tasks.
- Use different equipment (including chopping boards and knives) for raw meat/poultry and ready-to-eat food unless they can be heat disinfected in, for example, a commercial dishwasher.
- Keep raw meat /poultry below ready-to-eat food in the fridge. If possible, use a separate fridge for raw meat/poultry, fish, eggs and unwashed fruit and vegetables.
- Provide separate working areas, storage facilities, clothing and staff for the handling of ready-to-eat food.
- Use separate machinery and equipment, such as vacuum packing machines, slicers and mincers, for raw and ready-to-eat food.
- Separate cleaning materials, including cloths, sponges and mops, should be used in areas where ready-to-eat foods are stored, handled and prepared.
- Make sure that staff know how to avoid cross-contamination.

Personal hygiene

☼ To keep food safe, it is essential for you and your staff to have high standards of personal hygiene. Effective hand-washing is extremely important to help prevent harmful bacteria from spreading.

Make sure that all staff that work with food wash their hands properly:

- before preparing food
- after touching raw food, especially meat/poultry, fish, eggs and unwashed fruit and vegetables
- after a break
- after going to the toilet
- after cleaning
- after removing waste
- after blowing their nose
- after touching phones, light switches, door handles and cash registers, or other surfaces that could come into contact with staff handling raw food

Don't forget that staff should dry hands thoroughly on a disposable towel – harmful bacteria can spread more easily if your hands are wet or damp. Use the disposable towel to turn off the tap.

Staff working with food must wear suitable, clean clothes and, where necessary, an apron, or other protective clothing.

☼ Staff should:

- keep hair tied back and/or wear a suitable head covering, e.g. hat or hairnet, when working with food
- not wear watches or jewellery when preparing food (except a wedding band)
- not smoke, spit, eat or chew gum when preparing food

- avoid touching their face and hair, sneezing or coughing when preparing food

Illness

If you or one of your staff has diarrhoea and/or vomiting, they must not handle food and must not return to work until they have no symptoms for 48 hours.

Make sure that your staff tell you (or a manager/supervisor) if they have these types of symptoms. If you are not sure whether someone should be working with food, ask for advice from a doctor or the environmental health service at your local authority straight away.

Storage

☛ It is very important to store food properly to keep it safe. Make sure you do the following things.

- Keep foods in the fridge if they need to be chilled – see section on **Chilling**
- Store raw meat /poultry, fish, eggs and unwashed fruit and vegetables separately from ready-to-eat food – see section on **Cross-contamination**.
- Never use food after the ‘use by’ date, because it might not be safe to eat.
- If you save cooked food to be eaten later, cool it quickly, and keep it in the fridge – it is a good idea to date food, using stickers, or another method of labelling, to keep track of when food should be used or thrown away.
- Check food with a short shelf-life every day to make sure it is still within its ‘use by’ date.
- Follow any storage instructions on food packaging.
- Store dried foods (such as grains and pulses) off the floor, ideally in sealable containers, to allow proper cleaning and protect them from pests.

❖ Stock rotation

Remember the rule first in, first out to make sure that older food is used first. This will help to prevent waste.

When you put food in the fridge or storeroom, make sure the foods with a closer ‘use by’ or ‘best before’ date are at the front of the shelf, so they are used first.

Inspections

Enforcement officers from the Environmental Health Directorate will inspect your premises to make sure you are following food hygiene rules. They might come on a routine inspection, or visit because of a complaint. Usually, they will not tell you in advance that they are coming.

How often your business is routinely inspected will depend on the type of business and its previous record. Some premises might be inspected at least every six months, others less often.

Enforcement officers will offer help and advice on food safety, and can take action if they find that your standards of food hygiene are not good enough. In serious cases, action might include closing the premises or prosecution.

Good food hygiene is good for business

All registered food premises in Malta are given a risk factor and a Food Hygiene grade. Grade A for excellent food hygiene level and Grade F for poor. The lower the risk factor the better the food hygiene grade.

Describing food

You must describe food and drink accurately on menus, blackboards and adverts.

Any illustrations must accurately represent the food you are selling. Descriptions and illustrations must not be misleading. Descriptions like ‘fresh’, ‘home-made’ and ‘suitable for vegetarians’ can easily be used misleadingly.

Think carefully about foods causing allergic reactions when describing the foods you are selling. If someone with a food allergy asks about the ingredients in a particular food, always check and never guess.

As of December 2014, the Food Information for Consumers Regulation (EU) No. 1169/2011 introduced a new requirement for allergen information to be provided for non-prepacked foods (such as those provided in restaurants, bars and cafés). The provision of allergen information is a requirement for all stages of the food chain, covering food intended for the final consumer, food supplied by mass caterers and foods supplied to mass caterers. Information about allergens must be legible and clearly marked in an obvious place. The 14 food allergens which will need to be declared when used as an ingredient are:

- cereals containing gluten e.g. wheat, rye, barley, oats, spelt, kamut
- crustaceans, e.g. prawns, lobster, crab
- eggs
- fish
- peanuts
- soybeans
- milk
- nuts, e.g. almond, hazelnut, walnut, pecan nuts
- celery
- mustard
- sesame seeds
- sulphur dioxide
- lupin
- molluscs, e.g. clams, mussels, oysters

Labelling food

Usually, catering businesses do not have to label food. But if the food contains ingredients that are irradiated, or derived from genetically modified (GM) soya or maize, you must say

this either on a label attached to the food, on a menu, or on a notice that is easily visible to the customer.

The same rules apply to food that you pre-pack to sell direct to the customer (for example, sandwiches made and packed in advance in a sandwich bar).

There are more extensive labelling rules for businesses that supply pre-packed food to catering or retail businesses, or sell products for customers to cook.

Don't forget that you should keep all the invoices and receipts for foods that you buy. See section on '**Traceability**'



- Update your records regularly. This helps to avoid paperwork piling up and it will make it much easier to prepare your annual accounts.
- Keep receipts for all your business expenses. They are proof of how you spent the money.
- Always keep business money and personal money separate.

Food hygiene regulations

The most important food hygiene legislation that applies specifically to food businesses is:

- Regulation (EC) No. 852/2004 on the hygiene of foodstuffs
- The Food Safety Act of 2002 (Act No XIV of 2002)

These can be accessed via the link below.

<http://health.gov.mt/en/environmental/Pages/Food-Safety-Commission/Food-Legislation.aspx>

Together, these set out the basic hygiene requirements for all aspects of your business, from your premises and facilities to the personal hygiene of your staff. They also include temperature control requirements, and the requirement to put in place 'food safety management procedures' and keep up-to date records of these.

General food safety regulations

You also need to comply with the General Food Law Regulation (EC) No. 178/2002. These say that you must make sure that the food you place on the market is not unsafe, which means that it should not be harmful to people's health or unfit for people to eat.

If food is described as suitable for people with a particular food allergy or intolerance, (such as nut free or gluten free), then you should consider the possible risks for that group. For example, if you were preparing food for a customer needing a nut-free diet, food could be considered to be harmful to their health if it contained nuts. See sections on **Traceability** and **Product withdrawal**.

Contact Us:

Environmental Health Directorate

Continental Business Centre,
Cutrico Buildings, Level 2,
Old Railway Road,
Santa Venera, SVR 9018
Malta



Telephone: (+356) 21337333



Email: mhi@gov.mt

Business Consultation and Certification Unit

Continental Business Centre,
Cutrico Buildings, Level 1,
Old Railway Road,
Santa Venera, SVR 9018
Malta



Telephone: (+356) 21337333



Email: businesscertification.environmentalhealth@gov.mt

North Regional Office

509, Triq San Pawl
San Pawl il-Bahar SPB 3416
Malta



Telephone: (+356) 21584689



Email: sanpawilbahar.ph@gov.mt

South Regional Office

Civic Centre
Convent Street
Zabbar ZBR1351
Malta



Telephone: (+356) 21823493



Email: paola.ph@gov.mt

East Regional Office

Civic Centre
Triq Tumas Fenech
Birkirkara BKR 2572
Malta



Telephone: (+356) 2121482198



Email: birkirkara.ph@gov.mt

West Regional Office

Triq l-Anglu
Zebbug ZBG 2275
Malta



Telephone: (+356) 21467302



Email: zebug.ph@gov.mt

Central Regional Office

2, Triq l-Iskola
Hamrun HMR 1771
Malta



Telephone: (+356) 21237607



Email: hamrun.ph@gov.mt

North East Regional Office

101, Triq Sir Adrian Dingli,
Sliema SLM 1905
Malta



Telephone: (+356) 21332644



Email: sliema.ph@gov.mt

Gozo Regional Office

Administration Centre
Pjazza San Frangisk,
Victoria VCT 1335
Gozo



Telephone: (+356) 21566428



Email: gozo.ph@gov.mt