**Advice for Home Bakers**

Baking cakes and biscuits from your home to sell to the general public is very popular. These are generally termed as low-risk products though you still need to ensure that they are safe and in compliance with the law. This advice note sets out the ‘dos and don’ts’ of making, storing and transporting your produce.

**General Advice**

If you are setting up a new business, are an existing business, or just want to know a little more about food businesses we advise you visit the Food Standards Website (www.food.gov.uk), which contains lots of great information for new businesses. In particular, we would recommend reading the FSA’s guides ‘Food Hygiene: A Guide for Businesses’ and ‘Starting up: Your first steps to running a catering business’. If you are a new business you will need to register with Shropshire Council 28 days before starting your business, this process is simple and free by going online to: <https://www.gov.uk/food-business-registration>.

**Food Safety Management**

Even if you are a small business, the law requires you to have a documented food safety management system based on the principles of HACCP (Hazard Analysis and Critical Control Point). This is a way of managing food safety ‘hazards’ in your business. All businesses must maintain food safety records to demonstrate how this is done and the Food Standards Agency’s “Safer Food Better Business” (SFBB) pack is an excellent way for most caterers to comply with this requirement. The pack can be downloaded here. <https://www.food.gov.uk/business-guidance/safer-food-better-business>.

Alternatively, you can purchase a full-colour ring-bound caterers pack from Shropshire Council. The price includes postage and packaging.

Safe Methods pack for £20

12 Month Diary pack for £15

Both Safe Methods and Diary for £30

To request a pack please email food@shropshire.gov.uk or telephone 0345 6789067

A retailers pack can be downloaded from <https://www.food.gov.uk/business-guidance/safer-food-better-business-for-retailers>

**Training**

All food businesses must ensure that all food handlers receive the appropriate level of supervision, instruction and training in order for them to handle food safely. We recommend that all food handlers undertake at least a level 2 food hygiene course.

Food handlers who aren't sufficiently trained may not be aware of the risks associated with handling/preparing food, and a lack of training will have an impact on the score that food premises can receive under the national [Food Hygiene Rating Scheme.](https://www.shropshire.gov.uk/environmental-health/food-safety/food-safety-for-consumers/food-hygiene-rating-scheme/)

Due to the current pandemic we are not currently offering food hygiene courses, but on-line courses are readily available.

**Your kitchen**

If you are preparing food at home your kitchen should be of a good standard. It is essential all surfaces must be capable of being effectively cleansed, and that all domestic kitchen units are in a good condition and of an acceptable standard for food preparation.

As with most kitchens, you must have a sink, with hot and cold running water available for washing equipment and foodstuffs. It is recommended that food equipment and utensils are not stored underneath the sink unit due to the potential risk of contamination from waste water. In addition to your main sink you must have a separate area somewhere nearby to wash your hands. Your handwashing area will need hot water, antibacterial soap and hand drying facilities.

Carpeting is not recommended for kitchen floors, but where it is used, it must be kept clean and in a good condition. It's strongly recommended that the next time the floor covering is due for replacement an easy to clean (washable) floor surface should be provided.

 Due to the potential risk of contamination, pets should not be allowed in the kitchen. If this can't be prevented, all surfaces must be thoroughly cleaned before food preparation begins. Likewise, dealing with laundry must not take place at the same as your food preparation activities.

Effective cleaning must be carried out, using a two-step cleaning method where surfaces are cleaned initially with hot soapy water to remove food debris, followed by an effective disinfectant. Your worktops and cutting boards must be in good condition and kept clean. If necessary, you should be able to disinfect them. You should use a British Standard Disinfectant, full list at [www.disinfectant-info.co.uk/](http://www.disinfectant-info.co.uk/)

**Personal Hygiene**

You should always wash your hands before food preparation, after eggs, after handling your pets, and after going to the toilet etc. Although this may seem like an obvious precaution, hand washing is the best defence against cross contamination, and we would advise regular and frequent hand washing whenever handling food.

If you or anyone involved in the preparation of the cakes are suffering from sickness and/or diarrhoea they must not carry out any food preparation and must not do so until 48 hours after the last bout of symptoms.

**Ingredients & Storage**

You should always buy your ingredients from a reputable supplier, preferably just before you need them. Make sure that all the ingredients you use are well within their “use by” and “best before” dates. You will need to ensure that all your ingredients and finished cakes are free from contamination from other foods, particularly those that that could contain nuts. If you are making cakes that contain nuts, we would recommend making these last so that other foods are less likely to be contaminated. Never use raw eggs in anything that won't be thoroughly cooked e.g. icing or mousse.

Cheesecakes and any cakes or desserts containing cream are high-risk products and must be stored in the fridge and coolboxes used for transporting them at below 8°C. Desserts such as these will have a very short shelf life, so you will need to ensure they are stored appropriately at a temperature below 8°C . It is important to be aware that once unrefrigerated they will have a much shorter shelf life than other cakes and desserts. You will need to ensure you store and transport your products in clean and sealable containers. Be sure to keep all of your produce away from other raw foods, especially raw meat. Keep unwrapped items covered, and use utensils such a tongs and cake knives, or wear disposable gloves to avoid touching the products with your hands.

**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:

1. **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/uksi/2003/1659/contents/made> )
2. **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

1. **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
2. **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.

1. **Net quantity**\* in grams
2. **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.

1. Special **storage conditions** or conditions of use where relevant
2. **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.
3. **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.
4. **Instructions for use** where relevant
5. **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 do free e-learning 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 mustbe able to provide details of all allergens from the list below used in the preparation of the food:
	1. Cereals containing gluten (e.g. wheat, barley etc),
	2. Eggs
	3. Milk
	4. Lupin flour
	5. Fish
	6. Crustaceans
	7. Molluscs
	8. Sesame seeds or paste
	9. Soya
	10. Tree Nuts (except coconut)
	11. Peanuts
	12. Mustard
	13. Celery
	14. 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>

1. **Colours** - Some decorations or ingredients contain colours that are associated with hyperactivity in children. The colours to check for are:
	1. E102 tartrazine yellow
	2. E104 quinoline yellow
	3. E110 sunset yellow
	4. E122 carmoisine red
	5. E124 ponceau 4R red
	6. 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>

1. 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
2. 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 FSA <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 1st 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:



An example of a carrot cake:



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)](https://www.food.gov.uk/sites/default/files/media/document/fsa-food-allergen-labelling-and-information-requirements-technical-guidance_0.pdf).

Food businesses can also use the FSA [food safety for food delivery](https://www.food.gov.uk/business-guidance/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 have any queries after reading this leaflet, please do not hesitate to email food@shropshire.gov.uk