



# Food Business Registration

November 2022

## **1.Registration of Food Business Establishments**

### **1.1 Introduction**

1. Retained Regulation (EC) No 852/2004 requires Food Business Operators trading within the City boundary to register each of their establishments with Aberdeen City Council Environmental Health Service.
2. Food Business Operators must normally register each separate unit of their Food Businesses that fall within the scope of the regulation; there are some exceptions to this with regard to moveable Food Business Establishments.
3. Food Business Operators must ensure that Aberdeen City Council always has up-to-date information on establishments. The Council will keep an up to date a list of Food Business Establishments which have been registered with them

#### **1.1.1. Exemptions**

1. In determining whether or not a particular establishment is required to register consideration will be given to whether the business concerned is a 'Food Business' as defined in retained Regulation (EC) No.178/20025 on general Food Law and to retained Regulation (EC)No 852/2004 which sets out the circumstances under which the Regulation, and hence the requirement to register would not apply.
2. Food Brokers are required to register, even if they never actually receive, handle or supply food.
3. A Head Office Business that undertakes a regional and/or national decision-making function is also required to be registered.

#### **1.1.2. Registration of New Food Business Establishments**

Aberdeen City Council is required to establish procedures for Food Business Operators (FBOs) to follow when applying for the registration of their establishments. The following sub-sections set out these procedures.

#### **1.1.3. Time Frame for Registration**

Food Business Operators should register their Food Business Establishments with Aberdeen City Council at least 28 days before food operations commence.

#### **1.1.4. Registration Form**

1. Food Business Operators must provide Aberdeen City Council with full details of the activities undertaken when registering their establishments. A registration form is available to food business operators via the Council website. [Register your food business | Aberdeen City Council](#). This may be submitted electronically or downloaded and submitted by email to [commercial@aberdeencity.gov.uk](mailto:commercial@aberdeencity.gov.uk) or sent in the post.
2. The Food Business Operator, must complete a form for each establishment under their control.
3. Once a Food Business Operator has provided full details of the activities undertaken an appropriate business grouping will be assigned.

### **1.1.5. Sites on which there is more than one Food Business Establishment**

#### **1. Establishments under the control of the same Food Business Operator**

Sites will exist where there are two or more Food Business Establishments under the control of the same Food Business Operator. For example, in the case of a shopping centre in which there are two or more Food Business Establishments under the control of the same Food Business Operator, such operators must ensure that each establishment under their control is registered separately. Food Business Operators should therefore complete a registration form for each separate establishment.

#### **2. Establishments under the Control of Different Food Business Operators**

Sites will also exist on which there are two or more Food Business Establishments under the control of different Food Business Operators. For example, a supermarket may have a coffee shop on site under the control of a different Food Business Operator such as a coffee shop chain. In such cases, the coffee shop will not be covered by the supermarket's registration and must be registered in its own right by its operator. Coffee shops, snack bars etc. operated by the supermarket itself would be covered as part of the supermarket's registration

### **1.2 Lists of Food Business Establishments**

1.The retained EU regulations require a list of registered food business establishments to be drawn up by Aberdeen City Council.

2.This list will be regularly maintained.

3.The list of Registered Food Businesses will be available for inspection by the general public at all reasonable times.

4.Should a request for the list be received the list will be generated from the database at the time of the request to ensure it is up to date. All requests will be handled in line with the Freedom of Information and Data Protection legislation.

### **1.3 Action on Receipt of Completed Registration Form**

1. On receipt of a completed registration form, the date of receipt will be recorded in the database. If there are any activities indicated on the form that are outside the enforcement remit of Aberdeen City Council, a copy of the form will be sent without delay to the relevant Competent Authority. This may be a neighbouring authority.

2. The relevant information from the registration form will be entered into the database and the registration form will then be filed in the electronic business file.

3. Application forms relating to businesses will be kept in a format that maintains their admissibility as evidence if required.

4. If any information is omitted from a registration form submitted by a Food Business Operator, the form will be returned for full completion.

5. An inspection of the establishment will be scheduled by the Lead Food Officer.

### **1.3.1. Establishments that are rated Group 3 Band A**

1. A business can be rated as a Band 3A either following initial or subsequent intervention or where the food registration form gives sufficient information to make determination that there is minimal inherent risk.

The Lead Food Officer can then decide to either place the business on a 60-month intervention frequency or choose not to undertake a proactive intervention.

2. In the case of a no proactive intervention the business should be informed accordingly. This may be undertaken as part of the receipt of registration.

### **1.3.2. Registration Certificates / Confirmation of Receipt**

1. Certificates of Registration for Food Business Establishments will not be issued to Food Business Operators because of their potential to mislead consumers into believing that a Food Business Establishment is fully compliant with Food Law.

2. The food business operator will be advised by email of receipt of registration form and the entry of the establishment on to the list of registered Food Business Establishments. The business will also be reminded that they are required to make contact should there be any subsequent changes to the business.

3. Occasionally requests will be made to confirm registration of businesses to delivery companies like Just Eat or Deliveroo. These will be fulfilled where possible via email.

## **1.4 Changes to Activities after Registration**

1. Retained EU regulations require Food Business Operators to ensure that up-to-date information on their Food Business Establishments is provided to Aberdeen City Council.

2. Any significant changes to the details previously supplied e.g. a change of operator, a change to the activities carried out in relation to food, the closure of an establishment, etc., should be notified.

3. On receipt of a notification of a change of activities the list of registered Food Business Establishments will be updated and documentation relating to this will be filed in the premises file.

## **1.5 Moveable Establishments**

### **1.5.1. Markets**

1. In the case of caterers and retailers who operate vehicles and stalls (whether or not these stalls are provided by the controller of the market) that are used for transporting or preparing food or the sale of food to consumers within the area of a market, the Food Business Operator shall register the establishment in which their stocks of food to be sold are ordinarily kept with Aberdeen City Council.

2. If the controller of a market is the provider of permanent units (establishments) (and not simply stalls) within a market, the Food Business Operators operating their food businesses from those establishments should register each establishment with Aberdeen City Council.

## **2.6 Non-Registered Establishments - Thought to Be Engaged in Activities Subject to retained Regulation (EC) No 852/2004**

1.If businesses are operating and have not submitted a registration form, they will be asked to complete one as soon as possible. This may be requested during a routine intervention or other visit when the officer becomes aware that there have been changes at the business either to the ownership or to the nature of the activities undertaken.

2. The purpose of registration is to advise Aberdeen City Council that businesses are trading to allow planning of Official Controls at these premises.