
STATUTORY INSTRUMENTS

1995 No. 2200

The Food Safety (Temperature Control) Regulations 1995

PART III

Temperature Control Requirements in Scotland

Chill and hot holding requirements

13.—(1) Subject to paragraph (2), no person shall keep food with respect to which any commercial operation is being carried out at or in food premises otherwise than—

- (a) in a refrigerator or refrigerating chamber or in a cool ventilated place; or
- (b) at a temperature above 63°C.

(2) Paragraph (1) shall not apply to any food—

- (a) which is undergoing preparation for sale;
- (b) which is exposed for sale or has been sold to a consumer whether for immediate consumption or otherwise;
- (c) which, immediately following any process of cooking to which it is subjected or the final processing stage if no cooking process is applied, is being cooled under hygienic conditions as quickly as possible to a temperature which would not result in a risk to health;
- (d) which, in order that it may be conveniently available for sale on the premises to consumers, it is reasonable to keep otherwise than as referred to in paragraph (1);
- (e) which, for the duration of its shelf life, may be kept at ambient temperatures with no risk to health;
- (f) to which Council Regulation (EEC) No. 1906/90 on certain marketing standards for poultry, as amended, applies;
- (g) to which Council Regulation (EEC) No. 1907/90 on certain marketing standards for eggs, as amended, applies.

Reheating of food

14.—(1) Food which in the course of a commercial operation has been heated and which is thereafter reheated before being served for immediate consumption or exposed for sale shall, on being reheated, be raised to a temperature of not less than 82°C.

(2) In any proceedings for an offence under paragraph (1), it shall be a defence for the person charged to prove that he could not have raised the food to a temperature of not less than 82°C without a deterioration of its qualities.

Treatment of gelatine

15.—(1) Gelatine intended for use in the preparation of bakers' confectionery filling, meat products or fish products in the course of the activities of a food business shall, immediately before use, be brought to the boil or brought to and kept at a temperature of not less than 71°C for 30 minutes.

(2) Any gelatine left over after the completion of the process shall, if not treated as waste, be cooled under hygienic conditions as quickly as is reasonably practicable and when cold shall be kept in a refrigerator or a refrigerating chamber or a cool ventilated place.

Food which is a risk to health

16.—(1) Subject to paragraphs (2) and (3), no person shall in the course of the activities of a food business keep any products which are—

- (a) raw materials, ingredients, intermediate products or finished products; and
- (b) likely to support the growth of pathogenic micro-organisms or the formation of toxins, at temperatures which would result in a risk to health.

(2) Consistent with food safety, limited periods outside temperature control are permitted where necessary to accommodate the practicalities of handling during preparation, transport, storage, display and service of food.

(3) Paragraph (1) shall not apply to any food which immediately following a final heat processing stage, or a final preparation stage if no heat process is applied, is being cooled as quickly as possible to a temperature which would not result in a risk to health.