

Approval of Food Hygiene Requirements

Government of the Republic Regulation No. 329 of 2 November 1999

(RT¹ I 1999, 84, 766),

entered into force 1 January 2000,

amended by the following Regulations:

22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376;

12.12.2000 entered into force 17.12.2000 - RT I 2000, 97, 625.

Pursuant to subsection 26 (3) of the Food Act (RT I 1999, 30, 415; 2002, 13, 81; 79; 61, 375; 63, 387; 102, 603) and taking into account the requirements of European Economic Community Directive 93/43/EEC (OJ L 175, 19.07.1993, p. 1), the Government of the Republic resolves:

1. To approve the “Food Hygiene Requirements” (annexed).

1¹. Chapters V-XI of the “Food Hygiene Requirements” apply throughout the following stages of handling which follow the production of raw material for food: the stages of preparation, processing, manufacturing, packaging, storing, transportation, distribution, handling and offering for sale or supply to the consumer.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

2. Food businesses which are operating on the date this Regulation enters into force and which are subject to approval shall be brought into accordance with the requirements of Chapters I and II of the “Food Hygiene Requirements” by 1 July 2001.

(12.12.2000 entered into force 17.12.2000)

3. This Regulation enters into force on 1 January 2000, except Chapter X of the “Food Hygiene Requirements” which enters into force on 1 January 2002.

Approved by

Government of the Republic Regulation No. 329 of 2 November 1999

Food Hygiene Requirements

I. Requirements for Territory, Buildings, Facilities and Rooms of Food Businesses

1. Food businesses and the territory, buildings, facilities and rooms thereof shall be kept clean and maintained in good repair and condition.

2. (Repealed - 22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

3. The layout, size, design and construction of a food business shall:

1) permit adequate cleaning and, where necessary, disinfection of the territory, rooms and equipment;

2) protect against the accumulation of dirt and the shedding of particles into food and the formation of mould or condensation on surfaces, and protect food from coming into contact with toxic materials;

3) permit good hygiene practices, including protection against cross contamination of food between and during operations by equipment, work tools, fittings, materials, water, air supply or personnel and external sources of contamination such as pests;

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

4) provide, where necessary, suitable temperature conditions for the processing and storage of food in compliance with hygiene requirements (hereinafter hygienic).

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

4. (Repealed - 22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

5. An adequate number of washbasins must be available in a food business, suitably located and designated for cleaning hands. An adequate number of flush lavatories with natural or mechanical ventilation (hereinafter lavatory) which are connected to an effective drainage system shall be available in a food business. The doors of the lavatories shall not open into a room where food is handled.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

6. Washbasins for cleaning hands must be provided with hot and cold running water, materials for cleaning hands and for hygienic drying. Where necessary, the provisions for washing food must be separate from the hand-washing facility.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

7. (Repealed - 22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

8. The waste-water disposal system shall be designed with adequate capacity and constructed and maintained to avoid food being contaminated or the properties of food being harmed.

9. Depending on the sphere of handling, there shall be natural or mechanical ventilation in a food business. Mechanical air flow from a contaminated area to a clean area shall be avoided. Ventilation systems shall be so constructed as to enable parts requiring cleaning or replacement to be readily accessible.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

10. Food businesses shall have adequate natural or artificial lighting. Lighting fittings shall be safe in order to avoid the contamination of food in the event of the breakage of lamp bulbs or the lighting fittings.

11. Adequate changing facilities for personnel must be provided where necessary.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

11¹. The term 'where necessary' used in these Requirements means for the purposes of ensuring the safety and compliance with hygiene requirements of foodstuffs.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

12. The requirements for the territory, buildings, facilities and rooms of a food business do not apply to the handling premises listed in Chapter III and vending machines.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

II. Requirements for Handling Rooms Where Foodstuffs Are Prepared, Treated or Processed

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

13. Floor surfaces in handling rooms shall be maintained in a sound condition and they shall be easy to clean and, where necessary, disinfect. This requires the use of impervious, non-slippery, non-absorbent, washable and non-toxic materials. Where necessary, floors shall allow surface drainage.

14. Wall surfaces in handling rooms shall be maintained in a sound condition and they shall be easy to clean and, where necessary, disinfect. This requires a smooth surface up to a height appropriate for operations, and the use of impervious, non-absorbent, washable and non-toxic materials.

15. Ceilings and overhead fixtures in handling rooms shall be designed, constructed, finished and maintained to prevent the accumulation of dust, the growth of moulds and the shedding of particles. Condensation shall be kept to a minimum.

16. Windows and other openings in handling rooms shall be constructed to prevent the accumulation of dirt. Windows and doors in handling rooms shall close tightly and there shall be no cracks in their surroundings. Windows and other openings which can be opened to the outside environment shall, where necessary, be fitted with insect-proof screens which can be easily removed for cleaning. Where open windows would result in contamination of food, windows shall remain closed during handling.

17. Door surfaces in handling rooms shall be smooth and easy to clean and, where necessary, disinfect.

18. Surfaces of work tools and equipment and other surfaces in contact with food shall be maintained in a sound condition and be easy to clean and, where necessary, disinfect. Materials used for covering surfaces in contact with food shall be smooth, washable and non-toxic, and shall meet the requirements established by legislation.

18¹. Where materials other than those specified in clauses 13, 14, 17 and 18 are used, the food business operator shall have to satisfy a supervisory official that other materials used are appropriate and obtain his or her consent to the use of other materials.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

19. Where necessary, adequate facilities must be provided for the cleaning and disinfecting of work tools and equipment. These facilities must be constructed of materials resistant to corrosion and must be easy to clean and have an adequate supply of hot and cold water.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

20. Where necessary, adequate provision must be made for any necessary washing of the food. Every sink or other such facility provided for the washing of food must have an adequate supply of hot and/or cold potable water as required and be kept clean.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

21. The requirements for handling rooms do not apply to dining areas of mass caterers or to handling premises listed in Chapter III or to vending machines.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

III. Requirements for Handling Premises and Vending Machines

22. The requirements of Chapter III apply to the following handling premises:

- 1) movable and/or temporary premises, such as marquees, stands or mobile sales vehicles;
- 2) handling premises used primarily as a private dwelling house;
- 3) handling premises used occasionally for catering purposes.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

23. Premises and vending machines shall be so sited, designed, constructed and kept clean and maintained in good repair and condition as to avoid the risk of contaminating foodstuffs and harbouring pests, so far as is reasonably practicable.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

24. The following requirements shall be met where necessary:

- 1) appropriate facilities must be available to maintain adequate personal hygiene, including facilities for the hygienic washing and drying of hands, changing facilities, hygienic lavatories and other facilities for maintaining personal hygiene;
- 2) surfaces in contact with food shall be in a sound condition and be easy to clean and, where necessary, disinfect. Surfaces in contact with food shall be covered with smooth, washable and non-toxic materials. Where other materials are used, the food business operator shall have

to satisfy a supervisory official that other materials used are appropriate and obtain his or her consent to the use of other materials;

3) adequate provision shall be made for the cleaning and, where necessary, disinfection of work tools and equipment used upon the handling of food;

4) adequate provision must be made for the cleaning of foodstuffs;

5) an adequate supply of hot and/or cold potable water shall be available;

6) containers and receptacles which are intended therefor shall be used for the hygienic storage and disposal of hazardous and inedible substances, and liquid and solid waste;

7) adequate facilities and/or arrangements for maintaining and monitoring suitable food temperature conditions must be available;

8) foodstuffs must be so placed as to avoid, so far as is reasonably practicable, the risk of contamination.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

IV. Requirements for Transport and Means of Transport

25. Food and raw material for food shall be transported using conveyances which have the necessary conditions to preserve the properties of the food and raw material for food, where it will not be contaminated and where its properties will not deteriorate. Such conveyances shall be designed and constructed to permit adequate cleaning and, where necessary, disinfection.

26. Food and raw material for food shall not be transported together with substances which may contaminate the food or raw material for food or harm its properties.

27. Bulk food and raw material for food in liquid, granular or powder form may be transported only in conveyances, containers or receptacles which are reserved for the transport thereof and which are marked "*Ainult toidu jaoks*" ["For foodstuffs only"] or with another marking in Estonian which indicates the special purpose of the conveyance, container or receptacle and is clearly visible and indelible.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

28. Where conveyances and containers are used for transporting other products in addition to food or for transporting different foodstuffs at the same time, there shall be effective separation of the products, where necessary, to protect against the risk of contamination.

29. Where conveyances and containers are used for transporting different foodstuffs or food and other products, there shall be effective cleaning and, where necessary, disinfection of the means of transport between loads to avoid the risk of contamination.

30. Food in conveyances and containers shall be so placed as to protect it against the risk of contamination.

31. Conveyances and containers shall be capable of maintaining food at appropriate temperatures and, where necessary, designed to allow those temperatures to be verified and monitored.

V. Requirements for Equipment

32. All equipment and work tools with which food or raw material for food comes into contact shall be kept clean and their construction, material and condition shall be such as:

- 1) to avoid any risk of contamination of the food and harming of the properties of the food;
- 2) not to endanger human health;
- 3) to enable them to be thoroughly cleaned and, where necessary, disinfected;
- 4) to meet the requirements for materials and articles which are permitted to come into contact with food;
- 5) to be installed in such a manner as to allow adequate cleaning of the surrounding area.

VI. Requirements for Storage of Food Waste

33. Food waste and other refuse (hereinafter refuse) shall not be allowed to accumulate in handling rooms except so far as is unavoidable for the proper functioning of the business. Refuse shall be removed as often as necessary but at least at the end of each working day.

34. Refuse must be deposited in closable containers or vessels unless a food business operator can satisfy a supervisory official that other types of containers or vessels used are appropriate and obtains the official's consent to use another type of container or vessel. Refuse containers and vessels must be of an appropriate construction, kept in sound condition and, where necessary, be easy to clean and disinfect.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

35. A food business operator shall organise the adequate collection, storage, removal and transportation of refuse. Refuse stores must be designed and constructed in such a way as to enable them to be kept clean and to protect against access by pests and against contamination of food, drinking water, fittings, equipment, premises, roads and territory.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

VII. Requirements for Water Used in Food Businesses

36. A food business shall have an adequate supply of water which conforms to the requirements for drinking water established on the basis of the Water Act (RT I 1994, 40, 655; 1996, 13, 241; 1998, 2, 47; 61, 987; 1999, 10, 155; 54, 583; 95, 843; 2001, 7, 19; 42, 234; 50, 283; 94, 577; 2002, 1, 1; 61, 375; 63, 387; 2003, 13, 64; 26, 156; 51, 352) (hereinafter drinking water). Drinking water and ice made thereof shall always be used in a food business when necessary in order to avoid the contamination of food. Ice must be made, handled and stored under conditions which protect it from all contamination. Steam used

directly in contact with food must not contain any substance which presents a hazard to human health or is likely to contaminate the food.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

37. Water which does not conform to the requirements established for drinking water and which is used for the generation of steam, refrigeration, fire control and other similar purposes, must be conducted in separate systems, readily identifiable and having no connection with, nor any possibility of reflux into, the potable water systems

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

VIII. Requirements for Personal Hygiene

38. Every person working in a food handling area shall maintain a high degree of personal cleanliness and shall wear suitable and clean clothes or working clothes and, where appropriate, protective clothing.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

39. An employee of a food business shall inform the food business operator or representative thereof of any health disorders or illnesses which the employee has, of any contact which the employee has with a person suffering from an infectious disease, and of any other hazards which may cause the contamination of food.

40. An employee who may be a carrier of infection or parasitic disease or who has other symptoms or illnesses which are harmful in terms of food safety shall not be permitted to work in a position where he or she may contaminate food.

41. Employees who handle food and employees who in the course of their duties come into direct contact with food, raw material for food or the handling equipment therefor shall wash their hands regularly and carefully. Employees shall wash their hands before commencing work, after using the lavatory and in other necessary cases.

42. Any behaviour which could result in the contamination of food, such as eating and smoking, chewing, spitting or other unhygienic practices, are prohibited in food handling areas.

IX. Requirements for Handling

43. (Repealed - 22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

44. No raw materials or ingredients shall be accepted by a food business if they are known to be, or might reasonably be expected to be, so contaminated with parasites, pathogenic or toxic micro-organisms or foreign substances that, after normal sorting or preparatory or processing procedures hygienically applied by food businesses, they would still be unfit for human consumption.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

45. At all stages of handling and throughout the entire course of handling, food and raw material for food shall be stored under conditions which prevent the harmful deterioration and contamination of the food and raw material for food.

46. Raw materials for food, food ingredients, intermediate products and finished products likely to support the growth of pathogenic micro-organisms or the formation of toxins (hereinafter highly perishable foodstuffs) must be kept at temperatures which would not result in any changes in the food constituting a risk to human health. Consistent with food safety requirements, highly perishable foodstuffs may be kept for limited periods outside temperature control where necessary to accommodate the practicalities of handling during preparation, transport, storage, display and service of food.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

47. (Repealed - 22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

48. When food is to be held or served at chilled temperatures, it must be cooled as quickly as possible following the final processing stage to a temperature which would not result in a risk to human health.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

49. All food which is handled, stored, packaged, displayed and transported shall be protected against any contamination likely to render the food unfit for human consumption, injurious to health or contaminated in such a way that it would be unreasonable to expect it to be consumed in that state. Food must be so placed and protected as to minimize any risk of contamination thereof. A food business operator shall develop and implement sufficient measures for pest control.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

50. Hazardous or inedible substances, including animal feedstuffs, shall be stored in separate and secure adequately labelled containers or vessels.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

X. Requirements for Self-checking of Food Business Operators

51. Food business operators are required to verify the conformity of food, raw material for food and the handling thereof to the requirements (hereinafter self-checking) and to implement measures in order to conform to the requirements. The measures implemented shall be prepared in writing and form a self-checking system.

52. According to the principles of self-checking, a food business operator is required to implement the following measures:

- 1) identification and analysis of hazards and the identification of preventive measures;
- 2) determination of critical control points;

- 3) establishment of control criteria and critical limits for each critical control point;
 - 4) establishment of a monitoring system to ensure that the critical control points are under control;
 - 5) establishment of the corrective action to be taken when monitoring indicates that a particular critical control point is not under control;
 - 6) establishment of documentation concerning all procedures (creation of a written self-checking system);
 - 7) periodical review of critical control points, monitoring procedures and documentation, and additional inspection if any deviations are detected and whenever the food business operations are changed; establishment of the procedure for verification of the system.
53. In order to ensure the effective functioning of a self-checking system, the management of the food business and the employees responsible for self-checking shall have the necessary knowledge of food hygiene principles and practices to be able to judge potential risks and take necessary action to remedy deficiencies.

XI. Food Hygiene Training

54. Pursuant to § 29 of the Food Act, a food business operator shall prepare a plan concerning food hygiene training for the employees of the food business on the basis of which the operator shall periodically organise training which corresponds to the duties of the employees and assess the knowledge of the employees concerning food hygiene. The plan concerning food hygiene training, the time at which the training is organised, the conducting of training and the assessment of the knowledge of the persons who participate in training and their completion of training shall be documented.

(22.07.2003 entered into force 28.07.2003 - RT I 2003, 55, 376)

55. A training plan shall include the following topics:

- 1) principles of food hygiene;
- 2) micro-organisms and the factors influencing their growth and reproduction;
- 3) diseases transmitted through foodstuffs, and food-borne intoxication and infectious diseases;
- 4) physical, chemical and microbiological contamination of food and prevention thereof;
- 5) methods of and conditions for storage of food, and monitoring of temperature;
- 6) structure, technology and equipment of food businesses;
- 7) cleaning and disinfection;
- 8) pest control;

9) personal hygiene;

10) principles of self-checking;

11) legislation regarding food;

12) the obligations of employees who handle food and the responsibility of employees to comply with food hygiene requirements according to their duties.

XII. Final Provision

56. A food business which is subject to approval shall comply with the requirements established in the Food Hygiene Requirements. If, in addition to the Food Hygiene Requirements and in accordance with these Requirements, the Minister of Agriculture has established rules which concern each group of raw material for food and sphere of handling and which are necessary to ensure food hygiene, food businesses shall comply with the requirements provided for in such rules.

¹ RT = *Riigi Teataja* = *State Gazette*