

**Please return this form, at least 28 days before you intend to open, to-**

Environmental Health, Midlothian Council, Fairfield House, 8 Lothian Road, Dalkeith EH22 3ZH

Email: [foodandsafety@midlothian.gov.uk](mailto:foodandsafety@midlothian.gov.uk) Telephone 0131 271 3559

**Please read these Notes before completing this form**

**Notes**

- (1) Article 3 of Regulation (EC) No 178/2002 defines a “food business operator” as the **natural** or **legal** persons responsible for ensuring that the requirements of food law are met within the food business under their control
- (2) Nature of Food business – please describe what type of food business you are operating e.g. a café, takeaway, restaurant, factory, home based business; the sorts of foods you will be making, providing, selling and who your customers are.
1. The completed form must be submitted to Midlothian Council the Food Authority. Post or hand in the form to the address above, or send by email, well before you commence food operations –ideally at least 28 days before. This is so that we can visit you, if necessary, to assess your premises and check your operation complies with the law.
2. Any changes to the activities of your food business, for example if you pass the business to someone else, you cease trading or change the nature or volumes of food you deal with, must be notified to the Food Authority within 28 days
3. If your food business intends to supply food to other food businesses it may need to be **approved** rather than **registered**. If you are unsure if this applies to your food operation please contact Midlothian Council Environmental Health for guidance.
4. If you have any questions about completing this form please contact us. There is advice for people starting a new food business on the Midlothian Council website – search for “starting a new food business”.
5. Midlothian Council offers business advice to new and existing businesses. With your permission we may pass your contact details to them. Please sign below if you wish to do this.

I give consent to pass on my contact details – name, business address and contact telephone number to Midlothian Councils business advisory service

Signature.....Date.....

**APPLICATION FOR THE REGISTRATION OF A FOOD BUSINESS ESTABLISHMENT  
 (Regulation (EC) No. 852/2004 on the Hygiene of Foodstuffs, Article 6 (2))**

<b>Name of food business</b>	
Address of the food business (or address at which a moveable business is kept)	
Postcode	
Telephone number	Email
<b>Nature of food business</b> – please describe what your food business does or will be doing (Note 2)	
Name of person managing the business (if different to the food business operator)	
Number of people working in the food business	Date the business opened or will open
If this is a seasonal business dates when open during the year	
<b>Full name of food business operator</b> (Note 1)	
Address of food business operator	
Date of birth	Telephone number
Email address	
<b>Status of business</b> (X)	<input type="checkbox"/> Sole Trader <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Company <input type="checkbox"/>
Other (please give details)	
If Limited Company name of Company	
Registered Office Address	
Company number	
Signature of Food Business Operator	
<b>Your Name</b> BLOCK CAPITALS	<b>Date</b>

### What we need

Midlothian Council and Food Standards Scotland (FSS) are Joint Data Controllers of the personal information you provide to us on this form. The information we collect about you includes name, postal address, email address and telephone number.

### Why we need it

- As Joint Data Controllers, we need to collect this information for the purposes of Food Law Enforcement.
- Regulation (EC) No 882/2004 on Official Controls performed to ensure the verification of compliance with Food Law, requires that Midlothian Council and FSS work together to protect public health and Food Safety.
- Each Local Authority is required to maintain an up to date list of registered Food Business Establishments in its area
- Midlothian Council and FSS are required to fulfil the statutory obligations required by Article 44 of Regulation (EC) No 882/2004, which places a requirement on Local Authorities and FSS to provide the information specified in that Article and to report to the European Commission.
- We will only collect the data that we need as required by the above legislation and not collect any personal information from you that we do not need.

### What we do with it

The information on this form and any amendments you make to your registration will be held by Midlothian Council while you remain the food business operator. If your business closes this information will be retained for a maximum of six years following your notification of the closure of the business. The information collected about your business relating to **Food Law enforcement activity** will be retained by Midlothian Council for a maximum of six years for Freedom of Information purposes. Food Standards Scotland collects food business information from Midlothian Council on a regular basis for the purposes of Food Law Enforcement. The same information will be retained by FSS for a maximum of 6 years, also for Freedom of Information purposes and the monitoring of enforcement action by Local Authorities.

### Who we share this information with

We may share this information with other regulators for the purposes of protecting public health and the effective enforcement of Food Law. Your personal data may be shared with other Midlothian Council services where we are carrying out a regulatory function or where it is necessary for us to perform a service you have asked us to. We may share your personal data with other persons authorised by Midlothian Council to act on our behalf in carrying out the requirements of the above legislation such as contractors.

The external bodies with whom we might share information to carry out our functions include

- Food safety regulators in other local authorities
- Health and Safety Executive
- Scottish Environment Protection Agency
- NHS Lothian
- The Procurator Fiscal Service
- Police Scotland
- Care Inspectorate
- HMRC
- Scottish Government
- Lothian and Borders Fire and Rescue Service

Midlothian Council have put in place appropriate technical and organisational measures to protect your personal information. The Council complies with the Scottish Government Cyber Resilience Framework and holds the Cyber Essential's Plus certification. In addition the Council is PSN certified and follows National Cyber Security Centre guidelines

FSS have put in place appropriate and adequate technical and organisational measures to protect your personal information. FSS data is located within the European Union, on cloud based services procured through the government framework agreements, and assessed against the national cyber security centre cloud security principles.

We want to assure you that no third parties have access to your personal information unless the Law allows them to do so.

### What are your rights?

You have a right to see the information we hold on you by making a request in writing to the email addresses below. If at any point you believe the information we process on you is incorrect you can request to have it corrected. If you wish to raise a complaint on how we have handled your information, you can contact our Data Protection Officers who will investigate the matter. If you are not satisfied with our response or believe we are not processing your information in accordance with the law you can complain to the Information Commissioner's Office (ICO).

If you need any further information, visit the Midlothian Council website and search for "privacy"

You can contact Midlothian Council's Data Protection Officer at [dpo@midlothian.gov.uk](mailto:dpo@midlothian.gov.uk) or Food Standards Scotland's Data Protection Officer at [dataprotection@fss.scot](mailto:dataprotection@fss.scot).