

## SCHEDULE

### CIRCUMSTANCES IN WHICH A LICENCE IS NOT REQUIRED

#### PART 1

##### Produce workers

1. The supply of a worker to process or pack produce if the worker is supplied to—
  - (a) a catering establishment;
  - (b) a shop or other retail establishment;
  - (c) a wholesale market;
  - (d) a wholesale establishment;
  - (e) a distribution warehouse.
2. The supply of a worker to process or pack a product which includes a derivative of produce but where the product concerned is not a food product, pet food or a product which is primarily an agricultural, fish or shellfish product.

3. In this Part—

“catering establishment” means—

- (a) A restaurant, canteen, club, public house, school kitchen, prison kitchen, hospital kitchen or similar establishment (including a vehicle or a fixed or mobile stall) where—
  - (i) Food is cooked or made ready for consumption without further preparation; and
  - (ii) Food is prepared for service to the consumer;
- (b) Other premises where—
  - (i) Food is cooked or made ready for consumption without further preparation;
  - (ii) Food is prepared for service to the consumer; and
  - (iii) There is no change of ownership of the food concerned between preparation and delivery to the consumer;

“distribution warehouse” means premises where produce is received prior to onward distribution to a wholesale or retail establishment and—

- (c) There is no change in the ownership of the produce concerned between receipt and onward distribution;
- (d) The wholesale or retail establishment to which delivery is made is excluded under paragraph 1 of this Schedule; and
- (e) The premises are owned by the same person that owns the retail or wholesale establishment to which the produce is delivered;

“produce” means produce derived from agricultural work, shellfish, fish or products derived from shellfish or fish;

“wholesale establishment” means facility operated solely for the purpose of selling produce for the purposes of resale or to a catering establishment, and includes a cash and carry warehouse but excludes a food processing or packaging facility; and

“to process or pack” includes to carry out the daily cleaning and maintenance of machinery used for the processing or packing.