

**COURSE DATA****Data Subject**

<b>Code</b>	36365
<b>Name</b>	Legal aspects of the gastronomic activity
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	6.0
<b>Academic year</b>	2022 - 2023

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. Period</b>	<b>year</b>
1212 - Degree in Gastronomic Sciences	Faculty of Pharmacy and Food Sciences	1	Second term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1212 - Degree in Gastronomic Sciences	8 - Law	Basic Training

**Coordination**

<b>Name</b>	<b>Department</b>
PEREIRO CARCELES, MANUEL	45 - Administrative and Procedural Law

**SUMMARY**

Legal aspects of the gastronomy it is an obligatory subject of 6 ECTS that is given in the first course of the Degree in GASTRONOMIC SCIENCES. It offers an approximation to the student to the food applicable Law in our country, having in it counts the European legislation. There are analyzed the principal juridical technologies of protection of the consumer, and those who are applicable in everything the food chain, as well as the relating ones to the company gastronómica. This subject offers the necessary knowledge to the student to handle, to evote and to interpret the food legislation. There is studied, definitively, the international, penal, administrative, frame mercantile and labor that concerns the development of the gastronomic activity. The knowledge and skills to developing for the pupils in this subject turn out to be essential for any graduate in gastronomic sciences.



## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

### Other requirements

## COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

### 1212 - Degree in Gastronomic Sciences

- Saber transmitir la información entre la gerencia y los profesionales responsables del área jurídica.
- Interpretar la normativa que afecta a la industria agroalimentaria y de la restauración.

## LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)

- Aptitude to interpret legal and jurisprudential texts.
- Knowledge of the international and state frame of the food legislation.
- Knowledge of how the protection is carried out administratively and penal of the food legislation.
- Knowledge of the basic legislation relative to hygiene, food information and general conditions of materials, personnel and establishment.
- Knowledge of the food legislation in the sector of the restoration.
- Knowledge of the juridical structure of the company of restoration and contractual instruments.

## DESCRIPTION OF CONTENTS

### 1. The origins of the legislation and food normalization.

1. Precedents of the food legislation. 2. The movement international codifier. 3. The international trade of food and the international common standards.

### 2. Constitutional bases and competitions for the food arrangement.

1. Protection constitutional law to the health. 2.-community Procedure and internal procedure. 3. The competitions of the EU. 4. The distribution of competitions between the condition and the CCAA. 5. The competitions of the local authorities.



### **3. The Food Law. Food Spanish code.**

1. Concept of Food Law. 2. Food Spanish code. Genesis and development. He structures. 3. Procedure of the food normalization. 4. Regulations technical personnel sanitary. Qualit procedure. Procedure UNE and ISO. Other dispositions

### **4. Regulations jurídico administrative of the food sector.**

1. The effects of the Directive 2006/123/CE the European Parlamient of the Council, of December 12, 2006, relative to the services on the home market, in the internal legislation. 2. Procedure of labelling of the food products. 3. Procedure relative to the food additives. 4. Procedure relative to the food manipulation.

### **5. Food Security.**

1. The Sanitary Record of Food. 2. The sanctioning administrative procedure. Administrative unlawfulness. 3. The punitive procedure. The food crimes in the penal Code.

### **6. The food company.**

1. The businessman in the gastronomic activity. 2. Law of the competition (meaning, sources, juridical regime). 3. Defense of the competition. 4. Disloyal competition. 5. Law of the advertising. 6. The distinctive signs. 7. Brand, trade name (concept, composition, classes), birth of the right, transmission, nullity and caducity. 8. Actions and procedural procedure in defense of the distinctive signs. 9. Names of origin.

### **7. Labour law.**

1. The contract of work. 2. Different contracts of work. 3. The extinction of the contract of work. 4. The labor jurisdiction.

**WORKLOAD**

ACTIVITY	Hours	% To be attended
Theory classes	60,00	100
Development of group work	25,00	0
Study and independent work	30,00	0
Readings supplementary material	5,00	0
Preparation of evaluation activities	20,00	0
Preparing lectures	10,00	0
<b>TOTAL</b>	<b>150,00</b>	

**TEACHING METHODOLOGY**

The development of the course is structured as follows:

- Theory Sessions: Master lessons will be taught, with the participation of students.
- Practice Sessions: Performance and oral presentation of a work, consisting of the legal analysis of one to the food regulation or to the gastronomic activity, established in the UT tool of the program subject.

Minimum and illustrative rules to carry out the research work

\* The research has an obligatory character and a weight the 30% for the final mark.

To pass the subject, it's necessary to pass the theory part and the research work.

\*If the theme is suggested by the students, it should be accepted by the teacher, if it is proposed by the teacher the students should adhere to it. The themes will be related to the UT and the teacher's guide.

\*The research works should be descriptive and comprehensive to be presented to the rest of the classmates.

\*The research work should be presented in power point (2003 version), it will not exceed more than 10 slides, despite the fact the teacher accepts an extension.

\*When working with legal standards and resolutions, will have to explain and summarize, it couldn't be only used the text reproduction.

\*When working with images they should be introduced in power point.

\*Is advisable to use colored backgrounds to highlight text.

\*The exhibition of research work shall not last more than 15 minutes. All the group members should participate in the exhibition. Once exposed, each research work will be published in the virtual classroom, and will count as theory for the final exam.



\*The research work must be send by email to the teacher four days before the exhibition so that it can be validated (this is an indispensable requirement). The emailing time will be from 8 till 17.

\*The research work can't be individual. Groups would not exceed 4 members.

\*Students will mail to let know group composition and the theme. If it is accepted by the teacher, there will be an in-person tutorial, where all of the members should come and will suggest a diagram of the theme chosen, that would be validated by the teacher, thereafter will be able to start with the activities aimed for the exposition.

During the development of the research work is must have at least 3 in-person tutorials with the teacher and enquiry by mail.

In the second summons the work will be the proposed one for the teacher, without the phase of exhibition.

- Tutorials: Students come to them in small groups, and will be one hour. Serve to guide students, determine the operation of the course and resolve specific questions about jobs. Online tutorials will be carried out.

## EVALUATION

The evaluation of the subject will be realized of the following form:

- Final exam: 70%
- Work and oral presentation: 30% .

To exceed this subject it will be necessary to pass both parts.

## REFERENCES

### Basic

- Referencia b1:  
SANTAMARÍA PASTOR, J.A. Principios de Derecho Administrativo.  
2 vol. Madrid. Iustel. (2ª edición).
- Referencia b2:  
COSCULLELA MUNTANER, L. Manual de Derecho Administrativo.  
Madrid. Civitas (25ª edición).
- Referencia b3:  
RODÍGUEZ FONT M. Régimen jurídico de la seguridad alimentaria.  
De la policía administrativa a la gestión de riesgos. Madrid. Marcial  
Pons. 2007.
- Referencia b4:  
DELEUZE ISASI, P. Legislación alimentaria. Código alimentario



español. Madrid. Tecnos. 2007. (7ª edición).

