



A GUIDELINE FOR PREPARATION OF FOOD FOR SALE IN RESIDENTIAL PREMISES

July 2016



The purpose of these guidelines is to provide information so that persons interested in preparing food from residential premises for sale to the public are made aware of relevant regulations and local government requirements.

All food businesses are required to notify the local government (where they are located) of their activities. A **food business** means a business, enterprise or activity (other than a business, enterprise or activity that is primary food production) that involves —

- (a) the handling of food intended for sale; or
- (b) the sale of food,

regardless of whether the business, enterprise or activity concerned is of a commercial, charitable or community nature or whether it involves the handling or sale of food on one occasion only.

Some low risk food preparation activities (low risk foods) that may be permitted in residential kitchens include:

Low Risk Foods

- Jams;
- Cakes, biscuits, muffins and flour products which do not contain potentially hazardous food such as cream and/or cheese;
- Cake decorating (egg traditional wedding cakes using marzipan decoration only);
- Chutneys, relishes and sauces that are heat treated by boiling or cooking;
- Herb vinegars with a pH of less than 4.5;
- Repackaging of bulk packaged low risk food products;
- Pickled onions;
- Food prepared as part of a Bed & Breakfast (B&B) or similar operation (NB: approval to conduct a B&B is a separate requirement);
- Food prepared for a single fund raising event arranged by a community or charitable organisation.

Other Food Preparation Activities

- Other food processing activities may be approved but only where these are assessed and the residential kitchen is of a suitable standard.
- Any other food handling activity other than those listed above (ie: potentially hazardous foods) intended to be prepared from a residential kitchen are generally not permitted. The following foods are examples of foods that are normally potentially hazardous:
 - raw and cooked meat or foods containing raw or cooked meat, for example casseroles, curries, lasagne, meat pies, pasties, curry puffs or similar;
 - dairy products and foods containing dairy products, for example milk, custard and dairy-based desserts;
 - seafood (excluding live seafood) and foods containing seafood;
 - processed fruits and vegetables, for example salads and unpasteurised juices;
 - cooked rice and pasta;
 - processed foods containing eggs, beans, nuts or other protein-rich food, for example quiche and soya bean products; and
 - foods that contain any of the above foods, for example sandwiches and quiches.



Bed and breakfast establishments and farm-stay accommodation may prepare these foods but are subject to conditions. (Please contact a City Environmental Health Officer)

More complex food processing activities will be required to be undertaken in an approved purpose built commercial kitchen.

Available Option

- **If your kitchen is NOT of a commercial standard and you wish to undertake more complex food processing activities, you have the option of renting out a City owned commercial kitchen.**

Please contact City Facilities on 9397 3232 for information on City Kitchens, associated fees and their availability.

Approval Procedure

An application should contain the following:

- a) Completed “*Application to Prepare Food for Sale in a Residential Premises*” form
- b) Completed “*Food Business Notification / Application for Registration*” form under the provisions of the Food Act 2008;
- c) Completed and signed “Checklist for Approval” with associated documents

An Environmental Health Officer will contact you to discuss your application and arrange an inspection of your premises. If the Environmental Health Officer is satisfied with your premises an approval will be granted subject to conditions.

NOTE: After approval, but prior to commencement of any food preparation and production, it is strongly recommended you obtain public liability insurance to cover the legal fees and damages that may be incurred if something goes wrong with your food products.

Please note: If your proposed residential food premises;

- Requires deliveries or customers visiting your house to buy products and/or;
- Employs people that are not members of the occupier’s family;

You may need planning approval from the City. Therefore please contact City’s Planning Service on 9397 3171 to discuss the planning approval process.



Minimum conditions applicable in residential premises for the preparation of food for sale are:

1. Food preparation, handling and storage shall only be carried out in the areas approved by the City.
2. The premises shall be kept in good order and repair and shall be maintained in a clean and hygienic condition at all times.
3. An adequate supply of hot and cold water shall be provided.
4. Adequate sinks (preferably double bowl) shall be provided**.
5. Easy access to a hand wash basin shall be maintained during the food handling activity. Paper towels and soap must be provided at the hand basin.
6. Adequate refrigeration (below 5°C) to be provided and maintained in good order and repair.
7. Provision of temperature measuring device that is readily accessible and can accurately measure temperature of food to +/- 1°C**.
8. Adequate dry storage shall be provided.
9. Fixtures, fittings and appliances shall be kept clean and hygienic.
10. The premises must be fully sealed to control vermin, and free of vermin. Vermin includes rodents.
11. No domestic animals to have access into the food preparation area.
12. Children under 5 years and those persons not employed in the food business must be excluded from the preparation area during food preparation.
13. Adequate and hygienic rubbish disposal facilities shall be provided and maintained at all times.
14. Full labelling provisions are required to comply with the Food Standards Code (Refer to attached information).
15. Vehicles used to transport food must be designed and constructed to protect food. Parts of vehicles used to transport food and food contact surfaces must be designed and constructed so that they are able to be effectively cleaned.
16. A basic knowledge of safe food handling principles must be demonstrated. Free online food handling course "I'm Alert" to be completed and a copy of the certificate to be included in application
17. Permission must be given for an Environmental Health Officer to inspect the premises used for food preparation at any reasonable time.

** Applicable for medium to high risk food processing activities



**FOOD STANDARD 1.2.1 [FOOD STANDARDS CODE]
APPLICATION OF LABELLING AND OTHER INFORMATION
REQUIREMENTS**

This Code requires every food package to contain the following on its label:

1. **Prescribed name** or, where no name is prescribed, a name or a description of the food sufficient to indicate the true nature of the food.
2. **Lot identification.** (*Food Standard 1.2.2 - Food Identification Requirements*)
3. **Name and business address in Australia or New Zealand of the supplier.**
4. **Mandatory warning and advisory statements and declarations** (*Food Standard 1.2.3 - Mandatory Warning and Advisory Statements and Declarations*) and any other warning and advisory statements specified elsewhere in the new Code.
5. **Ingredient listing.** (*Food Standard 1.2.4 - Labelling of Ingredients*)
6. **Date marking.** (*Food Standard 1.2.5 - Date Marking of Packaged Food*)
7. **Nutrition information panel.** (*Food Standard 1.2.8 - Nutritional Information requirements*)
8. **Percentage labelling (characterising ingredient/s and component/s).** (*Food Standard 1.2.10 - Characterising Ingredients and Components of Food*)
9. **Directions for use or storage** where, for reasons of public health and safety, consumers need appropriate directions for use or storage of the food. (*Food Standard 1.2.6 - Directions for Use and Storage*)
10. **Country of origin** must be stated on products made and sold in Australia, other than food products from New Zealand (*Food Standard 1.2.11 - Country of Origin Requirements*)

Imported foods are required to be labelled with the name and business address of the importer in Australia.

In addition to the above, each word, statement, expression or design prescribed to be contained, written or set out in a label must be:

- written or set out legibly;
- prominent such as to afford a distinct contrast to the background;
- in the English language (other languages to be in addition to English);
- warning statements to be in a size of type of not less than 3mm; or in the case of a small package, in a size type of not less than 1.5mm, and
- shall be placed on the outside of a package where it is readily accessible by a consumer prior to purchase, for the life of the product, and shall not be obscured by an outer covering. (*Food Standard 1.2.9 - Legibility Requirements*)

Copies of the Food Standards and further information available from:

<http://www.foodstandards.gov.au>