

Information for Food Businesses

Food Act 1984

Contents

Glossary	3
Starting a Food Business	4
The Approval Process	4
Certificate of Registration	4
Renewing your Registration	4
Fit Out.....	5
Home Based Food Business	5
Food vehicle	6
Operating sites/locations	6
Design and construction of food premise - food vehicle.....	6
Temporary & Mobile Food Premises (Markets, stalls, vans, food vehicles)	6
What is Streatrader?	6
Streatrader Process.....	7
Label Requirements.....	7
Class 1 & 2 Food Businesses	7
Food Safety Programs (FSP).....	7
Food Safety Supervisors (FSS)	7
Thermometers – Requirements of Food Safety Standards	8
Requirements.....	8
Calibration.....	8
Cleaning & Sanitising	9
Cleaning	9
Sanitising	9
Sanitising methods	9
Starting a New Food Business Checklist.....	10
Maintenance Schedule.....	10
Preparing a Maintenance Schedule.....	11

Glossary

Community group - (a) a not for profit body: or (b) a person or unincorporated group of persons undertaking a food handling activity solely for the purposes of raising funds for charitable purposes or for a not-for-profit body

Low risk food - food that is unlikely to contain pathogenic micro-organisms and will not normally support their growth due to food characteristics. e.g. grains, cereals, carbonated beverages, jams, dried fruits, packaged pasteurised milk, ice-cream, manufactured from pasteurised or heat-treated milk, pasteurised or heat-treated soy milk and cut fruit or vegetables (which are not subject to any further processing).

Not-for-profit body - an incorporated or unincorporated body or association that is not carried on for the purposes of profit or gain to its individual members and is, by the terms of the constitution or the body or association, prohibited from making any distribution, whether in money, property or otherwise, to its members

Pathogenic micro-organisms -any bacteria, viruses, yeasts and moulds that can cause disease.

Potentially hazardous foods - (a) food that has to be kept at certain temperatures to minimise the growth of any pathogenic micro-organisms that may be present in the food, or to prevent the formation of toxins in the food; and (b) includes all food other than low risk food

Examples

- raw and cooked meat (including poultry and game) or foods containing raw or cooked meat such as casseroles, curries and lasagne;
- smallgoods such as Strasbourg, ham and chicken loaf;
- dairy products such as custard, or dairy based deserts such as cheesecakes and custard tarts, but not packaged pasteurised milk or ice-cream manufactured from pasteurised or heat-treated milk;
- seafood (excluding live seafood), including seafood salad, patties, fish balls, stews containing seafood and fish stock;
- processed fruit and vegetables such as fruit salads, fruit juices;
- cooked rice and pasta;
- foods containing eggs, beans, or other protein-rich foods such as quiche, fresh pasta and soy bean products; and
- foods such as sandwiches, rolls and cooked and uncooked pizza that contain the foods listed above.

Pre-packaged food means - food that has been sealed within a package prior to entering the business and remains in that package until after it is sold.

Unpackaged food - food that is not pre-packaged food.

Ready to eat food - food that is ready for consumption, and includes food that may be reheated, portioned or garnished or food that undergoes similar finishing prior to being served.

Temporary food premises - sites that are not permanently fixed

Starting a Food Business

The Food Act 1984 regulates the sale of food for human consumption. If your business sells food you must either register with, or notify, the council in which the premises is located. The information below explains whether you will need to register or notify Council.

There are four classes of food premises, class 1, class 2, class 3 and class 4. The [classification system](#) means that regulatory requirements are better matched to the level of risk associated with the food handling activities at different types of premises. Class 1 has the highest and class 4 the lowest level of legal requirements. In summary, the classes are:

- Class 1** Handles, processes or serves ready to eat potentially hazardous food to groups, most vulnerable to food related illness (including hospital patients, nursing home residents or children in long day care)
- Class 2** Supplies potentially hazardous unpackaged foods (e.g. meat, dairy etc) which need correct temperature control throughout the food handling process, including cooking and storage, to keep food safe (such as restaurants or take away foods)
- Class 3** Supplies or handles unpackaged low risk foods or pre-packaged potentially hazardous foods which simply need refrigeration to keep them safe (such as milk bars or bread baking) and some community events
- Class 4** Premises that only sell pre-packaged low risk food and certain low risk occasional activities e.g. a simple sausage sizzle (sausages, bread, sauce and onion only). Retailers, community groups and warehouses selling low risk packed and prepacked foods (such as sausages cooked and served immediately, cooked cakes, jams and honey).

The Approval Process

1. Complete an application form, call or email (health@alpineshire.vic.gov.au) council to discuss your classification
2. Once Council has received the application an Environmental Health Officer will inspect the premise, food van or stall and explained any amendments required.
3. A final inspection of the food premises must be conducted before any food can be prepared at the premises.
4. A Certificate of Registration will only be offered once the premise is deemed compliant under the Food Act by the Environmental Health Officer.

Certificate of Registration

Prior to Council granting a Certificate of Registration, the following requirements must be met:

- Application to Register form must be submitted and fee paid.
- Final inspection of the food premises by a Council Environmental Health Officer
- Food Safety Program is maintained on-site (Class 1 & 2 Food Businesses Only)
- Food Safety Supervisor's Certificate submitted (Class 1 & 2 Food Businesses Only)

Once all requirements have been completed registration will be granted and you will be issued with a certificate of registration. This certificate must always be kept at the premises.

Renewing your Registration

If you have an existing food premises registration, we will Email you a renewal notice from early November each year. We do not send renewal notices for Class 4 food premises, as they do not need to be renewed. You can also let us know if you:

- need to update your contact details (phone, email or postal address)
- need to update your business details (trading name, ABN, type of premises, food safety supervisor or food safety program)
- have recently closed your business or transferred the business to a new owner.

Fit Out

Food businesses are required under state legislation to use premises and equipment that comply with Standard 3.2.3, Food Premises and Equipment, of the Australian New Zealand Food Standards Code and AS4674 – 2004, Design, construction and fit out of food premises. Well thought out, detailed plans and specifications result in orderly, less expensive construction, and allows measures to be taken that will help protect customers' health.

An application together with plans and specifications of any work to be done on the premises to have it comply with the Food Premises Code of Practice, may be submitted. Please see *Food Premise Planning Guide* for further information of fit out requirements.

Consideration must be given to the following items before preparing a final detailed plan:

- Customer traffic
- Parking and/or unloading of goods
- Equipment arrangements
- Flexibility of operation
- Decor and appointments to promote easy cleaning
- Basics for estimating cost and ensuring sufficient funds are available
- Provision for future expansion
- Disposal, storage and loading of wastes
- It is advisable to consult with the Environmental Health Department (with a draft plan) prior to preparing final plans.

Home Based Food Business

A home-based food business is a food business that is operated from a place of residence. All requirements of the Australian Food Standards Code and the Food Act 1984 must be complied with. It is important to note that residential kitchens are designed for domestic use, not for being a place from which to operate a food business. As such, domestic kitchens are only suitable for small scale, low to medium risk food activities. Class 2 and class 3 home based businesses will be granted registration from Council if they are storing or preparing small volumes of food for sale at local markets and fetes/festivals. Due to the high-risk nature and quantity of foods being handled, class 2 or 3 businesses storing or preparing larger volumes of foods may be required to set up an additional kitchen in the home or may be required to lease an alternative kitchen. All applications will be assessed on an individual basis.

To operate a home-based business from a domestic kitchen the business must have the following items:

- Must be able to separate the business activities from regular domestic food handling
- Adequate hand washing facilities in the immediate area of food preparation. This **sink must be exclusive to hands washing**, it cannot be used for any other purpose when the business is operating
- Have a separate food storage area away from domestic food storage. This includes a space for all dry, cold and frozen foods, equipment and packaging.

Food vehicle

Food vehicles are defined as Food Premises. Food vehicles are often smaller scale than traditional food premises, however, they need to meet the same construction and registration requirements as Food Premises.

Operating sites/locations

It is advisable to speak with approval authorities such as, Council (Local Laws) prior to establishing your vehicle, especially if you intend to operate on public property or a roadside. All approvals should be obtained in writing.

Design and construction of food premise - food vehicle

New Food Premises for information on the construction requirements of a food premises as these apply to a Food Vehicle. You should also refer to the FSANZ Food Safety Standards. The following specific advice is provided for a Food Vehicle:

- The driving section of the vehicle should be separated from the section where the food is sold and stored.
- Service hatches should be of minimal size to reduce the risk of contamination from flies and dust.
- Provision must be made for the safe storage of all high-risk foods. This includes adequate refrigeration at or below 5°C for cold foods, at or above 60°C for hot foods and frozen foods at or below minus 15°C.
- An approved mechanical exhaust system is required over cooking equipment.
- The vehicle must be fitted with a double bowl sink and a separate hand basin with an adequate supply of cold water and hot water, supplied by means of a hot water service. Disposable towels and soap must be provided.
- The vehicle should be fitted with a wastewater holding tank.
- All fitting and appliances should be positioned in such a manner as to enable easy access for cleaning purposes. Clearances of a minimum 250mm are recommended.
- Ideally all cupboards should extend to the floor and include coving to eliminate corners and assist in cleaning

Temporary & Mobile Food Premises (Markets, stalls, vans, food vehicles)

Temporary food premises are sites that are not permanently fixed:

- Stalls, tents or marquees (or any other structure that is not permanently fixed to a site) from which food is sold or handled for sale, such as at a market or festival
- Mobile food premises are vehicles such as **vans, trailers or carts** from which food is sold.

Your 'principal council' is the council in which your business prepares or stores food that is to be sold at a van, stall. If food is not usually prepared or stored beforehand by your business - the district in which you usually store the equipment for a stall or garage your food van.

What is Streatrader?

In Victoria, all food premises are required to have a Food Act registration before selling food. This includes fixed premises, such as cafes and restaurants – but also temporary and mobile food premises, water carters and vending machines.

Streatrader is the online registration database for businesses and community groups to register and notify their temporary or mobile food premises, vending machine or water carting business. Temporary and mobile food operators must register or notify council online through Streatrader. You must also register on Streatrader and lodge a Statement of Trade (SOT) 5 working days prior to each event. To register, please visit: <https://streatrader.health.vic.gov.au>

Streatrader Process

1. Login to the [Streatrader](#)
2. Answer questions about your food handling activities
3. Council receives notification of lodgement (Pre-registration stage)
4. An invoice will be issued via your Streatrader email address
5. Council will contact you to arrange a pre-registration inspection of your mobile vehicle (If you are under time pressure it is recommended you call Council before lodging your registration to arrange an inspection time)
6. Once the inspection has been undertaken and food safety requirements are signed off, Council will register the business in Streatrader
7. You will receive a copy of your food business registration certificate via your Streatrader email address
8. You can commence trading – but remember you must submit a Statement of Trade via Streatrader for your trading dates

Label Requirements

If you package food it is required to bear a label in accordance with Food Standard 1.2.1 - Labelling and Other Information Requirements, unless it is made and packaged on the premises from which it is sold.

[Food Standards Labelling Guidelines](#) and [nutrition panel calculator](#) provided by Food Standards Australia New Zealand can be used when developing labels.

Class 1 & 2 Food Businesses

Food Safety Programs (FSP)

Class 1 & 2 food premises are required to implement and follow a Food Safety Program.

A Food Safety Program can be either a standard template approved by [Department of Health and Human Services](#) Victoria or an independent Non-Standard Program.

Food Safety Supervisors (FSS)

Class 1 & 2 food businesses are required to have a qualified [Food Safety Supervisor](#). A Food Safety Supervisor is someone who:

- knows how to recognise, prevent and alleviate food handling hazards at your premises;
- has a Statement of Attainment that shows the required food safety competencies from a Registered Training Organisation (RTO);
- has the ability and authority to supervise other people handling food at the premises and ensure that food handling is done safely.

You must submit a copy of your Food Safety Supervisors competency training certificates to Council before registration can be granted.

(Not for Profit Organisations) that operate up to two consecutive days only are exempt from requiring a Food Safety Supervisor.

Thermometers – Requirements of Food Safety Standards

In a food business, monitoring temperatures is necessary to show that you are keeping the food you sell, safe. If your business stores, transports, prepares, cooks or sell High Risk Foods – meat, seafood, eggs, dairy products, smallgoods, or foods which contain these foods (sandwiches, quiches and prepared salads), then you must have a thermometer so that you can measure the temperature of these foods.

All food businesses are required, as a condition of registration, to have a food safety program. A major part of this is temperature control, all food businesses and temporary food stalls are required to have at least one thermometer available.

Requirements

The food safety standards state that the following is required:

- The thermometer must have a **digital metal probe** that can be inserted into food to check the internal temperature of the product.
- The thermometer must be accurate to within 1°C

The Food Safety Standards require you to keep High Risk Foods out of the Temperature Danger Zone – at 5°C and below OR 60°C or hotter. A thermometer will let you check if High Risk Foods have been cooked well enough, are being kept at the correct temperatures in a refrigerator or display unit and are being cooled and reheated safely. You should also be checking the food that arrives at your business to ensure that it has been transported safely.

You are required to test the temperature of the food, not just the unit that it is stored in. This can be done by inserting a clean, sanitised probe into the food to measure the temperature at its core (in the middle).

Infrared thermometers take the surface temperature of the food and can be useful for quick checks on deliveries etc. However, infrared thermometers are not accurate enough, as the temperature on the outside of the food can be different from the temperature in the middle. If you already have an infrared thermometer you will also need to buy a probe thermometer or a probe attachment for your infrared thermometer.

Calibration

Your thermometer/s will need to be calibrated regularly to ensure that you are recording accurate temperatures. You can test your thermometer/s using the following methods

Cold Temperature Testing

- Pour a mixture of 50% crushed ice and 50% water into a suitable container.
- Let the mixture stand for a period of 5 minutes to allow the temperature of the mixture to become evenly distributed.
- Place the probe of the thermometer into the mixture. Wait for approximately 2 minutes.
- Write down the reading of the thermometer. It should read 0°C. If the thermometer reads more than +1°C it will need to be recalibrated or replaced.

Hot Temperature Testing

- Boil tap water and place the thermometer probe into the boiling water.
- Wait for a few minutes to allow the temperature to stabilise.
- Write down the temperature of the thermometer. It should read 100°C.

If the thermometer differs more than +1°C it will need to be recalibrated, serviced or replaced. An external contractor, the manufacturer or distributor will be able to calibrate this equipment at least once each year. A record of all testing and calibration is to be kept. For further information on these requirements see [FSANZ](#)

Cleaning & Sanitising

Cleaning is an ongoing task in any food premises. As you are aware, most businesses are required to have in place a Food Safety Program. All Food Safety Programs include some process, steps or instructions on how to clean and how to develop a cleaning schedule. The instructions may vary between plans, but the result is that you have clean equipment and surfaces.

It is important that you thoroughly read the cleaning and sanitising section of your food safety program to ensure that you are meeting the cleaning and sanitising requirements of your plan. Please note the sanitising methods vary between Food Safety Programs, so it is important that you comply with the requirements of your own program.

Cleaning

Cleaning removes all dirt, grease and waste that could attract and provide food for pests. Cleaning also maintains a safe working environment by removing grease from floors, thus reducing the risk of people slipping or falling.

There are many items to clean in a kitchen – so it makes sense to have a list so that no job is missed. Some jobs need to be done all the time, others once a day, week, month or quarter. A cleaning schedule will assist in ensuring that items that need cleaning are cleaned. A schedule helps them know their job and you can check that they have done what you have asked. Little and often is the way to go with cleaning. Why spend 5 hours cleaning something once a month, if it is easier to spend half an hour cleaning it once a week.

Sanitising

Sanitising is an additional step in cleaning. In Food Safety Standards sanitise means applying health and/or chemicals or other processes to reduce the number of micro-organisms on the surface.

Sanitisers reduce the number of bacteria on a surface to a safe level. Sanitisers do not work on a dirty surface as they cannot get through the grease and dirt that surround the bacteria.

Sanitising methods

Hot water sanitising – in water that is over 77°C for 30 seconds will kill most bacteria.

Dishwashers -Dishwashers are great for cleaning and sanitizing crockery, utensils and small pieces of equipment, dishwashers need to reach 77°C for 30 seconds to kill most bacteria. Larger items will still need to be washed in the sink.

Chemical sanitising – Chemical sanitisers include QACs (quaternary ammonium compounds), chlorine agents (hypochlorites including bleach), and iodophors (iodine based compounds). These chemicals must be rinsed off a surface with clean water before it is used to prepare food. Some chemicals such as chlorine dioxide do not require rinsing off. When used correctly, all sanitisers are safe, so it is important to read the label to know how to use them.

The label will tell you:

- If the chemical is suitable for use in the kitchen
- How to store the chemical – some need to be kept in the dark
- How to dilute the chemical – some need to be made up fresh each day or they do not work
- How long the chemical needs to be in contact with the surface – this contact time may be a few seconds or a few minutes

Further tips and information is accessed at [Food Safety Standards](#)

Starting a New Food Business Checklist

Items required prior to registration of a food premises

- Planning permit (where required)
- Notification/ Application form submitted
 - Discussion with Environmental Health Officer
 - Application fee paid
 - Detailed floor plan (with materials & dimensions marked)
- Requirements
 - Food Safety Program selected and copy available at premises (Class 1 and 2 only)
 - Food Safety Supervisor certified/enrolled in course (Class 1 and 2 only)
 - Probe Thermometer available on premises for temperature checks
 - Food grade sanitiser
 - Hand soap
 - Paper towels
 - Smoke free dining regulations/stickers (for those with dining/gaming)
 - Rubbish Disposal/Greasetraps
 - Maintenance program for water tanks and septic systems (where required)
- Recommendation
 - Copy of Food Safety Standards and relevant legislation to ensure you understand requirements/standards that you will be expected to meet
 - Check all suppliers are approved/registered
- Labelling meets FSANZ requirements (for those manufacturing/producing own products)
- Registration form submitted with payment
- Final inspection of premises by Environmental Health Officer
- Registration certificate received and displayed

Your premises can only be open to the public once you have completed all points of the checklist. It is illegal to operate an unregistered business. Your registration is current until 31 December each year. A renewal will be sent out to you prior to this date. Inspections/audits will be carried out throughout the year to ensure compliance.

Maintenance Schedule

A maintenance schedule is a plan or schedule that details when works, either major or minor, will be completed. If you have been asked by an Environmental Health Officer to prepare a

maintenance schedule, it generally means that you have significant works to be undertaken to bring your premises up to current standards. These works can be required simply because of the age of your premises or because you have failed to adequately maintain the cleaning and structural condition of the premises.

Generally, if you are asked to prepare a maintenance schedule, you will also be asked to prepare a cleaning schedule. Maintenance and cleaning go hand in hand, and thus, ensuring that the premises you are operating, can produce safe and suitable food.

Preparing a Maintenance Schedule

The first step in preparing a maintenance schedule is to determine what needs to be done. In determining what works need to be done, you should undertake the following steps.

1. Stand back and look at your premises. You know your premises better than anyone and if you're honest with yourself you will know some of the jobs that need doing. These will be the jobs that you think to yourself, "I'll get to that one day!"
2. Consult the correspondence that has been sent to you from Council's Environmental Health Office. Remember the list that is in your correspondence is only what the Environmental Health Officer observed at the time of your last inspection. It won't necessarily list all the works required.
3. Compare the fit out and finishes in your premises to the construction requirements for new premises.
4. List all the things that need doing, that list forms the basis of a maintenance schedule.

I know what works I need to do, what next?

You need to examine the list and make a judgment on each item, determine the priority for each of the items.

1. Start by asking yourself if the item will have an immediate impact on food safety, eg.
 - a. A non-operational hand basin will impact on food safety, as staff can't wash their hands.
 - b. Broken tiles on the floor will not have an immediate impact on food safety but do affect your ability to keep the premises clean.
2. Then look at occupational health and safety issues, those issues that can have a serious effect on your staff and their ability to work safely:
 - a. The microwave used for heating foods is sitting too high on the wall. Staff have a real risk of hurting themselves by spilling or dropping hot items on themselves, as they must stretch to get items in and out of the microwave.

Once you have given each item a priority, you can then start to determine timeframes. Your timeframes will be affected by several issues, not least, the cost and the ability for you to do the work yourself, or the need to employ a contractor to undertake the works. You should set a realistic timeframe for each item based on its priority. Sometimes when setting a timeframe.

Write up your Maintenance Schedule

Once you have determined the works required and the timeframes for each item write up your maintenance schedule. You should place a copy of your schedule in a prominent place within your premises and submit a copy to Council's Environmental Health Unit within the specified timeframe. You will find a blank Maintenance Schedule over the page for you to copy and use when required.

Maintenance Schedule

Business Name: _____ Date: _____

Address: _____

Item Number	Item	Works to be undertaken	Who is doing the work?	Date work to be completed	Completed
EG	Exhaust canopy including flue – cleaning	Clean thoroughly	Owner & contractor	1 month	✓
EG	Exhaust canopy filters	Purchase new filters	Owner	1 month	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					