



# Food Safety

## Fact Sheet

Everybody loves food, but it can make your customers sick if it's not handled correctly. That's why there are certain safety regulations you must adhere to when running a food business.

### **First, contact your Council**

In Victoria, you cannot sell food to the public unless you register or notify as a food business with your local Council. A small number of businesses do not need to register. However, they are still required to notify Council of their intended food business activities. Some types of food businesses are regulated by other authorities - your Council will let you know if this is the case.

### **You may also need a licence from regulatory bodies**

If your business processes, stores, sells and or transports meat, poultry or seafood, you must be registered with [PrimeSafe](#), the Statutory Authority responsible for regulating meat, poultry, seafood and pet food in Victoria.

If your business primarily wholesales, makes, transports or prepares dairy products (such as milk or cheese products) then you must be registered with [Dairy Food Safety Victoria](#), the dairy food regulator.

### **Know your food classification**

Food businesses are classified to food safety risk. Some businesses have a predetermined classification.

Your business may be classified as Class 1, Class 2, Class 3/3A or Class 4. For details on the classifications, visit the Department of Health website: [www.health.vic.gov.au/food-safety/food-business-classification](http://www.health.vic.gov.au/food-safety/food-business-classification)



## Food safety supervisors

All Class 1 premises must have a nominated Food Safety Supervisor. Class 2 premises will need a nominated Food Safety Supervisor if they are undertaking [high-risk](#) food handling activities.

A Food Safety Supervisor is someone that has -

- The skills and knowledge to recognise, prevent and alleviate hazards associated with the handling of food within the business;
- The ability and authority to supervise other people that handle food within the business to ensure it is done safely; and
- Met an appropriate food safety competency standard appropriate to the type of food business by undertaking formal training from a Registered Training Authority, and obtained a Statement of Attainment.

The Council will require a copy of your nominated Food Safety Supervisors Statement of Attainment with your Application for Registration of a Food Premises (if applicable).

For more information about food safety supervisors, visit: <https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-safety-training-skills-knowledge/food-safety-supervisors>

## Food safety programs

In Victoria, all Class 1 and 2 food premises need a food safety program. This is a written plan that shows what a business does to ensure that the food it sells is safe for people to eat.

Some food businesses may use a registered standard food safety program template, and some may use an independent, audited program. Most businesses choose to use the Department's registered food safety program template for Class 2 retail and food service businesses.

These templates make it easy to write a food safety program. It's cheaper, quicker and simpler for a business than employing someone to write an independent food safety program.

Most Class 2 premises that require a food safety program will be able to use [FoodSmart](#), the Department's online program to create their food safety program.

For more information, visit [www.health.vic.gov.au/food-safety/food-safety-programs](http://www.health.vic.gov.au/food-safety/food-safety-programs)

## Food Safety Requirements

The table below outlines the Food Safety Program and Food Safety Supervisor requirements for each food business class.

Food business class	Food safety supervisor required?	Food safety program required?
Class 1	Yes	Yes
Class 2	Yes	Yes, if you are undertaking any of the eight high-risk food handling activities, or if you are registered as a food manufacturer
Class 3/3A	No	No
Class 4	No	No

## Fitting out a food premises

The construction and fit out of a food premises must comply with the following standards appropriate to the activities proposed to be conducted at the food business:

- Food Standards Australia and New Zealand (FSANZ) Food Safety Standards chapter 3: [www.foodstandards.gov.au/code](http://www.foodstandards.gov.au/code)
- Australian Standards (AS) 4674 - 2004: Design, Construction and Fit-out of Food Premises.

Councils may request floor plans to demonstrate compliance with the construction and fit out of a premises:

- a layout of the proposed business
- dimensions and details of fixtures and fittings, including location and elevation
- details of the materials to be used on surfaces and finishes.

Many Councils have their own fit out guidelines on their websites.

## Taking over an existing food premises

When you purchase an existing food business, you must apply to register the business under your name or company's name. The current registration cannot be transferred from the previous business owner to you.

For Class 1 and Class 2 premises, you need to provide a new food safety program and nominate a food safety supervisor as part of the change of business ownership.

Once the Council approves the new registration, you will be legally responsible for making sure the business meets the rules set out in the Food Act.

Some Councils provide a pre-purchase inspection of a food business. Whilst not mandatory, this service includes an inspection of the food business by Environmental Health Officers, and a report that informs you of any instances where the food business does not meet the Food Standards Code.

Councils usually charge a fee-for-service for pre-inspections.

After the Council issues this report, it is the responsibility of the purchaser and the vendor of the food business to negotiate to resolve any issues.

Once you have applied, you will receive the Pre-Purchase Inspection Report within 10 business days. Some Councils offer a 'fast-track' option where you will receive the Pre-Purchase report within three (3) days.

The current proprietor of the food business must agree to you making an application for a pre-purchase inspection.





## Other requirements

It is important to be aware of other requirements when operating a food business, including:

**Trade waste** - Some food businesses may need to have a Trade Waste Agreement with the relevant water authority. This is because any water that is used when preparing or cooking food, cleaning dishes or washing the kitchen that goes down the drain is classified as trade waste.

## Fees

### Registration Fees

Each Council sets their own registration fees. Fee schedules are available on Council web sites.

### Pre-purchase Inspection Fees

Each Council will also have their pre-purchase inspection fee (where Council provide this service).

### Change of Class Fees

Operators should also be aware that Council may also have their own change of class fees.

## Other information

The State Government Health Department and Councils have other important information for a food business. These include:

**Foodtrader** - temporary and mobile food premises must apply online to their local Council using the Department of Health's new online registration portal for food businesses, community and not-for-profit groups. Details are provided at [www.foodtrader.health.vic.gov.au](http://www.foodtrader.health.vic.gov.au)

**Food labelling** - any food that is sold in a package must be labelled according to Part 1.2 of the Australia New Zealand Food Standards Code.

**Food allergen resources** - Food allergies can be life threatening. For this reason, food products must have a label that identifies any allergen ingredients, however small in quantity or used as part of an ingredient (such as choc chip bits) contained within the food.

**Shelf Life Product Testing** - Part of the information to be stated on the food label is a "Use by" or "Best Before" date. This guides the consumer on how long food can be kept before it begins to deteriorate or may become unsafe to eat.

**Food Recall Plan** - there are times where the food may need to be recalled from sale, and any customer/retailer contacted to be informed that the food they may have purchased is not safe to eat.

**No Smoking at Outdoor Dining Areas** - changes to the Tobacco Act now mean there is no smoking:

- in outdoor dining areas, where food is eaten
- if the event is a general market, there is no smoking within 10m of a food stall
- if the event is a Food Festival, there is no smoking at all within the event boundary.

