



Public Health Unit

HOME BASED FOOD BUSINESSES

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SETTING UP A HOME BASED FOOD BUSINESS

Should you wish to make food from home to sell or even store food at home to sell, you are a food business and require registration under the Food Act 1984.

Residential kitchens are designed for domestic use only, and it is not ideal to operate as a food business. Home based food business must comply with the requirements of the Australia New Zealand Food Standards Code. Hobsons Bay City Council's Public Health Unit permits the use of domestic kitchens only for small scale, low to medium risk food activities. As such, large scale and/or high risk food activities need to be conducted from registered commercial kitchens.

OPERATING A FOOD BUSINESS FROM A DOMESTIC KITCHEN

Firstly, it is important to have a clear idea about what type of food business it is that you wish to operate.

You then need to contact the following authorities to find out about all of the different laws and regulations that may apply:

Hobsons Bay City Council's Planning Department – Contact number: 9932 1326.

The planning department will provide you with information regarding the requirements relating to permissible home-based business activities or go to:

<http://www.hobsonsbay.vic.gov.au/files/b80429f1-77c1-4f2b-a467-9fd700e5b7e3/Sheet6-RunningaBusinessFromHome-final.pdf>

Hobsons Bay City Council's Building Department – Contact number: 9932 1396.

The Building Department will provide you with information regarding the requirements (including the need for building permits) for any proposed fit-out/structural changes to your home.

Hobsons Bay City Council's Public Health Unit – Contact number: 9932 1504.

Will provide you with information regarding food business registration requirements including compliance with the requirements set out in the Australia New Zealand Food Standards Code.

City West Water – Contact number: 13 16 91

Will advise you as to whether you will need to install a waste interceptor on your property.

THE APPLICATION & REGISTRATION PROCESS

The next step is to submit:

- (1) A detailed floor plan showing the layout of your kitchen and any other areas of your home that you intend to use for business purposes. Please ensure that you include the dimensions of both the space and all fixtures contained within.
- (2) A schedule of finishes – this is a written document that describes the finishes of all surfaces including the floor, ceiling, walls, benches, cabinetry etc.
- (3) Details of the nature of your business including the type of business (e.g. making cupcakes to sell at market stalls etc.), frequency of operation and a description of how the food is to be transported.
- (4) Ingredients list and details regarding the method of preparation for **each** of the food items you intend to make.

NOTE: In order to prevent costly mistakes, works should not start until all necessary permits and approvals have been granted.

FINAL INSPECTION AND APPLICATION FOR REGISTRATION

Once all works are completed, you need to contact Council's Public Health Unit in order to organise an appointment with an Environmental Health Officer for a final inspection. Upon successful completion of the final inspection, you will be provided with an **Application to Register a Food Premises** form. This form must be completed and returned to Council's Public Health Unit along with the applicable fees.

For class 2 businesses, a copy of your Food Safety Supervisor's certificate must also be attached to the application form. When registration has been granted, the business may then commence operation.

Please note, should you wish to sell the food you make in your kitchen at a market or event, you will also need to register your stall/food vehicle under the **Streatrader** system. For more information, go to <https://streatrader.health.vic.gov.au> or contact Council's Public Health Unit on 9932 1504.

THE DESIGN & COSTRUCTION REQUIREMENTS

The design and construction of your domestic kitchen must be appropriate for the activities of the proposed food business. Factors to be considered include:

- (1) There must be adequate space for all activities conducted:
 - Adequate space to separate food handling activities to prevent cross-contamination (e.g. sufficient bench space/table area for workflow so that, for the volume food being handled, prepared-ready-to-eat foods are separated from raw foods and ingredients).
 - Adequate space to safely store ingredients, food packing and other raw materials (e.g. sufficient cupboards/secure storage area for the scale of operations).
 - Adequate space for additional refrigerator/s or freezer/s if required.
 - Adequate storage space for the finished product, protected from potential contamination.
- (2) There must be an adequate supply of potable (safe drinking) water.
- (3) The premises must have adequate waste disposal measures in place. Bins must be suitable for the volume of garbage and recyclable matter accumulated by the food business.
- (4) The grease interceptor (if required by City West Water) must not be located in areas where food is handled and prepared or areas where food, equipment and packaging materials are stored.
- (5) Adequate ventilation is to be provided over all cooking appliances and food heating equipment.
- (6) Sufficient lighting must be provided in order to facilitate effective cleaning of food storage and work areas and also not pose a risk to safety.
- (7) All walls, floors, ceilings, benches and cupboards must be in a good condition and finished with a smooth, durable, impervious material capable of being readily cleaned.
- (8) For the purposes of cleaning and sanitising of equipment, a double bowl sink with hot and cold water supplied through a single outlet is required. The sink must be of a size such that the largest piece of equipment that requires cleaning can be fully immersed in the bowl.
- (9) Hand washing facilities are required. The sink must be supplied with hot and cold water delivered through a single outlet. Liquid soap and paper towel in dispensers must also be provided.
- (10) Separate or clearly designated and identifiable storage facilities must be provided for all cold, frozen and dry ingredients, finished food products, utensils, equipment and food packaging associated with the food business.
- (11) Chemicals and cleaning equipment must be stored in an area separate to where food and food related equipment is handled/stored.

(12) The premises must be adequately pest proof to prevent the entry of rodents, birds, animals and insects.

OPERATIONAL REQUIREMENTS

In addition to structural requirements listed above, the following operational requirements also apply:

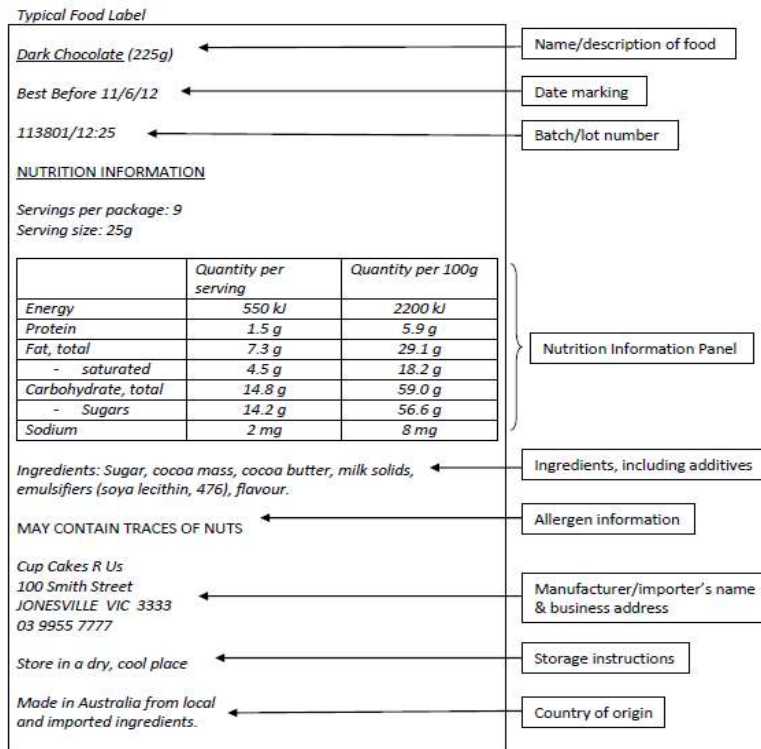
- (13) Ensure that all work and food contact surfaces are appropriately cleansed and sanitised prior to conducting food preparation for your intended business activities.
- (14) When food intended for sale is being prepared in your kitchen, no other activity is to take place in the kitchen. For example, if you are baking cupcakes for sale in your oven, you cannot roast a chicken for dinner at the same time.
- (15) Smoking is not permitted in any food preparation and storage areas.
- (16) Pets of any kind are not to have access to, or be in any food preparation or storage areas at any time.
- (17) Ingredients and the finished food product must be stored in food grade containers with tight fitting lids.
- (18) Ingredients for business purposes must be separate and clearly identifiable from those for domestic use.
- (19) Ensure that your business operations does not cause any odour, noise or other potential nuisances to neighbouring properties.
- (20) Items of a personal nature (e.g. decorations, pin boards etc) which may pose a physical contamination risk must not be kept in food preparation or storage areas.

FOOD LABELLING REQUIREMENTS

All packaged foods **must** be labelled in accordance with the Australian Food Standards Code. Information is required for the following:

- Food identification;
- Warning statements, advisory statements and declarations;
- Statement of ingredients;
- Date marking of food for sale;
- Directions for use and storage;
- Nutrition information requirements;
- Characterising ingredients and components of food;
- Country of origin labelling requirements.

Labels must be accurate. Therefore, any information that you have on a label must be correct and must not mislead the customer. This includes making any nutritional, health and related claims.



FOOD ALLERGENS & FOOD INTOLERANCES

The requirements for manufacturing allergen free products are such that a domestic kitchen may not be suitable for this purpose.

It is important to include allergy risks into your Food Safety Program. This could involve creating a written plan for handling customers with food allergies that you will follow to minimise the risks to your customers.

Food allergies can be life threatening. For people who have a food allergy the only way to manage the allergy is to avoid the food allergen. Food allergies occur when the immune system reacts to a foreign substance, usually a protein that is eaten, breathed or touched, as if it were harmful.

Whilst food intolerances are typically less severe. A food intolerance does not involve the immune system. Rather it involves the digestive system, the body lacks the mechanism or enzyme required to digest a particular food properly.

For this reason, there are laws in place, for example mandatory labelling requirements to help people who have a food allergy avoid food allergens. This is particularly important when people with food allergies eat away from home, they rely on food businesses to provide them with accurate information about ingredients in their food so that they may make informed decision.

Incorrect or incomplete information puts these individuals' health, and possibly their lives at risk.

The Australian New Zealand Food Standards Code states that food businesses must advise customers of allergens in food, either on the packaging of food or upon request by the customer. These are:

1. Cereals and products containing gluten, namely wheat, rye, barley, oats, spelt, and kamut, and their hybrid strains;
2. Crustaceans such as crabs, lobster, shellfish, and their products;
3. Egg and egg products;
4. Fish and fish products;
5. Milk and milk products;
6. Nuts and seeds, such as tree nuts, almonds, hazelnuts, walnuts, cashews, peanuts, pecan nuts, Brazil nuts, pistachio nuts, macadamia nuts:
7. Sesame seeds, and their products;
8. Soybeans and their products;
9. Added sulphites levels of 10mg/kg or more.

Further information on food labelling, food allergens and intolerances can be obtained from the Hobsons Bay City Council's Public Health Unit, Phone: 9932 1504 or by visiting www.foodstandards.gov.au, which has a number of useful tools including the *Nutrition Panel Calculator*, which can be used to assist in the preparation of a nutrition panel.

FOOD RECALLS

If you make a food product that is not going to be immediately consumed, for example, you supply your product to other food businesses or you make a type of food that is likely to be consumed over a period of time e.g. confectionary, you should have a food recall system in place. Information on developing a food recall plan can be obtained from Food Standards Australia New Zealand (FSANZ) by visiting <http://www.foodstandards.gov.au>

The ingredients you use to make your food could also be subject to a food recall. You can keep informed of food recalls by subscribing to FSANZ's free *Food Recall Alerts* email service. Further information about subscribing to this service can be obtained by visiting: <http://www.foodstandards.gov.au/scienceandeducation/mediacentre/subscriptionsservice.cfm>

FOOD BUSINESS CLASSIFICATION – WHAT CLASS IS MY BUSINESS?

All food businesses are assigned a classification according to their food safety risk. Home based food businesses typically fall into one of two categories: class 2 or class 3.

A class 3 food business is one that prepares/handles unpackaged low risk foods or sells pre-packaged potentially hazardous foods.

A class 2 food business is one that prepares/ handles unpackaged potentially hazardous foods. Please note, if you use raw eggs as an ingredient, your business is deemed to fall into the class 2 category.

MINIMUM RECORDS – CLASS 3 FOOD BUSINESSES

All class 3 food businesses are required to maintain the relevant class 3 records. You must ensure that a copy of the records are on-site at all times. You may download these records from the following webpage:

<https://www2.health.vic.gov.au/about/publications/policiesandguidelines/food-safety-guide-for-food-businesses-class-3>

FOOD SAFETY PROGRAM – CLASS 2 FOOD BUSINESSES

A Food Safety Program (FSP) is a written document that describes the steps required to ensure that food the business sells is safe to eat. The FSP outlines your operational food safety & hygiene requirements, by identifying possible food safety hazards associated with the food handling activities of the business and ways in which they may be controlled.

FOOD SAFETY SUPERVISOR

If you are required to have a Food Safety Program then you must have a Food Safety Supervisor. A Food Safety Supervisor must have a certificate or statement of attainment that shows that they have obtained the required competencies from a Registered Training Organisation.

Further information on Food Safety Supervisor training requirements can be obtained by contacting the Hobsons Bay City Council's Public Health Services Unit on 9932 1504 or by visiting http://www.health.vic.gov.au/foodsafety/skills_knowledge