



Public Health Unit

**SETTING UP A
HOME BASED FOOD BUSINESS**

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Language Assistance

If you would like further information about this document and its contents, please contact Council’s Public Health Unit on 9518 3555.

SETTING UP A HOME BASED FOOD BUSINESS

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

A home based food business must comply with the requirements of the Australia New Zealand Food Standards Code.

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. Large scale and/or high risk food activities need to be conducted from a commercial kitchen.

<i>Examples of low/medium risk food activities</i>	<i>Examples of high risk food activities</i>
Making jam and marmalade to sell at a market stall	Catering
Making shelf stable baked goods (e.g. cakes and biscuits that can be stored at room temperature)	Manufacturing/preparing foods that must be stored under temperature control e.g. soups, some sandwiches, meat dishes, cream filled baked products etc
Cake decoration	

NOTE: The requirements for manufacturing allergen – free products are such that a domestic kitchen is not suitable for this purpose.

CAN I OPERATE A FOOD BUSINESS USING MY DOMESTIC KITCHEN?

In order to work out whether you can operate a food business from your domestic kitchen, you need to have a clear idea about what type of food business it is that you want to run.

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

Monash Council’s City Planning Department – Contact number: 9518 3555

The planning department will provide you with information regarding the requirements relating to permissible home based business activities or go to <http://www.monash.vic.gov.au/planning/homeoccupation>

Monash Council’s Building Department – Contact number: 9518 3555

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.

Monash Council's Public Health Unit – Contact number: 9518 3555

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

South East Water – Contact number: 9552 3662 or

Yarra Valley Water – Contact number: 132 762

Your water authority will advise you as to whether you will need to install an oil/food waste interceptor on your property.

THE APPLICATION PROCESS – FOOD ACT REGISTRATION

Prior to submitting your application, you can arrange for one of Council's Environmental Health Officers to visit your home kitchen in order to provide you with advice.

The next step is to submit:

- 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.
- A schedule of finishes – this is a written document that describes the finishes of all surfaces including the floor, ceiling, walls, benches, cabinetry etc.
- Details of the nature of your business including the type of business (e.g. making cupcakes to sell at a farmer's market), frequency of operation and a description of how the food is to be transported.
- An 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 given.

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 associated fee. 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 can commence operation.

NOTE: If 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 9518 3555.

STRUCTURAL REQUIREMENTS

The design and construction of your domestic kitchen must be appropriate for the activities of the proposed food business. Specifically:

- There must be adequate space for all activities conducted. For example, if you intend to make cupcakes using your home kitchen, you will require space to: (1) store ingredients and equipment such as mixing bowls and baking trays, (2) preparation space in which to make the cupcakes and (3) storage space for the finished product.
- There must be an adequate supply of potable (safe drinking) water.
- 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.
- The oil and grease interceptor (if required by your water authority) must not be located in areas where food is handled and prepared or areas where food, equipment and packaging materials are stored.
- Adequate ventilation is to be provided over all cooking appliances and food heating equipment.
- 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.
- 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.
- 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.

NOTE: In kitchens where there is a double bowl sink and a functional dishwasher, one half of the double bowl sink may be designated for the purposes of hand washing.

- 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.
- 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.
- Chemicals and cleaning equipment must be stored in an area separate to where food and food related equipment is handled/stored.
- 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:

- 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.
- Smoking is not permitted in any food preparation and storage areas.
- Pets of any kind are not to have access to, or be in any food preparation or storage areas at any time.
- Ingredients and the finished food product must be stored in food grade containers with tight fitting lids.
- Ingredients for business purposes must be separate and clearly identifiable from those for domestic use.
- You must ensure business operations do not cause any odour, noise or other nuisance issues to neighbouring properties.
- 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. In general, a label may include the following information:

Typical Food Label

<i>Dark Chocolate (225g)</i>	←	Name/description of food
<i>Best Before 11/6/12</i>	←	Date marking
<i>113801/12:25</i>	←	Batch/lot number
NUTRITION INFORMATION		
<i>Servings per package: 9</i>		
<i>Serving size: 25g</i>		
	<i>Quantity per serving</i>	<i>Quantity per 100g</i>
<i>Energy</i>	<i>550 kJ</i>	<i>2200 kJ</i>
<i>Protein</i>	<i>1.5 g</i>	<i>5.9 g</i>
<i>Fat, total</i>	<i>7.3 g</i>	<i>29.1 g</i>
- <i>saturated</i>	<i>4.5 g</i>	<i>18.2 g</i>
<i>Carbohydrate, total</i>	<i>14.8 g</i>	<i>59.0 g</i>
- <i>Sugars</i>	<i>14.2 g</i>	<i>56.6 g</i>
<i>Sodium</i>	<i>2 mg</i>	<i>8 mg</i>
} Nutrition Information Panel		
<i>Ingredients: Sugar, cocoa mass, cocoa butter, milk solids, emulsifiers (soya lecithin, 476), flavour.</i>	←	Ingredients, including additives
MAY CONTAIN TRACES OF NUTS	←	Allergen information
<i>Cup Cakes R Us 100 Smith Street JONESVILLE VIC 3333 03 9955 7777</i>	←	Manufacturer/importer's name & business address
<i>Store in a dry, cool place</i>	←	Storage instructions
<i>Made in Australia from local and imported ingredients.</i>	←	Country of origin

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

Further information on food labelling can be obtained from the Public Health Unit, Monash Council, Phone: 9518 3555 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. jam, 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/subscription-service.cfm>

FOOD BUSINESS CLASSIFICATION – WHAT CLASS WOULD MY BUSINESS FALL INTO?

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.

Further information on class 3 records can be obtained from the Public Health Unit, Monash Council, Phone: 9518 3555.

FOOD SAFETY PROGRAM – CLASS 2 FOOD BUSINESSES

All class 2 food businesses are required to have a Food Safety Program. You must ensure that a copy of your Food Safety Program and all relevant records are on-site at all times.

Further information on Food Safety Programs can be obtained from the Public Health Unit, Monash Council, Phone: 9518 3555 or by visiting <http://www.health.vic.gov.au/foodsafety/bus/programs.htm>

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 which shows that they have obtained the required competencies from a Registered Training Organisation;
- Be able to supervise food handling at the market stall;
- Have the authority to supervise food handlers and the authority to give directions if unsafe food practices are observed; and
- Ensure food handlers know how to handle food safely.

Further information on Food Safety Supervisor training requirements can be obtained by contacting the Public Health Services Unit, Monash Council, Phone: 9518 3555 or by visiting http://www.health.vic.gov.au/foodsafety/skills_knowledge