

Environmental Health

New food premises starter kit

Introduction

This starter kit has been developed by the Healthy Environments Unit to assist you in setting up a food business in the Mount Alexander Shire Council. If you are intending to buy an existing food business or starting your own there are a number of important items that you are required to know.

The Victorian *Food Act 1984* along with the Food Standards Code covers all businesses that handle, pack, prepare and sell food. Therefore all businesses, regardless of their size, that sell food must be registered and must comply with the requirements of the above legislation. Drinks are also considered a food. A club, organisation or business that only sells drinks, including alcohol, must be registered under the *Food Act*.

Food that is provided in conjunction with another service such as accommodation is also covered by the *Act*. In some cases this will mean that a business must be registered twice, once under the *Food Act* and once under the *Public Health and Wellbeing Act 2008*.

When a business operates over more than one site, registration of each and every site is required.

If you are planning to establish a food business there are a number of legislative requirements which must be met.

1. Your first step should be to contact Council's Planning Department to determine whether you will require a planning permit.
2. Contact a registered Building Surveyor to discuss building requirements. A permit may be required for building works or to change the of use of an existing building. The Building Surveyor can also advise on Essential Safety Measure requirements for commercial premises.
3. Having contacted the Planning and Building Departments you should refer to the following information for requirements under the *Food Act 1984* and contact an Environmental Health Officer for further advice. Environmental Health and Building Officers will have different requirements and therefore both departments should be consulted before final plans are drawn or building works commence.

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Registration

In order to operate your proposed food premises you must comply with the Victorian *Food Act 1984*. The following information has been provided to assist with the approval process.

It is recommended that you make contact with all relevant authorities and Mount Alexander Shire departments as soon as possible to avoid delays in the approval process. Contact details for Council departments and other organisations are included at the end of this document to assist you.

If you wish to purchase an established food business you will be required to obtain a Transfer of Food Act Registration. Information on buying an existing food business is discussed further on page 6.

Before signing a contract to rent, lease, or purchase a premises it is important that you make sure it is going to be suitable for the type of business you want to operate. Council's Environmental Health Officers can provide a free on-site inspection to give you advice about the premises with respect to food safety standards.

Plans Approval

The Healthy Environments Unit recommends that before any final plans are drawn a copy of the proposed floor plan be submitted for approval. Certain standards are required by the council for the applicant to gain approval to construct a new food business. For more information refer to councils Guidelines for food premises design and equipment.

The floor plan should be drawn to a scale of not less than 1:100. The plan must clearly indicate the proposed use of each room, location of fixtures such as hand wash basins, surface finishes etc.

Plans will be processed within 14 working days. If the plans are approved an endorsed copy will be forwarded to the applicant. An Environmental Health Officer will be available to undertake a progress inspection of the construction phase of your premises by appointment. A final inspection of the premises is required prior to the premises being registered.

Submit a Food Safety Program

Under the *Food Act 1984* class 1 and 2 businesses are required to develop and implement a Food Safety Program. This is a written document that outlines the steps that food businesses will follow to ensure that food safety processes are complied with.

For more information about the class system refer to page 7.

For more information about Food Safety Programs refer to page 9.

Nominate a Food Safety Supervisor

It is a requirement under the *Food Act 1984* that all class 1 and 2 food businesses nominate a Food Safety Supervisor (FSS). The FSS must:

- Know how to recognise, prevent and alleviate hazards associated with handling food
- Hold appropriate certification of completion of relevant training competencies provided by a Registered Training Organisation
- Have the ability and authority to supervise and direct other staff handling food and ensure that they have appropriate skills and knowledge relevant to the industry.

If your nominated FSS has not completed the necessary training before your business opens you will need to provide confirmation of enrolment in an approved course with submission of your registration application.

For more information about food safety supervisors refer to page 12.

Final Inspection

Before registration is granted a final inspection of the premises is required. This can be arranged by contacting the Healthy Environments Unit to make an appointment time.

The purpose of the inspection is to ensure that all works on the premises are completed, the premise is ready to commence trading and that the Food Safety Program is completed and ready for implementation.

Registration

Submit the completed Application for Food Act Registration and the appropriate fee to the Mount Alexander Shire Council prior to commencing trade.

The application form and registration premises fees are provided in this kit.

A checklist has also been included to ensure you cover all areas when applying for registration.

It is illegal to operate an unregistered food business and routine inspections will be carried out throughout the year to ensure compliance.

Buying an existing food premises

Under the provisions of the Food Act 1984 all businesses that sell, prepare, handle or store food are to notify or be registered with their local council.

If you have purchasing an existing food premises there are a number of things you will need to know. To legally operate, new proprietors must transfer their registration before commencing trade otherwise it will be deemed an offence under the *Food Act 1984*.

New proprietors of a business must notify the Healthy Environments Unit by submitting an Application to Transfer.

Pre-Transfer Inspection

The Healthy Environments Unit are able to conduct pre-transfer inspections. A fee applies and consent from the current owner must be obtained. A report is forwarded to both the potential purchaser and the current owner. An inspection of the food business ensures that the premises comply with Food Act 1984 and the Australian New Zealand Food Safety Standards Code.

Transfer of Registration

After purchase of the food business you must complete the Application to Transfer Form. This must be returned to council with a copy of the food safety supervisor certificate of attainment (where applicable), and the relevant fee.

Upon the Council receiving this information, the Council will issue a Certificate of Registration in the name of the new proprietor.

Food Premises Classification

From 1 July 2010, changes to the *Food Act 1984* came into effect which is intended to improve the Victorian system for regulating the safety of food sold for human consumption.

Changes have been made to the classification of food premises. The Healthy Environments Unit classifies every food premises in the municipality according to their food safety risk using the Department of Health Food Business Classification Tool.

There are four types of premises classification:

Class 1

Class 1 food premises are those that predominantly handle hazardous food that is served to vulnerable people in:

- Hospitals
- Child care centers providing long day care, and
- Aged care facilities

Class 2

Class 2 food premises are those that handle unpackaged potentially hazardous foods which need correct temperature control during the food handling process – including cooking and storage – to keep them safe.

This premises type includes:

- Restaurants and cafés
- Fast food outlets
- Pubs/hotels
- Caterers
- Delicatessens
- Supermarkets with delicatessens
- Most manufacturers

Class 3

Class 3 food premises are those whose main activities involve the sale of foods not commonly associated with food poisoning. This includes the supply or handling of unpackaged low risk foods, or the sale of pre-packaged hazardous foods which need refrigeration to keep them safe.

Premises expected to fall into class 3 include:

- Fruit stalls selling cut fruit
- Wholesalers distributing pre-packaged foods, and
- Most milk bars, convenience stores and coffee bars.

Class 4

Class 4 food premises are those whose food handling activities pose low risk to public health.

They include the following:

- Premises which sell shelf-stable pre-packaged foods such as confectionary – newsagents, pharmacies and video stores
- Bottle shops
- Premises which sell uncut fruit and vegetables such as farmers markets and greengrocers
- Shops and stalls selling packaged cakes (excluding cream cakes), bottled jams or honey.
- Seasonal kindergartens serving low risk food and cut fruit, and
- Stalls running simple sausage sizzles, where the sausages are cooked and served immediately – Can include onions, sauce and bread. Does not include hamburgers or other high risk foods.

Developing a Food Safety Program

Class 1 and 2 Food Businesses operating in the Mount Alexander Shire are required under the *Food Act 1984* to have a Food Safety Program.

A food Safety Program is a written document that outlines the steps that need to be taken to ensure you are selling safe food. This document must be an accurate reflection of the food practices that are carried out by the food business.

There are two different types of Food Safety Programs approved for use by the Department of Health:

Independent Food Safety Program

This program is developed by a business, association, consultant or use of a template. This must be audited.

Standard Food Safety Program

Standard Food Safety Program (State Registered Template).

Class 1 Food businesses **MUST** have an independent (non-standard) food safety program that is tailored to take into account the food handling activities at the premises. The Food Safety Program must be audited annually.

Class 2 Food businesses can have a Food Safety Program that is either:

- Completed using a suitable template registered with the Department of Health; or
- An independent (non-standard) program, that is developed specifically for the premises which must be audited

All class 1 and 2 food premises must keep a copy of their food safety program at the premises.

Class 3 and 4 – No FSP

Due to the lower food safety risks associated with food handling activities at these types of food premises, Class 3 and 4 premises do not need a Food Safety Program. However, Class 3 premises are required to keep Minimum Records.

Templates:

For businesses that choose to use a template developed by the Department of Health, an easy-to-use Department of Health Food Safety Program template for Class 2 retail and food businesses no.1, version 3 is available online from the Department of Health.

Food Service and Retail Business

Department of Health – No Cost www.health.vic.gov.au/foodsafety

Foodsmart Template

Approved – No Cost www.foodsmart.vic.gov.au

Registered Food Safety Templates

<http://www.health.vic.gov.au/foodsafety/>

Note: a Food Safety Program is a requirement of the Food Act 1984, Section 19. If you fail to provide an adequate program the council can refuse registration.

For more information on templates the Food Safety Victoria website provides additional information on Food Safety Programs. An internet version of a Standard Food Safety Program can also be accessed on the Food Smart Website: www.foodsmart.vic.gov.au | www.health.vic.gov.au

Design and Construction Guidelines

There are general requirements for the design and construction of a new food premises or when altering an existing premises. The design and construction of a food business must be appropriate for the purpose of which the premises will be used for.

The Food Standards code recommends the design and construction of the premises:

- (a) Must be appropriate for the activities for which the premises are used
- (b) Provide adequate space for the activities to be conducted on the food premises and for the fixtures, fittings and equipment used for those activities
- (c) Permit the food premises to be effectively cleaned and if necessary, sanitized.
- (d) To the extent that it is practicable:
 - (i) exclude dirt, dust, fumes, smoke and other contaminants;
 - (ii) not permit the entry of pests
 - (iii) not provide harborage for pests.

Considerations must be made to ensure food preparation and storage areas are constructed separately from:

- Chemical storage areas
- Garbage and recycling storage
- Toilets and staff rooms
- Living and sleeping areas

For more information refer to Council Guidelines for Food Premises Design and Equipment or the Food Standards Code website: <http://www.foodstandards.gov.au/>

Food Safety Supervisor

All Victorian class 1 and 2 food businesses are required to nominate a Food Safety Supervisor. Under the *Food Act 1984*, Food Safety Supervisors must have skills and knowledge relevant to the type of food business they are supervising. Many courses offer training that meet the relevant skills and qualifications required to hold a certificate of attainment from a Registered Training Organization (RTO).

For Victoria, there is no legal requirement for a food safety supervisor to undertake training beyond the minimum competency standards for Food Safety Supervisor listed in *Table 1* below. However, there may be industry or organization-based standards which require additional competencies. For example some food manufacturers carrying out complex processes, or large health care providers, may require additional skills and knowledge.

Table 1: Food sectors and minimum competency standards

Food Sector	Minimum Competency
<p>Food Processing Businesses such as food product manufacturers, breweries and wineries</p>	<p>FDFFS2001A 'Implement the food safety program and procedures'</p> <p>Previous course code: FDFCORFSY2A 'Implement the food safety program and procedures'</p>
<p>Retail Businesses such as supermarkets, convenience stores, grocers and delicatessens</p> <p>Take away and fast food businesses can be considered either retail or hospitality food businesses</p>	<p>SIRRFSA001A 'Apply retail food safety practices'</p> <p>OR</p> <p>Use both units from the Hospitality Sector below</p> <p>Previous course code: WRRLP6C 'Apply retail food safety practice'</p>
<p>Hospitality Businesses such as restaurants, cafes and hotels</p> <p>Take away and fast food businesses can be considered either retail or hospitality food businesses</p>	<p>SITXFSA101 'Use hygienic practices for food safety'</p> <p>SITXFSA201 'Participate in safe food handling practices'</p> <p>OR</p> <p>Use unit from the Retail Sector above</p> <p>Previous course codes:</p> <p>SITXOHS002A "Follow workplace hygiene procedures"</p> <p>SITXFSA001A 'Implement food safety procedures'</p>

	<p>THHGHS01B 'Follow workplace hygiene procedures'</p> <p>THBCC11B 'Implement food safety procedures'</p>
<p>Health Businesses such as hospitals</p>	<p>HLTFS207C 'Follow basic food safety practices'</p> <p>HLTFS310C 'Apply and monitor food safety requirements'</p> <p>HLTFS309C 'Oversee the day-to-day implementation of food safety in the workplace'</p> <p>Previous course codes:</p> <p>HLTFS7A 'Follow basic food safety practices'</p> <p>HLTFS10A 'Apply and monitor food safety requirements'</p> <p>HLTFS9A 'Oversee the day-to-day implementation of food safety in the workplace'</p>
<p>Community Services Businesses such as childcare centres, nursing homes, hostels, and Meals on Wheels services</p>	<p>Use all three units from the health sector above.</p>
<p>Transport and distribution Businesses such as warehouses</p>	<p>Use relevant units from other sectors.</p>

Food Handling and Hygiene

The Food Safety Standards require Food Safety Supervisors and food handlers to have the appropriate skills and knowledge to comply with the guidelines.

Any staff involved in activities that require contact with food and surfaces that are likely to come in contact with food are regarded as food handlers.

This includes processing, manufacturing, food preparation (cooking, thawing, chopping) packing, transportation and delivery.

There are 5 rules that should always be followed to minimise the risk of food poisoning:

- Use good hygiene practices
- Store potentially high risk food at the correct temperature
- Cook food thoroughly and cool quickly if necessary
- Do not cross contaminate
- Keep all equipment clean

For more information follow the web links below or contact the Healthy Environments Unit.

- **Food Safety Victoria** - www.health.vic.gov.au/foodsafety
Food Poisoning and How to Prevent it
Hygienic Food Preparation and Handling in Food Businesses
Safe Food Storage and Display in Food Businesses
Do food safely- free online food handler information
- **Food Standards Australia and New Zealand** - www.foodstandards.gov.au
Food Handlers Skills and Knowledge

Food Labelling Requirements

It is important to understand the uniform standards for the labelling of packaged food in Australia. You are required to know these standards if you import, package or manufacture food. These standards are detailed in the Food Standards Code part 1.2

Foods that are sold for retail sale must be labelled except for following outlined in the Food Standards Code:

- Food not in a package,
- Food in an inner package not designed for sale and where the outer packaging displays the required information
- Food that is made and packaged on the premises from which it is sold
- Food packaged in the company of the purchaser
- Whole cut or fresh fruit and vegetables in packaging that does not obscure the nature or quality of the food
- Food that is delivered packaged for the immediate consumption of the consumer.
- Food sold at a fundraising event

More information

SA Health - *Guide to the Labelling of Packaged Food*

<http://www.dh.sa.gov.au/pehs/food/Guide%20to%20labelling%202009.pdf>

Food Safety Victoria

www.health.vic.gov.au/foodsafety

Food Standards Australia and New Zealand (FSANZ)

www.foodstandards.gov.au

FSANZ Nutrition Panel Calculator

www.foodstandards.gov.au/foodstandards/nutritionpanelcalculator/

Council's Environmental Health Officers

Mount Alexander Shire Council Environmental Health Officers (EHOs) have a statutory role in conducting routine food premises inspections throughout the municipality. The purpose of the inspections is to:

- Ensure compliance with the relevant legislative requirements
- Minimise the risks associated with food poisoning
- Minimise the risks associated with food being contaminated
- Promote hygiene awareness and increase knowledge amongst food handlers
- Promote safe food practices amongst food handlers
- Provide advice and updates on food legislative requirements

Food premises are subject to annual inspections conducted by Council EHOs who are qualified and experienced in giving professional advice on food related matters to food business proprietors, food handlers and consumers.

Inspections may be pre-arranged or unannounced depending on the reason for the inspection.

What to expect during an inspection?

To conduct a food premises inspection, EHOs will:

- Arrive at the premises due for an inspection with or without prior notice
- Present at the front counter, identify themselves and indicate that they are conducting an inspection under the Food Act 1984.
- Conduct the inspection while the business is open for trading
- Record all non-compliant items identified, photos may be taken
- Produce a written report for food business at the end of the inspection, detailing the outcome. The number and severity of non-compliance will determine the type of enforcement action Council will take to bring the business operations to a satisfactory standard.

What is inspected?

During an inspection the Council EHO will assess the premises based on, but not limited

- Construction and maintenance of food premises and equipment
- Storage and handling of food, non-food items and equipment
- Temperature control of potentially hazardous food
- Personal hygiene and knowledge of food handlers and supervisors
- Pest control
- Waste disposal

Follow-up inspections

When necessary, a Council EHO will undertake a follow up inspection of the premises to ensure compliance with the non-complaint items that were identified during the previous inspection. EHOs will indicate during the initial inspection if a follow up will be required.

Other duties of EHO

Council Environmental Health Officers also investigate complaints relating to food quality and unclean food premises. The Environmental Health Officers also conduct an annual food sampling program

Council Directory

Mount Alexander Shire Council Environmental Health Unit

For further information regarding the application process contact: Mount Alexander Shire Council Environmental Health Unit Phone: (03) 5471 1700 Email: environmentalhealth@mountalexander.vic.gov.au

Before undertaking any works, contact:

Mount Alexander Shire Council Planning Unit—(03) 5471 1700

To determine if to determine whether you will require a planning permit.

Registered Building Surveyor

Building Permits:

When constructing a building a building permit is required and may be required when altering an existing building. The Building Department can be contacted to determine what is required for your circumstance.

Mount Alexander Shire Council Local Laws Unit – Contact on (03) 5471

1700 A permit is required from Local Laws to display any of the following on

footpaths

- Chairs
- Displays
- A-Frame Signs
- Barriers

Additional Information

Food Standards Australia and New Zealand (FSANZ)

For information about the food standards code, labelling requirements and additional fact sheets refer to:

www.foodstandards.gov.au

Food Safety Victoria

Victorian Government Health Information

For information about food safety programs, food safety supervisors and fact sheets on food handling.

Department of Health

Phone: 1300 364 352 | www.health.vic.gov.au/foodsafety

Victorian Legislation and Parliamentary Documents

Victorian Food Act 1984

www.legislation.vic.gov.au

Temporary & Mobile Food Premises

Temporary & mobile food premises registrations are separate to registrations of fixed premises.

Temporary and mobile food operators, private drinking water carters and food vending machine operators must register or notify council, renew their registration, and lodge their statements of trade online through Streatrader. <https://streatrader.health.vic.gov.au>

Coliban Water

For information and advice on water supply about phone the Customer Contact Centre between 8.00 am and 5.30 pm - Monday to Friday

Phone: 1300 363 200 | www.coliban.com.au | 37-45 Bridge Street, Bendigo

Consumer Affairs

For Business registration, Liquor licensing

Phone: 1300 588 181 | www.consumer.vic.gov.au

Checklist

Item	Completed Yes/No
Plans submitted for approval	
Approval of plans received	
Progress inspection conducted by Environmental Health Officer	
Application of Food Act Registration completed with the appropriate fee attached	
Food Safety Program developed and a copy available on premises	
Food Safety Supervisor certificate submitted (if required)	
Food labelling meets Food Standards Australia and New Zealand standards	
Final Inspection of food premises by the Environmental Health Officer	
Registration certificate displayed on premises when received	