

# Home-based Food Business Handbook



# Introduction

**Maroondah City Council's Home-based Food Business Handbook aims to assist proprietors in setting up a home-based food business that meets the legislative provisions of the *Food Act 1984* and the *Australian and New Zealand Food Standards Code (The Code)*.**

Home-based food businesses use their residential property to handle and store food intended for sale. The Code defines that handling of food for sale includes all activities that may take place in relation to food including preserving, processing, preparing, cooking, packing, storing, and transporting.

The information included in this handbook is relevant for people wishing to register part-time use of their existing domestic kitchen.

Due to the potential for cross-contamination of the surfaces and food, time share of the existing domestic kitchen may sometimes be limited to lower risk foods. A separate purpose-built kitchen, or a commercial kitchen may be more appropriate. The Commercial Food Business Handbook is available for those wishing to set-up a commercial food business or separate purpose-built kitchen within a residential property.

This document is available on Council's website. There may be other Council approvals or permits to consider.

**July 2023**

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# Requirement to register or notify registration authority

Under the *Food Act 1984*, all entities that handle food for sale must register or notify with the Council in which the food premises or vehicle is located and receive a “Certificate of Registration” or acceptance of their Class 4 Notification, issued by Council before commencing the sale of food.

The scale of the business, risk of food handling activities and number of employees will be assessed to determine the regulatory requirements that apply to the premises and proprietor.

In Victoria, food businesses are placed into one of five classes, based on the type of food handled and the processes conducted at the premises. These classes are defined below:

| Food business classification | Food handling activities   |
|------------------------------|--|
| <b>Class 1</b>               | Businesses that handle/prepare potentially hazardous foods for vulnerable persons such as hospitals, aged care facilities and childcare centres. <b>(These businesses cannot operate from a domestic/home-based premises).</b>   |
| <b>Class 2</b>               | Businesses that handle/prepare un-packaged potentially hazardous foods such as meat dishes, rice dishes, sandwiches, custard or cream filled baked products. Class 2 also includes low risk foods that are manufactured, where allergen free claims are made.  |
| <b>Class 3A</b>              | Businesses that prepare foods which are served for immediate consumption at an accommodation getaway premises or food made using a hot-fill process such as chutney, relish, salsa, tomato sauce or other similar products.  |
| <b>Class 3</b>               | Businesses that handle/prepare low risk un-packaged foods such as biscuits and muffins (stored at room temperature) or potentially hazardous pre-packaged foods such as frozen foods.  |
| <b>Class 4</b>               | Businesses that store or serve low risk such as confectionery, tea, coffee, soft drinks, packaged low risk cakes, or a simple sausage sizzle.<br><br><b>Note:</b> Registration is not required for class 4 activities given the low-risk nature. A class 4 food premises notification needs to be completed. The form can be obtained from Council's website available at <a href="http://www.maroondah.vic.gov.au">www.maroondah.vic.gov.au</a> |

Further information on the food safety risk classification system can be found on the Department of Health's website: [www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-business-classification](http://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-business-classification)



# Approval process for registration

## Other Council permits/approvals

Due to residential amenity considerations, other approvals may be required from Council. For example, Council's Planning or Building Services. These approvals must be obtained **prior** to seeking Food Act registration from Community Health Services.

To assist you to determine the permits you require, please contact Maroondah's BizHub team to guide you through the application process.

Starting or growing your business? Contact Maroondah City Council on 9298 4678 (9am to 5pm) or email [bizhub@maroondah.vic.gov.au](mailto:bizhub@maroondah.vic.gov.au)

## Pre-application

Before undertaking any works, prospective proprietors are advised to initially discuss the proposal with their area Environmental Health Officer (EHO) by submitting a *New Food Premises Pre-Application* form including the applicable fee.

The *New Food Premises Pre-Application* form provides Council with information regarding the type of food you will be preparing and selling, along with the floor plan of the premises which identifies the fittings, finishes and workflow of the premises.

Floor plans not less than 1:100 must include the following:

- every part of the food premises including the designated storage area and laundry
- the nature of work process to be carried out in each area
- the location of all fixtures, equipment, fittings and finishes with specifications describing the materials to be used.

Photos of the existing kitchen may be included.

Further information and the online pre-application form is available on Council website by searching 'new food premises registration.'

Please allow **10 working days** for the application to be processed and a written response issued by Council.

## Inspection requirements

A final inspection must be carried out before Food Act registration will be granted. One progress inspection is also offered as part of the application process.

Ensure you contact the Community Health team at least **five working days** prior to your requested final inspection date on 9294 5603 or email [communityhealth.customerservice@maroondah.vic](mailto:communityhealth.customerservice@maroondah.vic)

Please ensure that:

- all works are finalised
- power and hot water are connected
- fridges/freezers are turned on and operating at correct temperatures
- the premises is clean and ready to commence trade
- a copy of the Food Safety program is onsite (if applicable)
- a copy of the Food Safety supervisor certificate is available to be given to the inspecting EHO (if applicable)
- a food grade sanitiser is onsite
- a working digital probe, food grade thermometer is onsite.

Once the above requirements have been completed and the premises complies with The Code, a Food Act Registration Application Form and fee will need to be completed and paid and you will be given permission to commence trade.

Your Certificate of Registration will be issued to you shortly thereafter.



# Home-based food business requirements

All food businesses, home-based food businesses must comply with the *Food Act 1984* and *FSANZ Food Standards Code* including Standard 3.2.2 and Standard 3.2.3 and Part 1.2 – Labelling and Other Information Requirements.

This guidance has been extracted from the *FSANZ Food Standards Code* to assist proprietors when preparing their application for registration.

Further information is available at [www.foodstandards.gov.au/code](http://www.foodstandards.gov.au/code)



## Premises design and construction specifications

### Premises layout

There must be adequate space for all food handling activities to be undertaken by the business.

Consider the flow of activities and whether adequate space is available to prevent the likelihood of contamination. Separation of cleaning and food preparation activities is important.

Where allergen free food is made the layout is important to ensure cross contamination is eliminated.

The premises must be in good condition and food should flow in one direction through the premises as shown in diagram 1 below:

Diagram 1



To minimise the risk of food contamination, children, family members, visitors and pets, must be excluded from food preparation and storage areas whilst being used for the business. Smoking is also prohibited.

Food handlers are also reminded that if they are presenting with gastroenteritis symptoms, (vomiting, diarrhea etc) it is important they do not work while ill and for 48 hours after their symptoms have ceased. A doctor's clearance certificate advising the safe return to work is recommended.

Gastro can be spread from person to person and through food to customers. Considerations should also be made if household members are unwell with gastroenteritis symptoms to ensure the food storage, equipment and preparation areas are not contaminated. Hand hygiene is always important after visiting the toilet.

### Floors, walls and ceilings

Floors, walls and ceiling surfaces must be in good condition and finished with a smooth, durable, impervious material able to be easily and effectively cleaned.

### Safe drinking water supply

Potable water must be used for all food handling activities including washing food, cooking, making ice, cleaning and personal hygiene, including hand washing.

### Lighting

There must be sufficient natural or artificial lighting to carry out food handling operations, cleaning and other activities. Lighting in areas where food is prepared must be a minimum of 500 lux (level of illuminance) and lighting in other areas used for the business such as food storage areas must be a minimum of 110 lux.

Light fittings and fixtures in areas used for the business should be free from features that harbour dirt, dust or insects. Fluorescent tube lights should be fitted with shatterproof diffusers to prevent possible foreign object contamination to food.

### Appliances, fittings and equipment

All equipment appliances (including stoves, ovens, fryers etc) used to manufacture, prepare, store and sell food must be in good condition and fit for the intended use. Surfaces should be constructed of rigid, durable, impervious materials and should be free of cracks and crevices.

## Ventilation

There must be sufficient natural or mechanical ventilation to effectively remove fumes, smoke, steam and vapours to minimise the likelihood of airborne contamination to food. Depending on the nature of the proposed food handling activities, the Environmental Health Officer (EHO) will determine whether existing domestic-style rangehoods are suitable or if a commercial system is necessary.

## Storage of garbage and recyclable matter

Bins must be suitable for the volume and types of waste generated by the business and be able to be easily and effectively cleaned and frequently emptied to prevent issues with pests and animals.

## Pest proofing measures

The premises must be pest proof to prevent the entry of rodents, birds, animals and insects. This may include sealing structural defects and providing screens to doors, windows and openings. Preparation and storage areas must be kept clean and tidy and regularly monitored for pest activity.

## Toilet facilities

Adequate toilet and hand washing facilities must be provided for food handlers. Toilet hand washing facilities must be adjacent to, or in the toilet cubicle and be provided with hot and cold water through a single outlet, liquid soap, disposable paper towels or a hand dryer and suitable waste bins at all times that the business is operating.

## Sink arrangements

### Hand washing facilities

Dedicated hand washing facilities must be easily accessible where exposed foods are handled. This basin must be for the sole purpose of hand washing when preparing foods for the business. The designated handwash basin must be supplied with warm water via a single outlet, liquid soap and single-use paper towel.

Where a double bowl sink and functional dishwasher is available, one side of the double bowl sink may be deemed appropriate for hand washing for single-operator businesses only. This is also dependant on the food processes the business is undertaking and on the equipment used by the business, being suitable to be washed in the dishwasher.

### Equipment washing facilities

All food processing equipment and utensils used by the business must be cleaned and sanitised. For this purpose, a double bowl sink, or single bowl sink and functional dishwasher must be available for use.

Equipment washing sinks must be provided with an adequate supply of hot (70°C) and cold water. Sinks are required to be large enough to clean the largest utensils/appliance.

There should be adequate space on either side of the sinks to allow clean dishes to air dry.

Where a dishwasher is to be used for sanitising, the hottest and longest dishwasher program is

recommended, as lighter settings may not reach a hot enough temperature for long enough to sufficiently reduce microorganism levels.

### Food preparation sink

Where food handling involves washing or preparing of ready-to-eat fruit and vegetables or any other food handling activities such as draining/rinsing pasta etc, a separate food preparation sink should be provided.

### Cleaner's sink

Food premises must provide facilities to dispose of mop bucket water and similar liquid waste. This may be located within the dwelling such as an existing laundry.

The mop water disposal sink will need to be connected to the sewer and be supplied with hot and cold water. It must be located in a suitable area to prevent cross contamination between the wastewater and food.

## Storage Facilities

### Dedicated storage for the business

Due to the nature of home-based businesses, it is important that measures are in place to separate food and equipment for the business from possible sources of contamination. Food and equipment for the business should be stored in secure containers, dedicated cupboards or rooms.

Dedicated storage facilities are required for:

- food processing equipment and utensils
- ingredient storage (shelf stable, refrigerated, and frozen)
- packaging and labelling materials
- finished products.

### Adequate cold storage

Dedicated refrigerators and freezers should be provided solely for the business. The amount and location of units required depends upon the activities undertaken by the business.

We encourage all food businesses to verify the temperature of their units with a calibrated probe thermometer. Some may be required to record these temperatures if a Food Safety Program is required.

- refrigerators must be capable of maintaining food at or below 5°C and
- freezers must be capable of maintaining food frozen solid or below -15°C.

### Personal belongings

Items of a personal nature may pose a foreign object contamination risk and should be removed from food storage and preparation areas while the business is operating. For example, stationary, jewellery, money, hair accessories etc.

### Chemicals and cleaning equipment

Separate areas must be provided for storing chemicals and cleaning equipment that are away from where food is stored or prepared.

## Packaging, traceability and transport

### Food packaging and labelling requirements

If you package food, the packaging material must be fit for the intended use and the product must be labelled in accordance with Part 1.2.1 of the Food Standards Code. It is recommended you consult a NATA accredited food analyst to validate shelf-life dates and accuracy of food labels.

Food labels should include (at a minimum):

- product name/description
- batch/lot number identification
- name and address of the manufacturer, importer, supplier
- list of ingredients in descending order
- warning and advisory statement
- allergen information
- date markings – use by or best before
- nutritional information panel

- country of origin
- storage instructions.

Further information on labelling can be found by visiting: [www.foodstandards.gov.au](http://www.foodstandards.gov.au)

The Nutrition Panel Calculator can also assist when developing food labels, visit:

[www.foodstandards.gov.au/industry/npc/Pages/nutrition-panel-calculator.aspx](http://www.foodstandards.gov.au/industry/npc/Pages/nutrition-panel-calculator.aspx)

### Traceability and recall procedures

All wholesale food businesses, including manufacturers and importers must have a documented food recall system. This is important to ensure unsafe food is quickly traced and removed from the supply chain. The food recall plan should cover the procedures, records and staff responsibilities in the event of a recall.

Further guidance including a template food recall plan can be found by visiting: [www.foodstandards.gov.au/industry/foodrecalls/recalltemplates/Pages/default.aspx](http://www.foodstandards.gov.au/industry/foodrecalls/recalltemplates/Pages/default.aspx)

### Food transport

If you intend to transport/deliver your products, you must ensure foods are covered and protected from contamination during transport. Potentially hazardous foods must also be maintained under temperature control or time monitored during transport.

- refrigerated foods must be kept at or below 5°C
- frozen foods kept frozen solid or below -15°C and
- hot foods kept at or above 60°C.



# Mobile and Temporary Food premises – FoodTrader registration

'Foodtrader' is an online registration system for mobile and temporary food businesses.

If you plan to sell your products at market stalls or events, you must also register the temporary or mobile food premises on 'Foodtrader' and lodge a *Statement of Trade (SOT)* at least one day prior to trading.

For further information or to apply for registration, visit [www.foodtrader.vic.gov.au](http://www.foodtrader.vic.gov.au)



# Classifications, Food Safety Program and Food Safety Supervisor requirements

## Food safety risk classifications

Depending on the food safety risk classification of your food business, you may be required to implement a **Food Safety Program** and nominate a **Food Safety Supervisor** as part of the registration process.

Home-based food businesses will generally fall into risk categories – Class 2, 3 or 4. The below table outlines the food business requirements based on the Victorian food safety risk classification system.

| Food business classification | Food Safety Program (FSP)   | Food Safety Supervisor (FSS) |
|------------------------------|---|------------------------------|
| <b>Class 2</b>               | <p>Required for all high risk processes only, these include:</p> <ul style="list-style-type: none"> <li>• sous vide cooking below 75°C</li> <li>• handling of potentially hazardous foods without temperature control to minimise the growth of pathogens. For example cured meats, Chinese style roasted meats</li> <li>• preparation of acidified or fermented foods/drinks. For example sauerkraut, kombucha</li> <li>• preparing ready-to-eat foods containing raw unpasteurised eggs</li> <li>• preparing ready to eat raw or rare minced or chopped meats. For example steak tartare, rare/raw hamburgers</li> <li>• preparing ready to eat raw or rare poultry or game meats. For example duck, kangaroo</li> <li>• off-site catering</li> <li>• any complex food process activity that does not use temperature control as described in the <i>Australia and New Zealand Food Standards Code</i>. For example dehydration.</li> </ul> | Required                     |
| <b>Class 3A</b>              | Not required  | Required                     |
| <b>Class 3</b>               | <p>Not required</p> <p>Warehouses and distribution centres are required to keep a food suppliers record.</p>  | Not required                 |
| <b>Class 4</b>               | Not required  | Not required                 |

## Food safety programs

In Victoria, some Class 2 food businesses that conduct higher risk food processes as detailed in the table above are required to implement a Food Safety Program (FSP). A Food Safety Program is a written document based on the HACCP principles that outlines the food safety risks and controls associated with the business.

Class 2 food businesses can use a generic **Food Safety Program template** that has been developed by Department of Health (DH). The document can be found on the DH Food Safety website at: [www.health.vic.gov.au/food-safety/food-safety-programs](http://www.health.vic.gov.au/food-safety/food-safety-programs)

Alternatively, Class 2 businesses may also choose to write an independent Food Safety Program that is specific to their businesses. This may also be necessary for food manufacturers or businesses that have processes that are not covered in the generic template.

An independent food safety program also requires an independent auditor to determine the adequacy of the program as well as undertake the annual audit for the business.

For further information on food safety program templates and classification requirements, please visit: [www.health.vic.gov.au/food-safety/food-safety-programs](http://www.health.vic.gov.au/food-safety/food-safety-programs)



## Food safety supervisor requirements

All Class 2 and Class 3A food businesses are required to nominate a suitably qualified **Food Safety Supervisor (FSS)** to oversee food handling practices at the business. The nominated FSS must have appropriate skills and knowledge for the food sector they are working in.

Further information on Food Safety Supervisor training and industry specific course codes can be found by visiting the DH Food Safety website at: [www.health.vic.gov.au/food-safety/food-safety-supervisors](http://www.health.vic.gov.au/food-safety/food-safety-supervisors)



## DoFoodSafely

All food handling staff must have the skills and knowledge to keep food safe. **DoFoodSafely** is a free online learning resource for food handlers or people looking for work in the food industry. The program provides information and skills for safe food handling, however it does not meet the requirements for accredited Food Safety Supervisor training.

Refresh your food safety knowledge by completing DoFoodSafely at: [www.dofoodsafely.health.vic.gov.au/index.php/en](http://www.dofoodsafely.health.vic.gov.au/index.php/en)



## Allergens

To learn more about allergens and their associated risks, please visit: [www.foodallergytraining.org.au/resources/allergen-menu-matrix](http://www.foodallergytraining.org.au/resources/allergen-menu-matrix)



## Ready to start?

Visit Maroondah's New Food Premises page and complete the new food premises pre-application form. This will assist the EHO to determine your classification, advise of your requirements and assess your food premises prior to registration.

[www.maroondah.vic.gov.au/Community-support-business/Business-permits-and-support/Business-permits-and-registration/New-food-premises-registration](http://www.maroondah.vic.gov.au/Community-support-business/Business-permits-and-support/Business-permits-and-registration/New-food-premises-registration)



## Further information

If you require further information, please contact Maroondah City Council's Community Health team on 9294 5603.

## Other useful resources

- **Food Safety Victoria (DH)**

[www.health.vic.gov.au/food-safety/starting-a-food-business](http://www.health.vic.gov.au/food-safety/starting-a-food-business)



- **Food Standards Australia and New Zealand (FSANZ)**

[www.foodstandards.gov.au/foodsafety/standards/Pages/Home-based-food-businesses.aspx](http://www.foodstandards.gov.au/foodsafety/standards/Pages/Home-based-food-businesses.aspx)



- **Business Victoria**

[www.business.vic.gov.au/setting-up-a-business/location-and-set-up-premises/start-a-home-based-business](http://www.business.vic.gov.au/setting-up-a-business/location-and-set-up-premises/start-a-home-based-business)



- **National Association of Testing Authority (NATA)**

[www.nata.com.au](http://www.nata.com.au)



### Contact us

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TIS: 131 450 (Translating and Interpreting Service)

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 CityofMaroondah

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