

Operating a Food Business from Home (Domestic Kitchens)

Under the *Victorian Food Act 1984*, a person must register the premises where food is prepared or stored for sale (or provided as part of a service). This includes domestic kitchens, mobile food vehicles, food stalls/temporary food premises at markets and festivals etc.

The classification of a food business relates to the level of risk associated with the food handled at the premises. Class 2 and Class 3 premises must register with Council.

Class 2	Applies to the handling/preparation of potentially hazardous foods. This would include meat dishes, rice dishes, dumplings, dairy products and cakes that contain egg or have custard or cream.
Class 3	Applies to the handling/preparation of low risk food such as cakes (that do not contain egg, custard or cream) or the storage of pre-packaged potentially hazardous foods (for example frozen products) or the warehousing or distribution of pre -packaged foods. The use of pasteurised or powered egg in a cooked product is acceptable.
Class 4	Applies to storage of pre-packaged low risk foods such as chocolate bars, packaged tea, etc. These premises must notify Council by completing a notification form.

Domestic Kitchen Requirements

All food premises must be designed and constructed in accordance with Food Standards Code 3.2.3 - Food Premises and Equipment, available at www.foodstandards.gov.au/code

Domestic kitchens must comply with these standards and should keep in mind the cost savings in not fitting out a commercial premises.

There are some structural aspects to consider before submitting your application:

- **You will require a double bowl sink for washing and sanitising equipment and utensils.**
This may not be required if a single bowl sink and a dishwasher can accommodate the largest equipment.
- **You will require a separate sink for food preparation such as washing vegetables (if this is part of your process).**
This may be a dishwashing sink, if adequate processes are in place to clean and sanitise and only one person is operating in the business.
- **You will require a separate hand washing basin/sink in areas where food handlers work and where they can be easily accessed.**
Hot and cold water must be provided through a single outlet operated by a single lever, push button or hands free tap. An exemption to this requirement may only be granted on the following grounds for home based businesses:
 - » There is one bowl of a double/triple bowl sink that can be designated solely for the purpose of washing hands.
 - » Only one person operates in the food business.
 If a business expands and additional food handlers are employed, a separate hand wash basin must be installed. A request for exemption is attached to the application form
- **Adequate refrigerators/freezers must be provided and capable of rapidly cooling all potentially hazardous foods made by the business.**
These must be separate to the domestic refrigerator/freezer used in the home.

- **All dry ingredients, utensils, equipment and cleaning chemicals must be stored separately to those used in the home.**
- **Domestic kitchens are only suitable for small scale activities.**
Large scale food activities need to be conducted from a commercial kitchen. For example, larger commercial equipment would not be suitable in a domestic setting.
- **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.**
- **Adequate ventilation must be provided over all cooking appliances and food heating equipment.**
- **The premises must be pest proof to prevent the entry of rodents, birds, animals and insects.**
- **Home based food businesses cannot be approved if there are indoor pets such as cats and dogs. Keep pets securely outside.**
- **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 and emptied or removed on a regular basis.
- **During preparation, packaging, and transport, no smoking, pets, children or other activities are permitted in the food preparation areas.**
Kitchens should be cleaned down and sanitised and free of personal items before each operation.
- **If you package food, it must be labelled in accordance with Food Standard 1.2.1 - Labelling and Other Information Requirements, prior to any retail sale.**
- **Labels should be validated by a National Association of Testing Authorities (NATA) approved laboratory**
Labels must include at a minimum:
 - » Name of food
 - » Lot and premises identification
 - » Name and address of the manufacturer/supplier/importer
 - » Ingredients list in descending order and percentage labelling
 - » Warning and advisory statements
 - » Date marking, best before or use by date
 - » Nutritional information requirements
 - » Country of origin
 - » Legibility requirements
 - » Packaged food with an expiry date must have the expiry date validated by a NATA approved analyst.
 - » Nutritional claims such as Gluten Free or Dairy Free must be independently verified by a NATA approved analyst.
 Food Labelling Guidelines can be found at www.foodstandards.gov.au/code/userguide
 The Nutritional Panel Calculator can also assist to meet labelling requirements, visit www.foodstandards.gov.au/industry/npc
- **Businesses that wholesale (sell their product through retailers) must have a recall protocol in place.**
A copy of the Food Standards Australia New Zealand Food Industry Recall Protocol can be accessed online at: www.foodstandards.gov.au/industry/foodrecalls/Pages/default.aspx
- **If you plan to sell your food at market stalls, you must also register your Temporary Food Premises on Streatrader.**
Visit <https://streatrader.health.vic.gov.au> and submit your Statement of Trade **at least five days prior to the event.**
Please see the Guidelines for Running a Market Stall in Victoria. <https://streatrader.health.vic.gov.au/resources/businesses/running-a-market-stall> or guidelines for starting a mobile food business at <https://streatrader.health.vic.gov.au/starting-a-mobile-food-business>
- **Home Businesses must make a time to be inspected annually by an Environmental Health Officer. Food Act Registration cannot be renewed if an annual inspection is not conducted.**

Class 2 Food Business Registration Requirements:

Food Safety Programs

Class 2 food premises are required to implement and follow a Food Safety Program (FSP). A Food Safety Program may be a Standard Template or a Non Standard Program.

- Standard FSP's are approved by the Department of Health & Human Services and can be accessed at www.health.vic.gov.au/foodsafety/bus/templates
- A Non Standard Food Safety Program will be required if the process/procedure is not covered in a standard food safety program/template. A food safety consultant may assist you in developing the program.
- If you are required to have a Non Standard Food Safety Program, you must submit a copy to Council and have this program approved by an approved Food Safety Auditor. A copy of the certificate of adequacy of the FSP from the auditor must be submitted within three months of operation.

Food Safety Supervisors

Class 2 food businesses are required to submit a copy of the Food Safety Supervisors competency training certificates prior to registration.

A food safety supervisor (FSS) is someone who:

- Knows how to recognise, prevent and alleviate food handling hazards at your premises
- Has a Statement of Attainment that shows the required food safety competencies from a Registered Training Organisation (RTO)
- Has the ability and authority to supervise other people handling food at the premises and ensure that food handling is done safely.

The minimum competencies for a FSS are outlined at www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-safety-training-skills-knowledge

Businesses with a Quality Assurance (QA) Food Safety Program are exempt from the Food Safety Supervisor requirement.

Training providers can be accessed through www.myskills.gov.au

Class 3 Food Business Registration Requirements:

Class 3 premises are required to have a Food Safety Guide and maintain Minimum Food Safety Records.

These can be found at www2.health.vic.gov.au/public-health/food-safety/food-businesses/starting-a-food-business/class-3-food-business

Other Permits and Regulations

You must contact the following authorities to ensure that you have obtained all other relevant permissions and ensure the location is suitable to run a home based food business.

<input type="checkbox"/>	Council's Statutory Planning Unit	A new business or change of existing business, for car parking space requirements and for structural and signage changes, other related permits.	9840 9470
<input type="checkbox"/>	Council's Building Services Unit	For any fit out or proposed structural changes to a building and for public and staff toilet requirements, other related permits.	9840 9290
<input type="checkbox"/>	Yarra Valley Water Trade Waste Team	To see if a Trade Waste Agreement is required (includes Grease Trap requirements).	9872 1240
<input type="checkbox"/>	Council's Environmental Health Unit	If the property is operating a septic tank system (unsewered) the system may need to be upgraded. A permit will be required.	9840 9256
<input type="checkbox"/>	Local Laws	Keeping animals (eg. poultry), A frame signage, footway trading	9840 9237

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The Plan Approval Process

It is recommended that all proposed food businesses submit plans for approval prior to completing any works. Council may refuse registration if it believes an aspect of the Food Safety Code has not been met.

1. Complete the application form and attach a copy of the floor plan of the domestic kitchen. Include details of the food being prepared. Submit this to Council.

Plan Approval Specifications – Home Based Food Premises

A scale drawing of the proposed layout is required, showing in detail a site plan, and specifications that must include:

- Fridges and freezers
 - Food storage areas
 - Hand wash basin
 - Waste disposal facilities
 - Double bowl sink
 - Dishwasher
 - Benches, shelving
 - Cooking equipment, stove, oven fryers etc
 - Toilets and vanity units
 - Mechanical ventilation system
 - Equipment and chemical storage
 - Doors
 - Wastewater disposal to sewer via grease trap (if required by Yarra Valley Water).
 - Surface finishes of all walls, floors, ceilings and work areas
2. Pay the applicable Plan Approval Fee to Council (2017/2018).

Home based business Class 2	\$180
Home based business Class 3	\$180

3. An Environmental Health Officer (EHO) will assess your plans and write to you explaining any amendments required or conditions. If amendments are required, the amended plan must be resubmitted (no further fee is required).

When the plans are satisfactory Council will 'approve' the plans with any conditions.

4. Commence alterations of the food premises (if applicable).
5. A final inspection of the premises must be undertaken before any food can be brought onto the premises.

If required, a progress inspection may also be carried out. All final inspections must be booked at least two days prior to the proposed date of operation.

The following items must be completed prior to an Environmental Health Officer conducting the final inspection:

- Hot water must be turned on and in operation at the food premises
 - Liquid soap and paper towel in dispensers must be supplied to all hand wash basins throughout the food premises
 - All trade tools and construction materials must be removed from the food preparation and storage areas
 - All surfaces and equipment must be cleaned and sanitised
 - All refrigerated units must be turned on and operating below 5°C
 - All freezers must be turned on and operating at -18°C or below
 - All hot holding units must be turned on and be operating above 60°C
 - An approved food grade sanitiser must be onsite
 - A probe thermometer accurate to +/- 1.0°C must be onsite
6. The 'Application to Register the Food Premises' will only be issued once the above items have been completed and the premises has been deemed satisfactory by the Environmental Health Officer.

The Registration Process

1. Complete the 'Application to Register the Food Premises' provided to you by Council's Environmental Health Officer after the final inspection.
2. Pay the registration fee as stated in the invoice provided to you and determined by your risk classification. The registration is based on the calendar year and expires on 31 December. Fees are reduced by 50 per cent for premises registering after 1 September.

Class 2 (Home based)	\$440
Class 3 (Home based)	\$300

Class 2 Businesses only

4. Submit to Council of a copy of your nominated Food Safety Supervisors training certificates.
 - Submit to Council a copy of your independent Food Safety Program (if applicable).

Template programs do not need to be submitted.

Certificate of Registration

Once the above mentioned items are complete, registration will be granted and you will be issued with a 'Certificate of Registration.' This certificate must be kept at the premises at all times

Interpreter service  9840 9355

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