

Food Business

Operating a Commercial Food Business

The Food Act 1984 regulates the sale of food for human consumption. If you are selling food in Manningham, you will need to register, or notify us of your food business.

The information below explains how to register or notify us of your food business.

There are five risk classes for a food premises: **Class 1**, **Class 2**, **Class 3A**, **Class 3** and **Class 4**. The risks are associated with different food handling activities that occur at different types of food premises.

A summary of the classifications are listed below. For full definitions please visit the Department of Health website for [Starting a Food Business](#) and [Food Business Risk Classifications](#).

FOOD RISK CLASSIFICATION SUMMARY	
Class 1	Hospitals, child services, aged care services, which prepare and serve ready to eat, potentially hazardous meals for vulnerable groups
Class 2	<ul style="list-style-type: none">• Handling or manufacturing potentially hazardous unpackaged food.• Manufacturing low risk food with allergen-free claims.
Class 3A	<ul style="list-style-type: none">• Preparation and or cooking of potentially hazardous food which are served for immediate consumption at accommodation getaway premises.• Food made using a hot-fill process resulting in products such as chutney, relish, salsa, tomato sauce or any other similar food
Class 3	<ul style="list-style-type: none">• Handling unpackaged low risk food• Sale of potentially hazardous pre-packaged foods• Warehousing or distribution of packaged food• Sale of shell eggs• Making of sweet or savoury foods which do not require temperature control for safety, for a minimum period of 24 hours and no potentially hazardous foods added to the product after (e.g., fresh cream, custard).
Class 4	<ul style="list-style-type: none">• Retailing pre-packaged low risk food and certain low risk occasional activities (e.g., sausage sizzles serving sausages, bread, sauce and onion only.)• Serving of coffee, tea (with or without milk, soy, almond or other liquid)

Classes 1, 2, 3A and 3 premises must register with Council.

Class 4 premises must complete a notification form and forward to Council.



Interpreter service

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Commercial Kitchen/Vehicle Requirements

All food premises and vehicles must be designed and constructed in accordance with the [Food Standards Code 3.2.3. – Food Premises Equipment](#).

The Pre-Approval (Plans Assessment) Process

We recommend that all proposed food businesses submit plans for pre-approval before commencing works on building, constructing, or opening for business.

If plans are not submitted for pre-approval, Council may refuse registration if there is any aspect of the [Food Standards Code 3.2.3](#) that has not been met.

You must also contact the below authorities before sending us your Pre-Approval application to make sure you have obtained permission for your food business.

MANNINGHAM DEPARTMENTS			NUMBER
<input type="checkbox"/>	Statutory Planning	New or change of existing business, for car parking space requirements and structural signage changes, home based businesses, and other related permits	9840 9470
<input type="checkbox"/>	Building Services	Any fit out or proposed structural changes to a building, and for public and staff toilet requirements, and other related permits	9840 9430
<input type="checkbox"/>	Environmental Health	Any fit out or proposed food business, or if the business is operating a septic tank system (unsewered).	9840 9479
<input type="checkbox"/>	City Compliance	A-frame signage, footpath trading, keeping animals (e.g., poultry)	9840 9450
EXTERNAL DEPARTMENTS			
<input type="checkbox"/>	Yarra Valley Water Trade Waste Team	Trade waste agreements including grease traps	1300 771 865
<input type="checkbox"/>	Victorian Commission for Gambling and Liquor	Any businesses selling or providing alcohol.	1300 182 457

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Submitting your Pre-Approval Application

- **Step 1:** Complete an online application on our website [Manningham Food Business – How to Register](#) by selecting Apply Now.
If you need a hard copy of the application form to apply, please contact our [Environmental Health Team](#).
- **Step 2:** Attach a copy of your proposed floor/kitchen plan onto your online application. The below items must be included as part of your floor plan:

Floor Plan Specifications – A scale drawing of 1:100 of your proposed layout is required for us to review your plans. Your plans must be detailed and include these items:

SITE PLAN CHECKLIST	
<input type="checkbox"/> Surface finishes of walls, floors, ceilings and work areas e.g., white tiles, food grade washable gloss paint, light colour, stainless steel, floor covings	<input type="checkbox"/> Cooking equipment: stoves, oven fryers etc.
<input type="checkbox"/> Fridges and freezers	<input type="checkbox"/> All food preparation areas and benches
<input type="checkbox"/> Food storage areas	<input type="checkbox"/> Equipment storage
<input type="checkbox"/> Hand wash basins for all food handling areas and toilets. Hands free tap with a single outlet	<input type="checkbox"/> Chemical storage
<input type="checkbox"/> Double bowl sinks	<input type="checkbox"/> Mechanical ventilation system AS1668.2-1991
<input type="checkbox"/> Dishwasher Rinse cycle of greater than 80°C	<input type="checkbox"/> Doors
<input type="checkbox"/> Benches and shelving	<input type="checkbox"/> Waste and wastewater disposal facilities If a grease trap is required, visit Yarra Valley Water
<input type="checkbox"/> Mop sink/cleaners sinks	<input type="checkbox"/> Grease trap locations (Note: It must not be located in food preparation/storage areas)
<input type="checkbox"/> Staff storage areas	<input type="checkbox"/> Toilets and vanity units
	<input type="checkbox"/> External storage areas

- **Step 3:** Download and complete the [Supporting Documentation Form](#). Then attach this document with your online application.
- **Step 4:** After you submit your application, our Health Team will send you an invoice. Pay the applicable Plan Approval Fee to Council. Click here to view the [current fees and charges](#).
- **Step 5:** Your Environmental Health Officer (EHO) will assess your plans and contact you if there are any changes you need to make. If changes are needed, your EHO will request for revised plans.
 - The plans review process may take **10 working days** or more depending on how quickly you supply the information to us.
- **Step 6:** When your plans are satisfactory, Council will approve your plans, and issue you with a formal letter including any conditions.

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- **Step 7:** You can start construction or structural alterations of your food premises.
- **Step 8:** If needed, a progress inspection will be organised by your EHO.
- **Step 9:** When you have completed construction/alterations, you will need to contact your EHO to conduct your final inspection.
 - All final inspections must be booked at a minimum, **two days before** your proposed date of opening.
 - A final inspection must be undertaken by your EHO before any food can be brought onto the premises.

Final Inspection

Before you organise for your EHO to conduct a final inspection, the below items must be completed. Any items not completed, will need another final inspection which may incur further costs.

- Hot water must be turned on and working at all sinks.
- Liquid hand soap and disposable paper towels in dispensers must be located at all hand wash basins throughout the premises.
- All trade tools and construction materials must be removed from food preparation and storage areas.
- All surfaces and equipment must be [cleaned and sanitised](#).
- All refrigerated units must be turned on and keeping temperature at below 5°C.
- All freezer units must be turned on and keeping temperature at -15°C or below.
- All hot storage units must be turned on and keeping temperature at above 60°C.
- An approved [food grade sanitiser](#) must be on site.
- If needed, a measuring device/cup that is able to accurately measure the amount of sanitiser used for dilution
- Two spray bottles labelled for your sanitising mixture
- A digital probe thermometer that can accurately test temperatures to +/-1°C.
- A first aid kit, including bright coloured band-aids
- Food handling gloves
- Grease traps must not be located in food preparation and storage areas.

Fees and Charges

You can visit our Food Business website to view a current list of [fees and charges](#).

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Food Safety Supervisor and Program Requirements

If your premises structurally complies at the final inspection, your EHO will send you an application to register.

Class 1, 2 and 3A businesses will also be given 7 days to send us your nominated Food Safety Supervisor qualifications or enrolment information.

Food Safety Supervisors (FSS)

Class 1, 2 and 3A food businesses must nominate a [Food Safety Supervisor \(FSS\)](#). It is important to choose your FSS carefully. You can nominate the owner, employee or an external person, as long as they can meet the requirements of a food safety supervisor.

Your FSS must be someone who:

- Has knowledge and knows how to recognise, prevent, and minimise food handling risks at your premises.
- Has a Statement of Attainment that shows they have met the minimum competencies from a [Registered Training Organisation \(RTO\)](#).
- Has the ability and authority to supervise other people handling food at your premises.
- Makes sure that food handling is done safely.
- Is available to attend the premises regularly.

FSS Training Providers

Training Providers can be accessed through the Australian Government's [My Skills website](#).

Minimum competencies for FSS

You can find further information in the [Department of Health – Food Safety Supervisors website](#).

Food Safety Programs (FSP)

- **Class 1** food premises are required to keep and follow a *Non-Standard FSP*. All non-standard programs will need to be approved and audited by a [Third-Party Food Safety Auditor](#)
- **Class 2** food premises must keep and follow an FSP. An FSP may be a [Standard Food Safety Program](#) approved by the Department of Health, or a Non-Standard FSP that needs to be approved by a Third-Party food auditor .
- **Class 3A** food premises need an FSS and keep [Minimum Food Safety Records](#)
- **Class 3** food premises do not need a FSS but must keep [Minimum Food Safety Records](#).
- **Class 4** food premises do not need an FSS or FSP.

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The Registration Process

Once your final inspection has been completed, you are ready to register your food business.

- **Step 1:** The Application to Register a Food Business form will be issued by our EH Team.
- **Step 2:** Complete your Application to Register a Food Business Form by checking all the details and making changes if needed.
- **Step 3: Class 1, 2 and 3A** food businesses, submit to your EHO a copy of your nominated Food Safety Supervisor training certificate within 7 days. *Refer to page 5 – Food Safety Supervisor and Program Requirements.*
- **Step 4.** Pay the registration fee stated on your invoice. Your fees are determined by your risk classification.
 - Your registration is based on a calendar year and expires yearly on the 31st December. You will receive a Renewal of Registration at the end of each year.
- **Step 5: Class 1** and any businesses that are not on a standard FSP template, must:
 - Submit a copy of your Non-Standard FSP.
 - Submit a letter from your Third-Party auditor stating that your Non-Standard FSP complies.

Certificate of Food Registration

Your registration will be granted when the above is completed, your EHO will then issue you with a Certificate of Registration.

Your certificate expires yearly on the 31st December and a Renewal of Registration is sent to you at the end of each year.

You must always keep this certificate at the premises.

Other Requirements

Food labelling and food claims

1. Guidelines of food labelling can be found at [Food standards – Food Labelling Guidelines](#).
2. 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.
3. Labels should be validated by a [National Association or Testing Authorities \(NATA\)](#) approved laboratory and must include 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 dates;
 - Nutritional information requirements;
 - Country of origin;
 - Legibility requirements.
4. Packaged food with expiry dates must have the shelf-life validated by a NATA approved analyst.
5. Claims such as Gluten Free or Dairy Free must be independently verified by a NATA approved analyst.
6. The [Nutritional Panel Calculator](#) can assist you in meeting labelling requirements.

Food Recall

Businesses that wholesale (sell their products through retailers) must have a recall protocol. You can access a copy of the protocol on [Food Standards – Food Industry Recall Protocol](#).

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Streatrader - Selling at Markets/Festivals

If you plan to sell your food at market stalls/festival or events, you must also register your food stall/temporary food premises with us on Streatrader. There is a separate temporary food premises [fee](#).

You must submit your Streatrader application to us at least **10 working days** before the event.

1. Visit [Streatrader](#) to apply online.
2. We will review your application on Streatrader and your EHO will contact you.
3. Once you are registered and approved on Streatrader, you will need to send a Statement of Trade (SOT) through Streatrader.
4. SOTs for Manningham must be submitted at least **1 day before** the event

SOTs notify the Council area where you will be operating. Events outside of Manningham will have SOTs approved by the Council where the event is held.

You can find information for running a stall at a festival in Victoria on [Streatrader – Running a Market Stall](#) or [Starting a Mobile Food Business](#).