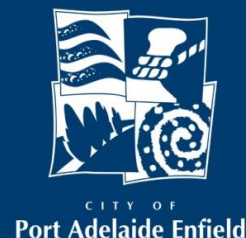


Home-based Food Business



What is a home-based food business?

A food business is any food preparation, food storage or food distribution activity which handles food for sale. If the handling of food for sale occurs at a residential premise, the home based food business must comply with the *Food Act 2001* and *Food Safety Standards*, just as any commercial food premise must comply.

It is the food business proprietor(s) responsibility to ensure they comply with the *Food Act 2001*. Council is the delegated regulating authority to ensure food businesses comply with the *Food Safety Standards* of the *Food Standards Code*, particularly:

- *Standard 3.2.2 Food Safety Practices and General Requirements*; and
- *Standard 3.2.3 Food Premises and Equipment*.

What are your obligations?

It is a legislative requirement under the *Food Act 2001* (the Act) that Council is notified of your food business. A Food Business Notification Form is required to be completed in its entirety and returned to Council two weeks prior to commencing the operation of your home-based food business. Failure to provide this notification may result in enforcement action being taken. The form is available on Council's website: <https://online.cityofpae.sa.gov.au/onlineform/food-business>

It is the responsibility of each food business proprietor to understand and comply with the requirements of the legislation. Further information and links are listed below.

Notification to Council does not override any other Council requirements. It is recommended that contact is made with Council with respect to zoning restrictions, planning consent (if necessary) and other local regulations.

Please refer any queries to Council's Planning Department 8405 6099 and ensure all the appropriate approvals are in place prior to the commencement of your home-based food business to ensure your home-based food business falls within the definition of a 'home activity' as described in the *Development Act 1993*, and;

You will also be required to contact the Trade Waste unit at SA Water on (08) 7424 1336 where a Trade Waste Application form may need to be completed in order to determine grease arrestor requirements for your residential premise. If a grease arrestor is required Council will require written approval. For further assistance in relation to grease arrestors please see the following link: <https://www.sawater.com.au/my-business/trade-waste/trade-waste-management/applications-and-forms>

Definition

Potentially hazardous foods (PHF) is defined under the *Food Safety Standards* as food that has to be kept at certain temperatures to minimise the growth of any pathogenic micro-organisms that may be present in the food or to prevent the formation of toxins in the food.

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Residential kitchen facilities do not meet the minimum requirements of the Food Safety Standards and the use of these facilities is limited to small scale, low risk food activities such as cakes, biscuits, bread (without cream or custard fillings).

Premises design and construction

The *Food Act 2001* and the *Food Safety Standards* set out the minimum requirements for food businesses to ensure food premises (including vehicles) are designed and constructed to minimise the likelihood of food becoming contaminated.

Facilities in a home-based food business that are used for the storage, handling and/or preparation of food are required to be constructed and fitted out in accordance with the following requirements:

- *Food Safety Standards 3.2.3. Food Premises and Equipment;*
- *Australian Standard 4674 for the Design, Construction and Fit-Out of Food Premises* will assist you with meeting the minimum requirements under the Standards.

Hand washing facilities must be made available with warm running water from one common outlet. A single sink in your domestic kitchen is not sufficient and you may be required to provide another hand washing facility within the main food processing area.

Temperature control for food is an important way to minimise food safety issues. Overloading domestic refrigerators and constantly opening the door means food takes longer to cool and harmful microorganisms have more chance to grow. Adequate refrigeration capacity is essential. Therefore, a separate refrigerator must be designated for the sole purpose of the home-based food business.

Some domestic premises have one kitchen sink available. A single sink in your domestic kitchen is not sufficient and you may be required to install additional sinks to achieve effective cleaning and sanitising of food contact surfaces and equipment and where the washing of food such as fruit and vegetables is required in order to meet the requirements of *Food Safety Standard 3.2.2 Clause 20 and Standard 3.2.3 Clause 12*.

If a domestic dishwasher is intended to be used, you will need to demonstrate that the rinse cycle of the dishwasher can sanitise at or above 77°C for a minimum of 30 seconds in accordance with *Food Safety Standard 3.2.2 Clause 20 and Standard 3.2.3 Clause 12*.

Once all of the relevant approvals are in place, as discussed above, and to enable Council's authorised officers to undertake an accurate assessment of your proposed home-based food business the following information is also required at a minimum:

1. Provide detail about the products intended to be produced, including product descriptions, the ingredients of each product, the processes to be undertaken and the volume of food to be produced on a daily/weekly basis.
2. Provide a scaled plan which clearly identifies the size of food handling area(s) and includes all equipment, fixtures and fittings that are required for food handling activities.

Equipment used should be designed with sufficient capacity to cope with the requirements of the activity. This includes fridges, freezers, ovens, sinks and dishwashers.

3. Provide process flow diagram(s) detailing stages of food handling from the incoming raw materials to the finished product. In addition, provide information in the process flow diagram of the food handling area(s) where each stage of food handling activities will be undertaken.

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The information above will be used to assess the adequacy of space for the activities intended to be conducted on the property and for fixtures, fittings and equipment used for those activities in accordance with *Food Safety Standard 3.2.3 Clause 3 (a) & (b)*.

4. Provide details as to the types of finishes available in your residential premise, these include floors, walls, ceiling and equipment. These must be designed to be smooth and impervious and be able to be easily and effectively cleaned and sanitised in accordance with *Food Safety Standard 3.2.3. Clauses 10 and 11*.
5. Demonstrate that the finished product(s) are microbiologically safe and suitable for the duration of the products shelf life – as per *Food Act 2001, Clauses 16 and 17, and Standard 3.2.2 Clause 7 (1)*. Scientific evidence will need to be provided by a laboratory.

For authorised officers to consider your proposed home-based food business the above information must be submitted at a minimum, however, authorised officers may require further information at any time through the process until they are satisfied you are able to meet the requirements of the *Food Act 2001* and *Food Safety Standards*.

Food packaging and transportation

It is important that you are aware of your obligations under *Food Safety Standard 3.2.2 Clause 9 and 10* which require that food businesses must only use packaging material that is fit for its intended use and will not cause food contamination. It is also a requirement that all food to be transported is protected from contamination during transport and that PHF must be transported under temperature control (ie. food must either be transported at or below 5°C or at or above 60°C at all times).

Refrigerated vehicles exceeding three tonne tare in weight will require planning approval.

Children and pets must not be allowed in the vehicle during transport as they are a potential source of contamination and smoking in the vehicle during transport is prohibited.

Health and hygiene requirements

Access to the food processing area or storage areas by family members or other people not directly involved in food processing must be restricted whilst food production is in progress. Smoking is not permitted in the food preparation or storage areas. Animals of any kind are not permitted in the food preparation or food storage areas at any time.

Product labelling

There are various labelling requirements for all foods. Some of the requirements include: the name of the food, the address of the manufacturer, ingredient lists, 'best before' or 'use-by' date marking as appropriate to the product, batch numbering for traceability, - see "*User Guide to the Food Standard Code*" for further assistance - see Labelling on the following website for assistance

<http://www.foodstandards.gov.au/foodstandards/userguides/>

All packaged food for retail sale is required to display a Nutrition Information Panel (NIP). There is an online calculator to help generate complying NIPs – see Nutrition Panel Calculator – see the following website for further assistance <http://www.foodstandards.gov.au/foodstandards/nutritionpanelcalculator/>

If the authorised officer is satisfied that you have met the requirements of the *Food Act 2001* and *Food Safety Standards*, the officer will assign a level of risk for your home-based food business.

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Your home-based food business will then be scheduled for routine inspections in accordance with the Council's Food Business Inspection Fee Policy. Fees will apply. SA Health and Council authorised officers can inspect any premises or vehicles at any reasonable time.

Food recalls

Food Safety Standard 3.2.2 Clause 12 requires businesses involved in the manufacturing or wholesale supply of food to have a recall procedure in place. This involves having a written system in place to ensure the recall of unsafe food, which needs to be made available upon request to an authorised officer. For information on designing a food recall plan visit SA Health website on the link below

<https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/public+health/food+safety+for+businesses/food+recall+plan>

Adequate skills and knowledge

It is a requirement under *Food Safety Standard 3.2.2 Clause 3* requires a proprietor of a food business to ensure that all food handlers must have adequate skills and knowledge of food safety and food hygiene matters commensurate with their work activities. Council offers an online I'm Alert Food Safety Training course <https://portenf.imalert.com.au/>

Further information

The information contained herein is intended as a guide. For further information in relation to this document or any associated matter, please contact Council's Environmental Health Officers on 8405 6832.

Additional information on your legislative requirements and safe food handling can be found at the following web pages:

<http://www.legislation.sa.gov.au/LZ/C/A/Food%20Act%202001.aspx>

<http://www.foodstandards.gov.au/code/Pages/default.aspx>

<https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/food+safety/food+safety>

