

# HOME-BASED FOOD BUSINESS

A food business is any food preparation, food storage or food distribution activity which handles food for sale, including not-for-profit organisations offering in-kind rewards. If the handling of food for sale occurs at an address which is also a domestic premise, there are special food safety issues to consider.

Special requirements apply to food businesses where people live at the premises, for example:

- preparing food for sale at markets or school canteens in a domestic kitchen
- bed and breakfast accommodation
- home-based childcare for a fee involving the provision of food
- home-based catering businesses
- restaurants with accommodation for the restaurant owner, family or staff.

## Notification

From 1 July 2018, local councils will regulate all domestic kitchens where food that will be sold directly to the final consumer is prepared.

The NSW Food Authority will continue to regulate domestic kitchens that only sell food to other businesses, such as cafes, restaurants and supermarkets.

**When a food business sells direct to the final customer** (e.g. from the premises or from a market/school canteen etc.), local councils will regulate these home-based businesses. The business needs to notify the local council of their business and food activity details.

From 1 September 2015, notification is satisfied via applications to local council for services, permits and approvals.

- Contact your local council

**When businesses do not retail food direct to the customer** (i.e. they sell to another party such as a cafe or restaurant to on-sell), they need to notify the NSW Food Authority of their business and food activity details.

- Go to [foodnotify.nsw.gov.au](https://foodnotify.nsw.gov.au)

## Obligations for food businesses

Like all food businesses, those based at home must comply with the relevant parts of the Food Standards Code, including:

- Standard 3.2.2 Food Safety Practices and General Requirements
- Standard 3.2.3 Food Premises and Equipment
- Part 1.2 Labelling and other information requirements.

Before a food business can start operating, owners need to make sure the proposed activities are approved by their local council. Some councils may not approve operations involving high risk foods.

## Issues to consider for food businesses

Anyone in charge of a food business needs to identify food safety issues and implement measures to control risks.

### Premises design and construction

Standards for flooring in kitchens and storerooms, and requirements relating to personal hygiene areas, need to be met such as adequate hand washing facilities which must be available. Check with the local council about what is acceptable.

They can also advise on zoning restrictions, development planning, construction and fit-out standards, waste disposal, environmental controls and any other local regulations.

### Keep cold foods properly refrigerated

Adequate refrigeration capacity is essential to make sure that cold food remains safe. It is important to keep certain food such as meat, eggs and dairy under 5°C at all times, including during transport.

Overloading domestic refrigerators and constantly opening the door means food takes longer to cool, or does not stay cold enough meaning harmful microorganisms have more chance to grow. Always use a fridge thermometer to check that your fridge is cold enough.

### Cook food thoroughly

Cook food thoroughly without overloading the oven. Cool down cooked food as quickly as possible, e.g. refrigerate in small portions to allow proper cooling. Use a food thermometer to make sure what you are cooking reaches the required temperature.

### Handle food hygienically

It is very important to keep ready-to-eat food and raw food or ingredients separate. This means that food contact surfaces, utensils, containers, tea towels etc. should not be used for both raw and ready-

to-eat foods without being thoroughly cleaned in between.

Everyone who handles food for sale must have food safety skills and knowledge appropriate to their activities. Top of the list is proper hand washing, especially after using the toilet. Single-use towels are the safest way to dry hands as tea towels can transfer dangerous organisms between hands and food.

Young children, pets, and people who are sick should stay out of food preparation areas. Food must be protected from pests and vermin at all times, including raw ingredients.

### Store food safely

Food containers and other containers should not be re-used if they are not rated for multiple use by the manufacturer. Some food containers can transfer harmful chemicals to food if not used correctly.

### Product labelling

Labels of packaged foods must show:

- name of the food
- manufacturer address details
- the list of ingredients
- 'best before' or 'use-by' date, as appropriate
- batch numbering for traceability
- directions for use and storage
- a Nutrition Information Panel (unless exempt)

- the country of origin of the product and its ingredients
- any other requirements of the Food Standards Code.

There are also labelling restrictions to comply with, such as declaring 'characterising ingredients', making health claims in product marketing and other prohibitions

### Keep records

It's a good idea to keep records of ingredients' batches so these can be traced if an ingredient is recalled by another producer.

### Food inspections

Food safety officers from the NSW Food Authority and Environmental Health Officers (EHOs) from the local council are entitled to visit and inspect domestic premises involved in a food business.

### More information

- visit the Food Authority's website at [www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au)
- phone the helpline on 1300 552 406
- visit the Food Standards Australia New Zealand (FSANZ) website at [www.foodstandards.gov.au](http://www.foodstandards.gov.au)

About the NSW Food Authority: The NSW Food Authority is the government organisation that helps ensure NSW food is safe and correctly labelled. It works with consumers, industry and other government organisations to minimise food poisoning by providing information about and regulating the safe production, storage, transport, promotion and preparation of food.

Note: This information is a general summary and cannot cover all situations. Food businesses are required to comply with all of the provisions of the Food Standards Code and the *Food Act 2003* (NSW).

