



Food Preparation In Residential Premises

Am I a home-based food business?

A food business is any food preparation, food storage or food distribution activity which handles food for sale (including in-kind rewards). It includes non-profit and community organisations. (See the FSANZ fact sheet *Charities, community groups and volunteers* for more details on these groups.)

If the handling of food for sale occurs at an address which is also a domestic premises, there are special food safety issues to consider. Examples include: preparing food for sale at markets or school canteens in a domestic kitchen; bed and breakfast accommodation; home-based child care for a fee involving provision of food and home-based catering businesses, among others.

What are my obligations?

All commercial food operations must be 'registered' with the Town of Bassendean before they start operating.

There are penalties for food businesses which are not properly registered.

- Like all food businesses, those based at home must comply with all relevant parts of the Food Standards Code. There are helpful User Guides and other publications available – see www.foodstandards.gov.au/assistanceforindustry/.

A limited range of foods may be permitted to be prepared from residential premises which do not represent a health risk for personal gain or reward under certain conditions. The Town of Bassendean does not approve operations involving potentially hazardous foods (meat, cream, dairy products, poultry etc).

Foods that are considered low risk include:

1. cake decorating;
2. food prepared for farm stays and home stay accommodation;
3. food prepared for community and charitable purposes;
4. jams;
5. cakes, biscuits and flour products which do not contain potentially hazardous foods such as cream;
6. chutneys, relishes and sauces that are heat treated by boiling or cooking;
7. herb vinegars with a pH of less than 4.5;

8. repackaging of bulk packaged low risk confectionary products; and
9. pickled onions.

Remember if you want to make any of the above mentioned foods in the home for personal profit then you must apply to the Council on an application for approval to commence development.

If you receive approval, there are some food safety issues that need special attention:

Premise design and construction

The **minimum conditions** applicable in residential premises for the preparation of food for sale are:

- Proprietors shall have planning approval obtained from Council's Development Services to undertake a home occupation.
- Written approval of an application to Council (to include a detailed floor plan of premises showing areas to be used for proposed food preparation, handling and storage).
- Food preparation handling and storage shall only be carried out in the areas as shown on the approved plan.
- Premises shall be kept, in good order and repair and shall be maintained in a clean and hygienic condition at all times.
- An adequate supply of hot and cold water shall be provided.
- Adequate sinks (preferably double bowled) shall be provided.
- Easy access to a wash hand basin shall be maintained during the food handling activity. Paper towels and soap to be provided at the wash hand basin.
- Temperature control for certain foods 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 greater chance to grow. Adequate refrigeration capacity is essential and must be maintained in good order and repair.
- Adequate dry storage shall be provided.
- Fixtures, fittings and appliances shall be clean and hygienic.
- Food must be kept protected from pests and vermin (e.g: rodents, cockroaches) at all stages, including storage of ingredients. Premises must be designed to exclude pests where practical.
- No domestic animals to have access into the house.
- Preparation only to take place when children under 5 years and other persons not employed in the food business must be excluded from the food preparation area.
- Adequate and hygienic rubbish disposal facilities shall be provided and maintained at all times.
- All food handling shall be in accordance with the Food Act 2008 and Food Safety Standards.

- Adequate food storage facilities for prepared products shall be provided to prevent contamination and spoilage of food.
- For more details on construction requirements - see Safe Food Australia at <http://www.foodstandards.gov.au/mediareleasespublications/publications/safefoodaustralia2nd519.cfm>

Food handling and hygiene

There are a number of aspects to safe and hygienic food handling that need to be considered in a home-based food business.

- Avoiding cross contamination between ready-to-eat food and raw food or ingredients – including from food contact surfaces, utensils, sinks, taps, splash areas, tea towels and so on.
- Temperature control is important.
- Cook food thoroughly without overloading the oven.
- Keep hot food hot then cool as quickly as possible for storage.
- Keep cold food cold below 5°C.
- Monitor temperature with thermometers in the oven and refrigerator.
- Control temperatures during transport.
- Some food containers are not intended for re-use and can transfer harmful chemicals to food if not used properly. Food containers and other materials should not be re-used if they are not rated for multiple uses by the manufacturer.
- Maintaining hygiene with frequent, adequate hand washing. Consider using single-use towels for drying hands. Do not use tea towels.
- An adequate cleaning regime should be in place.
- Other people living at or visiting the premises who are sick can leave bacteria in bathrooms, laundries and common areas. These can be passed onto food. Limit their access to food preparation areas.
- Young children and pets should not have access to food preparation or storage areas.

All food handlers must have food safety skills and knowledge appropriate to their activities. Short food safety courses can be helpful.

Product labelling

There are various minimum labelling requirements for all foods and there are also labelling restrictions to comply with, such as 'characterising ingredients', making health claims in product marketing and other prohibitions.

Foods must be labelled to comply with the Australia New Zealand Food Standards Code.

- Name of the food and lot identification;
- Name and street address of the manufacturer, packer or vendor;
- Country of origin;

- Date of marking expressed as: Use-by or Best Before;
- Ingredients List, (the label must state the percentage (%) of the key or characterising ingredients or components in the food product);
- Mandatory warning and advisory statements and declarations (letter size must be of not less than 3mm, except on small packages where the letter size is of not less than 1.5mm)* ;
- Unless exempt, 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 <http://www.foodstandards.gov.au/mediareleasespublications/nutritionpanelcalculator/index.cfm>
- Nutrition Claim;
- Health Claims; and
- Directions for use and storage, e.g: “keep refrigerated”.

***If food for sale contains ingredients on the following list, the information must be displayed on the packaging:**

- Gluten (a substance found in wheat, rye, barley, oats, and therefore present in foods made from these grains, such as flour);
- Fish and fish products;
- Egg and egg products;
- Crustacean (shellfish) and products;
- Milk and milk products;
- Soya beans and products;
- Peanuts and products;
- Other nuts and products;
- Sulphites (a preservative {this applies to added sulphites in concentrations of 10mg/kg or more});
- Royal jelly (a secretion from the salivary glands of honey bees);
- Bee pollen (pollen collected from the legs of bees);
- Propolis (a substance collected by bees).

Keep records

- It's a good idea to keep records of ingredients' batches used to enable traceability, for example if an ingredient is recalled by another producer.

Other issues

- Anyone in charge of a food business should be able to identify all relevant food safety issues and control them. Particular qualifications are not mandatory but there are short courses on food safety run by specialist providers and some educational institutions.
- Home-based businesses should consider how they will keep the operation running if the usual food handlers are sick. Sick food handlers must not prepare or handle food for sale.

- Transport of food shall only be undertaken in vehicles that fully comply with both the Food Standards Code and the National Code for (A) Food Vending Vehicles and (B) Temporary Food Premises
- All packaging and wrapping materials used shall be new and comply with the requirements of the Food Standards Code.
- Proprietors should be aware that food safety officers from the Town of Bassendean and environmental health officers (EHOs) are entitled to visit and inspect premises involved in a food business.
- Food business must be registered as a food business (\$50 application fee) and subject to an annual food safety service charge (refer to current fees & charges)
- Prior to your premises being considered suitable to operate a food business, other requirements are also considered, such as zoning restrictions, development planning, construction and fit-out standards (e.g. AS 4674.2004), waste disposal, environmental controls and other local regulations.

Protecting yourself

It is recommended you obtain public liability insurance to cover the legal fees and damage claims that may be associated if something goes wrong with your product.

For example:

- if a customer cuts his/her mouth on a piece of glass accidentally dropped into a jar of jam the legal fees involved with defending the case may be quite high and then there may be a pay-out for damages to consider.
- if something major goes wrong you may be sued. This could mean that you could lose your assets e.g. Your home – so think carefully about taking out insurance before you start your business.

This fact sheet is an introduction to food safety issues for home-based food businesses and does not list every issue to consider. It is the responsibility of each food business to understand relevant food safety requirements and comply with them. Some food businesses engage consultants to help them meet compliance obligations.