

Food Act 2008 – Preparing Food for Sale from Residential Premises

Where food is provided to the public the food operations are required to comply with the *Food Act 2008*, *Food Regulations 2009* and the *Australian New Zealand Food Standards Code*. These set the requirements to which a premise must meet. Some low risk activities may be permitted in residential kitchens however more complex food processing activities will be required to be undertaken from a commercial grade kitchen. The City of Wanneroo must be notified if you wish to prepare food for sale in a residential premise and conditions will apply.

Accepted “low risk” foods that can be prepared from a residential kitchen

- Jams
- Cakes, biscuits, muffins and flour products which do not contain potentially hazardous food such as cream
- Cake Decorating (eg traditional wedding cakes using traditional marzipan decoration only)
- Chutneys, relishes and sauces that are heat treated by boiling or cooking
- Herb vinegars with a pH of less than 4.5
- Repackaging of bulk packaged low risk food products
- Pickled onions
- Food prepared as part of a Bed and Breakfast or similar operation (Approval to conduct a Bed and Breakfast is required separately)

Other foods may be approved by the City of Wanneroo but only where they are assessed as a low risk and suitable for a residential kitchen.

Medium and high risk foods

Food products that are deemed to contain medium and high risk food ingredients are required to be prepared in a kitchen constructed and managed in the same way as foods are prepared in any commercial food business. If you wish to prepare medium and high foods in your home you will need to ensure that your kitchen has:

- A grease trap has been installed as required by the Water Corporation or advice in writing stating it is not required.
- A kitchen exhaust hood/canopy installed in accordance with AS 1668.2-1991, in the following circumstances:
 - (a) the cooking appliances have a total maximum power input of more than 8kW (electrical);
 - (b) the cooking appliances have a total gas input of 29MJ/h (gas);
 - (c) the cooking appliances have a total maximum power input of more than 0.5kW/M² (1.8MJ/M² for gas appliances) of total floor area of the kitchen; or
 - (d) the local government body deems the installation of a kitchen exhaust hood to be appropriate due to the circumstances.
- A separate, hands free, hand washing basin.

- Permission from the property owner to conduct a food business and construct a commercial kitchen if you are a tenant.

In addition to the above, you will need to provide evidence of how your kitchen meets all requirements of the Food standards Code. For further information on how a commercial kitchen is required to be constructed, please see the information sheet on the City's website - Food Business Guidelines: Design, operation and construction

How do I apply?

Should you wish to prepare, pack, store, handle, serve or supply food from a residential premises, for sale to the public, you are required to do the following:

1. Make application to the City of Wanneroo's Planning Implementation for a Home Occupation/Business approval. Contact the City's Planning Implementation unit on 9405 5000 for more information on this process.
2. Make application to the City of Wanneroo's Health Services for registration as a food business by completing the Application to Operate a Food Business from a Residential Premises form.

Should the City grant approval, an inspection is required prior to commencing food handling operations. An Environmental Health Officer will arrange a suitable time with you to conduct an inspection of your premises.

PLEASE NOTE:

If you do not include all required supporting information, assessment of your application may be delayed.

Food Labelling Requirements

When you prepare food in your home as with any other food business, you are responsible for ensuring that the food you prepare is safe to eat and suitably labelled. Please refer to the *Australian New Zealand Food Standards Code Part 1.2* for more information on labelling requirements.

Legislation

- *Food Act 2008* (available from the State Law Publisher at www.slp.wa.gov.au)
- *Food Regulations 2009* (available from the State Law Publisher www.slp.wa.gov.au)
- *Australia New Zealand Food Standards Code* (available from FSANZ, www.foodstandards.gov.au)

Food Hygiene and Other Requirements

- Premises must be maintained in a clean and hygienic condition and all fixtures, fittings and equipment should be well maintained.
- Domestic animals are not permitted in the food preparation area at any time.
- Enclosed shoes, clean clothing and hats must be worn during food preparation.
- Adequate rubbish disposal facilities must be provided and maintained in a sanitary condition.
- Smoking is not allowed in the kitchen.
- Easy access to a wash hand basin, with hot and cold water, liquid soap and paper towels must be provided at all times.
- The food preparation area must be provided with hot and cold water at all times. It is preferable that a double bowl sink be available for use (one for cleaning and another for food preparation).

- Adequate refrigeration must be provided to ensure that all high risk foods such as eggs and dairy products are stored at or below 5°C. Frozen food products should be stored so that they are maintained hard-frozen.
- Raw and cooked food must be stored and handled separately to prevent cross contamination. Furthermore all food must be completely covered when being stored.
- Preparation and cooking of food is only to take place when children and other persons not employed in the food business are not in the food preparation area.
- Packaging of food products to comply with the requirements of the *Australia New Zealand Food Standards Code*.
- Labelling of food products to comply with the requirements of the *Australia New Zealand Food Standards Code*.
- Food preparation must only be undertaken by persons who have sufficient knowledge of food safety principles.

Fact Sheets, Guidelines and Other Information

Additional information, including fact sheets and guidelines on food handling and food safety, may be found on the following websites;

- Department of Health – www.public.health.wa.gov.au
- Food Standards Australia New Zealand – www.foodstandards.gov.au
- City of Wanneroo – www.wanneroo.wa.gov.au

Should you have any queries regarding food preparation from home, please contact the City of Wanneroo's Health Services on 9405 5000.