

Devonport City Council



*The City With Spirit*



Guidelines for Food Businesses

## 1. Introduction

Welcome to the exciting journey of launching or taking over a food business! This information package is designed to help you be aware of the legal requirements associated with running a food business, as well as introducing you to the Council's Environmental Health Team.

In Tasmania, there are two main components to our food legislation. These are the *Food Act 2003* and the Food Standards Code. The *Food Act 2003* sets out things such as registration requirements, inspection powers of authorised officers, as well as penalties and offences. The Food Standards Code is the practical standard written in the *Food Act 2003* that applies to the structural side of the premises, hygiene of food handlers, food handling skills, and cleanliness of premises. Together, the Act and the Code help ensure that food businesses sell the safest food possible.

Once you have read through the information in this package, please feel free to contact an Environmental Health Officer at the Council on 6424 0511 to discuss further, or to arrange for an on-site inspection of your premises.

## 2. Requirements and advice to trade as a Food Premises

This information package has been designed to inform new business owners of their legal requirements for running a food business in Tasmania, and how this is practically applied within Devonport City Council.

This package contains:

1. Setting up a new food business
2. Purchasing an existing business
3. Role of the Environmental Health Officer
4. Design and construction requirements
5. Food safety training
6. Frequently asked questions
7. Temperature monitoring
8. Temperature log sheets (cold and hot storage)
9. Example cleaning schedules

### **3. Setting up a new food business**

#### **3.1. Contact the council**

If you are thinking about starting a food business the first point of contact is the Council's Town Planning Department. This is to ensure that the proposed use is permitted on the property. Planning permission may be required in some instances before you apply for any relevant Health and Building Permits.

#### **3.2. Planning on doing building/renovation work?**

Before any building or renovation work can be carried out, it is imperative to engage a private Building Surveyor to ensure all relevant building and plumbing permits are obtained. Your Building Surveyor will assess whether you are required to submit full plans and specifications for any proposed work. It is important to note that Building Surveyors are independent professionals and not employed by Councils. You can find a comprehensive list of Building Surveyors in the Yellow Pages under 'Building Surveyors'.

#### **3.3. Full plans and specifications, what are they?**

If full plans are necessary, you will need to provide your Building Surveyor with both a floor plan and an elevation plan. These plans need to show the proposed premises and must include the following:

- the location of all fittings, fixtures and equipment;
- specifications of all fittings, fixtures and equipment;
- specifications of the types of materials used;
- any other information to ensure the premises plans comply with Chapter 3 of the Food Standards Code and Tas Part I4 of the Building Code Australia.

All plans submitted to the Building Surveyor will be assessed by the Environmental Health Officer and Plumbing Inspector. If any deficiencies are identified, they will be noted and a list will be forwarded to the Building Surveyor so that they can be rectified prior to construction commencing.

#### **3.4. Inspection of the proposal site**

A site inspection of the proposed site may be undertaken by the Environmental Health Officer, Plumbing Inspector and Building Surveyor on receipt of the required plans.

Once the Council has approved all plans and all problems have been resolved, construction of the premises can begin.

#### **3.5. Final inspection**

Once construction of the premises is complete in accordance with the approved plans, the Environmental Health Officer, Plumbing Inspector and Building Surveyor will conduct an inspection. This will occur prior to opening the business to the public. Any areas that require additional works or improvements will be noted and a letter addressing these issues will be sent.

### **3.6. Registration**

After all of the building works have been completed and approved, the next step is to apply for a food license for your business. This involves applying for a Food Registration under the *Food Act 2003*, along with the required fee, before opening your business. You can conveniently access the Food Business Form through Council's website [Food Business Form | Devonport City Council](#).

Council also needs confidence that you have the required skills and knowledge to operate a food business safely. To evidence this, you will need to complete a food safety training module and supply a copy of the certificate to Council.

Registration of your premises is required annually. The registration period is 1<sup>st</sup> September - 31<sup>st</sup> August each year. You will be sent a renewal email each year to prompt re-registration.

NOTE: operating a food business without registration is an offence under the *Food Act 2003*.

## **4. Purchasing an existing food business**

All businesses that sell food are required to be registered with the Council under the provisions of the *Food Act 2003*.

When purchasing an existing business, it is recommended to contact the Environmental Health Officer to ensure that the business is registered and complies with the provisions of the *Food Act 2003*.

Before you take over the existing food premises, you will need to register the business in your name with Council as registrations are non-transferrable.

Once your application, which includes a food safety supervisor and/or food safety training certificates, along with the required fee is received, Council will process your registration. Upon approval, the Council will issue you a new Certificate of Registration.

Registration of your premises is required annually. The registration period is 1<sup>st</sup> September - 31<sup>st</sup> August each year. You will be sent a renewal email each year to prompt re-registration.

An inspection of the premises will be carried out by the Environmental Health Officer a few weeks after you have been operating your business. This is to ensure compliance with the *Food Act 2003* and Food Standards Code.

NOTE: operating a food business without registration is an offence under the *Food Act 2003*.

## **5. Role of the Environmental Health Officer**

Your local Environmental Health Officer (EHO) plays many roles in food safety and other public health matters. They are an authorised officer under the *Food Act* and as a result have the right to enter your premises, at any reasonable time, for the purposes of the *Food Act*.

In regards to food businesses the EHO is responsible for routine inspections of your premises. This will occur at least annually, plus any follow-up inspections to ensure all required works are completed.

Investigating food complaints and food poisoning outbreaks is also a duty of the EHO. This involves inspecting, gathering information, and may involve food sampling or seizure.

Food recalls are another area of responsibility. In the event that a food item has been recalled, the EHO may visit your premises to see if you stock that item, and ensure the item is removed from sale or is no longer available for consumption.

Most importantly, the EHO is an information source for food business operators. If you are unsure of requirements or practices that should be undertaken, a good place to start is by contacting the EHO to find out what is required.

## **6. Design and construction requirements**

The design and construction of a food premises intended for commercial use must include the following:

1. An adequate supply of potable water.
2. An effective sewerage and wastewater disposal system.
3. Adequately sized facilities for the storage of garbage and recyclable matter that keeps the garbage free from pests and animals and can easily be cleaned.
4. Sufficient natural or mechanical ventilation to effectively remove fumes, smoke, steam and vapours from the premises.
5. A lighting system that provides sufficient natural or artificial light for the activities conducted on the premises.
6. Floors must be able to be effectively cleaned, as well as unable to absorb grease, food particles or water. They must be laid so that no ponding of water can occur, and be unable to provide harbourage of pests and covered at the edges.

Note: Concrete is not an impervious surface.

7. Walls and ceilings must be sealed to prevent the entry of dirt, dust and pests, be unable to absorb grease, food particles or water, and able to be easily and effectively cleaned.
8. Hand washing facilities must be a permanent fixture connected to a supply of warm running potable water, and clearly designated for the sole purpose of washing hands. They must be of a size that allows for easy and effective hand washing, and clearly designated for the sole purpose of washing hands, arms, and face. The minimum size for a handwash basin is 11 litres.
9. Food contact surfaces must be able to be easily and effectively cleaned and sanitised. They must be unable to absorb grease, food particles and water, and be made of material that will not contaminate food.

10. Adequate storage facilities for items that have the potential to be a source of contamination, including chemicals, personal belongings, and clothing. These items must be located where there is no likelihood of contaminating food or food contact surfaces.
11. Toilets must be available for the use of food handlers working for the food business.
12. Food transportation vehicles must be designed and constructed to protect food during transport. The parts of the vehicle used to transport food must be constructed of suitable material to allow it to be easily and effectively cleaned.

This is a summary only – for full requirements see Chapter 3 of the Australia New Zealand Food Standards Code.

## **7. Temperature monitoring**

All food businesses must have a temperature monitoring device (thermometer). This needs to be readily accessible and have the ability to accurately measure the temperature of potentially hazardous foods within +/- 1°C.

Electronic thermometers will generally be required to be calibrated annually to maintain best performance. For more information on thermometer calibration contact the thermometer supplier.

It is recommended that food businesses monitor temperatures of all fridges and freezers on a daily basis. Included with this information pack are examples of temperature log sheets, for hot storage, refrigerated storage and freezer storage that could be used to record temperatures on a regular basis.

## **8. Frequently asked questions**

### **What does Devonport City Council do to ensure that food premises within the municipal area are safe and hygienic?**

Currently Council's Environmental Health Officers inspect all food premises on a regular basis. The frequencies of inspections are determined by an assessment carried out on each food premises to determine its risk to the health of the public.

### **Can an Environmental Health Officer inspect a food premises at any particular time?**

Yes. The *Food Act 2003* gives Environmental Health Officers the right to enter any food business or food transportation vehicle. In general, the Environmental Health Officer will try to ensure that inspections are carried out at a time that doesn't unreasonably interfere with your business operations. There may be times, however, when these inspections need to be carried out at inconvenient times.

### **What will occur during an inspection?**

The EHO will inspect all aspects of the premises visually, checking for any defects, operational compliance and issues of hygiene. They will also require a responsible person (such as the owner or manager) to answer various questions in relation to the usual operation of the business and to establish food safety knowledge of staff. You will be provided a report of the outcome of the inspection which will highlight any works to be completed.

### **Are food handlers required to wear gloves when handling foods?**

No, there is no legal requirement for gloves to be worn by food handlers. However, food handlers must exercise care to avoid food becoming contaminated by avoiding unnecessary human contact by the use of:

- a) tongs or other suitable equipment; or
- b) disposable gloves approved for food handling (if desired).

In addition, a food handler must not carry out any of the following actions when handling foods:

- a) handle any food or ingredient or touch any equipment or surface used in the preparation of food without first washing hands;
- b) apply his or her fingers to the mouth, eye, ear or nose during the manufacture of food, whether wearing gloves or not;
- c) use his or her breath to open a bag or wrapper;
- d) handle money, or other unwholesome objects, in a manner which could contaminate food; or
- e) wipe his or her hands upon clothing.

Hand hygiene is of critical importance for keeping food safe. Hands need to be washed regularly and always after any of the above listed activities.

### **What temperature should food be stored at?**

Readily perishable foods such as milk or milk products, fish, meat, poultry, shellfish, raw eggs or other foods subject to rapid and progressive deterioration must be stored at a temperature of not more than 5°C or in the case of food sold in a heated state, at a temperature of not less than 60°C to protect that food from deterioration.

### **Do my salad rolls need to be stored in a fridge?**

Yes. Readily perishable foods such as milk and milk products (i.e. cheese), fish, meat, poultry, shellfish, raw eggs or other foods subject to rapid and progressive deterioration must be stored at a temperature of not more than 5°C. Accordingly, all salad rolls that contain one or more of these ingredients must be stored under refrigeration.

### **What type of thermometer should I use for my food business?**

All food businesses must have a temperature monitoring device (thermometer). This needs to be readily accessible and have the ability to accurately measure the temperature of potentially hazardous foods within +/- 1°C.

Council encourages people to buy a thermometer with a narrow temperature range, because these will provide greater accuracy at a cheaper price. This includes thermometers with a range of -50°C to 150°C.

Digital probe thermometers are cheap and easy to use when recording temperatures of refrigerators, freezers and Bain Maries. The Council does not encourage the use of dial/needle thermometers, as they may not be very accurate and could be misleading.

**Do I have to undertake training to operate a food premises?**

Under Food Safety Standards for Tasmania a food business must ensure that all persons undertaking or supervising food handling operations have:

- a) skills in food safety and food hygiene matters; and
- b) knowledge of food safety and food hygiene matters, commensurate with their work activities.

Training is now required obtain these skills and knowledge. If you or your staff have not undertaken this kind of training, the Environmental Health Officer will advise you on how to proceed.

As of December 2023, most food premises are also required to have at least one person who has further food safety training - Food Safety Supervisor. For further information please refer to [Food safety supervisor | Tasmanian Department of Health](#) or you can contact Council's Environmental Health Officer.

## Heated Food Temperature Record

Heating Appliance Details (e.g. Bain Marie, Pie Heater) .....

Please check twice daily (preferably at the same time each day) and record e.g.

Morning 

67
66

 Afternoon

(All readings are to be in degrees Celsius)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
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**Correct temperature: must be at or above 60 degrees Celsius**

## Food Refrigeration Temperature Record

Refrigeration Appliance Details (e.g. Display fridge, cool room) .....

Please check twice daily (preferably at the same time each day) and record e.g.

Morning 

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 Afternoon

(All readings are to be in degrees Celsius)

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**Correct temperature: must be at or below 5 degrees Celsius**

## Frozen Food Temperature Record

Freezer Appliance Details (e.g. Chest freezer, upright freezer)

Please check twice daily (preferably at the same time each day) and record e.g.

Morning 

-18
-18

 Afternoon

(All readings are to be in degrees Celsius)

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**Correct temperature: must be at or below -18 degrees Celsius**

**Cleaning Schedule**

<b>DAILY</b>						
<b>WEEKLY</b>	<b>MONDAY</b>	<b>TUESDAY</b>	<b>WEDNESDAY</b>	<b>THURSDAY</b>	<b>FRIDAY</b>	<b>SATURDAY</b>
<b>MONTHLY</b>	<b>JANUARY</b>	<b>FEBRUARY</b>	<b>MARCH</b>	<b>APRIL</b>	<b>MAY</b>	<b>JUNE</b>
	<b>JULY</b>	<b>AUGUST</b>	<b>SEPTEMBER</b>	<b>OCTOBER</b>	<b>NOVEMBER</b>	<b>DECEMBER</b>

