

Notification of a Food Premises

Food Act 1984

Information for Food Businesses - Food Act Registration or Notification

The Food Act 1984 (the Act) regulates the sale of food for human consumption. From 1 July 2010 a new food premises classification system applies to all food premises operating in Victoria.

If your business sells food you must either register with, or notify, the council in which the premises is located. This information sheet explains whether you will need to register or notify.

Food Act Application for Registration or Notification

There are five classes of food premises - class 1, class 2, class 3, class 3A and class 4. The new classification system means that regulatory requirements are better matched to the level of food safety risk associated with the food handling activities at different types of premises.

Classes 1, 2, 3 and 3A premises must register with the council. Contact 9262 6197

Class 1 has the highest and class 4 the lowest level of legal requirements. In summary, the new classes are:

☐ **Class 1**

- A facility at which potentially hazardous food is prepared for, or served to, patients, residents, or other persons receiving services at the facility (other than that part of the premises that is a canteen or other place at which food is available to be served to members of the public or staff of the facility).
- A food premises at which the principal activity is preparing ready-to-eat food for either, or a combination of, the following purposes:
 - the food is intended to be served to patients, residents, or other persons receiving services at any of the facilities listed in the table below
 - the food is intended to be delivered to aged persons in their homes or other persons who, due to illness, frailty or impairment are unable to prepare their own food, and the food served, or intended to be delivered, includes potentially hazardous food.
- A supported residential service at which potentially hazardous food is prepared for, or served to, residents, and the majority of those residents are aged persons.

☐ **Class 2**

- any unpackaged potentially hazardous food is handled or manufactured, or
- low-risk food is manufactured, for which any allergen-free claim is made, other than
 - a class 1 food premises
 - a food premises at which the only handling of unpackaged potentially hazardous food is of a kind which makes the premises a class 3 food premises or a class 4 food premises
 - a home-based business that produces low-risk packaged or unpackaged foods for which an allergen-free claim is made.

☐ **Class 3**

A class 3 food premises is one at which one or more of the following food handling activities occurs:

- the handling of unpackaged low-risk food
- the warehousing or distribution of pre-packaged foods
- the sale of pre-packaged potentially hazardous food
- the sale of shell eggs
- the offering to members of the public a free sample of a potentially hazardous food for immediate consumption if:
 - that food is, or will be, available for sale at the premises in a packaged form
 - the sale of ready-to-eat, potentially hazardous food by a community group if:
 - all the food is cooked on site with the intention of being served immediately
 - the majority of persons involved in the handling of the food are volunteers
 - this activity takes place at the premises for a maximum of two consecutive days at any one time
 - the making of sweet or savory foods, which do not require temperature control for safety for a minimum period of 24 hours, which are:
 - uncooked, and that may or may not contain dry nuts (whole or crushed), seeds, dry fruits, protein powder (or similar supplement), and other low-risk ingredients
 - after baking, are a low-risk food, including, but not limited to, cakes (including fruit cakes), cupcakes (with or without icing), bread, biscuits, crackers, muffins, croissants, and other pastries where all the ingredients are cooked, and
 - have no potentially hazardous foods added to the product after baking, for example, fresh cream, custard.

☐ **Class 3A**

A class 3A food premises is one at which one or more of the following food handling activities occurs:

- Preparation and/or cooking of potentially hazardous foods which are served to guests for immediate consumption at an accommodation getaway premises.
- Food is made using a hot-fill process resulting in a product such as chutney, relish, salsa, tomato sauce or any other similar food, that:
 - is made at a home-based or temporary food premises, for example, a hired kitchen, and
 - has been heat treated to a temperature of not less than 85 °C and then filled and sealed hot into its packaging, and
 - is acidic (pH of less than 4.6), and
 - has salt or sugar or any other preservative added.

☐ **Class 4** - as per notification form attached.

Class 4 premises must notify the council – Complete attached form

You will be a class 4 premises and only need to notify if your only food handling activities as listed on the attached notification form



Whitehorse City Council
379-397 Whitehorse Road
Nunawading 3131 Locked Bag 2
Nunawading DC Vic 3131 Phone: 9262 6197
Fax: 9262 6506
health@whitehorse.vic.gov.au

[ABN: 39549568822](#)

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This form is only applicable to Class 4 food premises. If the business intends to conduct food handling activities other than those previously described, please contact Council as this may alter your food premises classification.

Proprietor Details: (legal entity – cannot be a trust)				
Proprietor Type: (please tick)	☐ Individual -	Name		ABN
	☐ Company	Name	ABN	ACN
	☐ Partnership	Name 1	Name 2	
	☐ Trustee	Trustee Name:		ABN
If company, specify name of person completing the application				
Name:			Authority (position within company)	
Email			Mobile	
Premises Details:				
Trading Name (if known):				
Premises Address:				
Postal Address: (If different to above)				
Do you conduct Offsite Events?	Yes ☐	No ☐	Streatrader Registration Number	
Trading Hours				
Primary Contact				
Given Name:			Family Name:	
Email:			Mobile:	

The personal information requested above is for the purpose of administering the Food Act 1984 and will be used solely by Council for that primary purpose or directly related purposes. The intended recipients of the information are Council officers. Council may disclose the information to law enforcement agencies, courts and other organisations authorised to collect it. Individuals have a right to seek access to their personal information and make corrections by contacting Council's Environmental Health Unit on 9262 6197. You may view Council's Privacy Policy on our website www.whitehorse.vic.gov.au or obtain a copy from any of the Council offices.

Food Business Details

Food Act Notification Information for Food Businesses

Please tick the type of food handling activity which best describes your food business:

A class 4 food premises is one at which the only food handling activities are one or more of the following:

The sale to the public of:

- ☐ pre-packaged low-risk food
- ☐ sausages that are cooked and served immediately, with or without onions, cooked at the same time, and bread and sauce, when cooked and sold at a temporary food premises or undertaken by a not-for-profit/community group
- ☐ packaged or covered cakes (other than cakes with a cream filling) at a temporary premises by a not-for-profit/community group
- ☐ biscuits, tea, or coffee (with or without milk or soymilk) at a temporary premises by a not-for-profit/community group.
- ☐ A wine tasting for members of the public, which may include the serving of cheese or low-risk food, which has been prepared and is ready-to-eat.
- ☐ The sale to the public, or wholesale, of whole (uncut) fruit or vegetables.
- ☐ The handling of low-risk food or cut fruit or vegetables and the serving of that food to children at an education and care services facility within the meaning of the *Education and Care Services National Law Act 2010*, and children's services within the meaning of the *Children's Services Act 1996* (Victoria).
- ☐ The offering to members of the public a free sample of a low-risk food for immediate consumption if that food is, or will be, available for sale at the premises in a packaged form.
- ☐ The serving of coffee, tea (with or without milk, soy, almond or any other liquid), alcohol (including the addition of sliced fruit, pasteurised dairy products), water, soft drink (except fermented soft drinks containing a live culture) intended for immediate consumption but does not include unpasteurised processed fruit or vegetables (for example, fresh juice) or any drink which has any other potentially hazardous food added, such as unpasteurised egg.

COUNCIL MUST BE CONTACTED IF YOU INTEND CHANGING THE CLASS OF YOUR BUSINESS.

Proprietor Declaration

I understand and acknowledge that:

- The information provided in this application is true and complete to the best of my knowledge
- This application forms a legal document and penalties exist for providing false or misleading information

If the business is owned by a sole trader or a partnership, the proprietor(s) must sign and print names(s)

If the business is owned by a company or association – the applicants on behalf of that body must sign and print their name.

Proprietor Name:		Proprietor Signature	
Position:		Date:	