



New Home-Based Food Business Guide

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Introduction

All businesses which make or store food and drinks for sale must either register their premises with their local Council or notify their Council of their activities.

This guide has been developed to provide an overview of the food safety requirements that apply to home businesses and to assist you in registering a new home-based food business.

In Victoria, all food businesses must comply with the *Food Act 1984*, (The Act) which oversees food safety. The Act also requires food premises to comply with the Australia New Zealand Food Standards Code which specifies food safety practices and requirements for food premises and equipment.

Residential kitchens are generally designed for domestic use and are not always suitable for commercial food production. Some things to consider include:

- Are you able to separate your household activities from your business?
- Review your bench top space, is it covered with household paraphernalia?
- Can you clear the surface to free up space so that there's no risk of contaminating food products?
- How big is your fridge? Is an additional fridge or freezer required?
- Do you have a sink which you can use for hand washing?

Domestic kitchens are best suited to produce lower risk products such as biscuits, jams, and cakes where no cream or custard is used. Generally domestic kitchens are not suitable for catering where high risk products and numerous process steps are required to get the food to your customer. The most common reasons for Council not registering a home kitchen are due to insufficient space for preparation and storage or insufficient sinks / hand washing facilities to manage the risks associated with the business.

If your home kitchen is not suitable, there are other options available such as the use of a shared commercial kitchen which can be rented by the hour or day. Contact the Health Services Unit to discuss the registration requirements if you wish to use an existing registered kitchen.

[Business Victoria](#) is a great place to start researching how to start a new business. On the website are templates for market research for your product and for business plans, budgets as well as other related information on starting a business from home. Further information on food businesses and food safety requirements can also be found on the Victorian Government [food safety website](#).

If you are renting you should check with your agent or landlord to ensure that operating a business is allowed under the terms of your lease. Likewise, the Owner's Corporation should be contacted if you are an owner.

Application Process

Steps Involved in registering your home kitchen

The Health Services Unit is here to assist business owners in the City of Port Phillip when registering a new home food business. The steps involved in registering a new home business include:

1. Provide Council with information about what you are planning to do - [Your Proposal](#).
2. An Environmental Health Officer (EHO) will conduct an [inspection of your kitchen](#).
3. Complete an [Application for Registration](#) and pay the applicable [fee](#).
4. Commencing trading once Council has issued a Certificate of Registration.

Your Proposal

Your proposal is the first step in determining if your home kitchen is suitable for registration. What are you planning to make and sell?

The proposal form will guide you in providing the following information:

1. Details of the nature of your business (e.g., making cupcakes to sell at market stalls etc.), frequency of operation and a description of how the food is to be packaged and transported.
2. Photos of the space(s) you propose to use showing:
 - Whole of kitchen
 - Sinks and dishwasher
 - Floor
 - Benches for food preparation
 - Storage of dry goods
 - Storage of high-risk foods that require refrigeration.
 - Any specialised equipment that will be used
3. Photos of your products
4. Ingredient list for each of the food items you intend to make.

Inspection

If your proposal is suitable, an EHO will arrange a time for an inspection of your kitchen to ensure compliance with the National Food Safety Standards and the Victorian Food Act.

There is a [checklist](#) at the end of this document to assist you in preparing for the inspection. Ensure you are prepared to demonstrate all of the relevant items and discuss all of the questions.

Application for Registration

Upon completion of a satisfactory inspection an Application for Food Act Registration form will be provided for you to complete and return to Council via email. An invoice will then be issued for online payment. Once payment is received a Certificate of Registration will be issued and you may commence preparing food for sale.

The EHO will inspect the kitchen at least once a year.

Fees and Charges

Fees apply for all new food business applications as well as for annual registration.

Annual registration fees vary depending on the size and complexity of the food business.

Annual registration fees apply for the calendar year from 1 January to 31 December. New businesses registering during the year will be charged a pro rata fee which is reduced by 25% each quarter.

An invoice for both the application fee and registration fee will be issued upon completion of an Application for Registration.

Fee Schedule	Class 2	Class 3
New Business Application Fee	\$235	\$235
Annual Registration Fee range	\$382 - \$700	\$232 - \$382

Fees above apply for registration from 1 July 2024 – 30 June 2025

To clarify what fee will apply to your business, please contact the Health Services Unit on 9209 6292.

Food Safety Requirements

Classification – What class is my business?

The classification of a food business relates to the level of risk associated with the food handled at the premises. Class 2 and Class 3/3A premises must register with Council. Class 4 businesses must notify Council of their activities.

Class	Details
2	Applies to the handling/preparation of potentially hazardous foods. Including meat dishes, rice dishes, dumplings, dairy products, and cakes that contain egg or have custard or cream.
3	Applies to the handling/preparation of low-risk food such as cakes (that do not contain egg, custard, or cream) or the storage of pre-packaged potentially hazardous foods (for example frozen products) or the warehousing or distribution of pre -packaged foods.
3A	Applies to home-based businesses making hot fill products such as chutney and some accommodation getaways
4	Applies to activities considered to be very low risk such storage of pre-packaged low risk foods such as chocolate bars, packaged tea, etc. These premises must notify Council by completing a notification form.

Your food business classification is determined by Council.

Food Safety Programs

A food safety program is a written plan which explains what a business does to ensure that the food it sells is safe for people to eat. It is an important tool to help you manage food safety risks within your business.

Some class 2 food businesses are required to have a food safety program.

Class 2 manufacturers are required to have an independent audited food safety program. Other class 2 businesses are exempt from the requirement to have a food safety program except if they undertake one of the following high risk food handling activities:

1. Sous vide cooking (at less than 75°C)
2. Any potentially hazardous food that does not involve temperature control to minimize the growth of pathogenic or toxigenic organisms (e.g. sushi, cured meats, aged beef, smoked foods, Chinese style roasted meats)
3. Preparation of acidified/fermented foods or drinks that are ready to eat and have a high level of acidity required to keep food safe (e.g. sauerkraut, kombucha, century eggs)
4. Preparation of ready-to-eat foods containing unpasteurized raw unshelled eggs (e.g. mayonnaise, tiramisu, mousse)
5. Preparation of ready to eat raw or rare minced/finely chopped red meats (e.g. steak tartare, rare/raw hamburgers)
6. Preparation of ready-to-eat poultry and game meats
7. Offsite catering where ready to eat potentially hazardous food is prepared or partially prepared in one location, transported to another location, where the food is served at a catering event
8. Any other complex food process activity such as pasteurisation, dehydration and modified atmospheric packaging.

Further information about [Food Safety Programs](#) is available on the Department of Health website.

Food Safety Supervisors and Training

All Class 2 and Class 3A premises must have a trained [Food Safety Supervisor](#) who has the skills and knowledge to supervise food handling and train others in food safety.

All class 2 and 3A businesses must nominate a Food Safety Supervisor and provide evidence of their qualifications upon registration.

In addition, all food handlers should have a basic knowledge of the principals of food safety. A free, non-accredited course developed by the Department of Health called [DoFoodSafely](#) is available in a number of languages.

Food Labelling

Packaged food for retail sale or sold to a caterer must be labelled in accordance with the requirements in the Australian New Zealand Food Standards Code.

Exemptions exist, such as for food which is:

- unpackaged;
- made and packaged on the premises from which it is sold;
- packaged in the presence of the purchaser;
- delivered packaged and ready for consumption at the order of the customer (e.g., take away food).

Labels must be accurate. Any information you put on a label must be correct and must not mislead the customer. This includes making any nutritional, health and related claims.

Labels must specify the following:

- Name or description of the food e.g., chocolate peanut cookies.
- Allergen warning statement e.g., contains peanuts.
- List of ingredients in percentage order; highest to lowest, specifying the characterising ingredient e.g., peanuts (10%)
- Date marking of food for sale; best before or use by date.
- Directions for use and storage e.g., store in a cool dry place.
- Nutrition information panel for each serving and for 100g of the product.
- Country of origin labelling.
- Street address and phone contact for where the product is made.
- Accurate weight of the food in the package.

More detailed information, including a nutrition panel calculator can be found on the [Food Standards](#) website.

Allergens

Food allergies can be life threatening. For people who have a food allergy the only way to manage the allergy is to avoid the food allergen.

The Australian New Zealand Food Standards Code states that food businesses must advise customers of allergens in food, either on the packaging of food or upon request by the customer.

These allergens are:

1. Cereals and products containing gluten, namely wheat, rye, barley, oats, spelt, and kamut, and their hybrid strains.
2. Crustaceans such as crabs, lobster, shellfish, and their products.
3. Egg and egg products.
4. Fish and fish products.

5. Milk and milk products.
6. Tree nuts, including almonds, hazelnuts, walnuts, cashews, pecan nuts, Brazil nuts, pistachio nuts, macadamia nuts.
7. Sesame seeds, and their products.
8. Soybeans and their products.
9. Peanuts.
10. Lupin.
11. Added sulphites levels of 10mg/kg or more.

The requirements for manufacturing allergen free products are such that a domestic kitchen may not be suitable for this purpose.

Food Recalls

If you are manufacturing a food product(s) for retail sale you must have a food recall system in place.

Information on developing a food recall plan can be obtained from [Food Standards Australia New Zealand](#) (FSANZ).

The ingredients you use to make your food could also be subject to a food recall. You can keep informed of food recalls by subscribing to FSANZ's free [Food Recall Alerts](#) email service.

Structural and Operational Requirements

Structural Requirements for a Home Kitchen

The Australian New Zealand Food Safety Standards apply to all food businesses, including home kitchens to ensure food for sale is produced in safe conditions.

As a general guide, in order to meet these requirements your home kitchen must have:

- All walls, ceilings, benches, and cupboards maintained in good condition and finished with a smooth, durable surface that is easy to clean.
- Sinks – at a minimum, a double bowl sink and dishwasher are required. The sinks must be large enough to wash and sanitise the largest piece of equipment that can't be washed in the dishwasher.
- A hand wash basin with a supply of warm running water, soap and paper towels is required in the area where food handlers work (not in a separate bathroom or laundry). You can apply for an exemption if one bowl of a double bowl sink can be used for handwashing and no other purpose, in this example all dishes would be washed and sanitised in a dishwasher. However, this exemption is not always granted.
- Enough space for food handlers to handle food to avoid cross contamination from raw and ready to eat items.
- Adequate storage provided so that food for the business can be separated from food for home use.
- Adequate ventilation, either through mechanical ventilation (a range hood) or natural ventilation.
- Suitably pest proofed to prevent entry of mice, flying insects.
- Pets are not permitted in the food preparation or food storage areas.

Food Packaging and Transport

For delivery, food must be packaged in suitable, clean food grade containers or packaging to protect it from contamination during transport.

Potentially hazardous foods are required to be transported under temperature control, this might mean in an insulated box or esky with ice blocks or heat blocks. All parts of the delivery vehicle and boxes must be able to be effectively cleaned.

Temporary or Mobile Food Registration - FoodTrader

If you plan to sell food at a market stall, event, or mobile food business you must have a temporary or mobile food registration, in addition to your home kitchen registration.

In Victoria, all temporary and mobile food premises apply for registration using an online state-wide registration and notification scheme called [FoodTrader](#).

All you need to do is create an account and log in – once you have done this the registration forms will be made available for you to fill in. Once you have completed the form, *FoodTrader* will forward your application to the council which it has determined to be your principal council for review and approval.

During this time, you may receive a phone call from an Environmental Health Officer at Council to discuss your application. Once satisfied with your application, it will be accepted online, and you will receive an email notifying you of your successful application and an invoice for the relevant fee. Mobile food vehicles will be inspected prior to registration.

When you start trading, you must complete a Statement of Trade on *FoodTrader* to advise the local Council where you are operating.

Your temporary food premises may be inspected at any time by the municipality in which you are operating.

Questions

If you have any questions about registering a new food business at home, please contact the Health Services Unit at healthservicesunit@portphillip.vic.gov.au or call us on 9209 6292.

Final Inspection Checklist

The following checklist will assist you to prepare for the final inspection.

<input type="checkbox"/>	Adequate supply of hot water to kitchen sinks
<input type="checkbox"/>	Dishwasher and double bowl sink provided
<input type="checkbox"/>	Designated handwash basin in the area where food is prepared
<input type="checkbox"/>	Soap and paper towel provided at the designated hand wash basin
<input type="checkbox"/>	Suitable equipment available for cleaning and sanitizing, including a food grade sanitiser
<input type="checkbox"/>	A digital probe thermometer provided
<input type="checkbox"/>	Confirmation of temperature of fridge(s) and freezer(s)
<input type="checkbox"/>	Storage of dry goods – separate to that for home use
<input type="checkbox"/>	Storage of high-risk foods – separate to that for home use
<input type="checkbox"/>	Adequate food preparation space provided
<input type="checkbox"/>	Suitable food grade packaging provided for final products
<input type="checkbox"/>	Labelling (if required) complies with FSANZ standards – copy of label(s) provided
<input type="checkbox"/>	Food recall procedure in place (if manufacturing products for retail sale)
<input type="checkbox"/>	Explanation of preparation methods
<input type="checkbox"/>	Explanation of cooking process including times and temperatures (if required)
<input type="checkbox"/>	Explanation of cooling process including times and temperatures (if required)

<input type="checkbox"/>	Explanation of distribution/delivery process including times and temperatures. Demonstration of equipment if applicable.
<input type="checkbox"/>	Explanation on how you manage requests for allergen free food
<input type="checkbox"/>	Food Safety Program (class 2) – if required
<input type="checkbox"/>	Food Safety Supervisor qualifications (class 2) – copy of certificate to be provided