

Starting a Food Business

What to do when taking over or establishing a new food business

This information is provided to help people thinking about buying an existing food business or starting their own.

There are important things you need to know including which laws apply, how to meet your obligations and where to get more information and help if you need it.

Food Laws – what are they?

When taking over the operation of a food business, or establishing a new food business it is important to realise that specific laws and approval processes apply.

The preparation and sale of food is regulated by the *Tasmanian Food Act 2003* and the national *Food Standards Code*.

Together these establish the requirements for food to be safe and free of contamination. They also detail:

- what can be in foods
- what must be included on food labels
- how to manage food in a safe and hygienic manner within a business.

The Food Standards Code is available online www.foodstandards.gov.au/code/Pages/default.aspx.

The *Building Act 2000* and the *Land Use Planning and Approvals Act 1993* are also relevant in the case of new food businesses or if major renovations are needed to an existing food premises.

Construction Requirements

In Tasmania food premises must be built in line with *National Construction Code (Tasmanian Appendix H102)* requirements, which mirror the *National Food Safety Standards*.

A formal approval process involving a building surveyor and council environmental health officer (EHO) is prescribed under the state's building regulations.

An EHO is required to assess building plans to ensure the proposed facility will be suitable for safe food production.

After construction the EHO will inspect the premises to ensure it has been built in line with the approved design and is okay to use for the purpose of food production.

For minor renovations a formal building permit may not be required.

However, you should still talk to an EHO before doing any work to make sure the planned renovations will meet with the requirements of the *Food Standards Code*.

This will avoid you having to undertake costly remedial work if the fit-out fails to meet legal requirements.

Where do I Start?

The best place to start when considering buying an existing food business, or setting up a new business, is with the EHO at the council where the business will be based.

The EHO can talk you through the specific requirements relevant to the type of food business you want to operate.

You can access your relevant council here:

www.lgat.tas.gov.au/page.aspx?u=225

It is also very important to think about the many food safety issues you will need to manage.

These things need to be considered as part of establishing a business, before you go into operation:

- Do you have sufficient food safety skills and knowledge for the type of product you will be selling, or do you require further training?
- Will you require planning or building permits from the council?
- Will the existing kitchen and equipment be suitable for your needs?
- How will you manage allergens?
- How will you ensure staff have suitable food safety skills and knowledge?
- What labelling requirements apply to your products?
- Will you need a documented food recall system?

Food Act Registration – Formal Approval to Operate a Food Business.

Once you have a suitable facility and are confident you can demonstrate suitable food safety skills and knowledge you will need to seek formal approval to operate your food business.

This generally requires application to the relevant local government for registration as a food business under the *Food Act 2003*.

As part of this process the EHO will assess the applicant's suitability to operate as a food business.

This assessment will consider whether the business can demonstrate they can prepare and handle the proposed types of food in a safe and suitable manner and in line with any specific legislative requirements.

The application may be refused, approved or approved subject to conditions. It is an offence to operate a food business without the required Certificate of Registration.

Find out more

- Speak with your local council EHO for detailed advice about setting up a food business.
- Visit the Department of Health and Human Services website www.dhhs.tas.gov.au/publichealth/food_safety
- Visit the Food Standards Australia New Zealand website www.foodstandards.gov.au/Pages/default.aspx to access the national Food Standards Code.