



Mobile Food Businesses

Information for Mobile Food Businesses

Overview

In Tasmania the operation of Food Businesses is regulated by the *Food Act 2003* (the Act). The Act contains specific provisions relating to the regulation of mobile food business to enable them to operate across the State with a single approval issued by a local government. The approval is in the form of a Certificate of Registration issued under the Act.

Legal framework

The requirement to register a food business is contained in sections 86 of the Act. The type of business that must formally register is prescribed in a Notice issued by the Director of Public Health. The director has determined that if a business handles potentially hazardous food then the business must be registered.

Potentially hazardous food is food that must be kept under temperature control to stop the growth of pathogens or the formation of toxins in the food.

What is a Mobile Food Business?

A mobile food business is a food business that operates from a mobile structure. The term mobile structure is defined in the Act as:

a vehicle, trailer, cart, tent, stall, booth, pontoon, table, barbeque, pizza oven, or other mobile structure, that is not permanently fixed to the whole, or part, of a building, structure or land, in, at or from which food is, or is intended to be, handled or sold

Detailed guidelines for the operation of a mobile food business are available from the DHHS website. Your local government environmental health officer (EHO) also has copies of the guideline available. The guidelines inform you about what is needed to comply with the law.

Registration options

A mobile food business can choose to apply for a once-off temporary registration or for statewide registration. For example, if you only want to operate an occasional fundraising stall or a food stall at a school fair, etc then a one-off temporary registration would be appropriate. If you want to operate a suitably designed mobile business around at different events – you would need a statewide registration. A food business registration is usually issued for 12 months.

Where and how to register

If seeking a once off registration you should apply to and register with the council where the stall will be located.

If you want a statewide registration for a mobile food business you should make application to the council where your business will be based.

This may be your home address or the address where the equipment for your mobile business is stored like tents, trailers, etc.

The registration process involves completing the relevant application form, paying the application fees and providing any additional information needed by the assessing officer to check your application against the requirements of the Act.

Information you will have to provide as part of the registration process

All applicants are required to provide the following information as part of applying to register a mobile food business – the application process is done via the relevant local government.

Mandatory information for registering	
Proprietor details	<ul style="list-style-type: none"> Name of the applicant ABN Address and contact details
Specific business details	<ul style="list-style-type: none"> Type of mobile structure Types of food handled/sold Location of offsite food storage Staff training
Business layout	<ul style="list-style-type: none"> A plan or photographs of the mobile structure demonstrating compliance with guidelines

Information about the business **will be** shared between relevant local and state government agencies.

What will happen following the application for registration?

An EHO will assess your application and may contact you to seek further information.

This could include a request to undertake an inspection of your mobile food business set up.

If the EHO is satisfied your business will operate in line with the requirements of the Act and associated Food Safety Standards you will be issued with a formal Certificate of Registration.

This may be issued with specific conditions with which you must comply.

A standard condition is that you have a copy of your certificate of registration at your mobile business whenever you trade.

Business details will be entered onto a register accessible by *Food Act* authorised officers across Tasmania – you can expect to be inspected at various events that your mobile food business attends and trades from.

Any authorised officer can inspect your business when it is in operation to ensure you are operating in accordance with the requirements of the Act. Authorised officers can also issue fines and compliance notices to your business.

If an officer sees dangerous food handling practices they also have the power to force your business to cease trading.

Frequently asked questions

Do I need to register?

You must apply for and obtain formal registration before you trade if you handle or sell potentially hazardous food.

Can I go anywhere once I am registered?

If you applied for a statewide registration – you can sell food in multiple council areas without obtaining multiple registrations.

However, a Certificate of Registration as a food business is not an approval to sell food anywhere in Tasmania – you must also comply with various planning, traffic and property owner obligations and approval processes.

If you only sought a one-off registration, you will be limited to selling food for the date you obtained the registration.

Do I have to tell councils I am operating?

If you need to register, then yes. Your home council must know if you are operating. See the guidelines for more information about registration.

You do not need to inform other councils if you operate outside your home council boundary if you have a valid statewide registration.

Can I be inspected?

Yes, any authorised officer can inspect your mobile food business. You must also follow instructions and any warnings issued by an authorised officer.

I have a registration, what do I have to do?

Produce and sell food safely, comply with the *Food Act* and the Food Standards Code. Detailed information on what is needed can be found in the guidelines.

Can I operate at festival XYZ?

Just because you have a statewide food business registration for your mobile business does not mean you can sell food at a festival.

You need the approval of the festival organisers to attend the event. You may also need to meet many other non-food Act requirements.

Does my food van/trailer need to be registered? (for example, they need motor vehicle registration in addition to food business registration).

Yes, food business registration does not replace any other legal obligations like those contained within the *Traffic Act* etc.

I am part of charity/sporting club that only runs a sausage sizzle once a year – do we still need registration as a food business.

Yes, you still need to register as a food business; however, you can apply for a single event registration.

If you only operate on one occasion during the year, it is important to register with the council where you will operate.

This may be different to the council where your charity/club is based.

Further Information

Contact the Public Health Hotline – Tasmania on 1800 671 738 or contact the EHO at your local council.

Access the *Guidelines for Mobile Food Businesses* www.dhhs.tas.gov.au/publichealth/food_safety/food_safety_documents