

Home-based Food Business

A food business is any food preparation, food storage or food distribution activity which handles food for sale, including not-for profit organisations offering in-kind rewards. If the handling of food for sale occurs at an address which is also a domestic premise, there are special food safety issues to consider.



First Step

Contact Council's Duty Planner during 8:30am to 10am, Monday to Friday on (02) 4780 5000 who can advise if your premises have any zoning/planning restrictions and any other local regulations that may apply.

Notification

Notification means advising of your business details, including trading name, contact details, location(s), owner details and information indicating the nature of your food business. Please see Food Business registration form [here](#).

When a food business sells direct to the final customer (e.g. from the premises or from a market/school canteen etc.), local councils will regulate these home-based businesses. The business needs to notify the local council of their business and food activity details.

When businesses do not retail food direct to the customer (i.e. they sell to another party such as a cafe or restaurant to on-sell), they need to notify the NSW Food Authority of their business and food activity details. Go to www.foodnotify.nsw.gov.au for further information.

Obligations for Food Businesses

Like all food businesses, those based at home must comply with the relevant parts of the Food Standards Code, including:

- Standard 3.2.2 Food Safety Practices and General Requirements
- Standard 3.2.3 Food Premises and Equipment
- Part 1.2 Labelling and other information requirements.

Issues to consider for food businesses

Anyone in charge of a food business needs to identify food safety issues and implement measures to control risks. **Council may not approve operations involving high risk foods.**

Premises design and construction

Standards for flooring in kitchens and storerooms, and requirements relating to personal hygiene areas, need to be met such as adequate hand washing facilities which must be available.

Keep cold foods properly refrigerated

Adequate refrigeration capacity is essential to make sure that cold food remains safe. It is important to keep certain food such as meat, eggs and dairy under 5°C at all times, including during transport.

Overloading domestic refrigerators and constantly opening the door means food takes longer to cool, or does not stay cold enough meaning harmful microorganisms have more chance to grow. Always use a fridge thermometer to check that your fridge is cold enough.

Cook food thoroughly

Cook food thoroughly without overloading the oven. Cool down cooked food as quickly as possible, e.g. refrigerate in small portions to allow proper cooling. Use a food thermometer to make sure what you are cooking reaches the required temperature.

Handle food hygienically

It is very important to keep ready-to eat food and raw food or ingredients separate. This means that food contact surfaces, utensils, containers, tea towels etc. should not be used for both raw and ready to-eat foods without being thoroughly cleaned in between.



Everyone who handles food for sale must have food safety skills and knowledge appropriate to their activities. Top of the list is proper hand washing, especially after using the toilet. Single-use towels are the safest way to dry hands as tea towels can transfer dangerous organisms between hands and food.

Young children, pets, and people who are sick should stay out of food preparation areas. Food must be protected from pests and vermin at all times, including raw ingredients.

Store food safely

Food containers and other containers should not be re-used if they are not rated for multiple use by the manufacturer. Some food containers can transfer harmful chemicals to food if not used correctly.

Keep records

It's a good idea to keep records of ingredients' batches so these can be traced if an ingredient is recalled by another producer.

Product labelling

Labels of packaged foods must show:

- name of the food
- manufacturer address details
- the list of ingredients
- 'best before' or 'use-by' date, as appropriate
- batch numbering for traceability
- directions for use and storage
- a Nutrition Information Panel (unless exempt)
- the country of origin of the product and its ingredients
- any other requirements of the Food Standards Code.

There are also labelling restrictions to comply with, such as declaring 'characterising ingredients', making health claims in product marketing and other prohibitions. Further information for labelling can be found at <https://www.foodstandards.gov.au/industry/labelling/pages/default.aspx>

Food inspections

Environmental Health Officers (EHOs) from Council are entitled to visit and inspect domestic premises involved in a food business.

What do I need to submit to Council to apply for a home-based food business licence?

1. A letter giving a brief overview of:
 - a. food processing to be carried out on the premises
 - b. the types of food involved and
 - c. the steps involved in food handling from food delivery to delivery of end-product to customers.
 - d. how waste will be disposed of
2. A floor plan (of the kitchen and associated areas used) - to a suitable scale (can be hand drawn, outlining hand wash basin, sinks, bins, benches etc.)
3. Sectional elevation drawings - to a suitable scale showing all fittings and equipment and finishes to floors, walls and ceilings.
4. Filled in Food Business Registration Form

Further Information

For further information or clarification please contact Council's Environmental Health Team on (02) 4780 500 or by email at council@bmcc.nsw.gov.au or visit:

- <https://www.foodauthority.nsw.gov.au/>
- <https://www.foodstandards.gov.au/Pages/default.aspx>

