

# A P P L I C A T I O N



## Food Act Registration or Notification

### The 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 2022 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**.

#### Proprietor Details

Surname		Given Names	
Company Name			
Authority	(e.g. Director of Company)		
Postal Address			
Suburb/Town		State	
Contact Number		Email	

Is the primary contact the business owner? ☐ Yes ☐ No (Please complete below)

#### Primary Contact Details (if different from above)

Surname		Given Names	
Company Name			
Authority	(e.g. Director of Company)		
Postal Address			
Suburb/Town		State	
Contact Number		Email	

Are you completing this form on behalf of the business owner? ☐ Yes ☐ No

Business type (please tick appropriate box):

- ☐ Sole trader
- ☐ Partnership
- ☐ Company

#### Premises details

Business trading name		
Company name (if different to trading name)		
Business Trading address		
	Town	Postcode

Australian Business Number (ABN) – if available	
Australian Company Number (ACN) – if available	

Please note: trust funds are not acceptable as company or proprietor name.

**Describe the type of business you are proposing to operate** e.g. café, restaurant, bar, manufacturer, take-away, home-based premises, and mobile food premises. Indicate the type of food / drink you intend to prepare / sell at the food premises.

Will you be selling tobacco? ☐ Yes ☐ No

Will you have dining on premises? ☐ Yes ☐ No

Number of seating's proposed..... Number of tables proposed.....

Will your new food business be **home-based**?

☐ Yes ☐ No

## Food Class

Victoria classifies food premises according to the level of food safety risk and the type of food handling activities that occur at the premises. Food premises are classified according to the highest risk activity occurring at the premises. There are 5 risk classes for food premises- Class 1, Class 2, Class 3, Class 3A and Class 4.

Please select the appropriate Class for your proposed new food business from the table on the following page. Some examples have been provided, but for further assistance to determine your food Class please contact council's Environmental Health Team via [ehhealth@moira.vic.gov.au](mailto:ehhealth@moira.vic.gov.au) or 03 5871 9222.

Please note: Class 4 food premises **do not** require a paid registration with council. Class 4 food premises are only required to **notify** council of their food handling activities.

Food Class	Description	Examples include (but not limited to)
<input type="checkbox"/> Class 1	Food prepared, cooked or served exclusively for vulnerable groups	Aged care services, hospital, child care centres or meals on wheels service
<input type="checkbox"/> Class 2	Food premises manufacturing, handling or selling unpackaged potentially hazardous food, <b>OR</b> food premises manufacturing low-risk food for which an allergen-free claim is made (excluding home-based premises)	Cafés, delis, take-away premises, restaurants, caterers or any home-based businesses that manufacture high risk food Community group or not for profit preparing high risk food Supermarket or manufacturer Hotel/ Pub Sporting club or other food business Handling unpackaged high-risk food
<input type="checkbox"/> Class 3	Food premises handling unpackaged low-risk food, warehousing/ distribution of pre-packaged food, sale of pre-packaged potentially hazardous food, sale of shell eggs, sale of ready to eat potentially hazardous food by community group, making of sweet/ savoury foods that do not require temperature control for safety	Grocer who only sells cut fruit, vegetables and/or packaged food Businesses making and selling low risk baked products such as cakes/ cookies/ muffins/ etc. with no additional cream/custard fillings added after baking Wholesaler / distributor / importer of food Re-packaged food that does not require temperature control Community groups cooking food on site (eg. BBQ) for immediate consumption where those handling food are volunteers and the activity takes place for a maximum of 2 consecutive days at time.
<input type="checkbox"/> Class 3A	Food premises preparing and cooking potentially hazardous foods which are served to guests on request for immediate consumption at an accommodation getaway premises (eg. B&B), <b>OR</b> a home-based or temporary food premises using a hot-fill process to make food products	Bed and breakfasts, farm-stays, guesthouses, nature retreats, some motels Chutneys, tomato sauce, relishes, salsas, jam made by a home-based food premises or at a temporary food premises (eg. A hired kitchen) which include preservatives (salt/ sugar/ vinegar) and are bottled and sealed hot.
<input type="checkbox"/> Class 4	Food premises selling pre-packaged low-risk food, temporary premises cooking and serving sausages immediately, wine tastings, sale of whole fruit and vegetables, handling and serving of low-risk food or cut fruit/ veg for children, food premises serving coffee/ tea/ alcohol for immediate consumption	Newsagents, bottleshops, chemists and pharmacies, department stores, post offices Community groups, charitable organisations, fundraisers cooking sausages for immediate consumption with or without onions, and bread and sauce (eg Bunnings sausage sizzle) Green grocers, market stalls selling whole fruit or vegetables Children's education or care services facilities Wine bars, drinks vendors, coffee/tea sellers serving beverages for immediate consumption (without the addition of unpasteurized or potentially hazardous foods)

## Food Safety Supervisors and Food Safety Programs

This section is only required to be completed by Class 1, Class 2 and Class 3A food businesses. All Class 1 businesses must have an independent Food Safety Program. Class 2 and 3A food businesses must follow a food safety program of their choice. Class 1, Class 2 and Class 3A food businesses are required to have at least one person who has completed food safety supervisor training and is the designated Food Safety Supervisor (FSS) for that business.

Please submit a copy of their certificates of competency to Council prior to commencing trading.

Name of food safety supervisor	
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☐ I have attached a copy of the food safety supervisor's certificate/s with this application, OR

Food safety supervisor is enrolled to do a course  
at

	Date / /
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## Class 2 and 3A Food Premises- Food Safety Program (FSP) Declaration

Please advise which Food Safety program you will use at your premises:

- ☐ FoodSmart - Standard Food Safety Program template
- ☐ Non-Standard Food Safety Program (Independent FSP) - Requires annual third party audit
- ☐ Exempt from having a Food Safety Program

## Additional Information

### Sale or consumption of liquor

Do you plan on selling liquor at your food business?

☐ Yes ☐ No

If yes, please contact Council's Planning Team to discuss further approvals that may be required

### Community Group

Are you a community group that sells food up to two consecutive days at a time and most food handlers are volunteers?

☐ Yes ☐ No

### Mobile Food Premises

Will your new food business be a mobile food premises?

☐ Yes ☐ No

(eg. Van, caravan, truck, coffee van, trailer)

Registration Number of vehicle:	Make:	Model:
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## Design and fitout of your premises

Design and construction of food premises must be in accordance with Food Standard Australia New Zealand (FSANZ) Food Safety Standard 3.2.2 and 3.2.3 and suitable for the food activities conducted as part of the business. Copies of these standards are available on the [www.foodstandards.gov.au](http://www.foodstandards.gov.au). The Australian standard for design, construction and fit-out of food premises (AS 4674-2004) also provides valuable information for many proprietors in designing their premises.

**\*Please note:** your new business (including home-based) may require the installation of a grease trap and/or a trade waste agreement. Please contact **North East Water** for further information and guidance.



## Required Documents

There are no attachments if you have a template standard food safety program

- **Class 1 Premises** - copy of the non-standard / independent food safety program Only (1) Copy
- **Class 1 Premises** - A current certificate from an approved food safety auditor indicating that the FSP is adequate only if applicable. Only (1) Copy
- **Class 2 Premises** - A current certificate from an approved food safety auditor stating that the FSP meets the requirements of the Act only if available. Only (1) Copy
- **Class 2 Premises** - if you have not attached the current certificate from an approved auditor - attach a copy of the non- standard / independent food safety program. (Do not attach QA Systems)

## Food Safety Supervisor

Class 1, 2 and 3A food premises only.

☐

By checking this box, I confirm that I have read and understood all the statements above

Please note that a food safety supervisor is not required if the food premises:

- has a declared QA food safety program that includes competency based or accredited training for staff of the premises; or
- is a community group that is exempt

## Fees

- **Class 1 & 2 Registration** - \$924.00
- **Class 3 & 3A Registration** - \$ 494.00

Office Use Only - 4455

### Payment Options:

#### Telephone

Phone council during business hours.  
Monday to Friday 9am to 5pm. Please  
have your credit card ready and a copy of  
this form. (03) 5871 9222

#### Mail

PO Box 578 Cobram VIC 3643.  
Cheque or money order payable to Moira Shire  
Council.

#### In Person

Payment is accepted at

- Administration Centre, 44 Station Street, Cobram
- Service Centre, 100 Belmore Street, Yarrawonga



<b>Declaration</b>	
<b>Class 1, 2, 3 and 3A food premises</b> I understand and acknowledge that: <ul style="list-style-type: none"> <li>- The information provided in this application is true and complete to the best of my knowledge</li> <li>- This application is a legal document and penalties exist for providing false or misleading information</li> </ul>	
<b>Class 3 and 3A food premises only</b> <input type="checkbox"/> In addition to the above and by ticking this box, I acknowledge that I will ensure that the appropriate minimum records required under the Food Act for the premises will be kept.	
If the business is owned by a sole trader or a partnership, the proprietor(s) must sign and print name(s). If the business is owned by a company or association – the applicant on behalf of that body must sign and print their name.	
Applicant Signature	
Print Applicant Name	
Date	

<b>Collection Statement</b>	
<p>Your application and the personal information on this form is being collected by Moira Shire Council for the purposes of administering your application for Registration of a Food Premises.</p> <p>The information collected is required under the Food Act 1984 and will be used for the purpose it was collected and/or a directly related purpose. If you do not provide the information in your application it may result in the application not being accepted, lapsing or being refused. Information collected may be disclosed if required by legislation.</p> <p>You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.</p> <p>You can find out more about how we use and protect your information by viewing our Privacy Statement on our website <a href="http://www.moiravic.gov.au">www.moiravic.gov.au</a>. If you require access to the information you have provided, please contact Council.</p>	