



TEMPORARY FOOD PREMISES CODE

Minimum requirements for the Operation of a Temporary Food Stall or Market Stall

Preamble

1. A temporary food stall includes any structure erected in or located on a public place or public reserve which is used for the sale of food for the duration of any fete, fair, festival, carnival, community market or similar event.
2. A food stall is built or designed to enable it to be dismantled and removed from the site when required.
3. Where the Environmental Health Officer (EHO) or Food Safety Officer (FSO) is satisfied that any requirement of these criteria is inappropriate, or is not reasonably practicable in any particular case, the EHO or FSO may vary the requirement provided that there is no significant reduction in construction or hygienic requirements and the general intent of this Policy.
4. This code sets minimum requirements for the operation of a temporary food stall or market stall. Temporary food stalls and market stalls must comply with the requirements of the *Food Act 2003*.

1. METHOD OF CONSTRUCTION

- 1.1 The temporary food stall must be constructed to minimise contamination of food.
- 1.2 All preparation and serving areas are to be fully enclosed on three sides.
- 1.3 A durable dust and moisture cover must be laid over the entire floor area of the stall. A suitable material would be an impervious membrane such as rubber matting.
- 1.4 Walls need to be of 'polytarp' or similar non-absorbent material and able to be easily cleaned.
- 1.5 The ceiling is to be of similar construction to the walls.
- 1.6 Overhead cover must be provided to all cooking areas or food storage areas outside of the stall. This may be achieved by providing sunshade structures or open sided stalls.
- 1.7 All stall counter surfaces shall be smooth, durable and impervious. Surfaces can be covered with plastic or plastic tablecloths if desired. Surfaces that cannot be easily cleaned will not be accepted.
- 1.8 All power and gas service leads must be secured.
- 1.9 For pre-packaged and low risk foods, there may be exemptions from certain construction requirements due to the reduced food safety risk.

2. PROTECTION OF FOOD

- 2.1 All food on display must be wrapped or packaged or completely enclosed in a suitable display cabinet.
- 2.2 Food must not be prepared or displayed outside the stall.
- 2.3 No food shall be displayed without being protected by a physical barrier from the public or other sources of contamination – display counters with Perspex or clear plastic sneeze guards must be provided.
- 2.4 All food must be stored inside the stall and must be raised approximately 750mm above the ground. All food must be kept wrapped, packaged or in enclosed containers. Food should be protected from damage and direct sunlight.
- 2.5 Any food which is given away as "samples" must be distributed in a supervised manner that is given out off a tray or plate by a staff member. It must not be left out for self service on any counter, bench or top or food display unit (please note that food which is given away for the furtherance of trade is deemed to have been sold pursuant to Food Act 2003 Definitions).
- 2.6 All condiments such as sauce, mustard etc., must be contained in squeeze type dispensers with resealable caps or in individual sealed packs.
- 2.7 Smoking is not permitted inside or at the rear of the food stall.
- 2.8 Live animals are not permitted inside or at the rear of the food stall.
- 2.9 Only disposable utensils including knives, forks, spoons, chopsticks and disposable bowls and plates are to be provided to the public.
- 2.10 Disposable eating and drinking utensils, straws etc, shall be pre-wrapped or adequately protected from contamination.
- 2.11 For health and safety reasons, children should not be permitted to enter a food stall.

3. COOKING FACILITIES

- 3.1 The food stall must be of adequate size and height to provide a safe and comfortable work area. Appliances that produce heat and flame must be located away from the walls and lower roof area of the stall.
- 3.2 Heating and cooking equipment must be located so that the public are protected from hot appliances.
- 3.3 Open flame barbecue cooking plates, char grilles and cookers that use hot coals can be located externally and adjacent to the food stall and must be barricaded to prevent public access. An overhead cover must also be provided.
- 3.4 The cooking and preparation areas are to be kept free of dust borne contamination and droplet infection such as coughing and sneezing by the public.
- 3.5 A fire extinguisher and fire blanket must be provided in a convenient and accessible location.

4. CLEANING, SANITISING AND HAND WASHING FACILITIES

- 4.1 A sealed container of potable water (minimum capacity 10 litres) with a tap should be provided, together with suitable bowls or containers for cleaning, sanitising and hand washing. Clean towels and detergent must be provided. For pre-packaged and low-risk foods, there may be exemptions from certain facility requirements due to the reduced food safety risk.

- 4.2 Re-useable eating and drinking dinnerware and tableware must be washed and sanitised in separate facilities used only for that purpose.
- 4.3 A hand-washing facility, separate from other facilities and used only for that purpose, must be provided. Warm water is needed for effective hand washing and personal hygiene. Hot and cold water must be delivered through a single outlet to a dedicated hand basin. Liquid soap and paper towels must be provided at or near the hand washing facility.
- 4.4 A suitable sanitising agent must be available for sanitising food handling implements and food contact surfaces. Where utensils are stored in a sanitising solution between uses, the solution should be changed frequently to keep it clean.

5. RUBBISH DISPOSAL

- 5.1 The stall is to be provided with a garbage bin for the storage of the stall's wastes. Separate garbage bins for paper, cardboard or other recyclable material is encouraged.
- 5.2 Provision must be made for the storage of waste water and cooking oils generated within the stall. Waste water and oils must not be disposed of into the stormwater system. Fines can be imposed by Council's Officers for incorrect disposal of liquid waste.

6. TEMPERATURE CONTROL

- 6.1 All hot food must be kept above 60°C. All cold food must be kept below 5°C.
- 6.2 Frozen food must be kept in a frozen state. Frozen food must be thawed under temperature control. That is, either in a microwave or placed in a refrigerated unit which maintains food below 5°C.
- 6.3 Raw food waiting cooking shall be kept below 5°C and stored in closed containers.
- 6.2 All takeaway food prepared at the food outlet must be sold immediately unless there is a suitable food warmer or display cabinet in which to keep the food either above 60°C or below 5°C.
- 6.3 All raw and perishable foods such as steaks, hamburger patties, seafood and other meat products must be kept in a refrigerated unit such as a portable coolroom. Small amounts of these foods can be stored in a portable cooler together with an adequate supply of ice or other cooling medium.
- 6.4 Pre-prepared food products or pre-cooked foods which contain fresh cream, custard, cheese or any similar food that promotes bacterial growth must be stored and displayed in a refrigerated unit at a temperature below 5°C.
- 6.5 Pre-cooked potentially hazardous food such as chicken, meat, seafood, rice etc must not be sold from a temporary food stall.
- 6.6 Provide a temperature measuring device that is readily accessible and can accurately measure the temperature of potentially hazardous food.
- 6.7 All perishable foods must be transported under temperature control, i.e. above 60°C or below 5°C and must be kept wrapped, packaged or in enclosed containers to protect from contamination.
- 6.8 During the transportation of food, foods that are required to be stored under temperature control, or kept frozen, must be kept under strict temperature control or frozen during transportation.

7. LABELLING REQUIREMENTS

- 7.1 All pre-packed foods must be labelled in accordance with Part 1.2 of the Food Standards Code which states:-
Pre-packaged products must be clearly labelled with:
 - a) *a description of the food (eg. 'strawberry jam' or 'chocolate cake');*
 - b) *the name and address of the supplier - street address is needed, not a post office box number;*
 - c) *production lot identification - this assists trace-back of food products that may be the cause of a food-borne illness or other food-safety issues. The presence of a 'date mark' (see below) is sufficient to meet this requirement;*
 - d) *mandatory and advisory warnings for unpasteurised milk, aspartame, unpasteurised egg products, quinine, cola with added caffeine and guarana extracts;*
 - e) *a list of ingredients, including added water in descending order by ingoing weight;*
 - f) *date marking (eg. 'best before' date to indicate how long the food will keep). Note that some foods require a 'use-by' date and should not be sold after the expiry date. Packaged foods that need to be consumed within a particular time period for health and safety reasons, should carry date marking in the form of a 'use-by' date, along with other labelling details;*
 - g) *storage conditions (eg. 'keep refrigerated');*
 - h) *nutrition information panel - most packaged food should now display a nutrition information panel, however some foods are exempt from this requirement; and*
 - i) *characterising ingredient - a characterising ingredient (% labelling), means it is mentioned in the name of the food. For example 'strawberry jam', the label should show the percentage (%) of strawberries in the ingredient list.*
- 7.2 Food sold at stalls that raise money solely for charitable or community causes and not for personal financial gain no longer need to be labelled. The only exception to this is Royal Jelly or foods that contain it. In these instances a warning statement should be included on the label.

8. POLLUTION PREVENTION

- 8.1 The *Protection of the Environment Operations Act 1997* requires that operations should not cause any harm to the environment (i.e. air, noise, water and surrounding land environments). The operation of the stall must comply with the requirements of the *Protection of the Environment Operations Act 1997*.