



Application to Register or Change of Ownership of a Food Premises

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 2021 a new food premises application form also includes change of ownership (previously called transfer of registration). 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**.

Food Act Application for Registration or Notification

There are now four classes of food premises – class 1, class 2, class 3 and class 4. The new classification system means that regulatory requirements are better matched to the level of food safety risk associated with the food handling activities at different types of premises.

Class 1 has the highest and class 4 the lowest level of legal requirements. In summary, the new classes are:

- Class 1 – hospitals, child care centres and aged care services which serve high risk food.
- Class 2 – other premises that handle high risk food unpackaged food.
- Class 3 – premises that handle unpackaged low risk food or high risk pre-packaged food, and warehouses and distributors.
- Class 4 – as described below.

Classes 1, 2 and 3 premises must **register** with the council.

Class 4 premises must **notify** the council.

You will be a class 4 premises and only need to notify if you only food handling activities are as follows:

- the sale of shelf stable pre-packaged low risk food such as confectionary, crisps, frozen ice cream, milk, bottled drinks – for example newsagents, pharmacies, video stores and some milk bars.
- the sale of packaged alcohol – for example bottle shops.
- the sale of uncut fruit and vegetables – for example farmers markets, green grocers and wholesalers.
- wine tasting (which can include serving low risk food or cheese).
- the sale of packaged cakes (excluding cream cakes).
- the supply of low risk food, including cut fruit, at sessional kindergarten or child care.
- simple sausage sizzles at stalls where the sausages are cooked and served immediately. This means, sausages, sauce, onions and bread. (This does not include hamburgers or other high risk foods).

For a full list of class 4 activities, please visit <http://www.health.vic.gov.au/foodsafety>

Please tick one of the following:

- The only food handling activities at my premises are as described above.
Please complete a notification of food premises form and submit to council for confirmation.
- The food handling activities carried out at my food premises involve other activities that are not listed above.
If you ticked box 2, you may be required to register with the council. Please contact the council to discuss:
 - the process for registering your premises using the application to register a food premises form; and
 - whether your premises is a class 1, 2 or 3. This will decide whether you require a food safety program and/or a food safety supervisor.

If you operate a supported residential service you will need to inform the Council whether the majority of your residents are aged persons. Council will ask if you handle or intend to handle high risk foods. This means food that requires temperature control (refrigeration or heating). For example meats, chicken, fish smallgoods, custard, cream, salads, cooked pasta, eggs and sandwiches.

The attached Application to Register a Food Premises form may not be used by your council for community group events this is managed through Streatrader <https://streatrader.health.vic.gov.au/>

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Food Act 1984

NEW APPLICATION **CHANGE IN OWNERSHIP**

Proprietor details

Title Surname Given name(s)

If the proprietor is a company or association, specify name of person completing the application and authority (e.g. Director of company)

Authority Company name (if applicable)

e.g. Director of company

Street address / Postal address

Suburb / Town State Postcode

Please provide at least one phone number and include the area code

Business phone Home phone Business fax Mobile

Email

Premises Details

Trading name of premises

Premises address

Street address

Suburb / Town State Postcode

Contact person at premises (if not the proprietor)

Title Surname Given name(s)

Please provide at least one phone number and include the area code

Business phone Home phone Business fax Mobile

Email

Type of food premises

Food vehicle details (if applicable)

Registration number

Make

Model

At what address is the vehicle garaged when not in use?

Street address

Suburb / Town

State

Postcode

Community group

A community group is a not for profit organisation or a person(s) undertaking a food handling activity solely for the purpose of raising funds for charitable purposes or for a not for profit organisation.

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

Yes No

If NO, go to section: Food related details

If YES, are you selling ready to eat high risk food?

Yes No

If NO, you are classified as a class 3. Go to section 5: Classification.

If YES, is all the high risk food cooked on site with the intention of serving immediately?

Yes No

If YES, go to section: Food related details.

If NO, you are a class 2, however you are exempt from the food safety supervisor requirements. Go to section Classification

Food related details

This section is to be completed in discussion with the local council. The answers will determine the classification of your food premises - class 1, 2 or 3.

Q1. Are you a wholesaler / distributor of pre-packaged food?

Yes No

If YES, is this the only food handling activity at your premises?

Yes No

If YES, you are classified as a class 3. Go to section: Classification

If NO, proceed to question 2.

Q2. Is the food prepared or served exclusively for people or patients in an aged care service, hospital, or meals on wheels service?

Yes No

If YES, you are classified as a class 1. Go to section: Classification

If NO, proceed to question 3.

Q3. Is the food prepared or served exclusively for children at a childcare centre?

Yes No

If NO, proceed to question 4.

If YES, is the food high risk?

Yes No

If YES, you are classified as a class 1. Go to section: Classification

If NO, proceed to question 5.

Q4. Are you a greengrocer that only sells fruit, vegetables and/or packaged food?

Yes No

If NO, proceed to question 5.

If YES, do you prepare fruit salad, fruit juice or salads?

Yes No

If YES, you are classified as a class 2. Go to section: Classification

If NO, do you cut / slice fruits and vegetables?

Yes No

If YES, you are classified as a class 3. Go to section: Classification

If NO, you do not require Food Act registration. You only need to complete the notification form.

If none of the above applies to your premises, the classification of your premises will depend upon the risk associated with your food handling activities such as refrigeration and cooking, Please answer the following questions to assist the council in determining whether your premises is a class 2 or 3.

Q5. Do you handle any food that does not require refrigeration?

Is any of the food pre-packaged?

Yes No

Is any of the food being prepared / made and sold directly to the public?

Yes No

Is any of the food being manufactured on the premises to be sold to retail shops / wholesale/distributor?

Yes No

Is any of the food being re-packaged?

Yes No

Q6. Do you refrigerate, cook and/or reheat food?

Is any of the food pre-packaged?

Yes No

Is any of the food unpackaged?

Yes No

Is any of the food being sold prepared and sold directly to the public?

Yes No

Is any of the food being manufactured and sold to retail shops/wholesale/distributor?

Yes No

Classification

Following discussion with council about your food handling activities select your food premises classification, below, as advised by your council:

Food Premises Classification * Class 1 Class 2 Class 3

Classification selection is necessary so that you can complete the remainder of this application form.

For further information, refer to the Food Classification Tool at <http://www.foodsmart.vic.gov.au/foodclass/>

If your food premises is classified as a class 1 or 2, go to section: Food Safety Program (FSP).

If your food premises is classified as a class 3, proceed directly to section: Declaration.

Food Safety Program (FSP)

Class 1 and 2 food premises only.

You must complete either question (1) Standard Food Safety Program or question (2) Non Standard Food Safety Program, depending on the type of program used at your premises.

Q1. Do you have a Standard Food Safety Program?

Yes No

If NO, proceed to question 2.

If YES, please select the type of FSP and proceed to section: Food Safety Supervisor

Food Safety Program Template for Class 2 Retail & Food Service Businesses No. 1. Version 3

Food Smart (Online)

Other FSP template registered by the Secretary of Department of Health

Name of program

Registered number of template

Q2. Do you have a Non Standard Food Safety Program (Independent FSP)?

Yes No

Has the premises been audited by an approved food safety auditor in the previous 12 months?

Yes No

If the answer is NO, please specify when the premises is to be audited.

Date of audit

Name of Food Safety Program

Class 1 premises only

Has the food safety program been significantly revised since the last copy was provided to the council?

Yes

No

Declared QA Food Safety Program

Has the FSP been prepared under a QA system or code declared under the Food Act?

Yes

No

If NO, proceed to section: Food Safety Supervisor

If YES, complete the following details

- Specify the declared QA system or code:

- Audit certificate attached

Yes

No

- If YES, attach the certificate from the food safety auditor confirming that the program has been prepared under and conforms with that QA system or code.

- If NO, specify the date when the audit is to be undertaken

Does the FSP include competency based or accredited training for staff of the premises?

Yes

No

If YES, you are exempt from the food safety supervisor requirement

Required documents

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

Class 1 Premises - attach a copy of the non-standard/independent food safety program if it has been significantly revised since the last copy was provided to the council Only (1) Copy

Food Safety Supervisor

Class 1 and 2 premises only.

By ticking this box, I acknowledge that I will ensure that there is an appropriate food safety supervisor for the premises.

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 as described on page 2 of this form.

Name of Food Safety Supervisor

Payment details

Class 1 \$372.00 per calendar year

Class 2 \$372.00 per calendar year

Class 3 \$246.00 per calendar year

Change in ownership inspection \$195.00

Declaration

Class 1, 2 & 3 premises

I understand and acknowledge that:

- The information provided in this application is true and complete to the best of my knowledge
- This application forms a legal document and penalties exist for providing false or misleading information

Class 3 food premises only

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

Applicant signature

Print applicant name

Print applicant name

Date

Date