



Food stall guidelines

Food safety requirements for temporary food stalls



Health Protection Service
ACT Health

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Disclaimer

This guide, *Food Stall Guidelines*, will help operators of temporary food stalls understand their food safety obligations.

Food stall operators must comply with all relevant requirements of ACT law. However, this guide does not cover all the requirements of the *Food Act 2001*, the Food Regulation 2002 or the Australia New Zealand Food Standards Code. Users must use their own judgment, as the information provided is not legal advice. Any legal advice should be from a qualified solicitor.

This guide may contain errors, and the information in the guide may change at any time. Links in the guide to web addresses and legislation were accurate at the time of printing. Users should consult the official documents if they intend to use them in any way.

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Words and terms defined in the Glossary on page 12 are shown in **orange** at their first mention in the text.

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Introduction

Buying food from food stalls is part of the enjoyment of participating in the many outdoor festivals and events held in the ACT each year. Businesses, charity groups and individuals that operate these stalls must ensure that their food is prepared hygienically and is safe to eat.

This booklet is designed to help organisers of food stalls at outdoor events in the ACT meet all necessary food safety requirements. It provides information on the legal requirements for operating a **temporary food stall** in the ACT to ensure that all food prepared is safe for consumption.

These requirements will apply to you if you plan to operate a food stall that:

- provides or sells food to members of the public; and
- is temporary.

Temporary food stalls are structures that are set up to handle or sell food for occasional events such as festivals, shows or fetes usually lasting a day or a weekend. The food stall is intended to operate for no longer than 3 days.

The requirements do not apply to operators of approved **mobile food vans** that have registered with the Health Protection Service. These requirements also do not apply to sellers of dog biscuits or other food for pets or animals.

Public Health Officers of the Health Protection Service are responsible for monitoring compliance with food safety laws in the ACT. Public Health Officers may inspect your stall at any time, and without prior notice, to ensure that you meet these requirements.

Operators of food stalls are responsible for ensuring compliance with the requirements of the *Food Act 2001* and the Australia New Zealand Food Standards Code (Food Standards Code).

REQUIREMENTS FOR TEMPORARY FOOD STALLS

Before the event

Inform the Health Protection Service

A **food business** is an activity that involves the handling of food for sale. It includes the sale of food for charitable or community purposes.

You must inform the Health Protection Service of your intention to operate a food stall within the ACT by submitting a Food Business Registration Application form or a Notification of a Food Business form. These forms are explained in more detail below.

The forms must be submitted at least 7 business days before the event. If your application is approved, you will receive a food business registration certificate (if you submitted a registration application) or a letter of acceptance (if you submitted a notification form). You must not begin trading until you have received approval from the Health Protection Service.

Registering a food stall

If you are operating a food business for longer than 3 days or more than 5 times a year you must **register** your business with the Health Protection Service. A Food Business Registration Application form is available on the ACT Health website at www.health.act.gov.au/foodsafety.

Food businesses will be required to renew their registration every year and pay the prescribed fee.

Exemptions

Food businesses are exempt from *registration* if:

- all the food is either:
 - non-**potentially hazardous** and **pre-packed**; or
 - sold, straight after thorough cooking, for immediate consumption; and
- the food business handles or sells food no more than 5 times a year, and each period when it sells food is no longer than 3 days.

Notification of a temporary food stall

Businesses exempt from registration must **notify** the Health Protection Service by submitting a Notification of a Food Business form. If you are holding temporary food stalls at multiple locations you will be required to notify the Health Protection Service of each stall. A new notification will also be required for each event and period of operation. There is no fee for notification.

General information

All stall owners must arrange for cleaning facilities, potable water, supplies of ice or a cool room, waste water disposal, garbage disposal and access to toilets.

Larger events may provide some of the above facilities. Check with the event's organisers for details.

The following requirements apply if you are operating a barbecue stall or a stall selling food other than pre-packed food:

- a supply of potable water (drinking water quality) accessible at all times;
- a supply of ice made from potable water (if needed for eskies) available at all times;
- arrangements for:
 - cleaning large pieces of equipment offsite after the event;
 - emptying drums of waste water and waste oil. Waste water and oil must not be tipped on the ground or into the stormwater drain;
 - garbage collection or other waste removal from the site and disposal to the garbage facilities. Garbage must not be left onsite;
 - access to toilets;
 - access to hand-washing facilities.

Preparing food in advance

All food preparation and cooking must be done at the stall. The only other option is at an ACT Health-registered food business. The only exception to this requirement is food classified as **low risk** (for example, cakes, biscuits or other **shelf-stable*** foods) that can be prepared in a domestic kitchen.

Food must be protected from contamination by packaging, plastic wrap, food grade containers or other suitable protection.

Cooked food must be stored under strict **temperature control** (chilled food at 5°C or below, and hot food at 60°C or above).

Transporting food to the site

It is important that food is protected from contamination and spoilage during transportation. Potentially hazardous food must be transported under temperature control (5°C or below for cold foods, or 60°C or above for hot foods).

The following requirements must also be fulfilled when transporting food:

- The vehicle used for transporting food to the event must be **clean**.
- Dogs or other animals must not be carried in vehicles used for transporting food.
- Chemicals must be packaged separately and transported so that there is no likelihood that food will be contaminated.
- All food and ingredients must be protected from contamination by packaging, plastic wrap, food grade containers or other suitable protection.
- A refrigerated vehicle must be used to transport chilled food. Eskies are appropriate if the food is in small enough quantities and can be easily kept at 5°C or below.

* Reminder: 'Shelf-stable' means that the food does not require temperature control to stay safe and suitable to eat

Staff skills and knowledge

All persons preparing, handling or serving food for sale in the ACT must have sufficient knowledge of food safety and have the skills to handle food safely. They must also understand the requirements for personal hygiene.

Persons handling food in the stall must know the food safety requirements relevant to the specific job they are doing. For example, a person cooking sausages or hamburgers must know that they need to cook them thoroughly, so that there is no pink meat in the centre, and they should know how to check the temperature of the food using a thermometer.

Operators of food stalls must ensure that all staff can demonstrate appropriate skills and knowledge in food handling. They may choose to undertake training to ensure that this requirement is met. You may be asked by a Public Health Officer to explain how you meet the skills and knowledge requirement.

Registered food businesses are required to have food safety supervisors.

Food safety resources such as posters and information sheets are available on the ACT Health website at www.health.act.gov.au/foodsafety to help food handlers understand the food safety requirements.

Set up and equipment

Food stalls must meet the requirements set out in the Food Standards Code.

Food stall set-up requirements will depend on the type of food sold. A food stall could fall into one or more of the following three categories:

1. stalls selling pre-packed, shelf-stable food;
2. stalls selling food served hot straight from the barbecue or other cooking;
3. stalls selling any other type of food.

1. Stalls selling pre-packed, shelf-stable food

Shelf-stable foods do not require temperature control to stay safe and suitable to eat. Pre-packed foods are in closed containers or individually wrapped. Examples of these foods include soft drinks in bottles or cans, pre-packed biscuits, cakes (without cream or custard), breads and confectionery.

Operators of stalls selling pre-packed or shelf-stable foods should ensure that:

- tables or trestles are provided to display the food;
- packages of food are not stored directly on the ground;
- the food is sheltered from the sun, for example using a sun-shade umbrella;
- containers are provided to protect individually wrapped foods;
- garbage containers have tight-fitting lids and internal liners;
- staff have access to toilets with hand-washing facilities.

2. Stalls selling food served hot straight from the barbecue or other cooking

The stalls must be constructed to protect the unpackaged food from the effects of the weather, dust and dirt. Hand-washing facilities **must** be available in the stall. Care should be taken to avoid cross-contamination of cooked food by raw meats or chicken. Cooked foods must be kept hot (60°C or above) until sold.

The following measures should be taken to ensure that the premises and equipment are suitable for food preparation:

- If the ground surface is grass or dirt, you must supply a floor of impervious (solid) material such as sealed boards, groundsheets, rubber matting or similar.
- If the ground surface is concrete, pavement or something similar we recommend that you cover it with any of the above materials. This will ensure that the surface is easy to clean at the end of the event.
- Each stall must have a roof made from plastic or vinyl-type sheeting.
- Each stall must have a barrier to prevent customers having access to the barbecue or cooking equipment. This is required for safety reasons and to prevent contamination of food.
- Hand-washing facilities must include:
 - a minimum 20 litre plastic or metal container with a tap, to hold water for washing hands (if there is no access to water onsite the container must be large enough to hold sufficient water for the trading period);
 - a container under the tap to catch the waste water;
 - soap, disposable paper towels and a waste bin for the towels next to the water container.

Note: hand **sanitiser** gel is not an acceptable replacement for hand washing.
- You must have sufficient tongs and other utensils to ensure that:
 - separate utensils for raw and cooked food are used;
 - a clean utensil is used if one is dropped on the floor or is otherwise unsuitable for use.
- If storing potentially hazardous food, you must store the food at 5°C or colder in eskies with ice or in other cold storage such as a portable cool room.
- You need a food grade digital probe thermometer to test the temperature of food.
- You must store raw food and bread before sale in containers with tight-fitting lids.
- The stall must have garbage containers with tight-fitting lids and internal liners.



3. Stalls selling any other type of food

Food stalls may sell food some time after it is prepared. Such foods are more likely to become unsafe and extra precaution should be taken in their preparation and storage to ensure that they remain safe until they are sold.

Operators of such stalls must comply with the following requirements:

- If the ground surface is grass or dirt, you must supply a floor of impervious (solid) material such as sealed boards, groundsheets, rubber matting or similar.
- If the ground surface is concrete, pavement or something similar we recommend that you cover it with any of the above materials. This covering will ensure that the surface is easy to clean at the end of the event.
- Each stall must have a roof and three sides made from plastic or vinyl-type sheeting. The sides must extend from the roof to the ground.
- If the stall is operating after dark it must have adequate lighting for food preparation.
- There must be adequate ventilation if cooking is taking place onsite.
- Benches and other food contact surfaces must be impervious and in good condition. Laminate or plastic table cloths are acceptable.
- If you are washing equipment on site you must be able to heat water for washing.
- Hand-washing facilities in the stall should include:
 - a 20 litre (or larger) plastic or metal container with a tap, to hold water for washing hands;
 - a container under the tap to catch the waste water;
 - liquid soap, disposable paper towels and a waste bin for the towels next to the water container.
- Equipment-washing facilities in the stall (if washing onsite) should include:
 - a 20 litre (or larger) plastic or metal container with a tap, suitable for holding hot water;
 - the means of getting hot water (delivered to the sink at a minimum of 77°C);
 - a container under the tap to catch the waste water;
 - bowls of sufficient capacity to wash equipment such as knives and serving utensils;
 - benches for dirty equipment before it is washed, and for storing cleaned equipment after washing;
 - detergent and sanitiser.
- There must be watertight drums with close-fitting lids of adequate size for waste water unless there is access to a sewer access point on the event site. Label these containers 'Waste water only'.
- If oil is used, there should be containers for the waste oil.

- Food storage and display equipment may include:
 - food storage facilities inside the stall area—containers must have lids, covers or sneeze guards;
 - containers or other means of storing food off the ground, with lids or covers to protect the food from contamination;
 - a refrigerator or cool room capable of maintaining foods at 5°C or colder;
 - eskies for small amounts of chilled food if needed;
 - a freezer capable of maintaining frozen food;
 - hot-holding units (such as a bain marie or pie warmer) capable of holding hot food at 60°C or hotter.
- You need food handling and serving equipment such as tongs, disposable gloves and single-use (disposable) cutlery, eating and drinking containers.
- You must have garbage containers, with close-fitting lids, of adequate capacity for the quantity of garbage expected between emptying.
- You need a food grade digital probe thermometer to spot check the temperature of chilled and hot food, and to check that cooking temperatures are adequate.

Ensure your food is labelled correctly

All pre-packed food must be labelled. Food labels must identify the food, including the ingredients and the presence of any allergens. The requirements for food labelling are set out in the Food Standards Code, which is available from the Food Standards Australia New Zealand website at www.foodstandards.gov.au.

The label on a pre-packed food item should contain:

- a description of the food;
- the name and address in Australia of the manufacturer, packer or vendor or, if the food is imported, the name and address of the importer;
- a 'use-by date' or a 'best-before date';
- a list of ingredients;
- a list of allergens, if present, such as nuts, eggs, milk, fish, gluten and bee products;
- any storage conditions, such as 'Keep refrigerated'.

Selling food packaged by another business

If you are selling pre-packed food that is packaged by another business, the food should already be labelled. All labelling must be in English and legible. You should check that the label contains the information listed above.

Selling food you have prepared yourself that is not pre-packed

If you are selling food that you have prepared or cooked at the stall and packaged in front of your customer, then the food does not have to be labelled. However, you must be able to answer accurately any questions from your customers.

You should ensure that you can provide information about all ingredients used in the food if requested, including any allergens.

During the event

Display your registration certificate or acceptance of notification

Once you have registered with or notified the Health Protection Service, you will receive a registration certificate or an acceptance of notification letter. You must display your certificate or letter of acceptance at the stall so that it is clearly visible to a member of the public who may wish to purchase food from the stall.

Keep the stall and equipment clean

A clean stall minimises the chance of contaminating food. If the event is more than 1 day, clean the stall at the end of the day's trading. This will ensure that the stall is less attractive to pests that could enter it overnight. The following recommendations will help keep the stall and equipment clean:

- If you intend to wash equipment onsite, keep the water container for equipment washing filled with clean, hot water.
- Maintain the floor and walls free of accumulations of food particles and grease.
- Sweep and wash the floor and walls (if needed) at the end of the day's trading.
- Clean benches and other surfaces at frequent intervals using clean hot water and detergent.
- Sanitise benches and food contact surfaces regularly.
- Wash and sanitise chopping boards and other surfaces that come into direct contact with food.
- Sanitise using a food grade sanitiser.

Personal hygiene requirements

People are a source of bacteria, viruses and objects that may contaminate food. To help reduce the risks, ensure that you:

- wear clean clothing when preparing and serving food;
- tie back your hair;
- do not wear jewellery when serving or preparing food—this includes bracelets and wrist bands;
- cover any cuts or sores with a waterproof covering and gloves;
- do not prepare or serve food if you are sick;
- use tongs and clean disposable gloves—do not use your hands to handle **ready-to-eat** food;
- change your gloves frequently (we recommend that you change gloves between processes, such as handling cooked or raw foods and when handling money);
- do not wear the same pair of gloves for handling raw food and ready-to-eat food;
- wash your hands when changing gloves.

Hand washing

Thorough washing and drying of hands is an important factor in preventing food-borne illness. For staff to adequately wash hands, food businesses are required to provide suitable hand-washing facilities that are used **only** for hand washing. There should be a supply of warm running potable water. Hand-washing facilities should be accessible at all times.

Wash hands and dry them thoroughly before preparing or serving food. You must wash your hands if preparation or serving are interrupted by any of the following:

- visiting the toilet;
- removing or emptying garbage or waste;
- coughing or sneezing;
- handling money;
- returning to the stall after any break;
- handling raw food.

A good practice is to wash any exposed forearm when washing hands. It is essential to have soap and hand-drying facilities next to, or near, the basin used for hand washing.

Prepare food safely

Advice on safe food handling is available in *Food safety is your business: a guide for food businesses*. The main requirements are summarised below.

Storing food

- Keep all chilled foods at 5°C or below until they are needed for cooking or serving.
- Ensure the cool room is operating at 5°C or colder.
- Keep frozen foods frozen until they are needed for thawing or cooking. Frozen foods must not be thawed at room (or ambient) temperature.
- Protect all food from contamination. Keep containers covered. Do not store food on the ground.
- Keep raw and ready-to-eat or cooked foods separate.



Preparing food

- Clean and sanitise equipment and surfaces before use.
- Remove food from chilled storage only when needed.
- Return food that is not going to be cooked or served immediately to the cool room, or keep hot food hot.
- Keep batches of prepared food separate. Do not mix new batches of food with food left over from previous batches or food from the previous day.

Cooking food

Cook all food thoroughly.

Cook chicken, mince, sausages, rissoles, hamburgers, satays and similar meat products until the internal temperature reaches 74°C and the juices run clear.

Place cooked food in a clean and sanitised container.

Displaying food

Chilled food must be displayed chilled and hot food must be displayed hot to prevent the growth of bacteria.

- Display chilled food at 5°C or below.
- Display hot food at 60°C or above.
- All displayed food must be protected from contamination by sneeze guards, lids, a bain marie or any other suitable form of protection.
- We recommend that you record all temperature checks of displayed and stored food in a log book throughout the course of the event.
- Use separate serving utensils for each container of food.
- Place new batches of cooked or prepared food in clean containers. Do not 'top up' containers.
- Display disposable utensils (for example, spoons and drinking straws) in enclosed dispensers.

After the event

Handle remaining food safely

- Discard all left-over temperature sensitive food that has been on display. This does not include cans or bottles of soft drink or alcohol, or foods kept in the cool room.
- Transport packaged food in clean vehicles and in clean containers.
- Store food for sale in the premises of a registered food business.
- Label and date all stored food.

Clean the stall and equipment

- Clean the stall before leaving or dismantling.
- Clean the stall walls and ceiling, and all benches and other surfaces.
- Remove equipment for cleaning offsite.
- Ensure the ground or floor is clean.

At some larger events organisers may supply bins to place the waste generated throughout the day. Contact the event's organisers for further information.

Remove all waste

Ensure all garbage, waste, waste water and oil are removed from the site, or disposed off in accordance with site management requirements.

Glossary

Term	General meaning
Clean	Free of visible matter and objectionable odour.
Food business	An activity where food is handled for sale or food is sold. The business may be of a commercial, charitable or community nature. The proprietor of the business is the person responsible for complying with this guide.
Low risk	The likelihood of causing food-borne illness is very low.
Notify	Inform the Health Protection Service that you propose to hold a food stall (using a Notification of a Food Business form).
Mobile food van	A vehicle (with or without motor) permanently equipped to prepare or sell food.
Pre-packed	Food that was sealed in a package before it entered the business, and remains in that package until it is sold.
Potentially hazardous	Food that has to be kept at certain temperatures to minimise the growth of any pathogenic microorganisms that may be present in the food or to prevent the formation of toxins in the food.
Ready-to-eat food	The food is intended to be eaten in that state.
Register	Obtaining approval to operate a food business in the ACT.
Sanitiser	A chemical specifically formulated to reduce bacteria and/or viruses on clean surfaces.
Shelf-stable	The food does not need to be kept chilled or hot to remain safe to eat. Examples are soft drinks, dry foods such as cakes and biscuits without dairy (custard or cream), uncooked pasta and rice, and bread.
Temperature control	The food is kept either cold at 5°C or below, or hot at 60°C or above. If you wish to store or display chilled or hot food between 5°C and 60°C please seek approval from the Health Protection Service before the event.
Temporary food stall	A premises that is intended to operate for no more than 3 days.

Where to find more information

If you would like more information about temporary food stalls please contact the Health Protection Service on:

Phone: (02) 6205 1700

Fax: (02) 6205 1705

Email: hps@act.gov.au

Our offices are located at Howard Florey Centenary House, 25 Mulley Street, Holder. Food safety resources, including posters and information sheets are available from the Health Protection Service and can be found on the website

www.health.act.gov.au/foodsafety.

Food Act 2001 and Food Regulation 2002

The Food Act and the Food Regulation can be downloaded from

www.legislation.act.gov.au.

Food Standards Australia New Zealand

Food safety information can also be obtained from Food Standards Australia New Zealand at www.foodstandards.gov.au. This website contains the Food Standards Code (including Food Safety Standards), fact sheets and some translations of fact sheets.

A useful guide for all food businesses in the ACT is *Food safety is your business: a guide for food businesses*. This guide is available at www.health.act.gov.au/foodsafety.

Accessibility

The ACT Government is committed to making its information, services, events and venues accessible to as many people as possible.

If you would like to receive this publication in an alternative format (such as large print) please phone 13 22 81. Alternatively you can submit a request at www.canberraconnect.act.gov.au – via our online feedback link.

If English is not your first language and you require the Translating and Interpreting Service – please phone 13 14 50.

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