

**OCTOBER 2003**

**INFORMATION SHEET FOR MOBILE FOOD PREMISES REGARDING THE NEW FOOD SAFETY LEGISLATION**

*The Department of Health (DH) has prepared this question and answer sheet to assist mobile food premises understand, interpret and implement the new food safety legislation. All mobile food businesses are required to comply with the provisions of the Food Act 2001 and people running mobile food businesses need to be aware of the same hygiene issues as other types of food businesses.*

**1. Do businesses with mobile food premises qualify as a “food business” under the new Food Safety legislation?**

A food business refers to a business, enterprise or activity that involves the handling of food intended for sale, or the sale of food including food that is supplied as part of a service. Therefore businesses with mobile food operations are food businesses under the new legislation.

**2. What legislation applies to mobile food businesses?**

The Food Act 2001, Food Regulations 2002 and the Food Safety Standards apply to food businesses including mobile food operations. Copies of the legislation can be accessed via the DH web site (refer end of sheet for address). A copy of Food Safety Standards 3.1.1 (*Interpretation and Application*), 3.2.2 (*Food Safety Practices and General Requirements*) & 3.2.3 (*Food Premises and Equipment*) has been included in the Food Safety Information Kits which have been distributed by local Councils. If you have not received a kit contact your Council or DH to arrange supply.

**3. Who and when do I notify?**

The new food legislation requires food businesses to complete a notification process to their local Councils (or DH if not within a local government boundary). Mobile food businesses, for example ice cream vans, should generally notify the Council covering the area where the vehicle is garaged or housed. However, if the food van operates permanently from one site, for example an after hours fast-food van, the Council area where the vehicle operates should be notified even if the vehicle is housed in another local Council area. Notification can be done by completing a hard copy form available from your Council or by notifying on-line at [www.fbn.sa.gov.au](http://www.fbn.sa.gov.au). Businesses have until **1 December 2003** to meet the initial notification requirements. New businesses must notify prior to commencement of operations. The notification process is a once off requirement and there is no charge. If notification details change amendments need to be advised to Council/DH within 14 days.

**4. I have a number of food vehicles operating in different locations – which Council do I notify?**

If you operate your mobile vehicles in more than one Council area, you still need only to notify the Council within which the vehicles are garaged (or where they operate permanently refer Q3). If you garage (or permanently operate) your vehicles in more than one Council area you need to notify each of these Councils.

**5. Does a mobile food premises need to be inspected? If so, how often and is there a fee?**

A mobile food business is part of a ‘food business’ and is therefore subject to inspection. Councils generally inspect food businesses such as mobile food premises about once every 12 to 18 months depending on the potential risk of the foods served and the business’s performance. Councils may charge an inspection fee of up to \$80 for a small business - that is a business with 20 or less full time equivalent food handling staff. You will need to ask your local Council whether fees apply.

## DH Food Safety Fact Sheet

The Council, in the jurisdiction in which the business is operating, may also inspect mobile food premises. However it is expected that these Councils generally will not charge additional inspection fees if the mobile food premises has been inspected by the Council in the area where they have notified.

### 6. What does an EHO focus on in an inspection?

Inspections focus on two areas - the physical conditions (premises, food preparation areas and equipment) and the health and hygiene practices of the food handlers. Environmental Health Officers (EHOs) may require mobile food van operators to meet certain standards in relation to premises and food handling practices to 'pass' an inspection.

### 7. Do mobile food premises need to meet all the premises and equipment requirements in Standard 3.2.3?

Yes, while the design, construction and fit-out may be restricted by space, the obligations to comply with Standard 3.2.3 are the same as any other type of food premises. Copies of this Standard are available from your Council or DH as part of the Food Safety Information Kit. The Standard covers:

General requirements	Water supply
Storage of garbage & recyclable matter	Sewerage and waster water disposal
Ventilation	Lighting
Floor, walls & ceilings	Fixtures, fitting & equipment including hand washing facilities
Storage & Transport	Toilet facilities

### 8. Do our staff need to have food handler training?

Food business operators are responsible for ensuring staff who handle food or supervise this work have the appropriate skills and knowledge they need to handle food safely. While formal training is not required, it may be one of the approaches adopted to ensure staff meet the requirements. Other ways include 'in house' training, giving staff suitable information to read (for example fact sheets and pamphlets from the information kit) or providing appropriate training videos (for example borrowing the *Bug Buster* video from your local Council EHO)

### 9. Where can I get more information?

More information can be obtained from the Environmental Health Officer at your local Council or alternatively from DH.