



**HINCHINBROOK**  
SHIRE COUNCIL

## **TEMPORARY FOOD STALLS**

**- LICENCE, STRUCTURE AND OPERATION GUIDE**

## ABOUT THIS GUIDE

This guide is for individuals, businesses, charities and community organisations involved in the operation of temporary food stalls. It aims to provide a minimum standard of operational and structural requirements for Temporary Food Stalls, either used in the preparation or handling of food for sale to the public at markets, fetes and other like events.

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## INTRODUCTION

Temporary food stalls have become important features at many festivals, fetes and markets held all year round in the Hinchinbrook Shire. Food stalls play an important role at these events by offering a variety of tasty and exotic foods.

Temporary food stalls can pose a higher risk to consumers than takeaways and restaurants due to their temporary nature. Therefore it is important to ensure you follow these guidelines closely when setting up and operating a temporary food stall. That way you can ensure you are providing your customers with safe food.

The Hinchinbrook Shire Council licenses temporary food stalls in accordance with Queensland's food legislation including:

- the *Food Standards Code* which includes Australia New Zealand (FSANZ) 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; and
- the *Food Act 2006*.

Copies of these documents are available on the internet at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au) and [www.foodstandards.gov.au](http://www.foodstandards.gov.au).

The set up and operation of a food stall must always comply with this legislation. This guide is based on these standards and will provide adequate information to set up and operate your food stall.



## DO I NEED A TEMPORARY FOOD STALL LICENCE?

All food businesses where food is intended to be sold for profit require to be licensed under the *Food Act 2006*. Any person intending to sell food for profit from a temporary food stall is therefore required to apply to Council's Environmental Health Department for a Temporary Food Stall Licence.

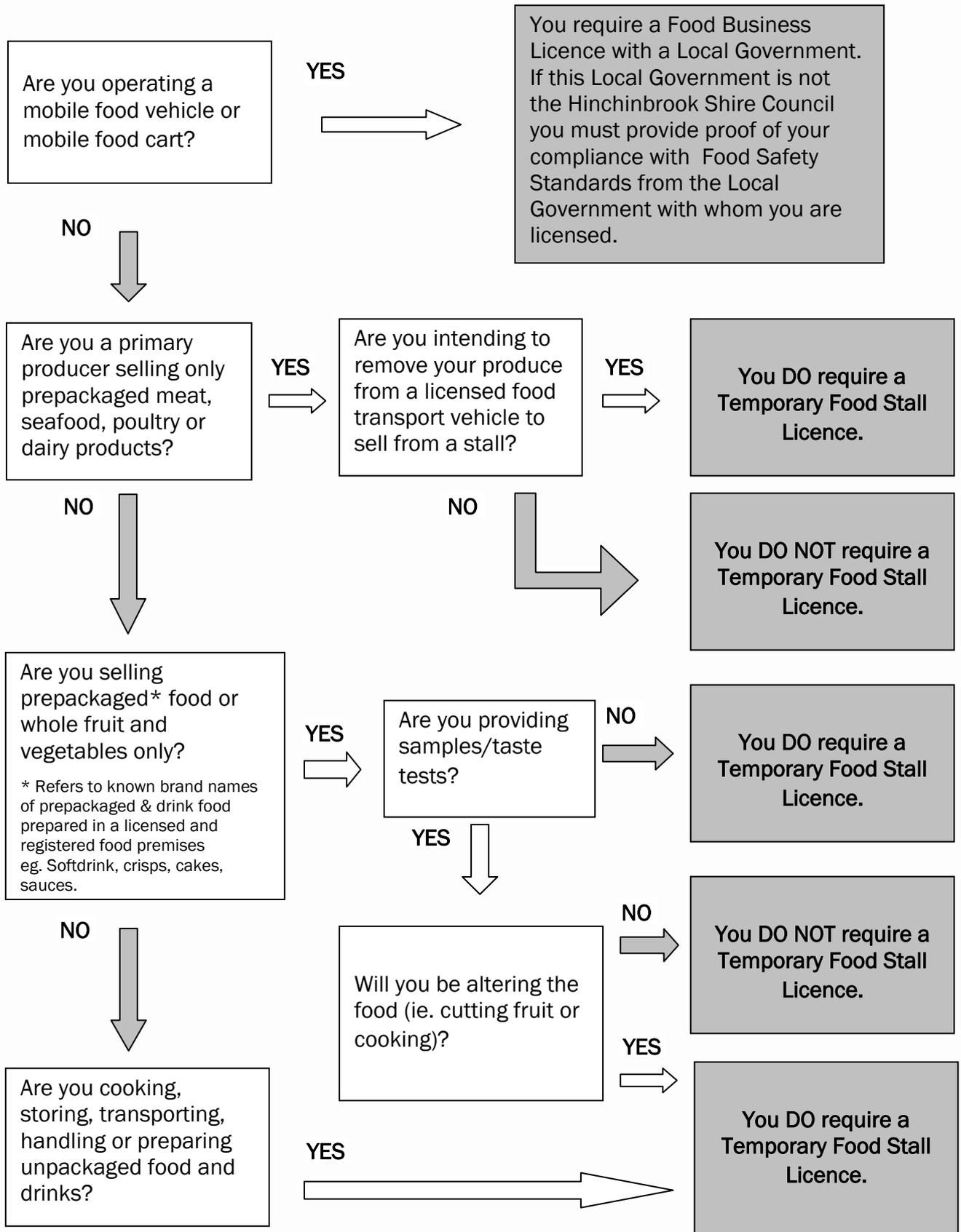
The following do not require a temporary food stall licence:

- The production of primary produce under an accreditation granted under the *Food Production (Safety) Act 2000* – including meat, dairy, seafood and egg schemes;
- Handling or sale of fisheries resources under a buyers licence issued under the Fisheries Regulation 1995, except where the seafood is cooked;
- Sale of unpackaged non potentially hazardous snack foods, such as biscuits, cakes, confectionary, nuts and potato chips;
- Sale of whole fruit or vegetables;
- Sale of seeds, spices, dried or glazed fruit, dried herbs, tea leaves, coffee beans or ground coffee, grinding of coffee beans;
- Sale and preparation of drinks such as tea, coffee, soft drinks and alcohol (other than drinks that consist wholly or partially of fruit or vegetable juice processed at the place of sale);
- Sale of ice, including flavoured ice, such as slurpees and snow cones or bags of party ice (manufacturing of ice is not exempt from food licensing);
- Sale of meals by a **non-profit organisation\*** that operates less than 12 days in a financial year;
- Sale of food, by a **non-profit organisation\***, that consists of low risk food (e.g. fruits, cereals, toast or similar food);
- Sale of food, by a **non-profit organisation\***, that is prepared as part of an educational or training activity conducted by the organisation involving food preparation, hospitality or catering;
- Provision of meals by a **non-profit organisation\*** that are prepared by another organisation and are stored and heated or otherwise prepared by the non-profit organisation in accordance with the directions of the meal's manufacturer.

Although exempt from licensing and other provisions, such as food safety supervisors and food safety programs, these businesses are still required to comply with all other aspects of the *Food Act 2006* and the Food Standards Code, and are equally subject to inspections and enforcement for non-compliance as licensed food businesses. It is therefore recommended that you read this document to assist you in ensuring compliance.

\* Non-profit organisations are organisations in which all money raised is distributed to charitable or community purposes and does not provide any personal benefit, gain or profit for any individual member or person.

This flow chart will help you to determine whether you need to a temporary food stall licence.



## APPLICATION PROCESS

1. Obtain a Temporary Food Stall Application Form from Hinchinbrook Shire Council, P O Box 366 Ingham QLD 4850 or phone Council on (07) 4776 4607 (Health Administration) visit Council's web site [www.hinchinbrook.qld.gov.au](http://www.hinchinbrook.qld.gov.au)
2. When submitting your application you must provide:
  - the **completed and signed** application form;
  - copies of qualifications of the nominated **food safety supervisor/s**; and
  - a **floor plan** demonstrating the layout of your food stall.

Applications must be submitted for approval prior to payment being made. Once the application has been assessed, Council will

Applications must be submitted to Council's Environment and Community Services by:

- visiting the Customer Service Centre at 25 Lannercost Street, Ingham
- mail to the Environmental Health Officer, Hinchinbrook Shire Council, P O Box 366 Ingham QLD 4850;
- emailing [hschealth@hinchinbrook.qld.gov.au](mailto:hschealth@hinchinbrook.qld.gov.au).

An example of a floor plan is provided at the back of this guide.

3. Council will then assess your application and contact the applicant to advise that the application has been approved or declined.
4. If approved, the applicant will be required to **pay the relevant fee**.
5. Upon payment, a licence will be issued and posted to the licensee at the postal address provided on the application.

If you want to operate on Council parkland you must apply in writing justifying your reasons for commercial use of Council parkland.

Please ensure that your temporary food stall application is submitted at least 10 business days before the event to allow time to process the application.

If you have any questions about your application please contact Council's Environmental Health Officer on (07) 4776 4607.

## FOOD SAFETY SUPERVISORS

All **licensed food businesses**, including temporary ones, must have an approved food safety supervisor. The licensee of the food business may be the food safety supervisor and a business may have more than one food safety supervisor. A food safety supervisor is a person who has undertaken training in safe food handling and/or has sufficient experience in working in the food industry. The food safety supervisor needs to be reasonably contactable by Council when the business is operating.

Copies of formal qualifications of the nominated food safety supervisor/s must accompany the Temporary Food Licence Application when submitted to Council.

## SKILLS AND KNOWLEDGE OF FOOD HANDLERS

All food handlers are required to have appropriate skills and knowledge commensurate with the activities proposed to be conducted and the type of food proposed to be prepared.



## NON-PROFIT ORGANISATIONS

Charities and community organisations are exempt from licensing and skills & knowledge requirements if:

- There is no personal financial gain, that is, all money raised is used for charitable or community purposes; **and**
- The food sold is shelf stable e.g. biscuits, cakes without cream, jams or chutneys; **or**
- The food is consumed immediately after thorough cooking e.g. sausages sold straight from the barbecue at a sausage sizzle.

## STALL DESIGN AND STRUCTURAL STANDARDS

If you are planning to operate a food stall, visit the proposed site to ensure it is suitable for preparing, storing, handling and selling food, before you commence operation.

### Structure

- The stall should consist of:
  - a floor
  - three fully enclosed walls (sides & rear);
  - a barrier between the public and the servery; and
  - a roof.

This will help to protect the food from contamination. The material used should be something that will not absorb grease and can be easily cleaned, ie 'polytarp'.

- The floor of the stall should be non-slip and easy to keep clean. In some instances if the ground will not pose a risk to food safety, such as concrete or paving then no additional flooring will be necessary.
- Tables and benches are to have good support and be covered with a material that is easy to keep clean.
- No part of the structure should be able to flap in the breeze.
- For pre-packaged and low-risk foods, there may be exemptions from certain construction requirements due to the reduced food safety risk. Please contact Hinchinbrook Shire Council's Environmental Health Officer. Examples of pre-packaged and low-risk foods are:
  - pre-bottled/sealed jams, honey, pickles and drinks;
  - pre-wrapped and sealed cakes, toffees and biscuits; and
  - whole fruit, vegetables and nuts intended to be washed or peeled before eating.

### Washing facilities

- Separate hand washing and utensil washing facilities are to be provided. Set up two containers (around 20 litres by volume) fitted with taps. Label each container, one 'Hand washing only' and the other 'utensil washing only'.
- Hot water and/or sanitiser must be available for cleaning.
- Liquid soap and paper towels must be provided for hand washing.
- All cooking utensils are to be removed from the site at the end of the day and thoroughly cleaned and sanitised in dishwashing facilities connected to hot water.

### Cooking

- All cooking and hot food storage equipment is to be located under cover.
- If cooking equipment is located at the front of the stall, provide a sneeze barrier to protect the food. Locate any BBQs away from close proximity to the public, i.e. at the back of the stall.

## Waste

- Provide a refuse container with a fitted lid and bin liner for the disposal of waste and label 'refuse only'. Clean and empty the bin daily or when full.
- All waste oil must be placed into a suitable container and removed at the end of the event. Larger amounts should be removed by a licensed waste contractor.
- Waste water is to be stored in a container and labelled 'Waste water only' and disposed into a sewer under a trade waste approval.

## Equipment

- **Mobile refrigerators/cold rooms** will be needed to store the bulk of your high-risk food for the day.
- Insulated containers such as **eskies** packed with ice can be used for storing small amounts of food waiting to be cooked.
- A **probe thermometer** must be kept on site and used to regularly check the temperature of hot and cold foods. *Electricity supplies at temporary events can be unstable and cut out without operators knowing. Checking the thermometer regularly and recording temperatures will alert you to any potential problems.*
- A valid **dry chemical fire extinguisher** and a **fire blanket** must be kept on sites where cooking is taking place.

Food found not being stored at the correct temperature may be investigated by a Council Officer and seized to prevent sale. Therefore temperature records are essential to prove your food has been kept at the correct temperature.

## OPERATIONAL REQUIREMENTS

### Food Preparation

- Food preparation should be organised to ensure that time spent handling and preparing food in the food stall is kept to a minimum. Any preparation that can be done prior to holding the food stall should be done in an environment that complies with food safety legislation.
- All food prepared at the time of the stall operation must be prepared on tables inside the stall ie. not behind the stall or in the back of a car.
- Raw meat, cooked meats, and salads & vegetables should be kept separate until served.
- At all times food must be protected from contamination by dust, pests, foreign objects and germs.

### Temperature Control

Effective temperature control is one of the most important ways to minimise the growth of bacteria and the risk of food poisoning. **All temporary food business MUST have a probe thermometer in the food stall to regularly check and log food temperatures.**



- **Delivery:** Always check that food is at the correct temperature when delivered, either below 5°C or above 65°C. Use a thermometer, such as one with a metal probe.
- **Storage:** NEVER reheat food in a bain marie. These should only be used to store hot food, which should have an internal temperature of above 60°C.
- **Regularly check and record temperatures** of refrigerators, freezers and refrigerated display units.
- **Preparation:** Keep food temperatures out of the danger zone (5 – 60°C) by planning your time, menu, cooking, and storage in advance.
- **Thawing:** Never thaw food at room temperature. Food should be thawed in a refrigerator or cold room at 5°C. If time is limited, thaw food in a microwave. Always thoroughly thaw food such as poultry before cooking.
- **Cooking:** Thoroughly cook meat and poultry dishes. Bacteria found naturally in meat and poultry, such as Salmonella, will be destroyed when cooked to temperatures over 60°C.
- **Cooling:** Cool food rapidly to 5°C within four hours. Cool food slightly at room temperature for no more than 20 minutes, then place in the cold room below 5°C.
- **Reheating:** Reheat food quickly, and in small quantities, to at least 70°C to stop bacteria growing.
- **Display:** Ensure cold food is at or below 5°C, and hot food is at or above 60°C, before placing in the display unit or salad bar. Do not overload the display unit and do not display sandwiches and cream cakes on the counter or at room temperature.

## Personal Hygiene

It is essential that people handling food use high standards of personal hygiene.

Hand washing is a vital part of personal hygiene. Personal hygiene tips when working with food include:

- Wash hands regularly even if you use gloves and utensils, you still must wash your hands and keep them clean;
- Have a separate hand wash basin in every food preparation area;
- Don't wear jewellery on hands and wrists, as bacteria can become caught in jewellery and contaminate food;
- Tie back or cover hair;
- Keep fingernails short, clean and without nail polish: cracked and long nails can harbour bacteria and nail polish can flake into food;
- Wash uniforms, smocks or aprons daily;
- Cover cuts and sores with waterproof, brightly coloured bandaids. They can be seen in the food if they fall off and the food can then be disposed of;
- Don't prepare food when you are ill, particularly if you have cold symptoms, vomiting, diarrhoea, or skin infections on the hand.

## Food Storage

- Food should be stored at least 150 mm above the floor or in suitable impervious containers.
- Food should be kept out of direct sunlight.
- Chemicals such as sanitisers and cleansers must be kept separate from food and must not contact food preparation surfaces.
- Potentially hazardous foods, ie. poultry, meat, dairy products, seafood and egg-based products, must be stored in temperature controlled facilities.

Operators must ensure that all food is stored in such a way that it is protected from contamination:

- through contact with other foods which will result in cross-contamination,
- from unsafe food handling practices, and
- from environment conditions that may result in contamination.

## Cross Contamination

Cross contamination occurs when food becomes contaminated with bacteria from another source. Cross contamination causes about 20% of all food borne illness outbreaks. Some ways to prevent cross contamination include:

- Use separate cutting boards for raw and cooked food (colour or label boards to remember their purpose);
- Prepare raw and cooked foods in separate areas;
- Wash raw fruits and vegetables thoroughly to remove soil and contaminants before cutting;
- Clean and sanitise equipment and utensils after cutting raw meat and before preparing cooked or raw food;
- Clean and sanitise preparation benches and sinks between different tasks and at the end of each day;
- On cold room shelves, store raw meats beneath and separate to cooked meats, vegetables and fruits;
- Always wash your hands with soap and water or change gloves after carrying out different tasks;
- Cover all food to prevent contamination;
- Allow dishes to air dry rather than using a tea towel that could be contaminated;
- Throw away cracked or chipped crockery as bacteria can hide in cracks and contaminate food;
- Taste testing is conducted using single serve utensils and displaying signs stating 'No double dipping; Single serve only'.



## Cleaning

Cleaning and sanitising cooking utensils and equipment used to prepare food is essential for the safe operation of any food business.

Cleaning is the removal of visible dirt, grease and other material. Sanitising is the use of heat or chemicals to reduce bacteria. Neither method removes or kills all bacteria.

- Clean and sanitise all cutting boards and preparation benches after each use, particularly when changing from preparing raw to cooked foods;
- Store cleaning products away from food;
- Use different cloths for cleaning different types of food areas and equipment;
- Soak cleaning cloths in sanitiser on a daily basis.

## Waste Management

It is important to ensure your rubbish is adequately protected from pests and does not create an odour problem. Some waste management tips include:

- Choose bins large enough to hold all of your rubbish;
- Make sure your bin has a fitting lid. This will prevent pests from accessing the waste and transferring dirt and diseases from the bin to clean benches or crockery in your kitchen;
- Don't let your rubbish sit rotting. Waste should be removed regularly.

## CHILDREN AND ANIMALS

- For health and safety reasons children are not permitted in food stalls.
- Animals\* are not permitted in any food premises.

\* 'Assistance animals' may be permitted in 'customer only' areas such as dining/ drinking areas.

## SERVING TASTE SAMPLES?

When serving, it is important to keep the food protected from all the different types of contamination. Ways to protect food from contamination include:

- Provide single serves of the food sample. Use disposable products such as cups, spoons, toothpicks to minimise handling by the customer;
- Provide a physical barrier, such as perspex, between the customer and the food;
- Display small quantities, so food samples have less time to become contaminated;
- If required, keep the food samples hot or cold. Some samples may be kept out of temperature control if the time and temperatures are carefully monitored;
- Supervise to ensure that customers do not re-dip spoons or other items;
- Provide litter containers so customers can dispose of single use items;

- Use tongs and gloves when you handle samples;
- Have a sign stating “no double dipping, single serve only”.

## **LABELLING**

Under the Australian New Zealand Food Authority (ANZFA), all packaged food must be labelled. Exemptions apply to:

- unpackaged food;
- whole or fresh cut fruit and vegetables;
- food sold at fundraising events;
- food packaged in the presence of the purchaser;
- food made and packed on the premises from which it is sold.

Although these exemptions apply, businesses must be able to inform the public of the contents of food either verbally or in writing if requested. For further information on labelling requirements contact Queensland Health on (07) 4753 9000.

## **STALLS FROM PRIMARY FOOD BUSINESSES OUTSIDE HINCHINBROOK SHIRE COUNCIL BOUNDARIES**

The *Food Act 2006* and the *Food Standards Code* are applicable and enforceable throughout Queensland and are not unique to the Hinchinbrook Shire Council. Should you intend to conduct a temporary food stall within the Hinchinbrook Shire, you must comply with the requirements of the *Food Act 2006* and the *Food Standards Code* regardless of in which city or shire your primary food business is located. Written notice from your relevant Local Government confirming that your primary food business is compliant with these standards (eg. a copy of your Food Business Licence) **MUST** accompany your application.

## **TEMPORARY FOOD STALL CHECKLIST**

A checklist has been developed to assist food stall operators in the set up and operation of a temporary food stall. A copy of this checklist is at the back of this guide. Use the checklist each time you set up and operate your stall. It will help to ensure that you have the correct equipment, adequate structure and facilities, and exercise good hygiene practices.

Please note this checklist is a guide only and it is not an exhaustive representation of the requirements of the *Food Act 2006* or the *Food Standards Code*. It is the stall operators responsibility to ensure full compliance with this legislation.

If you are unsure about anything, please refer back to this guide or contact Hinchinbrook Shire Council's Environmental Health Officer on 4776 4607 (business hours).

## **NON-COMPLIANCE WITH LEGISLATION**

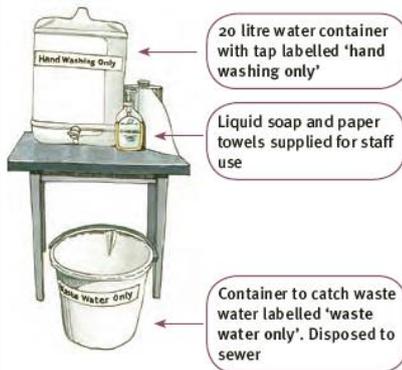
Non-compliance with food safety legislation is a threat to public health and is considered a serious offence. Penalties for non-compliance which incur a Local Government issued Penalty Infringement Notice include:

- S39(1) Failure to comply with a provision of the food standards code in relation to the conduct of a food business or to food intended for sale – 5 penalty unit (\$500)
- S39(2) Failure to comply with a provision of the food standards code that relates to the sale of food – 5 penalty unit (\$500)
- S39(3) Failure to comply with a provision of the food standards code in relation to the packaging or labelling of food for sale - 5 penalty units (\$500)
- S39(4) Failure to comply with a provision of the food standards code in relation to the sale or advertising of food – 5 penalty units (\$500)
- S49(1) Failure to hold a licence to carry on a food business – 10 penalty units (\$1000).

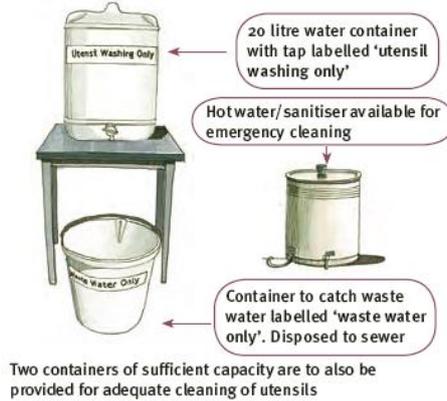
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## EXAMPLES OF TEMPORARY FOOD STALL EQUIPMENT

### Minimum hand washing facilities



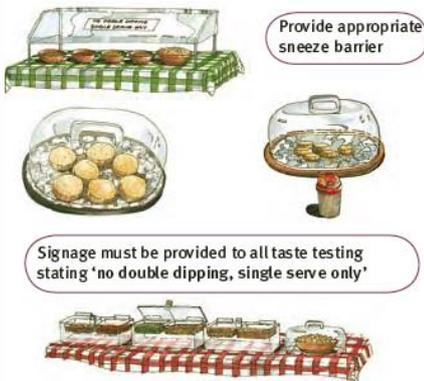
### Minimum utensil washing facilities



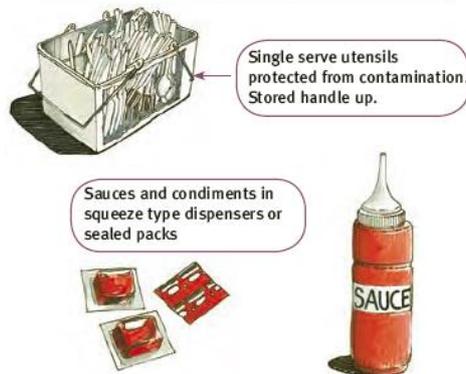
### Food handlers



### Food display, food protection, taste testing



### Sauces, condiments and single serve utensils

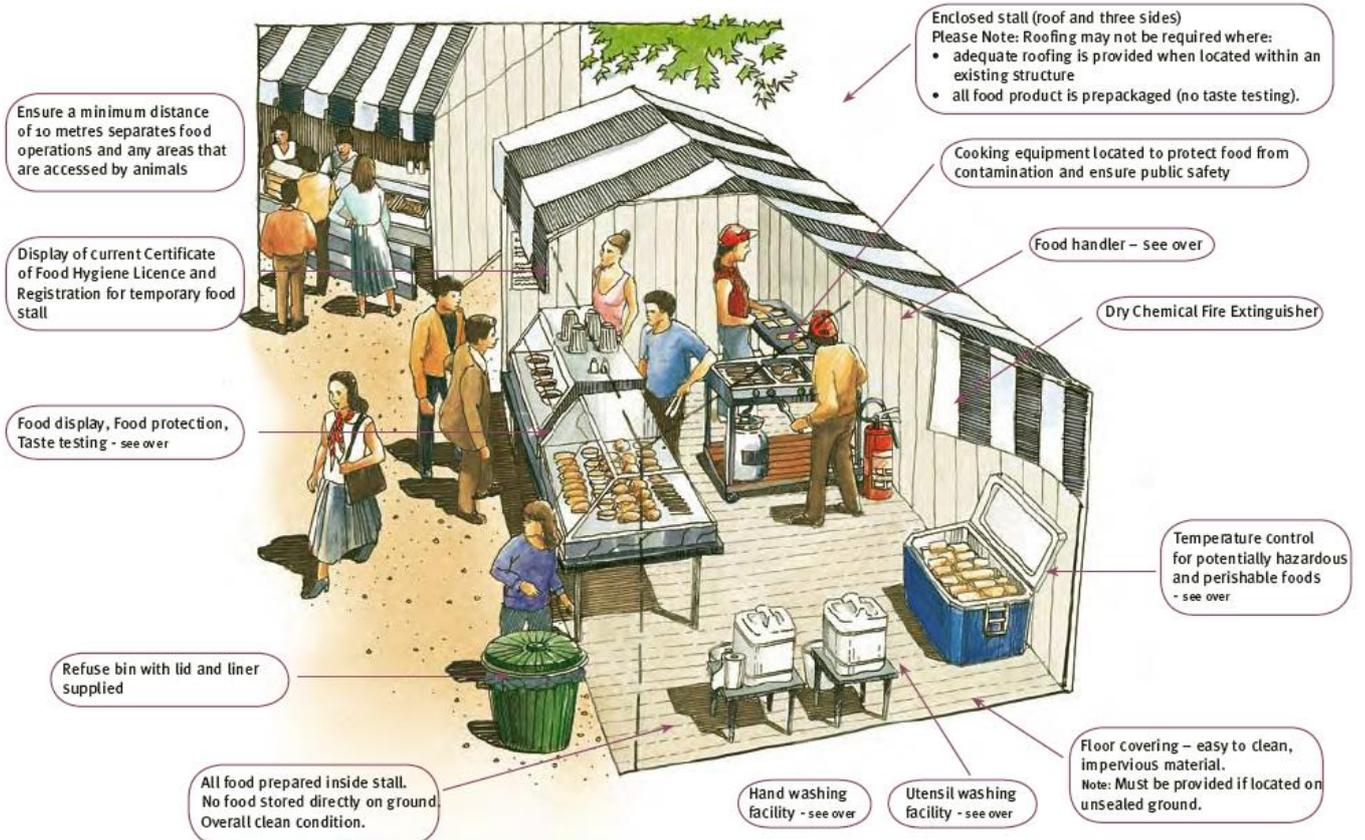


### Temperature control of potentially hazardous food



## EXAMPLE OF TEMPORARY FOOD STALL SET UP

### ARTIST'S IMPRESSION – MINIMUM STANDARDS FOR THE OPERATION OF A TEMPORARY FOOD STALL



**TEMPORARY FOOD STALL CHECKLIST**

<b>Licence</b>	<b>Food Storage</b>
Operator has obtained a current temporary food licence <input type="checkbox"/>	Food is covered & kept free from pests <input type="checkbox"/>
The licence is displayed for public viewing <input type="checkbox"/>	Raw & cooked foods are kept separate <input type="checkbox"/>
<b>Food Safety Supervisor &amp; Food Handlers Skills &amp; Knowledge</b>	Meat is kept separate from other food <input type="checkbox"/>
Food Safety Supervisor/s have been nominated & approved by Council <input type="checkbox"/>	Food is kept out of direct sunlight, and in impervious containers or at least 150 mm above the floor <input type="checkbox"/>
Food handlers have proper skills & knowledge <input type="checkbox"/>	Food is stored in 'food grade' containers <input type="checkbox"/>
<b>Structure &amp; Equipment</b>	<b>Cross Contamination</b>
Walls (3 sides) <input type="checkbox"/>	Raw & cooked foods, and salads & vegetables are kept separate during preparation <input type="checkbox"/>
Roof <input type="checkbox"/>	Food is protected from contamination <input type="checkbox"/>
Barrier between public & servery <input type="checkbox"/>	Disposable eating & drinking utensils used <input type="checkbox"/>
Floor covering <input type="checkbox"/>	Sauces & condiments are in squeeze type dispensers or sealed packs <input type="checkbox"/>
Dry chemical fire extinguisher <input type="checkbox"/>	<b>Cleaning</b>
Fire blanket <input type="checkbox"/>	Walls, floors & ceilings are kept clean <input type="checkbox"/>
<b>Food Preparation</b>	Cleaning facilities include a 20 litre container of potable water labelled 'utensil washing only', a waste bucket and sanitiser <input type="checkbox"/>
All food is prepared on tables inside the stall <input type="checkbox"/>	Utensils & equipment are regularly washed <input type="checkbox"/>
Preparation times are minimised <input type="checkbox"/>	<b>Waste Management</b>
<b>Temperature Control</b>	Bins provided are of sufficient size <input type="checkbox"/>
Probe Thermometer <input type="checkbox"/>	Bins have liners & firmly fitting lids <input type="checkbox"/>
Temperature log <input type="checkbox"/>	Waste water containers are clearly labelled <input type="checkbox"/>
<b>Personal Hygiene</b>	Waste oil container is clearly labelled <input type="checkbox"/>
No food handlers are unwell or have uncovered wounds <input type="checkbox"/>	<b>Taste Testing / Display</b>
All food handlers are appropriately attired <input type="checkbox"/>	Single serve utensils are used & bins provided <input type="checkbox"/>
Full hand washing facilities include a 20 litre potable water container labelled 'hand washing only', a waste water collection bucket, liquid soap and paper towels <input type="checkbox"/>	Signage displayed saying 'No double dipping; single serve only' <input type="checkbox"/>