



**APPLICATION FOR A LICENCE FOR A FOOD PREMISES TO PRODUCE, PROCESS OR STORE MILK OR DAIRY PRODUCTS
Food Regulation 2015**

Licensing unit office hours: 9.30am – 4.30pm Monday – Friday Phone: 02 6552 3000 or 1300 552 406
NSW Food Authority **ABN 47 080 404 416** PO Box 232 TAREE NSW 2430

Certain food businesses are required to hold a NSW Food Authority licence to operate. Businesses that operate without the appropriate licence from the NSW Food Authority are committing an offence under the Food Act 2003 and may be prosecuted.

Did you know ... if you are applying to licence a business and do not hold a current NSW Food Authority licence, you can now lodge your application online by going to the online application form link at www.foodauthority.nsw.gov.au (Please note: conditions apply for use of online applications).

Dairy businesses that need to be licensed

Under the Food Regulation 2015, food businesses must have a NSW Food Authority licence if they produce, store or process milk or dairy products as defined under Clause 59 of the Dairy Food Scheme (Part 8 of the Regulation) and defined as a 'dairy business' under Clause 62 and perform any of the following:

- the production of milk or colostrum for further processing for human consumption, including the keeping, grazing, feeding and milking of animals, and the storage of milk on the premises at which the animals were milked.
- the packaging, treating, cutting or manufacturing of dairy products, and the packing and storing of those products on the premises where they are packaged, treated, cut or manufactured, but does not include dairy primary production.
- the storage of any dairy product, whether in a cold chamber or otherwise, but does not include a dairy farm, a dairy building on a dairy farm or any premises used solely for retail purposes.
- the collection, transportation or distribution of milk and milk products. If licensing is required for a vehicle to transport milk or dairy products please complete application form *Application for food transport business for dairy/meat/plant products/seafood*

Licensing under this Regulation is used to ensure that a business has the capacity to produce safe food before the food is supplied to the market. A licence is not transferable from one person or business to another.

What do I need to comply with?

Any businesses that hold a licence must comply with the following:

- Food Regulation 2015 (NSW)
- Food Act 2003 (NSW)
- Food Standards Code
- Development and implementation of an adequate food safety program under the Food Regulation 2015 based on Standard 3.2.1 of the Food Standards Code or Codex HACCP. The program must accurately outline the hazards associated with the food business' operations. Assistance material is available from the NSW Food Authority's web site at www.foodauthority.nsw.gov.au

What do I need to do next?

- Complete the licence application form and return it with payment to: NSW Food Authority, PO Box 232, Taree NSW 2430.
- You must not commence operations until the above steps have been completed and you are informed that your licence application has been processed. If the premises are found to be operating without a licence, enforcement action will be taken.
- Prior to the approval of a licence, a licensing assessment will be carried out to ensure compliance with the Food Standards Code and Food Regulation 2015. If the result of the assessment is unacceptable, the licence may not be approved and the licence application may be rejected. It is highly recommended the applicant refer to the Authority's website for information relating to the assessment process and industry sector requirements.

Processing times

The Authority will review your application **within 10 working days** of receiving your licence application and you will be notified if any further information is required. If your application is complete the Authority will write to you to let you know your licence application has been processed and provide you with a time frame for completion of the licensing assessment that is required.

IMPORTANT NOTES

- If you have more than one premises, copy page 6 (for dairy primary production location) or page 7 (for dairy processing or storage location) and complete for each premises. If the application forms are submitted at the same time only one application fee will be required.
- Please ensure that each page of the application is completed (where applicable) and checked before it is returned, as failure to provide all information or signature(s) will delay processing and issuing of the licence.
- For more information or assistance please contact the NSW Food Authority's Licensing Unit on 02 6552 3000 or go to the NSW Food Authority website at <http://www.foodauthority.nsw.gov.au/industry/food-standards-and-requirements/licensing>

APPLICANT DETAILS

- Complete Section A(i) for sole trader/ partnership details
- Complete Section A(ii) for company/ trust/ association details

SECTION A (i): SOLE TRADER/ PARTNERSHIP BUSINESS STRUCTURE (please tick appropriate box)

☐

Sole Trader

☐

Partnership

LAST NAME

FIRST NAME

LAST NAME

FIRST NAME

LAST NAME

FIRST NAME

LAST NAME

FIRST NAME

TRADING NAME (if applicable): If operating under a trading name, please provide copy of Business Name Certificate issued either by Fair Trading NSW (if before 28/5/2012) or ASIC (if registered after 28/5/2012)



ABN

POSTAL ADDRESS

SUBURB/ TOWN

STATE

POSTCODE

PHONE

FAX

MOBILE

EMAIL

AUTHORISED CONTACT DETAILS (if different to information provided above eg Manager, QA, Admin, etc)

☐ Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Dr ☐ Professor ☐ Other

NAME

POSITION

PHONE

FAX

MOBILE

EMAIL

DO YOU HAVE AN EXISTING NSW FOOD AUTHORITY LICENCE?

☐ NO ☐ YES – please give details (eg Licence number or customer no.)

SECTION A (ii): COMPANY/ TRUST/ ASSOCIATION BUSINESS STRUCTURE (please tick appropriate box)☐**Company**☐**Trust**☐**Association**☐**Other**

COMPANY NAME (if applicable) If a company, please provide a copy of full ASIC Company Statement (showing names of public officers/ directors)

**ACN****CONSENT TO CONDUCT COMPANY SEARCH ON BEHALF OF APPLICANT/S**

If it is not possible for supporting documents to be provided during the application process, an applicant may give consent to the NSW Food Authority, to conduct a company search on their behalf.

Failure to supply supporting documents may result in delays in processing applications and issuing of the licence.

☐

I/We, the applicant/s conducting the food business for which this form is being submitted, give consent for a NSW Food Authority representative to conduct a company search on our behalf.

☐

I/We agree to pay the fees applicable to this service, as per the fee schedule enclosed in this application.

TRUST NAME (if applicable): If a trust, please provide name(s) of nominated person(s) to receive correspondence

ASSOCIATION NAME (if applicable): If an association, please provide a copy of the Certificate of Incorporation.

**ABN**

TRADING NAME (if applicable): If operating under a trading name, please provide copy of Business Name Certificate issued either by Fair Trading NSW (if before 28/5/2012) or ASIC (if registered after 28/5/2012)

**POSTAL ADDRESS****SUBURB/ TOWN****PHONE**

()

MOBILE**STATE****POSTCODE****FAX**

()

EMAIL**AUTHORISED CONTACT DETAILS**☐**Mr**☐**Mrs**☐**Miss**☐**Ms**☐**Dr**☐**Professor**☐**Other****NAME****POSITION****PHONE****MOBILE****FAX****EMAIL****DO YOU HAVE AN EXISTING NSW FOOD AUTHORITY LICENCE?**☐**NO**☐**YES** – please give details (eg Licence number or customer no.)

Is the business under this application being taken over from an existing licence holder?

☐

NO – Please proceed to communication section below.

☐

YES – If possible, please arrange for the previous owner to complete the 'Consent of Present Licensee' section below:

CONSENT OF PRESENT LICENSEE(S) (if applicable)

- I/we hereby certify that I am authorised to submit this form on behalf of this business.
- If a company, show capacity of person signing

I/We, the current licensee(s), will/will not continue to conduct a food business using the premises and agree/do not agree to the cancellation of the licence for the premises. My/Our licence number is _____

SIGNATURE(S)

x

DATE

/

/

.

BUSINESS ACTIVITY DETAILS

Is the business relocating from an existing site?

☐

NO – Please proceed to business activity and location section below.

☐

YES – Please confirm existing site address and then proceed to business activity details and location sections below:

LOCATION OF EXISTING SITE

PRIMARY PRODUCTION ACTIVITY DETAILS (please tick appropriate box/es)

- ☐ **Dairy Primary Production** – the production of milk or colostrum for further processing for human consumption including the keeping, grazing, feeding and milking of animals, and the storage of milk on the premises at which the animals were milked.

☐ *State name and address of processor to which applicant(s) intend(s) to supply to below:*

- ☐ Please indicate which species are milked at this dairy farm:

☐ Cows

☐ Goats

☐ Sheep

☐ Buffalos

☐ Donkeys

☐ Camels

☐ Other: _____

Nominated commencement of trading date

Property Identification Code (PIC) number:

Lot No:

Plan No:

NUMBER OF FULL TIME EQUIVALENT FOOD HANDLERS: Note: The number of full time equivalent (FTE) food handlers employed in your processing/storage operation as determined by the calculation on page 8 of this form excluding office staff, delivery drivers, etc. The Food Regulation 2015 prescribes the appropriate licence fee (based on the number of people working in the premises) and application fee to be applied to all licences.

PRIMARY PRODUCTION LOCATION DETAILS

Is the site address same as for postal address provided previously?

☐

NO – Please complete location section below.

☐

YES – Please proceed to fee schedule and payment section

PREMISES ADDRESS
(where business will be operating from):

PROCESSING/ STORAGE ACTIVITY DETAILS (please tick appropriate box/es)

- ☐ **Dairy Processing Factory** – the packaging, treating, cutting or manufacturing of dairy products, and the packing and storing of those products on the premises where they are packaged, treated, cut or manufactured, but does not include dairy primary production.

Please note: If applying for production of 'Raw milk cheese' a Pro Forma must be completed and returned with this application before the application will be processed.

Pro forma attached ☐ Yes ☐ No

- ☐ Please tick the activities to be conducted at the dairy processing factory:
- ☐ Process unpasteurised dairy products (goats milk or raw milk cheese)
 - ☐ Pasteurisation of raw milk
 - ☐ Process pasteurised dairy products
- ☐ Please tick the species that will supply milk processed at this dairy processing factory:
- ☐ Cows
 - ☐ Goats
 - ☐ Sheep
 - ☐ Buffalos
 - ☐ Donkeys
 - ☐ Camels
 - ☐ Other: _____
- ☐ Please tick the dairy products processed at the dairy processing factory:
- | | | |
|----------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Process milk | <input type="checkbox"/> Process gelato | <input type="checkbox"/> Process infant formula |
| <input type="checkbox"/> Process hard cheese | <input type="checkbox"/> Process yoghurt | <input type="checkbox"/> Process kashta |
| <input type="checkbox"/> Process soft cheese | <input type="checkbox"/> Process custard | <input type="checkbox"/> Process colostrum |
| <input type="checkbox"/> Process butter or ghee | <input type="checkbox"/> Process other dairy desserts | <input type="checkbox"/> Process cream |
| <input type="checkbox"/> Process soft serve mix | <input type="checkbox"/> Process ice cream | <input type="checkbox"/> Process milk powder |
| <input type="checkbox"/> Process unpasteurised goat milk | <input type="checkbox"/> Process unpasteurised soft cheese | <input type="checkbox"/> Process unpasteurised hard cheese |

- ☐ **Dairy Produce Store** – means any building or place at or in which any dairy product is stored, whether in a cold chamber or otherwise, but does not include a dairy farm, a dairy building on a dairy farm or any premises used solely for retail purposes.

- ☐ Storage of other foods other than milk or dairy products as defined under Food Regulation 2015 as below (please tick):

- ☐ Meat or meat products as defined under Clause 76
- ☐ Plants products as defined under Clause 120
- ☐ Seafood or seafood products as defined under Clause 133
- ☐ Eggs as defined under Clause 165 or egg products as defined under Clause 168(2)

Note Please indicate if you require a Food Safety Program (for which a fee is payable).

☐ YES ☐ NO

EXPORT APPROVED FACILITY FOR DAIRY PRODUCTS?

- ☐ **YES – EXPORT APPROVED PROCESSING FACTORY** **EXPORT REG EST NO:** _____
- ☐ **YES – EXPORT APPROVED PRODUCE STORE** **EXPORT REG EST NO:** _____
- ☐ **NO**

Nominated commencement of trading date

NUMBER OF FULL TIME EQUIVALENT FOOD HANDLERS: Note: The number of full time equivalent (FTE) food handlers employed in your processing/storage operation as determined by the calculation on page 8 of this form excluding office staff, delivery drivers, etc. The Food Regulation 2015 prescribes the appropriate licence fee (based on the number of people working in the premises) and application fee to be applied to all licences.

PROCESSING/ STORAGE LOCATION DETAILS

Is the site address same as for postal address provided previously?

☐ **NO** – Please complete location section below.


☐ **YES** – Please proceed to fee schedule and payment section

PREMISES ADDRESS
(where business will be operating from):

FEE SCHEDULE

No. of full time equivalent food handlers	Licence fee	No. of premises	Total licence fee payable (No. of premises x licence fee)
0 to 5	\$570.00		
6 to 50	\$1,180.00		
51+	\$5,170.00		
Additional chargeable items	No. of items	Total cost per item	
Food safety program – Cold food store		\$65.00	
Company search administration fee	N/A	\$50.00	
APPLICATION FEE			\$50.00
TOTAL FEE PAYABLE			

DECLARATION

SIGNATURE(S) OF ALL APPLICANT(S) – Please sign below with name clearly printed underneath			
<ul style="list-style-type: none"> I/we hereby certify that all information provided on this form is true and correct. I/we hereby certify that I am authorised to submit this form on behalf of this business. 			
SIGNATURE(S)			
PRINT NAME(S)		DATE	/ /
POSITION WITHIN ORGANISATION			

Please note:

- The fee to accompany this application form is the total of both the application fee and licence fee indicated above.
- For applications on an existing licence, please submit form with application fee \$50.00 only. An invoice for the licence fee will then be returned to you for payment.
- For applications where an ASIC company statement is required and has not been supplied, the company search administration fee is also to accompany the application.
- For applications for premises where multiple activities are done at the same site, only one licence fee is applicable.

CALCULATING LICENCE FEES

The licence fee applied to your business is calculated based on the number of full-time equivalent (FTE) food handlers involved in food handling. The number of FTE food handlers is used as it also accommodates businesses who use part time food handlers in their operations. For the purposes of this calculation a FTE working week is 38 hours.

To calculate the number of FTE food handlers your business has, add up all the hours that the food handlers are undertaking food handling activities during a working week and divide by 38 hours (average working week). For example, if a facility had 4 food handlers to handle food for 25 hours per week, this would equate to approximately 3 FTE food handlers.

Figure 1: Example calculation of FTE food handlers

$$\frac{4 \text{ food handlers} \times 25 \text{ hours per week}}{38 \text{ hours}} = 2.6 \text{ FTE food handlers (round up to 3 FTE food handlers)}$$

PAYMENT METHODS

A. PAYMENT BY CHEQUE OR MONEY ORDER

Please mail money order or cheque (crossed 'Not negotiable' and made out to NSW Food Authority) along with completed application form to PO Box 232, Taree NSW 2430

B. PAYMENT BY CREDIT CARD

A 0.4% merchant surcharge will occur on credit card transactions for MasterCard and Visa card

Please debit my: ☐ MasterCard ☐ Visa card

Card number:

Cardholder's name:

CVV number:

(the final three digits of the number printed on the signature strip on the back of your card)

Expiry date:

Payment amount:

Cardholder's signature:

C. PAYMENT BY BPAY®, INTERNET BANKING OR TELEPHONE

If you wish to make payment by any of the above methods, please submit your completed application form without payment to the Licensing Unit by:

- Post to PO Box 232, Taree NSW 2430
- Email to bfs.admin@dpi.nsw.gov.au

An invoice will then be forwarded to you for payment.

Please note: We do not accept American Express.

CHECKLIST

To avoid any delays in the processing of your application, please ensure all relevant documentation is submitted with this application form.

- Y Application form completed and signed
- Y ASIC Company Statement showing the name/s of the Director/s attached (where applicable)
- Y Certificate of Registration of business name attached (where applicable) issued either by Fair Trading NSW (if registered before 28/5/2012) or ASIC (if registered after 28/5/2012)
- Y Certificate of Incorporation attached (where applicable)
- Y Payment attached
- Y Pro forma for production of raw milk cheese (where applicable)

Please return all pages of your Food Authority licence application to:

**NSW Food Authority
PO Box 232
TAREE NSW 2430**