

LIC002: Licence application for a plant products business

Food Regulation 2025

Licence requirements

Certain food businesses must hold a NSW Food Authority licence to operate. Licensing ensures a business has the capacity to produce safe food before it is supplied to consumers. Operating without a valid licence is an offence under the NSW *Food Act 2003* and may lead to prosecution.

Plant product businesses that need to be licensed

Under the Food Regulation 2025, Part 7 Plant products food safety scheme, a food business must have a NSW Food Authority licence if they carry out any of the following activities:

- a. grow or harvest berries, leafy vegetables or melons in a cultivated area of 2 hectares or more
- b. wash, trim, sanitise, sort, combine, store and pack berries, leafy vegetables or melons
- c. process fruits or vegetables (where the end product is able to be consumed raw), including trimming, cutting, slicing, peeling or pulling apart
- d. process vegetables in oil
- e. process seed sprouts
- f. extract juice from vegetables or fruits without pasteurising
- g. package plant products
- h. store plant products
- i. transport plant products (complete the *LIC007 Licence application for a food transport business*).

If storing or transporting only berries, leafy vegetables and melons, and not conducting primary production on 2 or more hectares or a processing activity, a food business notification is required in place of a licence.

The plant products food safety scheme does not apply to the handling of food on retail premises, in or from a vehicle from which the food is sold by retail or not intended for sale.

What do I need to comply with?

Any business that holds a licence must comply with the following:

- Food Regulation 2025
- *Food Act 2003* (NSW)
- Food Standards Code
- Plant product businesses (except those listed as excluded below) must develop and implement an adequate food safety program under the Food Regulation 2025 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's operations. Guidance is available from the NSW Food Authority's website at www.foodauthority.nsw.gov.au/haccp

Excluded business are those that:

- only grow leafy vegetables or melons on 2 to less than 10 cultivated hectares. These require a food safety management statement. Further information is located at www.foodauthority.nsw.gov.au/industry/plant-products
- grow or process berries exclusively
- solely store or transport plant products.

How do I get licensed?

- The easiest and quickest way to apply for a **new** licence is by using the online application form located at formsfa.bfs.dpi.nsw.gov.au/forms/11033
- If you are unable to use the online form or are applying for additional premises or relocation, complete this form and submit via email or post.
- You must not commence operations until you are informed that your licence application has been processed. If you are found operating a business without a licence, enforcement action will be taken.
- Once your application is processed, you will receive a 'pending advice' letter that confirms whether your business can start operating and outlines the next steps in the application process.
- A licensing assessment is required prior to the licence being approved to ensure compliance with the Food Standards Code and Food Regulation 2025. If the assessment is unacceptable, the licence may not be approved and the licence application may be rejected. It is highly recommended that the applicant refer to www.foodauthority.nsw.gov.au/industry/plant-products and www.foodauthority.nsw.gov.au/industry/audits-and-compliance/audits-of-licensed-businesses for information relating to the assessment process and industry sector requirements.

What is the processing time?

Your application will be reviewed within **10 business days**.

Important notes

- Multiple premises can be included in this application. If you have more than one premises, complete the relevant page for each premises.
- Ensure each page of the application is completed (where applicable) and checked before it is submitted. Failure to provide all information and signature(s) will delay processing.

For information or assistance contact Licensing & Accreditation Services on

- 1300 552 406 (9.30am – 4.30pm NSW business days)
- bfs.admin@dpi.nsw.gov.au

Visit www.foodauthority.nsw.gov.au/help/licensing



LIC002

Licence application for a plant products business

Part A: Application details

i. Do you have an existing NSW Food Authority licence?

- No Did you know you can easily complete this form online? Please visit formsfa.bfs.dpi.nsw.gov.au/forms/11033
If you are unable to complete the online form, continue with this application form.
- Yes Licence number

ii. Business details

Complete: Section (a) for sole trader/partnership or Section (b) for company/trust/association.

(a) Select your business structure Sole trader / Individual Partnership

Applicant names

| | | | |
|-----------|----------------------|------------|----------------------|
| Last name | <input type="text"/> | First name | <input type="text"/> |
| Last name | <input type="text"/> | First name | <input type="text"/> |
| Last name | <input type="text"/> | First name | <input type="text"/> |
| Last name | <input type="text"/> | First name | <input type="text"/> |

ABN

Trading name (If applicable): attach a copy of the ASIC Business Name Certificate.

Contact details

Postal address

| | | |
|----------------------|----------------------|----------------------|
| Suburb | State | Postcode |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

| | | | |
|-------|----------------------|--------|----------------------|
| Phone | <input type="text"/> | Mobile | <input type="text"/> |
|-------|----------------------|--------|----------------------|

Email

Authorised contact details

Mr Mrs Miss Ms Dr Professor Other

Full name

Role

Phone

Mobile

Email

(b) Select your business structure

Company Association
 Trust Other

Company name (if applicable)

ACN

Tick the relevant option:

- I have  attached an ASIC Company Extract listing the Directors.
- I am authorised to give consent to the NSW Food Authority to conduct an ASIC company search on behalf of this business and agree to pay the associated fee of \$50.

Association name (If applicable.)

- I have  attached the Certificate of Incorporation.

Trust name (If applicable.)

- I have  attached the section of the Trustee Deed naming the Trustee/s.

ABN

Trading name (if applicable):  attach a copy of the ASIC Business Name Certificate.

Business contact details

Postal address

Suburb

State

Postcode

Phone

Mobile

Email

Authorised contact details

Mr Mrs Miss Ms Dr Professor Other

Full name

Role

Phone

Mobile

Email

Part B: Business activity details

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

- No Continue to next question.
- Yes If possible, arrange for the previous owner to complete the 'Consent of Present Licensee' section below.

Consent of present (previous) licensee

Licence number

Licence holder

- I/we hereby certify that I am/we are authorised to submit this form on behalf of this business.
- I/we, the current licensee(s), will not continue to conduct a food business using the premises listed in this application.
- I/we agree to the cancellation of this licence for the premises.

Signature

Date

Name(s)

Role(s)

ii. Is the business relocating from an existing site?

- No Continue to next question.
- Yes Location of existing site

iii. Which activity do you intend to conduct? (Tick all that apply.)

Complete: Section (a) for plant primary production of berries, leafy vegetables and melons only, (b) for plant processing and/or (c) for plant produce store.

- (a) Plant primary production – berries, leafy vegetables and melons only** – the growing (production) of berries, leafy vegetables and/or melons with cultivation area of 2 or more hectares.

Premises details - address and property details for the cultivation area.

Address

Suburb

State

Postcode

Lot no.

Plan no.

What plant products will be grown/cultivated at this site? (Tick all that apply.)

- Berries:
- Strawberries Blueberries Blackberries Raspberries
- Other

- Leafy vegetables:
- Lettuce Spinach leaves Leafy herbs Cabbage
- Asian leafy greens Swiss chard Kale Microgreens
- Chicory Watercress Spring onions Silverbeet
- Other

- Melons:
- Rockmelon Watermelon Honeydew melon Piel del Sapo
- Other

Is your cultivation area...? (Cultivated hectares refers to the land used to grow berries, leafy vegetables, and/or melons, not the grower's total land.)

- 2 to less than 10 hectares
- 10 hectares or more

Total size of your cultivation area (In hectares.)

What production system do you use? (Tick all that apply.)

- Soil production (in open field or under cover)
- Soil less production/ hydroponic system (under partial or full cover)
- Intensive vertical farming
- Other

Do you process any plant products? (For example, wash, trim, sort, sanitise, pack.)

- Yes No

If yes, whose produce do you process? (Tick all that apply.)

- Your own
 Other growers': also complete part (b) Plant product processing below

Who do you supply/sell your plant products to? (Tick all that apply.)

- Packing business or another producer Café/restaurants
 Small retailers (e.g. Asian supermarkets) Wholesale markets (e.g. Sydney Markets)
 Large retailers (e.g. Coles, Woolworths) Direct to consumers (e.g. from the farm)
 Farmers markets (e.g. local markets) Export
 Other

Do you currently operate under a recognised certified program?

- Yes No

If yes, which certified program do you operate under? (Tick all that apply.)

- Freshcare Certification number
 I confirm I have given Freshcare consent to share my certification data.
 Safe Quality Food Certification number
 Global G.A.P Certification number
 BRCGS Certification number

Intended start date

- (b) Plant product processing** – the processing of plant products including (but not limited to) cutting, extracting, treating and packaging.

Premises details - address of the plant product processing facility.

Address

Suburb

State

Postcode

Activities to be undertaken at this premises (Tick all that apply.)

- Extract and/or package unpasteurised juice
 Fresh cut fruit and/or vegetables
 Process vegetables in oil
 Process seed sprouts
 Process berries, leafy vegetables or melons (Select any plant types processed below.)
 Berries:
 Strawberries Blueberries Blackberries Raspberries
 Other

Leafy vegetables:

- | | | | |
|---|---|--|--------------------------------------|
| <input type="checkbox"/> Lettuce | <input type="checkbox"/> Spinach leaves | <input type="checkbox"/> Leafy herbs | <input type="checkbox"/> Cabbage |
| <input type="checkbox"/> Asian leafy greens | <input type="checkbox"/> Swiss chard | <input type="checkbox"/> Kale | <input type="checkbox"/> Microgreens |
| <input type="checkbox"/> Chicory | <input type="checkbox"/> Watercress | <input type="checkbox"/> Spring onions | <input type="checkbox"/> Silverbeet |

Other

Melons:

- | | | | |
|------------------------------------|-------------------------------------|---|--|
| <input type="checkbox"/> Rockmelon | <input type="checkbox"/> Watermelon | <input type="checkbox"/> Honeydew melon | <input type="checkbox"/> Piel del Sapo |
|------------------------------------|-------------------------------------|---|--|

Other

Do you currently operate under a recognised certified program?

Yes No

If yes, which certified program do you operate under? (Tick all that apply.)

Freshcare

Certification number

I confirm I have given Freshcare consent to share my certification data.

Safe Quality Food

Certification number

Global G.A.P

Certification number

BRCGS

Certification number

Export Registered Establishment Number (If applicable.)

Intended start date

Number of full time equivalent (FTE) food handlers - see section C for calculation method.

(c) Plant produce store – means any building or place at or in which any plant product as defined under Section 113 of the Food Regulation 2025 is stored (Not applicable if the product is also processed at the same premises or if the business only stores berries, leafy vegetables or melons).

Premises details - address of the plant produce store.

Address

Suburb

State

Postcode

Non-plant food products also stored at this premises, as defined in the Food Regulation 2025 (Tick all that apply.)

Dairy products (Section 51)

Seafood/seafood products (Section 122)

Meat/meat products (Section 69)

Eggs/egg products (Section 158)

Would you like to order a NSW cold store food safety program and diary for \$65.00? Yes No

Export Registered Establishment Number (If applicable.)

Intended start date

Number of full time equivalent (FTE) food handlers - see section C for calculation method.

Part C: Calculating full-time equivalent (FTE) food handlers

Under the Food Regulation 2025, the licence fee applied to your business is calculated based on the number of full-time equivalent (FTE) food handlers (excludes office staff and delivery drivers). The number of FTE food handlers is used as it accommodates businesses who use part time food handlers in their operations.

To calculate the number of FTE food handlers, add up all hours employees undertake food handling activities during a working week and divide it by a standard full-time working week (e.g. 38 hours).

For example, if a facility has 4 people handling food for 25 hours per week, this equals approximately 3 FTE food handlers.

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

Part D: Fee schedule

- If this application is for an additional location, a pro-rated fee is payable. This will be less than the licence fee specified below. If this application is for relocation, only the application fee is applicable.
- **A fee waiver applies to businesses that produce and/or process berries, leafy vegetables and melons only until 11 February 2027.**

| No. of FTE 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 | | |
| 6 to 50 (externally certified) | \$590.00 | | |
| 51+ | \$5,170.00 | | |
| 51+ (externally certified) | \$2,585.00 | | |
| Additional chargeable items | No. of items | Cost per item | |
| Company search administration fee | | \$50.00 | |
| NSW cold store food program and diary | | \$65.00 | |
| Application fee | | | \$85.00 |
| | | TOTAL FEE PAYABLE | |

Part E: Payment methods

Select one of the following payment methods

Cheque/money order submitted via post with application: crossed 'Not negotiable' and made out to NSW Food Authority.

Credit/debit card (no merchant surcharge fee; we do not accept American Express).

Cardholder's name

Card number

CVV number (3 digits on back of card)

Expiry date

To provide card details over the phone, tick here and an officer will contact you.

Payment by BPAY®, Internet banking or telephone (An invoice will be issued. The application will be processed following payment).

Part F: Declaration

Signature(s) of the applicant(s) – sign below with name clearly printed underneath.

- I/we hereby certify that all information provided on this form is true and correct.
- I/we hereby certify that I am/we are authorised to submit this form on behalf of this business.

Signature(s)

Date

Name(s)

Role(s)

Part G: Checklist

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

- Application form completed and signed.
- ASIC Company Statement showing the name/s of the Director/s attached (where applicable).
- ASIC Certificate of Registration of Business Name attached (where applicable).
- Certificate of Incorporation attached (where applicable).
- Section of the Trustee Deed naming the Trustee/s attached (where applicable).
- Industry food safety scheme certification attached, for example, Freshcare (where applicable)..
- Payment attached or payment details supplied.

Part H: Application submission

Submit this application with payment or payment details via one of the following methods:

- Email: bfs.admin@dpird.nsw.gov.au
- Post: NSW Food Authority, PO Box 232, Taree NSW 2430