

Home-based food business

Handling food for sale at an address which is also a domestic premises means there are special food safety issues to consider.

Examples of home-based food businesses include:

- preparing food for sale at markets or school canteens in a domestic kitchen
- bed and breakfast accommodation
- home-based childcare for a fee involving the provision of food
- home-based catering businesses
- restaurants with accommodation for the restaurant owner, family or staff.

Notification

When a food business sells directly to consumers

Local councils regulate all domestic kitchens preparing food sold directly to the final consumer, either from the premises or elsewhere - such as at a market or school canteen.

These businesses need to notify their details, including trading name, contact details, location(s), business owner details and the nature of the food business.

Councils collect this information in different ways – a good place to start is your local council's website.

- [Find your local council.](#)

When businesses do not sell food directly to consumers

The NSW Food Authority regulates domestic kitchens that only sell food to other businesses, such as cafes, restaurants and supermarkets.

These businesses need to notify the NSW Food Authority of their business and food activity details.

- [Food Authority notification portal](#)

Obligations for food businesses

Like all food businesses, those based at home must comply with the relevant parts of the Food Standards Code, including:

- Standard 3.2.2 Food Safety Practices and General Requirements
- Standard 3.2.2A – Food Safety Management Tools
- Standard 3.2.3 Food Premises and Equipment
- Part 1.2 Labelling and other information requirements.

Before a food business can start operating, owners need to make sure the proposed activities are approved by their local council. Some councils may not approve operations involving high risk foods.

Standard 3.2.2A – Food Safety Management Tools

Home-based businesses that sell or serve food that is unpackaged, potentially hazardous and ready-to-eat, directly to consumers, need to implement 2 or 3 food safety management tools, depending on their activities. These tools are:

- have a qualified Food Safety Supervisor
- ensure all food handlers are trained
- be able to show food is safe.

Some businesses, including school canteens and home-based children's services, have until 8 December 2024 to comply with Standard 3.2.2A.

For more information see [Standard 3.2.2A - Food Safety Management Tools](#).

Issues to consider

Anyone in charge of a food business needs to identify food safety issues and implement measures to control risks.

Premises design and construction

Standards for flooring in kitchens and storerooms, and requirements for personal hygiene areas, such as adequate hand washing facilities, need to be met. Check with the local council about what is acceptable. They can also advise on zoning restrictions, development planning, construction and fit-out standards, waste disposal, environmental controls and any other local regulations.

Keep cold foods properly refrigerated

Adequate refrigeration capacity is essential to ensure cold food remains safe. It is important to keep certain food such as meat, eggs and dairy under 5°C at all times, including during transport.

Overloading domestic refrigerators and constantly opening the door means food takes longer to cool or does not stay cold enough, meaning harmful microorganisms have more chance to grow. Always use a fridge thermometer to check your fridge is cold enough.

Cook food thoroughly

Cook food thoroughly without overloading the oven. Cool down cooked food as quickly as possible – for example refrigerate in small portions to allow proper cooling. Use a food thermometer to make sure what you are cooking reaches the required temperature.

Handle food hygienically

It is very important to keep ready-to-eat food and raw food or ingredients separate. This means that food contact surfaces, utensils, containers, tea towels and the like should not be used for both raw and ready-to-eat foods without being thoroughly cleaned in between.

Everyone who handles food for sale must have food safety skills and knowledge appropriate to their activities. Top of the list is proper hand washing, especially after using the toilet. Single-use towels are the safest way to dry hands, as tea towels can transfer dangerous organisms between hands and food.

Young children, pets, and people who are sick should stay out of food preparation areas. Food must be protected from pests and vermin at all times, including raw ingredients.

Cleaning and sanitising

Food premises, including fixtures, fittings and equipment must be maintained in a clean condition and all food contact surfaces be cleaned and sanitised.

Cleaning and sanitising are 2 separate and important tasks. These critical processes help prevent the growth and spread of organisms that cause food poisoning and help reduce the activity of pests.

A food business must also ensure that eating and drinking utensils, and food contact surfaces of equipment, are clean and sanitised. Garbage and recycled matter needs to be stored in appropriate containers.

The factsheet [Cleaning and sanitising in food businesses](#) outlines requirements.

Store food safely

Food containers and other containers should not be re-used if they are not rated for multiple use by the manufacturer. Some food containers can transfer harmful chemicals to food if not used correctly.

Product labelling

Labels of packaged foods must show:

- name and/or description of the food
- identification of the 'lot' number
- name and Australian street address of the manufacturer or supplier
- the list of ingredients
- 'best before' or 'use-by' date, as appropriate
- batch numbering for traceability
- a Nutrition Information Panel (unless exempt)
- the country of origin of the product and its ingredients
- warning and advisory statements and declarations
- any other requirements of the Food Standards Code.

Our Labelling fact sheet outlines the requirements.

There are also labelling restrictions to comply with, such as declaring 'characterising ingredients', making health claims in product marketing and other prohibitions.

Keep records

Keep batch records of ingredients so these can be traced if an ingredient is recalled by another producer.

Inspections

Food safety officers from the NSW Food Authority and Environmental Health Officers (EHOs) from the local council are entitled to visit and inspect domestic premises involved in a food business.

More information

- visit the Food Authority's website at foodauthority.nsw.gov.au
- phone the helpline on 1300 552 406
- visit the Food Standards Australia New Zealand (FSANZ) website at www.foodstandards.gov.au

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