



**KANGAROO  
ISLAND  
COUNCIL**

# **Construction Guidelines for a Home Food Business**





## Introduction

In recent times there have been an increasing number of people wishing to use their domestic kitchen (home kitchen) to prepare food for sale, particularly because of the convenience and cost saving advantages.

There are specific requirements for those who wish to use their own kitchen for this purpose and the following guidelines set out the minimum requirements which need to be complied with. Keep in mind that these guidelines are specifically designed for **small operators** and not large full-time businesses which would be better served by investigating the availability of larger commercial premises for purchase or rental.

The premises and their proposed use must firstly comply with the definitions of a “home activity” as defined by the Development Regulations 2008 (see below). Secondly, the proposed kitchen must meet the requirements of Australian Food Standard 3.2.3 Food Premises and Equipment.

## Home Activity

Home activity as defined by the Development Regulations 2008 means any use of a site by a person resident on a site that complies with the following criteria:

- The floor or site area of the business shall not exceed 30m<sup>2</sup> of floor area
- Not more than one other person in addition to the specified person shall work on the premises at any time
- No non-domestic requirements shall be placed upon any public utility
- No products or goods for sale or associated with the business shall be displayed
- No vehicles in excess of 3 tonnes in weight shall be associated with or service the business
- There shall be no detrimental effect on the amenity of any part of the locality
- No display of goods in a window or about the dwelling or cartilage
- No sign other than a non-illuminated sign not exceeding 0.2m<sup>2</sup> and displaying only the name, address and identification of the business or profession shall be permitted
- No nuisance shall be caused to any owner or occupier of land in the vicinity
- Nuisance is considered to be an activity that is an annoyance to another person and may include:
  - Excessive noise
  - Traffic – deliveries, parking etc.
  - Excessive number of visitors to the property
  - Activity outside of normal business hours
  - Generation of fumes, dust, smoke etc.

## Physical Requirements for a Domestic Kitchen used for Commercial Food Preparation

Existing kitchens as well as new kitchens need to be fitted-out in accordance with the requirements of Chapter 3 of the Australia New Zealand Food Standards Code (Australia only), and in particular, Standard 3.2.3 Food Premises and Equipment. Standard 3.2.3 of the Food Standards Code is adopted under the Food Regulations 2002 and is therefore a lawful requirement.

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**Note:** In addition to the above, Standards Australia also produce the Australian Standard AS 4674 – 2004 for the Design, construction and fit-out of food premises. This document should be viewed as the ideal guide, although it is far more prescriptive than most home catering activities would require. (However, it is not picked up under any South Australian legislation and is therefore not currently enforceable by law).

### Design and Construction

The current requirements under the *Food Act 2001* and the Food Safety Standards are far less prescriptive than those under the old Food Act, although they were still designed with food safety as the main driving force.

These *Guidelines for Commercial Food Preparation at Home* are adapted from the requirements of Food Safety Standard 3.2.3, which states that:

The design and construction of food premises must:

- Be appropriate for the activities for which the premises is used
- Provide adequate space for the activities to be conducted on the food premises and for the fixtures, fittings and equipment used for those activities
- Allow for the premises to be effectively cleaned and, if necessary, sanitised to the extent that is practicable
- Ensure dirt, dust, fumes, smoke and other contaminants
- Have correct pest control in place
- Provide a clean environment to eradicate the harbourage of pests

### Floors Walls and Ceilings

Floors in food preparation and storage areas must be smooth, durable and impervious to water, grease and oil, and capable of being effectively cleaned. Coving at floor/wall junctions is required in wet areas and all food preparation areas.

Suitable finishes are:

- Polyvinyl sheeting with welded seams sealed quarry tiles
- Ceramic tiles
- Epoxy resin
- Steel trowelled case hardened concrete

Floors to cool-rooms and freezer rooms (if applicable) must be finished with coving and appropriate floor covering as for food preparation areas.

Walls in food preparation areas, wet areas and areas where unpackaged food is stored must be smooth, durable, impervious to water or grease and readily washable.

Suitable finishes are:

- Ceramic tiles
- Stainless steel sheeting smooth finished laminates

Other food storage areas must have finishes that are smooth, non- absorbent and readily cleanable.

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Suitable finishes are: As for food preparation areas

- Smooth plaster or cement sheeting finished with a light coloured washable paint

Ceilings and wall junctions in food preparation areas must be

- Smooth and dust proof
- Finished with a light coloured, washable paint. Acoustic tiles, or drop in panels are not acceptable.

### Lighting of Premises

The premises should be provided with adequate natural or artificial lighting. Lighting is adequate if it complies with the provisions of Australian Standard AS 1680 "Interior Lighting", Part 1 and Part 20.

### Hand Basins

Standard 3.2.3 Clause 14 Hand washing facilities; Subject to subclause (4) states that food premises must have hand washing facilities that are located where they can be easily accessed by food handlers.

Hand washing facilities must be;

- Permanent fixtures;
- Connected to, or otherwise provided with, a supply of warm running potable water;
- Of a size that allows easy and effective hand washing; and
- Clearly designated for the sole purpose of washing hands, arms and face.

The hand basin should be supplied with soap or a suitable detergent or liquid soap, a nailbrush and an adequate supply of single-use paper towels or other suitable hand drying facilities, located adjacent to the hand basin. A waste bin must also be provided for the disposal of used paper towels.

The hand basin must be kept in a clean and sanitary condition, in good repair and must not be used for any other purpose other than washing hands, including the washing of foodstuff or equipment. A separate sink should be used for cleaning equipment, utensils etc. A domestic double sink can be used for both purposes provided that each sink is labelled appropriately to indicate which is which.

Antibacterial hand sanitisers in the form of alcohol gels are now available and these are acceptable as an additional means of preventing contamination of food. Only alcohol gels designed specifically for the food industry are acceptable, since they are less likely to have other additives (e.g. scents).

**Note:** In cases where the Food Business is principally a domestic dwelling, Council's Environmental Health Officer is able to provide written exemptions from certain requirement of the Food Safety Standards relating to hand basins.

### Equipment, Fixtures and Fittings

All tables, benches, shelves, trays, fittings or appliances used in the manufacture, preparation, package or storage of food must be constructed of smooth, impervious and durable (resistant to cracking or peeling) materials. All joints are to be impervious to moisture transfer and finished to a professional standard.

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Suitable materials are:

- Powder coated steel
- Stainless steel
- Rolled edge laminate

The equipment used should be of a commercial design standard where possible. Equipment, appliances and shelving should be clear of the floor on legs, on plinths or on casters (wheels) to enable the appliance to be moveable.

The hot water system should be of sufficient capacity to cope with the intended workload and maintain a temperature complying with the requirements of the relevant State legislation.

Fixtures, fittings or appliances in any premises or vehicle must be able to be easily cleaned and must be constructed so as not to be likely to harbour vermin.

Since most domestic hot water services and dishwashers do not reach high enough temperatures to sanitise food preparation equipment, it may be necessary to utilise a chemical sanitiser to ensure that all equipment is thoroughly clean and free from dangerous micro-organisms. However, speak to Council's Environmental Health Officer about this before going any further.

## Food Preparation and Storage Areas

Food that is prepared for sale in the home should only be prepared or stored in an area designed and set aside for such a purpose. Storage in another room may be acceptable providing that the food is kept within a large plastic container with a close-fitting lid. It should not be stored in any toilet, bathroom or other room that opens onto a toilet or bathroom. The size of the kitchen and storage areas should be adequate for the intended use.

## Animals

Pets, including birds, cats and dogs, should NEVER be allowed in the room where food is prepared or stored or into a vehicle where food would be transported.

Insects and pests, such as flies, cockroaches, rats and mice can spread disease. Professional pest control methods should be maintained on a regular basis to investigate and to eradicate any pest harbourage.

## Food Transportation

Whilst ideally a food transport vehicle should not be used for any other purpose, it is recognised that this is not always possible, especially with small food businesses operating from a domestic dwelling. For this reason the food transport vehicle must be kept as clean as possible and the food only transported in suitable plastic containers, insulated or otherwise to keep prepared food at the correct temperatures.

All food must be protected from possible contamination during transportation. This can best be achieved by using insulated "Esky" type containers for potentially hazardous food, and using large plastic containers with close-fitting lids for non-potentially hazardous food such as biscuits, cakes, jars & bottles.

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Potentially hazardous food must be maintained either at or below 5 °C or at or above 60 °C.

Many non-potentially hazardous foods can be prepacked for sale in small plastic bags or disposable plastic containers with lids so as to avoid unnecessary rehandling of the food later.

Pets should not be carried in a vehicle used to transport food, but if there is no other alternative, then the food should only be transported once the vehicle has been cleaned and must be in safe containers to avoid any contamination from pet fur, saliva etc.

## Temperature Control

Foods that are susceptible to the rapid progressive growth of infectious micro-organisms or food poisoning bacteria include those that consist of milk or milk products, eggs, meat, fish, cooked rice or pasta, or opened shellfish. These foods are generally known as “potentially hazardous foods”.

Survival and multiplication of these micro-organisms is dependent upon the temperature of the food. Harmful food poisoning bacteria survive and thrive between 5 °C and 60 °C. Therefore it is important to keep foods out of this “**DANGER ZONE**”. A probe thermometer, accurate to +/- 1° C must be available on premises in order to accurately record temperatures of fridges and freezers. A probe thermometer is also useful to accurately record temperatures of all hot foods.

When processing potentially hazardous food that is not undergoing a control step, ensure that the food remains at temperatures that eliminate the growth of either infectious or toxigenic micro-organisms, in particular, when cooling potentially hazardous food it must be:

- within two hours – from 60°C to 21 °C; and
- Within a further four hours from 21 °C to 5 °C, unless you can demonstrate that the cooling process used will not adversely affect the microbiological safety of the food.

## Labelling

All packaged food prepared and offered for sale **MUST** be labelled correctly. The following website will provide you with all the information you need in regards to food labelling.

<http://www.foodstandards.gov.au/consumer/labelling/Pages/default.aspx> food.

The following information is legally required:

- Name and description of the product and its contents
- Name and address of the manufacturer
- Mandatory warning and advisory information (e.g. allergens), and Health and Safety advice regarding storage of the product (e.g. refrigerate after opening).
- Every label must have a list of all ingredients – not a recipe. List the ingredients in descending order by weight.
- Food additives in an ingredient list must be listed in accordance with the Food Standards Code.
- Where the food is imported its label must state the importer’s full name and address, and the country of origin.
- Date mark (e.g. best before, use by, baked on etc.).

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A nutritional information panel listing servings per package, serving size and quantity per serving size and quantity per 100g for such things as Energy, Protein, Fat (both Total and Saturated), Carbohydrate (incl. sugars) and sodium. The panel must also indicate that the values are average, minimum or maximum quantities.

The following FSANZ website provides an online calculator to assist with calculating nutrition information panel values for each nutritional property: [http://www.foodstandards.gov.au/the\\_code/nutritionpanelcalculator/index.cfm](http://www.foodstandards.gov.au/the_code/nutritionpanelcalculator/index.cfm)

**Note:** Because of the many complications of labelling, it would be wise to seek advice rather than risk prosecution. This is especially true when listing food additives.

If you plan on going further than just producing a few small items for a market stall or similar, then you need to consider having samples of the food you manufacture analysed by a commercial laboratory. They can calculate a use by date for you as well as prepare a nutrition label from an analysis of the finished product. Laboratories can be found in the “Yellow Pages” directory. Naturally there is a cost for an analysis, but it is generally a once off.

## Food Handling Tips

Thorough hand washing is essential after:

- Going to the toilet
- Using a handkerchief or tissue
- Smoking
- Handling garbage or doing cleaning jobs
- Handling raw foods and before handling any food or utensil.

Practice good personal hygiene, with your hair covered or tied back, not wearing jewellery whilst handling food, keeping fingernails short and clean and wearing clean aprons or uniforms.

- Do not wipe your hands on your clothes or touch your body
- Use clean utensils, not hands to move food.
- Store food below 5 °C and above 60 °C. Anything in between can cause food poisoning, illness or death.
- Be careful to choose and use hygienic sources of supply, e.g. cartons that arrive contaminated by rodents or cockroaches can introduce disease to the premises.
- If cartons used in carrying the food are placed on food preparation areas (i.e. benchtops) for ease of handling, ensure that the food preparation area surface is sanitised afterwards.
- Avoid cross-contamination by storing raw and cooked foods separately. Cooked foods go at the top of the refrigerator, raw foods at the bottom.
- Keep your premises clean. Dirt promotes the growth of pests and bacteria.
- Remove visible dirt by cleaning and reduce invisible bacteria by sanitising.
- Smoking in a food preparation area is not only illegal but it is also unhygienic.
- Be aware that healthy humans can be carriers of bacteria. Use gloves or tongs when handling food to create a barrier between you and the food.
- Good food handling ensures good eating.

### Public Health Requirements

All Food Businesses must lodge a Notification form with the local Council in whose area they operate. However, the food premises should be inspected and approved for home catering use before operations can commence. The operators should also be aware that Council's Environmental Health Officer can inspect the premises at any time, day or night that the catering kitchen appears to be in use. Any domestic food for whatever reason kept in the kitchen where food for sale is prepared or packed is also subject to inspection and must comply with the relevant food laws.

Checklist for those wishing to use a domestic kitchen for commercial food preparation.

If you feel that the proposed kitchen meets the requirements under the definition of "Home Activity" and the requirements of Food Safety Standard 3.2.3 Food Premises and Equipment, then you should follow the following suggested procedure:

- Contact Council's Development Services Department on 8553 4500 and discuss your proposal with a representative to ascertain if there are any other steps you need to take.
- Contact Council's Environmental Health Officer on 8553 4500 to discuss the matter and to arrange an inspection of the proposed kitchen.
- If you have not already done so, complete a Food Business Notification form (available from Council's website) and lodge it with Council.
- If you plan to sell food at a Farmers' Market or similar, complete another exemption application form relating to this and contact the operators of the Farmers' Market.

#### DISCLAIMER

*This fact sheet provides a summary of the major issues concerning commercial home catering. Any person using this document must do so on the basis that not every scenario and issue can be addressed, and discussion with Council's Environmental Health Officer and someone from the Development Services Department should be undertaken (8553 4500) before commencing business. This document is subject to change without notice.*