



TEMPORARY FOOD STALL LICENCE

Food prepared or sold from markets or outdoor events must comply with State food laws. The Food Act 2006 states the requirements for food handlers and food businesses and refers to Food Safety Standards, which provide greater detail on specific requirements under the law.

The temporary nature of outdoor events and markets means that all of the structural requirements of the food laws cannot be applied. However, certain minimum requirements are necessary to ensure a high standard of food handling and safe food.

Providing food at events or markets

The provision of food to people in connection with an event or market requires compliance with the relevant provisions of the Food Act. This includes food provided free as part of a giveaway or promotional event.

In some instances, you may be required to hold a licence for a temporary food stall.

When is a food licence needed?

A licence is needed for a temporary food stall if unpackaged food is sold by retail.

Examples include:

- cut fruit or vegetables
- fruit or vegetable juice processed at the place of sale
- sausage sizzle or barbecue
- unpackaged takeaway foods such as hamburgers, hot dogs, pizzas or hot chips
- unpackaged pasta, lasagne or curry
- unpackaged yoghurt
- any other unpackaged food, unless it is included in the following exemptions.

Are there any exemptions from needing a food licence?

There are exemptions from licensing requirements for some low risk foods. Businesses that do not need a licence will still need to comply with the Food Act and the relevant minimum standards for a temporary food stall.

You do not need a licence for your temporary food stall if:

- only packaged food is handled only unpackaged snack food is sold, meaning any of the following that is not potentially hazardous food;
 - biscuits or cakes
 - confectionary, corn chips, potato chips or nuts
 - dried or glazed fruit only whole fruit or vegetables are sold
- only seeds, spices, dried herbs, tea leaves, coffee beans or ground coffee is sold
- the only preparation carried out involves the grinding of coffee beans
- only drinks are sold (other than fruit or vegetable juice processed at the place of sale), including ;
 - tea or coffee
 - soft drinks
 - alcoholic drinks
- only ice or flavoured ice is sold, for example - shaved ice or snow cones - slurpees primary produce is produced under an accreditation granted under the Food Production (Safety) Act 2000, part 5
- fisheries resources are processed or sold under a buyer licence issued under the Fisheries Regulation 1995