

Your Other Food Business Information Pack contains a checklist of things you may need to do to start an Other Food business. It provides you with information about issues relevant to Other Food businesses, with a checklist, fact sheets and details on where to go for help.

This Information Pack contains a checklist that can be used to ensure that relevant issues have been addressed. The checklist has already been marked with a tick if you said that you had already addressed an issue, and with a cross if you said the issue was not relevant to your business.

How to use this report:

- 1. Read the information provided and consider which issues are relevant to your business.
- 2. Determine the order in which you need to address the issues. Generally the topics appear in your report in the order in which you will address them however, your business advisor, accountant or solicitor can help you confirm the best order for your business.
- 3. Use the checklist to assist you (and your advisor, accountant, solicitor) to ensure all issues have been fully addressed.

Your business advisor or accountant, solicitor, or the relevant Government agencies will be able to assist you to determine the order in which you need to apply for licences.



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Your Checklist

Business Planning

Preparing a business plan assists you to look at your business objectively.

It will help you to identify strengths and weaknesses, pinpoint needs that could easily be overlooked, identify problems before they arise and provides information for others to evaluate your venture.

More information about Business Planning appears on page 9.

Business Structure

There are four main business structures used by small business:

- Sole Trader;
- Partnership;
- Trading Trust; and
- Company.

Your choice depends on the circumstances of your business, the other people involved in it, any potential tax benefits and your goals for the future of the business.

More information about Business Structure appears on page 11.

Business Names, Company Names, Domain Names and Trade Marks

Once you have decided which business structure is right for you, you then need to decide what name you will use to trade.

If you intend to trade in a name other than a company name or your own name(s), you must register that business name

More information about Business Names, Company Names, Domain Names and Trade Marks appears on page 13.

Franchising

A franchise is a type of business ownership where an individual, partnership or company can operate a business under a banner of an already established business.

More information about Franchising appears on page 15.

Insurance

Some forms of insurance may be compulsory for your business, such as workers' compensation and third party car insurance.

Other types of insurance you may need include personal accident and illness, assets & revenue cover and various liability insurances. Your requirements will vary according to your circumstances.

More information about Insurance appears on page 17.

Employment

If your business will employ staff there are a number of issues you may need to be aware of including:

- the type of employees you can employ;
- the impact of Industrial Relations legislation on you and your employees;
- your taxation & superannuation requirements;
- your workers compensation insurance requirements; and
- your occupational health and safety obligations.

More information about Employment appears on page 19.

Taxation



The taxation requirements and the registrations you may require for your business will depend upon the business structure you choose and the nature of your business, but can include:

- Australian Business Number;
- Tax File Number;
- Goods and Services Tax;
- Fringe Benefits Tax; and
- Pay As You Go.

More information about Taxation appears on page 21.

Building, Health and Planning Approvals

Food business premises in the Northern Territory must comply with the requirements under the *Building Act* as well as any additional requirements imposed by the *Food Act* 2004 and the Food Standards Code.

If you intend to run your business at, or from, your home you may require consent from the Development Consent Authority. You must register your food business before you can commence trading.

More information about Building, Health and Planning Approvals appears on page 23.

Food Outdoors

Taking food out of its regular environment e.g the fridge, freezer, pantry or clean kitchen and into the outdoors for long periods of time can bring added risks because:

- Bacteria grow more easily when food is stored in the 'temperature danger zone' of between 5 60 degrees C.
- Facilities for cleaning and hand washing may be inadequate, and clean water is not always available.
- Food can be exposed to contamination from insects, pests and animals.

More information about Food Outdoors appears on page 25.

Food Handling

Businesses must ensure:

- that people on their premises do not contaminate food;
- that food handlers and their supervisors have the appropriate skills and knowledge; and
- hand washing facilities are provided for food handlers.

They have special responsibilities regarding the health and hygiene and the privacy of their food handlers. Food handlers also have specific obligations.

More information about Food Handling appears on page 27.

Food Labelling

Under the Food Standards Code certain foods must be labelled. If you are manufacturing or packaging food for retail sale or catering purposes, then you may be required to label the food or its packaging. Certain seafood must be labelled even if it is not packaged. The requirements for labelling are set out in the Standards with particular foods having additional requirements.

More information about Food Labelling appears on page 29.

Food Safety

There are specific food handling controls in the Food Safety Standards relating to the receipt, storage, processing, display, packaging, transportation, disposal and recall of food. Of particular importance is the handling of potentially hazardous (or high risk) foods that require temperature control.

More information about Food Safety appears on page 31.

Cleaning and Sanitising

There are specific food handling controls in the Food Safety Standards relating to the cleaning, sanitising and maintenance of food premises, fittings and equipment.

More information about Cleaning and Sanitising appears on page 33.

Food Transport

Under the Food Act 2004, a business that is transporting food is a food business and must be registered. Often the



business that is transporting the food is also handling, serving or selling the food.

However, a business that just transports food is also a food business, even if it also transports other goods. The vehicles themselves do not require special registration. The requirements for food transport vehicles are set out in the Food Standards Code Standard 3.2.3

More information about Food Transport appears on page 35.

Record Keeping

Keeping good records is vital for any business to succeed. Records kept on paper are just as valid as those stored on computer. The Australian Taxation Office (ATO) requires all businesses keep taxation records for a period of five years. There are also requirements under the *Fair Work Regulations* and the Food Standards Code to keep records.

Ultimately what is important is that you keep accurate, relevant records and update them on a frequent

basis. More information about Record Keeping appears on page 37.

Food Safety Programs & Accreditation

Not all food businesses need a Food Safety Program. Food businesses serving vulnerable populations and other high risk food sectors are required to have programs, including: hospitals, nursing homes, some catering businesses, and manufactured meat producers.

Food businesses may be required to have an approved Food Safety Program before they can trade with large businesses such as Woolworths or Coles.

More information about Food Safety Programs & Accreditation appears on page 39.

Alcohol Service and Smoke Free Areas

If you intend to serve alcohol then you should consider whether your staff should be trained in the Responsible Serving of Alcohol. The owner or manager of the business is usually required to do this training when they apply for a liquor licence.

Food service areas, including takeaways, cafes and restaurants are smoke-free. Food service areas that are indoors cannot be exempted from this requirement however outdoor dining areas can remain smoking areas in certain circumstances.

More information about Alcohol Service and Smoke Free Areas appears on page 41.

Import/Export of Food

Exporting your product may be a viable way to expand your business. There are a number of factors that must be considered when preparing to export including assessing the risks against the advantages.

If you intend to import food for use in your business there are a number of requirements you must comply with.

More information about Import/Export of Food appears on page 43.

Other Licences

Most businesses require some form of licensing, whether it's a general licence or an activity-specific licence.

Business licences include registrations, approvals, licences, permits, and other compliance requirements such as notifications. You should ensure that you have the correct licences before commencing your business.

More information about Other Licences appears on page 45.

Other Services

There are a number of other services that can assist your business in a variety of ways including relevant financial assistance schemes and small business incubator programs.

More information about Other Services appears on page 47.



Disclaimer

The information contained on the Australian Business Licence and Information Service (ABLIS) web site, or via packages or other sources is intended for general guidance only.

To the full extent permitted by law, the Federal, State, Territory and Local Governments make no representations or warranties (expressed or implied) in relation to the information, including its accuracy, currency or completeness.

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Business Planning

A business plan should clearly explain the **who**, **what**, **where**, **why**, **when**, and **how** of the proposed business opportunity. It should have details of the business opportunity, its market, the people involved, the money required to implement the plan and where it will come from, and what financial results it is likely to produce. There is no right way of doing a business plan but as a minimum it should contain the following topics:

- Executive Summary;
- Marketing Plan;
- Operations Plan;
- Organisational Plan; and
- Financial Plan.

Other Useful Information

Business Planning Templates business.gov.au provides business planning templates.





Business Structure

Some of the advantages and disadvantages of the four main business structures used by small business are:

Sole Trader

Advantages

- Easy and cheap to establish
- Total control of business
- Least reporting requirements
- Taxation advantages if profits low

Disadvantages

- Capital limited by personal assets
- Unlimited personal liability for business debts
- Holiday breaks and illness may be an issue
- Taxation disadvantages if profits high
- Sole trader not covered by Workers Compensation or Superannuation Guarantee legislation

Partnership

Advantages

- Inexpensive to establish
- Access to more capital
- Access to skills, knowledge
- Shared control and responsibility
- Tax advantages where family relationship
- Easy to dissolve

Disadvantages

- Needs Partnership agreement
- Disputes can arise over authority, profits etc
- Unlimited personal liability for debts incurred by other partners
- Other partners can dissolve business
- Possible tax disadvantages
- Partners not covered by Workers Compensation or Superannuation Guarantee legislation

Trading Trust

Advantages

- Possible taxation advantages
- Easier succession planning

Disadvantages

- Complex and expensive to establish and run
- Higher compliance costs
- May be difficult to dissolve

Company

Advantages

- Limited liability for business debts
- Separate legal entity, can make agreements, sue and be sued
- Can own property
- Working directors may be covered by Workers Compensation and Superannuation Guarantee legislation

- Can attract investors
- Can easily transfer ownership

Disadvantages

- Relatively expensive to establish
- Higher compliance costs
- Strict compliance rules
- Company tax payable

Other Useful Information

<u>Australian Taxation Office - Business Structure Information</u> The Australian Taxation Office provides useful information on what business structure may best suit your needs.



Business Names, Company Names, Domain Names and Trade Marks

Once you have decided which business structure is best for you, you then need to decide what name you will use to trade. This is known as your trading name or business name.

Business Names

If you intend to trade in a name other than your own name (or company name) then you must register a business name. The registration is valid for a period of up to three years, and can be renewed, provided you comply with the requirements of the Business Names legislation.

It is important that you carry out checks to make sure the business name you have chosen can be registered. If it is too similar to another business name, or the same as an existing company name it may be refused.

It is also very important that you check to make sure your business name will not infringe another person's trade mark. A trade mark protects a business's exclusive rights to use particular words or symbols, including its name. If your business name infringes a trademark you may be required to change that name even if it is registered.

Company Names

Companies and their names are also registered nationally and have a legal status across Australia. Unlike business names, company names may be registered even if they are similar to an existing company or business name.

Domain Names

If you intend to set up a web site for your business, you will need to register a Domain Name. You do not have an automatic right to a particular domain name just because you have registered that business or company name, or trade mark. Domain names are licensed on a 'first come, first served' basis to eligible applicants.

When choosing a domain name consider the following:

- Does the name make sense to your customers;
- Is it easy to remember and type; and
- Would your customers be able to guess the name.

Trade Marks

Registering a trade mark is a complex and time-consuming process and should be undertaken in consultation with your financial advisor, accountant or solicitor.

In summary:

- **Business Names** registration is national;
- Company Names registration is national;
- Domain Names are a licence to use a name for a particular period; and
- Trade Marks offer exclusive protection of your right to particular words or symbols, including your business name.

Other Useful Information

ASIC Connect - Business & Company Names

The ASIC Connect service can be used to check if the business or company name you have chosen is already in use, and to register your business name online. Company registrations are usually done via accountants, financial advisers or specialised services.





Franchising

A franchise allows you to run your own business but still benefit from the security and experience of a large organisation. backed up by a proven business system, with existing training programs, equipment, marketing tools and brand recognition.

Like all small businesses, franchises are not without risk and you should carefully evaluate a franchise before paying for the licence. Buying a franchise involves the normal checks and due diligence you would apply to starting your own business or buying any existing business.

Advantages of a franchise include:

- use of an already-established business name and reputation;
- access to the franchisor's management systems and industry knowledge;
- support of the franchisor in establishing and running the business; and
- flow-ons from the franchisor's advertising, buying power, established goodwill and trade marks.

Disadvantages may include:

- franchisor control of management techniques, supply sources and product/service range;
- reputation of franchise may be affected by factors beyond franchisee's control;
- franchisor could have financial difficulties or sell the head franchise; and
- franchise could have defined/limited geographical market thus reducing the potential to grow the business.

Other Useful Information

Franchising Code of Conduct The Franchising Code of Conduct ensures that franchisees are informed of all relevant facts when starting their business, and that they can access a fast and relatively inexpensive way to resolve any disputes.





Insurance

The insurance needs of a business can be complex, you should discuss your insurance needs with an insurance broker or insurer before commencing your business. Some of the policies available to business include:

- •Burglary Insurance covers theft of property and damage by burglars, following forcible entry to your premises;
- •Business Interruption or Loss of Profits Insurance covers business interruption through damage to property by fire or other insured perils;
- Fire and Other Perils Insurance covers the building which houses your business, plus its contents and stock. The risks covered are fire and other perils;
- Partnership Insurance in the event of the death of a partner it protects surviving partner/s against the demands of the deceased partner's estate;
- Personal Insurance (illness death or accident) is particularly important if you are self-employed or a subcontractor and you are not covered by workers compensation insurance;
- Professional Indemnity Insurance covers breach of professional duty. This type of insurance is not cheap, but could be critical if you work as a consultant or set yourself up as an expert/adviser;
- Public Liability Insurance covers your legal liability arising out of the conduct of your business. This covers compensation or legal costs if someone dies, is injured or suffers some damage to property caused by you or your employees;
- Product Liability Insurance covers damage to another business and/or death or personal injury caused by the failure of a product you manufacture, assemble, modify, import or sell;
- •Workers Compensation Insurance is compulsory in the Northern Territory. If you are an employer you must take out and keep up to date a Workers Compensation insurance policy covering all your workers, with an approved insurer. If you are a working director you may take out workers compensation insurance to cover you. If you are self-employed or a subcontractor, you are not covered by workers compensation insurance and should take out Personal insurance (see above); and
- •General Property Insurance covers the cost of repairing or replacing specified items that were accidentally lost or damaged, such as cameras, mobile phones, tools, etc.





Employment

Workers for your business can be:

- Employees they receive salary or wages, with tax taken out, and superannuation paid on their behalf by you. They can be permanent full time or part time, or casual. Permanent employees have other entitlements such as holidays and sick leave;
- •Labour Hire workers you pay another business (or agency) to provide you with workers on an agreed basis, often hourly. You can get people at short notice with specific skills, or for a short period. You pay the agency a fee which often includes a commission. The agency is the employer, and pays the wages, tax and other entitlements of the workers;
- Contractors you pay contractors (or subcontractors) to perform set tasks for a fee. They run their own business, have their own insurance and provide you with an ABN. They are generally more expensive than employees, but can bring specialised skills to your business. They are often used for a single job, or for jobs of a particular type; and
- •Australian Apprentices/Trainees can be employed either directly, or through a Group Training Organisation. The Group Training Organisation is the employer and the trainee is then provided to you, in an arrangement similar to labour hire for employees. There are financial incentives for employing Australian Apprentices/Trainees.

There are advantages and disadvantages to each of these alternatives, and you should consider which one (or combination) is the best for your business.

Contractors

If you intend to use independent contractors, rather than employees, you must ensure that you comply with the Commonwealth Independent Contractors laws.

Industrial Relations legislation

All businesses in the Northern Territory employ staff under the Commonwealth Industrial Relations legislation. For more information about the legislation contact the Fair Work Commission.

Taxation and superannuation

You must withhold income tax contributions from payments made to employees, but not for contractors who provide an ABN, or labour hire firm workers. Under the Superannuation Guarantee legislation you must pay superannuation of 9.5% into a superannuation fund for each employee (or in some circumstances, contractors).

Workers Compensation Insurance

All employers must have workers compensation insurance to cover their workers as required by law in the Northern Territory.

If you are a working director your business **may** take out workers compensation insurance to cover you. There are additional requirements that you must notify your insurer. There are similar requirements for family members employed in the business.

In the Northern Territory you must insure with one of the NT WorkSafe approved insurers.

Occupational Health and Safety

Safety in the workplace is critical to the success of running a business, no matter what size it is. As a small business owner you have certain rights and responsibilities regarding health and safety in your workplace, irrespective of whether your workers are employees, labour hire workers or contractors.

Other Useful Information

Australian Taxation Office - PAYG Information

The Australian Taxation Office (ATO) provides information on PAYG withholding for business.

Australian Taxation Office - Superannuation Information

The Australian Taxation Office (ATO) provides information about your superannuation obligations as an employer.

Australian Taxation Office – Contractors

The Australian Taxation Office (ATO) provides information about whether a worker is a contractor or employee.

Fair Work Ombudsman

The Fair Work Ombudsman enforces compliance with the Fair Work Act, related legislation, awards and <u>registered</u> <u>agreements</u>. We also help employers and employees by providing advice and education on pay rates and workplace conditions.

Independent Contractor Laws

The Independent Contractors legislation is available online.

NT WorkSafe – Safety in the Workplace

NT WorkSafe provides information for employers and employees regarding workplace safety.

NT WorkSafe - Approved Insurers

NT WorkSafe publishes a list of approved insurers for workers compensation insurance in the NT





Taxation

The common taxation registrations you may require for your business include:

- •Australian Business Number (ABN) this registration is not compulsory for businesses, however if you intend to register for GST, FBT or PAYG you will require an ABN. If you do not have an ABN any payments made to you will have tax withheld. You can apply for an ABN even if you don't register for GST, FBT or PAYG;
- •Tax File Number (TFN) sole traders use the individuals TFN; Partnerships, Trusts and Companies have their own TFN used when lodging their annual returns. Can be applied for with the ABN;
- •Goods and Services Tax (GST) any business with a turnover of more than \$75,000 per year must register for GST. Businesses with a turnover of less than \$75,000 may register. Registration allows you to claim input tax credits for the GST included in the price of things bought for the operation of your business;
- Fringe Benefits Tax (FBT) is payable on a range of non-salary employment related benefits which are provided by employers (or by a person on their behalf) to their employees, or to people associated with employees such as family members; and
- Pay As You Go (PAYG) you are required to withhold tax from payments to employees, some contract workers and other businesses that do not quote you an ABN on their taxation invoice. You may also be required to pay income tax instalments on your business income each quarter using PAYG. You must register as soon as any of these situations arises.

Other Useful Information

ABN Registration

Businesses can apply for an ABN online on the Australian Business Register website or by lodging a form by mail.

Australian Taxation Office - Fringe Benefits Tax (FBT) The ATO website has information about the types of benefits provided to employees that may incur Fringe Benefits Tax

Australian Taxation Office - GST Food Guide The Australian Taxation Office (ATO) provide a useful guide to help food businesses work out the goods and services tax (GST) status of food items.

Australian Taxation Office - PAYG Information The Australian Taxation Office (ATO) provides information on PAYG withholding for business.





Building, Health and Planning Approvals

The Food Act 2004 requires all food premises to meet the minimum standards prescribed by the Food Safety Standards, which are overseen by Food Standards Australia New Zealand (FSANZ).

Food Standard 3.2.3 Food Premises and Equipment sets out the requirements for food premises, fixtures, fittings, and equipment (including transport).

The standard is not prescriptive; it sets out the general requirements to be met rather than prescribing exactly how things must be done. For example:

Food premises must:

- have enough space for their equipment and the work that they do;
- •be protected from pests and other contaminants such as dirt and fumes;
- •be easy to clean and keep clean;
- have enough clean water available and at the appropriate temperature; and
- have a disposal system for garbage, sewage, waste water; sufficient lighting and ventilation;

Fixtures, fittings and equipment must be:

- suitable for the jobs they are used for;
- easy to clean and if necessary to sanitise; and
- made of material that does not contaminate food.

Businesses must have:

- hand basins in work areas so staff can wash their hands in warm running water;
- access to toilets and hand basins near the toilets; and
- storage areas for personal belongings and clothing.

The key agency is the Department of Health (Environmental Health). The agency is a reporting authority under the Building Act and Regulations, requiring them to report on building work undertaken to food premises, within a specified period (10 days). The building certifier is required to provide them with sufficient drawings etc to enable them to determine whether it meets the criteria in the Standards.

Most of the liaison between the food business and the Department takes place via the building certifier who determines the application for a building permit, and issues the occupancy certificate. Part of the final assessment process is an inspection of the business premise by an Environmental Health Officer to assess its compliance with the requirements under the Food Standards Code.

Planning Approval

In the Northern Territory you may require consent from the Development Consent Authority to run your business at, or from, your home. You may also require the approval of other bodies such as your landlord, or your body corporate.

You can check whether you need consent by contacting the Department of Infrastructure, Planning and Logistics (08 8999 6046). Alternatively, you can use the Planning Scheme Business Information Finder (PSBIF) web site.

PSBIF provides you with a tailored report that includes information about properties that are covered by the NT Planning Scheme, it gives details of the zoning of your property and whether your business activity is permitted, discretionary or prohibited.

Other Useful Information

Department of Health Food Safety Information

The Department of Health provides excellent information about food safety and associated issues.

Food Standards Code - Standard 3.2.3 Food Premises and Equipment Food Standards Code - Standard 3.2.3 - Food Premises and Equipment sets out the requirements for food premises, fixtures, fittings, equipment and food transport vehicles.

Planning Scheme Business Information Finder (PSBIF)

The Planning Scheme Business Information Finder (PSBIF) provides you with a tailored report about properties that are covered by the NT Planning Scheme, it gives details of the zoning of your property and whether your activity is permitted, discretionary or prohibited. If your activity is permitted or discretionary the report also provides information about any conditions or requirements with which you must comply.





Food Outdoors

Food poisoning is a real risk when taking food outside. You need to take a little more care when preparing and storing foods for outdoor eating. Remember the simple rule for food safety; keep hot foods hot and cold foods cold.

Common problems when serving and eating food outdoors are:

- Many foods for outdoor eating such as salads, rice dishes, quiche, cold cooked chicken, are pre-prepared. These foods need to be handled properly to reduce the likelihood of any problems.
- •Often hand washing facilities are inadequate with no hot water or soap available.
- Safe water may not be available.
- Usually food preparation areas are small, do not have smooth surfaces and are not too clean. These factors increase the risk of contamination and cross-contamination during food preparation.

You need to take these facts into consideration when preparing and serving food outdoors.

It may help to:

- •Put meat into a cooler when travelling. Meat juices can easily leak onto pre-prepared foods, so package with this in mind. Just in case, place the meat on the bottom of the cooler away from ready-to-eat food.
- •Cut meat into serving-size pieces before travelling and have all salads ready to eat. This will reduce the need to handle foods, particularly when there are no hand-washing facilities.
- Don't pack food that has just been cooked and is still warm. Coolers cannot cool food quickly enough to prevent bacteria growing. Always cover pre-prepared foods securely and keep in the refrigerator overnight. Other perishable foods and drinks, such as deli products, cooked chicken and dairy products must also be cold when put in the cooler.

Cleanliness is always important, but it's especially important when you're preparing food outside. Remember to:

- •Wash your hands before and after handling raw foods. Wash your hands with clean water and soap, and dry hands with clean towels or disposable towels. Consider using disposable wipes if there is no safe water.
- •Keep the outdoor area as clean as possible.
- •Keep food sealed and covered; birds, insects and animals can be a source of food poisoning bacteria.





Food Handling

Under Standard 3.2.2 Food Safety Practices and General Requirements, the owners of food businesses are responsible for making sure that people who handle food or food contact surfaces in their business, and the people who supervise this work, have the skills and knowledge they need to handle food safely.

Formal training is not required. There are many different things you can do and factors you can take into account to ensure that your food handlers have the skills and knowledge they need for their work.

You can choose the approach that best suits your business, provided you can be confident that your staff have the skills and knowledge needed for the work they do.

Food businesses are also expected to ensure, as far as they can, that their food handlers and anyone else on the premises do not contaminate food. They also have specific responsibilities relating to the health of people who handle food, the provision of hand washing facilities, telling food handlers of their health and hygiene obligations and the privacy of food handlers.

Food handlers have an overall responsibility for doing whatever is reasonable to make sure that they do not make food unsafe or unsuitable for people to eat. Food handlers also have specific responsibilities related to their health and hygiene.

Fact sheets

Related Documents

Hand Washing - Fact Sheet This document can also be downloaded from https://www.nt.gov.au/industry/hospitality/food-safety-andregulations/handwashing

Information for Food Handlers - Fact Sheet This document can also be downloaded from https://www.nt.gov.au/industry/hospitality/food-safety-andregulations/information-for-food-handlers

Other Useful Information

Food Handling Fact Sheets for Specific Sectors in the Food Industry

The South Australian Department of Health provide a number of useful fact sheets about handling food for specific sectors in the Food Industry. This fact sheet is not provided by the Northern Territory Department of Health, however food legislation is uniform across Australia and this link will provide valuable additional information.

Food Standards Australia New Zealand (FSANZ) - Food Handling Fact Sheet Food Standards Australia New Zealand (FSANZ) provide a fact sheet about food handling that outlines who is responsible for making sure employees who handle food or food contact surfaces, and the people who supervise this work, have the skills and knowledge they need to handle food safely.

Food Standards Australia New Zealand (FSANZ) - Responsibilites of Food Businesses Fact Sheet Food Standards Australia New Zealand (FSANZ) provide a fact sheet that outlines what responsibilities your food business has in regards to the health and hygiene of your employees that will handle food.

Food Standards Australia New Zealand (FSANZ) - Responsibilities of Food Handlers Fact Sheet Food Standards Australia New Zealand (FSANZ) provide a fact sheet about the responsibilities of your staff that will handle food.

Food Standards Code - Standard 3.2.2 Food Safety Practices and General Requirements Food Standards Code - Standard 3.2.2 Food Safety Practices and General Requirements sets out specific food handling controls related to the receipt, storage, processing, display, packaging, transportation, disposal and recall of food. Other requirements relate to the skills and knowledge of food handlers and their supervisors, the health and hygiene of food handlers and the cleaning and maintenance of food premises and equipment.



Food Labelling

The Standard requires that all foods for retail sale or sold for catering purposes must be labelled except for:

- food not in a package
- •food in an inner package not designed for sale and where the outer packaging shows the required information;
- food made and packaged on the premises from where it is sold;
- food packaged in the presence of the purchaser;
- •whole or cut fresh fruit and vegetables in packaging that does not obscure the nature or quality (does not include sprouted seeds or similar products);
- •food delivered packaged at the express order of the purchaser; or
- food sold at a fund raising event.

Generally labels must contain the following information:

- The name of the food;
- Lot or batch details;
- Name and full street address of manufacturer or packager;
- Mandatory advisory or warning information;
- Ingredient labelling;
- Date mark (Best Before/Use By);
- Health and Safety advice;
- Nutritional Information Panel;
- Characterising ingredients; and
- Country of Origin (Product of/made in).

There may be additional requirements for certain foods.

Nutritional Information Panel

An online calculator on the food standards web site is available for use to create product Nutritional Panel Information for food labels.

Best-before or use-by

A best-before date is the last date on which a food can be expected to retain all of its quality attributes, provided that it has been stored in accordance with any stated storage conditions. Food that is date-marked with a best-before date can be sold after this date, provided the food is not damaged, deteriorated or perished.

A use-by date is the last date on which the food may be consumed safely, provided that it has been stored in accordance with any stated storage conditions. After this date, because of health or safety reasons, the food should not be consumed. Food date-marked with a use-by date cannot be sold after this date, as the food may no longer be safe.

Other Useful Information

Food Labelling Information Fact Sheet The South Australian Department of Health provide useful information about food labelling. This fact sheet is not provided by the Northern Territory Department of Health, however food legislation is uniform across Australia and this link will provide valuable additional information.

Food Standards Australia New Zealand (FSANZ) - Food Standards Code User Guides Food Standards Australia New Zealand (FSANZ) provide a number of user guides to help manufacturers, retailers and food officers interpret and apply the Food Standards Code.

Food Standards Australia New Zealand (FSANZ) - Nutrition Panel Calculator

Food Standards Australia New Zealand (FSANZ) provide a Nutritional Panel Calculator for businesses that will be selling food. The calculator offers the ability to readily calculate the average nutrient content of their food products and to prepare a nutrition information panel as required.

Food Standards Australia New Zealand (FSANZ) - Overview of Food Labelling

Food Standards Australia New Zealand (FSANZ) provide an array of information about food labelling as well as a useful overview document.

Guide to Food Labelling

The Queensland Department of Health provide a useful guide to food labelling requirements for food businesses. This guide

is not provided by the Northern Territory Department of Health, however food legislation is uniform across Australia and this link will provide valuable additional

iNew Zealand Food Safety Authority (NZFSA) - A Guide to Calculating the Shelf Life of Foods The New Zealand Food Safety Authority (NZFSA) provide a Guide to Calculating the Shelf Life of Foods outlining the factorsthat influence shelf life and a procedure to assist you to calculate the shelf life of food.

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Food Safety

To comply with the basic requirements of the Food Safety Standards, food businesses need to be able to answer the following statements about their business in the affirmative:

- Food is protected from contamination during storage;
- High risk food is stored under temperature control; and
- High risk food is displayed under temperature control.

Standard 3.2.2 Food Safety Practices and General Requirements sets out specific requirements for keeping potentially hazardous food at specified temperatures and for cooling and reheating. Businesses must make sure that the food they receive:

- is protected from contamination;
- can be identified while it is on the premises; and
- is at the correct temperature when it arrives, if it is potentially hazardous.

Identification of Food Sources

It is important that you are able to identify the foods on your premises and the suppliers from whom you obtained it. This information is needed in case the food is unsafe or contaminated in some way.

Most food you buy will be labelled with the name of the product and the supplier details, however you may also have unpackaged or unlabelled food on your premises and will need other ways of proving what this food is and where it came from. It could be your supplier invoices, or you might keep some other record of your suppliers and what you buy from them and the food you have on your premises.

Potentially Hazardous (or High Risk) Foods

Potentially hazardous foods are foods that might contain food poisoning bacteria and are capable of supporting growth of these bacteria or formation of toxins to levels that are unsafe for consumers, if the foods are not stored at correct temperatures. Toxins are poisonous chemicals produced by some types of bacteria. These foods include:

- raw and cooked meat or foods containing meat, such as casseroles, pies and sandwiches;
- dairy products and foods containing eggs, beans, nuts or other protein rich foods;
- seafood (excluding live seafood);
- processed fruits and vegetables, for example, salads and fruit packs; and
- cooked rice and pasta.

There have also been a number of cases of food poisoning arising from dips, spreads and mayonnaise.

Temperature Control

You must ensure that the temperature of potentially hazardous food is either at 5 degrees C or colder or at 60 degrees C or hotter when it is received, displayed, transported or stored. This can be achieved by using a thermometer. Alternatively you can use the 2 hour/4 hour guide.

The 2 hour/4 hour guide only applies to ready-to-eat potentially hazardous foods and refers to the life of the food, including preparation, cooling, and display times. Note that for chilled seafood the maximum time is 2 hours not 4 hours.

The standards require food to be cooled from 60 degrees C to 21 degrees C in a maximum of two hours and from 21 degrees C to 5 degrees C within a further maximum period of four hours. Alternatively, if you want to cool food over a longer time period you must be able to show that you have a safe alternative system in place.

There are additional requirements for reheating potentially hazardous food that has been previously cooked and cooled.

Fact sheets

Related Documents

Temperature Control - Fact Sheet

This document can also be downloaded from <u>https://nt.gov.au/industry/hospitality/food-safety-and-regulations/temperature-</u> control-2-to-4-hour-guide

Temperature Log Book

This document can also be downloaded from https://nt.gov.au/ data/assets/pdf_file/0004/209416/temperature-log-book.pdf



Other Useful Information

Best Before Versus Use By Dates Fact Sheet The Northern Territory Department of Health provides a useful fact sheet that explains the difference between 'Use By' and

'Best Before' dates on packaged food.

Defrosting Fact Sheet The Northern Territory Department of Health provides a useful fact sheet about defrosting food.

Food Safety Information Council - Temperature Danger Zone Fact Sheet The Food Safety Information Council provide a fact sheet that outlines which foods are considered potentially hazardous and offers advice on how to avoid keeping food in the temperature danger zone.

<u>Food Standards Australia New Zealand (FSANZ) - Food Temperature Control Fact Sheet</u> Food Standards Australia New Zealand (FSANZ) provide a fact sheet about temperature control including keeping potentially hazardous food at specified temperatures and for cooling and reheating and what foods are at risk.

Hazardous Foods, Cooling and Reheating Fact Sheet The Northern Territory Department of Health provides a useful fact sheet about cooling and reheating food.

How does your Fridge Stack up Fact Sheet The Northern Territory Department of Health provides a useful fact sheet about stacking your refrigerator effectively.

Safety of Piping Bags Fact Sheet

The South Australian Government Department of Health provide a useful fact sheet outlining the risks associated with the use of piping bags. This fact sheet is not provided by the Northern Territory Department of Health, however food legislation is uniform across Australia and this link will provide valuable additional information.

Temperature Log Book The Northern Territory Department of Health provide a handy Temperature Log Book template to record food and appliance temperatures.

Use of Thermometers Fact Sheet

The Northern Territory Department of Health provides a useful fact sheet about the use of thermometers.



Cleaning and Sanitising

To comply with the basic requirements of the Food Safety Standards, food businesses need to be able to answer the following statements about their business in the affirmative:

- Food on display is protected from contamination;
- Adequate hand-washing facilities are available;
- Premises are in a satisfactory state of cleanliness; and
- Appropriate sanitisers for food contact surfaces are available for use.

Cleaning your premise should be carried out in a systematic manner, based on both ad-hoc cleaning when necessary, and on a regular cleaning schedule.

Part of cleaning your premise includes sanitising the surfaces in areas which food is handled. To sanitise something means to either apply or immerse surfaces or equipment in a chemical sanitiser or very hot water. This is necessary as bacteria live on food preparation benches, equipment and other surfaces. They therefore are able to contaminate any food which touches the surface. There are a number of methods to sanitise effectively:

- Immersion for 30 seconds in clean water at 77 degrees C
- Immersion for 30 seconds in a solution containing 50 parts per million (ppm) available chlorine at 50 degrees C
- Spraying or swabbing with chemical sanitiser equivalent to 100ppm available chlorine
- Using other chemical sanitisers specifically intended for use on food contact surfaces, and appropriate for the task
- Treatment with clean steam, to heat surface to 77 degrees C

Remember all cleaning chemicals must be stored in a separately designated area away from any food handling or storage areas.

Fact sheets

Related Documents

Food Safety - Cleaning & Sanitising Fact Sheet

This document can also be downloaded from <u>https://www.nt.gov.au/industry/hospitality/food-safety-and-regulations/cleaning-and-sanitising</u>





Food Transport

Under the *Food Act* 2004, a business that is transporting food is a food business and must be registered. Even a business that just transports food is regarded as a food business, even if it also transports other goods. The vehicles themselves do not require special registration. The requirements for food transport vehicles are set out in the Food Standards Code Standard 3.2.3 Food Premises & Equipment.

Under this standard, vehicles used to transport food must:

- protect the food they are carrying from contamination; and
- •be designed and constructed to ensure that food contact surfaces can be cleaned and, if necessary, sanitised.

The vehicle should also be maintained and kept in a good state of repair.

The person transporting the food must:

- Protect all food from the likelihood of contamination
- Transport potentially hazardous food under temperature control; and
- Ensure that frozen potentially hazardous food remains frozen during transportation.

You do not need to transport chilled food in a refrigerated vehicle, however the rules relating to temperature control for potentially hazardous foods apply. Other ways to keep foods chilled during transport include using insulation, eskies, ice bricks or similar means. Vehicles used to transport food do not need to be purpose built, but must meet the requirements detailed above.

Your staff must have appropriate skills and knowledge of food safety and hygiene to carry out the tasks detailed above.

For more information about potentially hazardous food and temperature control see Food Safety.

Fact sheets

Related Documents

Mobile Food Vehicles

This document can also be downloaded from https://www.nt.gov.au/industry/hospitality/food-safety-and-regulations/mobilefood-vehicles

Other Useful Information

Food Standards Code - Standard 3.2.3 Food Premises and Equipment Food Standards Code - Standard 3.2.3 - Food Premises and Equipment sets out the requirements for food premises, fixtures, fittings, equipment and food transport vehicles.





Record Keeping

Keeping good records is vital for any business to succeed. Records kept on paper are just as valid as those stored on computer. What is important is that you keep accurate, relevant records and update them on a regular basis.

The Australian Taxation Office (ATO) requires all businesses keep records for a period of five years. You may have to pay a penalty if you are unable to back up the statements made in your Goods & Services Tax (GST) and income tax returns. Benefits to you include certainty in the amount of tax you pay, better management of debtors and creditors, and better use of your accountant's time.

The Fair Work Act also imposes record keeping requirements for certain employee records.

Under the Food Standards Code there are requirements that you keep records of food or ingredients purchased by your business. These records can be used should there be a need to recall food.

Remember, in Australia, one micro-business in every fifteen fails because of poor record keeping.

Other Useful Information

Cleaning & Sanitising Record - Template

A cleaning & sanitising record template is available to help you get an idea of what information may be useful to keep in your cleaning & sanitising routine.

Food Standards Australia New Zealand (FSANZ) - Receiving Food Safely Fact Sheet

Food Standards Australia New Zealand (FSANZ) provide a fact sheet outlining how to receive food safely at your business including the record keeping requirements for receiving food.

Record Keeping Evaluation Tool

The Australian Taxation Office provides a Record Keeping Evaluation Tool. It is aimed at new businesses, to assess what records need to be kept and how.

Record Keeping for Small Business

The Australian Taxation Office provides an **excellent** guide which contains information on what business records you need to keep and outlines a basic record keeping system. The Record Keeping for Small Business Guide is also available on paper from the ATO.



Food Safety Programs & Accreditation

Not all food businesses need a Food Safety Program. The Australia and New Zealand Food Regulation Ministerial Council (ANZFRMC) agreed that food safety programs will be required only for the types of businesses identified as high risk and where the cost to benefit ratio justifies this approach.

The food business sectors that Ministers agreed must have food safety programs are:

- food service, in which potentially hazardous food is served to vulnerable populations (eg hospitals/nursing homes)
- producing, harvesting, processing and distributing raw oysters and other bivalves;
- catering operations serving food to the general population; and
- producers of manufactured and fermented meats.

These requirements will be gradually implemented across Australia.

Standard 3.2.1 is based upon the internationally accepted principle that food safety is best ensured through the identification and control of hazards in the production, manufacturing and handling of food, as described in the Hazard Analysis and Critical Control Point (HACCP) system.

Standard 3.2.1 defines the six core elements of a food safety program. These are:

- •Hazard identification: the systematic identification of hazards that may be reasonably expected to occur in the food handling operations of the business;
- •Hazard control: the identification of the control point and controls for each hazard;
- •Monitoring: the systematic monitoring of the controls;
- •Corrective action: the steps to be taken when a hazard is not under appropriate control;
- •Review: regular reviews of the program to ensure that it is still effective; and
- •Record keeping: the records made and kept by a food business to show the action taken to ensure that the business complies with the food safety program.

HACCP Systems

Standards Australia has adopted ISO 22000 - Food Safety Management Systems - Requirements for any organisation in the food chain as an Australian Standard. This standard is recognised by JAS-ANZ as meeting the requirements for HACCP accreditation. There are a number of organisations throughout Australia that specialise in the preparation and implementation of HACCP Food Safety Systems.

FoodSafe (Environmental Health Australia)

FoodSafe is an in-house training program that brings basic food hygiene information directly to food handlers. Once the food handlers have undergone basic food safety training and demonstrated that they have implemented the food safety practices, an Environmental Health Officer recognises this achievement by awarding the FoodSafe Certificate and window sticker.

FoodSafe PLUS is the 'second step' for food businesses already holding FoodSafe certification that want to develop their own food safety program to manage food safety risks. Further information can be obtained from the Environmental Health Program.

Other Useful Information

Environmental Health Australia - FoodSafe

FoodSafe is a food handler training program available for food businesses. Please contact the Environmental Health Program at the Department of Health (1800 095 646) for further information.

Hazard Analysis Critical Control Point (HACCP) Information

Further information about the Hazard Analysis Critical Control Point (HACCP) program is available for food businesses.





Alcohol Service and Smoke Free Areas

Responsible Serving of Alcohol

Many cafes and restaurants have a liquor licence and serve alcohol, either with or without meals. The Licensing Commissioner requires that applicants for a licence (usually the owner or manager of the business) attend the Responsible Serving of Alcohol training course before a licence is issued. Whilst it is not a requirement, many businesses are also training their staff.

Smoke Free Areas

Under the Tobacco Control Act, food service areas are Smoke Free Areas where smoking is not permitted. Food service areas are areas in which food is being prepared or served. It is a requirement under the Act that prescribed signs be displayed indicating the area to be smoke-free. There are a number of other requirements under the Act and Regulations.

Indoor food service areas cannot be exempted, however, certain outdoor food service areas may be exempted from the smoke-free requirements set out in the Act and Regulations. (Regulation 12)

Other Useful Information

SmokeFree NT - Signage The Department of Health provides information on signage to allow patrons of your business to see clearly where they can and cannot smoke.





Import/Export of Food

Importing Food

Foods imported into Australia must comply with requirements for Food Safety, Quarantine and Customs.

All food must first comply with the requirements of the Quarantine Act (for plant and animal disease control). Depending upon the type of food you may have to obtain a Permit to Import Quarantine Material (before you import the food) and the food may have to be quarantine inspected before it undergoes the Imported Food inspection.

The Imported Food inspection scheme is jointly run by the Australian Department of Agriculture and Food Standards Australia New Zealand (FSANZ), with FSANZ developing food risk assessment policy for the program and the Department of Agriculture - Biosecurity having operational responsibility for inspection and sampling.

The imported food must comply with the Food Standards Code including the requirements for labelling.

Generally all commercial imports must be notified through the Australian Customs Service. Irrespective of how your imported goods arrive in Australia, you will be required to lodge a formal Customs Import Declaration if their value is above \$1000, and pay the calculated duty and taxes. All imported goods are subject to the controls of the Department of Agriculture - Biosecurity.

Exporting Food

Exporting can be a profitable way of expanding your business, spreading your risks and reducing your dependence on the local market. However, exporters are faced with risks, such as political, legal, corruption and credit/financing which are not experienced on the domestic market.

In addition, food exports will have additional requirements such as quarantine and labelling standards, consumer protection rules, and product standards.

If you are intending to export food products you should contact AusTrade and Department of Agriculture - Biosecurity as early as possible to obtain professional assistance in establishing your markets.

The International Business Council (Chamber of Commerce Northern Territory)

The Chamber of Commerce's International Business Council in the Northern Territory provide the following services to businesses looking to export their product or service or import goods into Australia:

- Getting into Export The 'Getting into Export' workshops are specifically designed to assist small and medium sized businesses who are considering taking their first steps into exporting. Austrade also provides workshops and further information on what you need to do to start exporting.
- **TradeStart** TradeStart is a free coaching and mentoring service for new exporters. A skilled export advisor works with individual companies to evaluate company potential for export, develop company profiles, initiate market research and assist in the development of export marketing plans. Austrade also provides similar assistance to start exporting.
- Importing Goods into Australia The Council provides an information service for companies wishing to import goods or components into Australia. They also offer 'Importing for Profit' training courses and conduct annual business missions to China to the Canton Fair, the largest sourcing fair in China for a range of industrial products, clothing, food, construction materials and consumer goods.

Other Useful Information

Australian Customs and Border Protection Service - Importing/Exporting

The Australian Customs and Border Protection Service provides information on the procedures for importing & exporting. International Business Council (Chamber of Commerce)

The International Business Council in the Northern Territory provide a range of services for NT companies wishing to import or export into or out of Australia.

TradeStart

The International Business Council in the Northern Territory provide a free TradeStart coaching and mentoring service for new exporters.





Other Licences

Most businesses require some form of licensing, whether it's a general licence or an activity-specific licence. Business licences include registrations, approvals, licences, permits, and other compliance requirements such as notifications. All levels of government (Commonwealth, Territory and local government) issue licences, permits and registrations. General licences, which may apply to any business, include:

- Business Name or Company registration;
- Registration as an employer (if you will be employing staff); and
- ABN, GST, and other taxation registrations.

Particular business activities may also require specific licences, e.g a cafe or restaurant may require a 'Sidewalk Cafe Permit'. There are also licences that relate to specific occupations, such as registration as an electrical contractor, or plumber. The licences that you require depend upon your specific circumstances.

In addition, there are restrictions on possession, consumption, supply or transport of alcohol in prescribed areas of the Northern Territory. If you intend to provide alcohol to your clients as part of your tourism business (especially tour operators and fishing operations) you should clarify if you will be affected by these restrictions. Further information can be obtained from the Licensing Commission.

Music Licences

If your business will play the radio, TV or CDs, have music performed live or play music via an on-hold system on your telephone you will need a music licence from APRA. If the music is not intended to be heard by the general public you may be eligible for a complimentary licence.

Advertising Signage

If you plan to advertise your business using signs along a roadway or anywhere in a public place it is likely you will need a permit from your local council. Some councils also provide an advertising signage code that businesses are required to comply with.

Business Licence Information

To determine exactly what licences and permits you may require, contact Territory Business Centres (1800 193 111). Alternatively use the ABLIS website at https://ablis.business.gov.au/pages/home.aspx. ABLIS helps you find the government licences, permits, approvals, registrations, codes of practice, standards and guidelines you need to know about to meet your compliance responsibilities.

Other Useful Information

ABLIS - Cafe Business Licensing Overview The Australian Business Licence Information Service (ABLIS) provides an overview of the licensing requirements for a Cafe business in the Northern Territory.

ABLIS - Food Manufacturing Business Licensing Overview

The Australian Business Licence Information Service (ABLIS) provides an overview of the licensing requirements for a Food Manufacturing business in the Northern Territory.

ABLIS - Food Transport Business Licensing Overview The Australian Business Licence Information Service (ABLIS) provides an overview of the licensing requirements for a Food Transport business in the Northern Territory.

ABLIS - Mobile Food Van Operation Business Licensing Overview The Australian Business Licence Information Service (ABLIS) provides an overview of the licensing requirements for a Mobile Food Van Operation in the Northern Territory.

ABLIS - Takeaway Food Business Licensing Overview The Australian Business Licence Information Service (ABLIS) provides an overview of the licensing requirements for a Takeaway business in the Northern Territory.

APRA AMCOS - Music Licences

APRA AMCOS is responsible for licensing businesses that use music on their premises.

Australian Business Licence Information Service (ABLIS) The ABLIS provides information on business licensing and compliance requirements for local councils, and the Northern Territory and Australian Governments.

Darwin City Council Outdoor Advertising Signs Code The Darwin City Council provide an Outdoor Advertising Signs Code for businesses intending to advertise their business along a roadway or in a public place.

Palmerston City Council Signs Code The Palmerston City Council provide a Signs Code, available for download, for businesses intending to advertise their business along a roadway or in a public place.





Other Services

There are a number of other services that can assist your business in a variety of ways.

Financial Assistance

There are a number of schemes offered by both Northern Territory Government and Australian Government, offering funding and development services to enhance business performance, profitability, employment levels and market penetration including the following:

Incubators

Small business incubators are designed to assist new and growing businesses to become established and profitable by providing premises, advice, services and other support. The incubation periodd is normally from one to three years, during which time fledgling businesses can become established before graduating into the wider business community. The Business Enterprise Centre (BEC) provides services to small business interested in participating in a business incubator...

Other Useful Information

Grant Finder Grant Finder helps you find funding available under a variety of grant programs from individuals, businesses and communities to help them to develop solutions to local and national problems, fund ideas and initiatives or provide assistance in times of hardship.

