

# Application to Transfer a Food Premises

Food Act 1984



Moyne Shire Council  
Tel: 03 5568 0555  
[www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)

## Information for Food Businesses – Food Act Registration or Notification

The Food Act 1984 (the Act) regulates the sale of food for human consumption. From 1 July 2010 a new food premises classification system applies to all food premises operating in Victoria.

If your business sells food you must either register with, or notify, the council in which the premises is located. This information sheet explains whether you will need to **register** or **notify**.

**Please note: You must attach this page to your application or notification to register, renew or transfer a food premises forms.**

### Food Act Application for Registration or Notification

There are now four classes of food premises – class 1, class 2, class 3 and class 4. The new classification system means that regulatory requirements are better matched to the level of food safety risk associated with the food handling activities at different types of premises. Class 1 has the highest and class 4 the lowest level of legal requirements. In summary, the new classes are:

- Class 1 – hospitals, child care centres and aged care services which serve high risk food.
- Class 2 – other premises that handle high risk food unpackaged food.
- Class 3 – premises that handle unpackaged low risk food or high risk pre-packaged food, and warehouses and distributors.
- Class 4 – as described below.

**Classes 1, 2 and 3** premises must **register** with the council

**Class 4** premises must **notify** the council.

You will be a class 4 premises and only need to notify if your only food handling activities are as follows:

- The sale of shelf stable pre-packaged low risk food such as confectionery, crisps, frozen ice cream, milk, bottled drinks – for example, newsagents, pharmacies, video stores and some milk bars.
- The sale of packaged alcohol – for example, bottle shops.
- The sale of uncut fruit and vegetables – for example, farmers markets, green grocers and wholesalers.
- Wine tasting (which can include serving low risk food or cheese).
- The sale of packaged cakes (excluding cream cakes).
- The supply of low risk food, including cut fruit, at sessional kindergarten or child care.
- Simple sausage sizzles at stalls, where the sausages are cooked and served immediately. This means sausages, sauce, onions and bread. (This does not include hamburgers or other high risk foods).

For a full list of class 4 activities go to <http://www.health.vic.gov.au/foodsafety>

### Please mark one of the following:

1.  The only food handling activities at my premises are as described above.

Please complete a notification of a food premises form and submit to council for confirmation.

2.  The food handling activities carried out at my food premises involve other activities that are not listed above.

If you marked box 2, you may be required to register with the council.

Please contact the council to discuss:

- the process for registering your premises using the application to register a food premises form; and
- when your premises is a class 1, 2 or 3. This will decide whether you require a food safety program and/or a food safety supervisor.

If you operate a **supported residential service** you will need to inform the council whether the majority of your residents are aged persons.

Council will ask if you handle or intent to handle high risk foods. This means foods that require temperature control (refrigeration or heating). For example meats, chickens, fish smallgoods, custard, cream, salads, cooked pasta, eggs and sandwiches.

**The attached notification of a food premises form may not be used by your council for community group events. Please contact your council to obtain the appropriate form.**



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## Application to Transfer a Food Premises

Food Act 1984

Council Use Only	
Application Date :-	<input style="width: 100%;" type="text"/>
Document ID:-	<input style="width: 100%;" type="text"/>
Application Number:-	<input style="width: 100%;" type="text"/>
Date of registration:	<input style="width: 100%;" type="text"/>

**IMPORTANT** – Please read the pre-application information section at the beginning of this form. If your premises is listed as a class 4, please complete a notification form instead of this registration form.

### Existing Proprietor Details

Title	<input style="width: 95%;" type="text"/>	Surname	<input style="width: 95%;" type="text"/>	Given Name(s)	<input style="width: 95%;" type="text"/>
If the proprietor is a company or association, specify name of person completing the application and authority (eg. Director of Company)					
Authority					
<input style="width: 100%;" type="text"/>					
e.g. Director of company					
Business Name			Company Name (if applicable)		
<input style="width: 95%;" type="text"/>			<input style="width: 95%;" type="text"/>		
Street Address / Postal address					
<input style="width: 100%;" type="text"/>					
Suburb / Town		State		Postcode	
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>	
Please provide at least one phone number and include the area code					
Business Phone		Home phone		Business Fax	
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>	
Mobile					
<input style="width: 100%;" type="text"/>					
Email					
<input style="width: 100%;" type="text"/>					

### Proposed New Proprietor Details

Title	<input style="width: 95%;" type="text"/>	Surname	<input style="width: 95%;" type="text"/>	Given Name(s)	<input style="width: 95%;" type="text"/>
If the proprietor is a company or association, specify name of person completing the application and authority (eg. Director of Company)					
Authority					
<input style="width: 100%;" type="text"/>					
e.g. Director of company					
Business Name			Company Name (if applicable)		
<input style="width: 95%;" type="text"/>			<input style="width: 95%;" type="text"/>		
Street Address / Postal address					
<input style="width: 100%;" type="text"/>					
Suburb / Town		State		Postcode	
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>	
Please provide at least one phone number and include the area code					
Business Phone		Home phone		Business Fax	
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>	
Mobile					
<input style="width: 100%;" type="text"/>					
Email					
<input style="width: 100%;" type="text"/>					

## Premises Details

Trading name of Premises

### Premises

Street address

Suburb

State

Postcode

Contact person at premises (if not the proprietor)

Title

Surname

Given Name(s)

Please provide at least one phone number and include the area code

Business Phone

Home phone

Business Fax

Mobile

Email

### Type of food Premises

e.g. video store, news-agency

### Food vehicle details (if applicable)

Registration Number

Make

Model

At what address is the vehicle garaged when not in use?

Street address

Suburb

State

Postcode

## Community group

A community group is a not for profit organisation or a person(s) undertaking a food handling activity solely for the purpose of raising funds for charitable purposes or for a not for profit organisation.

Are you a community group that sells food up to two consecutive days at a time and most food handlers are volunteers?

Yes

No

- If NO, go to section: Food related details

If YES, are you selling ready to eat high risk food?

Yes

No

- If NO, you are classified as a class 3. Go to section: Classification

If YES, is all of the high risk food cooked on site with the intention of serving immediately?

Yes

No

- If YES, you are classified as a class 3. Go to section: Classification.
- If NO, you are a class 2, however you are exempt from the food safety supervisor requirements. Go to section: Classification

## Food related details

This section is to be completed in discussion with the local council. The answers will determine the classification of your food premises - class 1, 2 or 3

**Q1. Are you a wholesaler / distributor of pre-packaged food?**  Yes  No

If YES, **is this the only food handling activity at your premises?**  Yes  No

If YES, you are classified as a class 3. Go to section: Classification

If NO, proceed to question 2

**Q2. Is the food prepared or served exclusively for people or patients in an aged care service, hospital, or meals on wheels service?**  Yes  No

If YES, you are classified as a class 1. Go to section: Classification

If NO, proceed to question 3

**Q3. Is the food prepared or served exclusively for children at a childcare centre?**  Yes  No

If NO, proceed to question 4.

If YES, **is the food high risk?**  Yes  No

If YES, you are classified as a class 1. Go to section: Classification

If NO, proceed to question 5.

**Q4. Are you a greengrocer that only sells fruit, vegetables &/or packaged food?**  Yes  No

If NO, proceed to question 5.

If YES, **do you prepare fruit salad, fruit juice or salads?**  Yes  No

If YES, you are classified as a class 2. Go to section: Classification

If NO, **do you cut/slice fruits and vegetables?**  Yes  No

If YES, you are classified as a class 3. Go to section: Classification

If NO, you do not require Food Act registration. You only need to complete the notification form.

If none of the above applies to your premises, the classification of your premises will depend upon the risk associated with your food handling activities such as refrigeration and cooking. Please answer the following questions to assist the council in determining whether your premises is a class 2 or 3.

**Q5. Do you handle any food that does not require refrigeration?**  Yes  No

Is any of the food pre-packaged?  Yes  No

Is any of the food being prepared/made and sold directly to the public?  Yes  No

Is any of the food being manufactured on the premises to be sold to retail shops/wholesale/distributor?  Yes  No

Is any of the food being re-packaged?  Yes  No

**Q6. Do you refrigerate, cook and/or reheat food?**  Yes  No

Is any of the food pre-packaged?  Yes  No

Is any of the food unpackaged?  Yes  No

Is any of the food being prepared and sold directly to the public?  Yes  No

Is any of the food being manufactured and sold to retail shops/wholesale/distributor?  Yes  No

## Classification

Following discussion with the Council about your food handling activities, select your food premises classification below as advised by your Council:

Food Premises Classification

- Class 1                       Class 2                       Class 3

**Classification selection is necessary so that you can complete the remainder of this application form.**

**For further information, refer to the Food Classification Tool at [www.foodsmart.vic.gov.au/foodclass/](http://www.foodsmart.vic.gov.au/foodclass/)**

If your food premise is classified as a class 1 or 2, go to section: Food Safety Program (FSP).

If your food premises is classified as a class 3, proceed directly to section: Declaration

## Food Safety Program

**Class 1 and 2 food premises only.**

**You must complete either question (1) Standard Food Safety Program or question (2) Non Standard Food Safety Program, depending on the type of program used at your premises**

**Q1. Do you have a Standard Food Safety Program?**  Yes  No

If NO Proceed to question Q2

If YES please select the type of FSP and proceed to section: Food safety supervisor

- Food Safety Program Template for Class 2 Retail & Food Service Businesses No. 1. Version 2  
 Food Smart (Online)  
 Other FSP template registered by the Secretary of Department Health

**Name of program**

**Registered number of template**

**Q2. Do you have a Non Standard Food Safety Program (Independent FSP)?**  Yes  No

Has the premises been audited by an approved food safety auditor?  Yes  No

If the answer is NO, specify when the premises is to be audited

**Date of Audit**

**Name of food safety program**

**Declared QA Food Safety Program**

**Has the FSP been prepared under a QA system or code declared under the Food Act?**  Yes  No

If NO proceed to section: Food safety supervisor

If YES complete the following details:

- Specify the declared QA system or code:

- Audit certificate attached  Yes  No

If YES, attach the certificate from the food safety auditor confirming that the program has been prepared under and conforms with that QA system or code.

If NO, specify the date when the audit is to be undertaken

**Does the FSP include competency based or accredited training for staff of the premises?**  Yes  No

If YES you are exempt from the food safety supervisor requirement.

## Required documents

There are no attachments if you have a template standard food safety program

- Class 1 Premises - copy of the non-standard / independent food safety program Only (1) Copy**
- Class 1 Premises - A current certificate from an approved food safety auditor indicating that the FSP is adequate only if applicable. Only (1) Copy**
- Class 2 Premises - A current certificate from an approved food safety auditor stating that the FSP meets the requirements of the Act only if available. Only (1) Copy**
- Class 2 Premises - if you have not attached the current certificate from an approved auditor - attach a copy of the non-standard / independent food safety program. (Do not attach QA Systems)**

## Food safety supervisor

### Class 1 and 2 food premises only.

**Please note that a food safety supervisor is not required if the food premises:**

- has a declared QA food safety program that includes competency based or accredited training for staff of the premises; or
- is a community group that is exempt as described on page 2 of this form.

Food safety supervisor name

Street Address / Postal address

Suburb / Town

State

Postcode

Please provide at least one phone number and include the area code

Business Phone

Home phone

Business Fax

Mobile

Email

**Please attached copy of evidence of required qualifications for the nominated Food Safety Supervisor**

## Other details

### Q4. Cigarettes sold from premises?

Yes  No

If NO Proceed to question Q3

If YES, please provide details:

Vending Machine Only

Over the Counter Only

Both

### Q5. License to Sell Liquor?

Yes  No

If YES, please provide details:

BYO Licence

Limited Liquor Licence

Club Licence

On Premises Liquor Licence

General Liquor Licence

Packaged Liquor Licence

Other:

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## Payment Details

Please contact Moyne Shire Council's Environmental Health Officer on 03 5568 0555 to confirm appropriate fee and arrange payment.

## Declaration

### Class 1, 2 & 3 food premises

I understand and acknowledge that:

- The information provided in this application is true and complete to the best of my knowledge
- This application is a legal document and penalties exist for providing false or misleading information

### Class 3 food premises only

- In addition to the above and by ticking this box, I acknowledge that I will ensure that the appropriate minimum records required under the Food act for the premises will be kept.

If the business is owned by a sole trader or a partnership, the proprietor(s) must sign and print name(s).

If the business is owned by a company or association - the applicant on behalf of that body must sign and print their name.

### Existing Proprietor

Signature

Signature

Print applicant name

Print applicant name

Date

Date

### Proposed New Proprietor

Signature

Signature

Print applicant name

Print applicant name

Date

Date

## Privacy Statement

The personal information on this form is required by Council for Application for Registration of a Food Premises under the Food Act 1984. We will only use your personal information for this and related purposes. If this information is not provided, we may not be able to deal with this matter. You may access and/or amend your personal information at any time.

## Lodgement

Lodge the completed and signed form and all documents with:

Moyne Shire Council  
PO Box 51  
PORT FAIRY VIC 3284

Telephone: 03 5568 0555

Fax: 03 5568 2515

Email: [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)

Website: [www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)