



FOOD UNIT NOTICE

SUBJECT: Management of Community Food Related Activities

Notice Number: 10.02 **Date of Issue:** 24/5/2010

Distribution of Notice: Food Act 2008 Enforcement Agencies

Purpose:

To provide guidance on the application of the *Food Act 2008* (the Act) in relation to community run food related activities to ensure a consistent application.

Actions:

The Department of Health recommends that the primary purpose and inherent risk of community events and activities be considered when assessing which aspects of the Act and subsidiary legislation apply.

Background:

Following a number of enquiries from Local Governments and members of the public relating to the application of the Act to certain community events and organisations, the Department of Health provides the following information for consideration by enforcement agencies when assessing these businesses to determine which aspects of the Act apply.

Example	Considerations	Register/Notify or Not Applicable (N/A)
Community and School Gardens (such as vegetable and herb gardens run on a volunteer basis, no money is exchanged, primary purpose is a community or educational activity)	The application of pesticides, insecticides, fungicides etc., withholding periods and the accessibility of the garden to the general public Are there any processes in place to manage contamination? Need to ensure potential for contamination of food preparation areas are managed. For example visible dirt should be	N/A as the activity does not include <u>sale</u> to the public Note: if the produce is sold at a school or community fair, then this activity would be notifiable



	<p>brushed off before entering a food preparation area and produce thoroughly washed before consumption</p> <p>Legal liability if garden is on Council owned land</p>	
<p>Cooking Classes (whether for profit or not)</p>	<p>Encourage educators to include good food hygiene and safety messages in classes</p> <p>Encourage the business to comply with the Food Safety Standards as “best practice”</p> <p>Discourage people from taking potentially hazardous food prepared in a class home, unless they are aware of correct temperature controls</p>	<p>N/A as the primary activity is a service, not the actual sale of food</p>
<p>Catered Social Events (including sporting clubs, scout clubs etc)</p>	<p>Event organisers should be aware of storage and temperature control requirements</p> <p>Ensure food sourced from reputable caterers / suppliers to provide some guarantee of safety</p>	<p>N/A where the event is a private function and food is not for sale.</p> <p>Note: only the business supplying the food would need to be registered (as performing catering activities).</p>
<p>Community and Charity BBQ's</p>	<p>Event organisers must comply with the Food Safety Standards</p> <p>If the event is a regular/long term occurrence, the requirement for more permanent fixtures should be considered (i.e. hand washing, fixtures for the protection of food)</p> <p>100% of profits must go to community or charitable causes. For example, profits cannot be used to pay staff</p>	<p>Notification without fee – exempt from Registration and fees under Regulation 10 of <i>Food Regulations 2009</i>.</p> <p>Note: exemption only applies if food cooked and presented for immediate consumption or is low risk (refer to Regulation 10 of <i>Food Regulations 2009</i>)</p>





Useful Resources and Websites:

- Food Unit Communiqué Number: 09.03; *Food Act 2008, Food Regulations 2009* and Parents and Citizens Associations
- Department of Health WA www.public.health.wa.gov.au
- Food Standards Australia New Zealand <http://www.foodstandards.gov.au>

Contact the Food Unit:

Any feedback or concerns please utilise the “Food Unit Query” form which can be downloaded from our website: http://www.public.health.wa.gov.au/2/786/3/food_informatio.pm

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Note: The information contained in this document covers the food legislation requirements for Western Australia. It is current on the date of publication but may change without notice. The Department of Health is not liable for any costs arising from or associated with decisions based on information here and users should obtain expert advice to satisfy all requirements of the relevant food legislation applicable.