Appendix 9: Temporary and mobile food premises

This appendix provides information on food businesses using temporary and mobile premises. It is not intended to be stand alone and should be read in conjunction with other sections in this guide.

See also regulatory agency websites in Resources and References.

A 'food business' operation includes the handling of food for sale or the sale of any food, even if it occurs only once. 'Sale' includes any gain to the business from providing the food, not just the direct exchange of money for food.

What are temporary food premises?

- Typically, temporary premises are used to sell food at an occasional event, such as a
 fete, fair, festival, market or show, usually lasting a matter of hours or days. The food
 business usually operates from a temporary structure set up for the event, such as a
 market stall, tent or barbeque stand and it may include parts of structures and land.
 The structure is usually dismantled after the event.
- Temporary food premises can be a permanent structure that is not owned or leased by the community group and from which food is sold or handled for sale on an occasional basis only (e.g. a group using a community hall for an event at which food is sold).
- Food vehicles that are permanently equipped to prepare and sell food and which may move from site to site are not considered to be temporary premises.

Note: For the purposes of notification, regular temporary premises, which operate weekly, monthly, or at any other regular interval, should be treated as permanent food operations. See clause 4 below.

What are mobile food premises?

- Mobile food premises are any food premises designed to be movable from place to
 place that are used for selling food on land, sea or air. This definition includes food
 vending vehicles (or means of transport), whether self-propelled or not or otherwise
 such as food vans, caravans, trucks, trailers, bicycles, boats, ships and planes. It can
 include movable buildings such as demountable buildings or containers that have
 been purpose-built for food handling and sale.
- These food premises are generally considered to be permanent premises, where their lay out does not change yet the premises can be moved between locations.
- They include vehicles used for on-site food preparation (e.g. hamburgers, hot dogs and kebabs), one-step food preparation (e.g. coffee, squeezed or blended juices, popcorn and fairy floss), and the sale of any type of food including prepackaged food.
- Vehicles used to transport food only are not considered to be mobile food premises.

Note: food vending machines may be considered as food premises in state or territory legislation. For example, in Queensland vending machines are defined as mobile premises as they can be stand-alone premises moved between locations. For further information, refer to the relevant food authority.

What requirements apply to temporary and mobile food premises?

Regardless of the scale or type of operation, temporary and mobile food operations must comply with all relevant parts of the Food Standards Code, including the food safety standards Standard 3.2.2, Standard 3.2.2A, Standard 3.2.3, and Part 1.2 — Labelling and Other Information Requirements. All temporary and mobile food premises are subject to inspection by local council or food safety officers to ensure they are complying with the Code.

Because of the nature of some temporary events (i.e. they may operate in remote areas or for very short periods of time) exemptions to some requirements can be provided to temporary premises (e.g. under Standard 3.2.2 clause 3, 14 and 17, and Standard 3.2.3 clauses 10 and 14).

To balance practicality with the management of food safety risks, the application of food safety requirements to temporary and mobile premises should take an outcomes-based approach; that is, the ultimate aim is to ensure food safety. Risks posed to food safety will depend on the scale and complexity of each business's activities; for example, a business handling unpackaged potentially hazardous foods (such as kebabs or salads) at ambient temperature could pose a higher risk than a business selling pre-packaged non-potentially hazardous food (such as canned soft drinks or confectionery).

Temporary food premises may pose a higher risk to food safety, due to their lack of permanent cleaning, storage, refrigeration and heating facilities.

Mobile premises may pose a higher risk to food safety because of size and weight restrictions, and the need to be self-sufficient for water supplies and waste disposal.

Specific information on particular clauses in the food safety standards is provided below.

Information on specific requirements

Standard 3.2.2

3 Skills and knowledge

All food businesses are generally required by clause 3(1) to ensure that everyone who handles food for sale in their business has skills and knowledge appropriate to their activities, in both food safety and food hygiene.

- 3(2) Subclause (1) does not apply to a food business in relation to persons undertaking food handling operations for fundraising events, that is, events:
 - (a) that raise funds solely for community or charitable causes and not for personal financial gain; and
 - (b) at which only food is sold that is not potentially hazardous or which is to be consumed immediately after thorough cooking.

However, clause 3(2) recognises that community or charitable events are often run with the help of volunteers who might only ever assist once or twice. Volunteers are not expected to have the same level of skills and knowledge as employed food handlers, but should still exercise basic food safety and hygiene. This subclause only applies if

the event is solely for community or charitable causes and is only selling food that is not potentially hazardous or is immediately consumed after cooking (e.g. a stall selling cakes without fresh cream/custard fillings, or a sausage sizzle). Further information and examples are in the main text. All food handlers must comply with the remaining provisions of the standard.

Note that depending on the food handling activities of the business and the jurisdiction in which it operates, the business may be required to have a trained food safety supervisor or a food safety program.

4 Notification

Notification requirements in clause 4 apply equally to all food businesses, except for some not-for-profit fundraising events — councils should be contacted for details on notification requirements. For example, Victoria has an online registration tool, Streatrader, designed for community groups and mobile businesses.

For some temporary events or mobile businesses food might be handled off-site and if so, these off-site food premises must be approved by the appropriate enforcement agency (where that food premises is located) and comply with food safety standards. Note that a licence to operate may also be required by the jurisdiction.

Mobile business operating in multiple jurisdictions may only be required to notify once, in the jurisdiction where the business is garaged. However, the business should check details with the specific jurisdictions they propose to operate in. Mobile businesses may be inspected in any council they are operating in and are encouraged to keep their latest inspection record on site.

6 Food storage

When storing food, the business must organise storage space to ensure food is safe, regardless of whether it is stored on-site or at a different location (e.g. a business owner's home) before or after being transferred to a temporary or mobile premises. To prevent food from becoming contaminated during storage, for example:

- food could be sealed in food-grade wrapping or containers
- raw food should be stored separately to ready-to-eat products (e.g. raw meats in one esky and salads in another)
- food should be stored separately to personal belongings (clothing, phones, etc.)
 and chemicals
- food should not be stored directly on the ground.

In addition, all potentially hazardous food must be stored at or below 5°C, at or above 60°C, unless the business can demonstrate another practice is safe (e.g. the 2-hour/4-hour rule — see Appendix 2). Refrigerators, ovens or similar equipment could be provided by temporary or mobile premises connected to power. For premises without power, food could be kept cold using covered ice buckets, eskies with ice/bricks, camp refrigerators or cold rooms provided by the event organisers, for example. Hot food could be kept hot using, for example, barbeque hot plates, gas-heated chafing dishes, or insulated containers or bags.

All storage facilities should be capable of storing the food at the required temperature and used correctly (e.g. ensure enough ice in eskies, avoid overstocking refrigerators, etc.). The temperature of potentially hazardous food should be checked with a thermometer.

7 Food processing (related to cooling and reheating food)

Food must be kept safe and suitable during all processing stages, regardless of whether processing occurs on-site at temporary or mobile premises or at a different location (e.g. at someone's home). If cooked potentially hazardous food is cooled or reheated (e.g. for service from a temporary food stall), these processes must comply with subclause 7(3) and 7(4) respectively, to avoid foodborne pathogens growing to unsafe levels. For example, if food is cooked in preparation to sell or serve cold at a catered event, it must be cooled to 5°C within the timeframes specified in subclause 7(3).

If cooked food is to be served or sold hot at an event:

- if served immediately after cooking, it can be served at any temperature
- if the food is to be held hot, it must be either:
 - » kept hot (60°C or above) from the time it was cooked, or
 - » if the cooked food has been chilled and needs to be reheated, it must be rapidly reheated to 60°C or above according to subclause 7(4) (e.g. on a hot plate or in a microwave) **before** it is placed in hot-holding equipment such as a bain marie, unless the business can show an alternative process is safe.

8 Food display

All food on display must be protected from contamination. Extra care should be taken with unpackaged food, ready-to-eat food and potentially hazardous food. Examples of practicable measures a business could take to protect displayed food include covering or wrapping food, placing food out of reach of animals and young children, separating raw and ready-to-eat foods and using appropriate signage (see main text).

Ready-to-eat food displayed for self-service (including taste testing) must be effectively supervised, have separate serving utensils provided and have protective barriers to prevent contamination by customers. For example, convenient options to prevent customer contamination at temporary stalls could include the use of:

- chafing dishes, lidded containers and cling wrap covers for dishes of self-service food

 covers need to remain available to be placed back on food once customers have
 served themselves
- squeeze-type condiment dispensers and individually sealed condiment packs
- for taste testing samples, single use utensils (e.g. toothpicks, disposable spoons), a disposal container and signage to prevent double dipping.

All potentially hazardous food must be displayed under temperature control. Temporary and mobile premises not connected to power could, for example, use eskies or ice buckets covered with plastic wrap for displaying cold food. Food that is to be kept cold should not be left in direct sunlight. Condiments that are potentially hazardous foods (e.g. some mayonnaise sauces) should not be placed in direct sunlight or left at ambient temperatures for long periods (e.g. see Appendix 2). It may be useful for businesses to

have pre-prepared filled condiment bottles in refrigeration and to bring these out only as they are needed by customers.

For displaying hot food, equipment such as barbeques, portable hot plates or gas-heated chafing dishes may be convenient. If no suitable display equipment is available, the business could display a sample (i.e. not for sale) of potentially hazardous food (e.g. pavlova) at ambient temperature, while holding the food that is to be sold in cold- or hot-holding equipment nearby.

The temperature of displayed potentially hazardous food should be checked with a thermometer to make sure cold food is 5°C or below, and hot food is 60°C or above.

10 Food transport

Food transported to temporary or mobile premises must be kept safe regardless of the transport arrangements (e.g. use of professional transporters versus volunteer drivers for a temporary event). For example:

- food should be transported in clean, sealed food-grade containers or wrapping
- raw foods such as meat should be transported in separate containers from ready-toeat foods such as salads and bread
- all potentially hazardous food must be transported under temperature control (e.g. in a refrigerated truck, on ice in eskies or in thermally insulated bags)
- the transport vehicle must be clean
- food must not be transported in the same compartment as animals.

15 Hygiene of food handlers

Subclause 15(1)(h) requires that food handlers at temporary or mobile premises use toilets provided by the business. See 3.2.3 clause 16 below on the requirement for businesses to provide access to toilets, which applies equally to temporary and mobile premises.

15(5) A food handler who handles food at temporary food premises does not have to clean his or her hands with warm running water, or comply with paragraph (4)(c)[on hand drying], if the appropriate enforcement agency has provided the food business operating from the temporary food premises with approval in writing for this purpose.

A written exemption may be provided for food handlers working in a temporary food premises to not have to wash their hands under warm running water or dry them using single use towels (or similar method). However, wherever running water (cold or warm) is available for hand washing, soap and single use towels must be provided and food handlers must use these facilities for hand washing. Where water is not provided for hand washing, food handlers must still use an appropriate alternative method provided by the business (e.g. alcohol-based gel, see 17 below).

Food handlers must use hand wash facilities if exposed food or food contact equipment is being handled. The use of hand wash facilities may not be required where food is delivered fully packaged and sold in the same packaging.

17 Hygiene of food handlers — duties for food businesses (related to hand washing)

Food business must provide hand wash facilities where exposed food or food contact equipment is handled. Mobile businesses are generally expected to provide permanent facilities dedicated for hand washing that are easily accessible and have warm running water, liquid soap, single use towels and a disposal container. Warm running water is usually around 40°C, and can be provided as a mixture of hot and cold water or water heated for direct supply, preferably directed through a single-lever type tap.

17(3) With the approval in writing of the appropriate enforcement agency, a food business that operates from temporary food premises does not have to comply with any of the requirements of paragraphs 17(1)(b)(i) [on warm running water] or (1)(d) [on hand drying] that are specified in the written approval.

For **temporary** premises, subclause 17(3) allows enforcement agencies to provide an exemption from the requirement of 17(1)(b)(i) or (1)(d) that warm running water for hand washing and single use towels or other effective means of hand drying is provided.

Based on the food safety risks posed by their activities, some businesses that operate at temporary premises may be allowed to:

- provide cold water for hand washing if warm water is not available, or
- provide alternative methods for hand washing if running water or sufficient water for hand washing is not available.

However, most temporary food premises should have access to running water for hand washing, and may be able to provide warm running water. For example, if not connected to a mains water supply, a business could provide running water by using filled urns or other water containers fitted with a tap. Commercially available portable hand wash stands may be appropriate. The water must be potable (under Standard 3.2.3 clause 4) and should preferably be warm. The container's size should be appropriate to the business's needs (based on its activities and the number of food handlers on-site) but as a guide for a small stall, a minimum of 20-25 litres is generally recommended for each day.

Where running water is available for hand washing, the business must provide soap and single use towels (or equivalent) (see clause 15 above).

Where temporary premises cannot provide running water for hand washing (e.g. on camping trips or in remote areas), the business must provide an appropriate alternative system for hand washing, such as alcohol-based hand gels or single use wipes. If water is not being used for hand washing, single use towels are not required for hand drying.

In certain circumstances, temporary or mobile businesses may not be required to provide hand wash facilities; for example, where food is delivered fully packaged and sold in the same package.

20 Cleaning and sanitising of specific equipment

All businesses must have clean and sanitary utensils and food contact equipment (cutting boards, serving platters, etc.). Temporary and mobile premises must have washing and sanitising facilities on-site unless the business has made other arrangements. For

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washing, the business should provide potable water; a dish washing sink, bucket or equivalent; and detergent. Where there is no access to a mains water supply, premises could for example use filled urns, tanks or other containers with a tap valve to provide running water for washing. The volume of water should be appropriate to the business's needs (based on its activities and the number of food handlers on-site), but for a small stall a minimum of 20-25 litres for each day is generally recommended. For sanitising, chemicals such as bleach solution, alcohol wipes, or very hot water should be used.

Equipment washing and sanitising facilities must be entirely separate from the hand washing facilities. If space is insufficient or food safety would be compromised by washing utensils/equipment on-site, the business could use disposable utensils or secure dirty utensils/equipment in bags or containers for washing off-site later. The business must make arrangements for cleaning any large pieces of equipment (e.g. offsite after the event).

Equipment used with potentially hazardous foods (e.g. hand-held and stand-alone blenders, liquidisers, can openers, meat tongs and slicers), especially if it is used at ambient temperatures, should be frequently cleaned and sanitised (e.g. every 4 hours) to prevent food-poisoning bacteria growing to dangerous levels in food residues. Further information on cleaning and sanitising is provided in Appendix 6.

24 Animals and pests — see 3(d) on the following page.

Standard 3.2.2A

For food service, catering or retail businesses that handle unpackaged, potentially hazardous food that is ready to eat, Standard 3.2.2A will apply. This standard contains additional requirements for food handler skills, knowledge, and substantiating food safety controls (food receipt, storage, display, reheating, cooling, cleaning and sanitising). See the chapter on Standard 3.2.2A.

Standard 3.2.3

Application

The application of Standard 3.2.3 to temporary food premises should recognise that temporary premises set up for a short time generally might not be as spacious or secure as permanent premises, nor subjected to the same extent of cleaning and sanitising. Mobile businesses are often restricted by space and the need to have self-sufficient water and power supplies and waste disposal.

There are specific exemptions in Standard 3.2.3 from certain requirements based on practicalities (e.g. in relation to hand washing facilities and flooring). For other requirements, a risk-based approach should be taken to assessing compliance with standards. The main priority is meeting the outcomes of Standard 3.2.2 on food safety practices. Where Standard 3.2.3 is not complied with, food operations may be changed to overcome food safety issues arising from structural defects. It is suggested that changes to premises should only be required where there is a direct food safety risk posed.

An example of best practice set up for a temporary food stall is in the figure at the end of this appendix.

3 General requirements

The setup of temporary and mobile premises should minimise opportunities for food to become contaminated. For example, the premises could be located:

- away from nearby toilets or garbage areas to prevent airborne contamination
- on sealed or covered ground to prevent dirt and dust
- facing open sides away from prevailing winds to prevent entry of windblown insects, dust, spray, etc.

Subclause 3(b) requires food premises to have enough space to keep food safe while conducting all activities. The adequacy of mobile and temporary premises will depend on the business operations and the volume and type of food handled. To prevent food contamination, adequate space should be provided, for example, to:

- separate food and food contact equipment from chemicals
- separate food handling activities (e.g. sufficient bench space/table area so that prepared ready-to-eat foods are separated from raw meats)
- fit, use and clean all equipment needed for preparing food (e.g. blenders, barbecues), displaying food (e.g. containers, display units) and dispensing food (e.g. utensils, cups, plates)
- separate food from waste materials
- ensure there are enough facilities for washing hands or equipment and to ensure these facilities are unobstructed, so that washing and/or sanitising tasks can be done properly and whenever needed.

Subclause 3(c) requires the food premises to be able to be effectively cleaned and, if necessary, sanitised. The intended outcome is that premises are easy to clean and so are more likely to be kept clean and therefore provide fewer opportunities for food to be contaminated by dirt, insects, grease, food scraps, etc. For example, hoses, pipes and wiring should be placed out of the way of exposed food and if they cannot be readily concealed in walls, could have dust covers that are easy to wipe clean. For temporary premises, practical consideration should be given to the duration of the event and risks to food safety over this time period. See also clause 10 on floors and clause 11 on walls and ceilings, below.

Subclause 3(d) requires that contaminants and pests should be excluded 'to the extent that is practicable'. It is recognised that temporary and mobile premises exposed to the outdoors are unlikely to be able to exclude all dust, dirt and flies, so the risk to food safety should be assessed. Examples of practicable measures the business could take to protect food include:

- sheltering the food preparation area from draughts
- using barriers to restrict access to food preparation areas by passing customers and animals
- using flyscreens on doors, windows and other openings
- covering holes or gaps (e.g. using weather strips on door bases and filling material

around pipes coming through walls) where pests could enter premises, particularly at night when most pests are active

- covering exposed food using plastic wrap, lidded containers, mesh or other covers
- keeping food scraps and other waste in covered containers and regularly removing waste to avoid attracting or harbouring pests.

Regularly inspecting and treating the premises for pests will also help.

4 Water supply

The business must provide potable (drinking quality) water for all activities that water or ice is needed for on the premises, unless they can demonstrate that use of non-potable water will not affect food safety. Options for temporary and mobile premises not connected to piped town water include providing potable water in water storage tanks or other containers (e.g. see 3.2.2 clauses 15 and 17 above for hand washing facilities). Note that containers or pipes used for water should be suitable for use with food (e.g. garden irrigation pipes are generally not food-grade), as per clause 12 on fixtures fittings and equipment.

There may be some instances where non-potable water must be used for practical reasons (e.g. in remote areas). If the water is to be used with food and food contact surfaces, the business will need to treat it (e.g. with filters and chemical purifiers and/or by boiling the water) to prevent food from being contaminated.

4(3) If a food business demonstrates that the use of non-potable water for a purpose will not adversely affect the safety of the food handled by the food business, the food business may use non-potable water for that purpose.

An exemption from using potable water for some tasks may be provided if the business demonstrates that food will remain safe; for example if the water will not come in contact with food or food contact surfaces, such as when cleaning floors or firefighting.

For further information on water (e.g. on use of non-reticulated supplies and re-use of water), see Standard 3.2.3 clause 4 and regulatory agency websites in Resources and References.

5 Sewerage and waste water disposal

Temporary and mobile premises must have suitable equipment to collect waste water. For example, for a temporary outdoor event this could be a sealable bin or large bucket. For a mobile business a dedicated tank external to the vehicle could be used — although the appropriate size to use will depend on the business's activities, as a guide, 50 litres' capacity is recommended for waste water. The business must arrange for the safe disposal of sewerage and waste water into a toilet or other council-approved location. Waste containing grease and fat should not be disposed down toilets. Waste water must not be tipped on the ground or into a storm-water drain as it might contaminate the soil or water with dangerous chemicals or microorganisms.

6 Storage of garbage and recyclable matter

The business must provide equipment large enough and of suitable material to collect all garbage and other waste (e.g. waste oil). It must arrange for the safe disposal of all waste from the site in a council-approved location. Garbage and other waste must not be left behind once a temporary event is over or a mobile business has moved, as it might attract pests, or contaminate the soil or water with dangerous chemicals or microorganisms.

10 Floors

Floors must generally comply with clause 10; that is, be able to be effectively cleaned, unable to absorb grease, food particles and water, unable to harbour pests, and laid so there is no ponding of water. However, businesses using a temporary food premises may use any flooring provided the surface would not pose a food safety hazard:

10(3) The following floors do not have to comply with subclause (2):

(a) floors of temporary food premises, including ground surfaces, that are unlikely to pose any risk of contamination of food handled at the food premises;

For a temporary food premises, this includes the existing ground surface (e.g. grass, concrete, paving or dirt) or other flooring (e.g. groundsheets and sealed timber boards).

For example, subclause 10(3) would generally allow businesses to sell packaged foods and food directly from the barbecue at fetes, markets, sporting events and similar functions.

11 Walls and ceilings

Walls and ceilings are required at any food premises where they are needed to protect food from contamination, for example if the business is handling unpackaged food or handling packaged food that could be damaged by weather, insects, animals, sprays, etc. The required outcome is that food is prevented from becoming contaminated. The practicalities of setting up temporary premises should be recognised and the risks should be assessed in relation to food safety. For example, a stall constructed using plastic tarpaulins tied to posts could effectively protect food from weather, dirt and pests even if the walls and ceilings do not have perfectly sealed junctions.

13 Connections for specific fixtures, fittings and equipment

Subclause 13(1) requires that fixtures, fittings and equipment that use water for food handling or other activities and are designed to be connected to a water supply must be plumbed in.

- This includes sinks, basins, dishwashers, hose connections, ice-making machines and any other water-using equipment that is designed to be connected to a water supply.
- This subclause applies to any business using these types of fixtures, fittings
 and equipment including mobile premises, for example, using sinks and basins
 for washing.
- This subclause does not apply to equipment such as bowls, buckets or other standalone or portable equipment, for example, used in temporary market stalls for

washing utensils or hands.

Subclause 13(2) requires all fixtures, fittings and equipment designed to be connected to the drainage system, and which discharge sewage or waste water, to be connected to the drainage system of the premises.

- Equipment such as bowls, buckets or other portable equipment, for example used at temporary premises for washing, is not required to be connected to a drain. The businesses must, however, still arrange for responsible waste disposal (see clause 5 above).
- This subclause includes mobile premises using sinks and basins for activities that generate waste water — these sinks and basins must be directly connected to a waste water tank or sewer.
- Vehicles only selling pre-packaged foods (e.g. canned drinks) are unlikely to need a connected waste water disposal system.

14 Hand washing facilities

Businesses must provide easily accessible hand washing facilities immediately adjacent to toilets, and where food handlers' hands are likely to become a source of food contamination. Generally these facilities must be permanent fixtures, have warm running potable water, be large enough and clearly identified for only washing hands, arms and face. Mobile premises are expected to comply with all these requirements.

14(3) Paragraph (2)(a) [requiring hand washing facilities to be permanent fixtures] does not apply to temporary food premises.

14(4) With the approval in writing of the appropriate enforcement agency, food premises that are specified in the approval do not have to comply with any requirement of this clause that is also specified in the approval.

14(5) Only food premises that are used principally as a private dwelling or are temporary food premises may be specified in an approval for the purposes of subsection (4).

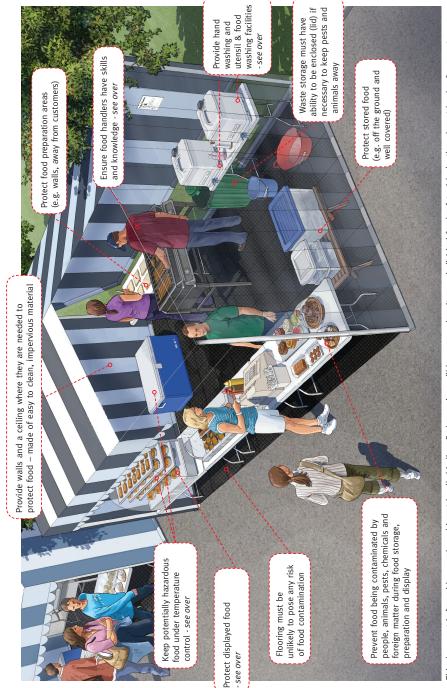
Exemptions for **temporary** premises for some or all of the requirements for hand wash facilities may be granted under subclauses 14(3)–(5). Examples of alternative facilities that could be used include water containers with taps and commercially available portable hand wash stands.

See also Standard 3.2.2 clauses 15 and 17, above.

16 Toilet facilities

Food handlers in temporary and mobile premises must be provided with toilets. Businesses may provide their own toilet facilities (e.g. a portaloo) or arrange for access to nearby toilet facilities (e.g. a service station or shopping mall). The location and design must not present any food safety issues; for example, they must be well separated from food preparation areas and have hand wash facilities.

GUIDE FOR THE DESIGN AND OPERATION OF A TEMPORARY FOOD PREMISES (STALL)



This document is for guidance only and is not legally binding. Each premises will be assessed on its own individual food safety risks by the relevant local enforcement agency.

Other requirements may also apply (e.g. LPG use, fire control, waste disposal) – seek advice from your local enforcement agency.

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