

FACT SHEET

Food for Sale at Markets and Events



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If you are organising a market or event where food will be sold, or intending to provide food for sale at a temporary event it is important that you know what your obligations are in relation to licensing and food safety.

Who needs a food licence?

A food business licence issued by Banana Shire Council is required for the sale of food within the Shire unless an exemption applies such as:

- A non-profit organisation selling meals less than 12 times per year
- The only food sold is:
 - pre-packaged food
 - whole fruit and vegetables
 - drinks (other than processing fruit/vegetable juice)
 - ice or flavoured ice (e.g. slushies or snow cones)
 - seeds, spices, dried herbs, tea leaves and the like
 - non-potentially hazardous snack food e.g. biscuits, cakes, confectionary, potato chips, nuts.

The term 'sale' includes giving food away as part of a promotional event.

What about mobile food vans?

Unless a licence exemption applies, a mobile food van will need a food business licence. However, mobile food vans only need a licence from one local government within Queensland to be permitted to trade throughout Queensland. It is recommended that the event organiser checks with the operator that they have a current licence.

How does someone obtain a food licence for an event?

If someone requires a food licence for an event, they may apply to Council for an event-based food licence, which will cover them just for the event. Structural requirements and skills and knowledge requirements will apply.

Selling pre-packaged food

A food business licence is not required for the sale of pre-packaged food. However, where applicable, the food must have been prepared and packaged at an appropriately licensed facility and labelling must comply with food labelling requirements.

Selling eggs, meat or dairy products

Selling of primary produce generally does not need a food licence, however Safe Food Queensland accreditation requirements apply to the sale of eggs, meat or dairy products.

If a food seller doesn't need a licence do rules still apply?

Even if a food seller does not need a licence, they must still comply with the *Food Act 2006*, serve safe food and provide relevant minimum standards for a temporary food stall.

It is recommended that non-profit organisations selling food refer to the booklet *'Food Safety for Fundraising Events'*, which can be downloaded from the Queensland Government website link in [More Information](#) below or obtained in hard copy from Council Offices.

More information

For further details access the Queensland Government website <https://www.qld.gov.au/health/staying-healthy/food-pantry> or contact Council's Environmental Health Officers

How can you contact us?

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