FACT SHEET Temporary Food Premises





Temporary Food Premises

When is a Food Business Licence Required?

The preparation or handling of unpackaged food for retail sale from a temporary stall or marquee generally requires a Food Business Licence.

Even if the food business has a Food Business Licence for fixed premises, a separate licence is needed for the market stall if the food is unpackaged or if further handling occurs on site.

Licence Exemptions

Certain activities do not require a licence, including selling only prepackaged food, tea and coffee, ice or flavoured ice (e.g. slushies) and some low-risk snack foods.

Not-for-profit organisations are generally exempt from licensing unless preparing meals at 12 or more events per year.

Anyone providing food for sale has an obligation under the *Food Act 2006* (the Act) and the *Australian New Zealand Food Standards Code* (the Code) to ensure that the food is safe and suitable for consumption regardless of whether a licence is required.

It is recommended that non-profit organisations selling food refer to the booklet *'Food Safety for Fundraising Events'*

Application Requirements

To obtain a licence you must submit an 'Application for Food Business Licence' to Council for assessment, together with:

- Application fees
- Relevant plans – refer to the *Guide for the design and operation of a temporary food premises*.
- Food Safety Supervisor nomination and evidence of qualifications

You may apply per event or for an annual licence, but Council will generally restrict this type of operation to 11 times per year to manage the increased risks associated with this type of structure.

Applications should be submitted at least 10 days before the event to ensure adequate time for assessment.
Urgent applications outside this timeframe may be accepted however additional fees will apply.

Other Requirements

- If you are selling pre-packaged food, you must make sure the labelling complies with Queensland Health food labelling requirements.
- If you are planning to prepare ingredients or food at another location to sell at the market stall, then the preparation location must also be licensed as a Food Premises.

More information

Fact sheets, application forms and fees and charges, including the *Guide for the design and operation of a temporary food premises,* are available on Council's website:
www.banana.qld.gov.au/council-services/food.

Extensive resources to determining when a licence is required and to assist you in starting and running a food business can be found at the Food Pantry website:
https://www.qld.gov.au/health/staying-healthy/food-pantry

Contact Council's Environmental Health Team for further information.

How can you contact us?
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