

# Temporary food stall

## Food licence information

**Food prepared or sold from markets or outdoor events must comply with State food laws. *The Food Act 2006* states the requirements for food handlers and food businesses and refers to *Food Safety Standards*, which provide greater detail on specific requirements under the law.**

The temporary nature of outdoor events and markets means that all of the structural requirements of the food laws cannot be applied. However, certain minimum requirements are necessary to ensure a high standard of food handling and safe food.

Please note, this fact sheet does not apply to non-profit organisations. For temporary food stalls operated by non-profit organisations, refer to council's fact sheet '*Temporary food stall – food licence information for non-profit organisations*'.

### Providing food at events or markets

The provision of food to people in connection with an event or market requires compliance with the relevant provisions of the *Food Act*. This includes food provided free as part of a give away or promotional event.

In some instances, you may be required to hold a licence for a temporary food stall.

### When is a food licence needed?

A licence is needed for a temporary food stall if unpackaged food is sold by retail.

Examples include:

- cut fruit or vegetables
- fruit or vegetable juice processed at the place of sale
- sausage sizzle or barbecue
- unpackaged takeaway foods such as hamburgers, hot dogs, pizzas or hot chips
- unpackaged pasta, lasagne or curry
- unpackaged yoghurt
- any other unpackaged food, unless it is included in the following exemptions

### Are there any exemptions from needing a food licence?

There are exemptions from licensing requirements for some low risk foods. Businesses that do not need a licence will still need to comply with the *Food Act* and the relevant minimum standards for a temporary food stall.

You do not need a licence for your temporary food stall if:

- only packaged food is handled
- only unpackaged snack food is sold, meaning any of the following that is not potentially hazardous food
  - biscuits or cakes
  - confectionary, corn chips, potato chips or nuts
  - dried or glazed fruit
- only whole fruit or vegetables are sold
- only seeds, spices, dried herbs, tea leaves, coffee beans or ground coffee is sold
- the only preparation carried out involves the grinding of coffee beans
- only drinks are sold (other than fruit or vegetable juice processed at the place of sale), including
  - tea or coffee
  - soft drinks
  - alcoholic drinks
- only ice or flavoured ice is sold, for example
  - shaved ice or snow cones
  - slurpees
- primary produce is produced under an accreditation granted under the *Food Production (Safety) Act 2000*, part 5
- fisheries resources are processed or sold under a buyer licence issued under the *Fisheries Regulation 1995*

For more information, contact your local Council

## Food prepared off-site

If food sold at a temporary food stall is not prepared at the stall, you must ensure the premises where it was prepared meets the minimum requirements of the *Food Act* and has a licence if needed. This includes food that is prepared at home.

## How to apply for a food licence

To apply for a food licence, you must complete the relevant application form and submit it to Council prior to the event.

## Display of food licence

When your application for a food licence is approved, Council will give you a licence certificate. You must display your licence certificate at your temporary food stall in a prominent and easy to see position.

## Minimum standards for operation of a temporary food stall

All temporary food stalls must be operated in a safe and hygienic manner. For further information on minimum standards refer to Council's fact sheet '*Artists impression – minimum standards for the operation of a temporary food stall*' available on Council's website.

Council's Environmental Health Officers often inspect temporary food stalls at events and markets to ensure they are being operated in a safe and hygienic manner.

## Want more information?

For further information, please contact Council.

## Points to remember

- Should your operation include the selling of any pre-packaged food, you must ensure the food's labelling complies with Queensland Health requirements. Queensland Health can be contacted on telephone (07) 3234 0111 or at [health.qld.gov.au](http://health.qld.gov.au)
- Should the operation include the selling of any alcohol, you must ensure you comply with the requirements of the Liquor Licensing Commission. The Liquor Licensing Commission can be contacted on telephone 13 13 04 or at [liquor.qld.gov.au](http://liquor.qld.gov.au)
- Should the operation involve the selling of eggs, meat or dairy products, you must ensure you comply with all relevant Safe Food Queensland requirements. Safe Food Queensland can be contacted on telephone (07) 3253 9800 or at [safefood.qld.gov.au](http://safefood.qld.gov.au)
- Should you wish to register a business name, please contact Smart Licence on telephone 1300 363 711 or at [smartsmallbusiness.qld.gov.au](http://smartsmallbusiness.qld.gov.au)