

Class 2 food premises

Classification changes effective 2 August 2022

OFFICIAL

Introduction

Victoria classifies food premises according to the level of food safety risk and the type of food handling activities occurring at the premises.

A review of the premises classification system has resulted in a new declaration of *Classes of Food Premises and Requirements*, Government Gazette. The new gazette came into effect on 2 August 2022 for all new food premises and all existing food premises.

The declaration of classes of food premises and requirements establishes the definitions for each class and their legislative requirements. Food premises are classified according to the highest risk activity occurring at the premises.

Class 2 definition

A food premises:

- (a) at which any unpackaged potentially hazardous food is handled or manufactured or
- (b) at which low risk food is manufactured, for which any allergen-free claim is made.

Legislative requirements

Class 2 food premises requirements:

- registration under the provisions of the *Food Act 1984*
- nominate a food safety supervisor (class 2 community groups are exempt from the requirement to have a food safety supervisor if the proprietor is a community group and the majority of persons involved in the handling of the food sold at the premises are volunteers and the food handling activity takes place at the premises for a maximum of two consecutive days at any one time).
- food safety program requirements:
 - food manufacturers are required to have a non-standard food safety program
 - food services and retail food premises undertaking one or more of the high-risk food activities listed in table 1 are required to have a food safety program
 - food services and retail food premises that are not undertaking any of the high-risk food activities listed in table 1 are exempt from the requirement to have a food safety program
 - non-standard food safety programs must be audited by a department approved food safety auditor.

Changes to food safety program requirements for class 2 food services and retail food premises

A class 2 food service premises includes businesses responsible for any meal for immediate consumption on or in the vicinity of premises. This includes restaurants, take away outlets, caterers, and mobile vehicles.

A class 2 retail food premises includes businesses that sell direct to the public or as a wholesale or other immediate food premises within the local area. They may also process food products from raw ingredients.

Proprietors of class 2 food services and retail food premises are exempt from the requirement to have a food safety program except if one or more of the high-risk food handling activities listed in table 1 is undertaken at the food premises. Business that are required to have a food safety program must implement all relevant sections of the program.

Table 1: High-risk food handling activities

High-risk activity	Meaning	FSP requirements
Sous vide cooking, (cooking at less than 75°C) where the food is cooked under controlled temperature and time conditions inside vacuum sealed packages in water baths or steam ovens.	As described within Australia and New Zealand Food Standards Code, chapter 3, appendix 3.	Can use the department developed and approved FSP template – <i>Foodsmart</i> OR the business can develop their own non-standard FSP that is audited by a department approved food safety auditor.
Any potentially hazardous food that does not involve temperature control to minimise the growth of pathogenic or toxigenic organisms as described in Australia and New Zealand Food Standards Code, Standard 3.2.2.	Food including sushi, cured meats, aged beef, smoked foods, Chinese style roasted meats.	Can use the department developed and approved FSP template – <i>Foodsmart</i> if the food handling activity is listed. If the food handling activity is not listed in <i>Foodsmart</i> the business must develop their own non-standard FSP that is audited by a department approved food safety auditor.
Preparation of acidified/fermented foods or drinks that are ready to eat and have a high level of acidity required to keep food safe, acid may be naturally present or added or produced by the food (due to microbial activity).	Foods including sauerkraut, kombucha, century eggs.	Can use the department developed and approved FSP template – <i>Foodsmart</i> if the food handling activity is listed. If the food handling activity is not listed in <i>Foodsmart</i> the business must develop their own non-standard FSP that is audited by a department approved food safety auditor.
Preparation of ready to eat foods containing raw unshelled eggs (unpasteurised).	Meals or desserts that contain raw eggs, that is, the eggs are consumed raw and have not gone through a heat treatment. Foods including mayonnaise, tiramisu, mousse. This does not include eggs that have gone through a pasteurisation process or the handling of shelled eggs, which is a class 3 activity.	Can use the department developed and approved FSP template – <i>Foodsmart</i> OR the business can develop their own non-standard FSP that is audited by a department approved food safety auditor.

High-risk activity	Meaning	FSP requirements
Preparation of ready to eat raw or rare minced/finely chopped red meats.	<p>These foods all contain minced or finely chopped red meats that are either raw or rare and not cooked. Foods including steak tartare, rare/raw hamburgers.</p> <p>This does not include carpaccio (finely sliced meat) or steaks that have been cooked to the customer's requirements, as most bacteria is on the surface of the meat.</p>	<p>There is no department developed and approved FSP template for this activity.</p> <p>A business undertaking this process will require a non-standard FSP that is audited by a department approved food safety auditor.</p>
Preparation of ready to eat raw and rare poultry and game meats.	<p>The preparation of ready to eat raw and rare poultry and game meat, regardless of it being a muscle or mincemeat, where it is served raw or partially cooked.</p> <p>Poultry meat includes chicken, duck, goose. Game meats include kangaroo, wild boar, emu, crocodile that are not raised on a farm.</p> <p>For further information concerning game meat please refer to the Game Harvester Guideline Amended January 2021 - updated (web).pdf (primesafe.vic.gov.au).</p>	<p>There is no department developed and approved FSP template for this activity.</p> <p>A business undertaking this process will require a non-standard FSP that is audited by a department approved food safety auditor.</p>
Off-site catering where ready to eat potentially hazardous food is prepared or partially prepared in one location, transported to another location, where the food is served at a catering event.	<p>An arrangement between the caterer and a person who is paying for the business to provide food to persons who attend a function, whether or not the food is partially prepared at the function (but does not include merely delivering the food).</p> <p>For example, an arrangement made with the organiser of a wedding reception, a function for staff of a business, a dinner for club members, or a party or wake for guests, or for a community group activity. Usually, it is arranged for a predetermined number of persons, but this is not essential.</p> <p>Off-site catering does not include catering activity where the food has been prepared and delivered to an office for lunches or similar events where the food does not require any further preparation such as reheating, portioning or garnishing; or where businesses that do not supply food for the event but provide waiting staff to serve the food at the event.</p>	<p>Can use the department developed and approved FSP template – <i>Foodsmart</i> OR the business can develop their own non-standard FSP that is audited by a department approved food safety auditor.</p>

High-risk activity	Meaning	FSP requirements
<p>Any other complex food process activity such as:</p> <p>Pasteurisation/thermal processing, where food is heated to a certain temperature for a specified time, to eliminate pathogenic organisms.</p> <p>Packaging food where the oxygen has been removed and/or replaced with other gases for food safety or to increase shelf life of the food.</p> <p>Any food processing activity which does not involve the use of temperature control, to minimise the growth of pathogenic or toxigenic organisms in food, as described in Australia and New Zealand Food Standards Code, Standard 3.2.2.</p>	<p>Examples of complex food processes includes dehydration where temperature control is not used to minimise the growth of pathogenic or toxigenic organisms in food, as described in Australia and New Zealand Food Standards Code, Standard 3.2.2.</p>	<p>There is no department developed and approved FSP template for this activity.</p> <p>A business undertaking this process will require a non-standard FSP that is audited by a department approved food safety auditor.</p>

Further information

Please email the [Food Safety Unit](mailto:foodsafetyreforms@health.vic.gov.au): <foodsafetyreforms@health.vic.gov.au>.

To receive this document in another format, phone 1300 364 352, using the National Relay Service 13 36 77 if required, or email the [Food Safety Unit](mailto:foodsafetyreforms@health.vic.gov.au) <foodsafetyreforms@health.vic.gov.au>.

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