



Food for Sale at Markets and Events

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
- Only whole fruit and vegetables are sold
- Only drinks are sold (other than processing of fruit and vegetable juice)
- Only ice or flavoured ice is sold (e.g. slushies or snow cones)
- Only products such as seeds, spices, dried herbs, tea leaves and the like are sold.
- Only pre-packaged food is sold
- Only non-potentially hazardous snack food is sold eg 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 an 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 a temporary 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 licenced 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 requirements apply to the sale of eggs, meat or dairy products.

IF I DON'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'.

FOR FURTHER INFORMATION

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

How can you contact us?

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