

## FACT SHEET

## Food for sale at markets



## Food for Sale at Markets and Events

If you are organizing 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 organization 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 Office

#### How can you contact us?

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