



## A guide to the application procedures and requirements to operate a food stall.

### Introduction

A number of special events and markets annually occur in New Plymouth District offering food for sale at food stalls. Application to hold these events or markets should be made in writing to New Plymouth District Council's Environmental Health Team. To assist stall operators to produce food for sale to public that is safe to eat, this brochure is designed to help you set up a food stall by providing information and practical advice on how to comply with the relevant guidelines. Application and registration procedures are made under the provision of the Health (Registration of Premises) Regulations 1966, Food Hygiene Regulations 1974 and NPDC Consolidated Bylaws 2000: Part 14 Trading in Public Places and Itinerant Traders. This legislation is enforced by Environmental Health Officers who may visit your stall on the day of the **event** or throughout the year at your **market**.

The Food Hygiene Regulations 1974 detail the standards for conduct, preparation, storage, handling and display of food for sale to public.

The NPDC Consolidated Bylaws 2000 : Part 14 Trading in Public Places and Itinerant Traders requires all stalls to be licenced, and it controls trading in streets, reserves, recreation grounds and public places to ensure appropriate standards of convenience, safety, visual amenity and civic values are maintained. The bylaw also regulates the conduct of people selling goods in public places and provides the framework for control by imposing conditions and approval procedures.

Please read this information carefully. If you have any questions, use the contact details provided in this guideline.

To establish the food safety standard and make further enquiries of each stall, Environmental Health Officers require details of operators, foods to be prepared, the source of the food and the site where the food will be prepared, etc.

The aim is to determine the type of operation, the risk presented to customers and the implications from the failure of food safety controls. The risk associated with the type of food, sphere of impact of the operation, frequency of operation and whether it is for the benefit of a charity or the community, are also considered.

The following forms are included with this package:

- Application for Food Stall.
- Personal Hygiene for Food Handlers pamphlet.

In addition to the council's Environmental Health Team, you will need to gain permission from the landowner whose property you intend operating your stall upon. If you intend operating your stall on council property, permission from the appropriate department overseeing that property must be sought.

### Consent may be required from:

- NPDC Roading Team – if you wish to operate a stall on the street.
- NPDC Parking Team – if you wish to operate on/in a public place.
- NPDC Parks Team – if you intend to operate on council reserve, park, beach, the foreshore etc.
- Transit New Zealand – if you wish to operate on a state highway. Note that registration with the council does not entitle you to operate on a state highway.

### A licence may be required from:

NPDC's Liquor Licensing Team – if you intend to sell liquor. An application for a special licence must be made at least 20 working days prior to the event.

### Charity and community not-for-profit organisations

These groups are exempt from paying food stall registration fees. However, they are restricted to sell foods that are not potentially hazardous (e.g. cakes without cream, biscuits, bottled jams and pickles, or foods which are to be consumed immediately after thorough cooking such as from a sausage sizzle, hamburgers etc). Note: These groups are not exempt from hygiene and food safety relating to safe storage and preparation of food requirements, and has to complete an application for food stall registration form.

To determine whether the operation is involved with community and/or charity fundraising, evidence is required to show that the operation is selling food to provide a charitable or community benefit and that the proceeds from the food are not for individual business financial gain. For example, the food business may be registered with the Inland Revenue Department, or be widely recognised in the community as a beneficial provider.

### Donated food

In order to provide for trace-back in the event of a complaint, either a record of the donors' names and addresses (together with a description of the food that each person has prepared) or labelling of the foodstuff to identify the donor is required.

Each application is considered for food stall registration on an individual basis.

### Market/event organisers

The stall operator is required to clarify with organisers where the responsibility would lie for supplying:

- Provision of stall.
- Floor covering.
- Potable (drinkable) water.
- Hot water.
- Hand wash facilities.
- Soap for hand washing.
- Paper towels for drying of hands.
- Wash-up facilities for utensils/equipment.
- Detergent for washing utensils.
- Cooking equipment (gas grills, BBQ, urn etc.).
- Refrigeration (chillers, freezers etc.).
- Regular rubbish removal away from the stall.
- Distances away from stall of vehicle loading/unloading areas.
- Available space for vehicle behind the stall.
- Available space for storage.
- Waste water disposal.
- Waste oil disposal.
- Gas supply.
- Power supply.
- Fire extinguishers.
- First aid box.
- Toilet facilities.
- Tables or workbenches.
- Rubbish bins with lids.

### To ensure prompt processing of your application, please:

- Complete all sections of the application form.
- Enclose a copy of your certificate of registration (where registered with NPDC, an other council or NZFSA).
- Enclose copies of food safety training certificates (where applicable).
- Sign and date.
- Return the completed form to either:
  - NPDC Environmental Health Team (where applying for a registration to sell food at a local **market**); or,
  - Event organiser (where applying to sell food at an event) at least six weeks prior to the date of the **event**.
- Contact with stallholders will be made where required, and food safety issues will be discussed closer to the date of the event.
- Food sellers would be subject to approval from the Environmental Health Team this is likely to be given only where proper food safety controls are followed.
- Ingredients and food should be sourced from registered food premises. (Keep copies of invoices to trace back if needed in the event of a complaint.)

Note that Environmental Health Officers have the right to inspect any premises where food is produced/stored, including private homes.

### Infrequent Events

If you are operating at a one-off event, the term of the approval will be only for the period the event runs.

Note: Event organisers will be issued with an 'event licence to operate approved food stalls', to allow consented food stalls to operate at the event.

### Markets

If you intend to operate a food stall regularly throughout the year, an annual stall licence is required (registration period: 1 July – 30 June).

Note: Individual stallholders will be licensed.

Food stall licences at markets allows food to be sold provided:

- The food is prepared and sold from a mobile food vehicle that has its own current health registration.
- The food sold from a particular stall is pre-packed and has been prepared off-site from a premise that has a current registration certificate.
- The conditions set on licences are strictly followed.

Food that is prepared in a domestic kitchen and sold from a stall at a market is not permitted.

Approval from a designated officer from Taranaki District Health Board may also be required to enable you to sell your products away from the site where it is prepared.

Food registrations and stall licences are subject to various conditions.

No food processing is allowed at market stalls, with the exception of food that is prepared and sold in registered mobile facilities fitted out with suitable surfaces and facilities (such as sinks and hot water) to enable personal hygiene practices and the regular cleaning and sanitising of surfaces. They should also have facilities enabling temperature-controlled storage and display of produce, where any perishable products (dairy, fish and meat) are handled and the correct temperatures for produce must be met. Cooking would be permitted only at these mobile facilities.

Any commercial business wishing to sell food at the market must have a food stall licence, regardless of licences they may already hold for their business. However, only one food stall licence is required for use at various markets within New Plymouth District Council.

Under the guidelines for occasional food premise, fruit and vegetables (grown at home) may be sold up to four times per year, without a food stall licence. Thereafter a licence is required. This will be managed by the market organisers.

Anyone wishing to have a BBQ or cake stall for charity/school fundraising at a market can do so provided adequate food safety precautions are taken and the application for a food stall registration form has been completed.

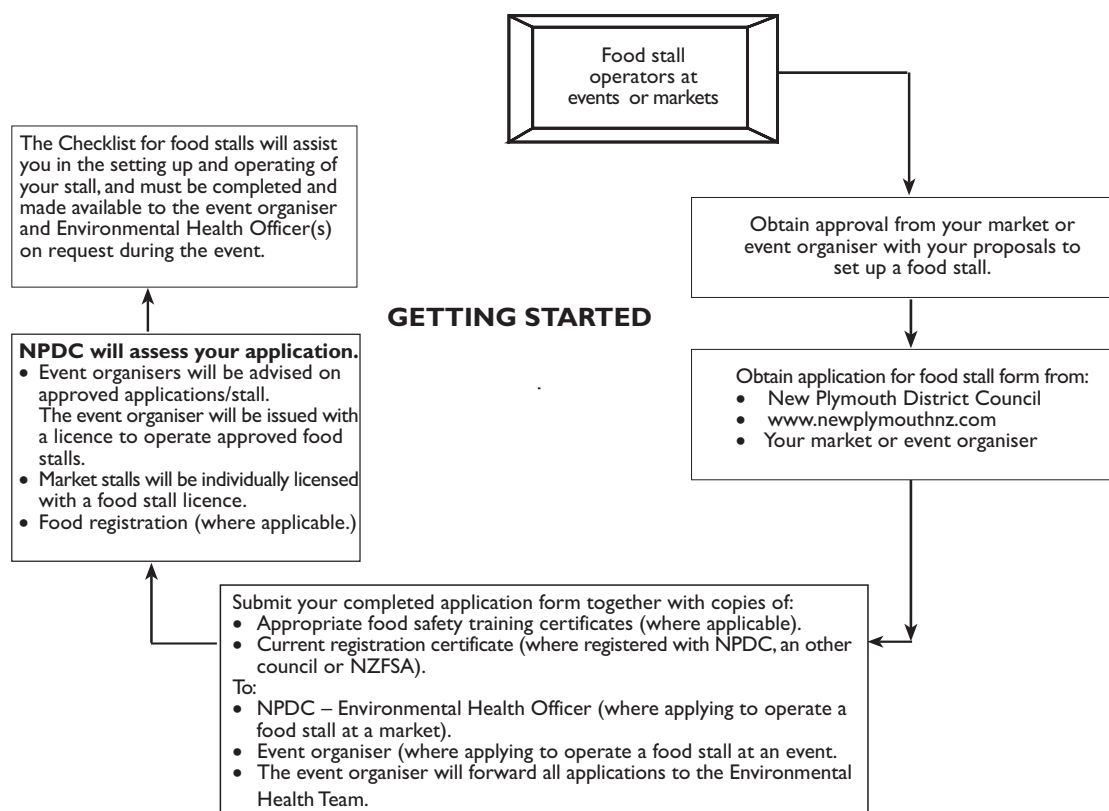
Market organisers will maintain a register and contact details of all charities operating from the site. Where complaints are received, the council will be required to check the contact details in the register to undertake an appropriate investigation.

Guidance material from the New Zealand Food Safety Authority (NZSFA) is available for all existing stalls currently selling or proposing to sell meat and meat products. It is intended that market organisers will check that the guidelines are followed at stalls, while council officers who regulate food safety at markets will ensure that appropriate steps are being taken.

NZSFA will audit markets to see how well the guidelines are being applied.

**In all cases, the event/market organiser(s) is responsible for ensuring these guidelines are adhered to.**

**The event/market organiser(s) must also ensure that all food stallholders are familiar with these guidelines and that an application for food stall form has been completed and presented to the Environmental Health Team prior to the day of the event.**



### Please note:

- Contact with stallholders will be made by Environmental Health Officers where required to discuss food safety issues closer to the date of the event.
- Food stall operators will be subject to approval by the Environmental Health Team. This is only to be given where proper food safety controls are followed.
- The licence is not transferable.
- Certificate of registration/applicable licences must be displayed in a prominent place on the stall where the public can read it.

### Timeframes

- Event organisers should obtain application for food stall forms from council, at least eight weeks prior to the event.
- Event organisers should forward application forms to potential food stall operators early enough to allow completed forms to be returned to NPDC Environmental Health Team at least six weeks prior to the event. This will allow adequate time to assess application forms and make contact with stall holders where required.
- Stall holders are required to carefully read the information provided, supply copies of required documents and supply all relevant information to enable council officers to process applications, as this will ensure compliance and minimise risks.