

INFORMATION SHEET FOOD AND B&Bs

1. Do B&Bs, home kitchens or Temporary Food Stalls qualify as a “food business” under the Food Safety legislation?

Put simply “YES.” A food business refers to a business, enterprise or activity that involves the handling of food intended for sale, or the sale of food. Sale includes food that is supplied as part of a service, including as part of accommodation, or food that is prepared and supplies for events or market stalls. If you make or provide breakfasts, lunches, dinners or snacks, make cakes, jams, chutneys, sauces, pastes, etc, you are food businesses under the legislation. Even where breakfast (or other) foods such as packaged cereals, milk, cakes etc. are left for the guests to prepare their own meals.

Therefore if your home kitchen is used to do any of the above you must comply with the Food Safety Standards. There are NO EXEMPTIONS to the Food Safety Standards where a concession on the requirements for a premises fit-out (Food Safety Standard 3.2.3) would compromise the preparation of safe and suitable food.

2. What legislation applies?

The Food Act 2001, Food Regulations 2002 and the Food Safety Standards 3.1.1 (Interpretation and Application). 3.2.2 (Food Safety Practices and General Requirements) apply to food businesses that are B&Bs, home kitchens and Temporary Food Stalls.

The Safe Drinking Water Act 2011 may also apply to certain food premises. Call SA Health’s Water Quality Unit on 8226 7100 for more info. or emailwaterquality@sa.gov.au

There are concessions for Food Safety Standards 3.2.3 (Food Premises and Equipment) regarding accepted differences between a commercial and domestic kitchen. Council does not expect domestic kitchens to be constructed to the standard of a commercial kitchen. But food preparation surfaces are expected to be clean, and food preparation areas are expected to be free of pests, vermin and household pets whenever food is being prepared for sale.

More information on legislation can be accessed at www.health.sa.gov.au/pehs web site or by contacting Council’s Environmental Health Officer (EHO) on 8553 4543.

3. Who and when do I notify?

The food legislation requires food businesses to complete a notification process to their local Councils before they start preparing food for sale. This can be done by completing a Food Business Notification form available from

Council. If details change you need to notify Council of the changes.

4. Does the home kitchen where food (a meal, scones, biscuits, cakes, jams, etc.) is prepared for guests or sale need to be inspected or accredited?

The kitchen is part of the ‘food business’ and is thus subject to inspection. Inspections focus on two areas, the physical conditions (premises, food preparation areas and equipment) and the health and hygiene practices of the food handlers. Food businesses are not ‘accredited’ under the Food legislation, they are inspected. Environmental Health Officers (EHOs) will require proprietors to meet certain standards in relation to premises and food handling practices to ‘pass’ an inspection.

5. How often would food business inspections occur?

Council will generally inspect low to medium risk food businesses such as B&Bs about once every 12 to 24 months. This may vary more or less frequently depending on the business’s performance.

6. Does the home kitchen facilities need to meet all the premises requirements in Standard 3.2.3?

Most domestic kitchens that are well maintained would comply with the majority of the Standards except for the requirement to have dedicated permanent hand washing facilities. A kitchen that has a double bowl sink would comply if one bowl is used exclusively for hand washing when food is being prepared for sale. A single bowl sink that is also used for food preparation would not meet this requirement, however the Council’s EHO can issue an exemption that will allow the use of alternative hand washing arrangements (eg. hand-washing facilities in nearby bathroom) if they consider the facilities are adequate.

7. Does the kitchen in a B&B where the guests prepare their own meals need to be inspected?

EHOs will inspect the kitchen facilities in the B&B to determine whether provisions are suitably stored. As the kitchen forms part of the ‘food business’ it will be subject to inspection as per question & answer for 4.

8. Can I cook scones, biscuits, bread and alike and leave them for guests?

Yes, obviously good health and hygiene practices should be in place to ensure the safety of the food. The foods should be stored appropriately (eg. potentially hazardous foods into the fridge, food is covered, stored in containers, etc.) and is kept fresh (eg. ensure stale food is disposed of).

9. Do foods supplied to guests need to be labelled with use by dates, content listings and nutritional information panels?

No, unpackaged food, food protected with cling wrap and food stored in containers to keep the food fresh does not need to be labelled if it is being consumed at the location where it is prepared. Similarly, packaged food that is made on the premises (eg. jam, biscuits etc.) does not need to be labelled.

(The labelling standards are based on the principle that consumers have the opportunity to identify ingredients that they may choose, or have a health reason to avoid. Particular care needs to be taken with foods likely to cause allergies or sensitivities such as foods containing gluten, crustacean, egg, fish, milk, tree nuts, sesame seed, peanuts, soybeans, or sulphite additives.) Food offered for sale at a different location to where the food is prepared should be labelled, detailing at least what the food is, what the ingredients are, who made the food or where it was made, when the food was made or needs to be used by, and the net quantity of the food, weight (g) or liquid (ml).

10. A. Can I decant juices and milk into carafes or jugs, place jams, butter etc. onto dishes, bacon onto a plate, and cereals into glass jars, or does everything have to be pre-packaged?

B. Potentially Hazardous Food.

A. Yes, however foods that are decanted or placed into dishes or containers should be protected from contamination, for example using plastic wrap, lids etc.

B. *Potentially hazardous food (eg. meat and dairy products) should be kept in a refrigerator or freezer. It is important that temperature of the refrigerator/freezer is monitored – use a digital unit with a sensor probe.*

Refer also to question 9 above.