

Do you want to get started in the food business?

Where do you start

Before starting a new food business, it is important that you understand all the rules and regulations that will apply to your operation.

Please read these guidelines carefully and think about the type of food business you want to operate.

When beginning a food business there are many factors you will need to consider. In addition to Council's Environmental Health Team, you are advised to consult with the following departments before committing yourself to a business venture of this type:

- For site information (zoning, resource consents, parking requirements); contact the duty planner officer.
- For operating a mobile shop please refer to our Mobile Food Licenses Fact Sheet.
- For building consents, building use, drainage and plumbing, sanitary fixtures; contact the duty building inspector.
- A tradewaste consent is required and you may also need an adequately sized grease trap to be installed, see link for more information and forms: <https://www.marlborough.govt.nz/services/utilities/sewerage/tradewaste>
- Contact the alcohol licensing administrator at Council where your business may involve the sale of alcohol. Ph 03 520 7400

Before operating you must obtain a certificate of registration. You must operate under the appropriate risk-based measure.

It is an offence to sell food without registration.

Fees

At the time of application, you will need to pay the initial registration fee.

There are also other fees associated with having a food business i.e. verification costs, renewal of registration.

For a full list of the fees, you can visit the MDC website.

<https://www.marlborough.govt.nz/services/environmental-health/environmental-health-fees>

Food Act 2014

The law recognises that each business is different. The Act provides a sliding scale where businesses that are higher risk from a food safety point of view will operate under more stringent food safety requirements and checks than lower risk food businesses.

The Act applies to everyone who grows and produces food for commercial sale, whether it is sold from a shop, at a market stall or on the internet.

All new food business must register their risk-based activity under the appropriate risk-based regime.



Food Control Plans

A FCP is a risk-based measure that helps food operators meet their food safety obligations. The template FCP is designed for businesses that prepare or manufacture and serve meals, snacks or beverages for consumers to eat immediately and for retailers of food.

A food control plan is designed for a food business to identify, control, manage and eliminate or minimise hazards and other relevant factors for the purpose of achieving safe and suitable food, taking into account:

- each type of food that the food business trades in; and
- each type of process or operation that is applied to the food; and
- each place in which the food business trades in food

Template Food Control Plan (TFCP)

MPI designed a template for certain operators including;

- Food service businesses e.g. restaurants, cafes, takeaways, caterers. The template may also be used by operators of residential care facilities
- Food retail businesses that prepare or make and sell food – e.g., butcher, fishmonger, retail baker, delicatessen or supermarket

Before you register you must print or purchase a template plan and fill in the applicable sections. All TFCPs will be registered and verified by the Council unless you travel outside of the District.

Once registered you must begin operating following the plan and record all the required information appropriately. The initial verification must be undertaken between 4-6 weeks after registration.

The Environmental Health Team will be in contact to arrange a time to verify you. The officer will come to view the operations and go over the plan in some depth. Further verifications will follow a timeframe depending on the outcome of the initial/previous verification.

The registration must be renewed annually. Council will send out renewal forms before your registration expires which you must check and update if necessary. You must pay the renewal fee on time or be liable of a fine of \$450 for not being registered.



National Programme (NP)

A National Programme sets out the requirements for producing safe and suitable food for lower risk businesses. For example, those who only handle food such as: heating or defrosting food, scooping ice cream, handling hot food from a pie warmer. It also includes specific operations such as manufacturers of beverages, oils, processors of nuts or seeds, processors of herbs or spices etc.

There are three levels of National Programme:

Level 3 Higher Risk

Level 2 Medium Risk

Level 1 Lower Risk

Businesses will have to register their business details with the Council. The Food Regulations 2015 specify what records are to be kept and the different periods for compliance checks. National Programmes must be verified by a recognised verifying agency. Councils are not required by Law to verify National Programmes and you will need to engage a third-party verifier.

The registration must be renewed bi-annually. Council will send out renewal forms before your registration expires which you must check and update if necessary. You must pay the renewal fee on time or be liable of a fine of \$450 for not being registered.

Custom Food Control Plan (FCP)

A custom FCP is a plan you develop specifically to suit your business. If you do not fit the TFCP then you may need a custom one. In the plan, you need to identify the food safety risks involved in what you do and show how you will manage them. Custom plans are for businesses that wholesale food and includes those that manufacture high risk foods such as dairy processors supplying the domestic market or exporting, and primary processors of meat and fish (who sell by both wholesale and retail on the New Zealand market).

All custom plans are registered with the Ministry for Primary Industries (MPI) and evaluated against the requirements of the Act. Any business can choose to develop their own custom-made plan that suits their business operations specifically or when a template FCP does not cover all of the operations.

Please refer to your food sector on the MPI website to find out if there are specific requirements for your business or for further information regarding custom-made Food Control Plans phone MPI on phone:

0800 00 83 33 or email: info@mpi.govt.nz

Where do I fit?

You can use the 'My food rules' tool on the MPI website to establish what category your operations you will fall into;

<https://www.mpi.govt.nz/food-business/food-safety-rules/>

OR

Give the Environmental Health Team a call or email to discuss.

You will find useful information on Ministry for Primary Industries and Marlborough District Council websites:

<https://www.mpi.govt.nz/food-business/>

<https://www.marlborough.govt.nz/services/food-business-information>

Exempt Operations

Some businesses are exempt from registering under a risk-based measure but are still responsible for selling safe and suitable food.

Exempt businesses include:

- retailers or direct sellers of shelf-stable, manufacturer pre-packaged food
- horticultural producers: direct sales of own produce to consumers only
- accommodation providers: food for up to 10 guests
- accommodation providers: snacks or breakfasts only
- home-based early childhood education services
- early childhood education service providers who undertake minimal food handling only
- fishing vessel operators who supply food to crew
- food trading: once a year
- food service sector: clubs, organisations, and
- societies under specific conditions.

Taking over an existing food premises

If you are purchasing an existing registered food premises you must ensure that it will be suitable for your new food operation. If you intend to change the nature of the business, you may need to alter the premises to allow you to do this.

Prior to purchasing an existing food premises, you should contact the Environmental Health Team to discuss your proposed new operation.

New premises or operators operating with a Food Control Plan must apply for a new registration.

Helpful Contacts:

Marlborough District Council

- Environmental Health – Phone 03 520 7400
Email: environmentalhealth@marlborough.govt.nz
- Alcohol Licensing - Phone 03 520 7400
Email: alcohol@marlborough.govt.nz
- Building Consents - Phone 03 520 7400
Email: mdc@marlborough.govt.nz
- Duty Planning - Phone 03 520 7400
Email:
mdc@marlborough.govt.nz
- Tradewaste - Phone 03 520 7400
Email:
mdc@marlborough.govt.nz
- MPI – Phone 0800 00 83 33
Email info@mpi.govt.nz

Need a third-party verifier?

<https://mpi.maps.arcgis.com/apps/webappviewer/index.html?id=7871123ed84d4a84876b980516da7e41>

For more information visit:

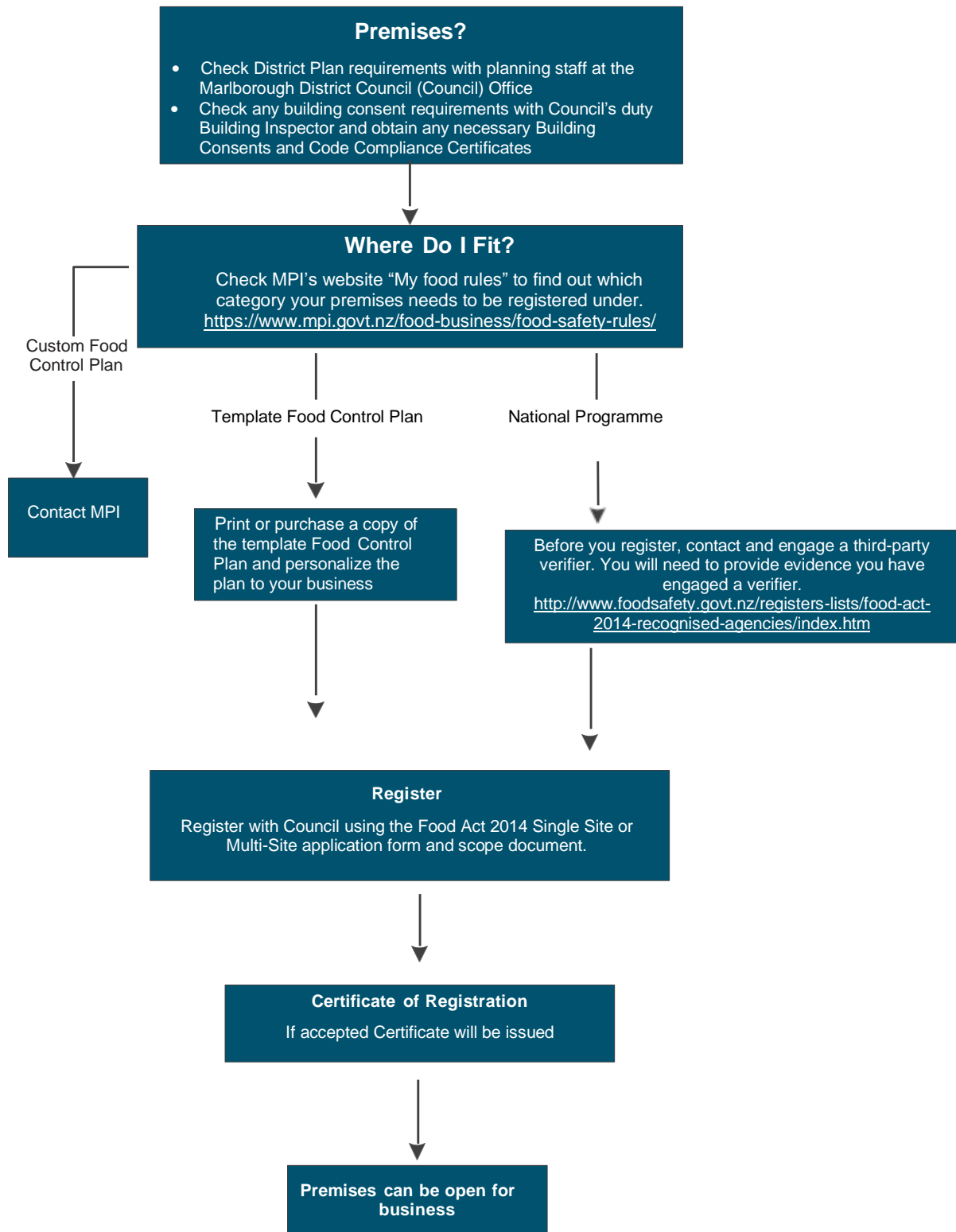
<https://www.mpi.govt.nz/legal/legislation-standards-and-reviews/food-safety-legislation/introduction-to-food-safety-legislation/>

Fundraising & Community Groups, Clubs and Societies

<https://www.mpi.govt.nz/food-business/starting-a-food-business/exemptions-from-the-food-act/fundraising-and-community-event-food-safety-rules/>



The Application Process – Food Act 2014 Registration



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