

# HOME KITCHEN REQUIREMENTS – GUIDANCE AND CHECKLIST

The risk based approach of the new Food Act 2014 means that a small food business may be able to operate from a home kitchen.

The operator has to meet the requirements of the risk based measure that apply to their activities – this could be either a template Food Control Plan (FCP) or a National Programme (NP).

For more information about a template FCP or NP please visit the Hutt City Council website at [huttcity.govt.nz/Services/Licences-permits/food-licences/Food-Act-2014](http://huttcity.govt.nz/Services/Licences-permits/food-licences/Food-Act-2014)

## **There are two key questions to consider when deciding whether or not to operate a commercial food business from a home kitchen:**

1. Can commercial food be produced safely?
2. What does the business need to consider/put in place to achieve this?

It is the responsibility of an operator to demonstrate that they can identify the food safety hazards and manage/reduce/eliminate any risks that might arise.

This includes hazards associated with people, pets, place, facilities, appliances etc.

There is an expectation that **you** (the operator) has identified the areas of your home needed for food production, including ambient and refrigerated storage, any facilities, equipment and procedures needed to ensure food is safe.

The decision as to whether a home based business would be better suited in a commercial kitchen needs to take into account whether the business can produce the volume/range of food proposed safely. High risk foods may be better prepared in a commercial setting where the food safety hazards can be more easily managed.

**Regardless of where you are producing food for sale, you must always make sure it is safe and suitable.**

## **The Food Act requires the following in shared commercial places:**

- The design, construction and location of a food business, enables food to be safe and suitable

- A FCP must describe activities that are not activities of the food business, how those activities affect food safety and suitability, and how any risk to food safety or suitability will be managed
- A business operator must ensure that food is produced or processed and handled in a way that minimises the contamination or deterioration of food.

## **WHY DOES IT REQUIRE THIS?**

Food for sale that is stored, processed and handled at a place shared with other activities can become contaminated:

- By those activities that are not part of the food business (eg the activities are not compatible with food)
- From the effects of those activities (eg dust, fumes)
- By people involved with those other activities (eg they don't need to meet standards for food handlers)
- By foods at those activities (eg home kill or recreational catch).

**The template FCP does not allow you to make food for sale at the same time that a place is being used for other activities.**

Domestic kitchens are not designed for commercial use and so might need some alteration to comply with the FCP and other Council legislation such as the Building Act, District Plan and Trade Wastes Bylaw as well as

very careful planning in regards to how to use the shared space for both domestic (home) and commercial activities.

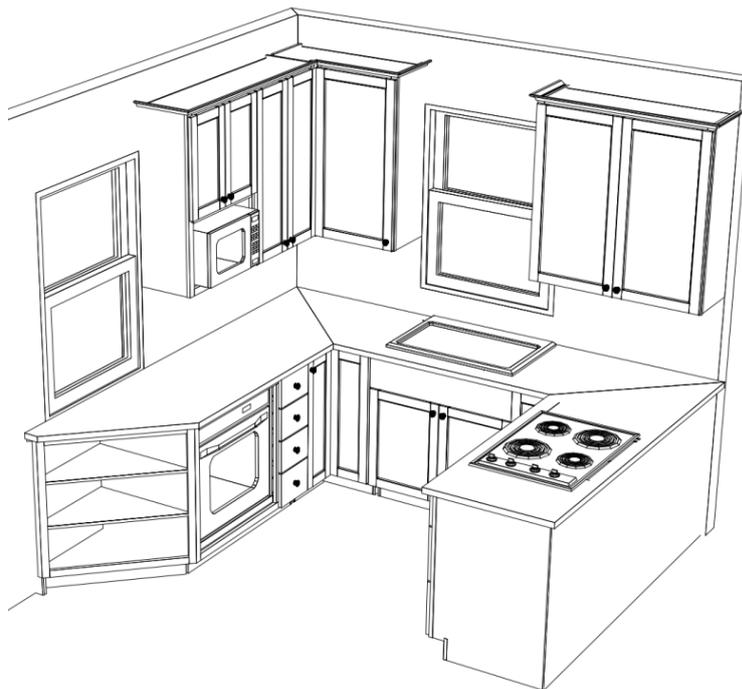
Things to consider include, but are not limited to, the following:

- Does the design, construction and location of your home enable food to be safe and suitable
- Access to a wash hand basin that allows for effective hand washing and drying while preventing cross contamination
- If using a shared sink for washing hands, preparing food and cleaning, how this is managed to prevent cross contamination
- Does the design and location provide easy access for cleaning and maintenance or are there any decorative finishes that are not easily cleanable
- Will the introduction of a commercial food business to your home kitchen cause the facilities, equipment and essential services to operate beyond their capacity and capability
- Is the capacity of the hot water supply adequate for a food businesses
- Is there enough storage or refrigeration/freezer space for commercial and domestic food to be kept completely separate and backup for large volumes of food
- Adequate ventilation to prevent odour problems
- Does the design, construction and location of your home exclude dirt, dust, fumes, smoke and other contaminants as well as pests from entering and remaining
- Is there enough space to enable movement of staff and food to flow in a way that prevents and manages risk
- Access to the kitchen by children, pets, visitors and how this can be managed
- Separation of home activities from commercial/business use
- Will the food you prepare cause any liquid to discharge into the wastewater (sewer) system or if there is solid waste how will this be disposed of
- Will the food you prepare and sell require a food label
- Surfaces easily cleanable and fit for purpose, ie do you have a high ceiling, timber surfaces etc).

## TRAINING

It is good operating practise for at least one person, preferably an owner/manager, to have completed a basic food safety course.

If operating under a template FCP the day-to-day operator/manager of the food business would need to understand and implement all FCP procedures that relate to the food business and complete a staff training record for themselves, as well as any staff members.



**In order to use a place shared with other activities, one of the following options must be undertaken:**

**1. Physically separate “food for sale” handling from other activities**

All matters affecting safety and suitability that may arise from other activities shall be managed by keeping “food for sale” operations and other activities separate from one another by using different rooms and equipment.

**2. Using the same place (eg a home kitchen) for “food for sale” and other activities but at different times**

All matters affecting safety and suitability that may arise from other activities must be managed by keeping “food for sale” operations and other activities separate from one another by taking place at different times, even though they happen in the same area.

*Whenever the place is being used for “food for sale”:*

*“Food for sale” must be prepared and handled at a different time to any other activities*

*No other activities take place that could affect the safety or suitability of “food for sale”*

*“Food for sale” must not be processed or handled when ill people are present at the place (e.g. sick family members)*

*“Food for sale” is to be stored separately from any other food that may be present*

*Before “food for sale” is processed or handled –*

- The place must be cleared of any items that could present a hazard to the processing and handling of the food;*
- Surfaces, equipment and utensils must be thoroughly cleaned and sanitised using cleaning equipment dedicated to the food business;*
- “Food for sale” is to be stored separately from any other food that may be present and in ways that prevent other food from being used in, or contaminating “food for sale”*

**As every home kitchen is unique; the type of food that will be produced, the type of household, the understanding and experience of the operator will also be unique. In order to provide you with the best and most appropriate advice you will need to give the Council as much information as possible about what you propose to do.**

### **NEXT STEPS:**

**Your proposal will be considered based upon the information provided in the following points 1-4 and the checklist overleaf.**

**Approval of a home based commercial food business will be dependent upon it being able to satisfy the requirements of the Food Act 2014 as well as receiving approval from the Planning, Building and Trade Waste teams at Council. You can ring through to Council’s main number on 570 6666 and ask to speak to the above departments or alternatively you can go to 30 Laings Road and speak to a duty officer in person.**

## **Before you make an application to register a food business from home, you will need to provide the following to Council:**

- 1. Site plan detailing the physical boundaries of the home kitchen and any other areas that will be used for “food for sale”.**
- 2. Written proposal covering the following topics:**
  - Address of the premises
  - Reason for the business
  - The types of food to be produced
  - How much food is to be produced weekly/monthly
  - Whether any food will be transported
  - Will food be labelled
  - Where will food be sold
  - The training/qualifications/experience of staff
  - Whether any staff are to be employed
  - How goods will be separated between domestic and commercial use, including during preparation and storage
  - What are the businesses work patterns and how do these keep “food for sale” separate from household activities
  - How the business proposes to operate when there are sick family members at home
  - How will access to the kitchen by children, pets, visitors be controlled
- 3. A completed Home Kitchen – Commercial Food Checklist (see overleaf)**
- 4. A photograph of your kitchen – as an attachment (this can also be sent electronically)**

# HOME KITCHEN – COMMERCIAL FOOD CHECKLIST

	YES	NO
▪ Can commercial activities be kept separate from domestic/household activities?		
▪ Can access to the kitchen by others, including pets, be controlled?		
▪ Can food for sale be physically separated from domestic food and other activities?		
▪ Can allergen free food be kept separate?		
▪ Will facilities, equipment and essential services be operated within their capacity and capability?		
▪ Is the design, construction and location enable safe and suitable food?		
▪ Is there adequate space that enables the movement of staff and food to flow in a way that prevents and manages risk?		
▪ Does the design of the place provide easy access for cleaning and maintenance with adequate provisions in place?		
▪ Is your home designed, constructed and located as to exclude dust, dirt, fumes, smoke, odour and other contaminants, as well as pests from entering and remaining?		
▪ Is the capacity of the water supply adequate for the food business?		
▪ Do you have a sickness procedure?		
▪ Is there suitable and sufficient storage space?		
▪ Do you have suitable ventilation and odour control whilst cooking?		
▪ Is the home you propose to use for commercial food rented?		
▪ Is there landlord consent if renting? (N/A if owner occupied)		
▪ Is there a cross lease in place for the home you propose to use?		
▪ If there is a cross lease, is there consent from all parties? (N/A if not applicable)		
▪ Can food be transported safely?		
▪ Will food for sale be safe and suitable?		
▪ Understand that food for retail sale must be provided with a food label?		
▪ Does the business fit under a Template Food Control Program?		
▪ Does the business fit under a National Programme?		
▪ Have you attached a business proposal?		
▪ Have you attached a site plan?		
▪ Have you attached (or sent electronically) a photograph of your kitchen?		

	YES	NO	Name of person spoke to
▪ Have you consulted with the Resource Consents (Planning) team?			
▪ Have you consulted with the Building team?			
▪ Have you consulted with Trade Waste?			

Name (Print)	Signature	Date
Telephone number	Email	