



Environmental Health

Guidelines to opening a new FOOD PREMISES

For many, starting out in the food industry can be a daunting process. The application, procedures and standards required by laws controlling food and food premises can be very confusing.

This handout has been developed to simplify the procedures for establishing a new food premises and to make you fully aware of your responsibilities under the current legislation.

We cannot stress enough the importance of consulting with Environmental Health staff with any questions relating to food safety and your premises. In many cases such discussions have saved time and money.

Contact:

Environmental Health
Dunedin City Council
1st Floor
50 The Octagon
Phone: 477 4000

Website: www.cityofdunedin.com

CERTIFICATES OF REGISTRATION

Before you can open any food premises for business, a Certificate of Registration, issued by Council, is required under the Food Hygiene Regulations 1974. This certificate will only be issued when the premises complies with the standards set out in these Regulations. These standards are referred to as the First Schedule and are attached at the end of this handout.

For businesses where food is manufactured, prepared, packed or stored for the purpose of wholesale from those premises, we will also require prior approval from the Medical Officer of Health before any Certificates of Registration can be issued.

Note: It is an offence to operate a food premises without a current Certificate of Registration.

THE FOOD SAFETY BYLAW

The Food Safety Bylaw was introduced in 2005, to increase food safety in Dunedin's food premises. It covers four areas:

- Compulsory training for food workers
- Closure of premises
- Grading of premises
- Sickness policy

The Bylaw makes it compulsory for all food handlers to undertake and complete a professional training programme in food hygiene. All food workers must be certificated with Unit Standard 167 (part one). In addition one person in a supervisory position must be certificated with Unit Standard 167 (part one and two) and Unit Standard 168.

It is expected that new staff hold the appropriate training certificates prior to commencing work. Fines of up to \$20,000 can be issued to food operators who allow untrained food handlers to work on their premises.

Every food premises must have a written sickness policy. This provides a system of controls to minimise the risk of food becoming contaminated from food handlers carrying harmful bacteria and viruses. An excellent sickness policy is available from the NZFSA and can be downloaded at www.nzfsa.govt.nz/processed-food-retail-sale/templates

Premises are expected to have a written cleaning schedule and recording of cleaning in place. A system of temperature monitoring and recording is also expected.

All registered food premises are graded based on the assessment of conduct and practices, structure of the premises, cleaning and sanitising, and training. A copy of the grading schedule is attached to this handout.

Premises are graded either; 'A' Excellent Grade
'B' Good Grade or
'D' Poor grade

Any 'D' grade premises may be closed by Environmental Health and remain closed until a 'B' grade standard has been achieved.

From the 1 July 2006 the achieved grade will be printed on the Certificate of registration, which must be displayed so that it can be read by the public. From this date registration fees will be linked to the food premises' grade – the better the grade to less the fee, and vice versa.

Details on the Bylaw are outlined in the pamphlets entitled 'The Food Safety Bylaw 2005' and 'The Food Safety Bylaw 2005 – Training for Food Workers'. These are available on the City of Dunedin website (www.cityofdunedin.com), from Environmental Health staff or from Council's Customer Services Agency

FOOD SAFETY PROGRAMMES

If you have a registered Food Safety Programme (FSP) you may obtain an exemption from the Food Hygiene Regulations 1974. In this case you are not required to be registered with Council, but will need to have an annual audit.

For an information pack on what a FSP looks like and the processes involved in the development of a FSP please contact the DCC Environmental Health Section.

EXISTING FOOD PREMISES

If you are purchasing an existing registered food premises and do not intend to structurally alter the building, or change the type of operation carried out on that premises, then all you need do is change the Certificate of Registration into your name and appropriate details. Application forms for a change of ownership are available from Environmental Health. Once completed, and a transfer of ownership fee paid, a new Certificate of Registration in your details will be issued. This new Certificate will then be valid until the original registration period expires. Prior to expiry, an invoice for the next registration fee will be forwarded to you for payment.

Prior to purchasing an existing food premises, we recommend you view the current Certificate of Registration, and request from the vendor a copy of the last inspection letter to ensure there are no operational restrictions or outstanding requisitions remaining on the premises.

ESTABLISHING A NEW FOOD PREMISES

If you are seriously thinking about establishing a new food premises, we advise you to check out the feasibility and legality of your proposal with the relevant Council departments well in advance.

It is advisable to have a building site or likely premises in mind before seeking assistance, so that specific advice for that location can be given.

The list below shows the Council departments you will need to approach, and the aspects of your proposal they may be interested in. All departments are located in the Civic Centre.

Department	Function
City Planning	To check compliance with District Plan policies & rules and the Resource Management Act 1991. <i>Note that Resource Consent may be required if your proposal is not a permitted activity.</i>
Building Control	To check compliance with the Building Act 2004, building codes, bylaws such as fire prevention requirements, plumbing and drainage in regards to special requirements such as grease traps or interceptor traps. <i>Note: If you intend changing the use of an existing food premises or building a new premises, you will need to apply for a Building Consent.</i>
Environmental Health	To check compliance with the Food Hygiene Regulations 1974, Health Act 1956 and the Food Safety Bylaw 2005. <i>Note that you will need to apply for a Certificate of Registration to operate a food premises, and apply for a liquor licence if you intend to operate an On, Off, or Club liquor licence.</i>
Liquor licensing	To check compliance with the Sale of Liquor Act 1989 if applicable <i>You will need to apply for a liquor licence if you intend to operate and On, Off, or Club licence.</i>
Finance	Seek advice on rates payable for the land, and any outstanding accounts.

GETTING THE PROCESS STARTED

Once you have decided on a location to establish your business, you will need to develop layout plans for your premises, for the purpose of obtaining any necessary consents and approvals. It is vital you do not commence construction work until the appropriate consents and approvals have been granted. There are occasions when Council staff must make amendments to your plans, which may alter the way your premises will be constructed.

When designing your premises layout, it is essential the design complies with the First Schedule of the Food Hygiene Regulations 1974 – remember – if it does not comply, you cannot be registered to operate.

The First Schedule does not specifically state how much space is required in a commercial kitchen. However, the general rule of thumb is at least 3 square metres per staff member.

The Food Hygiene Regulations do however, limit the type of operation permitted from an 'Eating House' or a 'Bakery' that measures less than 9.5 square metres (clear of furniture, fittings and stored goods). Any 'Eating House' or 'Bakery' measuring less than 9.5 square metres can only be registered as a 'Refreshment Room', in which the type and amount of food being prepared and sold will be limited to simple food only. Keep this in mind when choosing a location and designing your premises, as it may influence the layout, or indeed your final proposal.

If there are any areas of doubt, contact Environmental Health to discuss or explain the requirements fully.

TOILET REQUIREMENTS

Under the Building Act 2004, any newly constructed food premises that are intended to be used as an 'Eating House' (i.e. cafes, restaurants) must be provided with at least two customer toilets. Such toilets must be accessible by disabled persons and located so customers can access them without passing through the kitchen or food storage areas. The number of toilets required is dependent on the size and proposed use of your premises. Check with a Building Control Officer on the number of toilets your proposal will require.

The provision of customer toilets is also required for an existing food premises, that is not currently operating as an 'Eating House' but is being converted into either a restaurant or café. An example is the conversion of a grocery shop into a café.

LAYOUT PLANS

The sort of detail required by Environmental Health for processing your application is as follows. *Note that other departments may require further details.*

1. The location of the premises in relation to neighbouring properties and buildings.
2. The internal detail showing all rooms (staff rooms, store rooms, toilets etc.) and their intended use.
3. The position and types of fittings and sanitary appliances such as sinks, hand basins, benches, shelving and lights.
4. The position of moveable appliances and equipment such as refrigerators, ovens, mixers and tables.
5. The position and construction details of ventilation equipment (if required), such as canopies, hoods and ducting to the exterior, plus the position of windows and doors.
6. Specifications of the materials and surface finishes for floors, walls, ceilings, work surfaces, lighting etc. All kitchen surfaces must be light in colour.

It is vital to include all the details mentioned above to avoid any delay in the processing of your plans. If your plans are deficient in information, processing will be delayed until the information required is submitted, or the plans adjusted.

GETTING UNDERWAY

Once all the necessary consents have been granted you can commence construction or make the alterations to your premises.

You can expect visits from various Council Officers to check on progress with construction and to ensure that the work being carried out is according to the plans and is of a satisfactory standard.

During the construction process, you will need to complete an application for registration and return it with the requisite fee. Environmental Health staff can advise you of the fees specific for your proposed operation.

Before opening for business, a final inspection must be made by Environmental Health staff to ensure the premises meets the requirements of the Food Hygiene Regulations 1974. The premises will be graded according to the Food Safety Bylaw 2005 and provided all structural and sanitary requirements are satisfactory, your Certificate of Registration will then be issued.

CONGRATULATIONS

You can now open for business !!!

MORE INFORMATION

Inspections & visits

Once you have approval to open for business and your Certificate of Registration has been issued, you will be visited by Environmental Health staff at least annually, prior to renewal of your registration. The premises will be graded during these visits. In addition visits may take place throughout the year, to ensure your operation and premises continues to comply with the Regulations. Officers may arrive at any time, not necessarily on appointment, and must be allowed access to all parts of your premises. Remember, the idea is not to 'catch you out' but rather to ensure that you are working in a clean, hygienic premises and preparing food that is safe to eat.

Safe Food Newsletter

Once your premises is registered with Council, you will automatically receive issues of our Safe Food Newsletter. This newsletter has been designed to update you on current food hygiene matters, to remind you of 'old' but important hygiene facts, and to outline any topical issues that arise from time to time. As this newsletter is designed for you, please contact Environmental Health at any time with ideas or suggestions for articles; we're always on the lookout for interesting topics.

THE FOOD HYGIENE REGULATIONS 1974

Reprinted below is the First Schedule of the Food Hygiene Regulations 1975
For advice or clarification of these Regulations please contact Environmental Health

FIRST SCHEDULE 1

REQUIREMENTS FOR REGISTRATION OF PREMISES

1. General—

The premises shall be well constructed . . . They shall be in good repair. As far as may be practicable they shall offer no entrance or harbourage for rodents.

2. Floors—

(a) Unless otherwise prescribed in these regulations, the floors—

(i) Shall be constructed of impervious and easily cleaned material that is resistant to wear and corrosion, and shall be adequately graded and drained, with all angles between the floors and walls rounded off to a height of not less than [75] millimetres from the floor; or

(ii) Shall be constructed of wood with the boards laid on a firm foundation and tightly cramped together and with all angles between the floor and walls rounded; or

(iii) Shall be constructed in accordance with the requirements of subparagraphs (i) or (ii) of this paragraph and covered with a smooth surfaced material fixed to the floor with a suitable adhesive.

(b) The materials of which the floors are constructed shall in any event be suited to the work or process carried out on the premises.

3. Walls—

(a) The internal surface of the walls shall be constructed of dust-proof materials, and shall be smooth . . . and non-absorbent, and shall be able to be readily cleaned without damage to the surface.

(b) If the walls are liable to be wetted or fouled, they shall be constructed of impervious material to a height of not less than 2 metres from the floor level.

(e) The internal surface of the walls shall be [painted, or shall have] such other surface as an Inspector may approve.

4.Ceilings—

(a) Every ceiling or, where no ceiling is provided, the undersurface of the roof, and every support shall be of such construction and finish as to—

(i) Provide a smooth . . . surface that is dust-proof; and

(ii) Permit efficient and thorough cleaning.

(b) All trusses shall be completely enclosed.

(c) In every room in which food is manufactured, prepared, or packed, or in which utensils or hands are washed, the ceiling or, where no ceiling is provided, the undersurface of the roof, shall have a smooth [surface that is non-absorbent and light in colour, and that can be readily cleaned without damage to the surface].

(d) No ceiling shall be less than 2.4 metres above the floor, measured at the lowest point of the ceiling.

5.Lighting—

(a) The illumination provided in the premises shall be of sufficient intensity to enable effective inspection and cleaning of the premises, and to enable the purposes for which the premises are used to be satisfactorily carried out.

(b) In every room in which food is manufactured, prepared, or packed, or in which hands are washed, the minimum illumination intensity shall be 215 lux at a point 900 millimetres above the floor.

(c) All lighting on the premises shall be reasonably free from glare and shall be distributed so as to avoid shadows.

6.Ventilation—

(a) The premises shall be provided with such ventilation as is necessary to maintain comfortable conditions for persons in the premises.

(b) As far as practicable, the ventilation shall be adequate—

(i) To prevent the air on the premises from becoming excessively heated; and

(ii) To prevent condensation and the formation of excess moisture on the floors, walls, and ceilings; and

(iii) For the removal of objectionable odours, fumes, and impurities from the premises.

(c) If the premises do not have adequate natural ventilation for the purposes of paragraphs (a) and (b) of this clause, they shall be provided with a mechanical ventilation system that obtains air flow from a clean area.

(d) Where the premises are provided with a mechanical ventilation system, it shall discharge air (including any vapours, gases, and other products produced during any cooking or similar food preparation process or any food manufacturing process) in a manner that does not create a nuisance.

(e) Where the premises are provided with a mechanical ventilation system, an Inspector may require that it shall include such canopies, air ducts, fans, and other similar appliances as he considers necessary for the proper operation of the system in accordance with this clause. The canopies, air ducts, fans, and other appliances shall be designed and constructed of material that will facilitate cleaning and prevent grease and condensate from dripping on to food and on to food preparation surfaces.

7.Space—

(a) The premises shall contain sufficient floor space—

(i) To enable every person working there to carry out his work efficiently; and

(ii) To allow easy access for cleaning purposes.

(b) Every working space, aisle, passageway, or area on the premises, to which it is intended that customers shall have access, shall be unobstructed and shall be sufficiently spacious to allow movement by workers and customers without contamination of food or food contact surfaces by clothing or personal contact.

8.Changing facilities—

(a) The premises shall be provided with adequate and suitable lockers or other facilities for the orderly storage of clothing and personal belongings of workers on the premises.

(b) The lockers or other facilities shall be situated and arranged so as to prevent the contamination of food by contact with clothing.

(c) Where more than 4 persons work in the premises, a separate changing room shall be provided; and where those persons include at least 1 person of each sex, separate changing rooms shall be provided for each sex . . .

(d) The facilities required by paragraph (a) of this clause shall be provided in a room in which the ceiling or (where there is no ceiling) the undersurface of the roof, and every wall, is constructed of or covered with a smooth surfaced material.]

9.Toilet accommodation—

(a) The premises shall be provided with sufficient toilet accommodation, in accordance with the [building code set out in Schedule 1 to the Building Regulations 1992], for the workers on the premises.

(b) All toilet accommodation shall be convenient to the places where the workers for whom it is provided are engaged in their work.

10.Wash-hand basins—

(a) The premises shall be provided with wash-hand basins for the use of the workers engaged there, on the following basis:

(i) Where not more than 10 workers are engaged on the premises, there shall be not less than 1 basin:

(ii) Where more than 10 workers are engaged on the premises, there shall be at least 1 separate basin for every whole group of 10 workers, together with an additional basin for the remaining workers.

(b) Every wash-hand basin required under paragraph (a) of this clause shall be installed as near as may be practicable to the parts of the premises where the workers for whose use it is intended will be engaged whenever they are handling food for sale.

(c) This clause shall not apply to premises on which the only food that is stored or sold is either pre-packed or contained in sealed containers.

11. Water supply—

The premises shall be provided with an adequate supply of clear, wholesome water.

12. Hot water supply—

The premises shall be provided with a hot water system having a storage capacity approved by an Inspector to supply, during the time in every day when the premises are used, an adequate and continuous supply of piped hot water—

(a) At a temperature of not less than 63°C at all sinks and other equipment that are used for the washing of containers, utensils, and appliances; and

(b) At a temperature of not less than 83°C for every other purpose for which hot water is required under these regulations.

13. Plumbing—

The premises shall be provided to the satisfaction of an Inspector with sinks, sanitary fixtures and accessories, or other plant or appliances, that are of sufficient capacity to enable all appliances, containers, utensils, and equipment used in connection with the manufacture, preparation, packing, or storage of food for sale, or consumption of food, or sale of food, to be cleaned efficiently and rendered hygienic in accordance with the requirements of these regulations.

14. Sewage disposal—

The premises shall be provided with sufficient, suitable drains to carry away the whole of the sewage and liquid wastes from the premises to a sewer, sewage tank, or other outfall, in accordance with the requirements of the building code set out in Schedule 1 to the Building Regulations 1992.

15. Yards—

(a) Every yard or outside working area on the premises, and every pathway connected with such yard or working area, shall be provided to the satisfaction of an Inspector with an area that is paved with an impervious, washable surface. The paved area shall be provided with adequate drainage.

(b) Reasonable access from other parts of the premises shall be provided to every yard on the premises.

(c) Where no yard is provided on the premises, they shall contain a separate room or enclosure for the storage of refuse containers and any articles or materials that are not required for immediate use.

(d) This clause shall not apply to any premises that are only used for the depositing and temporary holding of food pending loading or delivery.

ENVIRONMENTAL HEALTH FOOD PREMISES GRADING SYSTEM

EXPLANATION OF RISK FACTOR ASSESSMENT

ASSESSMENT OF CONDUCT AND PRACTICES:	Score
Food Safety Programme or Management Systems with appropriate methods of recording in place.	5
Minimal risk of contamination, particularly as a result of human error. Conduct and practices very good.	4
Contamination unlikely, provided personnel adhere to current operating arrangements. Conduct and practices good.	3
Insufficient safeguards to be reasonably confident that contamination could not occur. Conduct and practices suspect.	2
High degree of risk of contamination. Conduct and practices not acceptable.	1
Food found to be contaminated. Serious breaches of conduct and practice requirements.	0

ASSESSMENT OF PREMISES (STRUCTURAL):	Score
Premises in all respect suitable for the purpose and able to be registered.	5
Adequate facilities with no serious deficiencies in construction, layout and repair and able to be registered.	4
Acceptable conditions with only maintenance items requiring attention but able to be registered.	3
Areas of disrepair and / or inadequate facilities preventing registration.	2
Critical work required or premises in many respects unable to be maintained.	1

ASSESSMENT OF CLEANING AND SANITISING:	Score
Excellent overall standard of cleanliness with an effective cleaning programme/system and an appropriate recording method.	5
Premises and appliances in a very clean and tidy condition with an effective written cleaning plan in use.	4
No written cleaning plan but premises and appliances maintained to an acceptable standard with effective use of sanitisers.	3
General standard of cleanliness and tidiness satisfactory but improvement needed in some areas.	2
Evidence of lack of effective cleaning. Unacceptable	1
Premises in a contaminated condition. (Temporary closure or prosecution required.)	0

ASSESSMENT OF TRAINING:	Score
100% of staff trained to NZQA level 167. Food Manager / Supervisor trained to level 168	5
80% of staff trained to NZQA level 167. Food Manager / Supervisor trained to level 168	4
60% of staff trained to NZQA level 167	3
40% of staff trained to NZQA level 167	2
20% of staff trained to NZQA level 167	1
0% of staff trained to NZQA level 167	0

Notes: If the Conduct score plus the Cleaning and Sanitising score is equal to or less than four, then the Training score is zero (0) regardless of the proportion of staff who have been trained in Food Hygiene. If the Manager or Supervisor is not trained then the maximum rating is 3.

To score an Excellent Grade, a premises must score at least 4 in each category.

Grading: 'A' Excellent Grade - Inspection rating 20 - 17, 'B' Good Grade - Inspection rating 16 - 12, and 'D' Poor Grade - Inspection rating 11-0, (Prosecution or Closure likely)

Comments: _____