

Class 3A food premises

Classification changes effective 2 August 2022

OFFICIAL

Introduction

Victoria classifies food premises according to the level of food safety risk and the type of food handling activities that occur at the premises.

A review of the premises classification system has resulted in a new declaration of *Classes of Food Premises and Requirements*, Government Gazette. The new gazette comes into effect on 2 August 2022 for all new food premises and all existing food premises.

The declaration of classes of food premises and requirements establishes the definitions for each class and the legislative requirements. Food premises are classified according to the highest risk activity occurring at the premises.

Class 3A definition

A food premises at which one or more of the following food handling activities occurs:

- (a) preparation and/or cooking of potentially hazardous foods which are served to guests for immediate consumption at an accommodation getaway premises or
- (b) food made using a hot-fill process resulting in a product such as chutney, relish, salsa, tomato sauce or any other similar food, that:
 - (i) is made at a home-based or temporary food premises (e.g., a hired kitchen) and
 - (ii) has been heat treated to a temperature of not less than 85 degrees Celsius and then filled and sealed hot into its packaging and
 - (iii) is acidic (pH of less than 4.6) and
 - (iv) has salt or sugar or any other preservative added.

Accommodation getaway premises

Accommodation getaway premises provide hosted, short-term accommodation where food is prepared and served to guests on request. Examples include bed and breakfast, farm-stays, guesthouses, nature retreats, and motels. Registration under the *Food Act 1984* is required if food is offered as part of the accommodation. A class 3A classification applies if potentially hazardous food is prepared and served to guests with the intention that the food is immediately consumed.

A class 3A classification does not apply to the following scenarios:

- for meals prepared in advanced, stored under temperature control, and served on request
- for meals served to members of the public
- food prepared with the intention that it is consumed off-site.

In the above scenarios, the food premises will be a class 2.

Food made using a hot-fill process resulting in a product such as chutney, relish, salsa, tomato sauce or any other similar food

The hot-fill process means food that has been heat treated to a temperature of not less than 85 °C and is then filled and sealed hot into its packaging (for example, jars or bottles of jam, chutney, relish, or any other similar food).

The food safety risks associated with home-based or temporary food premises that process food, using a hot fill technique is *C. botulinum* and toxins. *C. botulinum* is an anaerobic, spore forming organism that may survive the heat treatment process.

It is important that correct food handling practices are implemented to control the risks. For this reason, all class 3A food premises must have a food safety supervisor that is aware of the risks associated with creating foods such as chutney, and how these risks are controlled.

The boiling of the food product and the addition of salt (5%w/v) to lower the water activity, and vinegar (pH <4.6) removes the largest food safety concerns relating to toxins produced by *C. botulinum*.

Food premises not following these prescriptive requirements stated in schedule 3 of the declaration will remain a class 2 food premises.

Legislative requirements

Class 3A food premises requirements:

- registration under the *Food Act 1984*
- class 3A food premises are not required to keep minimum records
- nominate a food safety supervisor
- class 3A community groups are exempt from the requirement to have a food safety supervisor for a period of five years if:
 - the proprietor is a community group
 - the majority of persons involved in the handling of the food sold at the premises are volunteers
 - the food handling activity takes place at the premises for a maximum of two consecutive days at any one time.

Further information

Please email the [Food Safety Unit](mailto:foodsafetyreforms@health.vic.gov.au): <foodsafetyreforms@health.vic.gov.au>.

To receive this document in another format, phone 1300 364 352, using the National Relay Service 13 36 77 if required, or email the [Food Safety Unit](mailto:foodsafetyreforms@health.vic.gov.au) <foodsafetyreforms@health.vic.gov.au>.

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