

Food Act 1984 classification changes and data reporting

Guide for local councils

OFFICIAL

1. Changes to class 2 food premises

- ‘Manufacturer – low-risk foods’ (code 102), can now either be a class 3 or a class 2.
- Class 2 food services or retail premises that are exempt from requiring an FSP will require a new code. Code ‘14’ has been created by the department to capture class 2 (code 201) premises types that are exempt from having a food safety program (FSP). The new code ‘14’ will need to be added to council’s backend database and mapped to the new field ‘Exempt FSP’. *Please note this change relates to the proposed gazette (removal of FSPs for most class 2 food service and retail premises) which is not yet in effect.*

2. Creation of code 204 for class 3A food premises

- Code 204 for class 3A will need to be created within the ‘class’ section of your database.
- A mandatory inspection is required to be selected for class 3A premises when undertaking a ‘renewal of registration’ inspection.

Table 1: Key colours and their meaning

Colour	Description
Grey	Food safety reporting guide 2020 (in use) – no change
Pink	New classes resulting from variation declaration effective 1 July 2022
Green	Food Safety Unit Food Act Realignment June 2022
Orange	Changes relating to the upcoming proposed gazettal (not yet in effect)

Table 2: Premises classification

Code	Classification	General description
200	Class 1	Hospitals, childcare centres and listed facilities for the aged, at which ready-to-eat potentially hazardous food is served.
201	Class 2	Other premises that handle unpackaged potentially hazardous foods or low-risk food is manufactured for which an allergen free claim is made.

Code	Classification	General description
204	Class 3A	For some accommodation getaway premises preparing and/or cooking potentially hazardous food for immediate consumption, or home based and temporary food premises that prepare food using a hot-fill process such as chutney, relish, salsa, tomato sauce or any other similar food.
202	Class 3	Premises handling unpackaged low-risk foods, selling potentially hazardous pre-packaged foods, or the warehousing or distribution of pre-packaged foods.
203	Class 4	Premises that only retail pre-packaged low-risk foods, and certain other low-risk activities.

Table 3: Premises types and their mandatory classification options

Code	Premises type	Description	Mandatory class options				Rationale	
	Manufacturer	<p>Food manufacturers are businesses that produce products for distribution beyond the local area. Distribution may include regional, national or international markets. It involves the production of food manufactured from raw ingredients that are typically sold to wholesalers or retailers for distribution to the public.</p> <p>This excludes a manufacturer that retails primarily direct to the public from the premises, for example, a bakery that sells to the local community from its premises.</p>						
101	Manufacturer – potentially hazardous foods	<p>Manufacture from raw ingredients of potentially hazardous foods that are packaged and are ready-to-eat or require further processing by the consumer. Examples include canned and bottled foods, baby food, chocolate, sandwiches, pastry and pasta filled with potentially hazardous foods, pre-washed, cut and packaged salad/fruit/vegetables and cakes and biscuits containing dairy products – class 2.</p> <p>A manufacturer whose principal activity is to manufacture food for class 1 premises – class 1.</p>	1	2	3A	3	4	This applies to manufacturers providing food to aged care, hospitals, and the manufacturing of baby food. A centralised kitchen whose predominant activity is supplying anything in the description to a class 1 premises.

Code	Premises type	Description	Mandatory class options					Rationale
102	Manufacturer – low-risk foods	<p>Manufacture from raw ingredients of low-risk foods that are packaged and are ready-to-eat, or which require further processing by the consumer. Examples include beverages (water, fruit juices, alcoholic drinks), condiments, coffee, cereals, flour, sugar, confectionery, biscuits, breads, savoury products, cakes (where the ingredients are only low-risk) and baking mixes – class 3.</p> <p>Any low-risk food that is manufactured and makes any allergen-free claim – class 2.</p>	1	2	3A	3	4	
	Retailer	Retail premises are food businesses that sell direct to the public. They may or may not also process food products from raw ingredients, but only for sale within the immediate local area. For example, supermarkets, vending machines and temporary market stalls, bakery, fresh pasta premises.						
103	Bakery retailer includes cakes, biscuits, savoury bread products and breads manufacture	Preparing packaged or unpackaged flour-based foods that may be potentially hazardous or low-risk foods from raw ingredients for distribution (and sale within) the immediate local area.	1	2	3A	3	4	
104	Convenience stores includes milk bars/grocery stores/service stations	Premises that sell a limited range of low-risk and pre-packaged potentially hazardous food products. These products include grocery items, dairy products, fresh produce, bakery items, snack foods, beverages, confection, frozen foods, meats.	1	2	3A	3	4	Convenience stores can be class 2, for example, 7Eleven
105	Delicatessen	Food premises that sell potentially hazardous ready-to-eat foods such as cured meats and sausage, dips, cheeses and olives. Delicatessens may also serve a limited range of sandwiches and focaccia containing potentially hazardous foods.	1	2	3A	3	4	
106	Green grocery	The retail of fruit and vegetables.	1	2	3A	3	4	

Code	Premises type	Description	Mandatory class options					Rationale
			1	2	3A	3	4	
107	Home-based retailer	A person who produces and packages low-risk or potentially hazardous foods from a residential premises where the produce may be sold from a market stall or other temporary food premises. Home-based businesses that make chutney or other similar products using a hot-fill process – class 3A.	1	2	3A	3	4	
108	Low-risk packaged food retailer, for example, newsagent, chemist, liquor outlets, soft drink retailer	Premises such as department stores that sell low-risk pre-packaged foods, for example, packaged confectionery, chewing gum, chips, packaged ice-cream, liquor, alcohol, soft drink, confectionery.	1	2	3A	3	4	
109	Nuts/herbs/spices retail	Premises that sell packaged or un-packaged nuts, spices, and herbs directly to the public.	1	2	3A	3	4	
110	Retailer of pasta filled with potentially hazardous foods	Retail premises that manufacture products that are filled with potentially hazardous foods encased by a pastry/pasta and require cooking or heating by the consumer prior to being consumed, such as fresh pasta filled with cooked meat/cheese, dim sims, spring rolls, pies.	1	2	3A	3	4	
111	Supermarket	Retail premises that sell a wide variety of packaged foods (potentially hazardous and low-risk) and/or unpackaged potentially hazardous foods including ready-to-eat foods. Food sold includes meat/chicken/fish produce, fruit and vegetables, dairy products, bakery products, delicatessen items and packaged food.	1	2	3A	3	4	Supermarkets can be class 3, for example, Aldi.
112	Temporary food premises/market displays/exhibition stalls	A food premises that is: (a) a tent, stall or other structure that is not permanently fixed to a site, or (b) a permanent structure not owned or leased by the food business that operates the premises in which food is handled for sale, or from which food is sold by that business, on an occasional basis only.	1	2	3A	3	4	Temporary premises could undertake a hot-fill process.

Code	Premises type	Description	Mandatory class options					Rationale
	Food services	Food services includes institutions and businesses responsible for any meal for immediate consumption on, or in, the vicinity of the premises. This includes restaurants, takeaway outlets, caterers, mobile vehicles.						
113	Vending machines	A machine that sells potentially hazardous or low-risk pre-packaged foods.	1	2	3A	3	4	
114	Accommodation getaway	These include B&Bs, farm-stays, and self-contained accommodation, historic homesteads, country cottages, guesthouses, nature retreats, boutique hotels, motels that provide ready-to-eat low-risk meals (cereal/toast) and/or potentially hazardous meals as part of the short-accommodation stay.	1	2	3A	3	4	
115	Aged care facilities	An aged care service that provides care in a residential facility, examples include a nursing home, a same day rehabilitation service or a hostel for the aged. Pre-packaged potentially hazardous food or low-risk foods are served to residents.	1	2	3A	3	4	Aged care can include class 3 and 4 premises serving low-risk food in a day service setting.
116	Bar/pubs	Premises that predominantly serve alcoholic and non-alcoholic beverages for consumption on-site, along with other low-risk foods. For example, hotels and night clubs. Potentially hazardous food for class 2 premises serving of drinks that may contain raw egg.	1	2	3A	3	4	Class 2 for premises serving drinks containing raw egg. Does not include serving of potentially hazardous food as these premises are classified as restaurants.
117	Canteen/camps	Food premises that sell low-risk or potentially hazardous ready to eat foods to a targeted population within an institution. For example, workers at a factory site, students at school (including before and after school programs), children attending a camp.	1	2	3A	3	4	Canteens can be class 4 if only serving low-risk drinks and low-risk, pre-packaged food.
118	Café/restaurant	A facility where customers are generally served potentially hazardous or low-risk ready-to-eat meals for immediate consumption, whilst seated at the premises.	1	2	3A	3	4	

Code	Premises type	Description	Mandatory class options					Rationale
			1	2	3A	3	4	
119	Catering	Includes: (a) processing low-risk or potentially hazardous ready-to-eat or partially cooked foods at one location and the served at a different location (b) processing and/or cooking ready-to-eat food at the same location where the food is served.	1	2	3A	3	4	
120	Childcare	Long day care, employer sponsored care or occasional care provided to four or more children under five years of age, which involves the sale of food, or preparation of food for sale, as part of the contract of service, by providing meals to the children. A sessional children's service that handles low-risk food or cut fruit/veg only is class 4. A family day care premises that provides food to children is class 4	1	2	3A	3	4	
121	Clubs	A facility that provides low-risk or potentially hazardous ready-to-eat meals for on-site consumption that are served to members of an establishment, including sporting, gambling or cultural, social /entertainment facilities.	1	2	3A	3	4	Clubs can be class 4 if serving of coffee, tea, alcohol intended for immediate consumption occurs at the premises.
122	Coffee and dessert outlets such as coffee/ cake/gelati/ice cream outlet.	Prepare and serve a limited range of low-risk or potentially hazardous ready-to-eat foods. Food served includes coffee and other beverages, cakes, biscuits, gelati and ice-cream.	1	2	3A	3	4	Selling of coffee, tea, alcohol only can be class 4.

Code	Premises type	Description	Mandatory class options					Rationale
123	Delivered meals organisations	<p>Premises:</p> <p>(a) at which the principal activity is preparing ready-to-eat meals for delivery to aged, impaired or other vulnerable persons in their homes, such as meals-on-wheels and similar organisations, or</p> <p>(b) located off-site, but their principal activity is to process food that is to be served to patients or residents at a hospital or aged care facility.</p> <p>Premises that receive pre-packaged potentially hazardous food for distribution in these settings are class 3.</p>	1	2	3A	3	4	
124	Juice bars	Food retailers that process fruit/vegetables/dairy/ice products into a beverage for immediate consumption.	1	2	3A	3	4	
125	Hospitals	<p>All types of hospitals/day care facilities that provide meals to patients including a day procedure centre and multipurpose centre. Includes hospices – facilities that provide meals to patients within a palliative care establishment.</p> <p>Serving pre-packaged potentially hazardous food, such as sandwiches are a class 3.</p> <p>Hospitals/day care facilities that serve pre-packaged biscuits and tea or coffee are class 4.</p>	1	2	3A	3	4	
126	Mobile food premises	Food premises that are vehicles, this includes trailers. Food can be sold from the vehicle at different locations from time to time, or continuously from a single site.	1	2	3A	3	4	
127	Reception centres	Premises that are predominately used for pre-planned events with invited guests where low-risk or potentially hazardous ready-to-eat meals are served for immediate consumption.	1	2	3A	3	4	

Code	Premises type	Description	Mandatory class options					Rationale
128	Residential care	Supported residential services (SRSs), as defined in the <i>Health Services Act 1988</i> Victoria, where accommodation and care, which includes the provisions of meals, is provided to residents. SRS facilities at which potentially hazardous food is prepared for, or served to, residents and the majority of those residents are aged persons are class 1. SRSs that provide accommodation and services, including meals, to mostly young or middle-aged adults, are class 2.	1	2	3A	3	4	
129	Takeaway foods/fast food outlet /kiosk	Premises where customers purchase low-risk or potentially hazardous food that is ready to eat. The food is placed in take-away containers for immediate consumption either on or off-site.	1	2	3A	3	4	
	Warehouse/transport	Buildings where goods that require dry or cold storage are kept pending retail distribution.						
130	Warehouse/distributors/wholesalers/importers	A food premises where goods that require dry or cold storage are kept for distribution to another food premises. The wholesale of whole (uncut) fruit and vegetables is class 4.	1	2	3A	3	4	Includes class 2 warehouses

Table 4: Audit/assessment

Code	Audit assessment type
10	Audit
11	Assessment

Table 5: Inspection types that can be undertaken at a food premises

Code	Type	Meaning
1210	Routine inspection	Any inspection not mandatory under the Act, for example, sample result investigation, inspection undertaken at the request of the proprietor, or any other inspection not covered by another code.
1211	Mandatory inspection	Inspections required under the Act, for example, initial registration and annual inspection of most class 2 food services and retail, class 3A and class 3 premises (required for renewal of registration).
1212	Non-compliance inspection/follow-up to council audit	A follow-up inspection that has occurred as a result of a non-compliance detected during a previous assessment/audit/inspection.

Code	Type	Meaning
1213	Food complaint inspection – food adulteration	Investigation of a complaint made by a member of the public alleging adulteration of food by a foreign object.
1214	Food complaint inspection – microbiological	Investigation of a complaint made by a member of the public alleging food spoilage or poisoning.
1215	Food complaint inspection – chemical adulteration	Investigation of a complaint made by a member of the public alleging chemical adulteration of food.
1216	Food complaint inspection – food premises related	Investigation of a complaint made by a member of the public relating to food handling activities or the condition of a food premises.
1217	Food poisoning inspection	Inspection of a food premises following notification to council by the department of a food poisoning investigation.
1218	Undertaking application¹	Inspection to determine whether undertaking application made to council/the department Secretary under s. 19BB of the Act should be accepted.
1219	Undertaking follow-up inspection¹	A follow-up inspection to determine whether an undertaking under s. 19BB of the Act has been complied with.
1220	Enforcement follow-up inspection	A follow-up inspection to ascertain compliance with an enforcement action.

Table 6: Food safety program

Code	FSP type	Description
10	Standard department template	Standard registered template developed by the department, for example, FSP template no.1 v3 or FoodSmart.
11	Other department registered template	Other registered template under the Act, for example, a franchise food business template.
12	Proprietary FSP (requiring 3rd party audit)	Non-standard FSP developed by the proprietor that requires a third party audit, for example, a class 1 FSP.
13	QA-FSP²	Quality assurance FSP developed under a QA system or code declared suitable by the department.
14	Exempt FSP	Class 2 retailer and services sector food premises that are exempt from having an FSP.

¹ Section 19BB of the Act provides for undertakings to be made by council or the department's Secretary. As of December 2020, this section of the Act has not been used and codes 1218 and 1219 are currently disabled on the Food Act Database.

² As of December 2020, no quality assurance FSP has been declared by the department. This code should therefore not be used.

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Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

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