



Licensing guidelines for mobile food premises

What are mobile food premises?

Mobile premises, for a food business, means-

- a vehicle from which a person sells unpackaged food by retail, or
- a vending machine for the sale of unpackaged food or drink

Mobile premises do not include food transport vehicles used to transport food for off-site catering, from a business to a retail premises for sale, or for the home delivery of food by order (eg. pizza home delivery).

Do I need to be licensed to operate a mobile food premises?

All food businesses must be licensed with the local government, except food businesses that sell only one or more of the following:

- packaged food
- unpackaged snack food that is not potentially hazardous (biscuits or cakes, confectionary, corn chips, potato chips or nuts, dried or glazed fruit)
- whole (uncut) fruit or vegetables
- seeds, spices, dried herbs, tea leaves
- the grinding of coffee beans
- the sale of drinks (other than fruit or vegetable juice processed at the place of sale)
- the sale of ice including flavoured ice
- food from non-profit organisations in certain circumstances (you may wish to refer to the Queensland Health publication '*Food safety for fundraising events*').

Significant penalties apply under the *Food Act 2006* (the Act) for operating without a licence if a licence is required for the food business

Where must I obtain my licence to carry on a food business operating from mobile premises?

All Queensland food businesses required to be licensed must apply to the local government for the area in which the business operates. A food business that operates in more than one local government area only needs to be licensed in one of the local government areas where the food business intends to operate.

When a mobile food premises operates in a second local government area, the food premises must still comply with the obligations of the licence in the second area.

The second local government has the same powers as the first local government to enforce the Act.

The second local government may inform the first local government about any contraventions of the licence conditions and the first local government may take appropriate action.

Form of food business licence

The licence, or a copy of the licence, must be displayed in a prominent position on the mobile premises so the details are easily visible.

If the premises are a vehicle, the licence will contain:

- (a) for a vehicle, the registration number of the vehicle, or
- (b) for a vending machine, the serial number or other unique identifying number or mark of the vending machine

What if I prepare food at another premises?

If food is prepared at fixed premises for sale from a mobile food vehicle, the fixed premises where the food preparation occurs will require a licence. The sale of food by the fixed premises to a mobile food premises is not considered off-site catering and will not require a food safety program for this purpose. However, the fixed premises may need a food safety program depending on other services they provide.

Do I need to have a food safety supervisor?

All licensable food businesses are required to have a food safety supervisor. There are legislative requirements that must be met to be a food safety supervisor and certain competencies should be attained in order to operate as a food safety supervisor. The licensee must ensure the food safety supervisor is reasonably available to be contacted by food handlers for the food business and by the local government, while the food business is being carried on.

For further information on food safety supervisors, refer to the Queensland Health Food Safety Fact Sheet 18 'Food safety supervisor'.

For further information

Queensland Health has a variety of fact sheets with detailed information on food safety. Fact sheets can be accessed from the Queensland Health website at www.health.qld.gov.au/foodsafety.

Contact your local government if you have any further questions. Contact details can be found at www.dlqp.qld.gov.au/local-government-directory.html or your local White Pages.

