

## The Food Act 1981

Under this Act, all food premises will, over the next few years, be required by law to adopt a 'FOOD CONTROL PLAN'. This plan will replace the current registration by councils under the Food Hygiene Regulations which are somewhat outdated. Adherence to the Food Control Plan will be audited annually. At present, cafes, restaurants and caterers can voluntarily opt to adopt one of these plans. Contact Victor Minter ([victor@wairoadc.govt.nz](mailto:victor@wairoadc.govt.nz))

## The Animal Products 1999

All premises used for the processing/handling of primary products, some of which are listed under 'Stalls at Markets and Events', are handled by MAF. Once registered with MAF, you will still require a stall holder's registration issued by the Wairoa District Council at \$35.00 per annum, as is the case for all other stalls.

## Contacts:

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Health Officer Wairoa District Council  
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[victor@wairoadc.govt.nz](mailto:victor@wairoadc.govt.nz)

**Ministry for Primary Industries**  
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# Food Seller's Guide

- Stalls
- Markets
- Catering

Legal requirements for  
your business





# What you need to know

# How to register

# Food Hygiene Regulations 1974

If food is to be offered to the public in exchange for anything, (eg cash, exchange, koha or donation) the premises where it is prepared must be approved by the responsible authorities (Local Council or Governing agency eg MAF).

## The only exceptions are:

- Fresh produce sold at the gate of the premises on which it is grown.
- Low risk food (sausage sizzle, cakes) sold for fundraising for a good cause under a permit issued by the Wairoa District Council. This may be done a maximum of 12 times per year.
- Food provided with accommodation (eg boarding house/hotel)



## Stalls at Markets and Events

- If you are barbequing, operating a sausage sizzle, etc, which requires no prior preparation or storage of food before you arrive at the venue, you will be required to register as a stall holder with the Wairoa District Council at a cost of \$35.00 (see website [www.wairoadc.govt.nz/](http://www.wairoadc.govt.nz/) email - [victor@wairoadc.govt.nz](mailto:victor@wairoadc.govt.nz))
- If your operation involves pre-preparation or storage of food prior to offering it for sale, you will be required to register your premises with the Wairoa District Council or with MPI (Ministry for Primary Industries).
- If you are processing/selling 'primary products' such as meat, milk, cheese, fish, honey, eggs, shellfish etc not sourced from a registered wholesaler or retailer, contact MPI.

## Caterers

The premises from which you operate will require registration by the Wairoa District Council in most cases. However, if you are offering primary products you will need to contact MPI.

The regulations state that no person may use a room for commercial food preparation "that is not used exclusively for the purpose of the food premises". The registering of food premises is at the discretion of the Environmental Health Officer, who administers these regulations and generally excludes domestic (home) kitchens which are not used exclusively for commercial food preparation.

TO PREPARE FOOD FROM YOUR HOME (RESIDENTIAL) ADDRESS, A SEPARATE ROOM WHICH COMPLIES WITH THE FOOD HYGIENE REGULATION OR A FOOD CONTROL PLAN TO USE A HOME KITCHEN WHICH MEETS MINIMUM STANDARDS IS REQUIRED.

More than one stall holder/caterer can use the same registered kitchen if adequate time can be allocated to each stall holder for their needs. If you would like the WDC Environmental Health Officer to evaluate a kitchen/room for that purpose please contact Victor Minter ([victor@wairoadc.govt.nz](mailto:victor@wairoadc.govt.nz))

WAIROA DISTRICT COUNCIL ENCOURAGES NEW BUSINESS. STAFF ARE KEEN TO WORK WITH YOU TO MAKE SURE YOUR FOOD OPERATION MEETS THE LEGAL REQUIREMENTS.