

How does the Victorian Food Act apply to your food business?

Information about food vending machines – class 2

You need to know...

The *Food Act 1984* regulates the sale of food for human consumption. This includes food sold from vending machines.

A state-wide registration and notification scheme for food vending machines applies under the Act. This is explained in the information sheet *Food vending machines: state-wide registration or notification*.¹

If you operate a food business that sells food from vending machines, please read that information sheet first, so that you know which council to apply to.

The Act also creates a food business classification system. If you have registered vending machines with your principal council, that council will explain into which class your machines fall. This will be in your registration documents. Classification depends on the type of food handled in the machine.

This information sheet explains what you need to do if any of your machines are **class 2**. A separate information sheet is available for class 3 machines that sell lower risk foods.

What is a class 2 food vending machine?

Class 2 food vending machines are those whose activities include handling unpackaged potentially hazardous foods or “high risk” foods that require specific measures to be taken to ensure that the food is safe to eat.

What are the requirements for class 2 food vending machines?

As the proprietor of a class 2 food vending machine business you must:

- ensure that any food sold or prepared for sale from the machines is safe to eat

¹ <http://docs.health.vic.gov.au/docs/doc/Food-vending-machines---State-wide-registration-or-notification--July-2011>

- comply with the *Food Standards Code*, including the relevant Food Safety Standards in chapter 3 of the Code²
- register annually with your principal council³
- lodge statements of trade about the location of your class 2 machines⁴
- assist your principal council, or any council in whose municipal districts the machines are located, with any inspections of a machine
- provide information to an inspecting council, if requested to do so, about the machine. This is to enable the principal council to be satisfied that the requirements of the Act are being met, so that registration can be granted or renewed. This may include explaining any systems in place to ensure food is handled safely. Where any manufacturer’s manuals or instructions about the machine are readily available, these can be referred to
- have a food safety supervisor for the machine. That person must have the necessary skills and accredited training⁵
- keep a suitable food safety program, as outlined below.

Food safety program for class 2 food vending machines

Class 2 machines must have a food safety program. You can:

- develop your own food safety program (as an “independent” or “non-standard” program). This

² www.foodstandards.gov.au/foodstandards/foodstandardscode.cfm

³ Refer to the information sheet *Food vending machines: state-wide registration or notification*.

⁴ Refer to the information sheet *Food vending machines: state-wide registration or notification*.

⁵ However, businesses may choose to adopt a food safety program that is part of a Quality Assurance (QA) system declared by the Department of Health. In such a case, a food safety supervisor will not be required if the program includes competency based or accredited staff training. This will in practice be relevant to larger food businesses with whole of business QA systems.

type of program must be audited by a Food Act approved auditor initially, and then annually⁶, or

- use a department registered food safety program template.

Either way, the food safety program does not need to be kept at the site of the machine at all times. But you must complete records for each machine at the time specified in the program.

As of November 2011, there is no template that is specific to food vending machines. Proprietors who wish to use a template may be able to use the *Food safety program template for class 2 retail and food service businesses No. 1, Version 2* if it is relevant to the food handling activity undertaken in the machine. The template can be used for fresh juicing machines. This is explained in appendix 1.

If you handle other types of high risk food in a class 2 machine you should discuss with your principal council how to keep a food safety program that is adequate.

The template can be downloaded at no cost from the department's website at www.health.vic.gov.au/foodsafety/bus/templates.htm#new.

Alternatively, your principal council may be able to give you a hard copy of the template at no cost.

Adequate cleaning of class 2 machines is an essential food safety practice.

Food safety supervisor for class 2 food vending machines

The department has produced an information flyer titled *Food safety supervisors and training* which can be accessed on the department's food safety website at www.health.vic.gov.au/foodsafety/skills_knowledge/fss.htm

The proprietor of class 2 food vending machines must ensure they have a food safety supervisor for the machines. The proprietor can be the food safety supervisor.

Table 1 of the flyer at the web link above contains the competency standard requirements for food safety supervisors for each food sector. Food

vending machines are in the "retail" category. Information on how to access the relevant training is also provided in this flyer.

Free online food handler learning program

To help maintain safe food handling practices, the Department of Health has developed the **dofoodsafely** program for your food premises staff. This free online food handling learning program is designed to improve basic knowledge of food safety. It is available at <http://dofoodsafely.health.vic.gov.au>

For more information

Your principal council

If you have registered under the Act, you may have questions about how to comply with the requirements outlined in this information sheet.

Your principal council is the best place to go for more information. Their contact details will have been included in your registration documents.

Other councils can be located at

www.dpcd.vic.gov.au/localgovernment/find-your-local-council

For information about class 2 premises or the Food Act reforms

Department of Health

www.health.vic.gov.au/foodsafety
email foodsafety@health.vic.gov.au
phone 1300 364 352

⁶ All full audit reports about these independent food safety programs must be kept by the proprietor for four years after they are prepared by the auditor (so that the report can be provided to the council, if requested).

Appendix 1

Food safety program for fresh juicing machines

Proprietors operating fresh juicing vending machines who are using the department's *Food safety program template for class 2 retail and food service businesses No. 1, Version 2* must use the following sections of the template:

Food business practices	Record
Section 1 Purchasing and receiving food	Record 1 Supplier record
Section 9 Packaging and transporting food (only need to comply with the instructions on keeping food safe from contamination during transport)	No record
Support programs	Record
1 Cleaning and sanitising	Record 8 Cleaning schedule
2 Food safety supervisors' responsibilities	Food safety supervisor certification
3 Food handlers' responsibilities	No record
6 Food recalls and waste disposal	No record unless recall required

Cleaning of these machines is the one of the most essential food safety practices.

Operators must have a written cleaning schedule which will be contained in Record 8 of the above template. Your principal council will need to be satisfied that the cleaning is adequate to keep these machines hygienic.

A best practice guideline will be developed to assist operators to maintain and clean these machines. In the meantime, operators should contact the business from whom they lease their machines, or the machine manufacturer, to enquire about existing guidance documents.

If you handle other types of high risk food in a class 2 machine you should discuss with your principal council how to keep a food safety program that is suitable for the activity.

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To receive this publication in an accessible format phone Health Protection Branch on 1300 364 352.