

## Cake stalls

### You need to know ...

If your community group:

- sells food solely for the purposes of raising funds for charity, or
- is a not-for-profit body

this information will help you understand your responsibilities under the *Food Act 1984*, and your role in keeping food safe.

If a volunteer makes a cake at home and donates it for sale at a community cake stall, that person is not selling the food.

Whilst everyone is encouraged to handle food safely, volunteers do not need to register their homes as food premises with the council.

### Food premises classes

The Food Act controls the sale of food in Victoria. Its main purpose is to protect people from food borne illnesses.

The Act groups different types of food premises into four separate classes based on the food safety risks of their **highest risk** food handling activity. Different requirements for each class of food premises spell out what must be done to make sure that food sold is safe to eat.

Of course, your group is free to run any kind of food activities, as long as you meet the food safety requirements that apply to that premises class and have the required approval under the Food Act.

### Cooked cakes without cream fillings — class 4

Cake stalls selling only cooked cakes, that do not contain fillings made from fresh cream or uncooked eggs, are class 4 temporary food premises.

Class 4 premises may use mock cream fillings, as mock cream does not require refrigeration. They may also sell other baked items, such as biscuits or slices.

Class 4 involves the lowest level of regulation, due to the low food safety risks involved.



If you are selling this kind of cake or baked goods from a stall, you need to complete a short notification form about your temporary food premises. Give this to your principal council (see below). Contact council to obtain this form. The notification is a once-off requirement. It does not need to be resubmitted annually, or each time you operate.

When this form has been accepted by your principal council, you can operate the stall in **any** council district under the Food Act provided that you lodge a statement of trade advising that council about where and when you will be operating. Contact your principal council to obtain the statement of trade form, or download it from **[www.health.vic.gov.au/foodsafety](http://www.health.vic.gov.au/foodsafety)**

You are not required to have a food safety program or a food safety supervisor.

Any council in whose district you operate may inspect your stall at any time — for a spot check to make sure that food is safe, or if any complaints are received.

### Free food handler learning program

Volunteers are encouraged to complete the free online learning program, **dofoodsafely**, to improve their knowledge of safe food handling.

The program is informative and fun. It takes about an hour to complete the six topics on food safety and a final quiz. Participants who score more than 90 percent on the quiz are awarded a certificate.

You can find the program at **<http://dofoodsafely.health.vic.gov.au>**

## Useful information for cake stalls

Visit the Food Safety website for more information about running cake stalls — [www.health.vic.gov.au/foodsafety](http://www.health.vic.gov.au/foodsafety).

For more information about operating food stalls — [www.health.vic.gov.au/foodsafety/bus/mobile.htm](http://www.health.vic.gov.au/foodsafety/bus/mobile.htm)

### Cakes with cream fillings

If you plan to sell cakes that contain fillings made from fresh cream or mascarpone, or uncooked eggs (such as tiramisu or mousse), contact your council, as different food safety rules will apply.

These cakes need refrigeration throughout the food handling process, including during preparation, storage and transport, to keep them safe.

If they are not handled this way, it is easier for the bacteria which cause food poisoning to multiply quickly.

When something goes wrong during the food handling process, these foods have been known to cause serious illness and even death.

If you plan to sell cakes that contain fillings made from fresh cream or uncooked eggs, you must contact your council for approval.



## Which is your 'principal' council?

**Under the state-wide system, one** council must be primarily responsible for accepting the notification of your class 4 temporary food premises. This council is your 'principal council'. It is the council in whose district your group:

- **routinely prepares or stores food** that is to be sold at the stall; or
- if you do not have such a routine place, or if the food is not usually prepared or stored beforehand by the organisation (because the cakes are made at home by volunteers and donated to the group, or purchased beforehand) — the district in which you usually **store the equipment for your stall**; or
- if none of the above apply — the district where your group's contact address is located.

## Contacts

### Council Health Units

Find councils at [www.dpcd.vic.gov.au/localgovernment/find-your-local-council](http://www.dpcd.vic.gov.au/localgovernment/find-your-local-council)

### Department of Health

[www.health.vic.gov.au/foodsafety](http://www.health.vic.gov.au/foodsafety)

**email:** [foodsafety@health.vic.gov.au](mailto:foodsafety@health.vic.gov.au)

**phone:** 1300 364 352

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

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