

## APPLICATION FOR A LICENCE FOR A FOOD PREMISES TO PROCESS/STORE PLANT PRODUCTS Food Regulation 2015

Licensing unit office hours: 9.30am – 4.30pm Monday – Friday Phone: 02 6552 3000 or 1300 552 406  
NSW Food Authority **ABN 47 080 404 416** PO Box 232 TAREE NSW 2430

Certain food businesses are required to hold a NSW Food Authority licence to operate. Businesses that operate without the appropriate licence from the NSW Food Authority are committing an offence under the *Food Act 2003* and may be prosecuted.

Did you know ... if you are applying to licence a business and do not hold a current NSW Food Authority licence, you can now lodge your application online by going to the online application form link at [www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au) (Please note: conditions apply for use of online applications).

### Plant products businesses that need to be licensed

Under the Food Regulation 2015, food businesses must have a NSW Food Authority licence if they prepare or store plants products as defined under Clause 120 of the Plant Products Food Safety Scheme (Part 10 of the Regulation) and defined as a "Plant products business" under Clause 124 and perform any of the following:

- the extraction of juice from vegetables or fruits without pasteurizing the juice (excluding retail operations)
- the processing of seed sprouts, fruits or vegetables to produce plant products, including (but not limited to) cutting, peeling, preserving and cooking
- the storage of plant products
- the packaging of plant products
- the production (including packaging) of vegetables in oil
- the refrigerated transport or distribution of plant products – If licensing is required for a vehicle to transport plant products please complete application form *Application for food transport business for dairy/meat/plant products/seafood*

Those businesses not involved in any of these activities, or where they fall within the exception provided under clause 122 (for example, retail operations, or where it is clear that the plant product will be processed and converted by pasteurisation) do not require a NSW Food Authority licence.

Licensing under this Regulation is used to ensure that a business has the capacity to produce safe food before the food is supplied to the market. A licence is not transferable from one person or business to another.

### What do I need to comply with?

Any businesses that hold a licence must comply with the following:

- Food Regulation 2015 (NSW)
- *Food Act 2003* (NSW)
- Food Standards Code
- Development and implementation of an adequate food safety program under the Food Regulation 2015 based on Standard 3.2.1 of the Food Standards Code or Codex HACCP (with the exception of businesses solely storing or transporting these products). The program must accurately outline the hazards associated with the food business' operations. Assistance material is available from the NSW Food Authority's web site at [www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au). Where a Food Safety Program is required for businesses under the legislation, failure to have a Food Safety Program available for review at the compliance inspection may result in the non issue of licence to operate.

### What do I need to do next?

- Complete the licence application form and return it with payment to: NSW Food Authority, PO Box 232, Taree NSW 2430.
- You must not commence operations until the above steps have been completed and you are informed that your licence application has been processed. If the premises is found to be operating without a licence, enforcement action will be taken.
- Prior to the approval of a licence, a licensing assessment will be carried out to ensure compliance with the Food Standards Code and Food Regulation 2015. If the result of the assessment is unacceptable, the licence may not be approved and the licence application may be rejected. It is highly recommended the applicant refer to the Authority's website for information relating to the assessment process and industry sector requirements.

### Processing times

The Authority will review your application within **10 working days** of receiving your licence application and you will be notified if any further information is required. If your application is complete the Authority will write to you to let you know your licence application has been processed and provide you with a time frame for completion of the licensing assessment that is required.

## **IMPORTANT NOTES**

- If you have more than one premises, copy page 4 and complete for each premises. If the application forms are submitted at the same time only one application fee will be required.
- Please ensure that each page of the application is completed (where applicable) and checked before it is returned as failure to provide all information or signature(s) will delay processing and issuing of the licence.
- For more information or assistance please contact the NSW Food Authority's Licensing Unit on 02 6552 3000 or go to the NSW Food Authority website at <http://www.foodauthority.nsw.gov.au/industry/food-standards-and-requirements/licensing>

## APPLICANT DETAILS

- Complete Section A(i) for sole trader/ partnership details
- Complete Section A(ii) for company/ trust/ association details

### SECTION A (i): SOLE TRADER/ PARTNERSHIP BUSINESS STRUCTURE (please tick appropriate box)

Sole Trader

Partnership

LAST NAME

FIRST NAME

LAST NAME

FIRST NAME

LAST NAME

FIRST NAME

LAST NAME

FIRST NAME

**TRADING NAME (if applicable):** If operating under a trading name, please provide copy of Business Name Certificate issued either by Fair Trading NSW (if before 28/5/2012) or ASIC (if registered after 28/5/2012)



ABN

POSTAL ADDRESS

SUBURB/ TOWN

STATE

POSTCODE

PHONE

( )

FAX

( )

MOBILE

EMAIL

### AUTHORISED CONTACT DETAILS (if different to information provided above eg Manager, QA, Admin, etc)

Mr

Mrs

Miss

Ms

Dr

Professor

Other

NAME

POSITION

PHONE

FAX

MOBILE

EMAIL

### DO YOU HAVE AN EXISTING NSW FOOD AUTHORITY LICENCE?

NO

YES – please give details (eg Licence number or customer no.)

**SECTION A (ii): COMPANY/ TRUST/ ASSOCIATION BUSINESS STRUCTURE (please tick appropriate box)**

Company

Trust

Association

Other

**COMPANY NAME(if applicable)** If a company, please provide a copy of full ASIC Company Statement (showing names of public officers/ directors)**ACN****CONSENT TO CONDUCT COMPANY SEARCH ON BEHALF OF APPLICANT/S**

If it is not possible for supporting documents to be provided during the application process, an applicant may give consent to the NSW Food Authority, to conduct a company search on their behalf.

Failure to supply supporting documents may result in delays in processing applications and issuing of the licence.

I/We, the applicant/s conducting the food business for which this form is being submitted, give consent for a NSW Food Authority representative to conduct a company search on our behalf.

I/We agree to pay the fees applicable to this service, as per the fee schedule enclosed in this application.

**TRUST NAME (if applicable):** If a trust, please provide name(s) of nominated person(s) to receive correspondence**ASSOCIATION NAME (if applicable):** If an association, please provide a copy of the Certificate of Incorporation.**ABN****TRADING NAME (if applicable):** If operating under a trading name, please provide copy of Business Name Certificate issued either by Fair Trading NSW (if before 28/5/2012) or ASIC (if registered after 28/5/2012)**POSTAL ADDRESS****SUBURB/ TOWN****STATE****POSTCODE****PHONE**

( )

**FAX**

( )

**MOBILE****EMAIL****AUTHORISED CONTACT DETAILS**

Mr

Mrs

Miss

Ms

Dr

Professor

Other

**NAME****POSITION****PHONE****FAX****MOBILE****EMAIL****DO YOU HAVE AN EXISTING NSW FOOD AUTHORITY LICENCE?**

NO

YES – please give details (eg Licence number or customer no.)

## Is the business under this application being taken over from an existing licence holder?

**NO** – Please proceed to communication section below.

**YES** – If possible, please arrange for the previous owner to complete the 'Consent of Present Licensee' section below:

### CONSENT OF PRESENT LICENSEE(S) (if applicable)

- I/we hereby certify that I am authorised to submit this form on behalf of this business.
- If a company, show capacity of person signing

I/We, the current licensee(s), will/will not continue to conduct a food business using the premises and agree/do not agree to the cancellation of the licence for the premises. My/Our licence number is \_\_\_\_\_

**SIGNATURE(S)**

*X*

**DATE**

/ /

## COMMUNICATION

### Do you wish to receive the NSW Food Authority 'Foodwise' newsletter for licensees?

**NO** – I do not wish to receive the 'Foodwise' newsletter

**YES** – Please send to the email address indicated above

## BUSINESS ACTIVITY DETAILS

### Is the business relocating from an existing site

**NO** – Please proceed to business activity and location section below.

**YES** – Please confirm existing site address and then proceed to business activity details and location sections below:

**LOCATION OF EXISTING SITE** \_\_\_\_\_

**BUSINESS PREMISES ACTIVITY DETAILS** – Fill out this section if you have a building or premises where plant products are handled, processed or stored. If licensing more than one premises, please photocopy this page, complete and return with other pages of application form.

<b>Select type of business activity to be licensed</b>	<input type="checkbox"/> Processor <input type="checkbox"/> Wholesaler <input type="checkbox"/> Storage <input type="checkbox"/> Other _____
<b>Process fresh-cut products (usually consumed raw), unpasteurised juice, seed sprouts, vegetables or fruit in oil</b> <input type="checkbox"/> Vegetables (ie capsicum, carrot, celery, leek, mushroom, spinach, Chinese cabbage, cabbage, witlof, lettuce or any other leafy green vegetable not already listed) <input type="checkbox"/> Fruits <input type="checkbox"/> Extract unpasteurised juice (ie fruit or vegetable juice or a mixture of such juice that has not been subject to pasteurisation) <input type="checkbox"/> Package unpasteurised juice (ie fruit or vegetable juice or a mixture of such juice that has not been subject to pasteurisation) <input type="checkbox"/> Process seed sprouts (ie sprouted seeds or beans other than wheatgrass) <input type="checkbox"/> Process vegetables in oil (ie wholly or partly submerged fruits, vegetables or herbs) <input type="checkbox"/> Process fruits in oil <input type="checkbox"/> Other – Please specify _____	
<b>Store plant products (not applicable if the product is processed and stored at the same premises).</b> <input type="checkbox"/> Refrigerated vegetables in oil (ie wholly or partly submerged fruits, vegetables or herbs) <input type="checkbox"/> Fresh-cut fruit <input type="checkbox"/> Unpasteurised juice (ie fruit or vegetable juice or a mixture of such juice that has not been subject to pasteurisation) <input type="checkbox"/> Refrigerated fruits in oil (ie wholly or partly submerged fruits, vegetables or herbs) <input type="checkbox"/> Seed sprouts (ie sprouted seeds or beans other than wheatgrass) <input type="checkbox"/> Fresh cut vegetables (ie capsicum, carrot, celery, leek, mushroom, spinach, Chinese cabbage, cabbage, witlof, lettuce or any other leafy green vegetable not already listed)	
<b>Storage of other foods as well as plant products as defined under Food Regulation 2015 (please tick):</b> <input type="checkbox"/> Milk or dairy products as defined under Clause 59 <input type="checkbox"/> Meat or meat products as defined under Clause 76 <input type="checkbox"/> Seafood or seafood products as defined under Clause 133 <input type="checkbox"/> Eggs as defined under Clause 165 or egg products as defined under Clause 168(2)	
<b>Note</b> Please indicate if you require a Food Safety Program (for which a fee is payable). <input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>EXPORT APPROVED FACILITY:</b> <input type="checkbox"/> YES – EXPORT ACCREDITED   EXPORT REGISTERED EST NO: _____ <input type="checkbox"/> NO	
<b>Nominated commencement of trading date:</b>	_____
<b>Number of full time equivalent (FTE) food handlers:</b> Note: The number of full time equivalent (FTE) food handlers employed in your plant products processing/storage operation as determined by the calculation on page 7 of this form excluding office staff, delivery drivers, etc. The Food Regulation 2015 prescribes the appropriate licence fee (based on the number of people working on the premises) and application fee to be applied to all licences.	

## BUSINESS ACTIVITY LOCATION DETAILS

### Is the site address same as for postal address previously provided

**NO** – Please complete location section below.

**YES** – Please proceed to fee schedule and payment section

<b>Street address of building or premises:</b>	_____
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## FEE SCHEDULE

No. of full time equivalent food handlers	Licence fee	No. of premises	Total licence fee payable (No. of premises x licence fee)
0 to 5	\$ 559.00		
6 to 50	\$1,155.00		
51+	\$5,086.00		
Additional chargeable items	No. of programs	Total cost	
Food safety program – Cold food store		\$65.00	
Company search administration fee	N/A	\$50.00	
<b>APPLICATION FEE</b>			\$50.00
<b>TOTAL FEE PAYABLE</b>			

## DECLARATION

<b>SIGNATURE(S) OF ALL APPLICANT(S) – Please sign below with name clearly printed underneath</b>			
<ul style="list-style-type: none"> <li>I/we hereby certify that all information provided on this form is true and correct.</li> <li>I/we hereby certify that I am authorised to submit this form on behalf of this business.</li> </ul>			
<b>SIGNATURE(S)</b>	X		
<b>PRINT NAME(S)</b>		<b>DATE</b>	/ /
<b>POSITION WITHIN ORGANISATION</b>			

### Please note:

- The fee to accompany this application form is the total of both the application fee and licence fee indicated above.
- For applications on an existing licence, please submit form with application fee \$50.00 only. An invoice for the licence fee will then be returned to you for payment.
- For applications for premises where multiple activities are done at the same site, only one licence fee is applicable.

## CALCULATING LICENCE FEES

The licence fee applied to your business is calculated based on the number of full time equivalent (FTE) food handlers involved in food handling. The number of FTE food handlers is used as it also accommodates businesses who use part time food handlers in their operations. For the purposes of this calculation, a FTE working week is 38 hours.

To calculate the number of FTE food handlers your business has, add up all the hours that the food handlers are undertaking food handling activities during a working week and divide by 38 hours (average working week). For example, if a facility had 4 food handlers to handle food for 25 hours per week, this would equate to approximately 3 FTE food handlers.

### Figure 1: Example calculation of FTE food handlers

$$\frac{4 \text{ food handlers} \times 25 \text{ hours per week}}{38 \text{ hours}} = 2.6 \text{ FTE food handlers (round up to 3 FTE food handlers)}$$

**PAYMENT METHODS**

**A. PAYMENT BY CHEQUE OR MONEY ORDER**

Please mail money order or cheque (crossed 'Not negotiable' and made out to NSW Food Authority) along with completed application form to PO Box 232, Taree NSW 2430

**B. PAYMENT BY CREDIT CARD**

A 0.4% merchant surcharge will occur on credit card transactions for MasterCard and Visa card

Please debit my:      MasterCard        Visa card

Card number:             .....

Cardholder's name:       .....

CVV number:             .....  
 (the final three digits of the number printed on the signature strip on the back of your card)

Expiry date:             .....

Payment amount:         .....

Cardholder's signature:  .....

**C. PAYMENT BY BPAY®, INTERNET BANKING OR TELEPHONE**

If you wish to make payment by any of the above methods, please submit your completed application form without payment to the Licensing Unit by:

- Post to PO Box 232, Taree NSW 2430
- Email to [bfs.admin@dpi.nsw.gov.au](mailto:bfs.admin@dpi.nsw.gov.au)

An invoice will then be forwarded to you for payment.

Please note: We do not accept American Express.

**CHECKLIST**

To avoid any delays in the processing of your application, please ensure all relevant documentation is submitted with this application form.

- Y Application form completed and signed
- Y ASIC Company Statement showing the name/s of the Director/s attached (where applicable)
- Y Certificate of Registration of business name attached (where applicable) issued either by Fair Trading NSW (if registered before 28/5/2012) or ASIC (if registered after 28/5/2012)
- Y Certificate of Incorporation attached (where applicable)
- Y Payment attached

**Please return all pages of your Food Authority licence application to:**

**NSW Food Authority  
 PO Box 232  
 TAREE NSW 2430**