



# FOOD ACT 2014

## A Brief Introduction to the New Food Premises Legislative Requirements

Currently all food premises are required to operate under the Food Hygiene Regulations 1974. However, as of the 1 March 2016, full implementation of the new Food Act 2014 (Act) begins. Queenstown Lakes District Council (QLDC) are required by the Food Act 2014, to move all food premises over to the new risk based measure within a three year transition period. All new food premises will be required to start operating under the appropriate risk based measure on opening. The Food Act 2014, Schedules 1-3 define the risk based measures. QLDCs Environmental Health team will contact all currently registered food premises prior to the implementation of the Act, to inform them what year of the transition period they will be required to transition.

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## REGISTRATION

Once the Act is implemented all food premises that fit into Schedules 1 and 2 are required to be registered with their local Territorial Authority (TA) under their appropriate risk based measure. There is an exception to this requirement and that is for food premises operating under a custom/individually developed Food Control Plan (FCP – a documented food system). These premises are then required to be registered through the Ministry for Primary Industries (MPI).

For TA registered food premises, there are two main ways they will be grouped according to their risk;

- 1. Template FCP – similar to the existing FCP (Food Control Plan), or**
- 2. National Programs (1,2,3)**

Under these two groups there are different requirements, which we can discuss with each premises along with the required date of implementation.

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## FCP – SCHEDULE 1

All food premises operating under the template Food Control Plan (FCP – *a documented food system*). will be verified by their local TA. The verification frequency may vary according to their individual performance/conformance or non-conformance/non compliant with the FCP requirements.

<b>Performing</b>	Operator familiar with and conforms to FCP. Where required or appropriate, records are in place that demonstrates this. Knowledgeable in managing food safety.
<b>Conforming</b>	Operator familiar with and appears to conform to FCP, or has agreed corrective action to resolve the non-conformance within agreed timeframes. Required records to demonstrate this are limited.
<b>Non Conforming</b>	Operator unfamiliar with requirements and does not conform to FCP and required records are absent or minimal. This may also include non-resolution of repetitive deficiencies, where agreed timeframes for corrective action have not been met.
<b>Non Compliant</b>	Operator is unfamiliar with requirements and does not conform to FCP and required records are absent. The non-conformance to FCP is impacting on food safety with potential critical deficiencies.

## NP – SCHEDULE 2

Food premises operating under NP's will be required to be verified by either the Ministry for Primary Industries (MPI), their local TA or by a MPI listed third party verifier. The verification frequency may vary according to their individual performance/conformance or non-conformance with the NP requirements.

## SCHEDULE 3

All food premises defined under the section three of the Food Act 2014, do not require registration. However, may require guidance and inspections if food complaints arise.

All relevant legislative information can be found the Food Act 2014 Schedules 1-3 and/or at the Ministry for Primary Industries (MPI) – Food Safety links:

**MPI - Food Safety information:** [www.mpi.govt.nz](http://www.mpi.govt.nz)

**Food Act 2014:**

[www.legislation.govt.nz/act/public/2014/0032/latest/DLM2995811.html?src=qs](http://www.legislation.govt.nz/act/public/2014/0032/latest/DLM2995811.html?src=qs)

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## FOOD PREMISES REGISTRATION REQUIREMENTS

One of the driving ideologies of the Food Act 2014 is to move away from the prescriptive methodology of the previous legislation and give the food premises operators more responsibility to ensure for safe and suitable food. Part of the role of food premises to be responsible for their businesses is to ensure that they are proactively ensuring that they are registered at all times and do not have their registration expire. Council will continue to send out renewal notices however, the Food Act 2014, has \$450 infringement fines for any unregistered food premises that will be applied, if food premises do not renew their registration or pay their registration fees on time.