

GUIDANCE ON **EXEMPTION** FROM REGISTRATION

Under the Food Act 2014, some food businesses and community groups are not required to operate under a Food Control Plan or a National Programme. These are usually low-risk businesses or sell food for charity.

This pamphlet describes when businesses are already exempt, when you could apply for exemption, and when an exemption application is unlikely to be approved.

Exempt businesses are still required to make food that is safe and suitable.



REGISTERING A
FOOD BUSINESS



New Zealand Food Safety
Ministry for Primary Industries
Manatu Ahu Matua

WHEN YOU ARE ALREADY EXEMPT:



One off events

You only sell food for personal profit once a year.



Homegrown produce

You only sell fruit and vegetables that you grow yourself directly to consumers.



Fishing vessel food

You are a fishing vessel operator who only supplies food to your crew.



Packaged food

You only sell packaged food like chippies, chocolate bars and soft drinks – that don't need to be kept in a fridge to be safe to eat.



Organisations or societies

You are a club, organisation or society that sells food to members or guests at events or gatherings, where the trade in food is not the purpose of the event or gathering.



Small scale catering

You are a very small scale caterer working from home, and only sell your food occasionally to be eaten straight away. For example, you sell your food less than 20 times a year.



Accommodation providers

You are an accommodation provider that prepares, serves or provides food for up to 10 guests per night. Larger accommodation providers that only provide snacks or breakfasts for guests are also exempt.



Early childhood services

You provide home-based early childhood education (ECE) services and prepare and serve food for the children in your care. If you are an ECE provider and only provide limited food that requires minimal handling, you are exempt also.



Fundraising

You are fundraising and you sell food less than 20 times a year. This includes things like sausage sizzles and charity bake sales. You don't need to be raising money for a registered charity, but it must be for a specific cause.

YOU COULD APPLY FOR EXEMPTION IF ALL THE FOLLOWING APPLY TO YOUR BUSINESS:



You don't believe you should register

You believe it is not feasible or practical for your business to register and get verified, and have a valid and appropriate reason, **AND**



Your business has very few risks to manage

The food you make is low risk, for example shelf-stable baked goods, and you can show that you understand and manage any risks that do exist, **AND**



You sell locally

The food you make is sold locally rather than nationwide, **AND**



You don't sell to vulnerable consumers

The food you make is not for vulnerable populations (young, frail, elderly, or immunocompromised people and pregnant women), **AND**



You sell food infrequently

The food you make is sold infrequently, for example once a month or less.

OR THE FOLLOWING:



You sell food for charity more than 20 times a year

You could also apply for exemption if you **only make food for a charitable purpose**, more than 20 times a year, and only charge for the service to recover the cost of ingredients.



TO APPLY FOR AN EXEMPTION

Fill in this form:

www.mpi.govt.nz/dmsdocument/11545/send

then send it to: MPI.Approvals@mpi.govt.nz

YOU ARE UNLIKELY TO BE GRANTED AN EXEMPTION IF:



Businesses like yours are usually registered

You do exactly the same thing as other businesses that are registered.



You sell high-risk foods

You make high-risk foods (for example chilled, ready-to-eat food) or have lots of risks to manage.



Exporting

You send your food overseas.



You make and sell food for vulnerable people

You make food that is specifically targeted for vulnerable consumers to eat. These include young children, the elderly, pregnant women and the immunocompromised.



You use technically-complex processes

You use technically-complex processing methods, for example low-acid canning or high-pressure processing.

NEED MORE INFORMATION?



For more information check out: www.mpi.govt.nz/foodact



If you need more help email: foodactinfo@mpi.govt.nz



Phone 0800 00 83 33