Event Guidance

Vetting Food Vendor Registrations

Purpose

The purpose of this guidance is to ensure that event organisers are familiar with the requirements of the Food Act 2014 in relation to the registrations of food vendors present at their events. While it is not the responsibility of event organisers to vet food vendors at their events, it is in the best interest of the organisers to ensure that those vendors who are in attendance are producing safe and suitable food.

Background

The Food Act 2014 requires all food vendors selling food to be registered with either their local council or MPI. A small range of businesses may have exemptions to these requirements, however typically exempt businesses are not food service businesses. Food Registrations are based on risk, with low risk businesses registering National Programmes (1, 2, 3) and higher risk businesses registering food control plans (FCPs).

Typically, food vendors at events fall under the Food Control Plan category as this is the only food registration type that allows for ready to eat food to be prepared on site (i.e. made by the seller), however some simpler operations may fall under National Programmes. These businesses may be allowed to buy in food and heat it (e.g. sausage rolls, pies etc), but they cannot prepare food.

All businesses will have what is known as a scope of operations that defines and limits the types of food they can sell. This is usually (but not always) on their registration certificate. For example, Food service businesses should have 'Food Service Sector – Ready to eat meals and snacks' on their certificate. You can also find this information on the public register (link below)

Event organisers should ideally check that any businesses wishing to trade at their events hold the correct registration for what they intend to sell.

Considerations for event organisers

1. Check that the food vendor holds a current registration. You can do this by either asking them for a copy of the certificate or by checking the national database. You will need to know their legal name or registration to find them in the database. The database can be found at http://mpiportal.force.com/publicregister
2. Check the vendors registered scope of operations. You can see this on the vendors registration certificate or check it online. You need to ensure that the business:
   a. Holds the correct registration level
   b. Has the right sectors on their scope of operations for what they are telling you they are going to sell
3. Try to ascertain how the operator intends to manage the increased volume of food that catering to large events requires. If you have any concerns about the operator's ability to manage the food on site correctly, they may not be suitable for your event. Attention should be paid to temperature management of food as well as storage and their capacity to produce safe food quickly. This responsibility lies directly with the vendors themselves, however.
4. Insist on obtaining proof of registration. Do not assume a business is registered on their word alone. Do not allow vendors with expired food registrations to trade at your event.

Examples

1. A mobile shop wants to sell pies at an event. They hold a National Programme 3 registration that indicates they are registered as a 'Retailer that handles, but does not prepare food'
   This vendor might not be permitted to sell pies. You would need to ask if they were making the pies or if they were buying them in and heating them (i.e. preparation vs handling). If they are making the pies, then they are not registered for this activity. If they are just heating up pre-purchased pies, then this is acceptable

2. A business is registered under a National Programme 3 to sell ice creams, but on the day, they also appear to be selling sandwiches and baked goods. Their scope of operations classes them as a Retailer who handle but does not prepare food – Ready to eat meals and snacks
   This business isn't registered to sell these extra products as a National Programme 3 doesn't permit preparation of food, just handling only so the ice cream is ok, but the rest is not unless they are buying it in.

3. A business is registered under a food control plan with the scope of operations listed as - Food Service Sector – (Ready to eat meals and snacks). This business usually sells juices and smoothies, but on the day wants to sell curries and naan breads as well.
   This operator is actually allowed to sell these additional products as they fall under the same category of Food Service Sector – (Ready to eat meals and snacks), but the event organisers should be wary of vendors doing this as the operators may not actually have any food safety processes in place to ensure the safety and suitability of the food

Summary

Event organisers need to understand the range of registrations food vendors can hold under the Food Act 2014. These can be complex, and it is not the responsibility of the event organiser to ensure that their vendors are selling safe food, however vetting is an effective way of identifying those vendors who may not be suitable.

Vetting is one part of the process and event organisers are encouraged to accurately complete food vendor vetting sheets to allow local councils to make their own assessments of proposed vendors. It is known that many vendors will expand their range of offerings to cater for larger events and ideally this should be identified. Councils typically will conduct on site checks at events so access for officers needs to be considered as part of the planning phase (if applicable).

All food vendors retain responsibility for food produced from their stores and this includes knowing what they can or cannot sell. If there is any doubt about the status of an operator, then the organisers should either contact the Environmental Health Team at the local council or direct the vendor to contact them. If you have concerns about the nature of the vendor during the event, then the same action should be considered.

For Taupo Council you can email environmentalhealth@taupo.govt.nz

Useful links

Food Act 2014

MPI Public Register

National Programme Sectors