

Retailing packaged meat in Victoria

From 1 January 2023, the *Meat Industry Act 1993* (the Meat Industry Act) no longer applies to the retail sale of packaged meat and related activities. This means that these activities will be exempt from the requirements of the Meat Industry Act, including the requirement to be licensed by PrimeSafe.

The retail sale, handling, storage and transport of certain types of packaged meat poses a low food safety risk relative to other meat-handling activities. This exemption provides simpler regulatory arrangements for these low-risk activities. Under the exemption, these activities will be regulated under the *Food Act 1984* (*Food Act*).

What packaged meat does the exemption apply to?

The types of packaged meat captured under the exemption are described in the table below.

For the purposes of the exemption, *packaged meat* means meat that:

- has been processed, packaged for retail sale in Australia and labelled at a PrimeSafe licensed meat processing facility (or interstate equivalent); and
- is contained in impermeable and hermetically sealed packaging; and
- has not been, and is not intended to be, repackaged before retail sale.

Packaged meat includes:

- ✓ Cryovac or vacuum packaged cuts of meat, mince, sausages and smallgoods
- ✓ Cuts of meat, mince, sausages and smallgoods in modified atmosphere packaging
- ✓ Canned or bottled meat products
- ✓ Meat and meat products packaged in other impermeable and hermetically sealed packaging

Packaged meat does not include:

- × Meat or carcasses packaged
 - × in resealable containers, unless the original hermetic seal is unbroken
 - × in food grade wraps, such as clingwrap or overwrap
 - × in cloth
 - × at the point of retail sale
 - × in bulk (i.e. not individually packaged for retail sale)
 - × for wholesale
 - × for retail sale outside of Australia
- × Meat that is intended to be repackaged before retail sale
- × Unpackaged meat
- × Seafood

Effect of the exemption for *packaged meat*

If the activities that you undertake as part of your business are included in the scope of the exemption, the Meat Industry Act will not apply and your business will not need to be licensed by PrimeSafe. Instead, the Food Act will apply and you will need to be registered with your local council.

If you undertake activities that are included in the exemption, but you also process meat, handle or store unpackaged meat, or handle meat that is not considered to be *packaged meat* for the

purposes of the exemption, the Meat Industry Act will still apply and you will need to be licensed by PrimeSafe.

Packaged meat in PrimeSafe licensed facilities will be subject to the same compliance and enforcement framework that applies to the relevant PrimeSafe licence category.

The following table provides a guide for businesses to determine how their activities will be regulated from 1 January 2023.

Activity	PrimeSafe licence	Local council registration - fixed food premises	Local council registration - Temporary/mobile premises
You use your fixed premises, such as your farm gate, to retail <i>packaged meat</i> . <ul style="list-style-type: none"> You may also use this premises to wholesale, store or handle <i>packaged meat</i>. 		✓	
You use your fixed premises to: <ul style="list-style-type: none"> cold-store but not retail packaged meat; wholesale but not retail packaged meat; process meat products; or sell, store or handle unpackaged meat, including carcasses. 	✓		
You use your fixed premises to store or handle <i>packaged meat</i> that is sold from a vehicle or market stall.		✓	
You sell <i>packaged meat</i> at markets from a vehicle or market stall.			✓
You sell unpackaged meat at markets from a vehicle-based meat processing facility (e.g. a mobile retail butcher).*	✓		
You use your vehicle to deliver <i>packaged meat</i> to retail customers or transport <i>packaged meat</i> to and from a market.** <ul style="list-style-type: none"> You may also use this vehicle to deliver <i>packaged meat</i> to customers that will sell the meat direct to a customer without it being repackaged, such as restaurants and delis. 			
You use your vehicle to: <ul style="list-style-type: none"> deliver packaged meat to wholesale customers; transport unpackaged meat, including carcasses; or process or sell unpackaged meat. 	✓		

* If you sell meat at markets under your PrimeSafe licence, you will need to notify your local council. This is considered a class 3 notification.

** Vehicles used to deliver and transport *packaged meat* do not need to be registered but must meet the requirements of the *Food Act 1984* and *Australia New Zealand Food Standards Code*.

Further information

If you conduct any of the activities referred to in the table and are unclear on how your activities will be regulated, PrimeSafe can provide further guidance about whether your activities fall within the scope of the exemption.

Please send any enquiries by email to info@primesafe.vic.gov.au or call the PrimeSafe office on (03) 9685 7333.

If you have further questions about obtaining a fixed, temporary or mobile food premises registration or about the regulatory requirements that apply to food premises, you should contact your local council. A list of council contacts is available on the [Know Your Council website](#).



Q&A - Practical implications of the exemption for *packaged meat* for businesses

The following Q&As provide further information about the scope of the exemption and matters that you will need to consider if you retail *packaged meat* or undertake related activities.

What businesses does the exemption for packaged meat aim to support?

The exemption aims to provide more straightforward requirements and less regulatory burden for businesses undertaking low risk activities including and related to the retail sale of *packaged meat*.

The typical businesses undertaking these activities are small producers wishing to sell their produce direct to consumers at markets, from the farm gate, through online sales or via local shops, restaurants and providores. These businesses contract the slaughtering of their animals, and the processing, packaging and labelling of their meat to other PrimeSafe licensed meat processing facilities and only handle the final packaged product.

What types of activities is the exemption for packaged meat designed to capture?

The exemption is designed to capture all activities undertaken by the businesses described above.

For example, this could include:

- the sale of *packaged meat* at a farmers' market or from the farm gate
- the sale of *packaged meat* either direct to the retail customer or to another business that is going to sell the meat direct to a customer without it being repackaged, such as a restaurant or local shop
- the handling and storage of *packaged meat* at a farm that is also used for farm-gate sales
- the handling and storage of *packaged meat* at a farm or other premises used to store *packaged meat* intended for sale at markets or to other retail customers
- the transport of *packaged meat* in a vehicle that is used to sell *packaged meat* at markets or other locations
- the transport of *packaged meat* in a vehicle that is used to deliver *packaged meat* direct to customers or to and from markets.

The Meat Industry Act will not apply to businesses exclusively undertaking these activities.

If the activities I undertake as part of my business fall within the scope of the exemption, what sort of food premises registration do I need?

The type of food premises registration you need will depend on the types of premises you operate from.

If you retail packaged meat from a mobile or temporary premises, such as a refrigerated trailer or a market stall, and you do not handle or store the packaged meat at a fixed address, you should contact your local council to obtain Food Act registration.

If you retail *packaged meat* from a fixed food premises, such as your farm gate, you should contact your local council to obtain Food Act registration.

What requirements apply to a food business selling, handling, storing and transporting packaged meat?

Premises used to retail *packaged meat* and undertake related activities that fall within the scope of the exemption, including the retailing, handling and storage of *packaged meat*, are considered class 3 food premises. Under the Food Act, class 3 food premises are required to be registered with their local council.

All food businesses in Victoria must comply with the *Food Act 1984* and the *Australia New Zealand Food Standards Code* (the Code).

The most relevant parts of the Food Standards Code for class 3 food premises used to retail, handle and store *packaged meat* are *Standard 3.2.2 Food safety practices and general requirements* and *Standard 3.2.3 Premises and equipment*. These standards prescribe requirements for matters such as food handling controls, temperature control, health and hygiene, pest control, cleanliness, and construction and maintenance of premises and equipment.

Vehicles used to deliver or transport *packaged meat* for retail sale (or sale to another business that is going to sell the meat direct to a customer without it being repackaged) do not need to be registered but must meet the requirements of the Food Act and the Code. As for class 3 food premises, *Standards 3.2.2* and *3.2.3* will apply to the transport and delivery of *packaged meat*.



I already sell packaged meat at markets under a temporary or mobile food premises registration or a class 3 food business notification. What does this exemption mean for me?

You can continue to sell packaged meat at markets under a temporary or mobile food premises registration or class 3 food business notification.

If you sell meat from a vehicle that is registered under the Food Act, but also licensed by PrimeSafe as a meat transport vehicle, you will no longer require a PrimeSafe licence if all of the activities you use your vehicle for fall within the scope of the exemption.

If you store your packaged meat at a PrimeSafe licensed fixed premises, you will no longer require a PrimeSafe licence if you only use your fixed premises for activities that fall within the scope of the exemption. Instead, you will need to register your fixed premises with your local council.

If you have a PrimeSafe retail butcher licence and you undertake activities that fall outside the scope of the exemption, you can continue to sell packaged meat at markets by notifying your local council (this is considered a class 3 food premises notification).

If the predominant activity of my business is meat processing but I also retail packaged meat, who will I be regulated by?

If meat processing remains the predominant activity undertaken at your premises, you are still required under the Meat Industry Act to be licensed with PrimeSafe. If you also sell packaged meat or undertake other food processing or retail activities, you can license all activities with PrimeSafe to avoid dual registration.

If you undertake activities that are included in the exemption, but you also process meat, handle or store unpackaged meat, or handle meat that is not consider to be *packaged meat* for the purposes of the exemption, the Meat Industry Act will still apply and you will need to be licensed by PrimeSafe.

Penalties may apply under section 40 of the Meat Industry Act to someone undertaking these activities under a food premises registration but without a PrimeSafe licence (these penalties apply to the operation of unlicensed meat processing facilities).

What do I need to do if I transport meat that does not fall within the definition of packaged meat used for the purposes of the exemption?

A vehicle that is used to transport carcasses or unpackaged meat, or transport packaged meat that is not otherwise captured by the scope of the exemption must be licensed with PrimeSafe as a meat transport vehicle.

What do I need to do if I use my vehicle to sell, process or store carcasses or unpackaged meat?

A vehicle that is used to sell, process or store carcasses or other unpackaged meat must be licensed with PrimeSafe as a vehicle-based meat processing facility.

Can a vehicle that is used for retail sale and deliveries of packaged meat also be used to transport carcasses?

Yes. However, because the transport of carcasses is not captured under the exemption, the vehicle will need to be licensed with PrimeSafe as a meat transport vehicle. If it is used for the sale of *packaged meat* it will also need to be registered under the Food Act with your local council.

A vehicle used for the transport of carcasses and the transport, storage and sale of *packaged meat* will need to meet the requirements of Part 8 of the *Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption* (AS 4696:2007) and *Standards 3.2.2 and 3.2.3* in the Code that apply to the transport of *packaged meat*.

Can I store a carcass in a facility used for the retail sale of packaged meat between it being slaughtered at the abattoir and processed at my local butcher?

Yes. However, because this activity is not captured by the exemption, the facility will need to be licensed by PrimeSafe.

Further information quick reference:

PrimeSafe

<https://www.primesafe.vic.gov.au/>
(03) 9685 7333

Local council

List of council contacts is available on the [Know Your Council website](#)

