



# Restaurants – taking home leftover food (doggy bags)

*Many restaurant customers choose to take home leftover food for a family member or themselves to eat, however there are potential food safety risks involved in doing this.*

## Are doggy bags allowed?

The term 'doggy bag' was originally used to describe food left uneaten at a restaurant which was taken home for the family pet. There is no law prohibiting a restaurant from providing containers to take leftover food home, although some, such as buffet-style restaurants, may have their own policies about taking food off the premises. It is entirely up to each restaurant to consider providing containers for this purpose.

A restaurant cannot refuse a customer's request to take leftover food citing health or food safety laws. Food activities within Western Australia are governed by the *Food Act 2008* and the *Food Regulations 2009*. This legislation does not prevent food businesses from providing customers with leftover food in the form of doggy bags.

Restaurants are not, however, obliged to supply containers for customers to take food home. For this reason, customers may supply their own container. In any case, it is the customer's responsibility to store and handle the food safely once it is taken off the premises to minimise any risk of food poisoning.

## What are the risks?

The primary risk associated with providing food leftovers in this way is the lack of temperature control. The temperature of food greatly affects the growth of dangerous bacteria linked to food poisoning. These bacteria grow very well

in the 'temperature danger zone' – between 5°C and 60°C.

Leftover food at restaurants is commonly taken away while in the danger zone, and eaten several hours or even days after the food was prepared.

To reduce the risk of food poisoning, food should be refrigerated as soon as possible after leaving the restaurant and reheated until steaming hot when consumed. This will limit the time food is in the temperature danger zone.

## Safe handling of food

### Guidelines for restaurants and food outlets:

- Determine a policy for providing leftover food to consumers.
- Have a set procedure for dealing with customer requests to take leftover food home.
- Properly instruct your staff on your policy and procedure and remind them that health legislation issues are not to be used as an explanation for not providing doggy bags.
- Transfer food into a new, unused food-grade container, or a container supplied by the customer.
- Write the date and time of food preparation on the container.

- Remind customers to store and handle the food according to food safety guidelines.
- If possible, provide an instruction sticker or leaflet (see sample below) with leftover food taken away from the restaurant. This should outline reheating and storage instructions and explain any associated risks.

#### Example sticker or leaflet

**It is your responsibility to store and handle this food safely. You should do the following:**

- **Refrigerate food below 5°C as soon as possible.**
- **Separate raw and cooked food.**
- **Discard food not refrigerated within two hours of preparation.**
- **Discard food that is more than 24 hours old.**
- **Reheat refrigerated food to steaming hot (above 75°C) for at least two minutes before consuming.**

#### Guidelines for customers:

- It is your responsibility to store and handle food safely once it is taken away from the restaurant.
- Refrigerate food below 5°C as soon as possible.
- Discard food not refrigerated within two hours (including time in the restaurant).
- Discard food that is more than 24 hours old.
- Reheat refrigerated food to steaming hot (above 75°C) for at least two minutes before consuming.

## Further Information

### Consumer Protection Advice Line

Advice Line: 1300 30 40 54  
(cost of a local call)

National Relay Service: 13 36 77  
(for the hearing impaired)

Email: [consumer@commerce.wa.gov.au](mailto:consumer@commerce.wa.gov.au)

[www.commerce.wa.gov.au/consumer-protection](http://www.commerce.wa.gov.au/consumer-protection)

### Food Unit, Department of Health

Phone: (08) 9388 4999

Fax: (08) 9382 8119

Email: [foodunit@health.wa.gov.au](mailto:foodunit@health.wa.gov.au)

[www.public.health.wa.gov.au](http://www.public.health.wa.gov.au)

This is a joint publication with the  
Department of Health, Food Unit.

National Relay Service: 13 36 77  
Quality of service feedback line: 1800 30 40 59  
Translating and Interpreting Service (TIS) 131 450

This publication is available in other formats  
on request to assist people with special needs.

#### Regional Offices

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Kimberley	(08) 9191 8400
Mid-West	(08) 9920 9800
North-West	(08) 9185 0900
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