Dogs in outdoor dining areas – information for customers

Key points

- It is the choice of the food business as to whether or not they permit a dog that is not an assistance animal, to be present in an outdoor dining area (if it meets certain criteria).
- Food businesses may exclude a dog that is not an assistance animal, for any reason.
- Control of a customer’s dog must be maintained at all times while dining at the food premises.

The Australia New Zealand Food Standards Code (the Code), Standard 3.2.2, sets out requirements that relate to animals in food premises.

The Code states that a food business must not permit live animals (except seafood or other fish or shellfish) in areas in which food is handled or served. Exemptions are in place for assistance animals such as guide dogs. A food business may also choose to allow dogs in outdoor dining areas, providing certain criteria are met.

Assistance animals

All food businesses must permit an assistance animal in areas used by customers. This applies to both outdoor and indoor dining, as well as other customer areas.

The definition of ‘assistance animal’ refers to a guide dog, a dog trained to assist a person in activities where hearing is required and any other animal trained to assist a person to alleviate the effect of a disability. This definition is contained in section 9 of the Disability Discrimination Act 1992.

Dogs in outdoor dining areas

A food business may permit a dog that is not an assistance animal to be present in an outdoor dining area, if it meets certain criteria. If the outdoor dining area does not meet these criteria, they will not be able to permit dogs into any area of the premises (other than assistance animals in customer areas).

Dogs are only permitted in outdoor dining areas specified by the food business. Check for signage or ask the food service staff where dogs are/are not allowed in the premises.

Note that animals that are not a dog or an assistance animal are not permitted to be present in an outdoor dining area, or any other part of the food premises.

Obligations of customers

Customers must ensure they meet their obligations under legislation while at the food business, including:

- Animal Management (Cats and Dogs) Act 2008
- Local laws
- Conditions of entry that apply to a location e.g. shopping centres, sporting grounds.
Control of a customer’s dog must be maintained at all times while dining at the food premises, to ensure the safety and comfort of other customers and dogs. To achieve this, customers should:

- keep the dog tied to a tether point or ensure the dog remains in the customer’s immediate vicinity
- make all attempts to control the dog’s barking and address any other behavioural issues e.g. fighting with other dogs, unwelcome physical contact with other customers, or eating from customer’s plates
- remove the dog from the premises to an appropriate place, if they become aware of the dog’s need to urinate or defecate
- It is the responsibility of the customer to clean up after their dog, including dog excrement, and dispose of waste appropriately
- inform a staff member immediately of any dog excrement at the premises.

**Food safety and hygiene**

- Customers should ensure they maintain high standards of personal hygiene and refrain from touching dogs while eating.
- Customers should not encourage food service staff or other customers to pat their dog.

**For further information**

For advice to food businesses in relation to dogs in outdoor dining areas, refer to Food Safety Fact Sheet 49 - *Dogs in outdoor dining areas – information for food businesses*. For more information about the requirements under Standard 3.2.2 relating to animals and pests, refer to Food Safety Fact Sheet 8 - *Animals and pests in food premises*.

The Queensland Department of Health has a variety of fact sheets with detailed information on food safety. These can be accessed at [www.health.qld.gov.au/foodsafety](http://www.health.qld.gov.au/foodsafety).

If you have any further questions relating to dogs in outdoor dining areas, contact the local government for the area where you are located. Contact details can be found in the White Pages or at [www.dlgp.qld.gov.au/local-government-directory](http://www.dlgp.qld.gov.au/local-government-directory).