

# SUMMARY OF OUTCOMES FOR LOCAL GOVERNMENT

From the Australia and New Zealand Food Regulation  
Implementation Sub Committee (ISC) meeting held in February 2013

ISC 29 - February 2013

## **The Implementation Sub-Committee:**

The Australia New Zealand Implementation Sub-Committee was formed in 2003 to develop and oversee a consistent approach across jurisdictions to implementation and enforcement of food regulations and standards, regardless of whether food is sourced from domestic producers, export-registered establishments or from imports.

ISC will develop, or assist in the development of guidelines on consistent enforcement of food regulations, which will also be aimed at minimising cost to industry and meeting the objective of minimum effective regulation.

The ISC has membership from the Commonwealth Department of Health and Ageing, each State/Territory jurisdiction, Food Standards Australia New Zealand (FSANZ), New Zealand, the Department of Agriculture, Fisheries and Forestry and a representative of local government. These members will be either heads of their agencies or operational experts at a senior level with capacity to make and implement decisions about enforcement issues in their jurisdictions.

For further information on any of the items below, ISC encourages local government representatives to contact their state or territory government contact.

## **Summary of key matters of interest to local government discussed at ISC 29:**

1. Implementation of the revised Ministerial Policy Guideline for Food Safety Management for general food services and the retail sector.
2. A changed approach on the Local Government toolkit project.
3. The initial consideration of a through-chain investigation protocol for egg-associated outbreaks.
4. A revised National Food Incident Response Protocol.
5. Updates on jurisdictional developments.

Summary text on these items is as follows:

### **1. Implementation of the revised Ministerial Policy Guideline for Food Safety Management for general food services and the retail sector.**

A working group has been formed to implement the revised Ministerial Policy Guideline for Food Safety Management in Australia (retail/food service). The working group will have representatives from all jurisdictions and local government (through ALGA in the first instance) to finalise the scope, timeframes and stakeholder engagement plan for this work. How to best engage with local government throughout the project will be a key focus of this initial work.

There will be regular progress reports produced for the ISC over the anticipated two year timeframe of the project.

The ISC food safety management toolkit project, which commenced in 2012 will also be completed as part of this project.

## **2. A changed approach on the Local Government toolkit project.**

The development of the toolkit is aimed to assist in consistency and interpretation of food regulatory issues. As it has been difficult to implement a one-size-fits-all approach across jurisdictions, ISC considers that it may be more beneficial to work towards a minimum set of agreed principles/models/frameworks that aim to identify common ground, to achieve consistent documents and available resources for use across states and territories.

This approach allows for guideline documents which are consistent, flexible and sensible in their application and which recognises the diversity of approaches to food regulation by the different jurisdictions. It is proposed that the approach be similar to the CODEX General Principles of Food Hygiene and the CODEX Principles for Food Import and Export Inspection and Certification.

## **3. The initial consideration of a through-chain investigation protocol for egg-associated outbreaks.**

A draft protocol for the through-chain investigation of egg-associated outbreaks has been developed. This work has been undertaken as a result of a national increase in salmonellosis and the National Food Incident Protocol being triggered in April 2011. The NSW Food Authority and Biosecurity South Australia have developed a draft protocol to provide guidance to jurisdictions investigating egg-associated salmonella outbreaks. Separate checklists have been produced for investigation at retail and on-farm/primary production.

The Protocol has been trialled in NSW and refined over the last six months. ISC agreed that jurisdictions provide comments to NSW to further enhance the protocol and that the updated document would be presented to ISC for endorsement at the next meeting.

### **A revised National Food Incident Response Protocol.**

ISC endorsed a revised version of the National Food Incident Response Protocol (NFIRP) in August 2012.

This version consolidated the Protocol into a more succinct document which is available from the website of the Food Regulation Secretariat.

ISC agreed that there needed to be greater clarity on what defines a national food incident and what should trigger the Protocol. Improved communication between all those involved in multi-jurisdictional outbreaks was also suggested. The importance of a first teleconference in the alert phase was stressed, even if the Protocol might not be formally activated, and that this teleconference would better inform jurisdictions on what action was required.

The Protocol is reviewed as part of any post-incident review.

It was also agreed that a joint horticulture sector/government incident response protocol be developed by FSANZ, using existing state-based protocols.

## 5. Updates on jurisdictional developments.

Key matters were:

- **NSW** - The NSW Food Authority has completed a 12 month voluntary trial of 'Scores on Doors' (food hygiene rating scheme), and is finalising a report to government on this trial. The NSW food business notification review has been delayed to mid-2013 pending the outcomes of a number of other whole- of-government reviews. The annual report of local government activities 2011/12 has been released on the Authority's website. A report on the survey of "most commonly encountered issues on non-compliance" was released. The second NSW Food Safety Conference designed for EHOs will be held on 11-12 September 2013 in Sydney. The meat and egg food safety schemes in Food Regulation 2010 were amended on 21 December 2012.
- **ACT** - The *Food (Nutritional Information) Amendment Act 2011* came into operation on 1 January 2013, requiring certain businesses to display the kilojoule content of their standard items on menus and price tags. From 1 September 2013, all registered food businesses will be required to appoint a Food Safety Supervisor (FSS) responsible for ensuring that hygiene and food safety standards are achieved and maintained in food businesses. The FSS must complete prescribed training with a registered training organisation and the training will remain current for five years. A Guide to Food Safety Supervisors has been published on the ACT Department of Health website to provide general information and frequently asked questions on the FSS requirement. The *Food Safety is Your Business* Guide was translated into the 11 most commonly used foreign languages in ACT food businesses. These translations have been available on the ACT Department of Health website since October 2012.
- **NT** – Work is continuing on developing regulations under the *Food Act 2004* to provide for a framework for the administration of auditing and auditor management, to provide for introducing registration fees on food businesses and to introduce infringement notice for breaches of the Food Standards Code.
- **Queensland** - Commencement of the provisions for a food business rating scheme has been postponed until 25 November 2013.
- **SA** - The Social Development Committee inquiry into Food Safety Rating Programs (scores on doors) reported recently and is available on the South Australia parliamentary website. The Ministerial response to the 20 recommendations outlined in the Committee report is expected to be tabled very shortly. The *SA Food Variation Regulations 2012*, requiring disclosure of energy content on standardised food items sold at multiple site food businesses, come into operation on 23 February 2013.
- **WA** - A framework is being developed for review of the *Food Regulations 2009* and the *Food Act 2008*.
- **Tasmania** - Amendments have been made to the food regulations adopting the Food Standards Code to enable alternative childcare food safety requirements to be applied together with infringement fines for failing to follow the new

requirements. The Department of Health and Human Services (DHHS) has published a food safety guide for the childcare sector to assist childcare operators meet their obligations. The guide will also assist Local Government Environmental Health Officers (EHOs) provide a basis for greater consistency in regulation of the childcare sector across Tasmania. The DHHS together with the University of Tasmania, is developing a series of professional development opportunities for EHOs, with the first of these scheduled for April 2013 to cover food and water sampling. A consultation draft of the Primary Produce Safety (Seafood) Regulations has been approved by the Office of Parliamentary Counsel (OPC) for limited circulation.

- **Victoria** - The MOU between the Department of Health, MAV, Dairy Food Safety Victoria and Primesafe was revised and updated in 2012, and is available on the Victorian Department of Health website. Legislative amendments arising from the 2010 review of the *Food Act 1984* concerning food vans and market stalls are nearly finalised. The *Food Act 1984* was amended in late 2012 to incorporate implementation of the Primary Production and Processing Standards. New measures have been introduced for eggs and egg products, whilst councils retain regulatory responsibility for retail food business including egg sales at farmer's markets and food businesses that pasteurise eggs. Egg producers will have until November 2014 to stamp their eggs. Local government EHOs will be able to undertake the third session of a one week Environmental Health Professional Course (Legal Management Course) in April 2013. The objective of the legal management course is to enhance specific skills, knowledge and experience of Victorian EHOs in legal prosecution management. The Department of Health has developed guidance materials on appointing technicians to undertake food safety work. The Department of Health is undertaking a major project with local government on developing better consistency on compliance checks of food premises.

### **Next ISC meeting**

August 2013, Western Australia