

SUMMARY OF OUTCOMES FOR LOCAL GOVERNMENT

From the Australia and New Zealand Implementation Subcommittee for Food Regulation (ISFR)

ISFR17, 26-27 February 2020

The Implementation Subcommittee for Food Regulation

Food regulation authorities in Australia and New Zealand work together to ensure food regulations are implemented and enforced consistently. This work is done through the Implementation Subcommittee for Food Regulation (ISFR), through face-to-face meetings, out-of-session business and separate collaborations. ISFR was set up by the Food Regulation Standing Committee (FRSC) to foster a consistent approach across jurisdictions to implementing, monitoring and enforcing food regulation. ISFR's role applies equally to imported, exported and domestically produced food.

ISFR members are either heads of agencies or senior operational experts who can make and implement decisions about compliance and enforcement issues in their jurisdictions.

ISFR is not an enforcement authority in its own right. It allows Australian and New Zealand food regulators to discuss common approaches to implementation and develop agreed strategies to achieve a consistent approach to the way food regulations are implemented, interpreted and enforced across jurisdictions.

While all jurisdictions involved in food regulation work together on implementing and enforcing food regulation, there are sometimes differences in the way jurisdictions administer food law. Due to ISFR's consultative nature, it helps jurisdictions to minimise the impact of these differences as much as possible.

Summary of key matters of interest to local government discussed at ISFR17

ISFR17 was held in Canberra, Australia on 26 and 27 February 2020. A summary of key items of interest is provided.

Due to the recent bushfire emergency across several states, jurisdictions have been contributing to the recovery phase by offering food safety advice during the emergencies. Similarly, preparations for the coronavirus outbreak has also involved food regulators.

Australia's Foodborne Illness Reduction Strategy

Implementation of the Strategy is now well underway. A stocktake of jurisdictional-based foodborne illness reduction activities is being undertaken and will inform potential future national support activities.

Local Government activities and Jurisdiction Reports

Key matters which may be of interest to local government:

Australian Capital Territory (ACT)

Regulatory resources are currently focused on the ACT Events seasons, with the National Multicultural Festival, the Canberra Show, and Enlighten, scheduled in the months of February through to March.

New South Wales (NSW)

- Environmental Health Officer training for 2019-20 is ongoing and is designed to help officers assess, enforce and secure improvements in the retail and food service sector. The period saw work of our Campylobacter Reduction Strategy come to an end. Partnering with local councils, targeted inspections to assess risks of Campylobacter were completed with the results forwarded to the Food Authority for assessment. A draft interim survey report is being finalised which will be used to inform future work in this area.
- Other key training topics for the period included a review of emerging food safety trends and findings in the retail marketplace - designed to look for collaborative solutions using existing enforcement tools but developing new strategies where gaps exist.
- Training and engagement continues to be delivered across more than 40 training events and more recently in an online mode to make access and participation more flexible.
- Topics proposed for the 2020 calendar year include food safety culture (with the focus on allergen management), food labelling and guidance on how to investigate and regulate emerging issues.
- In August 2019 the biennial Food Regulation Partnership (FRP) Workshop was held at Q-Station, Manly. The workshop aims to enhance Environmental Health Officers' (EHOs) food surveillance capacity, promote professional networking between EHOs, and strengthen the Food Regulation Partnership between councils and Food Authority. The FRP Workshop 2019 was the fourth FRP Workshop, and as per the previous two, was in conjunction with Environmental Health Australia's (EHA) annual state conference. The theme of the EHA Conference and FRP Workshop was "Turning up the heat on...". There were 107 registrants representing 48 local councils in NSW.
- The Food Authority continues to prepare for the establishment of a single electronic platform for retail food inspections. NSW is seeking expenditure authorisation for the platform. If granted, procurement via a tender process for a service provider to build the platform would commence in mid-2020 at the earliest.
- NSW is exploring options for an improved 'authorised officer' training program. This complimentary training program is delivered face to face each year. The Food Authority is considering introducing an online component to provide more variability in the delivery of training plus permit some flexibility for attendees.
- Food Regulation Forum (the Forum) meets 3 times per year and comprises of the Food Authority and key local government stakeholders (Local Government NSW, Environmental Health Australia, Development and Environmental Professionals' Association, Local Government Professionals' Association) It oversees the direction of the FRP. The current Forum was appointed late 2018. Meetings for the period include a teleconference plus a fact to face in Blacktown where proposed work for the FRP was discussed.
- NSW Food Authority is working with local councils to implement a Campylobacter reduction program at food retail level. A structured program of information, training and implementation was delivered and all the inspections are complete. Twenty-two local councils have been involved, 169 premises have been assessed with 281 samples taken. The outcomes are being analysed and a draft interim report is likely to be completed early 2020. This work is linked to the national Foodborne Illness Reduction Strategy.

- Retail & Food Service Information Sessions (Retail meetings) are held three times each year. In the period we co-hosted one session with Blacktown City Council. The session delivered to delegates:
 - a collaborative effort to provide an engaging food safety session to the community;
 - information on the Food Regulation Partnership;
 - updates on foodborne illness, and strategies in place to address it;
 - information on Scores on Doors and Food Safety Supervisor in the local community; and
 - insight into the importance of proper allergen management.
- The Food Authority collects data from food enforcement agencies throughout NSW each year. Key findings for 2018-19 are:
 - 53,411 retail food businesses in NSW;
 - 60,161 inspections;
 - 34,209 food businesses required the Food Safety Supervisor;
 - 483 food safety authorised officers;
 - average compliance rate 96%;
 - inspection outcomes - 5 stars (0-3 points) 46%, 4 stars (4-8 points) 28%, 3 stars (9-15 points) 14%, no stars (>15 points) 12%;.
 - 5,339 complaints investigated;
 - 1846 improvement notices issued;
 - 1654 penalty infringement notices; and
 - 8 prosecutions.

South Australia

SA Health is planning two rounds of consultation on proposed changes to the SA Food Act 2001, pending internal processes. It is anticipated that results from the first round of consultation will inform drafting of the Food Bill which will then be released for a second round of consultation later in 2020.

SA Health investigated the sale of raw cow's milk in form of bath milk and body cream by a distributor in SA. This was a similar arrangement identified during the investigation of raw milk sale under the cow share scheme.

A package of resources and tools is being developed to assist Local Government EHOs in allergen management. The Food and Controlled Drugs Branch has conducted training with most council EHOs in how to include allergen management in their food safety inspections and how to investigate reports of allergic reactions which occur at food service businesses.

A South Australian egg producer is in the process of introducing a pasteurised egg product to the market, which potentially brings a safer egg product to SA food businesses, by replacing the need to crack hundreds of eggs and reducing the risk of Salmonellosis.

Queensland

The Department of Health continues to work with local government to administer and enforce the requirements of the *Food Act 2006* and *Australia New Zealand Food Standards Code*. The Department is continuing with the development of a small business regulatory reform initiative to create a digital food safety hub, known as the Food Pantry.

Tasmania

Minor amendments to section 133 of the *Food Act 2003* are being made to clarify and confirm that authorised officers can readily share relevant information about food businesses with each other. This amendment is required to support to rollout of the mobile food businesses database, which will occur later in 2020.

The Department of Health has undertaken a project addressing allergen management in small to medium sized food businesses. This has involved developing resources for food businesses and providing training to Local Government EHOs to assist them work with businesses to better understand and manage allergens.

The Department of Health has created a semi-interactive labelling tool for use by EHOs when assessing food labels, with the intention to increase consistency when interpreting and advising small business about labelling compliance.

Victoria

DHHS continues to work with local government to administer and enforce the requirements of the Victorian Food Act 1984 and the Australia New Zealand Food Standards Code. The department has conducted a number of meetings with local government managers to progress the Food Safety Assessment (Risk Inspection) Project.

The Food Safety Unit recently developed Enforcement Guidelines for council EHOs.

Northern Territory

Amendments to the NT Food Regulations commenced on 1 August 2019. These amendments involve the inclusion of a risk based framework based on the national risk profiling framework and the requirement for fees to be paid per premises as opposed to per business.

Western Australia

The Department of Health is currently collecting survey results for local government which have participated in the Food Safety Culture pilot, and the report is anticipated to be released at the end of March 2020.

The Department of Health is developing a range of food safety posters and stickers for food businesses which local governments can use to educate food businesses on food safety practices.

A Salmonella Outbreak Response Taskforce, including representatives from local government, has been established to address the high rates of *Salmonella* Typhimurium notified in Western Australia.

New Zealand

Section 137 of New Zealand's (NZ) Food Act, which bestows exclusivity for verification of NZ Ministry for Primary Industries (MPI) developed, Template Food Control Plans (FCP), to Territorial Authorities, was reviewed, as required by the Act. The review found that there were no substantial reasons to amend or repeal section 137. As a result, section 137 will remain in its current form until it is reviewed again in five years' time.

New Zealand Food Safety (NZFS) is currently considering submissions from a recent consultation regarding proposed changes to the Requirements for Recognised Agencies and Persons. The changes are to provide a legislative foundation for remote verification and the Continuing Professional Development programme. The new legislation will replace the Food Notice: Requirements for Recognised Agencies and Persons issued on 25 May 2017.

NZFS has completed translations of updated Simply Safe & Suitable (SS&S) template Food Control Plan and National Programme (NP) guidance available in eight languages. The most popular downloadable translations are: SS&S Simplified Chinese, SS&S Korean, NP1 Simplified Chinese and SS&S Traditional Chinese.

Food Standards Australia New Zealand (FSANZ)

FSANZ reported it continues to progress its work on Proposal P1054 – Pure and highly concentrated caffeine products. The FSANZ Board approved the prohibition of the retail sale of foods in which total caffeine is present in a concentration of 5% or more (if the food is a solid or semi-solid food) or 1% or more (if the food is a liquid food). This prohibition came into force on 12 December 2019. Existing permissions in the Code for the addition of caffeine to food (i.e. in cola type drinks as a food additive and to caffeinated energy drinks) remain in effect, with the maximum permitted thresholds prescribed in the Code for these specific foods still applicable.

FSANZ also reported it will commence a new proposal, P1055 *Definitions for gene technology and new breeding techniques*, in February 2020. This proposal will revise and update the definitions in the Code for 'food produced using gene technology' and 'gene technology' to make them clearer and to better reflect existing and emerging genetic technologies including new breeding techniques.

There was also an update of the modernisation work that FSANZ is carrying out in conjunction with FRSC, to complement the work occurring under Priority 3 – Maintaining a strong, robust and agile food regulation system.