

SUMMARY OF OUTCOMES FOR LOCAL GOVERNMENT

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

ISFR14, 1-2 August 2018

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. The Food Regulation Standing Committee (FRSC) established ISFR 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 discussed at ISFR14

ISFR14 was held in Perth, Australia, on 1 and 2 August 2018. A summary of key items of interest is hereby provided.

Food Safety Management

ISFR has been integrally involved in progressing important work to implement the Ministerial Policy Guideline on Food Safety Management in the General Food Service and Closely Related Retail Sectors. This project was recently considered by the Australia and New Zealand Ministerial Forum on Food Regulation (the Forum) when it last met on 29 June 2018. The following is an excerpt from the [Final Communiqué](#) following the Forum meeting:

The Policy Guideline on Food Safety Management for General Food Service and Closely Related Retail Sectors recognises that sector-specific regulatory and non-regulatory measures may be required to manage food safety risks consistently across all Australian states and territories.

Implementation of the Policy Guideline remains a priority for the Food Regulation System and Forum Ministers note that food safety outcomes can be improved through further work at the national level and in partnership with stakeholders. Following recent stakeholder engagement with industry and local government, possible options for nationally consistent food safety arrangements were identified. Forum Ministers have requested Food Standards Australia New Zealand (FSANZ) to consider a proposed package of regulatory and non-regulatory measures for Australia to better manage risks in the sectors covered by the Policy Guideline. Work in this area will consider the impact on small and medium business.

Supporting Australia's Foodborne Illness Reduction Strategy 2018-2021+

ISFR discussed progress on two activities that it has commenced to support [Australia's Foodborne Illness Reduction Strategy 2018-2021+](#) (the Strategy). Both activities are referred to in [Current activities](#) on the Food Regulation website.

Arrangements required to facilitate data sharing

Improving access to, and use of, data currently collected on foodborne illness has been recognised as critical to the success of the Strategy. ISFR endorsed Terms of Reference for an ISFR Data Sharing Working Group to progress this work. The ISFR Data Sharing Working Group will consider the type of data that may be shared for different purposes, the data sharing arrangements that will be important for making immediate improvements, identify challenges and barriers that will need to be overcome to establish data sharing arrangements and examine whether existing models for data sharing can be built upon.

The existing ISFR Incident Response Working Group reported on a government / industry exercise using a hypothetical food safety scenario. The aim was to review current incident response processes in light of a changing environment with new people, new risks and new intelligence sources. The importance of formalising information sharing arrangements between government and industry was identified through this exercise and ISFR members noted the alignment of this work with the ISFR Data Sharing Working Group.

Food safety culture and raw or lightly-cooked egg foods

A project to build a shared understanding of food safety culture within the Food Regulation System and food businesses, using raw or lightly-cooked egg foods as a case study, was identified as a short-term initiative in support of the Strategy. ISFR endorsed Terms of Reference for a Working Group to progress this work. The objectives established for the project are:

- engagement with, and upskilling of, authorised officers in relation to food safety culture;
- identification and trial of existing guidance and tools in specific food businesses for potential national application; and
- increased commitment by food business operators to manage food safety risks associated with the preparation and use of raw or lightly-cooked egg foods.

Incident response

The ISFR Incident Response Working Group reported on the FSANZ coordinated National Debrief Outcomes of the National increase in listeriosis cases linked to rockmelons. Agencies attending the national debrief provided feedback on process, risk management, national communication, testing and use of the Food Incident Forum. One action resulting from this debrief is to work towards nationally consistent *Listeria* messaging, both generally and specifically relating to consumption of rockmelon. FSANZ will update its *Listeria* consumer advice to include rockmelon and will share resources on the education campaign with jurisdictions.

Annual jurisdictional recall meeting outcomes

FSANZ reported on the annual jurisdictional recall meeting held in July 2018. In summary FSANZ coordinated 81 recalls from 1 July 2017 – 30 June 2018, mainly due to undeclared allergens (38%). The Food Industry Recall Protocol was last reviewed five years ago and therefore a timeline and process for review of this document will be considered for 2019.

Local Government activities and Jurisdiction Reports

Key matters which may be of interest to local government:

Australian Capital Territory

Australian Capital Territory (ACT) Health launched the Food Business Egg Guide in June 2018 on the ACT Health website.

A draft mobile food business fit-out guide is being developed; public launch is anticipated for October 2018.

The continued growth of events in the ACT and staff turnover is impacting on regulatory resources.

New South Wales

Recent activity with local government includes:

- A performance audit on *Monitoring food safety in retail food businesses* was undertaken by the Audit Office of New South Wales (NSW).
- Several projects are underway to address matters discussed in the audit review process. An update is below:
 - Re-appointment of all enforcement agencies under the *Food Act 2003* through the development of new Instruments of Appointment, related protocols and advisory guidelines. These include guidance on inspection frequency and temporary and mobile food businesses. This work has been completed and the re-appointments were issued in December 2017, and have now taken effect (1 July 2018).
 - Establishing a single electronic platform for retail food inspections to be recorded. This allows a 'real time' assessment of the progress of inspections and negates the need for the enforcement agency to separately submit data on enforcement activities each year. Consultation with all key stakeholders has been finalised and a proposed wireframe for the system has been produced as a result. Procurement for a service provider to build the platform is underway. It is anticipated the platform will be operational 2019-20.
 - The establishing of an improved training delivery program, including an online component, has been progressed to enhance the current training provided to local government. NSW Department of Primary Industries (NSW DPI) colleagues are assisting in the development of online training capability as it relates to the *Food Act 2003* for authorised officers. The training program is expected to be rolled out during 2018-2019.
- Environmental Health Officer (EHO) training for 2017-18 is ongoing and is designed to help EHOs assess, enforce and secure improvements in the retail and food service businesses. This is being delivered across more than 40 training events, and more recently, online. An online course 'Raw Egg Safety' was developed and trialed across the state. Webinars were similarly trialed. This is designed to increase access and participation for EHO training.
- The Food Regulation Forum meets 3 times per year and comprises of the NSW Food Authority and key local government stakeholders (Local Government NSW, Environmental Health Australia, Development and Environmental Professionals' Association, Local Government Professionals' Association). It oversees direction of the Food Regulation Partnership. The Food Regulation Forum last met in September 2017 at Penrith. The appointment of a new Food Regulation Forum is underway; nominations have been received and approval is pending.

- NSW Food Authority will work with local councils in implementing a *Campylobacter* reduction program at the food retail level. A program of information, training and implementation of key tasks is currently being developed. The work will predominantly be undertaken throughout 2018-19. This work is linked to [Australia's Foodborne Illness Reduction Strategy 2018-2021+](#).
- The new local council appointments for 2018 were implemented on 1 July 2018. One main aspect of the enhancements to the Food Regulation Partnership is that home-based businesses selling direct to the end consumer are defined as retail businesses and fall under local council authority. The NSW Food Authority has prepared a list of notified food businesses it holds for each individual council area. Relevant food businesses have been informed of the change.
- Retail & Food Service Information Sessions (Retail meetings) are held on the same day prior to the Food Regulation Forum meetings where the members meet with representatives of the retail food sector and EHOs to facilitate discussions on current regulatory issues. The last Retail meeting was held in April 2018 at Kiama, NSW, and hosted by Kiama and Wollongong City Councils. There were 60 attendees, including 40 from local food businesses. Highlights of the meeting included:
 - Great support from both councils on the day - a collaborative effort to provide an engaging session to the community.
 - An allergen presentation was delivered by Allergy and Anaphylaxis Australia. This focused on the importance of declaring allergens to consumers at retail level. It was highly engaging and informative, and very useful to attendees.
 - The NSW Food Authority collects data from food enforcement agencies throughout NSW each year. Key findings for 2016-17 were:
 - Councils completed 62,876 inspections of food retail outlets.
 - A total of 95% of the high and medium risk food inspections were completed.
 - Retail business compliance remains high at 96%, and less than 2% are listed on Name and Shame.
 - 48% of retail businesses received 5 stars. Only 10% of businesses received no stars. Consistency between officers/councils remains the greatest challenge. Around a third of councils (42/128) are reporting either very high or very low rates of business failure.
 - The data for 2017-18 has been requested with a deadline for submission of 28 July 2018.

South Australia

- In June 2018, there was an increase in *Salmonella* Havana notifications where epidemiological investigation and testing linked 29 cases to alfalfa sprouts. Extensive investigation and trace back by local council and the Food and Controlled Drugs Branch (FCDB), SA Health linked the product to a seed sprouter in South Australia. An emergency order under the *Food Act 2001* was issued to the seed sprouter directing it to cease selling and to recall product. SA Health released a media statement and a social media infographic was used to inform the public of the outbreak. The seed sprouter is accredited under the Primary Produce (Food Safety Schemes) (Plant Products) Regulations 2010 administered by Primary Industries and Regions SA (PIRSA). Investigation of the seed sprouter has been unable to determine the cause of contamination, however a number of areas within the facility did not comply with Standard 3.2.2 – Food safety programs and general requirements and 3.2.3 – Food premises and equipment of the *Australia New Zealand Food Standards Code*. PIRSA has issued direction to the seed sprouter to rectify the deficiencies.

- SA Health will be organising a training session for auditors to obtain the cook chill and heat treatment specialised competencies in August 2018.
- SA Health mandated a food recall under section 31 of the *SA Food Act 2001* as a result of undeclared allergens of packages of Lebanese sweets.

Queensland

- The Department of Health continues to work with local government to administer and enforce the requirements of the *Food Act 2006* and the *Australia New Zealand Food Standards Code*. A statewide food safety regulators update was delivered to more than 280 EHOs from 39 local governments and 12 public health units.

Northern Territory

- Amendments to the Food Regulations are being progressed. These amendments cover four particular areas:
 1. Introduce the nationally approved four tier risk classification system in place of the current three tier risk classification system;
 2. To provide for parity for all food premises with respect to registration fees and numbers of premises operated;
 3. To allow the Chief Health Officer to appoint auditors, including appointing an authorised officer as an auditor; and
 4. To allow for a fee to be charged to vary the conditions of a food business registration.

Tasmania

- Minor amendments to the *Food Act 2003* are being progressed by the Department of Health (DoH, formerly Department of Health and Human Services), with one of the outcomes being to enable statewide notification of mobile food businesses. This will harmonise with the existing provisions for statewide registration.
- DoH have been working in collaboration with the Department of Primary Industries, Parks, Water and Environment and local government EHOs to investigate two unusual clusters of salmonellosis observed in Tasmania.

New Zealand

- New Zealand Ministry for Primary Industries (MPI) is developing a new verification and enforcement outcome recording system, called Titiro, which means "to inspect, examine or observe". Titiro is an application that allows users to record verification results and enforcement outcomes. It is designed for use by verifiers, food safety officers, registration authorities and administrative staff. Titiro is integrated with MPI's registration system for food businesses allowing users to have easy access to registration data as part of their verification or enforcement activities.

Verifier academy update:

- The Food Verifier's Academy is a hub for Food Verifiers operating under the *Food Act 2014* where they can access and exchange resources, expertise and guidance on performance expectations, and develop a stronger professional network.
- To date in excess of 200 users (external to MPI) have visited the site and of that number approximately 68% are regular visitors. This users include both council-based and third-party verifiers.
- The Case Studies Library of the Food Verifier's Academy is the most visited, followed by the Knowledge Hub.

- In Quarter 1 two forums were launched. Consistent with the structure of the FAQ sections in the Knowledge Hub, one forum focuses on professional practice and the second on technical matters. All resource areas are constantly being updated as new, relevant enquiries are received and information/guidance is developed by MPI.
- A Continuing Professional Development (CPD) programme model has been developed and consultation has been completed with councils and third-party verifiers across New Zealand. The feedback from the consultation is being incorporated into the model. As part of the Food Verifier's Academy development programme, work is in train related to defining the capabilities and training required to undertake remote verification.
- This is in addition to the development of a series of micro-learning activities related to the knowledge and capabilities required to verify a range of sectors. The release of the first round of these activities will serve as a trial to ascertain the usefulness and effectiveness of such tools.

Victoria

- The Department of Health and Human Services 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*.

Food Standards Australia New Zealand

- FSANZ reported it continues to develop an alternative framework for the regulation of nutritive substances and novel foods in the *Australia New Zealand Food Standards Code* through Proposal P1024 – Revision of the Regulation of Nutritive Substances and Novel Foods. FSANZ held a stakeholder forum on 27 June, in Sydney, to discuss the project's key issues with major stakeholders, particularly industry and government. The discussions at the stakeholder forum will assist FSANZ in preparing a consultation paper which will be released in the third quarter of 2018. The consultation paper will present detail of the framework and will provide an opportunity for stakeholders to provide detailed comment before FSANZ develops a preferred option.
- FSANZ provided an update on food safety activities including its continued review of microbiological criteria. There was also an update of the modernisation work that FSANZ will be carrying out in conjunction with FRSC following the Forum meeting held on 29 June 2018 in Brisbane.