

SUMMARY OF OUTCOMES FOR LOCAL GOVERNMENT

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

ISFR16, 31 July-1 August 2019

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 ISFR16

ISFR16 was held in Adelaide, Australia, on 31 July and 1 August 2019. A summary of key items of interest is provided.

Undeclared alcohol in fermented beverages

The potential exists for fermented beverages, such as kombucha or kefir, to contain excess or undeclared alcohol. Alcohol is formed as a by-product of fermentation. A coordinated survey was conducted to determine: whether businesses are adequately controlling alcohol production in their fermented drinks; and whether labelling of alcohol content of fermented drinks complies with the *Australia New Zealand Food Standards Code* (the Food Standards Code).

The survey identified that a number of kombucha, water-based kefir and other fermented beverages contained >1.15% alcohol by volume and undeclared alcohol. The presence of undeclared alcohol raises a range of public health concerns including the potential for consumption by pregnant women and underage consumers, the potential for drivers to inadvertently drive under the influence of alcohol and the potential for alcohol consumed to interfere with medications.

The results of this survey were discussed with industry representatives at a roundtable convened by the Australian Government Department of Health held in Melbourne in May 2019. A summary of the survey findings will be published on the Food Standards Australia New Zealand (FSANZ) website.

Coordinated Food Survey Plan 2019-2022

The 2019-2022 Coordinated Food Survey Plan was endorsed by ISFR and will be published on the FSANZ website. The new Coordinated Food Survey Plan includes the 27th Australian Total Diet Study which will measure the levels of per- and poly-fluoroalkyl substances (PFAS) in a broad range of Australian food samples representing the general food supply. Analytical results will be used to estimate dietary exposure for the general Australian population and a risk assessment will be prepared.

Working Groups established to support the Integrated Model for Standards Development

FSANZ has prepared two proposals as part of a broader review of Chapters 3 and 4 of the Food Standards Code:

- Proposal P1052 – Primary Production and Processing Requirements for High-risk Horticulture; and
- Proposal P1053 – Food Safety Management Tools, which relates to the general food service and closely related retail sectors.

The Integrated Model for Standards Development will be used for this work whereby implementation matters are considered, and relevant material developed, in parallel with the standard development process. ISFR established two working groups to give effect to the integrated model and support proposals P1052 and P1053 respectively.

Local Government activities and Jurisdiction Reports

Key matters which may be of interest to local government:

Australian Capital Territory (ACT)

- Access Canberra Event Coordination Guide was launched in May 2019. The guide provides detailed information for event organisers of the approvals that may be required in the ACT when hosting a public event.
- The continued growth of events in the ACT and staff turnover is impacting on regulatory resources.

Queensland

- The Department of Health continues to work with local government to administer and enforce the requirements of the *Food Act 2006* and the Food Standards Code. The Department is currently working to resolve a resourcing solution to allow the implementation of an action plan addressing recommendations from the recent Queensland Audit Office performance audit into *managing consumer food safety in Queensland*.

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 Food Standards Code. The department has conducted a number of meetings with local government managers to progress the Food Safety Assessment (Risk Inspection) Project.

South Australia

- SA Health is currently preparing a discussion paper for consultation on draft Regulations under the *SA Public Health Act 2011* to require mandatory notification of specified microbial contaminants when they are detected in food through laboratory testing.

New South Wales (NSW)

- Recent activity with local government includes:
 - Establishing a single electronic platform for retail food inspections to be recorded. The system will allow a 'real time' assessment of the progress and quality of inspections and negates the needs for each 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. Further engagement with councils is proposed for 2019. The Food Authority is developing policy surrounding the introduction and use of the system. Victoria have agreed to adopt the concept too.
 - NSW is seeking expenditure authorisation for the platform. If granted this financial year, procurement via a tender process for a service provider to build the platform would commence in November 2019 at the earliest.
 - The establishing of an improved training delivery program, including an online component: work has been progressed to enhance the current training provided to local government. We are exploring options at delivering a nationally accredited certificate for Environmental Health Officers (EHOs).
- EHO training for 2019-20 is ongoing and is designed to help officers assess, enforce and secure improvements in the retail and food service businesses. The current focus is the implementation of our *Campylobacter* Reduction Strategy, partnering with local councils in undertaking targeted inspections to assess the risk of *Campylobacter*. This training is being delivered across more than 40 training events and more recently in an online mode. Webinars of food safety training have been trialed and proved to be a success - EHOs have access to our training on demand, accessible via the Food Regulation Partnership (FRP) portal. The aim of our flexible training delivery is designed to increase access and participation for EHOs training.
- Food Regulation Forum (the Forum) meets 3 times per year and comprises 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 direction of the FRP. The current Forum was appointed late 2018. The last meeting was held in Griffith on 4 April 2019.
- NSW Food Authority is working with local councils to implement a *Campylobacter* reduction program at food retail level. A program of information, training and implementation has been completed and most of the inspections are now complete. 22 local councils have been involved, and as of 4 July 2019, 144 premises have been assessed with 230 samples taken. Data continues to be received and will be assessed through July. This work is linked to *Australia's Foodborne Illness Reduction Strategy 2018-2021+*.
- Retail & Food Service Information Sessions (Retail meetings) are held three times per year. In 2019 we have co-hosted with Griffith City Council in April and more recently with Byron Shire Council on 26 June. Highlights of the sessions included:
 - Great support from both councils on the day - a collaborative effort to provide an engaging session to the community.
 - Information provided to attendees on the FRP.
 - Updates on foodborne illness, and strategies in place to address it.
 - Information on Scores on Doors and Food Safety Supervisor in the local community.
 - A session on Food Authority regulated industries and food labelling was provided as both locations are food manufacturing hubs and attendees may have an interest.

- The Food Authority collects data from food enforcement agencies throughout NSW each year. Key findings for 2017-18 were provided in the earlier report. We will be collecting 2018-19 data from 1 July 2019.

Northern Territory

- The Food Amendment Regulation commenced on 1 August 2019 and is based upon maintaining national consistency as required by the Intergovernmental Agreement on Food Regulation with respect to the priority classification system and food safety auditors. The proposed fee changes are acting on industry feedback and regulatory reform.
- The amendments to the Regulations include clarification that the annual food business registration fee should apply to each individual premises operated by a food business.

Tasmania

- Minor amendments to the Food Act 2003 took effect on the 1st July 2019. The most significant of the amendments for Local Government relate to enabling State-wide Notification of mobile food businesses and prescribing that the risk classification needs to be considered when determining if a food business needs to formally Register under the Act.

New Zealand

- New Zealand Ministry for Primary Industries (NZ MPI) is keen to gain an understanding of Food Safety Officer training needs from Territorial Authorities (TAs), for the upcoming year. While there are still a number of trained trainers available nationally, NZ MPI wants to understand where the training needs are, so a training plan can be developed especially for those wanting to complete the face-to-face training modules. Some TAs have been calling for more face-to-face interaction in training.

Food Standards Australia New Zealand

- FSANZ continues to progress its work on the review of Standard 2.9.4 – Formulated Supplementary Sports Food as a matter of priority to modernise the Standard to capture the expanding sports supplement market.
- FSANZ provided an update to ISFR on the food tampering incident involving the intentional insertion of sewing needles into strawberries.
- FSANZ is progressing its modernisation work, in conjunction with FRSC to complement the work occurring under priority 3 – Maintaining a strong, robust and agile food regulation system.