

SUMMARY OF OUTCOMES FOR LOCAL GOVERNMENT

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

ISFR5, August 2015

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 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 ISFR5

1. Principles for the inspection of food businesses
2. Food labelling monitoring and enforcement framework
3. 2015-2018 Coordinated Food Survey Plan
4. 24th Australian Total Diet Study, Phase 2 Report
5. National Food Incident Response Protocol
6. Items of interest from Local Government Activities and Jurisdiction Reports

A summary of outcomes and discussion for each of these items is provided.

1. Principles for the inspection of food businesses

The ISFR *Principles for the Inspection of Food Businesses* were endorsed by members and have been published on the food regulation website ([Department of Health | Publications](#)). The purpose of the document is to provide Environmental Health Officers (EHOs) with principles to guide the inspection of food businesses. ISFR agreed that there is merit in developing a compliance assessment guide to provide additional detail to complement the principles, which could be informed by a draft document currently under development by the Victorian Department of Health and Human Services (VIC DHHS).

2. Food labelling monitoring and enforcement framework

Consultation with stakeholders was held in May 2015 on the draft Food Labelling Compliance and Enforcement Framework and the findings and conclusions of the Joint ISFR/FRSC working group on Food Labelling Monitoring and Enforcement about existing and best practice policy and regulatory approaches to food labelling compliance,

monitoring and enforcement. The working group has now considered stakeholder submissions in further developing the Food Labelling Compliance and Enforcement Framework.

3. 2015 – 2018 Coordinated Food Survey Plan

The 2015-2018 ISFR Coordinated Food Survey Plan was endorsed and will be published on the FSANZ website. Two new activities were added to the plan; a survey of nutrition, health and related claims, and a monitoring activity for sports foods. The collation of data on *Listeria monocytogenes* in ready to eat foods was removed from the plan as this work is now complete. Other activities that remain on the plan are a survey of mercury in fish, the 25th Australian Total Diet Study and a survey of microbiological contamination during pre- and post- harvest activities on farm (survey of producer's skills and knowledge).

4. 24th Australian Total Diet Study, Phase 2 Report

The 24th Australian Total Diet Study (ATDS) was a screening study that investigated levels of 30 food packaging chemicals in the Australian food supply. The results confirm that overall Australian consumers are exposed to low levels of packaging chemicals through food consumption and that concentrations of these chemicals in food represent a negligible to low risk to public health and safety. The final report of the 24th ATDS Phase 2 will be published on the FSANZ website.

5. National Food Incident Response Protocol

Following food incidents impacting on Australia and New Zealand, a process for bi-national co-ordination has been developed. The process complements each country's food incident response mechanisms. During a bi-national incident, Australia and New Zealand will use the Bi-National Food Safety Network for early communication and information sharing. The process for bi-national coordination of food incidents will now be attached to the Bi-National Food Safety Network standard operating procedures.

6. Local Government activities and Jurisdiction Reports

Key matters which may be of interest to local government:

Australian Capital Territory

The ACT Government has amended the Food Act 2001 such that, as of 20 April 2015:

- Eligible food businesses are no longer required to notify their details to ACT Health.
- Non-profit community organisations have been removed from the operation of the Act when fundraising, except at regulated events, regardless of the type of food sold.
- The Health Minister may declare an event to be a 'regulated event'. The sorts of events that are likely to be declared as 'regulated events' are large public events that pose a higher risk in terms of foodborne illness.

New South Wales

The NSW Food Authority has conducted the following key activities for local government in recent times:

- Guidelines for the control of *Salmonella spp.* in raw egg products produced in retail environments have been re-published following an extensive trial by retailers and councils. EHOs have received training in the promotion and use of the updated guidelines.
- 37 local government areas were participating in Scores on Doors at 10 July 2015. Growth of the program is expected with an anticipated 63 local government areas,

representing 59% of retail businesses, to participate in the program by 30 June 2016.

- The Food Safety Supervisor (FSS) certification course has been updated to include revised content on all key issues such as Salmonella in retail and cleaning and sanitising. All food handlers that wish to certify as a FSS or renew an existing certificate will be required to address these key learning criteria.
- The Authority will recognise councils as appropriate enforcement authorities for the purposes of notification for retail and food service businesses. This will result in a reduced notification effort for businesses.

Northern Territory

Department of Health recently held a workshop for authorised officers on compliance and enforcement procedures. All authorised officers from across the Northern Territory attended the workshop.

The Department of Health continues to work with the Northern Territory Red Tape Abolition Squad to ensure that red tape is minimised for businesses.

New Zealand

NZ Ministry for Primary Industries (MPI) has restructured compliance services. The new structure brings services previously contracted to District Health Boards into MPI. The new structure is in preparation for the implementation of the Food Act 2014 and reflects the co-regulatory roles of MPI and territorial authorities (councils) established under the Act.

Implementation of the Food Act 2014 sees a number of fixed term or secondment opportunities being offered by MPI, and interest from Australian counterparts in these roles is welcome.

Drafting of Regulations, tertiary legislation and guidance material to support implementation of the Food Act 2014 is underway. This includes Regulations to implement new policy to allow the sale of raw drinking milk in New Zealand. Regulations under the Animal Products Act 1999 are also being drafted to impose strict primary production requirements on farmers wishing to sell raw drinking milk.

Queensland

The Department of Health continues to work with local government to administer and enforce the requirements of the Food Act 2006 and Food Standards Code. The Department of Health report on local government activities 2013-14 has been published and the Department has recently requested data from local government regarding their activities under the Food Act 2006 for 2014-15.

South Australia

In June 2015, two local government councils investigated 30 cases of *Salmonella Typhimurium* 9 (20 cases at one franchise, 10 cases at another related franchise) implicating raw egg butter used in Vietnamese rolls.

SA Health is undertaking a project with SA Pathology and the University of Adelaide to understand the characteristics of raw egg products which facilitate or prohibit the growth of Salmonella.

Adoption of the SA Food Business Risk Classification System is continuing and a wide regional training session was delivered in June 2015 to assist. SA Health's state wide Food Safety Rating Scheme pilot is also continuing in conjunction with 10 local councils.

Staff of SA Health have completed a Certificate IV in Government (Investigation) provided by Adelaide TAFE. The course has been of significant benefit in the conduct of investigations and undertaking enforcement actions.

SA Health has recently implemented a Public Health Management System based on Open Office's Health Manager System. This system is remotely hosted (i.e. accessed via the internet) meaning for the first time it may be technically feasible to establish a state wide Public Health Management System for public health data sharing across local and state government systems. All local council environmental health teams were surveyed to establish whether support for the system was genuine. The responses indicated that the vast majority of councils can see a benefit in a centralised system with over 91% (24/68 councils responded) seeing benefits in the ability to identify accurate statistics across the state in real time and eliminating reporting as data required is accessible centrally.

Tasmania

Amendments to Section 88 of the Food Act 2003 relating to the state wide registration of mobile food businesses continues to be progressed. It is anticipated that the amendments will go before parliament in September/October 2015. The Department of Health and Human Services Tasmania (TAS DHHS) will be consulting further with EHOs on this matter.

The TAS DHHS has commenced a review of food safety, water quality and infection control within 'isolated' tourist facilities, in conjunction with local government EHOs. The aim is to develop a support program / document to assist these types of businesses to manage public health incidents.

The TAS DHHS has provided each council in the State with a summary report comparing the council's food safety reporting data against the State average and that of similar local governments, which councils can use to benchmark their work under the *Food Act 2003*.

The TAS DHHS has undertaken a review and re-drafted a guide for EHOs relating to the operation of food businesses based in domestic premises.

EHOs have participated in several surveys as part of the Tasmanian Food Safety Surveillance Program - Allergen management; Hand washing practices; and Food Business skill and knowledge.

Victoria

The VIC DHHS has continued to deliver training to local government EHOs in sous vide cooking, holding 15 sessions across Victoria for 200 officers since March 2015. VIC DHHS will conduct further sessions if required before the end of the year.

The VIC DHHS has collaborated with Environmental Health Professionals Australia (EHPA) to deliver an allergen training seminar to local government, held on 17 August. The ISFR Allergen incident and investigation protocol was introduced.

VIC DHHS is partnering with Environmental Health Professionals Australia (EHPA) to provide professional development to local government EHOs in 2015-16.

Western Australia

The reviews of the *Food Act 2008* and Regulatory Food Safety Auditing Framework are underway and likely to be completed in 2016.

Commonwealth and FSANZ

Commonwealth, state and territory consumer affairs ministers will consider, in early 2016, whether to put in place a mandatory national information standard for egg labelling. Consultations are expected to begin in August 2015 on a proposed mandatory national information standard for egg labelling under the Australian Consumer Law. The goal is to improve consumer confidence in claims about egg production, particularly for free range eggs. It is also expected to provide producers and retailer with greater clarity to avoid false or misleading representations. Commonwealth, state and territory consumer affairs ministers will consider the draft standard in early 2016.

After the national outbreak of 33 cases of Hepatitis A linked to imported frozen berries, the Department of Agriculture has instituted increased testing of imported berries and a greater onus on importers to be able to demonstrate what measures they are undertaking, across their supply chains, to ensure the safety of imported ready to eat berries.

The revised version of the Australia New Zealand Food Standards Code (the revised Code) has been gazetted and will commence on 1 March 2016, at which point the current version of the Code will be repealed.