Fresh Produce Food Safety Risk Management
FRSC Roundtable Discussion Paper
July 2017
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1. Introduction

1.1 Background

This paper has been prepared by the Food Regulation Standing Committee (FRSC) to facilitate stakeholder discussions regarding food safety management and the fresh produce supply chain. The information gathered from these discussions will assist FRSC to develop informed, contemporary policy advice that ensures that effective systems, interventions and partnerships are in place, and are maintained, to prevent and respond to foodborne illness involving fresh produce.

The need for the policy advice was considered necessary due to a range of factors, including:
- the number of food recalls (15) relating to microbial contamination of fresh produce since 2006
- three Salmonella foodborne illness outbreaks in 2016 associated with fresh produce
- the limitations of regulators to access information and trace and contain potentially contaminated fresh produce, when compared to other sectors, and
- a significant proportion of horticultural businesses operating without a verified food safety system.

A brief summary of current regulatory arrangements relating to food safety and fresh produce is provided in Attachment 1.

FRSC members have been asked to engage with their local key stakeholder groups to inform discussions at a National FRSC Roundtable to be held in Adelaide on 21 September 2017.

1.2 About this paper

To remain competitive and sustainable, all food industry sectors, including the fresh produce sector, must achieve and maintain a good food safety record.

This paper provides a brief summary of the fresh produce environment, with reference to the expectations of the three key stakeholder groups - consumers, industry and government. The paper also poses questions about these expectations and whether, if they are fulfilled, they are sufficient to ensure that Australia’s fresh produce industry, including all businesses throughout the supply chain, mitigate against horticultural food safety risks and can effectively respond to food safety incidents.

2. The Fresh Produce Environment

The environment in which fresh produce is produced, processed and sold can be viewed from the perspective of each key stakeholder group.

The food safety expectations that stakeholder groups place on each other reflects desired behaviours along the food supply chain. The actual behaviours, when considered together, provides an indication of the current culture within the fresh produce supply chain, and whether this culture adequately supports the achievement of food safety outcomes.

2.1 Consumers - Expectations Statement

A consumer’s personal values, beliefs and lifestyle are key factors that influence purchasing decisions. Consumers also hold expectations relating to how food is grown, processed, marketed and sold. Generally, these expectations are reflected in legislative obligations placed on businesses and/or their employees, such as requirements relating to food safety, workplace health and safety and animal welfare.
Whilst consumer expectations are important in today’s market they are generally not key factors that influence consumer choice, as they are taken as a given by consumers and consumers also expect that all businesses are operating on a ‘level playing field’ due to the legislative requirements. However, food safety can become a primary influencing factor during and following a food related incident or food recall. At such times, due to real and perceived risks, consumers may avoid certain types of foods, specific brands of food or foods produced in certain regions.

Consumers expect that businesses licenced by a regulatory agency will have their food safety systems independently verified by government. Consumers also expect that regulatory agencies will take prompt action to ensure identified food safety risks are addressed by the businesses involved and that suspect food in the marketplace is removed as soon as possible.

2.2 Industry - Expectations Statement

Australia’s fresh produce supply chain is arguably the most dynamic and complex of all food supply chains, with a vast range of commodities and forms of preparation. Produce can be grown, harvested, packed and processed in a multitude of ways and can reach consumers through a variety of pathways. This diversity is reflected in the variety of businesses that handle fresh produce and the large number of industry associations and peak bodies that represent participants in the supply chain, at a local, regional, state and national level.

Businesses along the fresh produce supply chain expect food regulatory agencies to effectively co-ordinate investigations and responses relating to foodborne illness outbreaks and other food incidents. There is also an expectation that government agencies will minimise the regulatory burden on businesses, will inform industry of relevant regulatory developments and will apply the law consistently.

Businesses also expect that their customers, including consumers and other businesses along the supply chain, will be generally aware of food safety risks associated with the food they purchase and the steps necessary to minimise the risks, which may include cooking, washing, peeling and/or refrigerated storage. Businesses also expect that consumers will notify regulatory agencies and/or the business if they believe the food they purchase is unsafe.

2.3 Food Regulatory Agencies - Expectations Statement

Food regulatory agencies include local governments, State and Territory Health and Agriculture departments and statutory bodies. These agencies administer legislation, such as Food Acts, and the Food Standards Code as the basis for verifying that businesses are fulfilling their overarching legal obligation to supply only safe and suitable food.

Over many decades food regulatory systems have been introduced and adjusted by State and Territory governments to meet consumer and market expectations, which protect both public health and industry reputation. Food regulatory agencies therefore expect that all businesses operating along the fresh produce supply chain will:

• have appropriate skills and knowledge to undertake the business;
• fulfil their obligations under legislation, including supplying only safe and suitable food;
• notify a regulatory agency in the event of a potential food safety risk to the public; and
• be able to effectively and promptly respond in the event of a food safety incident potentially associated with their food, such as a food poisoning outbreak or food recall. This includes having an effective traceability system in place to trace food both backwards and forwards along the supply chain.

Regulatory agencies expect peak bodies to demonstrate leadership during and following a crisis. To be fully informed of emerging issues and current events that may impact on the supply of safe food, regulatory agencies also expect that peak industry bodies will keep businesses and government
informed of developments and work with government during and following incidents, including using their networks and communication channels to share and request information.

Government agencies also expect that consumers will be aware of food safety risks associated with the food they purchase and the steps necessary to minimise the risks and will notify regulatory agencies and/or the business if they believe there is a food safety risk associated with food they have purchased.

3. Discussion Points

The following discussion points, which can be applied to each of the Expectation Statements noted above, have been prepared to facilitate discussions.

1a. Were the expectations easily understood?
1b. If not, why?

2a. Are the expectations reasonable?
2b. If not, why?

3a. Are the expectations being met?
3b. If not, what can be done to ensure that expectations are fulfilled?

4. What do you see as the main gaps along the supply chain, if any, which impact on the ability to ensure the supply of safe fresh produce and/or the ability to respond to a food safety incident?

5. If you were to nominate one thing to focus on to improve food safety outcomes in the fresh produce supply chain, what would it be?

4. Further Reading

The following is a selection of web links to documents and websites that may be of interest.

- Click here, for the Bi-National Food Regulation Website.
- Documentation relating to Food Standards Australia New Zealand Proposal P1015 Primary Production & Processing Standard for Horticulture (abandoned) can be found here.
- Guidelines for Fresh Produce Food Safety (Produce Marketing Association – Australian New Zealand) can be found here.
- Click here for the Farmers’ Market Food Safety Guide (Australia Farmers’ Markets Association).
Attachment 1: Current Regulatory Arrangements

State and Territory Food Acts, and other food related legislation, include overarching requirements that a person must not sell food that is unsafe and/or suitable and must not handle food intended for sale in a manner that will render or is likely to render food unsafe or unsuitable. The Acts also require compliance with the requirements of the Australia New Zealand Food Standards Code.

With the exception of seed sprouts, the Australian fresh produce sector is unregulated by means of primary production and processing (PPP) standards under Chapter 4 of the Australia New Zealand Food Standards Code (the Code).

Standards 3.2.2 and 3.2.3 of the Code apply to minimal processing and packing operations where these activities do not constitute primary food production. Standard 3.2.2 of the Code requires that a food business:
- must take all practical measures to ensure it only accepts food that is protected from the likelihood of contamination, and
- must be able to identify food on its premises and where it has come from.

Aspects of Chapter 1 and 2 of the Code also apply to the production and processing of fresh produce, including maximum residue limits for chemical residues and contaminants, labelling of packaged produce and the use of additives and processing aids.

There is no requirement for the registration/licensing of businesses engaged in the production and processing of horticultural commodities and no mandated traceability requirements for fresh produce.