



Government of **Western Australia**
Department of **Health**
Public Health

Proposal P1004
Food Standards Australia New Zealand
PO Box 7186
CANBERRA ACT 2610

**SUBMISSION ON THE 2nd ASSESSMENT REPORT FOR PROPOSAL P1004
– PRIMARY PRODUCTION & PROCESSING STANDARD FOR SEED
SPROUTS**

The Department of Health, Western Australia (DOH) would like the following comments and information taken into consideration in relation to Proposal P1004 – Primary Production & Processing Standard for Seed Sprouts.

In general, the DOH supports improved regulation of food processing in relation to Seed Sprouts. Though issues in relation to the safety of seed sprouts relate to the production of the source seed, DOH supports Option 2b in this proposal based on cost benefit analysis. The requirement for through chain food safety of seed sprouts should be reviewed following implementation of the standard.

Please consider the following comments on the matters raised in relation to the draft standard.

Clause 1. Definition of “Unacceptable”

The term unacceptable is not in context with any similar expression in the *Australian New Zealand Food Standards Code* (Code) or the model food provisions.

Food is either unsafe for human consumption or else not suitable for human consumption. For food to be “unfit for human consumption” indicates it must be either unsafe or unsuitable.

Food legislation based on the model food provisions only enables legislative action to be taken based on unsafe or unsuitable food, though action could be taken for not complying with the requirements of the Code.

Similarly through the draft, the term “unacceptable” should be replaced with “unsuitable or unsafe”.

Clause 2. Meaning of sprout producer

Recommend replacing the word “involves” with “includes”. This is consistent with other primary production & processing standards.

Recommend amending “seed” to “seed for sprouts” in sub-clauses (a), (c) and (d). These activities may be performed in other primary production activities not associated with seed sprouts.

Clause 3. Application of food safety standards

Standard 3.2.3 requires a food business to only use potable water in the premises. This entails the supply of water complying with the drinking water guidelines.

Clause 4. General food safety management

Sub-clause (2) requires evidence to show that a systematic examination has been undertaken. This does not indicate the format of the evidence that needs to be provided to a regulator. Recommended this requirement should be written evidence.

Clause 5. Receiving of seed

The existing clause is passive in context. Recommend amending to “A sprout producer must take all practical measures to ensure that the seed is not of a nature or in a condition that would make the seed sprouts unsafe or unsuitable”

Clause 7. Decontamination

A mandatory requirement for a decontamination process implies it is not possible to produce safe suitable sprouts. This requirement does not allow for a sprout seeding business that produces a safe and suitable food without a decontamination process to eliminate that requirement. This is a prescriptive requirement contrary to the outcomes based approach to food safety requirements.

If this requirement is retained, or if it is a process used by a food business, the clause should include:

- (1) A sprout producer must implement (if necessary) effective decontamination processes prior to sale or supply of seed sprouts.
- (2) A process described in paragraph (1) must be validated by the sprout producer.
- (3) In this clause, **validate** means-

- (a) Confirming a control measure for a critical control point or process is effective to minimise a food safety hazard; and
- (b) Providing objective evidence to confirm paragraph (a)

Clause 8. Traceability

The traceability requirements should be amended to enable complete traceability of all input and outputs – in line with the proposal for semi-dried tomatoes

A food business that receives relevant food (seed) (**the recipient**) must record, in writing, and retain –

- (a) the name and address of each food business or other person that supplied the recipient with the relevant food; and
- (b) details to enable the identification of each batch of relevant food, including
 - (i) a unique number or code assigned to each batch of relevant food and;
 - (ii) the date on which the relevant food was received by the recipient.

A food business that supplies relevant food (**the supplier**) must record, in writing, and retain –

- (a) the name and address of each food business to which the supplier supplied relevant food; and
- (b) details to enable the identification of each batch of relevant food, including:
 - (i) a unique number or code assigned to each batch of relevant food; and
 - (ii) the date on which the relevant food was supplied by the supplier.

Thank you for considering the above comments and information. Should you wish to discuss any of these comments please do not hesitate to contact Bill Calder on (08) 9388 4958 or <mailto:bill.calder@health.wa.gov.au>.

Regards



**STAN GOODCHILD
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