

Food Standards Australia New Zealand  
PO Box 10559  
KINGSTON ACT 2604

13 April 2022

**Ref No:** D04544885

By email: [submissions@foodstandards.gov.au](mailto:submissions@foodstandards.gov.au).

Dear Sir/Madam

### **Submission- Proposal P1053 Food Safety Management Tools**

Thank you for the opportunity to comment on the proposed Food Standards Australia New Zealand Food Safety Management Tools.

The proposed food safety management tools that include revised methods of risk categorisation of food businesses, increasing food handler training requirements and the need to document evidence of food safety management are welcomed changes that will improve food safety management throughout Australia. However, the implementation of the proposed food safety management tools will be challenging for food businesses and enforcement agencies to achieve compliance with the proposed food safety standards.

#### **1. Evidence to Substantiate Food Safety Management**

The proposal includes for amendments to the Food Standards Code 3.2.2 that will require documented evidence (a record) that substantiates any prescribed activity that has been undertaken in accordance to comply with the prescribed provisions (e.g., temperature control for delivery receipt, food storage, cooling, processing, hot holding etc).

It is acknowledged that the proposal is based on the business identifying critical control points and making a record to substantiate how food safety is managed which is a positive step forward for the food retail sector. However there is no requirement in the proposed changes for the business to undertake a hazardous analysis to identify the critical control points for the business food handling activities. There is only a requirement for them to make a record to confirm the critical control was managed and this record must be kept for a minimum of 3 months.

It is considered that businesses should undertake a hazard analysis of their own activities otherwise the Food Business Operator (FBO) may rely on the Environmental Health Officer (EHO) to undertake the hazard analysis (e.g., to identify the critical control points) during an inspection and to advise them how they need to demonstrate compliance. This would impact upon Council resources as more time would need to be spent in food businesses educating the FBOs on how to comply with the requirements.

Similar food safety tools can be seen in European legislation (European Commission Regulation 852/2004 Article 5) which gives the food businesses clear statutory requirements on identifying and managing food safety risks in a food business.

It is therefore recommended that the provisions include a mandatory requirement for a food business to undertake a hazard analysis to identify and manage all food safety risks for the prescribed provisions.

## **2. Category 2 business not required to comply with 3.2.2A-12**

The proposed legislation states that a category two business is one that receives ready to eat potentially hazardous food (packaged or unpackaged) and is not made or processed on site (other than slicing, weighing, repacking, reheating, or hot-holding of the food) by the food business and therefore the food business does not have to keep a record for the prescribed activity.

As reheating and hot holding of potentially hazardous foods are often a critical control point to reduce the level of microbial growth, it is unsure why such critical control points should not be subject to the same controls for processing as a Category 1 business. For example, a business who is supplied with ready to eat pies, Quiches, lasagne, are more often required to reheat the food to ensure food safety of that food e.g., Foods with a shelf life of more than 5 days are often required to reheat the food to a certain temperature to kill certain bacteria e.g, listeria Monocytogenes. It is not understood why such businesses will not be subjected to provide evidence of managing important critical control points for processing of food stuff just because they didn't make the original product onsite.

Furthermore, if a category 1 business prepares potentially hazardous food but receives mostly ready to eat foods from a supplier, is the business only required to document the food safety management procedures for the products that were only prepared onsite. This may result in difficulties for the enforcement agency to implement and it is recommended that category two businesses are subject to comply with the requirements of 3.2.2A-12 for all critical control points.

## **3. Training of food handlers**

Council acknowledges and supports the need for change in food safety training and believes such change will greatly improve food safety knowledge in the industry.

The proposed changes include for food handlers to have completed a food safety training course or have the skills and knowledge for food safety and hygiene matters commensurate with that specific prescribed activity. There is however no requirement specified to provide evidence (record) of completing a food safety training course or the type of food safety training course relating to the prescribed provision. The wording of this clause would cause difficulty for the enforcement agency to enforce. It is recommended that the clause be changed to state a documented record for the training course is to be maintained. e.g.

*“the food business must ensure that each food handler who engages in a prescribed activity has, before engaged in that activity:*

- (a) Completed a food safety training course for the prescribed activity and provide a record of such training course; or*
- (b) Skills and knowledge of food safety and hygiene matters commensurate with that specific prescribed activity.”*

In addition to the above and to ensure consistency of training amongst food handlers across all states, a national framework for food safety training should be developed by FSANZ. The food safety training should be modelled on the type of food handling activity for different businesses. for example, class 1 training for food handlers that undertake minimal handling, class 2 training for high-risk food handling and Class 3 training for management of food safety documentation etc. Such training system would allow food businesses to understand what level of training the food handler may need.

A guidance document could be developed with the training modules for different levels of food handling. This type of training framework has been implemented in the UK and European Union countries to ensure consistency amongst handlers and content of training courses.

#### **4. Resources for businesses**

Food businesses in NSW often struggle with complying with the basic food safety legislative requirements and EHOs spend a significant amount of time training and educating food handlers during inspections of food businesses. It is anticipated that the proposed additional training requirements for all food handlers will increase food safety knowledge and improve food safety management. However, the new proposed changes requesting businesses to document evidence of how a critical control is managed will cause food businesses to struggle further and require additional resources.

It is noted that the FSANZ supporting information advises it may take a business an extra 15 minutes per day for such food safety evidence to be documented, however most businesses will not know how to start complying and will need additional resources from food safety consultants which will incur extra costs on businesses. Other businesses will rely on Councils EHOs for the information and guidance.

Council notes FSANZ has advised additional factsheets and support documentation will be developed to educate businesses, however businesses may need more support to implement these additional legislative requirements. It is therefore recommended that FSANZ (or each State Food Authority) develop a food safety management pack that can be adapted by all food handling businesses and give businesses clear guidance on how to commence documenting food safety management procedures. The pack should include temperature monitoring templates, generic corrective action, review procedures etc. (For example, refer to the Food Authority of Ireland - Safe Catering Pack which is a food safety management pack developed for businesses for the implementation of similar legislation in Ireland).

#### **5. Resources for Councils**

Similar to FBOs, the new provisions will require Councils to use a large amount of EHO resources to educate food businesses during the implementation stage of these provisions. Council's EHOs will require additional training and guidance with regards to enforcing the new provisions. It is recommended that FSANZ develop a guidance document for enforcement agencies to provide clear enforcement guidance on the implementation of the new provisions.

We thank FSANZ for providing Randwick City Council the opportunity to review and provide feedback on the proposed P1053 Food Safety Management Tools.

[REDACTED]

Yours sincerely

[REDACTED]

<h2>English</h2> <p>If you need help to understand this letter, please come to Council's Customer Service Centre and ask for assistance in your language or you can contact the Telephone Interpreter Service (TIS) on 131 450 and ask them to contact Council on 1300 722 542.</p>	<h2>Greek</h2> <p>Αν χρειάζεστε βοήθεια για να καταλάβετε αυτή την επιστολή, παρακαλείστε να έρθετε στο Κέντρο Εξυπηρέτησης Πελατών της Δημαρχίας (Council Customer Service Centre) και να ζητήσετε βοήθεια στη γλώσσα σας ή τηλεφωνήστε στην Τηλεφωνική Υπηρεσία Διερμηνέων (Telephone Interpreter Service — TIS) τηλ. 131 450 και να ζητήσετε να επικοινωνήσουν με τη Δημαρχία τηλ. 1300 722 542.</p>	<h2>Italian</h2> <p>Se avete bisogno di aiuto per capire il contenuto di questa lettera, recatevi presso il Customer Service Centre del Municipio dove potrete chiedere di essere assistiti nella vostra lingua; oppure mettetevi in contatto con il Servizio Telefonico Interpreti (TIS) al 131 450 e chiedete loro di mettersi in contatto col Municipio al 1300 722 542.</p>
<h2>Croatian</h2> <p>Ako vam je potrebna pomoć da biste razumjeli ovo pismo, molimo dođite u Općinski služni centar za klijente (Council's Customer Service Centre) i zatražite pomoć na svom jeziku, ili možete nazvati Telefonsku službu tumača (TIS) na 131 450 i zamoliti njih da nazovu Općinu na 1300 722 542.</p>	<h2>Spanish</h2> <p>A la persona que necesite ayuda para entender esta carta se le ruega venir al Centro de Servicios para Clientes [Customer Service Centre] de la Municipalidad y pedir asistencia en su propio idioma, o bien ponerse en contacto con el Servicio Telefónico de Intérpretes [“TIS”], número 131 450, para pedir que le comuniquen con la Municipalidad, cuyo teléfono es 1300 722 542.</p>	<h2>Vietnamese</h2> <p>Nếu quý vị không hiểu lá thư này và cần sự giúp đỡ, mời quý vị đến Trung Tâm Dịch Vụ Hướng Dẫn Khách Hàng của Hội Đồng Thành Phố (Council's Customer Service Centre) để có người nói ngôn ngữ của quý vị giúp hay quý vị có thể liên lạc Dịch Vụ Thông Dịch qua Điện Thoại (TIS) ở số 131 450 và yêu cầu họ liên lạc với Hội Đồng Thành Phố (Council) ở số 1300 722 542.</p>
<h2>Polish</h2> <p>Jeśli potrzebujesz pomocy w zrozumieniu treści tego pisma, przyjdź do punktu obsługi klientów (Customer Service Centre) przy Radzie Miejskiej i poproś o pomoc w języku polskim, albo zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service — TIS) pod numer 131 450 i poproś o skontaktowanie się z Radą Miejską (Council) pod numerem 1300 722 542.</p>	<h2>Indonesian</h2> <p>Jika Anda memerlukan bantuan untuk memahami surat ini, silakan datang ke Pusat Pelayanan Pelanggan (Customer Service Centre) Pemerintah Kotamadya (Council) dan mintalah untuk bantuan dalam bahasa Anda, atau Anda dapat menghubungi Jasa Juru Bahasa Telepon (Telephone Interpreter Service - TIS) pada nomor 131 450 dan meminta supaya mereka menghubungi Pemerintah Kotamadya pada nomor 1300 722 542.</p>	<h2>Turkish</h2> <p>Bu mektubu anlamak için yardima ihtiyaciniz varsa, lütfen Belediye'nin Müşteri Hizmetleri Merkezi'ne gelip kendi dilinizde yardım isteyiniz veya 131 450'den Telefonla Tercüme Servisi'ni (TIS) arayarak onlardan 1300 722 542 numaradan Belediye ile ilişkiye geçmelerini isteyiniz.</p>
<h2>Hungarian</h2> <p>Amennyiben a levél tartalmát nem érti és segítségre van szüksége, kérjük látogassa meg a Tanácsház Ügyfél Szolgálatát (Customer Service Centre), ahol magyar nyelven kaphat felvilágosítást, vagy hívja a Telefon Tolmás Szolgálatot (TIS) a 131 450 telefonszámon és kérje, hogy kapcsolják a Tanácsházat a 1300 722 542 telefonszámon.</p>	<h2>Czech</h2> <p>Jestliže potřebujete pomoc při porozumění tohoto dopisu, navštivte prosím naše Středisko služeb pro veřejnost (Council's Customer Service Centre) a požádejte o poskytnutí pomoci ve vaší řeči anebo zavolejte Telefonní tlumočnickou službu (TIS) na tel. číslo 131 450 a požádejte je, aby oni zavolali Městský úřad Randwick na tel. číslo 1300 722 542.</p>	<h2>Arabic</h2> <p>إذا أردت مُساعدة لفهم هذه الرسالة، نرجوك الحضور إلى مركز خدمة عملاء المجلس واطلب المساعدة في لغتك، أو يُمكنك الاتصال بخدمة الترجمة الهاتفية (TIS) على هاتف رقم 131 450 واطلب منهم الاتصال بالمجلس على رقم 1300 722 542.</p>
<h2>Chinese</h2> <p>如果你需要人幫助你了解這封信的內容，請來市政會顧客服務中心要求翻譯服務，或者與電話傳譯服務（TIS）聯繫，號碼是131 450。請他們幫助你打電話給市政會，號碼是1300 722 542。</p>	<h2>Russian</h2> <p>Если Вам требуется помощь, чтобы разобраться в этом письме, то, пожалуйста, обратитесь в Муниципальный Центр Обслуживания Клиентов и попросите оказать Вам помощь на Вашем языке или же Вы можете позвонить в Телефонную Службу Переводчиков (TIS) по номеру 131 450 и попросить их связаться с Муниципалитетом по номеру 1300 722 542.</p>	<h2>Serbian</h2> <p>Ako vam treba pomoć da razumete ovo pismo, molimo vas da dođete do Centra za usluge mušterijama pri Opštini (Customer Service Centre) i zamolite ih da vam pomognu na vašem jeziku, ili možete nazvati Telefonsku prevodilačku službu (TIS) na 131 450 i zamolite ih da vas povežu sa Opštinom na 1300 722 542.</p>