

**Department of Agriculture, Fisheries and Forestry Submission to Food
Standards Australia New Zealand *Improving Food Safety for Fresh
Horticultural Produce Consultation Paper* (July 2011)**

Introduction

The Department of Agriculture, Fisheries and Forestry (DAFF) welcomes the opportunity to provide a submission in response to the *Improving Food Safety for Fresh Horticultural Produce Consultation Paper* (FSANZ May 2011).

DAFF is the Australian Government department with responsibility for industries that span the food supply chain, from agriculture to food processing. It jointly shares responsibility with the Department of Health and Ageing for food regulatory policy within the Australian Government.

DAFF supports and recognises the need for evidence-based and broad-ranging strategies and initiatives to support systems producing food that is safe for all consumers. DAFF supports a regulatory environment that facilitates appropriate risk management for food safety and is not unduly burdensome to industry, government or the community. DAFF also recognises and encourages existing programs and/or systems and government/industry partnerships in achieving these outcomes.

In 2000, DAFF commissioned and chaired a joint government-industry Food Safety and Quality System's Equivalence Working Group, to explore ways to reduce the problems associated with multiple food safety and quality systems and associated audits. One of the key issues identified by the Working Group was the need for greater consistency in the way these systems are implemented and audited throughout the horticulture industry. In 2001, to help overcome the resulting confusion and achieve greater consistency in on-farm food safety programs, the Working Group developed Guidelines for on-farm food safety for fresh produce. To keep the Guidelines relevant and current, DAFF and Horticulture Australia Limited collaborated to convene a panel of experts to undertake a review and update the guidelines, resulting in *Guidelines for On-Farm Food Safety for Fresh Produce – Second Edition* (2004). It is timely, therefore, for a national audit of existing and emerging strategies relating to improving food safety for fresh horticultural produce in Australia.

Discussion:

DAFF supports the intent of the FSANZ consultation paper to develop nationally-consistent, through-chain approaches for food safety for all major primary food products in Australia. In Australia, consumer desire for readily available, affordable, convenient and safe foods is influencing food supply chains globally and locally, thereby shaping what Australia produces and how it is produced and sold. For example, the use of biosolids in agricultural production is gathering increasing media attention as consumers question the safety of food produced

using this approach. The regulation of Maximum Residue Levels in Australian produce also continues to be debated and is of concern to consumers and health agencies. Recognising that over the coming decades there will be both risks and opportunities to individuals and businesses involved in making, moving and selling food, DAFF recently released an issues paper to inform development of a National Food Plan.¹ The issues paper provides a focus for consultation about possible improvements and covers the whole food supply chain from paddock to plate.

In developing a national approach to food safety, and in particular, improving food safety for fresh horticultural produce, it is important to recognise consumers and point-of-sale businesses as either potential sources of risk to food safety or as locations at which surveillance or education programs should apply. For example, the increased incidence of food-borne illnesses associated with pre-prepared rockmelon, caused in part by post-farm gate food handling and preparation practices, highlights how contaminated produce can reach point-of-sale. Despite the application of Good Agricultural Practices by primary producers, breakdowns in the food safety system continue to occur. Recent cases of *Escherichia coli* outbreaks in Europe associated with horticultural produce have highlighted challenges with traceability. The outbreaks reinforced the need for fully effective alert systems (e.g. FSANZ recalls, OzFoodNet) to manage the residual risk to consumers.

Primary Production Processing Standards (PPPs)

Nationally standardised, mandatory food safety requirements, such as primary production and processing (PPP) standards, applicable to all domestic produce (including that destined for export markets), would give greater capacity for assurance of trading partners, where our product is currently only required to comply with jurisdictional and importing country requirements. A Productivity Commission Research Report, *Performance Benchmarking of Australian and New Zealand Business Regulation: Food Safety*² has highlighted that there is no model food safety legislation covering PPP; progress in developing national PPP standards has been slow; and significant differences in the interpretation and implementation of PPP standards persist in jurisdictions. Further, the report found that the regulatory structure governing the food industry is complex, and inconsistent interpretation and implementation by states and territories of the national food standards contained within the *Australia New Zealand Food Standards Code* has the potential to impose significant compliance and administrative costs on businesses that operate across jurisdictional borders.

Implementation of PPP standards

State and Territory Food Acts apply to the manufacture, transport and handling of food that is for sale and the manner in which food is sold, whereas most jurisdictions regulate the primary production, manufacture and transport of meat, poultry, seafood and dairy products through

¹ DAFF 2011, *Issues paper to inform development of a national food plan*, Department of Agriculture, Fisheries and Forestry, Canberra.

² Productivity Commission 2009b, *Performance Benchmarking of Australian and New Zealand Business Regulation: Food Safety*, Productivity Commission, Canberra, available at www.pc.gov.au/projects/study/regulationbenchmarking/food-safety/report.

specific primary industries legislation. The legislative basis for such regulation also differs markedly across jurisdictions. In Queensland, South Australia and New Zealand all primary industries regulation is consolidated into a single Act. Victoria, on the other hand, uses separate legislation and objectives for its meat, dairy and seafood activities. In contrast to these models, New South Wales and Western Australia rely on their Food Act and Health Act, respectively, to regulate all food operations. The remaining Australian states and territories have included additional food safety requirements in industry-specific legislation. In most cases, in addition to a main act that covers general food safety for primary production, there is a raft of regulations to deal with industry-specific issues.

The PPP standard being developed for seed sprouts (Proposal P1004) will yield learnings relevant to other horticultural produce. It may be worthwhile taking a similar commodity-specific approach to other sectors of the industry, depending on the differences in level of risk and processing systems. Food safety requirements pertaining to primary production are not however mandatory until PPP standards are set in place by FSANZ, to extend the food standards code. Traceability may also become paramount in the event of outbreaks.

These issues and examples of risks associated with fresh horticultural produce, highlighted that a commodities-based approach may not be suitable to improve food safety of fresh horticultural produce, and the approach may need to be process-based. For example, both the National Organic Standard (administered and used by AQIS to certify Australian organic produce destined for export) and the Australian standard (AS 6000-2009 Organic and Biodynamic products – Table B3.1) specify that compost should be produced in accordance with AS4454 or recognised equivalent systems. Both also state that for the use of animal manures, application must be composted or followed by at least two green manure crops in cropping system.

Cross-compliance with existing programs or schemes should also be a part of any standards development work, so that where existing programs are being adhered to industry is not placed under increased burden. The Freshcare 2010 ‘cost of compliance’ survey would be a good source of information for FSANZ’s consideration of compliance costs issues.

Conclusion/recommendations:

Australia has a strong international record of being a supplier of safe, high-quality produce and is committed to ensuring that foods produced in Australia are safe both for domestic and overseas customers. Consistency with international food safety requirement for fresh horticultural produce will improve market access of Australian produce. Some countries, such as Indonesia and Vietnam, are implementing or have implemented new food safety inspection requirements for imported goods of plant origin. These countries require science-based verification measures to ensure that only food that has been produced under a system consistent with their proposed regulation is able to be imported. Australia is being asked to verify that our food safety system for plant produce is acceptable. The implementation of a nationally consistent, through-chain, food safety scheme for horticultural

products that is consistent with international guidelines would assist Australia in meeting international food safety import requirements imposed by other countries.

An approach to food safety management is required that promotes the existing tools available to industry and applied by governments, yet encourages national consistency and provides sufficient direction to communicate to industry the requirements for compliance. A decision-tree process or flowchart approach to assessing and managing risks associated with horticulture, such as that proposed in the consultation paper (Figure 1 – page 3) could be a useful way of tailoring which of the available tools are best applied in different contexts. It is important, however, that in the first instance any such approach promotes consistency across similar businesses and industries to avoid competitive advantage.

Effective consultation and communication will be important factors determining the success of the review. Businesses need sufficient information to be aware of what is required of them to comply.

DAFF looks forward to the outcomes of the consultation process.

The contact officer for any questions about this submission is:

Rob Solomon
Manager, Food Regulation Policy
Department of Agriculture, Fisheries and Forestry
Telephone: 02 6272 5945
Email: Rob.Solomon@daff.gov.au