



FSANZ – Submission – Proposal P1052

Primary Production and Processing Requirements of high-risk horticulture

Fresh Markets Australia has the position that there are globally benchmarked food safety schemes in place in Australia that work and regulation should not be heavy handed – rather an investment be made in developing a food safety culture across the supply chain that encompasses all horticulture commodities to support successful food safety outcomes.

About Fresh Markets Australia (FMA)

Fresh Markets Australia (FMA) is the national industry body representing each of the six Market Chambers, which themselves are organisations which represent wholesalers and supporting businesses in each of Australia's six central fresh fruit and vegetable Markets (Brisbane, Sydney, Melbourne, Adelaide, Perth and Newcastle). In total, these organisations represent in excess of 400 Market wholesaling businesses.

More than 90% of Australia's commercial fruit and vegetable growing establishments do business with a Central Market wholesaler. In fact, more than 50% of fresh fruit and vegetables consumed in Australia is handled by a market wholesaler. The Central Markets supply chain – directly and indirectly is significant.

On their own, the six Central markets turnover in excess of \$7 billion a year at wholesale prices. They are also significant employment hubs with more than 17,500 people employed directly or working on-site to buy fresh produce every day.

In addition to that, across Australia more than 2,700 independent fruit and vegetable retailers and 18,700 food service businesses (IBISWorld 2015) directly or indirectly rely on Central Markets for their fresh fruit and vegetable needs. These sectors employ 17,800 and 139,700 staff respectively. With a turnover of \$3.7 billion and \$17.3 billion annually.

FMA is committed to participating in in this review given the significance of the Central Markets supply chain in the marketing of Australia's commercially produced fruit and vegetables.

About FreshTest®

FreshTest® was introduced in 2001, as an FMA initiative in direct response to the number of requests from Industry to manage and collate the results from all Chemical and Microbial testing.

The continued aim of FreshTest® is to:

- provide a confidential, cost effective, third party verification of production and packing businesses food safety systems
- coordinate the thousands of tests being conducted, facilitating the useful consolidation of data for official



purposes

- coordinate a residue, microbial and heavy metal testing service operating from wholesale markets where coordination is most easily achieved, hence why it has the largest participation.
- It is used by industry to independently verify compliance with good agricultural practices in food safety systems related to chemical use, microbial levels and heavy metal traces.

Scope of the Proposal

The scope of the proposal deems the definition of high-risk produce to be leafy vegetables, melons and berries. It is assumed that these commodities are as defined in FSANZ Schedule 22 for Berries, Leafy Vegetables and Melons.

Leafy vegetables (including brassica leafy vegetables)

Commodities: Amaranth; Box thorn; Chard (silver beet); Chervil; Chicory leaves; Chinese cabbage (Pe-tsai); Choisum; Cress, garden; Dandelion; Dock; Endive; Grape leaves; Indian mustard; Japanese greens; Kale; Kangkung; Komatsuma; Lettuce, Head; Lettuce, Leaf; Marsh marigold; Mizuna; Mustard greens; New Zealand spinach; Pak-choi; Pokeweed; Purslane; Radish leaves (including radish tops); Rape greens; Rucola; Sowthistle; Spinach; Turnip greens; Watercress.

Melons

Fruiting vegetables, cucurbits – only melons

Berries and other small fruits

Commodities: Bilberry; Blackberries; Blueberries; Cranberry; Currants, black, red, white; Dewberries (including Boysenberry, Loganberry and Youngberry); Elderberries; Gooseberry; Grapes; Juneberries; Mulberries; Raspberries, Red, Black; Rose hips; Strawberry; Vaccinium berries.

It is also deemed that microbiological hazards have been, and will be, the main food safety hazards considered, and chemical hazards will be discussed but are generally considered very low risk, and well managed, in Australian food production. The conclusion is that microbiological hazards are not well managed in Australian food production.

FreshTest® Microbial Testing

Since the introduction of the service, the FreshTest® maximum limits have been compared against the prevailing standards and industry norms. FreshTest® have several standard Microbiological Tests, testing for substances as follows:

Microbial	Maximum Limit – cfu/g
E.coli	<10
Salmonella	0
Listeria spp.	Detected / Not Detected per 25g
Listeria Monocytogenes	Detected / Not Detected per 25g
Faecal Coliforms	<100
Coagulase +ve Staphylococci	<100



FreshTest® has been undertaking chemical and microbial testing since 2001 and over that time the number of samples tested for microbial compared to chemical testing has moved from around 13% of the combined samples tested in 2013 to now close to 50% of sample testing. The increase of samples being tested has not seen any increase in the level of adverse results with the average for 2019 being the same as 2013. There is also a wider range of commodities being tested where no adverse detections are found therefore moving the average adverse detections down. This indicates that microbiological hazards are being increasingly managed to the same extent as chemical hazards from a verification of compliance perspective.

The adverse detections for each of berries and melons are well below the average of all commodities tested with leafy vegetables being higher than the average though with a steady decrease year on year over the past four (4) years. Certainly, the adverse detections for berries and melons is somewhat insignificant compared to all samples tested for all commodities, this is indicative of being well managed compared to other commodities. The decrease in the adverse detections for leafy greens over the past 4 years is also indicative of the matter being managed with better outcomes.

In FMA's view, the singular focus on the commodities referenced in P1052, is ill conceived and has not considered what the empirical evidence indicates.

Recalls and incidents

The purpose of these comments in relation to recalls and incidents is to call out that those listed (page 9 – 1st Call for submissions – Proposal P1052) include four instances of frozen imported produce and one of sprouts. These are irrelevant for the purposes of P1052. There are only two instances relating to rockmelon and one in mixed lettuce which excludes fresh berries from being associated with recent microbiological food safety issues. There have been extensive interventions undertaken in the pre-packaged salad leaves space and this is relevant to Chapter 3 of the Australia New Zealand Food Standards Code (the Code). FSANZ Schedule 22 for Leafy Vegetables includes significantly more commodities than mixed lettuce as indicated above. Around half of the (so defined) leafy green vegetables tested through FreshTest over the past 5 years were mixed lettuce or lettuce. In relation to rockmelon, it is notable that only 0.2% of melon samples tested over the past 5 years has resulted in an adverse microbiological detection. It is also noted that significant interventions undertaken in the rockmelon space over the past two years.

Two significant points in relation to an adverse detection is that:

1. the produce is not to be made available for sale when an adverse detection is recorded, and
2. the regulatory requirements of state and territory jurisdictions are inconsistent in reporting certain detections. If this was consistent, there would be a level playing field with potential incidents being addressed at the verification stage.

This analysis is not provided to under estimate the impact of the listed recalls, however we would be much better served to consider each case on the specific circumstances and treat the root cause, which I understand has been undertaken through industry, rather than suggest that the entire industry is not managing microbiological risk well



and therefore must be subject to 'regulatory measures'.

Food safety schemes

FMA advocates for certification to a food safety scheme (standard) through its standard Horticulture Produce Agreement (HPA) created for use by the central market supply chain that:

Unless otherwise agreed with the Merchant, the Grower will;

- (a) *implement and maintain an industry recognised HACCP based food safety and quality system that is subject to annual third-party audit, and*
- (b) *by 1 January 2019 be certified to:*
 - (1) *Freshcare Code of Practice Food Safety and Quality; or*
 - (2) *GLOBALG.A.P. Integrated Farm Assurance; or*
 - (3) *Safe Quality Food (SQF).*

All wholesalers are required to enter into a HPA with a grower to facilitate the sale of produce.

FMA is an inaugural owner Member of Freshcare, and supports the implementation of Freshcare on farm and across the supply chain.

While this submission does not intend to debate the standing of each of the listed food safety schemes, it is fact to say that each are underpinned by science and the Global Food Safety initiative (GFSI) has benchmarked Freshcare, GLOBALG.A.P. and SQF.

The failure to implement a food safety scheme, such as those detailed above, will remain an issue irrespective of the implementation of regulatory measures as it is the human element that is required to be successful in the implementation. It is far more appropriate to deliver industry wide education and mentoring that is aimed at implementing a food safety culture which will in turn shine a light on any practices that lead to a failure to implement their chosen food safety scheme.

Conclusion

FMA is of the view that the preferred option 2 of FSANZ to implement regulatory measures is not necessary and proposes that:

1. the rationale behind the recall and incidents being a reason to consider Option 2 should be reconsidered, and
2. existing legislative reporting requirements in relation to detections be consistent across all jurisdictions, and
3. there are already globally benchmarked food safety schemes in place – which were not found to be at fault in the examples provided in P1052, and could well be a replication of what is already in place, and
4. it is more appropriate to deliver industry wide education and mentoring that is aimed at implementing a food safety culture which will in turn shine a light on any practices that lead to a failure to implement their chosen food safety scheme.



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