

Proposal P1053

Food safety management tools for the food service and closely related retail sectors

Submission on the Draft Standard

Summary

The NSW Food Authority (Food Authority) welcomes the opportunity to comment on draft standard 3.2.2A for Proposal 1053 – Food safety management tools for the food service and closely related retail sectors.

The sector is large and diverse, both in terms of business size (approximately 58,000 in-scope businesses in NSW), menu offerings and food safety risk. NSW supports the flexible, risk-based approach proposed in draft Standard 3.2.2A in seeking an effective, yet pragmatic approach in supplementing the existing food safety standards applicable to Australian food businesses by Standards 3.2.2 and 3.2.3 of the Australia New Zealand Food Standards Code (the Code).

NSW has already implemented Food Safety Supervisors (FSS) on medium-high risk food businesses in NSW and considers its current approach meets the requirements of draft standard 3.2.2A. NSW will undertake to review existing exemptions to its existing FSS as part of the implementation of this proposal.

NSW projects that food businesses in NSW currently operating with an FSS will see minimal costs for implementing the proposed tools given its existing interventions and the flexible approach to compliance provided by the proposal.

Food Safety Supervisor

NSW notes the requirement for an appointed FSS to be reasonably available as provided in draft Standard 3.2.2A will complement existing FSS obligations in the Food Act 2003 and Food Regulation 2015.

The Food Authority will continue to provide food businesses with the 30-day exemption period for an FSS as provided in the Food Act 2003 to account for the transitory nature of staff working in food businesses in the retail/food service sector. The Food Authority considers this is a pragmatic balance between food safety management and the mobile nature of the workforce in this sector.

The NSW Food Authority will further review its exemptions to FSS as provided in Food Regulation 2015 (e.g. childcare centres, correctional facilities, delicatessens), where the operations of the food business fall within category 1 or category 2 as described. This review will be conducted in the interests of facilitating nationally consistent adoption of the food safety requirements in draft Standard 3.2.2A.

NSW will further need to review changes to the syllabus of the forthcoming nationally accredited Hospitality units of competency SITXFSA005 – Use hygienic practices for food safety and SITXFSA006 – Participate in safe food handling practices to determine if a national FSS is equivalent to the NSW FSS with its supplementary key focus areas (e.g. safe egg handling, allergen management and cleaning and sanitation). The introduction of these focus areas was one of the measures used to reach foodborne illness (salmonellosis) reduction targets in NSW. While there has been success, continuing effort is required.

Food handler training

Draft Standard 3.2.2A-10 requires all food handlers to undertake basic food safety training or be able to demonstrate necessary skills and knowledge for high risk activities. The NSW Food Authority supports the scope of this standard in recognising the existing investment by businesses developing internal training and induction programs. NSW is investigating options to host an online resource to assist food handlers and small businesses meet this requirement at no cost as has been implemented by some other jurisdictions.

NSW will ensure this training includes elements of Standard 3.2.2 listed in draft Standard 3.2.2A-12 so persons are aware of the specific importance of these clauses in their food safety practice.

NSW supports the flexible and outcome-based approach to this requirement in that existing training provided to staff through standard operating procedures is recognised as a means of providing food handler skills and knowledge training. Many retail/food service businesses provide in-house food safety training to employees as part of induction and it is appropriate this is recognised as meeting the skills and knowledge requirement of this clause in draft Standard 3.2.2A.

Evidence substantiation

Draft standard 3.2.2A-12 requiring substantiation of food safety management of prescribed activities strikes a welcome balance between the need to ensure high risk activities are managed with appropriate records, but record keeping is kept to a manageable level. The flexibility of the clause will allow NSW compliance officers to enforce guidelines for high-risk activities (e.g. safe egg handling) consistently between businesses by recognising existing NSW guidelines as sufficient for substantiating evidence. Other activities may be supported by records or compliance may be demonstrated in food safety practice at the business at the time of inspection by an authorised officer.

NSW supports this flexibility as this provides the means for consistent implementation of draft standard 3.2.2A-12 to be developed through the NSW statutory Food Regulation Partnership.

NSW further notes requirements to comply with evidence substantiation will not require implementation of food safety programs.

Implementation

In NSW regulatory authorities (the Food Authority and Local Government) collaborate through the statutory Food Regulation Partnership (FRP).

The final form of draft Standard 3.2.2A will be communicated to Environmental Health Officers (EHOs) and food businesses through the Food Regulation Partnership and if changes to current regulatory practice (e.g. amendment to the Food Premises Assessment Report) are required they will be implemented through the existing mechanisms of the Partnership.

The Food Authority considers the FRP an essential tool for NSW to meet the requirements for regulating the retail and food service sector as outlined in Chapter 3 of the Food Standards Code and co-ordinating consistency across the state. The FRP allows NSW to implement performance ratings, high risk activity guidance and food safety education to frontline EHOs in a timely and consistent manner.

ENDS

The views expressed in this submission may or may not accord with those of other NSW Government agencies. The NSW Food Authority has a policy which encourages the full range of NSW agency views to be submitted during the standards development stages before final assessment. Other relevant NSW Government agencies are aware of and agree with this policy.