Food Safety Programs

A guide to Standard 3.2.1 *Food Safety Programs*

**Chapter 3 of the Australia New Zealand Food Standards Code
(Australia only)**

First edition, June 2007

**Food Standards Australia New Zealand
Canberra**

Contents

Introduction

What is the purpose of the guide?

This guide to Standard 3.2.1 *Food Safety Programs* aims to help people who are responsible for enforcing the *Australia New Zealand Food Standards Code* (the Code) to understand the intent of the clauses contained in Standard 3.2.1. It has been developed by Food Standards Australia New Zealand (FSANZ) in accordance with section 7(1)(c) of the *Food Standards Australia New Zealand Act 1991.* A copy of Standard 3.2.1 is included in this guide at pages 9 to 12. The entire Code is available on the FSANZ website at www.foodstandards.gov.au.

What is the scope of the guide?

The guide has been developed to help enforcement officers understand the **general intent** of individual clauses in Standard 3.2.1. It does this by providing, in general terms, an explanation of the legally defined terms and the individual clauses. It also includes examples, where appropriate. This guide does not provide specific guidance on how businesses should develop and implement food safety programs. Enforcement officers seeking more guidance on how to enforce Standard 3.2.1 for food businesses required to comply with this standard should refer to the range of tools, templates and guides developed by the Australian Government and individual state and territory food authorities. (See Appendix 1 for information on how to obtain this guidance material.)

Is the information in this guide legally binding?

No. The guidance provided in the guide is not legally binding—only the clauses in the standard are legally binding. Persons who are uncertain about the meaning of a clause in Standard 3.2.1 can refer to the explanation in this guide for clarification.

As Standard 3.2.1 forms only a part of Australian food legislation, state, territory and enforcement officers should refer also to other standards in the Code and to their state's or territory's legislation, as these may also contain food safety program requirements. For example, in Victoria, all food businesses must already have a food safety program in place (except retail businesses selling low-risk pre-packaged food).

The guide includes examples where these may be helpful in explaining the meaning of a clause. However, neither the explanations in the guide nor the examples are legal requirements for food businesses. The examples given in this guide are used to illustrate how the clause might apply. They should not be taken to be the only instances where the standard would apply.

Can I provide feedback on this guide?

This edition of the guide will be reviewed and amended as necessary. Readers are invited to contact FSANZ if they have suggestions that would improve the guide, or if they believe additional explanation should be included. Feedback should be sent to the addresses on page ii.

FSANZ disclaims liability for any loss or injury directly or indirectly sustained by any person as a result of relying on this guide. Food businesses should seek independent legal advice if they have any queries about their legal obligations under food standards.

How do I use this guide?

This guide provides an explanation of each clause of the standard, in the same order in which they appear in the standard. This interpretation of the standard begins on page 13. A copy of the complete standard (Standard 3.2.1) is on pages 9 to 12.

The definitions in Standard 3.2.1 have also been explained at the beginning of the interpretive section. An alphabetical listing of other definitions that are contained in Standards 3.1.1 *Interpretation and Application*, 3.2.2 *Food Safety Practices and General Requirements* and 3.2.3 *Food Premises and Equipment* and are of relevance to this standard have been included in the Glossary.

The intended outcome for each clause of the standard is set out in a shaded box that precedes the explanation for that clause. For example, for clause 2 Application of this Standard, the outcome is:

> This clause specifies the food businesses that must comply with this standard.

These outcomes are not legally binding. They have been included to explain the purpose of each clause.

The text of each clause of the standard is included in bold type throughout the interpretive sections of the guide. The clause, subclause and paragraph numbering and lettering are the same as those in the standard.

For example:

(3)   A food business must:

(a)   systematically examine all of its food safety handling operations in order to identify the potential hazards that may reasonably be expected to occur;

An explanation of paragraph 3(a) then follows this bolded text. In some instances, clause and subclause numbering has been repeated where it is helpful for readers.

Examples are titled and are set out in shaded boxes throughout the text. These examples serve to illustrate the intent of the requirements. For example, within the clause on auditing an example has been included on auditing frequency to illustrate that frequency can change depending on the results of the audit. The example is:

> **Example of auditing frequency**
>
> A state government (that allows third-party auditors) determines that food safety programs for hospitals are to be audited, initially, twice a year. All hospitals in this state would therefore need to arrange for their food safety program to be audited, initially, at least twice a year. Audits could then be done more often (up to four times a year) or less often (once a year), depending on the results of the audit.

Examples have been included for illustrative purposes only and are not legally binding.

Background to the development of Standard 3.2.1

Why were national food safety standards developed?

Australia has one of the safest food supplies in the world. However, foodborne illness is an ongoing problem and one that state, territory and Australian governments are working together to minimise. The national food safety standards specify the requirements that food businesses need to follow to ensure food sold in Australia is safe to eat. These national standards replaced prescriptive food hygiene measures that did not solely focus on food safety and differed across each state and territory. The national food safety standards manage food safety more effectively. They focus on measures to reduce the incidence of foodborne illness and help those food businesses that trade across states and territories by requiring them to follow only one set of food safety requirements.

What is Standard 3.2.1?

Standard 3.2.1 is one of the national food safety standards in Chapter 3 of the *Australia New Zealand Food Standards Code* (the Code) that outline the responsibilities of food businesses—for premises, equipment and food safety practices—to ensure that the food these businesses produce is safe.

What food safety standards were developed?

Four food safety standards were initially developed:

Standard 3.1.1 *Interpretation and Application*

Standard 3.1.1 sets out the interpretation and application provisions that apply to the other food safety standards. For example, it defines terms that are used across more than one of the food safety standards such as 'safe food', 'suitable food', 'food business' and 'sell'.

Standard 3.2.1 *Food Safety Programs*

Standard 3.2.1 specifies the requirements for food safety programs and is the subject of this guide. Only certain businesses are required to comply with this standard. See pages 5 and 6 for further explanation of the businesses that need to comply. A food safety program is a written document indicating how a food business will control the food safety hazards associated with the food handling activities of the business.

Standard 3.2.2 *Food Safety Practices and General Requirements*

Standard 3.2.2 sets out specific food handling controls related to the receipt, storage, processing, display, packaging, transportation, disposal and recall of food. Other requirements relate to the skills and knowledge of food handlers and their supervisors, the health and hygiene of food handlers, and the cleaning, sanitising and maintenance of the food premises and equipment within the premises. If complied with, these requirements should ensure that food does not become unsafe or unsuitable.

Standard 3.2.2 does not require the food business to keep any records demonstrating compliance with this standard. This is the purpose of Standard 3.2.1. Effectively, Standard 3.2.1 requires the business to set out in a documented food safety program how it will comply with Standard 3.2.2,

how it will monitor compliance with the food safety program, and what action it will take if monitoring finds the food safety program is not being complied with.

All food businesses are required to comply with Standard 3.2.2. However, for some requirements in the standard, there are exemptions for charities and community groups, and also for businesses operating from temporary food premises and from private homes.

Standard 3.2.3 *Food Premises and Equipment*

Standard 3.2.3 sets out the requirements for food premises, fixtures, fittings, equipment and food transport vehicles. Food businesses that comply with these requirements will find it easier to meet the requirements of Standard 3.2.2. However, as per Standard 3.2.2, for some requirements in the standard there are exemptions for businesses operating from temporary food premises and from private homes.

All food businesses are required to comply with Standard 3.2.3.

When were the food safety standards adopted?

In August 2000, three of the national food safety standards were adopted into Chapter 3 of the Code for application in Australia only. These are:

> Standard 3.1.1 *Interpretation and Application*
>
> Standard 3.2.2 *Food Safety Practices and General Requirements*
>
> Standard 3.2.3 *Food Premises and Equipment*

These three standards have now been incorporated into state and territory law and therefore all food businesses must comply with these standards.

The fourth standard, 3.2.1 *Food Safety Programs*, was not adopted in August 2000 because governments wanted more work to be done on the costs and benefits of food businesses implementing food safety programs.

When was Standard 3.2.1 adopted into the Code?

While awaiting the outcome of the additional work on the costs and benefits of food businesses implementing food safety programs, Ministers agreed in November 2000 to gazette Standard 3.2.1 as a model standard. This was to allow states and territories that wanted to introduce a food safety program requirement for some classes of food businesses (earlier than being proposed nationally) to do so by adopting Standard 3.2.1.

In December 2003, when the work on costs and benefits of food safety programs was completed, the Australia New Zealand Food Regulation Ministerial Council endorsed the *Ministerial Policy Guidelines on Food Safety Management in Australia* (Ministerial Policy Guidelines).[1] These guidelines identify those food businesses that should be required to have a food safety program as defined in Standard 3.2.1 based on the food safety risk they pose. The following four food industry sectors were identified as being high risk:

• food service in which potentially hazardous food is served to vulnerable populations

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1   This guideline is available from the Food Regulation Secretariat's page of the Department of Health and Ageing's website www.health.gov.au.

- the harvesting, processing and distribution of raw oysters and other bivalves
- catering operations serving food to the general public
- the production of manufactured and fermented meat.

In determining the businesses that should be required to have a food safety program, the following was referred to:

- data from a national surveillance system called OzFoodNet[2] that keeps track of and reports on outbreaks of foodborne illness, its incidence in Australia and its causes
- a report called *Food safety management systems: costs, benefits and alternatives* (May 2002)[3] that examined closely the costs for businesses in having a food safety program, the benefits for consumers of this approach and other systems that might deliver a similar level of food safety
- the findings of the National Risk Validation Project (May 2002)[4] that identified the food handling sectors in Australia that posed the greatest food safety risk.

Who must comply with Standard 3.2.1 and by when?

High-risk sectors

In accordance with the Ministerial Policy Guidelines, FSANZ has developed standards requiring food safety programs in three of the four high-risk sectors identified above. A standard for the remaining high-risk sector, catering, is still under development. Further detail is provided below.

1. Food service in which potentially hazardous food is served to vulnerable populations

On 5 October 2006, FSANZ gazetted Standard 3.3.1 *Food Safety Programs for Food Service to Vulnerable Persons*. This standard requires food businesses that prepare food for service to vulnerable persons to implement a food safety program in accordance with Standard 3.2.1. This will normally include food businesses providing food to hospital patients, aged care residents and children in child care centres. It will also normally apply to businesses that deliver meals, that is, organisations that prepare food for delivery to vulnerable persons. Food businesses required to comply with this standard have until 5 October 2008 to have a food safety program in place.

2. The harvesting, processing and distribution of raw oysters and other bivalves

On 26 May 2005, FSANZ gazetted Standard 4.2.1 *Primary Production and Processing Standard for Seafood*, which is currently being implemented by the states and territories. This standard requires food safety management systems for the production and processing of raw oysters and other bivalves. To comply with the requirement for a food safety management system, businesses can comply with Standard 3.2.1. However, Standard 4.2.1 also lists other compliance options such as implementing the Codex Alimentarius Hazard Analysis Critical Control Point (HACCP) system. HACCP and the Codex HACCP system are further explained on pages 13 to 17.

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2   More information on OzFoodNet is available from the website at www.ozfoodnet.org.au.

3   This report was prepared by the Allen Consulting Group Pty Ltd for the Department of Health and Ageing. It is available from this Department's website at www.health.gov.au.

4   This report was prepared by Food Science Australia and Minter Ellison Consulting for the Department of Health and Ageing. It is available from this Department's website at www.health.gov.au.

3. Catering operations serving food to the general public

FSANZ is currently working on a standard to require businesses that engage in certain off-site and on-site catering activities to develop and implement a food safety program in accordance with Standard 3.2.1. An advisory group comprising industry, government and consumer representatives is assisting FSANZ with this proposal (P290 – Food Safety Programs for Catering Operations for the General Public). When a standard is gazetted, food businesses covered by the standard will be required to have a food safety program in place two years from the date of gazettal.

4. The production of manufactured and fermented meat

On 26 November 2005, FSANZ gazetted requirements for producers of manufactured and fermented meats in Standard 4.2.2 *Primary Production and Processing Standard for Poultry Meat* and Standard 4.2.3 *Production and Processing Standard for Meat*. Producers of manufactured and fermented meats have two years to comply with these requirements, that is, 26 November 2007. These requirements do **not** require compliance with Standard 3.2.1. Businesses to which Standards 4.2.2 or 4.2.3 apply must develop a food safety management system in accordance with these standards and therefore need to refer to Standards 4.2.2 and 4.2.3.

Other food businesses

FSANZ is also developing other standards for the primary production sector. Within these standards primary production businesses may be required to implement a documented food safety program as defined in Standard 3.2.1 or this may be one of several options for implementing a food safety system. On 5 October 2006, Standard 4.2.4 *Primary Production and Processing Standard for Dairy Products* was gazetted. This standard begins on 5 October 2008. Dairy businesses to which this standard applies are required to implement a documented food safety program as defined in Standard 3.2.1. Primary production standards currently under development are those for the poultry and egg sectors. Standards will also follow for the meat and horticultural sectors.

Irrespective of this work, all food businesses in Victoria must already have a food safety program (except retail businesses selling low-risk pre-packaged food). For more information refer to www.health.vic.gov.au/foodsafety.

Other jurisdictions may also require businesses to have HACCP-based food safety systems in place. Therefore, all food businesses need to check with their local authority for the requirements that apply in the state or territory where the business is located.

Standard 3.2.1

Food Safety Programs

Standard 3.2.1

Food Safety Programs

(Australia only)

Purpose

This Standard is based upon the principle that food safety is best ensured through the identification and control of hazards in the production, manufacturing and handling of food as described in the Hazard Analysis and Critical Control Point (HACCP) system, adopted by the joint WHO/FAO Codex Alimentarius Commission, rather than relying on end product standards alone. This standard enables states and territories to require food businesses to implement a food safety program based upon the HACCP concepts. The food safety program is to be implemented and reviewed by the food business, and is subject to periodic audit by a suitably qualified food safety auditor.

Contents

Division 1 — Interpretation and application

1   Interpretation

In this Standard –

        auditing frequency means the most recently determined frequency of auditing determined by the appropriate enforcement agency, or a food safety auditor, in accordance with the Act.

food safety program means a food safety program that satisfies the requirements of clause 5.

food safety auditor means a person approved as a food safety auditor under the Act as a person competent to audit the relevant class of food business.

Editorial note:

Jurisdictions may approve environmental health officers, private contractors, or a mixture of the two as food safety auditors.

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monitoring includes checking, observing or supervising in order to maintain control.

2   Application of this Standard

(1)   This Standard applies to food businesses in Australia in accordance with Standard 3.1.1 and subclause (2).

(2)   This Standard applies to all food businesses that are determined by the appropriate enforcement agency under the Act to be within a priority classification of food business from the commencement date for that priority classification of food business.

Replacement subclause 2(2) to commence on 26 May 2006

(2)   Unless expressly provided elsewhere in this Code, this Standard applies to all food and primary food production businesses that are determined by the appropriate enforcement agency under the Act to be within a priority classification of food business from the commencement date for that priority classification of food business.

Editorial note:

Under the Act, the appropriate enforcement agency must determine the priority classification of individual food businesses.

Jurisdictions may determine the mechanism by which a priority classification system and date of commencement is established, i.e. by regulation or declaration.

Division 2 — Food safety programs

3   General food safety program requirements

A food business must:

(a)   systematically examine all of its food handling operations in order to identify the potential hazards that may reasonably be expected to occur;

(b)   if one or more hazards are identified in accordance with paragraph (a), develop and implement a food safety program to control the hazard or hazards;

(c)   set out the food safety program in a written document and retain that document at the food premises;

(d)   comply with the food safety program; and

(e)   conduct a review of the food safety program at least annually to ensure its adequacy.

4   Auditing of food safety programs

A food business must:

(a)   ensure that the food safety program is audited by a food safety auditor at the auditing frequency applicable to the food business;

(b)   make the written document that sets out the food safety program, and the appropriate records referred to in paragraph 5(f), available to any food safety auditor who has been requested to conduct an audit of the food safety program; and

(c)   retain copies of all written reports of the results of all audits of the food safety program conducted by a food safety auditor within the last four years, for inspection upon request by a food safety auditor who audits the food safety program or an authorised officer.

Editorial note:

ANZFA has developed food safety auditor approval criteria for food safety auditors in conjunction with the states and territories.

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5   Content of food safety programs

A food safety program must:

(a)   systematically identify the potential hazards that may be reasonably expected to occur in all food handling operations of the food business;

(b)   identify where, in a food handling operation, each hazard identified under paragraph (a) can be controlled and the means of control;

(c)   provide for the systematic monitoring of those controls;

(d)   provide for appropriate corrective action when that hazard, or each of those hazards, is found not to be under control;

(e)   provide for the regular review of the program by the food business to ensure its adequacy; and

(f)   provide for appropriate records to be made and kept by the food business demonstrating action taken in relation to, or in compliance with, the food safety program.

6   Fund raising events

A food business does not have to prepare a food safety program in accordance with this Standard in relation to fundraising events conducted by the food business, that is, events that raise funds solely for community or charitable causes and not for personal financial gain.

Interpretation of Standard 3.2.1 *Food Safety Programs*

Purpose

This standard is based upon the principle that food safety is best ensured through the identification and control of hazards in the production, manufacturing and handling of food as described in the Hazard Analysis and Critical Control Point (HACCP) system, adopted by the joint WHO/FAO Codex Alimentarius Commission, rather than relying on end product standards alone. This standard enables states and territories to require food businesses to implement a food safety program based upon the HACCP concepts. The food safety program is to be implemented and reviewed by the food business, and is subject to periodic audit by a suitably qualified food safety auditor.

The above section appears at the beginning of Standard 3.2.1 and explains the purpose of the standard. Further explanation of this section, and thereby the purpose of the standard, is provided below.

What is HACCP?

HACCP, or the Hazard Analysis Critical Control Point system, is a way of ensuring that food is safe. It provides a formal method for food businesses to manage the safety of food as it is prepared and processed within the business. It requires businesses to:

*   identify what food safety problems could occur (food safety hazards) at each stage of food production. For example, if cooked food is cooled too slowly, food poisoning bacteria can grow to dangerous levels

*   identify where these food safety problems can be controlled (that is, the steps during the production of the food where controls can be put in place), for example the cooling step

*   put in place specific controls, including the criteria which separates acceptability from unacceptability, to make sure that these food safety problems do not occur. For example, establish a cooling procedure that cools cooked food from 60°C to 21°C within 2 hours and from 21°C to 5°C within a further 4 hours, such as using shallow trays for cooling in the refrigerator

*   monitor these controls to make sure that they are in place and working. For example, check that the cooling procedure is being followed

*   take action if monitoring finds that a control is not working and consequently a food safety problem could have occurred (this is referred to as corrective action). For example, if monitoring finds that the cooling procedure has not been followed, discard the food and carry out a follow-up investigation to determine why the procedure was not followed so that any problems can be resolved

*   keep records of monitoring and corrective actions so that the business has confidence that the food safety controls in place are working correctly and can demonstrate this to others, for example government enforcement officers

- regularly review the entire HACCP system to make sure that it is being followed, it covers all the food handling activities of the business and any necessary changes are made for the system to maintain the safety of the food handled by the business.

Food businesses already take steps to make sure that the food they produce is safe. However, HACCP provides a formal documented system for businesses to ensure that nothing is missed.

Where did the HACCP concept come from?

HACCP was developed in the 1960s in the United States by the Pillsbury Company for the National Aeronautics and Space Administration (NASA), to ensure the safety of the food provided for the astronauts. The existing system of testing a sample of food for safety was not considered adequate enough for astronauts, as testing a sample of a batch of food does not guarantee the safety of the entire batch. NASA wanted a system that ensured all food provided to astronauts was safe all the time. The HACCP system ensured this by requiring the companies that manufactured food for astronauts to systematically control all potential food safety hazards at every step of the food's manufacture, and to keep records to demonstrate this was occurring.

What is 'Codex HACCP'?

'Codex HACCP' is the HACCP system specified within the *Basic texts on food hygiene, third edition*.[5] This document was developed by the Codex Alimentarius Commission (Codex). Codex was created in 1963 by the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) to develop international food standards, guidelines and related texts such as codes of practice under the Joint FAO/WHO Food Standards Programme. The Codex Alimentarius, or the food code, has become the global reference on food standards. The HACCP system specified within the *Basic texts on food hygiene* is therefore the international reference to HACCP.

The Codex HACCP system consists of the following seven principles:

1   Conduct a hazard analysis.[6]

2   Determine the critical control points (CCPs).[7]

3   Establish critical limit(s).[8]

4   Establish a system to monitor control of the CCP.

5   Establish the corrective action to be taken when monitoring indicates that a particular CCP is not under control.

6   Establish procedures for verification to confirm that the HACCP system is working effectively.

7   Establish documentation concerning all procedures and records appropriate to these principles and their application.

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5   For a copy of this document, see <www.codexalimentarius.net> under 'Official standards'—'Special publications'.

6   A hazard analysis is the process of collecting and evaluating information on food safety hazards and conditions leading to their presence to decide which are significant for food safety and therefore should be addressed in the HACCP system.

7   A critical control point is a step during food production at which control can be applied and is essential to prevent or eliminate a food safety hazard or reduce it to an acceptable level.

8   A critical limit is a criterion that separates acceptability from unacceptability.

Why is Standard 3.2.1 based on Codex HACCP?

The requirements of Standard 3.2.1 are not identical to the principles of HACCP as set out within the Codex *Basic texts on food hygiene*. However, the outcome is the same: a documented system in place that identifies and controls potential food safety hazards. The table below compares the seven principles of HACCP with Standard 3.2.1. The main differences are then further discussed.

Table 1: Comparison between the seven principles of Codex HACCP and Standard 3.2.1 **Food Safety Programs**

Seven principles of HACCP	Comparison with Standard 3.2.1
1 Conduct a hazard analysis.	Paragraph 3(a) requires a food business to systematically examine all of its food handling operations in order to identify the potential hazards that may reasonably be expected to occur.
2 Determine the critical control points (CCPs). (Codex recommends businesses have in place prerequisite programs (or support programs) before they implement HACCP and therefore it is primarily the CCPs that should remain.)	Paragraph 5(b) requires a food safety program to identify where, in a food handling operation, each hazard identified can be controlled. CCPs do not need to be identified separately. This means the food safety program must identify the point where all hazards (reasonably expected to occur) can be controlled. This will include the use of support programs to control hazards that are common across food handling steps.
3 Establish critical limits.	Paragraph 5(b) requires a food safety program to identify the means of control. This would mean establishing the criteria that separates acceptability from unacceptability at each of the control points. If the control is through a support program, the program would have to specify these criteria.
4 Establish a system to monitor control of the CCP.	Paragraph 5(c) requires a food safety program to provide for the systematic monitoring of those controls. This would include monitoring compliance with support programs.
5 Establish the corrective action to be taken when monitoring indicates a particular CCP is not under control.	Paragraph 5(d) requires a food safety program to provide for appropriate corrective action when that hazard, or each of those hazards, is found not to be under control.

Continued

Seven principles of HACCP	Comparison with Standard 3.2.1
6 Establish procedures for verification to confirm that the HACCP system is working correctly.	Paragraph 5(e) requires a food safety program to provide for the regular review of the program by the food business to ensure its adequacy.
7 Establish documentation concerning all procedures and records appropriate to these principles and their application.	Paragraph 5(f) requires a food safety program to provide for appropriate records to be made and kept by the food business demonstrating action taken in relation to, or in compliance with, the food safety program.

Explanation of main differences between Codex HACCP and Standard 3.2.1

Standard 3.2.1 requires the business's food safety program to identify and control all potential food safety hazards whereas Codex HACCP focuses on the critical hazards and controls.

It is essential that businesses control all potential food safety hazards that may reasonably be expected to occur in the food handling operations of the business.

Codex HACCP achieves this by recommending businesses have in place prerequisite programs (or support programs) before they implement a HACCP system. Examples of support programs include staff health and hygiene, cleaning and sanitation, pest control, approved supplier, food disposal, equipment calibration and maintenance. These programs normally control hazards that apply across the food handling activities of the business. For example, a pest control program controls the microbiological and physical hazards of pest infestation of food.

Standard 3.2.1 achieves this by requiring the food safety program to identify and control all potential hazards (reasonably expected to occur). This means the food safety program must include:

• documented support programs to control the hazards that apply across food handling activities

• documented controls for the remaining hazards that are more specific to the food handling activities of the business. Hazards specific to a food handling step such as storage and cooking are normally controlled at the step and set out in a table.

The outcome of both systems is the same. All hazards must be documented and controlled.

Standard 3.2.1 requires all hazards identified to be controlled; Codex HACCP requires a hazard analysis to be conducted to focus controls on critical hazards.

Standard 3.2.1 requires all identified hazards to be controlled within the food safety program. As stated above, this is to ensure that the food safety program includes documented support programs. Because Codex recommends that these support programs be put in place before the business implements Codex HACCP, Codex HACCP need only focus on the critical hazards as all other hazards should already have been controlled by the support programs.

Standard 3.2.1 includes additional requirements to Codex HACCP.

Standard 3.2.1 includes additional requirements, as it is a legal standard that will be enforced to assess whether food businesses are meeting its requirements. For example, it requires food businesses to comply with the food safety program and to set out the program in a written document. Codex HACCP is not a legal standard, but a code of practice outlining the principles of HACCP and how it can be implemented.

Why are food safety programs being mandated for certain categories of businesses?

While all food businesses must comply with the food safety practices specified within Standard 3.2.2 *Food Safety Practices and General Requirements*, it is considered necessary for businesses that are identified as high risk and where the benefits of implementing a food safety program outweigh the costs to comply with the additional requirements of Standard 3.2.1. Essentially this requires the business to demonstrate that it is complying with Standard 3.2.2 by writing this down in a food safety program, and monitoring this program to make sure that the program is being followed. Specifically, the business must:

- carefully examine all its food handling operations to identify any potential hazards

- if one or more hazards are identified, develop a food safety program to control the hazard(s)

- set the food safety program in a written document and retain that on the premises

- comply with the program

- conduct a review of the program at least annually to make sure it is adequate.

Division 1 — Interpretation and application

1   Interpretation

This clause defines words applicable to this standard only.

The definitions in Standard 3.1.1 *Interpretation and Application* also apply in this standard. If a term is not defined in this standard or in Standard 3.1.1, the most recent edition of *The Macquarie dictionary*, published by The Macquarie Library Pty Ltd, should be referred to.

Some definitions and clauses refer to the 'Act'. This means the relevant state or territory Act that refers to the *Australia New Zealand Food Standards Code* as legislation in that jurisdiction. This is usually the state's or territory's food Act or primary production Act.

1   In this Standard –

auditing frequency **means the most recently determined frequency of auditing determined by the appropriate enforcement agency, or a food safety auditor, in accordance with the Act.**

> How often a food business is audited is decided by the enforcement agency that has jurisdiction. Auditing frequency may be specified within state or territory legislation, in guidelines or in another instrument.

food safety program **means a food safety program that satisfies the requirements of clause 5.**

> Clause 5 states:
>
> **A food safety program must:**
>
> **(a)   systematically identify the potential hazards that may be reasonably expected to occur in all food handling operations of the food business;**
>
> **(b)   identify where, in a food handling operation, each hazard identified under paragraph (a) can be controlled and the means of control;**
>
> **(c)   provide for the systematic monitoring of those controls;**
>
> **(d)   provide for appropriate corrective action when that hazard, or each of those hazards, is found not to be under control;**
>
> **(e)   provide for the regular review of the program by the food business to ensure its adequacy; and**
>
> **(f)   provide for appropriate records to be made and kept by the food business demonstrating action taken in relation to, or in compliance with, the food safety program.**

A detailed discussion of the intent of clause 5, subclauses (a) to (f) is contained on pages 31 to 40 of this guide.

food safety auditor **means a person approved as a food safety auditor under the Act as a person competent to audit the relevant class of food business.**

A food safety auditor is a person approved under the state or territory food Act where the business is located to carry out a food safety audit for a particular class of business. For example, an auditor may be approved to audit seafood businesses but not hospitals. This is because the audit competencies required are different for these types of businesses.

There is an editorial note in clause 1 of Standard 3.2.1 that 'jurisdictions may approve environmental health officers, private contractors, or a mixture of the two as food safety auditors'. Each jurisdiction is responsible for approving auditors. This may be in accordance with agreed national criteria. State and territories may provide information, on their websites, on the auditors that have been approved within their jurisdiction.

The duties of food safety auditors and the reporting requirements are specified within each state or territory food Act.

Normally the duties of a food safety auditor are to:

- carry out initial audits of food safety programs at the frequency determined by the enforcement agency
- determine subsequent audit frequencies within the range appropriate for the priority classification of the business (that is, whether it is classified as high-, medium- or low-risk)
- assess food businesses for compliance with the food safety standards (including the food safety program requirements)
- carry out follow-up action to ensure that nonconformances (matters where the business does not comply with the food safety standards, including the food safety program requirements) have been rectified
- report the outcomes of the audit to the appropriate enforcement agency.

monitoring **includes checking, observing or supervising in order to maintain control.**

Monitoring is a way of making sure that identified hazards are kept under control. For example, the practices of staff can be observed to assess whether food safety procedures are being followed. Monitoring activities need to be written down so it can be demonstrated that the identified hazard has been controlled or that corrective action has been taken when a hazard is found not to be under control. For example, a check list can be used to indicate whether staff are following correct procedures. This check list should allow for enough room to write down what action is taken if it is observed that the correct practices are not being followed.

2   Application of this standard

This clause specifies the food businesses that must comply with this standard.

2(1)   This Standard applies to food businesses in Australia in accordance with Standard 3.1.1 and subclause (2).

Standard 3.1.1 says that the standards within Chapter 3 apply to all food businesses in Australia but not in New Zealand. With respect to Standard 3.2.1, it means the standard can be applied in

Australia in accordance with subclause (2) below. A 'food business' is defined and does not include 'primary food production'. However, while the Chapter 3 standards do not normally apply to primary food producers, subclause 2(2) permits Standard 3.2.1 to be applied to primary food production businesses.

Information about food safety programs in New Zealand is available on the New Zealand Food Safety Authority's website at www.nzfsa.govt.nz.

2(2)   Unless expressly provided elsewhere in this Code, this Standard applies to all food and primary food production businesses that are determined by the appropriate enforcement agency under the Act to be within a priority classification of food business from the commencement date for that priority classification of food business.

Subclause 2(2) allows Standard 3.2.1 to be applied to a food business or primary food production business based on a priority classification system. Priority classification is a system that classifies food businesses into risk categories based on the type of food, activity of the business, method of processing and customer base. The method of classification is decided by the state or territory where the food business is located and may be based on a national model. For example, a particular state or territory could decide that all food businesses within the state or territory that are classified as high-risk must comply with this standard. In Victoria, all food businesses must already have food safety programs in place (except retail businesses selling low-risk pre-packaged food). See www.health.vic.gov.au/foodsafety for more information.

At a national level, the Australia New Zealand Food Regulation Ministerial Council agreed to the *Ministerial Policy Guidelines on Food Safety Management in Australia* in December 2003. These guidelines propose that food safety programs be mandatory for four high-risk food industry sectors (in Australia only). The four high-risk sectors are:

• food service, where potentially hazardous food is served to vulnerable populations

• the harvesting, processing and distribution of raw oysters and other bivalves

• catering operations serving food to the general public

• the production of manufactured and fermented meat.

To make it compulsory for these high-risk food industry sectors to implement food safety programs, FSANZ has written separate standards for each sector rather than using this subclause to apply Standard 3.2.1 to these sectors. This enables FSANZ to include the definitions necessary to apply the standards and other requirements or exemptions specified within the Ministerial Policy Guidelines or other matters considered necessary during the development of each standard.

The new standards are:

1   Standard 3.3.1 *Food Safety Programs for Food Supplied to Vulnerable Persons*

2   Standard 4.2.1 *Primary Production and Processing Standard for Seafood*

3   Standard 3.3.2 *Food Safety Programs for Catering*

4   Standard 4.2.2 *Primary Production and Processing Standard for Poultry Meat* (Division 3 — Production of ready-to-eat poultry meat) and Standard 4.2.3 *Primary Production and Processing Standard for Meat* (Division 3 — Production of ready-to-eat meat).

See 'Who must comply with Standard 3.2.1 and by when?' on pages 5 and 6 for further explanation of these standards and the businesses that must comply with Standard 3.2.1.

Division 2 — Food safety programs

3   General food safety program requirements

If a food business identifies one or more hazards in its food handling operations, it must:

- develop a written food safety program

- follow the five steps specified in this clause

- comply with that food safety program and regularly review it.

Clause 3, subclauses (a) to (e) list five things a food business must do when developing its food safety program. Clause 3 (what the business must do) sits closely alongside clause 5 (what should be in the food safety program).

Merely having a documented food safety program is not sufficient. The food business must be able to show that it:

- has systematically identified all of the food handling activities of the business

- has identified and written down any hazards, and has identified the control measures necessary to control those hazards

- has written the document in English and in a form that meets the requirements of clause 5 of Standard 3.2.1

- is complying with its food safety program, and provides for the regular review of that program.

The five key steps in developing a food safety program are discussed below in more detail.

3   A food business must:

3(a)   systematically examine all of its food handling operations in order to identify the potential hazards that may reasonably be expected to occur;

The food business must, in a systematic way, examine all of its food handling activities to identify any potential hazards. To 'systematically examine' food handling operations, the food business should list all the steps in its food operations, beginning with receiving food (including ingredients) into the business and finishing with the final step.

'Food handling operation' is defined in Standard 3.1.1 as 'any activity involving the handling of food' and can include delivery, storage, preparation, cooking, chilling, reheating, serving, display and transportation. This is not an exhaustive list and food businesses need to look closely at all the food handling activities of the business, as these will vary from business to business according to the work done.

Example of systematically examining food handling activities

A hospital kitchen identifies the following food handling steps:

1   food receipt (includes assessing food for safety and suitability when it is received from suppliers to assess its compliance against the business's specifications)

2   food storage: placing food into dry or cold/frozen storage

3   food preparation: includes washing, chopping/slicing/mincing, adding other ingredients, mixing

4   cooking

5   cooling for cooked foods that are to be cooled

6   storing prepared foods in cool rooms (when not served immediately)

7   reheating

8   plating and identifying meals on trays

9   delivery to patients

10 return of leftover food.

The food handling steps in the above example can be illustrated in the form of a flow diagram (see the diagram opposite). A food business can use guidance material to help it identify the steps in its operations. If guidance material is used, however, the business must make the necessary modifications to include all of the steps identified for the business. For example, the business may need to add extra steps or make amendments to ensure that the steps accurately reflect what the business does.

When the business has listed the steps in its food operations, it must look carefully at each step to identify potential hazards that may be reasonably expected to occur for each step.

'Reasonably expected to occur' means the hazard is foreseeable, typical or likely to occur due to the specific nature, storage, transportation, preparation or handling of the food. For example, a potential hazard that is reasonably likely to occur during cooking is survival of food poisoning bacteria. The examining of potential hazards that may be reasonably expected to occur is further explained under clause 5(a) on pages 31 and 32.

Hazards not reasonably expected to occur do not need to be considered. For example, if a business sources all of its water to be used on the premises from the mains water system and this water is of drinkable standard, potential hazards are not likely to occur from the use of this water. However, if water is sourced from non-mains supplies such as tanks, then the water may be a source of hazards and controls need to be considered.
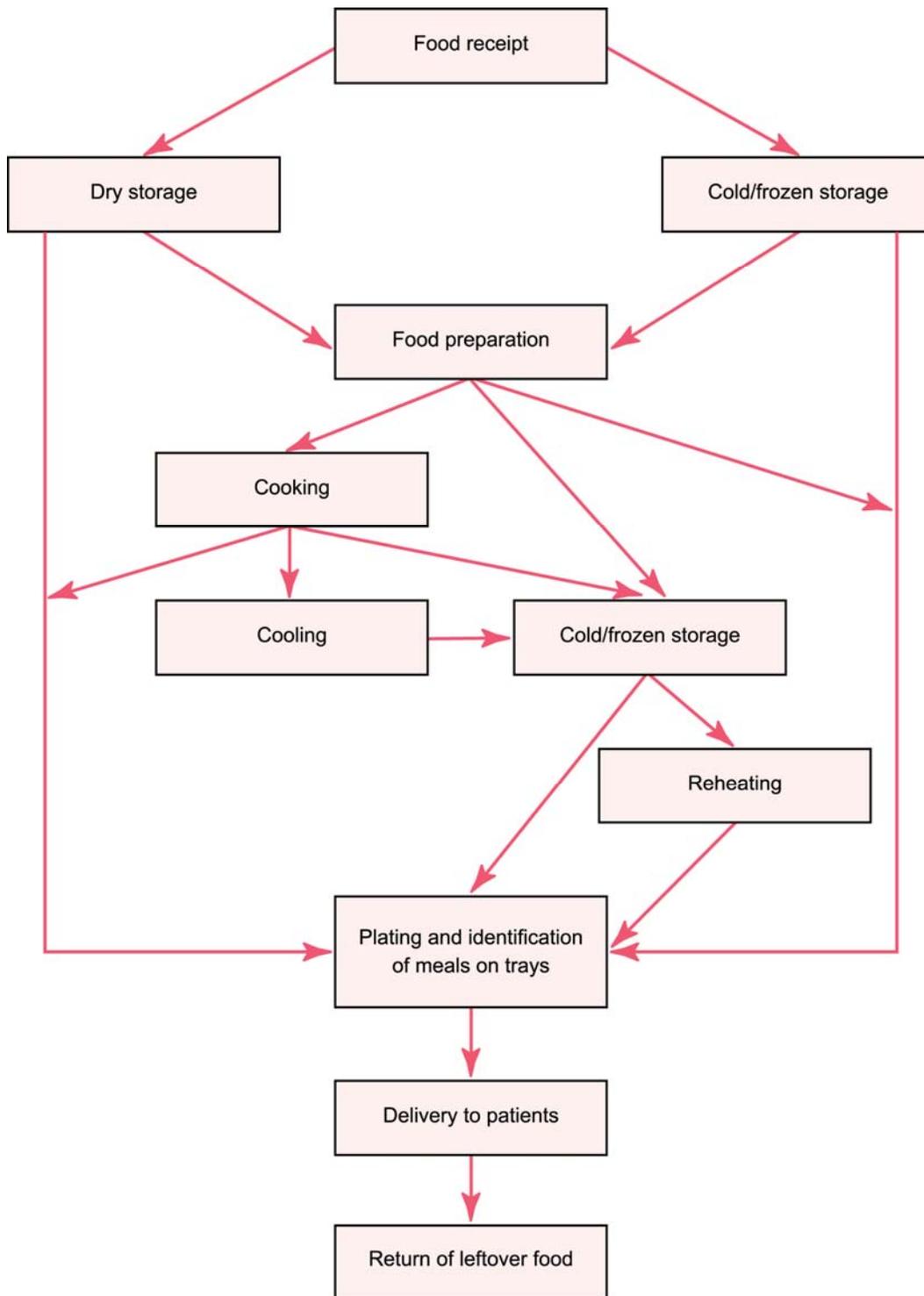
Figure 1: Example of a flow diagram for a hospital kitchen supplying food to patients

3(b) if one or more hazards are identified in accordance with paragraph (a), develop and implement a food safety program to control the hazard or hazards;

A food business must write and follow a food safety program if there are any potential hazards identified in the food handling activities of the business. Food businesses that are required to comply with this standard will be able to identify potential hazards (see pages 5 and 6 for an explanation of the businesses required to comply with this standard). The content of a food safety program is outlined in clause 5.

In writing the food safety program, the business must list any potential hazards associated with the key food handling steps already identified under clause 3(a).

3(c) set out the food safety program in a written document and retain that document at the food premises;

The food safety program must be a written document, in English, that is kept on the premises. An enforcement officer will want to see the food safety program, either in writing or on a computer system readily available on the premises, in order to be satisfied that this program contains the information required in clause 5 of this standard.

The food safety program document needs to be held at the food business's premises at all times. The Commonwealth *Electronic Transaction Act 1999* allows records and documents to be kept in an electronic form. If the food safety program is in an electronic form, staff of the business must be able to access it on the premises at all times (that is, a computer on-site). The food safety program must be available to an auditor under paragraph 4(b).

When a food business is sold and the nature of the business remains unchanged, a food safety program could be transferred to the new owner/proprietor. However, this would be part of the commercial arrangements of the sale of the business. If a food safety program is transferred to a new owner, the new owner is responsible for ensuring that it meets all the legal requirements and accurately reflects the food handling activities of the business. Therefore, if any changes are made to the business's operations, these must be reflected in the food safety program.

If the management of the business changes (but not ownership), the food safety program and all relevant documentation such as records and audit reports must be retained by the owners of the business to satisfy their legal obligation to have a food safety program in place and appropriate records.

3(d) comply with the food safety program; and

To meet the requirements of clause 3(d), the food business must follow the food safety program it has developed. Activities that an enforcement officer might want to see as evidence (by observing the practices of the business and examining its records) that the food business is complying with its written food safety program include that the business is:

- following the control steps for each identified food safety hazard

- monitoring these control steps in the way described in the food safety program

- implementing the corrective actions if a hazard is found not to be under control

- keeping records of monitoring and corrective actions as indicated in the food safety program

- complying with the review procedure specified in the program.

As part of complying with its food safety program the business will need to:

- tell employees what their responsibilities are within the food safety program

- train employees in how to follow the food safety program

- supervise employees as necessary to make sure they follow the program

- modify the food safety program (following the review procedure) so that it continues to accurately reflect the food handling activities of the business and controls the potential hazards of these activities

- provide the necessary equipment so that the program can be followed, for example by supplying soap and single-use towels for hand washing.

> **3(e)   conduct a review of the food safety program at least annually to ensure its adequacy.**

To meet the legal requirement of clause 3(e) the food safety program must indicate that the program will be reviewed at least annually and when (approximately) this review will take place. This means that the program must be reviewed within the first 12 months of the program having been implemented, and then at least every 12 months from then on.

What is the purpose of a review?

A review ensures the food safety program is achieving its objective of controlling all potential food safety hazards that are reasonably likely to occur during the food's production.

A review is necessary because the activities of food businesses are not static; they change over time, for example when new equipment is purchased and menu items change. These factors may mean that the food safety program no longer controls the hazards that were identified by the business when the program was first developed. It may also mean that there are new hazards that need to be controlled to make sure the food is safe. When changes take place that affect the food safety program, food businesses need to review the plan immediately, regardless of when the next review is scheduled.

There are two parts to a review: **validation** and **verification**.

Validation

Validation is the action taken by the business to confirm that the control measures are effective in controlling the hazards (that is, they prevent, eliminate or reduce a food safety hazard to an acceptable level).

The validation of a food safety program needs to occur before it is implemented as it confirms whether the proposed controls will be effective. Therefore, when control measures are being determined during the development of the food safety program (as required under paragraph 5(b)), these control measures need to be validated and this is discussed further under this paragraph (see pages 32 to 35). However, as part of reviewing a food safety program, ongoing validation of this program must also be conducted. This needs to include the following checks:

- all potential hazards that are reasonably expected to occur have been identified

- the controls in place are effective. That is, they are capable of preventing, eliminating or reducing a food safety hazard to an acceptable level (while controls may have been validated when the program was first developed, any changes to these controls or the introduction of new controls should initiate re-validation of the food safety program).

Verification

Verification is the action taken by the business to confirm that the practices and procedures in the food safety program are happening.

Verification of a food safety program needs to occur after it has been implemented to check that it is operating as it should. The business must check that control measures (including support programs), monitoring activities, corrective actions and record keeping are actually happening in practice. Examples of actions the business can take to verify its food safety program include:

- checking that all of the food handling activities of the business are covered within the food safety program

- examining the records kept to ensure that food handlers are completing them correctly, including the recording of any non-conformances and the subsequent corrective action taken

- observing whether food handlers are complying with measures in the food safety program, for example by wearing correct protective clothing and washing and drying hands as required

- checking that contractors have performed the work for which they were engaged, for example that pest control baits are checked as specified in the pest control program.

When should the review take place?

The business must conduct a full review of its entire food safety program at least annually, and should specify in the food safety program the date for this review. However, the food safety program will also need to be reviewed during this 12-month period if there is any change in the business's food handling activities or if other matters occur that may affect the food safety program. However, unlike the annual review, this review need only be on the sections of the food safety program affected.

Prompts to carrying out a review include:

1 Internal factors in the business, for example:

- an internal audit (audit conducted by the business) finds non-conformances

- new or different types of equipment are used to process foods, for example a new type of oven may affect cooking times and temperatures

- changes made to chemicals used for cleaning and sanitising

- changes made to ingredients, additives or menu items

- results of microbiological testing indicates that controls may not be adequate

- customers complain of illness, which may indicate that handling operations including processing are inadequate or ineffective

- food recalls, for food safety reasons, involving the business's products.

2 External factors include:

- new information on hazards or control measures

- changes to legislation, and new or amended codes of practice, templates or other food safety guidance material

- audits by enforcement agencies find non-conformances

- reports of illness outbreaks in the media.

Enforcement agencies may help businesses determine whether a review is necessary by advising them of changes to legislation, improvements in controlling hazards, and new hazards that may occur in foods. Businesses should investigate immediately any customer complaints relevant to food safety to assess whether the food safety program requires any amendment, and should act on any advice or information from industry associations or other reliable sources of information.

What evidence should a business provide to show that a review has been conducted?

The enforcement agency must be satisfied that a food business has conducted a review to assess the adequacy of the food safety program. If the review indicates that there are problems with the program, the enforcement agency must be satisfied that action has been taken to correct or amend the program.

Records must be kept of the review to indicate:

• when the review took place

• what was reviewed, that is, the entire program or only certain parts

• the outcome

• what action, if any, was taken as a result of the review.

Note that while the program can be reviewed in parts, the entire program must be reviewed every twelve months.

Example of monitoring and review

In a hospital kitchen, staff follow cooking times and temperatures for the different types of food that are being cooked. These cooking times and temperatures have been validated to ensure the safety of the food and that the food appears cooked. For example, the business has determined that its lasagne needs to be cooked at 180°C for 35 minutes to ensure that the centre of the lasagne reaches at least 75°C and it looks cooked (that is, brown on top). Staff ensure the lasagne is not removed from the oven until the cooking times and temperatures have been reached and it looks cooked. Additionally, once a week, at the end of cooking, staff must measure the internal temperature of the lasagne and record these temperatures. If it is found that the cooking times and temperature do not ensure that the internal temperature of the lasagne reaches at least 75°C or that the lasagne appears cooked, the cooking times and temperatures will need to be readjusted. Every six weeks, management conducts a check of selected record keeping to ensure that staff are keeping the records specified in the food safety program and carrying out any corrective action where necessary.

Continued

A check of procedures indicates that staff have not kept records for the past three weeks although they have been monitoring the temperatures. Management directs staff to keep these records and conducts follow-up checks to ensure this occurs. Management also decides to conduct additional staff training on record keeping to ensure that staff know that keeping records demonstrates monitoring, allows for appropriate corrective action, and is required for auditing purposes.

4 Auditing of food safety programs

Food safety programs are audited by a food safety auditor at the frequency determined by the enforcement agency.

4 A food business must:

4(a) ensure that the food safety program is audited by a food safety auditor at the auditing frequency applicable to the food business;

A food safety auditor is defined in the standard as 'a person approved as a food safety auditor under the Act as a person competent to audit a relevant class of food business'. The Act is the relevant state or territory food Act or other legislation that has jurisdiction.

'Auditing frequency' is defined as 'the most recently determined frequency of auditing determined by the appropriate enforcement agency, or a food safety auditor, in accordance with the Act'. It is the responsibility of each state and territory to decide on the auditing frequency for food businesses within their state or territory. This frequency may be based on nationally agreed criteria. Food safety auditors may determine audit frequencies for individual businesses within the range appropriate for the priority classification of the business, as determined by the state or territory. For further explanation of priority classification, see the interpretation provided for subclause 2(2) on page 20.

Normally, higher risk businesses will need to be audited more frequently than lower risk businesses. However, how often a business is to be audited depends on how well the business has met the food safety standards in the past. For example, a business can be audited more often if audits find non-conformances, particularly serious non-conformances, and less often where the business has a good history of meeting the standards.

A food business must find out from its local enforcement agency how often it needs to be audited. It must then arrange for its food safety program to be audited at this frequency. This mainly applies where the enforcement agency permits third-party auditors to be used by the business. A third-party auditor is a person who has been certified by an accredited certification company as meeting the approval criteria for auditing, in this instance, particular classes of food businesses, and has state or territory approval to practice as a food safety auditor for the purposes of the Act.

If the enforcement agency does not allow for third-party auditors, the agency will audit the business using government-employed auditors (referred to as second-party auditors) at the determined auditing frequency.

The table below defines the different types of auditing.

Definition of types of audits
A first-party audit is an audit that the business conducts itself to assess if the food safety program is being followed. First-party audits are not recognised as audits under this clause. These audits must be conducted by a government-approved auditor.
A second-party audit is an audit conducted by a government-employed or government-contracted auditor.
A third-party audit is an audit conducted by an independent certified auditor.[9]

Specific auditing arrangements may apply in the state or territory where the business is operating. For example, in Victoria, businesses will need to check with their enforcement agency (normally the local council) for the auditing arrangements that apply to their business. Further information is also available on the Victorian Food Safety Unit's webpage, www.health.vic.gov.au/foodsafety.

> **Example of auditing frequency**
>
> A state government (that allows third-party auditors) determines that food safety programs for hospitals are to be audited, initially, twice a year. All hospitals in this state would therefore need to arrange for their food safety program to be audited, initially, at least twice a year. Audits could then be done more often (up to four times a year) or less often (once a year) depending on the results of the audit.[10]

4(b)   make the written document that sets out the food safety program, and the appropriate records referred to in paragraph 5(f), available to any food safety auditor who has been requested to conduct an audit of the food safety program; and

All relevant documents, including the food safety program and the records the business keeps to show that it does what is in its food safety program, must be available to the food safety auditor who is auditing the program. An auditor is likely to view the food safety program before doing an on-site assessment of the business. The food safety program and any other relevant documents must therefore be made available to the auditor on request.

The records and food safety program can be in either hard copy or electronic form. Electronic documents comply with this paragraph if they are readily available to the auditor upon request. Generally, an auditor would expect records to be available on-site, but a business and auditor may come to an alternative arrangement. The business is expected to help the auditor with the business's record-keeping system.

9   These auditors are certified by private companies that themselves have been accredited by the Joint Accreditation System of Australia and New Zealand (JASANZ). JASANZ is the government-appointed accreditation body for Australia and New Zealand responsible for accrediting private certification companies.

10   These auditing frequencies are for illustration purposes only. All businesses that are required to implement food safety programs in accordance with this standard must check with their local enforcement agency to find out what auditing arrangements apply.

4(c)   retain copies of all written reports of the results of all audits of the food safety program conducted by a food safety auditor within the last four years, for inspection upon request by a food safety auditor who audits the food safety program or an authorised officer.

Copies of the food safety audit results must be kept for four years and made available upon request. This applies to a business where ownership has not changed. If a food business is sold, the food safety program and corresponding records may be passed onto the new owner. However, if they are not, the new owner need only keep records from the date this person(s) or company took ownership of the business. If the management of the business changes (but not ownership), the audit reports must be transferred to the new managers.

A 'food safety auditor' is defined and explained on page 19. An 'authorised officer' is defined in Standard 3.1.1 to mean a person authorised or appointed under the Act or other legislation for the purposes of enforcement of the Act, or similar purposes, such as an 'authorised officer', 'environmental health officer' or 'inspector'.

The audit reports may be kept in electronic form, provided they are available upon request.

5   Content of food safety programs

A food business has a written food safety program that controls the food safety hazards of the business.

Standard 3.2.1 requires that a food safety program must include certain information and these legal requirements are outlined in clause 5, subclauses (a) to (f). Below is a brief explanation of these requirements to assist with interpretation. Businesses are advised to access specific guidance material if required to develop a food safety program. Enforcement officers may want to refer to these materials also for enforcement purposes. (See Appendix 1 for advice on how this guidance material can be accessed.)

While not legally required, food businesses are likely to find it useful to include the following additional information in their food safety program.

Details of the business

•   business name and licence/registration information where applicable

•   name of proprietor(s) (this means the person(s) or company that owns the business)

•   address and contact details of the business.

A general description of the nature of the business

•   a clear outline of the nature or activities of the business.

While normally obvious, including a broad description of the business's activities assists the business ensure all facets of the business are covered by the food safety program. For example, a hospital may supply food to other businesses such as an organisation that delivers meals to housebound people in need (for example 'Meals on Wheels'). Where a description is included,

any key changes in the nature or activities of the business, such as type of food handling operations, gives an early indication of a possible need to review the food safety program.

Key personnel

• a list of all key personnel (for example managers or supervisors) and their roles and functions in terms of the food safety program.

Such a list ensures that all key roles and functions are covered and all staff understand their responsibilities, and gives an early indication of a need to review the list should staff leave the business or functions change.

Development of the food safety program

• a brief description of how the food safety program was developed.

Details might include whether the food business used a government-provided template, industry training packages, external consultants, or developed the program in-house. The description, with contact details, helps new staff understand the process and where to go should updates to the program be required, and may also assist in an audit.

Auditing of the food safety program

• the food safety program should contain information on how often the program is required to be audited and who will be conducting the audit, based on information obtained from the relevant state or territory enforcement agency.

The business may also want to identify the relevant local government authority responsible for monitoring the activities of the business, and up-to-date contact details of this authority.

5 A food safety program must:

5(a) systematically identify the potential hazards that may be reasonably expected to occur in all food handling operations of the food business;

Under paragraph 3(a) referred to earlier in this guide, the business must systematically examine its food handling operations to identify any potential hazards that may reasonably be expected to occur within these operations. In the explanation of 3(a), it was suggested that the business 'systematically examines' its food handling operations by listing the steps used to produce food in the business in a logical, progressive sequence, that is, from the receipt of food until its final step for sale. Paragraph 5(a) requires the business to write down in the food safety program the potential hazards (reasonably expected to occur) already identified for each of the food handling steps within the business.

A 'hazard' is defined in Standard 3.1.1 as 'a biological, chemical or physical agent in, or condition of, food that has the potential to cause an adverse health effect in humans'. Examples of these hazards are listed below.

Microbiological

• Food poisoning bacteria such as *Salmonella* spp., *Campylobacter jejuni*, *Escherichia coli*, *Listeria monocytogenes*, *Staphylococcus aureus*, *Bacillus cereus* and *Clostridium perfringens*.

• Foodborne viruses such as hepatitis A and noroviruses.

- Foodborne parasites such as *Cryptosporidium parvum* and *Giardia lamblia*.

- Toxin-producing moulds such as *Aspergillus flavus*, which produces aflatoxin.

Chemical

Food can become contaminated with unwanted chemicals such as cleaning agents, pesticides, fungicides, fertilisers and veterinary chemicals. For example, food could become contaminated with cleaning agents if care is not taken to store and use the chemicals correctly.

Physical

Food can be contaminated with physical objects such as glass, metal, plastic, insects, adhesive dressings and jewellery. If these things are found in food they may introduce microbial hazards and may also result in physical harm to the consumer, for example choking, laceration and broken teeth.

It is only necessary for potential hazards to be identified if they are 'reasonably expected to occur', that is, that the hazard is foreseeable, typical or likely to occur due to the specific nature, storage, transportation, preparation or handling of the food. For example, it is reasonable to expect that food that is being directly handled by food handlers could become contaminated with *Staphylococcus aureus*, as this bacterium can be found in the normal microflora of the nose, throat, perineum or skin of humans. However, it is not reasonable to expect businesses to identify hazards that have not yet been identified, such as new poisonous bacteria.

Businesses may use guidance material to help them identify these potential hazards.

One way to document the potential hazards is to set them out in a table. For each potential hazard, the corresponding control, monitoring and corrective action can be set out in columns. This is illustrated further in the example tables that follow, from Example 1 to 4. The final example, Example 5, includes the required records for the monitoring and corrective actions. Note that only the final completed table would be inserted into the business's food safety program.

Example 1: Potential hazards set out in a table

A catering business identifies the following potential hazard for the cooling step in its food operation.

Key steps in food operation	Potential hazards (likely to occur at the key step)
Cooling of cooked food[11]	Microbiological (growth of food poisoning bacteria)
	Microbiological and physical (contamination of food)

5(b) identify where, in a food handling operation, each hazard identified under paragraph (a) can be controlled and the means of control;

Food businesses are required to write down in the food safety program how each hazard identified under paragraph 5(a) is to be controlled and where it is to be controlled. Hazards can be controlled by support programs or at the specific food handling step. Businesses may use guidance material to

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11   The business would need to indicate what type of foods this control applied to, for example rice, casseroles.

help them identify appropriate controls, including support programs (see Appendix 1 for information on guidance material available). These controls (alone or collectively) must be effective in preventing, eliminating or reducing the hazard to a safe, acceptable level. Ensuring that these controls are effective is termed 'validation'.

Controlling hazards through support programs

Hazards that are common across food handling steps are normally controlled within support programs. For example, the microbiological and physical hazards from food handlers need to be controlled at several food handling steps (such as food preparation, cooking, plating and serving). Instead of repeating the controls for these hazards for each of these steps, the controls can be set out in a health and hygiene support program. Examples of support programs and the hazards they control are listed below.

Hazards	Support programs	Comment
Microbiological, physical and chemical hazards associated with foods and packaging materials supplied to the business	Approved supplier	Problems that could arise from foods and ingredients supplied to the business are controlled.
Microbiological, physical and chemical hazards that arise from staff handling unpackaged food	Staff health and hygiene	Contamination of food with pathogens from sick food handlers, contamination from hands of food handlers and from jewellery, hair and clothing are controlled.
Microbiological and physical hazards arising from pest infestations	Pest control	Infestations by pests are controlled and contamination by, for example, birds, insects and rodents (hair, faeces, urine) are prevented.
Microbiological, physical and chemical hazards associated with using the premises and equipment in the premises.	Cleaning and sanitation	Contamination of food from premises and equipment is controlled.
Chemical hazards associated with the use of cleaning chemicals	Storage and use of chemicals	Chemicals are stored and used in accordance with manufacturers' instructions and action is taken to prevent contamination, for example from spillages.

To ensure support programs are effective at controlling the hazards identified, they must be monitored and corrective action must be taken if the support program is not being followed. The monitoring and corrective actions for each support program can be described within the support program itself. Support programs can also be referred to within a table, together with the corresponding monitoring and corrective actions for this program. An example of a support program is included at Appendix 2.

Controlling hazards at the food handling step

Hazards specific to a food handling step are normally controlled at the step and set out in a table. For example, the hazard of food poisoning bacteria surviving cooking is controlled by specific cooking times and temperatures that apply to a particular food item. In this example, the table could specify the specific cooking times and temperatures to be met or alternatively refer to a cooking procedure to be followed as the method of control. Other examples of procedures that a food business in a hospital kitchen could write include food delivery, cooling of cooked food and delivery of food to patients. All procedures referred to in a table need to be included as attachments to the food safety program.

Validation of controls

Some controls for food safety hazards are specified in legislation. For example, in subclause 7(3) of Standard 3.2.2 *Food Safety Practices and General Requirements*, food businesses must cool cooked potentially hazardous food within certain times and temperatures. Other controls may be specified in guides or templates on developing food safety programs. Where businesses put in place controls specified in the food safety standards, food safety program guides or templates recognised by the relevant enforcement agency, businesses are not required to validate these controls.

However, in many instances, the business will put in place its own procedures to meet these controls. For example, a cooling procedure to ensure the specified cooling times and temperatures in subclause 7(3) are met. All procedures that control food safety hazards must be validated by the business to ensure they are effective in preventing, eliminating or reducing the identified hazard to a safe, acceptable level. In the cooling procedure example, the business must validate that its method of cooling (for example, placing food in shallow trays to a depth of no more than 5 cm) achieves the times and temperatures required by subclause 7(3). The business is then assured that its cooling procedure is controlling the microbiological hazard of pathogenic bacteria growing to dangerous levels during the cooling process.

If a business is carrying out food handling operations where controls are less well known or are more complex, it may have to contact industry associations or scientific bodies for advice on appropriate controls to put in place and how to validate these controls, for example in preparing less well established products such as vegetables in oil, or in cook–chill operations.

Once controls have been validated to confirm that the control measures are effective in controlling the hazards, they may need to be re-validated if there are any changes to the food business's operations that could affect a control that is in place. Changes to a business's operations that may affect controls in place are:

•   new or different types of equipment

•   introduction of new menu items or changes to existing recipes

> or

•   if concerns arise that controls in place may not be effective, for example as a result of microbiological testing or complaints about illness occurring.

Example 2: Hazards and controls set out in a table

Key steps in food operation	Potential hazards (likely to occur at the key step)	Control (for each identified hazard)
Cooling of cooked food[12]	Microbiological (growth of food poisoning bacteria) Microbiological and physical (contamination of food)	**Cooked food is to be placed in stainless steel cooling trays within 30 minutes of cooking to a depth of no more than 5 cm.[13]** **Trays must be covered with cling wrap and labelled with date and time food cooked and time placed in refrigerator on racks to allow air circulation.** **(The above information could be contained within an attached procedure.)**

5(c)   provide for the systematic monitoring of those controls;

Monitoring is defined as including 'checking, observing or supervising in order to maintain control'. The aim of monitoring is to assess whether the control chosen to manage a hazard is occurring in practice.

The food safety program must indicate out how each control measure will be monitored. This includes support programs. Examples of monitoring are:

- *inspecting* food as it is delivered to the premises to ensure packaging is still intact

- *measuring* with a thermometer to ensure that cooking temperatures have been achieved, for example roast chickens

- *checking* that raw food is stored separately from ready-to-eat food in the coolroom

- *observing* whether food handlers are washing and drying their hands thoroughly before food preparation.

For each monitoring action, the food safety program must indicate:

- *what* monitoring is to be done

- *who* will do the monitoring

- *when* the monitoring is to be done (for example every batch, twice daily, weekly).

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12   The business would need to indicate what type of foods this control applied to, for example rice, casseroles.

13   The business must have validated that this procedure ensures the food is cooled in accordance with subclause 7(3) of Standard 3.2.2 *Food Safety Practices and General Requirements*, which requires cooked potentially hazards food to be cooled from 60°C to 21°C within 2 hours and from 21°C to 5°C within a further 4 hours.

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Example 3: Hazards, controls and monitoring set out in a table

Key steps in food operation	Potential hazards (likely to occur at the key step)	Control (for each identified hazard)	Monitoring (of each control)
Cooling of cooked food[14]	Microbiological (growth of food poisoning bacteria) Microbiological and physical (contamination of food)	Cooked food is to be placed in stainless steel cooling trays within 30 minutes of cooking to a depth of no more than 5 cm.[15] Trays must be covered with cling wrap and labelled with date and time food cooked and time placed in refrigerator on racks to allow air circulation. (The above information could be contained within an attached procedure.)	**What** **Check to ensure cooling procedure is being followed** **Who** **Person in charge of shift** **When** **Once per day**

> **(d)**   **provide for appropriate corrective action when that hazard, or each of those hazards, is found not to be under control;**

If monitoring finds that the control step in place to manage a hazard is either not working or is not being followed, corrective action must be taken. A corrective action generally consists of two stages.

First, immediate action needs to be taken for any food that may now be unsafe because the hazard is not under control. For example, if monitoring (through observation) shows that a food handler has used the same knife for slicing raw and ready-to-eat food, the ready-to-eat food should be discarded as it may be contaminated with food poisoning bacteria.

Second, there needs to be an investigation into the cause of the 'loss of control' of the hazard so that steps can be taken to make sure this 'loss of control' does not happen again. For example, the food handler may have used the same knife because it was during a busy period and no clean knives were readily available. To prevent a repeat of this mistake, the business would re-train the staff member on the importance of always using a clean and dry knife for ready-to-eat food and could also purchase more knives.

The table opposite includes the column for 'corrective action'. This completes the required information for controlling the potential hazard used in this example.

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14   The business would need to indicate what type of foods this control applied to, for example rice, casseroles.

15   The business must have validated that this procedure ensures the food is cooled in accordance with subclause 7(3) of Standard 3.2.2 *Food Safety Practices and General Requirements*, which requires cooked potentially hazards food to be cooled from 60°C to 21°C within 2 hours and from 21°C to 5°C within a further 4 hours.

Example 4: Hazards, controls, monitoring and corrective action set out in a table

Key steps in food operation	Potential hazards (likely to occur at the key step)	Control (for each identified hazard)	Monitoring (of each control)	Corrective action
Cooling of cooked food[16]	Microbiological (growth of food poisoning bacteria) Microbiological and physical (contamination of food)	Cooked food is to be placed in stainless steel cooling trays within 30 minutes of cooking to a depth of no more than 5 cm.[17] Trays must be covered with cling wrap and labelled with date and time food cooked and time placed in refrigerator on racks to allow air circulation. (The above information could be contained within an attached procedure.)	**What** Check to ensure cooling procedure is being followed **Who** Person in charge of shift **When** Once per day	**Food found not to have been cooled in accordance with this procedure is to be discarded.** **If food is not covered, it must be discarded if it is contaminated or reasonably suspected of being contaminated. Otherwise it is to be covered.** **Unlabelled food to be discarded unless the information required can be determined and hence the food labelled as specified under control.** **Staff to be re-trained in correct procedures.**

5(e)   provide for the regular review of the program by the food business to ensure its adequacy; and

The food safety program must include information about the review of the program, such as:

•   the person or persons in the business responsible for the review

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16   The business would need to indicate what type of foods this control applied to, for example rice, casseroles.

17   The business must have validated that this procedure ensures the food is cooled in accordance with subclause 7(3) of Standard 3.2.2 *Food Safety Practices and General Requirements*, which requires cooked potentially hazards food to be cooled from 60°C to 21°C within 2 hours and from 21°C to 5°C within a further 4 hours.

The person should be someone familiar with the food safety program, the business's operations and with the authority to check records and act on the outcomes.

- when the review is to be carried out

This must be at least annually (see pages 25 to 27 of this guide for more information on review) but may be more frequently than annual, particularly where a loss of control is discovered, or may be ongoing, prompted by changes in the business, complaints or other 'prompts' described under clause 3.

- the scope of the review

The business must conduct a full review of its entire food safety program at least annually. However, the food safety program will also need to be reviewed during this twelve month period when there is any change in the business's food handling activities or other matters occur that may impact on the food safety program.

The scope should describe the food handling operations covered by the review, procedures and records to be checked, and whether any equipment is to be checked for accuracy.

- the records of the review to be kept

Subclause 5(f) requires the food safety program to include appropriate record-keeping procedures. These records should include information on the review, for example, they should indicate who carried out the review, dates of reviews and their scope and outcomes, including action to correct any non-conformances. Records could be in the form of a checklist.

> **5(f)   provide for appropriate records to be made and kept by the food business demonstrating action taken in relation to, or in compliance with, the food safety program.**

The food safety program must include what records will be kept and the business must keep these records. At a minimum, records will need to be kept for:

- monitoring actions
- corrective actions
- the review of the program, specifically when the review took place and the outcome.

These records must be 'appropriate', that is, they must provide sufficient information to show that the business is complying with the food safety program. At a minimum they need to be legible and indicate:

- what the record relates to (for example, that it relates to cooking temperatures and, where relevant, what type of food and what batch)
- who made the record
- the date and, where relevant, the time the record was made
- the result of what is being recorded (for example cooking temperatures)
- any action taken as a result of the recording (for example, the corrective action taken if monitoring found that cooking temperatures had not been reached within the specified time).

All records will need to be kept at least until the food safety program has been externally audited, either by a second- or third-party auditor as required by the enforcement agency. Records can be kept electronically, provided the auditor can access them. When the audit is complete, all audit reports must be retained as required under clause 4(c) of the standard, that is, for the last four years.

The table that results from following the step approach in the examples now includes the records that are kept, as illustrated below.

Example 5: Hazards, controls, monitoring, corrective action and records set out in a table

Key steps in food operation	Potential hazards (likely to occur at the key step)	Control (for each identified hazard)	Monitoring (of each control)	Corrective action
Cooling of cooked food[18]	Microbiological (growth of food poisoning bacteria) Microbiological and physical (contamination of food)	Cooked food is to be placed in stainless steel cooling trays within 30 minutes of cooking to a depth of no more than 5 cm.[19] Trays must be covered with cling wrap and labelled with date and time food cooked and time placed in refrigerator on racks to allow air circulation. (The above information could be contained within an attached procedure.)	**What** Check to ensure cooling procedure is being followed **Who** Person in charge of shift **When** Once per day **Records** See attached record sheet	Food found not to have been cooled in accordance with this procedure is to be discarded. If food is not covered, it must be discarded if it is contaminated or reasonably suspected of being contaminated. Otherwise it is to be covered. Unlabelled food to be discarded unless the information required can be determined and hence the food labelled as specified under control. Staff to be re-trained in correct procedures. **Records** **See attached record sheet.**

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18   The business would need to indicate what type of foods this control applied to, for example rice, casseroles.

19   The business must have validated that this procedure ensures the food is cooled in accordance with subclause 7(3) of Standard 3.2.2 *Food Safety Practices and General Requirements*, which requires cooked potentially hazards food to be cooled from 60°C to 21°C within 2 hours and from 21°C to 5°C within a further 4 hours.

Example of a recording sheet for the cooling of cooked food

Record for cooling cooked food for period …

Cooling procedure

Cooked food is to be placed in stainless steel cooling trays within 30 minutes of cooking to a depth of no more than 5 cm.

Trays must be covered with cling wrap and labelled with date and time food cooked and time placed in refrigerator on racks to allow air circulation.

Validation of cooling procedure

This procedure was validated on (*insert date*) for all the foods to which it applies to ensure these foods are cooled in accordance with subclause 7(3) of Standard 3.2.2 *Food Safety Practices and General Requirements*.

Corrective action

Food that has not been cooled in accordance with the procedure stated above must be discarded.

If food is not covered, it must be discarded if it is contaminated or reasonably suspected of being contaminated. Otherwise it is to be covered.

Unlabelled food to be discarded unless the information required can be determined and hence the food labelled as specified under control.

Staff to be re-trained in correct procedures.

Food	Food in correct trays for cooling, not overfilled, covered and labelled as per above procedure	Food placed in fridge within 30 minutes of cooking	Date and time food checked	Action taken if procedure not being followed	Name of person
Rice					
Beef goulash					
Sweet and sour pork					
List additional foods to be cooled					

Reviewed by Food Service Manager …………………………………………..   Date…..…………………………

6 Fundraising events

Fundraising events for community or charitable causes that are staffed exclusively by volunteers are excluded from the requirement to have a food safety program.

6   A food business does not have to prepare a food safety program in accordance with this standard for fund raising events conducted by the food business, that is, events that raise funds solely for community or charitable causes and not for personal financial gain.

This intention of this clause is to exempt food businesses from the requirement to have a food safety program, if they are conducting fundraising events for community or charitable causes and not for personal financial gain. However, many businesses are not currently required to have a food safety program—only those identified as high-risk. See 'Who must comply with Standard 3.2.1 and by when?' on pages 5 and 6. Therefore, this exemption is only relevant to those businesses that are required to have a food safety program in place.

The definition of food business (in Standard 3.1.1) includes the selling of food on one or more occasions, and includes organisations of a charitable or community nature.

This clause applies to any fundraising event where there is no resulting personal financial gain. An 'event' can be a regular, irregular or one-off occurrence.

A 'fundraising event' is an event that:

• intends to raise funds

• donates all funds raised solely to a community or charitable cause.

The phrase 'not for personal financial gain' emphasises that proprietors or staff of the business do not receive income or other financial reward from the funds raised at the event, as all the funds are donated to the community or charitable cause.

Some community or charitable organisations operate as food businesses in direct competition with 'commercial' catering services. While these organisations may be holding events that raise money for community or charitable causes, it is unlikely that only volunteers staff them. It is more likely the case that there is a person (or persons) who receives a salary to manage the business. The funds raised are therefore not solely for a community or charitable cause and the events do not qualify for an exemption (that is, the organisation must have a food safety program for these events).

To qualify for an exemption under this clause, two criteria need to be met.

1   The purpose of having the event must be to raise money for community or charitable causes

The event must be a fundraising event for a community or charitable cause. Examples of raising money for a community cause could be moneys raised for schools, childcare facilities, sports groups and religious institutions. A charitable cause would be the raising of money for needy persons in the community such as for the sick, people with disabilities, the homeless or other persons who are underprivileged.

2   All the funds raised at the event must be used for a community or charitable cause and there must be **no** personal financial gain made from the running of the event.

All the money raised must be used for a community or charitable cause. However, the costs of running the event can be taken from the moneys raised, provided there is no personal financial gain.

Note that if a business does qualify for an exemption under this clause, that is, they do not have a food safety program for the event, they are still obligated to comply with Standards 3.2.2 *Food Safety Practices and General Requirements* and 3.2.3 *Food Premises and Equipment*.

Examples

Activity	Comment	Requires a food safety program?
1 A catering business holds a barbecue once a year, donating staff time and food. It charges the public to attend and donates all the funds to a children's charity.	The BBQ is an event that is raising funds for a charitable cause and the business makes no financial gain from it. The business is not required to include the food handling activities for this BBQ in its food safety program.	Meets criteria 1 yes 2 yes **No food safety program required for this event**
2 A charitable organisation offers catering to raise funds for the charity. While most of the monies collected are donated to the charity, some is retained to pay the executive officer and an events coordinator.	The charitable organisation requires a food safety program for the catering operation because there is personal financial gain.	Meets criteria 1 yes 2 no **Requires a food safety program**
3 A charitable organisation offers catering to raise funds for the charity. All persons involved in the running of this business are volunteers and receive no payment. Expenses for supplies are deducted and all of the remaining funds go to the charity.	There is no personal financial gain resulting from the events that this organisation holds— no wages are paid and any profit goes towards the charity.	Meets criteria 1 yes 2 yes **No food safety program required**

Appendix 1

Food safety program resources

Food safety program resources developed by Australian governments

Australian Government Department of Health and Ageing

For copies of the tools listed below contact the Australian Government Department of Health and Ageing; phone: 02 6289 5131; email: foodsafety@health.gov.au

Tool for the development of a food safety program for delivered meals organisations

Tool for the development of a food safety program for children's services operations

Tool for the development of a food safety program for commercial food service establishments

Tool for the development of a food safety program for cold smoking fish

Tool for the development of a food safety program for cooking prawns on trawlers

Tool for the development of a food safety program for shucking oysters

Australian Government Department of Agriculture, Fisheries and Forestry

For guidance on HACCP-based food safety programs for the dairy, meat, fish and egg primary production sectors, see the website links below:

Dairy: www.daff.gov.au/aqis/export/dairy/guidelines

Meat: www.daff.gov.au/aqis/export/meat/elmer-3

Fish: www.daff.gov.au/aqis/export/fish/guidelines

Eggs: www.daff.gov.au/aqis/export/eggs

New South Wales

Industry guide to developing a food safety program (hospitals and aged care): NSW Food Authority, PO Box 6682, Silverwater, NSW 1811; phone: 1300 552 406; website: www.foodauthority.nsw.gov.au

South Australia

Food safety program template for hospitals

Food safety program template for aged care facilities

Food safety program template for child care centres

Food safety resources CD

Bug Busters food safety training DVD and questionnaire

Government of South Australia, Department of Health, PO Box 6 Rundle Mall, Adelaide, SA 5000; phone: 08 8226 7100; website: www.dh.sa.gov.au/pehs/Food/food-safety-programs.htm

Queensland

For available resources please contact Government of Queensland, Department of Health, GPO Box 48, Brisbane, Qld 4001; phone: 07 3234 0938

Victoria

Food Safety Program Template for Retail and Food Service Businesses: Government of Victoria, Department of Human Services, GPO Box 1670N, Melbourne, Vic. 3000; phone: 1300 364 352; website: www.health.vic.gov.au/foodsafety/

FoodSmart (interactive web-based food safety program template for retail and food service businesses): Government of Victoria, Department of Human Services, GPO Box 1670N, Melbourne, Vic. 3000; phone: 1300 364 352; website: www.health.vic.gov.au/foodsafety/

International food safety program resources

Basic texts on food hygiene. Third edition. Codex Alimentarius Commission; website: www.codexalimentarius.net—see 'Official standards' – 'Special publications'

Food Safety Enhancement Program: Canadian Food Inspection Agency; website: www.inspection.gc.ca

Food quality and safety systems: a training manual on food hygiene and the Hazard Analysis and Critical Control Point (HACCP) System: Food and Agriculture Organisation of the United Nations; website: www.fao.org/docrep/W8088E/w8088e00.htm

Safer food better business: Food Standards Agency, United Kingdom; website: www.foodstandards.gov.uk

Appendix 2

Example of a support program: pest control

Name of pest control company	*Insert company name*
Contact name(s)	*Insert contact name(s)*
Address of company	*Insert address*
Phone no.	*Insert phone number*
Additional contact details	*Insert mobile number*
Contract period	*Insert start and finish dates of contract*
Agreed review date	*Insert date program to be reviewed (must be at least annually)*
Purpose/hazard	• Prevent physical and/or microbiological contamination introduced by pests, e.g. insects, rodents.
Control	• Pest control company contracted to carry out activities deemed necessary to control pests on the food premises (list or attach agreed controls and frequency), e.g. regular spraying, setting bait stations.
Monitoring	• Food business to ensure the pest control company carries out activities as contracted, including returning to the premises at the agreed time intervals. • Food business to also conduct regular internal checks of evidence of pests.
Corrective action	• If pest company contracted to control pests is not meeting its obligations under the agreed contract, draw this to the attention of the company for appropriate action. If problems continue to occur, reconsider contract. • If there is any evidence of pests observed, contact the pest control company for immediate action.
Review	• At least annually and in consultation with the pest company contracted, review the adequacy of the pest control program and revise if necessary.
Records	• Refer to where records are kept of all monitoring, corrective actions and reviews undertaken.

Glossary of legally defined terms

Following is a glossary of terms that are legally defined within Standard 3.1.1 *Interpretation and Application* and Standard 3.2.1 *Food Safety Programs* that are of relevance to this standard.

appropriate enforcement agency

> An enforcement agency prescribed by the regulations under the Act for the purposes of enforcement of the Act or similar purposes. (Standard 3.1.1)

auditing frequency

> The most recently determined frequency of auditing determined by the appropriate enforcement agency, or a food safety auditor, in accordance with the Act. (Standard 3.2.1)

authorised officer

> a person authorised or appointed under the Act or other legislation for the purposes of enforcement of the Act, or similar purposes, such as an 'authorised officer', 'environmental health officer' or 'inspector'. (Standard 3.1.1)

contaminant

> any biological or chemical agent, foreign matter, or other substances that may compromise food safety or suitability. (Standard 3.1.1)

contamination

> the introduction or occurrence of a contaminant in food. (Standard 3.1.1)

food business

> a business, enterprise or activity (other than primary food production) that involves –
>
> (a)   the handling of food intended for sale; or
>
> (b)   the sale of food;
>
> regardless of whether the business, enterprise or activity concerned is of a commercial, charitable or community nature or whether it involves the handling or sale of food on one occasion only. (Standard 3.1.1)

food handler

> a person who directly engages in the handling of food, or who handles surfaces likely to come into contact with food, for a food business. (Standard 3.1.1)

food handling operation

> any activity involving the handling of food. (Standard 3.1.1)

food premises

> any premises including land, vehicles, parts of structures, tents, stalls and other temporary structures, boats, pontoons and any other place declared by the relevant authority to be premises under the Food Act kept or used for the handling of food for sale, regardless of whether those premises are owned by the proprietor, including premises used principally as a private dwelling, but does not mean food vending machines or vehicles used only to transport food. (Standard 3.1.1)

food safety auditor

a person approved as a food safety auditor under the Act as a person competent to audit the relevant class of food business. Jurisdictions may approve environmental health officers, private contractors, or a mixture of the two as food safety auditors. (Standard 3.2.1)

food safety program

a food safety program that satisfies the requirements of clause 5. (Standard 3.2.1)

food safety standards

the standards contained in Chapter 3 of the *Australia New Zealand Food Standards Code*. (Standard 3.1.1)

handling of food

includes the making, manufacturing, producing, collecting, extracting, processing, storing, transporting, delivering, preparing, treating, preserving, packing, cooking, thawing, serving or displaying of food. (Standard 3.1.1)

hazard

a biological, chemical or physical agent in, or condition of, food that has the potential to cause an adverse health effect in humans. (Standard 3.1.1)

monitoring

includes checking, observing or supervising in order to maintain control. (Standard 3.2.1)

primary food production

the growing, cultivation, picking, harvesting, collection or catching of food, and includes the following:

(a) the transportation or delivery of food on, from or between the premises on which it was grown, cultivated, picked, harvested, collected or caught;

(b) the packing, treating (for example, washing) or storing of food on the premises on which it was grown, cultivated, picked, harvested, collected or caught; and

(c) any other food production activity that is regulated by or under an Act prescribed by the regulations for the purposes of this definition.

However, primary food production does not include:

(d) any process involving the substantial transformation of food (for example, manufacturing or canning), regardless of whether the process is carried out on the premises in which the food was grown, cultivated, picked, harvested, collected or caught; or

(e) the sale or service of food directly to the public; or

(f) any other food production activity prescribed by the regulations under the Act for the purposes of this definition. (Standard 3.1.1)

proprietor of a food business

the person carrying on the food business, or if that person cannot be identified – the person in charge of the food business. (Standard 3.1.1)

sell

(a) barter, offer or attempt to sell; or

(b) receive for sale; or

(c)   have in possession for sale; or

(d)   display for sale; or

(e)   cause or permit to be sold or offered for sale; or

(f)   send, forward or deliver for sale; or

(g)   dispose of by any method for valuable consideration; or

(h)   dispose of to an agent for sale on consignment; or

(i)   provide under a contract of service; or

(j)   supply food as a meal or part of a meal to an employee, in accordance with a term of an award governing the employment of the employee or a term of the employee's contract of service, for consumption by the employee at the employee's place of work;

(k)   dispose of by way of raffle, lottery or other game of chance; or

(l)   offer as a prize or reward; or

(m) give away for the purpose of advertisement or in furtherance of trade or business; or

(n)   supply food under a contract (whether or not the contract is made with the consumer of the food), together with accommodation, service or entertainment, in consideration of an inclusive charge for the food supplied and the accommodation, service or entertainment; or

(o)   supply food (whether or not for consideration) in the course of providing services to patients or inmates in public institutions, where 'public institution' means 'public institution' as defined in the Act, if it is so defined, or

(p)   sell for the purpose of resale. (Standard 3.1.1)