



Food Safety Standard 3.1.1 - Interpretation and Application

(Updated June 2004)

Note: *The Food Safety Standards do not apply in New Zealand. The provisions of the food standards treaty between Australia and New Zealand do not include food hygiene standards.*

What is this standard?

The Food Safety Standards have been developed to ensure that food sold in Australia is safe and suitable to eat. Standard 3.1.1 *Interpretation and Application* is the introductory standard for all the Food Safety Standards. It defines the terms that are used in more than one of the Food Safety Standards and explains the meaning of 'safe and suitable food'.

Note: *Terms that are used in only one standard are defined in that standard. For a full list of definitions, see the fact sheet Food Safety Standards- Definitions.*

Standard 3.1.1 *Interpretation and Application* states that food businesses must comply with the standards and food handlers must comply with those requirements relevant to them.

Who must comply with this standard?

Standard 3.1.1 *Interpretation and Application* applies the standards to every food business in Australia with the exception of primary food production businesses, unless those businesses are also involved in the processing or retail sale of food. For example, if you are a farmer or a fisherman the standards will only apply to you if you also substantially change or process food in some way or sell it directly to the public.

Note: *If you are unsure about what this exemption may mean for your food business the fact sheet Food Safety Standards - Definitions may help, or contact your State or Territory health department.*

A food business is any business or activity that involves the handling of any type of food for sale, or the sale of food in Australia. This includes activities undertaken for charitable or community reasons, as well as commercial ventures and 'once-only' projects that involve the handling and sale of food.

However, charity and community groups, temporary events and home-based businesses are exempt from some of the requirements in the standards.

What are the key provisions in this standard?

Standard 3.1.1 *Interpretation and Application* includes the provision that requires food businesses to comply with all the requirements in the standards, except for the requirements that apply only to food handlers.

The requirements that apply only to food handlers are set out in Standard 3.2.2 *Food Safety Practices and General Requirements*. For more information on the responsibilities of food handlers, refer to the fact sheet for Standard 3.2.2 *Food Safety Practices and General Requirements*, the fact sheet *Food Safety Standards -Health and hygiene, responsibilities of food handlers*, or the standard itself.

What are the new national requirements in this standard?

Note: *The Food Safety Standards include measures that will be new requirements for food businesses in every State and Territory. These new national requirements are mentioned in the fact sheet for each standard. Other measures will be new in some States and Territories but not in others. State and Territory health departments or local councils will be able to provide advice on these changes.*

In the past, State and Territory food laws and regulations referred to unsafe or unsuitable food in different ways. Examples include 'adulterated food' or food that is 'unfit for human consumption'. In the new standards, the

words 'safe and suitable' replace the various terms used in the old laws. The standards have been developed to prevent the sale of unsafe and unsuitable food. This standard explains the meaning of 'safe and suitable food'.

'Safe' food is food that will not harm anyone if it is used as intended. For example, raw meat may contain harmful bacteria, but it is not unsafe if the meat will be cooked to destroy the harmful bacteria. Also, a food is not unsafe because some people have an allergic reaction if they eat it, for example, peanuts. It is still safe for most of the population.

'Suitable' food is food that is not damaged, or that has not deteriorated or perished, or that does not contain damaged, deteriorated or perished substances that affect its intended use. Food is also unsuitable if it comes from an animal that is diseased or has not been killed for food, or includes any foreign matter, such as glass or metal fragments or pests. However, food is still suitable if it includes a chemical agent or other substance that does not exceed the maximum levels permitted under the *Food Standards Code*.

When will these standards come into force?

Standard 3.1.1 *Interpretation and Application* sets the commencement date for Standard 3.2.2 *Food Safety Practices and General Requirement* and Standard 3.2.3 *Food Premises and Equipment*. These standards apply from 24 February 2001. However, they do not come fully into force until the State and Territory food laws and regulations have been amended to enact the standards in each jurisdiction.

A separate fact sheet *State and Territory enforcement of the Food Safety Standard* sets out the situation in each State and Territory.

The fact sheet for Standard 3.2.2 *Food Safety Practices and General Requirements* also explains the two requirements that will not come into force before 24 February 2002. These are the notification requirement (businesses must supply local enforcement authorities with contact details and information on the nature of their business) and the skills and knowledge requirements for food handlers.

Need more information?

Copies of the standards, the guides to these and other fact sheets and supporting material can be found on the FSANZ website (www.foodstandards.gov.au). As the standards come into force in each State and Territory, food businesses will also be able to seek advice directly from the Environmental Health Officers at their local council, or from their State or Territory health or health services department and Public Health Units. Contact details for State and Territory health departments and local councils are included in a separate fact sheet *Food Safety Standards- Sources of information & advice*.

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