Call for submissions – Proposal P1052 Primary Production and Processing Requirements for high-risk horticulture

Submission by SA Health (Department for Health & Wellbeing) and PIRSA (Primary Industries and Regions South Australia)

18 March 2020

SA Health and PIRSA welcome the opportunity to comment on Proposal P1052 Primary Production and Processing Requirements for high-risk horticulture.

GENERAL COMMENTS

- **SA Health and PIRSA support Option 2 – Food regulatory measures: 2.B Variations to the Code.**
- **Additionally, it is noted that this work has been under consideration for a number of years and we therefore support this Proposal progressing as quickly as possible.**

As part of adopting the regulatory option, SA supports consideration of the following issues:

- **2.B.1 Code definitions:** amend the definition of primary food production to capture in-field activities.
    - Since P1015 was abandoned in 2014 there have been numerous foodborne illness outbreaks associated with high risk horticulture, with investigations indicating the following contributing issues as previously identified in FSANZ Proposal P1015 - Primary Production & Processing Standard for Horticulture:
        - Water (especially pre- and post-harvest)
        - Other inputs eg fertilisers, pesticides, herbicides
        - Environmental factors eg weather events, adjacent land use, previous land use, access to fields by wild or domestic animals
        - Equipment
        - Food handling practices
    - The development of a Primary Production and Processing Standard (PPPS) for High Risk Horticulture should consider minimum requirements for managing these inputs for producers and/or high risk horticulture.

- **2.B.2 Graduated risk-based approach:** consider a Standard that allows for different requirements for producers and processors, similar to Standard 4.2.5 Primary Production and Processing Standard for Eggs and Egg Product.
    - Additionally consider there may be specific risk management requirements for the different sectors, but should still consider that items such as water, inputs, environmental factors, equipment and food handling practices may remain the same.
    - Adoption of existing guidelines may be an option eg ‘Melon food safety - A best practice guide for rockmelons and specialty melons’, NSW Department of Primary Industries.
    - The processing component of primary food production ie washing, packing may be required to adopt Chapter 3.

- Interventions for high risk horticulture should consider where the contamination is most likely to occur (during growing and harvesting), as well as the point at where any contamination problems will be amplified ie further processing such as washing and packing.
- Traceability continues to have a major impact on how quickly outbreaks can be attributed to a point source, and must be addressed as part of a regulatory option, with focus from farm to processing business alike the seafood processing standards.
- A Standard may need to consider defining 'leafy vegetables' as this is a very broad category. Definitions will ensure consistency in implementation across Australia.

- **SA Health does not support the removal of minimally processed fruits and vegetables and sprouts from the scope of this Standard, as these were agreed to by the Forum as a priority to reduce foodborne illness as part of *Australia's Foodborne Illness Reduction Strategy 2018-2021+.***
  - Section 1.4.1 of the 1st Call for Submissions Report notes that the reduced scope is supported by preliminary assessment work and existing Code requirements, however the Report:
    a. Is inconsistent in defining 'minimally processed' ie
       1. *washed, trimmed then packed:.* This definition could be considered to meet the requirements of being captured as 'primary food production', and therefore excluded from all the requirements of a food business.
       2. *pre-cut fruit salads and bagged salad vegetables:* This second definition of minimally processed is considered 'substantial transformation' and allows the activity to be captured as a food business activity and required to comply with Chapter 3 of the Code, and be regulated under jurisdictional food legislation .
       3. The report also references an archived Canadian Code of Practice for Minimally Processed Ready-to-Eat Fruit and Vegetables which defines raw fruit and vegetables that have been minimally processed (i.e. peeled, sliced, chopped or shredded) before being packaged for sale. This could be considered 'substantial transformation' which excludes the activity from the definition of 'primary food production' and therefore allows the business to be subject to all the requirements of jurisdictional food legislation.
    b. Acknowledges that existing Code requirements excludes primary food production, but states that producers and/or processors that handle minimally processed fruit and vegetables are food businesses. As there is no clear definition of 'minimally processed', this is misleading.
    c. Notes that 'Foods that are minimally processed (i.e. washed, trimmed, then packed) and are consumed fresh without a micro-biocidal step to eliminate pathogens, generally present a higher risk than those that have undergone a kill step (e.g. cooking).'

ADDRESSING FSANZ REQUEST FOR COMMENTS AND INPUTS

- Further assessment of the berries, leafy vegetables and melon sectors:
  1. Technical data about industry production and processing practises is currently being collated in various jurisdictions.
  2. Efficacy of current risk mitigation measures have been demonstrated to be inadequate by the outbreaks associated with high risk horticulture, and the subsequent findings from investigations eg environmental risks, cleaning and sanitising of plant and equipment, sanitising produce, on-farm inputs, traceability.
  3. Through chain microbial data may be misleading as the number of samples that

are required or the enumeration of pathogenic bacteria may not allow for a true assessment of the ability of high risk horticulture to cause an outbreak.

- Information on the number, size and location of producers in these sectors
    - PIRSA is engaging with South Australian industry organisations to gather this information and to gain a greater understanding of the sectors, and will provide this information as it becomes available.

- Uptake and efficacy of industry schemes
    - In a previous proposal (P1015), FSANZ estimated 70-80% of horticultural produce was being grown under an industry owned safety scheme, however this data may not be a true representation of the current situation and other up-to-date information may be available.
    - The efficacy of the systems may not currently be appropriate as demonstrated by the number and scale of outbreaks occurring in Australia. This may be a result of a number of factors, including how food safety systems are understood or adopted by producers and/or processors, how those systems are being audited, and how they are being otherwise monitored and regulated.

- Cost-benefit analysis
    - The 2016 *Salmonella* Saintpaul outbreak associated with mung bean sprouts resulted in 287 notifications of illness in South Australia. An extensive recall from Coles, independent outlets and food service businesses occurred. An emergency order placed on the business resulted in a significant closure of the business until improvements were implemented, with an ongoing sampling plan instigated.
    - The 2016 *Salmonella* Anatum outbreak associated with bagged leafy greens resulted in multiple illness across Australia, an extensive recall affecting Coles, Woolworths, Bi-Lo and other independent outlets nationally. The Australian leafy greens industry reported a significant and sustained drop in sales. The small export market was also disrupted.
    - The 2018 *Listeria monocytogenes* outbreak associated with rockmelons resulted in 22 cases, spread over 4 jurisdictions with multiple fatalities in addition to the temporary closure of an export market and an estimated 80-90% downturn in domestic sales of rockmelons, with estimated losses to local growers of $15 million dollars.
    - These outbreaks have been costly in terms of human illness, recalls, emergency orders resulting in business closures, intensive resources required from regulators, export market impacts and public confidence in the fresh food chain.

References

- ‘On-Farm Food Safety Of Leafy Greens Report’, September 2016, Victorian Department of Economic Development, Jobs, Transport and Resources
- South Australian Food Act Report, Year Ending 30 June 2016
- ‘Melon food safety - A best practice guide for rockmelons and specialty melons’, NSW Department of Primary Industries.