

## Food Standards Australian New Zealand proposed amendments to Food Safety Code

Logan City Council comment: proposal P1053 - Food Safety Management tools

Through proposal P1053, Food Standards Australia New Zealand (FSANZ) is assessing the application of food safety management tools to food service and retail businesses, to prevent and reduce incidences of foodborne illness.

In summary, FSANZ proposes to amend the code to require a food safety supervisor (FSS), food handler training (FHT), and evidence to substantiate food safety management (E), for some but not all business types.

To establish which business type requires application of the proposed food safety management tools FSANZ introduces a food business risk category scale.

Category 1	Category 2	Category 3
Food service/caterers that both make and sell potentially hazardous food (PHF) e.g. restaurants, takeaways, caterers, bakeries and delis that make and sell PHF	Retailers that just sell PHF (do not make it) e.g. delis and bakeries that don't make PHF onsite, cafes selling PHF made by another business	Businesses that only sell pre-packaged PHF (that remains packaged for sale) e.g. service stations, some cafes or stalls

The following table applies the proposed food safety management tools to the risk categories.

Business category	Food safety supervisor	Food handler training	Keeping evidence of critical process management
Category 1	✓	✓	✓
Category 2	✓	✓	X
Category 3	X	X	X
	non-regulatory measures only - targeted education on temperature control		

Logan City Council's Environmental Health team have prepared the following comments to proposal P1053 - Food Safety Management tools.

1. We support amending the code to introduce the proposed food safety management tools (FSS, FHT & E) and the application of each tool to the proposed business risk categories.
2. Regarding FSS training, will there be industry specific qualifications with modules tailored to each business activity?

Different food businesses activities include retail sale, manufacturing, wholesale, aged care, childcare and catering businesses. While each food business activity shares many similar food safety challenges, there are also food safety nuances within each. For example, a manufacturer may require good food labelling knowledge

while a restaurant may not. A café may display ready to eat food while an aged care facility may not etc.

3. Regarding FSS training, how will EHOs be able to understand the exact modules undertaken?

Will there be a standardised course that must cover specific minimum competencies?

For example, food allergens pose a significant food safety risk, will food allergens be covered in the food safety supervisor training?

When an EHO is assessing the skills and knowledge of a FSS, it is beneficial for the EHO to understand what food safety training has been covered to assist in identifying areas requiring specific attention.

4. The *Food Act (QLD) 2006* states a food business licensee must nominate a food safety supervisor within 30 days of receiving a licence. The FSANZ proposal states a food business must appoint a food safety supervisor before engaging in a prescribed activity. These two directions are contradictory. Which would apply?
5. What level of risk should be attributed to a food business that fails to implement the appropriate food safety management tool? For example, would a food business operating without a certified food safety supervisor be considered to be posing a critical risk, major risk or minor food safety risk to the community?

What about a business that fails to train food handling staff or a business that fails to keep appropriate evidence of critical process management?

The call for submissions paper advises that introduction of the food safety management tools is supported by the best available scientific evidence, so can the best available science be used to create a risk framework supporting the proper and consistent regulation of the food safety risk management tools?

6. How does an EHO assess that a food handler's training meets the minimum requirements, if there is no requirement to produce a certificate?

Are EHOs expected to question food handlers ad hoc or will a food handler assessment framework be provided by FSANZ?

7. It is not practical for the inspecting EHO to test the food safety knowledge of each staff member in a larger business. Does in house training delivered by a certified food safety supervisor meet the food handler training requirements?

If so, can FSANZ develop tools assisting FSS to deliver thorough and consistent training to food handlers?

8. Placing businesses into either category 1 or 3 appears straight forward. Category 2 is not quite as clear. FSANZ in coordination with state health departments should provide robust guidance to assist local government in categorising food businesses, so the appropriate and proportionate food safety management tool is applied.

Suggestions for the minimum level of assistance to be provided to local government to integrate the proposed changes as they relate to food business risk categories.

- A food business risk categorisation tool,
  - definitions coupled with examples with examples of common business types and how they fit into the risk categories,
  - guidance/implementation documents, and
  - the ability to contact Queensland Health for direction
9. The food safety management tool requiring evidence to substantiate food safety management (E) will be referred to in this section as 'record keeping', manually writing down paper-based temperatures etc.

Maintenance of records across a broad range of business types can present a number of difficulties for EHOs when attempting to direct food businesses toward compliance.

Currently in QLD, caterers, nursing homes and childcare centres are required to maintain a food safety program and subsequent records. A high level of compliance is generally achieved by nursing homes and childcare centres because their food safety program (FSP) is audited at least annually by a qualified food safety auditor, and they must also maintain other accreditations (outside of food safety), creating a larger focus on record/administrative maintenance within the business.

A broader range of food businesses includes small takeaway businesses, which may lack the resources, ability (e.g. when English is a second language) and/or the will (the business cannot correlate the increased record keeping requirements and the benefit to them or their business) to complete records.

A review of another state that requires mandatory record keeping for a range of food business types reveals an interesting outcome. FSPs are mandatory in a broad range of Victorian food businesses (businesses where potentially hazardous food (PHF) is handled), and it can be observed that each subsequent release of the publicly available FSP results in a reduced number of records being required.

- FSP version 3 requires 5 records and 4 supplementary records. The supplementary records include safe sous vide and sushi preparation, therefore will not apply to every business.
- FSP version 1, which is closer in line with FSANZ's currently proposed record keeping requirements, totals 17 required records (including supplementary records).

The number of records has simply been reduced or they have been simplified in response to the difficulties in achieving food business record keeping compliance.

- FSP version 1 requires every delivery containing PHF to be checked and recorded while version 3 does not require temperature checks of any deliveries (record removed).
- FSP version 1 contains a process log which requires time and temperature documentation for each process involved in preparation of 1 menu item a month.

E.g. defrosting temperature/time, then cooking temperature/time, cooling temperature/time. Version 3 simply requires 1 food item be checked once a

month to ensure it is cooked to over 75 degrees Celsius. The difficulty in achieving compliance has caused the record to be simplified.

The problem arises because a food business can safely operate without food safety record keeping, so the application of a penalty infringement for record keeping non-compliance is not proportionate to the risk presented.

To initially apply a smaller number of record requirements (that focus on the core critical matters), and as time goes on introduce more records if required, is a more reasonable approach to introducing mandatory record keeping.

The initial introduction of a larger number of records can overwhelm proprietors, resulting in low compliance rates and record numbers being reduced over time. The initial large number of records resulting in overwhelm can result in an instant barrier to compliance, which might never be overcome.

The alternate method of compliance mentioned, that allows implementation of written standard operating procedures (SOPs) or a simple explanation of process may be a way to offset the impost around manual record keeping. The example of a simple explanation of process may become simply 'saying the right things' to satisfy the EHO, this should be considered. Also, it should be encouraged that the use of written SOPs are used to form a component of the inhouse training, to ensure the SOP remains relevant and up to date, not simply a 'tick the box' exercise.

10. Paper based record keeping is fast becoming a redundant practice. Automated fridge temperature recording software that records temperatures in real time, then alarms and notifies of a temperature breach, is a much more practical and effective food safety management tool than writing down temperatures once or twice a day. There are apps that connect to a Bluetooth probe thermometer that instantaneously record temperatures of food, which can be used to digitally record temperatures for food delivery, food cooking, food cooling, food in cold storage or food in hot/cold display.

The more modern record keeping examples mentioned reduce human error and simplify and streamline compliance, which can be appealing for time poor businesses.

Creation of a digital record maintenance system coupled with a best practice guide that moves food businesses operators' awareness toward modern temperature recording options provides alternatives for food business operators. Digital records can be safely stored for a number of years and the reduction in printing reduces the business's carbon footprint.