

HEALTH PROTECTION DIRECTORATE

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Standards Management Officer
Food Standards Australia New Zealand
PO Box 7186
Canberra BC ACT 2610

Dear Sir / Madam

Submission – Proposal P1004 – Primary Production and Processing Standard for Seed Sprouts

Thank you for the opportunity to provide a submission on the Second Assessment Report for Proposal P1004.

This is a Queensland government response provided by Queensland Health, as lead agency, on behalf of relevant agencies following consultation with them. Queensland Health is responsible for coordinating policy advice relative to the national policy on food regulation.

Queensland is opposed to the development of regulatory measures (Option 2) for seed sprouts in isolation of a more general review of the need for primary production and processing standards related to horticulture.

In Queensland primary production and processing standards are enforced by Safe Food Production Queensland (SFPQ) under the *Food Production (Safety) Act 2000*. Should the proposed primary production and processing standard for seed sprouts be incorporated into Chapter 4 of the *Australia New Zealand Food Standards Code* (the Code), the Queensland *Food Production (Safety) Regulation 2002* would need to be amended to implement the requirements in Queensland.

The implementation of the proposed standard is likely to be cost prohibitive and place a significant burden on both government and industry with questionable net benefits to the community. It is anticipated that the Queensland Office of Regulatory Efficiency would raise significant concerns about developing and implementing a food safety scheme under the *Food Production (Safety) Regulation 2002* that relates to seed sprout businesses only given the low number of businesses expected to be captured by the proposed standard. As a result it is anticipated that the costs could not be recovered from the industry and Government funding would be required. Therefore, there is a significant risk that the proposed standard would not be able to be implemented in Queensland.

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Queensland food regulatory agencies remain opposed to an ad hoc approach to developing standards in response to food-borne illness outbreaks. This reactionary approach to standard development may unfairly affect a single commodity, is at odds with the current structure and approach in the Code and has the potential to undermine the well considered development of a horticultural products primary production and processing standard.

The current approach is inconsistent with previous food poisoning outbreaks linked to single food commodities. For example, the Code was not amended in such a manner in reaction to recent previous food-borne illness outbreaks related paw paw (Western Australia and Queensland in 2006-07), rockmelons (2006), semi-dried tomatoes (2009), etcetera.

The ad hoc development of a regulatory measure for seed sprouts that excludes microgreens and snow seed sprouts, which are usually produced by sprout producers, is likely to impose further costs on the sprout industry and government to develop and implement additional requirements for the sector at a later stage. As such, it is maintained that all types of sprouts and related products, such as microgreens and snow seed sprouts, should be considered at the same time during the general review of the need for primary production and processing standards related to horticulture.

It is noted:

- the Second Assessment Report does not appear to consider small sprout producers in the retail sector, such as Asian restaurants, that produce sprouts for their own use
- the draft standard included in the Second Assessment Report is inconsistent with the primary production and processing standard templates used to develop the Egg and Poultry Meat Standards
- practical guidance information would be required to assist sprout producers implement the proposed standard, particularly producers not supported by a relevant industry association
- the Second Assessment Report does not appear to provide a solution to minimising contamination of sprout seed during primary production
- there were limited industry comments on the First Assessment Report, though it is acknowledged that a large number of industry stakeholders had the opportunity to provide comments through the Standards Development Committee.

Once again we urge FSANZ to reconsider progressing this Proposal and to commence as a matter of priority the consideration of the primary production and processing for plant and plant products.

Should you require any further information, I would be pleased to assist you and can be contacted on telephone (07) 3328 9310.

Yours sincerely



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Director

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