

**FSANZ Consultation Paper**  
**Improving food safety for fresh horticultural produce**  
**Submission from SA Health**  
**July 2011**

Thank you for the opportunity to provide comment on the Consultation Paper on 'Improving food safety for fresh horticultural produce'. SA Health supports investigation of the current systems in place to control outbreaks of illness associated with fresh horticultural produce. The following comments are offered for consideration.

*Scope*

SA Health seeks clarification of the proposed scope of this work.

Definition of fresh?

The discussion paper states that the work will cover fresh fruit and vegetables, including fresh cuts, on farm preparation and production activities through to retail, including processing, transport and distribution. Clarification is sought on the use of the word 'fresh', ie will the work be limited to produce that is fresh at the time of sale (eg exclude frozen produce)? Careful consideration of the reference to retail activities is also needed as existing Primary Production & Processing standards have not been applied to retail activities.

Exclusion of grains and nuts

SA Health also questions the decision to exclude grains and nuts from consideration at this stage particularly as it is stated in the consultation paper that nuts and grains are associated with the highest number of recalls due to *Salmonella* and *Listeria monocytogenes* contamination.

South Australia is aware of several recent incidents involving contamination of nuts and is also aware of a project in Victoria regarding the control of contamination of nuts and grains with aflatoxins and salmonella. There have also been numerous overseas incidents relating to nut contamination including in the US where a law was passed in 2007 requiring pasteurisation of almonds.

In addition, it is noted that Standard 2.3.1 *Fruit and Vegetables* includes nuts and seeds in the definition of fruit and vegetables as follows -

***Purpose***

*This Standard provides specific definitions for fruit and vegetables, which include nuts, spices, herbs, fungi, legumes and seeds based on processing categories in Standard 1.3.1 for the purpose of providing specific additive permissions.*

*In this Code -*

***fruit and vegetables*** means fruit, vegetables, nuts, spices, herbs, fungi, legumes and seeds.

This definition applies across the Code and should be taken into consideration when excluding nuts and seeds from the scope of horticultural work.

It is therefore considered that FSANZ should discuss the scope of the proposed work further with jurisdictions to inform the decision making process.

### *Risk Assessment*

In regard to on farm preparation and production, it is considered that without some form of minimum requirements, regulatory gaps exist. In South Australia, there are no specific requirements for horticultural products (other than citrus) that are packed or processed on farm. Therefore there is no requirement for such activities to be inspected by regulators.

The discussion paper indicates that existing schemes will be assessed to determine if they are sufficient to protect consumers, or whether there are gaps that could be addressed through a regulatory or other approach. The flow diagram on page 3 of the consultation paper indicates that commodities will be assessed for their link to food-borne illness.

SA Health is of the view that it is important to identify not only where commodities have been linked to food borne illness but also the potential risks associated with particular horticultural practices; eg. using uncomposted manure, use of herbicides etc. Further the list of key risk factors needs to be expanded beyond the traits of the commodity itself to include the harvest method, eg. almonds collected from the orchard floor.

### *Existing Food Safety Schemes and Programs*

SA Health acknowledges the current voluntary schemes in place such as Freshcare and Woolworths Quality Assured and that it is estimated that 75% of farmers are covered by voluntary schemes.

However, there are risks associated with these schemes which need to be fully considered in developing horticultural food safety requirements.

The flow diagram on page 3 of the consultation paper indicates that should the voluntary scheme be sufficient it will be promoted instead of moving to consider regulatory options. This may not be sufficient. Existing schemes are not reviewed by authorised officers under food legislation so are fully reliant on voluntary compliance with no requirement for reporting to regulatory authorities. Consideration needs to be given to the best way to deal with producers that do not comply with voluntary schemes as non-compliant producers may choose to continue to supply their producer via a route that does not require involvement in the scheme.

As part of its assessment of risk, it is recommended that FSANZ seek or purchase residue data from the voluntary schemes to identify the current level of compliance with MRL's.

In addition voluntary schemes may not be accessible to all producers, particularly small scale producers due to cost and/or their ability to comply. It may also be inappropriate for Government to promote an industry scheme where there is a commercial element to the scheme. It is unlikely that 100% coverage by voluntary schemes would be achieved; therefore consideration needs to be given to producers not covered by a scheme as they may pose an unacceptable risk.

Where there is a food safety risk that requires appropriate controls to protect public health this should be addressed by minimum requirements being put in place that all members of the industry are required to follow. This would ensure clear expectations are set and may be the most equitable way of ensuring all producers are captured by the same requirements rather than reliance on voluntary schemes. Instead, voluntary schemes could be used to demonstrate compliance with minimum requirements.

*Summary*

SA Health supports the consideration of some form of minimum requirements being prescribed that apply to producers. This could be through the development of a Primary Production and Processing Standard.

To inform this process it is especially important that all aspects of risk management relating to horticultural products are examined and additional consultation with all stakeholders is undertaken.

Thank you for the opportunity to provide feedback. SA Health looks forward to the next phase of this project.

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