



11 April 2022

## **SUBMISSION**

### **Proposal P1053 – Food Safety Management Tools**

#### **From Environmental Health Australia (New South Wales) Incorporated**

Environmental Health Australia (EHA) is the peak environmental health professional organisation in Australia advocating environmental health issues and representing the professional interests of all environmental health practitioners in Australia. EHA is a not-for profit organisation and founding member of the International Federation of Environmental Health.

In NSW, Local Government Environmental Health Officers (EHOs) have key responsibilities in the regulation of food businesses as Authorised Officers under the Food Act 2003, and through the Food Regulation Partnership with the NSW Food Authority.

EHA (NSW) INC, as a professional organisation representing EHOs across NSW, welcomes the opportunity to provide input into Proposal P1053 – Food Safety Management Tools.

#### **Response to Proposal P1053 – Food Safety Management Tools**

EHA (NSW) INC supports the proposed Food Safety Management Tools outlined in the *Call for submissions – Proposal P1053 Food Safety Management Tools* and supporting documentation prepared by Food Standards Australia New Zealand (FSANZ). Specific comments regarding P1053 are outlined below.

#### **Food Handler Training (FHT)**

EHA (NSW) INC considers that there is currently a knowledge deficiency amongst food handlers, as often casual, junior, and transient food handlers are employed without the necessary skills and knowledge. Therefore, any requirement that mandates up-front training for all food handlers is supported by EHA (NSW) INC, in an effort to minimise the risk of food borne illness.

The food safety topics that have been identified as core requirements for the FHT:

- Safe Food Handling (including storage and temperature control)
- Food Contamination
- Cleaning and Sanitising
- Personal Hygiene

effectively cover key critical control points of safe food handling.

Where there is higher risk food preparation such as in-house raw egg mayonnaise, sous vide, sushi, etc, additional modules to cover these risks should also be required for the food handlers above the basic training requirements.

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Online training courses like the Environmental Health Australia endorsed 'I'M ALERT' food safety training (as identified within the Proposal's supporting documentation), and First for Training's 'Food Safety Essentials' provides an effective source of training for food handlers at the entry level.

### **Recommendation 1: Mandatory training for all food handlers**

Although it is understandable why a clause would be included to allow for alternative compliance via the *'ability to demonstrate adequate skills and knowledge'*, it would be far simpler and clearer for both food businesses and Authorised Officers, to make it **mandatory for all in-scope food handlers to undertake food handler training, with no exceptions.**

As identified in the Proposal's supporting documentation, there are a number of free food handler training courses, and can take as little as 90 minutes of staff time to complete a course, so would not cause burden to small businesses. Many training platforms also provide a certificate of completion at the end of the training that can be added to a business's training records.

The potential impact of requiring all food handlers to undertake food handler training could be enormously beneficial, by ensuring clear and consistent information is provided to all staff handling food for consumption. Utilising online training with set topics would help ensure greater consistency in the information provided to food handlers, rather than ad hoc 'in-house' training, where the trainer may be distracted by general operation of the business. This requirement can also provide useful refresher training for those with more industry experience to keep abreast of changing processes and preparation methods, and experienced staff should be easily able to complete the modules with their current experience.

Making training mandatory for all food handlers would lessen the burden on regulation for Authorised Officers – i.e. it is less onerous to ask for staff training records, than taking the time to question multiple staff members during inspections. However, questions could still be asked by the Authorised Officer to confirm that the food safe practices are known and followed at the premises.

### **Food Safety Supervisor (FSS)**

Whilst it is already mandatory in NSW for many food businesses to have a Food Safety Supervisor (FSS), there is no requirement to be onsite/available at all times. The proposed requirement for the FSS to be *'reasonably available'* is a welcome addition to help strengthen the value of the FSS role within a food business.

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EHA (NSW) has been advised of numerous instances from Authorised Officers where food businesses have:

- appointed an FSS who is rarely at the premises
- appointed an FSS who is not involved in any food handling
- Business owners asking relatives (including their children) to undertake the FSS training on their behalf (particularly where English is not the owner's first language, and training is undertaken online)

It is envisioned that the new FSS requirements for being '*reasonably available*' will have a positive impact on the usefulness of the FSS role in food businesses.

### **Recommendation 2: Clear inclusion of Childcare Centres for FSS requirements**

EHOs have raised some concerns as to whether childcare centres that prepare food will be included within the category 1 businesses that require an FSS. Currently in NSW, childcare centres (including long day care, occasional day care etc) are **exempt** from the requirement to have a designated Food Safety Supervisor with formal training units in food safety.

In 2008 NSW introduced the national Standard 3.3.1 - *Food Safety Programs for Vulnerable Persons* as the *Vulnerable Persons Food Safety Scheme*. However, NSW children's services are **exempt** from the additional requirements of this Scheme.

Therefore, to fill this identified skills and knowledge gap, we recommend that **childcare centres that prepare and serve food are clearly captured under the new Food Safety Supervisor requirement.**

### **Evidence (E)**

The proposed evidence to substantiate food safety management is a positive inclusion to help ensure key processes, including temperature control, food processing, and cleaning and sanitising are effectively managed.

Ensuring access to adequate and consistent supporting resources for food businesses will be vital to meet this requirement so not to create undue burden.

### **Recommendation 3: Mandatory records for category one businesses**

Although it is understandable to provide a clause to allow for other ways to demonstrate compliance, e.g. physical demonstration, it would be less of a resource and regulatory burden on Authorised Officers if the requirement was **mandatory for all category one businesses to provide record evidence of prescribed provisions.**

### Non-regulatory measures

The concept of developing non-regulatory measures such as Food Safety Culture and Education is supported. However, there are a number of concerns in relation to the review of Food Safety Management Tools that need to be addressed. These include:

- Will resources be provided to local governments to provide to businesses for the non-regulatory tools? Who is responsible for the development of these tools? Will there be an expectation on what local governments will provide? Will the resources be standardised and nationally consistent and available for all councils to utilise?
- A draft implementation strategy has been developed for businesses. Will an implementation strategy for local government be developed?
- It is recommended that criteria or guidelines be developed for Food Handler training to ensure consistency, especially when it is developed “in house”. What is considered adequate / appropriate?
- Will detailed training be provided for Local Government Officers on the proposed amendments including categorisation of businesses?

### Conclusion

EHA (NSW) appreciates the opportunity to comment on **Proposal P1053**, which includes a number of welcome food safety management tools to help strengthen food safety in Australia.

EHA (NSW) INC supports any changes that would serve to mandate the presence of at least one FSS for every in-scope food business, in addition to mandating that every food handler where food is for sale be required to complete training (online, in person) and obtain a certificate of completion.

This submission provides recommendations that we consider will strengthen the proposed food safety management tools in ensuring greater food safety outcomes.

For further information in relation to this submission, please contact [REDACTED]

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