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Dear Team,

Please find below comments on the proposed changes to the Food Standards Code, proposal P1053 on behalf of Camden Council.

- The proposed definition of 'food safety supervisor' is different to the current definition in the NSW Food Act. The Food Act has a requirement that the FSS 'does not hold the position of FSS for any other premises'. This is an important point to include as it stops large business chains and franchises from having one FSS for all their restaurants.
- Definition of 'food safety training course' – this definition does not include the requirements that is from a registered training organisation. Is there going to be guidance on what is considered an acceptable food safety training course?
- Section 3.2.2A-3 (2) – Standard does not apply to the handling of food for or at a 'fund raising event'. We question why this would be necessary? We understand that small scale fundraising done by the charity themselves are exempt from notification requirements and current FSS requirements in NSW. However it would seem unnecessary to exempt all food handlers who are preparing food for a fund raising event, what if the fund raising event is done by a commercial caterer or large food business? They should not be exempt from basic food handling requirements (especially if they are getting paid for the job) simply because the event is for fund raising. We have concerns that some businesses may use this as an opportunity to get around the requirements for food handler training.
- Section 3.2.2A-10 – Food Safety Training – We have previously provided comments on the requirements for minimum standards of training for food safety handlers. This section has the potential to be a big improvement in the food industry except for the addition of section (b) or skills and knowledge. By wording the section in this way, it gives an 'out' for businesses to claim that their staff have the skills and knowledge already and are not required to do the minimum food safety training course. There is already a section in the FSC relating to skills and knowledge of food handlers so we don't see the need to repeat it here.
- Section 3.2.2A-11 – Supervision of food handlers – In addition to the above notes for FSS (that they should not be able to be a FSS for more than one business), we welcome the addition that the food handler should be 'reasonably available'. However we would like to see a definition for 'reasonably available' so that it is not up to interpretation for each business and that the enforcement of this is consistent across all jurisdictions.
- Section 3.2.2A-12 – Evidence
 - This clause requires businesses to keep evidence demonstrating compliance with various sections of the FSC, however provides a clause that says that if the food business can demonstrate to the reasonable satisfaction of an authorised officer that it is not required. We would like to see a definition (or guidance document) of what would be determined satisfactory evidence so that this clause is enforced in a consistent manner across all jurisdictions.
- We support the transitional phase and that business would have 12 months to comply with the new standard

Regards,

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