Legislative Council
of the
Hong Kong Special Administrative Region

Delegation of the
Panel on Food Safety and Environmental Hygiene

Report on duty visit to study the food regulatory systems in Australia

20 - 25 July 2003

TABLE OF CONTENTS

VI Examples of training courses/workshops organised by Melbourne City Council

VII Examples of fact sheets/booklets issued by Melbourne City Council

VIII A sample compliance assessment checklist for inspections to food businesses

List of reference materials acquired from the visit and related information which the delegation has considered in drawing up its observations

Acknowledgements

The delegation wishes to thank the officers and scientists of the Australian Commonwealth Government, the Food Standards Australia-New Zealand, Commonwealth Scientific & Industrial Research Organisation, the State Government of Victoria, Melbourne City Council and other organisations with whom the delegation met during its visit to Australia from 20 to 25 July 2003. The delegation is most grateful to them for their useful briefings and frank exchange of views and information with the delegation.

The delegation wishes also to thank the Hong Kong Economic and Trade Office in Sydney and the Consul-General of Australia in the Hong Kong Special Administrative Region for their kind assistance in putting together the visit programme and making the logistical arrangements.

Chapter 1

Introduction

Chapter 1: Introduction

Purpose of report

1.1 A delegation of the Panel on Food Safety and Environmental Hygiene (FSEH Panel) of the Legislative Council (LegCo) conducted a duty visit to Australia in July 2003 to study its food safety requirements and food regulatory systems. The report presents the main findings and observations of the delegation.

Membership of the delegation

1.2 The delegation comprised the following Members -

Hon Fred LI Wah-ming, JP (Panel Chairman and leader of delegation)
Hon LEUNG Fu-wah, MH, JP (Panel member)
Hon Michael MAK Kwok-fung (Panel member)
Hon LI Fung-ying, JP (non-Panel member)

1.3 Mrs Constance LI, Chief Assistant Secretary (2) 5, accompanied the delegation on the visit.

Visit programme

1.4 The delegation visited Canberra and Victoria from 20 to 25 July 2003. The delegation met with officers and scientists of the following departments and organisations -

(a) Australian Animal Health Laboratory (AAHL)

(b) Australian Customs Service

(c) Australian Quarantine and Inspection Service (AQIS)

(d) Commonwealth Scientific & Industrial Research Organisation (CSIRO)

(e) Dairy Food Safety Victoria

(f) Department of Agriculture, Fisheries and Forestry (AFFA)

(g) Food Science Australia

(h) Food Standards Australia-New Zealand (FSANZ)

(i) Melbourne City Council

1.5 The delegation also visited a seafood processing plant, a genetically modified (GM) food laboratory, a fish wholesale market and a vegetable/fruit wholesale market in Victoria. The visit programme is in **Appendix I**.

1.6 A list of officers, scientists and other persons with whom the delegation met is in **Appendix II**.

Purpose of the visit

1.7 The FSEH Panel is tasked to monitor Government's policies and practices in setting and monitoring food safety standards in safeguarding public health. The main areas of concern of the Panel include the food surveillance and inspection systems, the food regulatory framework and the proposed food labelling systems.

1.8 The Panel decided to send a delegation to visit Australia and Japan to have a better understanding of the import and export control of food products and the food regulatory systems in these countries.

1.9 The visit to Australia was conducted in July 2003. Australia was selected because it is a key trading partner of Hong Kong, and it exports a significant amount of seafood, dairy produce and meat products to Hong Kong. Australia has also promulgated advance food safety standards and food labelling systems.

1.10 The visit to Japan has been deferred to January 2004. Japan is selected because it is similar to Hong Kong in that it also imports a great variety of food from other places. Japan has also put in place sophisticated food regulatory and food labelling systems.

Chapter 2

Regulatory framework on food safety in Australia

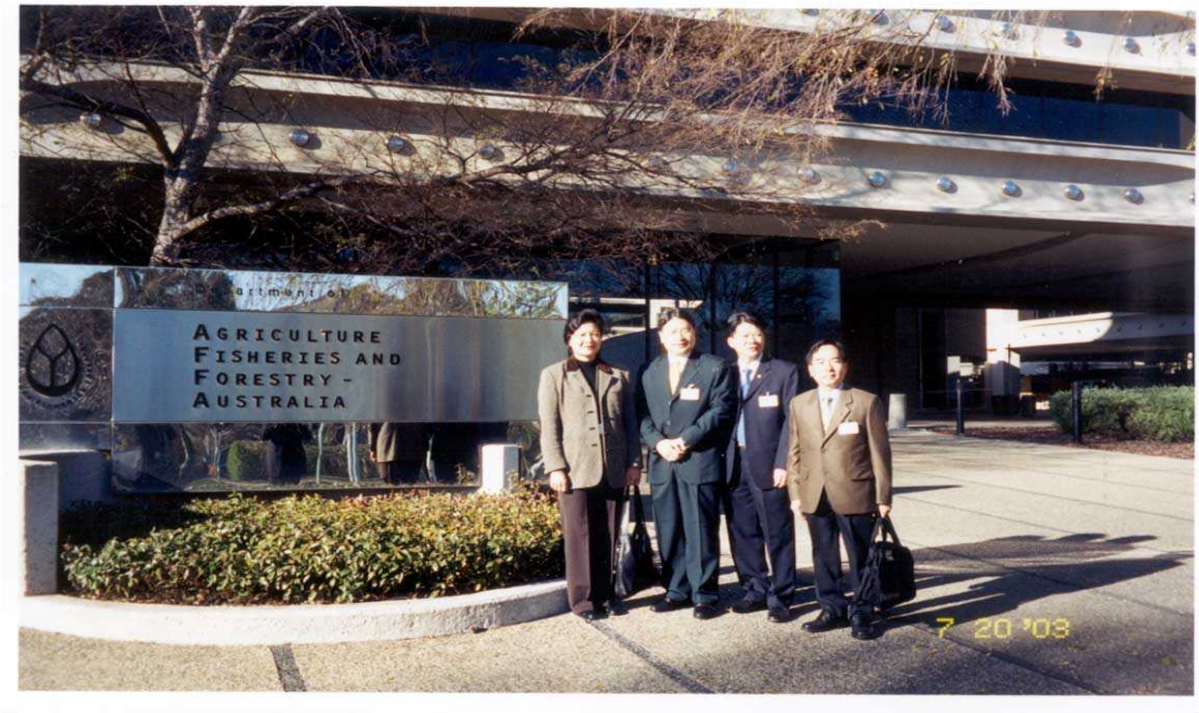

Figure 1 Visit to Department of Agriculture, Fisheries and Forestry

Figure 2 Presentation of souvenir to Dr Ann McDonald, General Manager, AQIS Market Maintenance Group

Chapter 2 : Regulatory framework on food safety in Australia

General

2.1 In Australia, the Minister for Agriculture, Fisheries and Forestry (MAFF), the Minister for Forestry and Conservation and the Parliamentary Secretary to MAFF oversee the agriculture, fisheries and forestry portfolio. The portfolio comprises the Department of Agriculture, Fisheries and Forestry-Australia (AFFA), two statutory marketing authorities, three regulatory authorities and 10 research and development corporations.

2.2 Policies affecting public health are made by the Ministerial Council. It is chaired by the national Health Minister and comprises ministers responsible for the health and agriculture, industry and consumer affairs. Representatives from the national Government, State and Territory Governments, local Governments and New Zealand Government also attend the Ministerial Council meetings.

2.3 The Department of Health and Ageing and AFFA are the lead government agencies responsible for developing the policies and standards concerning public health. The Food Standards Australia-New Zealand (FSANZ) is the independent statutory authority for developing national standards specifically on food composition, food labelling, agriculture, food processing and food preparation. The making and enforcement of local legislation are the responsibility of State or Territory Governments and local Governments.

Department of Agriculture, Fisheries and Forestry-Australia (AFFA)

2.4 AFFA is the Commonwealth Department responsible for agriculture, food, fisheries and forestry. It has the dual roles of providing customer services to the agricultural, food, fisheries and forest industries, and addressing the challenges of natural resource management. It also helps build and promote the whole food and fibre chain from paddock to plate for domestic and international markets.

2.5 AFFA's mission is to increase the profitability, competitiveness and sustainability of the industries of agriculture, food, fisheries and forestry and enhance the natural resources in these areas. To achieve this mission, AFFA delivers scientific and economic research, policy advice, programmes and services to help industries under its portfolio to deal with challenges.

2.6 AFFA has the following policy objectives -

(a) protection of public health;

(b) appropriate level of government regulation of industry based on risks;

(c) trade facilitation;

(d) harmonisation of standards and enforcement;

(e) cost effective compliance; and

(f) improved information to consumers.

2.7 The organisation chart of AFFA is in **Appendix III**.

Australian Quarantine and Inspection Service (AQIS)

2.8 AQIS is a division under AFFA providing quarantine inspection services for the arrival of international passengers, cargo, mail, animals and plants or their products into Australia, as well as inspection and certification services for a range of animal and plant products exported from Australia.

2.9 Specifically, AQIS performs the following functions -

(a) inspecting and certifying food products for export;

(b) assisting export of Australia's agricultural and fisheries products by providing information and services to exporters;

(c) contributing to the development of national policies on food standards;

(d) inspecting imported foods;

(e) facilitating importation of animals, plants and related products, while maintaining protection against the entry and spread of exotic diseases and pests; and

(f) reacting to any outbreak of exotic pests, diseases or weeds.

2.10 AQIS regulates most, but not all, food exports (e.g. fish, dairy produce, eggs, meat, dried fruits, fresh fruit, vegetables, and some processed fruit and vegetables) and all food imports.

2.11 AQIS's vision is to ensure -

(a) market access worldwide for Australian exports through international negotiations and efficient AQIS certification systems;

(b) protection of Australia's agricultural production, consumers and environment through efficient AQIS inspections systems; and

(c) protection of human health and the health of the Australian flora and fauna through effective quarantine system.

Food Standards Australia New Zealand (FSANZ)

2.12 FSANZ (previously known as Australia New Zealand Food Authority) is a statutory authority operating under the Food Standards Australia New Zealand Act 1991. The Act provides a focus for cooperation between Governments, industry and the community to establish and maintain uniform food regulation in Australia and New Zealand.

2.13 FSANZ is a bi-national independent statutory authority that develops food standards for composition, labelling and contaminants, including microbiological limits, that apply to all foods produced or imported for sale in Australia and New Zealand.

2.14 In Australia, FSANZ develops food standards to cover the whole of the food supply chain, i.e. from paddock to plate for both the food manufacturing industry and primary producers. Its primary role is to develop or amend food standards to ensure the safety of food sold in Australia, to ensure the provision of adequate information to consumers and to prevent misleading or deceptive conduct.

2.15 FSANZ works in partnership with Australia's Commonwealth, State and Territory Governments and the New Zealand Government. There are 12 board members on FSANZ and they include Government officials having responsibility for matters relating to public health and experts in the fields relating to consumer rights, public health, food science, food production and public administration.

2.16 FSANZ also coordinates national food surveillance, enforcement and food recall, conducts consumer and industry research, undertakes dietary exposure modelling and scientific risk assessments, and provides risk assessment advice on imported food.

2.17 Commencing 1 July 2002, FSANZ has the responsibility for approving standards and variations to standards, and for notifying the Ministerial Council of such approvals. The Ministerial Council may agree to or request for reviews of the standards approved. While FSANZ makes decisions independently, it must comply with statutory obligations and policy directions set by the Ministerial Council and other partnership agencies such as AFFA.

2.18 In developing or changing a food standard, there are generally two rounds of consultations with stakeholders and the submissions are advertised for general information. In the decision-making process, FSANZ must have regard to the following -

(a) the need for standards to be based on risk analysis using the best available scientific evidence;

(b) the promotion of consistency between domestic and international food standards;

(c) the desirability of an efficient and internationally competitive food industry;

(d) the promotion of fair trading in food; and

(e) any written policy guidelines formulated by the Ministerial Council.

2.19 The Australia and New Zealand food regulatory model is given in **Appendix IV**.

New issues relating to food safety

2.20 In April 2003, the Ministerial Council agreed to the mandatory country of origin labelling of food to enable consumers to make choices, and also to conduct a review on GM labelling. The following food issues are currently under consideration -

(a) novel foods (plant sterols), GM food, irradiated foods;

(b) medical foods, medicinal herbs (non-culinary herbs), foods for special medical purposes, bush foods, kava, foods formulated for special diets; and

(c) foods for infants, health claims (disease specific), health nutrient and related claims (fats, salts), dietary supplements, formulated caffeinated beverages (vitamins and minerals), sports foods (electrolyte drinks).

Chapter 3

Import and export control of food

Figure 3 Presentation by Dairy Food Safety Victoria

Figures 4 & 5　Visit to a seafood processing plant in Melbourne

Chapter 3 : Import and export control of food

Imported Food

Regulatory bodies

3.1 The following agencies are involved in the regulation of food imported into Australia -

(a) The Australian Quarantine and Inspection Service (AQIS);

(b) The Australian Customs Service (ACS);

(c) Food Standards Australia New Zealand Food (FSANZ);

(d) The Australian Government Analytical Laboratories; and

(e) AQIS - approved commercial laboratories.

3.2 AQIS and FSANZ have joint responsibility for the operation of the Imported Food Inspection Scheme (paragraph 3.9). FSANZ is responsible for -

(a) categorising food according to their potential to pose a risk to human health;

(b) advising AQIS of the tests to apply to imported food; and

(c) providing advice to AQIS on matters relating to the Food Standard Code (FSC) and food safety.

Quarantine requirements

3.3 All food imported into Australia must in the first instance comply with Australia's quarantine requirements under the Quarantine Act 1908 in order to protect Australia's animals and plants from exotic pests and diseases.

3.4 Under the Quarantine Act 1908, some foods are prohibited from entry into Australia because the quarantine risk is too great, while other foods may be permitted entry under strict quarantine conditions. Foods such as meat, dairy produce, eggs, or food containing any of these as ingredients, require a Quarantine Import Permit from AQIS before being allowed entry into Australia.

Food safety requirements

3.5 In addition to compliance with the quarantine requirements, importers must also ensure that the food they import complies with the Australian Food Safety Standards as required under the Imported Food Control Act 1992, the Imported Food Control Regulations and the Imported Food Control Orders.

3.6 There are certain exceptions to these requirements -

(a) "Active" and "Random" Surveillance category foods manufactured in and imported from New Zealand;

(b) prohibited food (which is subject to the Customs Prohibited Import Regulations);

(c) food imported for private consumption (of specified amounts);

(d) food imported as a trade sample (of specified amounts);

(e) food that is ship's stores or aircraft's stores within the meaning of section 130C of the Customs Act; and

(f) foods (except risk category food) imported via New Zealand under the provisions of the TransTasman Mutual Recognition Act (subject to certain conditions).

The Food Standards Code

3.7 The Food Standards Code (FSC) is administered by FSANZ. On 20 December 2000, the FSC was amended to include the new joint Australia New Zealand Food Standards Code. The FSC consists of two parts, viz. the old Food Standards Code (Volume 1) and the new joint Australia New Zealand Food Standards Code (Volume 2). During the two-year transitional period up to December 2002, importers could choose to comply with either Volume 1 or Volume 2 but not a combination of both. Volume 1 was repealed on 20 December 2002 and Volume 2 has since become the common standard for Australia and New Zealand.

3.8 The FSC stipulates, among other things, the general standards for food and it applies to imported food and food produced in Australia. The Code includes labelling requirements, food composition requirements (for permitted ingredients and additives), maximum permitted concentrations for metals and contaminants, Maximum Residue Levels for agricultural and veterinary chemicals, and also the Commodity Standards for certain foods.

Imported Food Inspection Scheme

3.9 The Imported Food Inspection Scheme was implemented in 1990 in Australia following a number of worldwide food poisoning outbreaks[Note]. Under the scheme, AQIS may inspect and analyse imported foods for compliance with Australian standards. AQIS inspection staff also station in major ports to enforce the FSC requirements.

3.10 The extent of inspection to imported food is based on the risk of such food and the compliance history of the producer, manufacture or packer. For food classified as Risk Category by FSANZ, the Australian Customs Service will refer 100% of such shipments to AQIS for inspection. Examples of Risk Category foods are beef, cheese, cooked chickens (chilled or frozen), fish, meat, soy sauce, and oyster source. For new food products imported into Australia for the first time, the first five consignments are also subject to 100% inspection. The consignment must be held pending the results of analyses.

3.11 For foods classified by FSANZ as Active Surveillance Category, they are subject to 10% inspection, i.e. foods are selected at the rate of 10% by country of origin for inspection. These foods will be released if they pass the initial inspection. Examples of foods in this category are egg pulp, egg powder, vegetable sprouts, vegetable oils, margarines, tofu, dried fruit, artificial sweeteners.

3.12 The other foods belong to the Random Surveillance Category, and they are subject to a 5% check on random basis. The foods will be released if they pass the initial inspection. If the sample does not pass the inspection, the whole consignment will be inspected.

3.13 There are alternative arrangements to food inspection by AQIS, for example, if the importer can produce recognised Government certificates on the food imported. There are also quality assurance arrangements for overseas manufacturers.

Enforcement of Food Labelling Requirements

3.14 While the AQIS inspection also covers compliance with the labelling requirements, tests are not normally conducted on the GM ingredients of the food as this is not a food safety issue.

Note There were about 50 deaths in the United States caused by soft cheese contaminated with Listeria monocytogenes, and there was widespread radioactive contamination of food in the mid 1980s in some places following the Chernobyl accident.

3.15 AQIS staff must ensure that all imported food comply with the following food labelling requirements of Australia that the label must -

(a) be in English (or in other permitted languages);

(b) give accurate trade description;

(c) show vendor or importer details;

(d) state the country of origin;

(e) give date marking (where required);

(f) give a statement of ingredients (where appropriate); and

(g) give a lot code, and manufacturers details.

Reasons for failing the import control requirements

3.16 According to AQIS, about 80% of failures in meeting the import control requirements were related to labelling matters. Other reasons of failure include presence of aflatoxins and other controlled items (e.g. agricultural chemical residues, artificial sweeteners, colour matters, heavy metals) in excess of permitted levels, existence of mould and foreign matter in the food, or microbiological contamination (e.g. E.coli, Salmonella, Listeria monocytogenes).

3.17 For foods found not in compliance with the Australia standards, the importers concerned are given the following options:

(a) "treat" the food (e.g. re-labelling) where practicable and re-submit the food for inspection;

(b) re-export the food back to the country of origin or to a third country (subject to conditions) ;

(c) downgrade the food to a use other than for human consumption (subject to conditions) ; or

(d) destroy the food (subject to conditions).

Holding Order

3.18 Holding order is an administrative mechanism for monitoring future imports of food which did not comply with Australia standards on previous occasion(s). Foods subject to holding order will be subject to 100% inspection, and such food must demonstrate continuing compliance with Australia standards (i.e. five consecutive imports passing inspection) before the holding order is revoked.

3.19 Foods monitored by the use of holding orders are allowed entry into Australia if they pass inspection, and the inspection rate of such foods will return to normal once the holding order is revoked.

Fees

3.20 AQIS operates on a full-cost-recovery basis. Importers have to pay for the services provided by AQIS. Foods that do not comply with Australian standards attract additional inspection charges.

Food recall and appeals

3.21 The delegation was informed that a consignment would be released if it passed the initial inspection. However, if the sample subsequently failed the test and the consignment had already been released, the relevant State authority would be notified for a decision on food recall. AQIS would make the necessary coordination on food recall. Importers/manufacturers who wanted to contest the test results or AQIS's decisions could lodge appeals to a tribunal.

Export control

Export statistics

3.22 Australia is the 6th largest exporter of unprocessed food and the 17th largest exporter of processed food in the world. In 1999-2000, Australia's food exports valued about AUD $20.2 billion, and the major foods exported were -

(a) meat (22%);
(b) grains (21%);
(c) dairy (17%);
(d) seafood (8%);
(e) wine (7%); and
(f) horticulture (6%).

Regulatory bodies and legislation

3.23 AQIS is the major regulatory body for export of food produced in Australia. The State dairy and food safety authorities also enforce the food safety requirements as stipulated in law and in the FSC. The export of food is mainly governed by the Export Control Act 1982 which seeks to -

(a) prohibit the export of prescribed goods unless conditions and restrictions are met;

(b) empower AQIS to carry out export inspections and provide export certification; and

(c) ensure that international obligations and the importing countries' requirements are met.

Prescribed food

3.24 "Prescribed food" under Export Control Act 1982 include meat (game, poultry, rabbit), dairy products, fish (include shellfish and crocodile meat), eggs and egg products, dried fruit, grains, plants, plant products, processed fruit and vegetables and organic produce. Foods may be listed as prescribed food for various reasons, such as quarantine or quality concerns of importing countries, international requirements, or the food is linked to some adverse health outcomes. Examples of non-prescribed foods are pasta products, confectionery, breakfast cereals, sugar, high acid/low pH canned fruit and vegetables.

3.25 Common requirements for all prescribed goods are set out in the Prescribed Goods (General) Orders. Each prescribed good has a set of Commodity Orders which are made under the Export Control Act 1982, e.g. the Export Control (Processed Food) Orders.

3.26 Under the Prescribed Goods (General) Orders, establishments for preparing and processing prescribed goods for export must be registered with AQIS. Export permits are required for export of prescribed foods and the relevant labelling and trade description rules must be complied with. There are also commodity specific export programs which reflect international requirements and importing countries' requirements. These requirements include, for example, full-time presence of veterinary/meat inspectors at food establishments.

Processed food

3.27 For export of processed food, exporters can choose either the Food Processing Accreditation (FPA) system or the Approved Quality Assurance (AQA) Arrangement. About 95% of export establishments choose the FPA which is a food safety risk and performance based inspection system. Products are divided into the low, medium and high risk categories and the establishments are given performance ratings. Establishments with poor performance will have the inspection frequency increased and those of the lowest rating will not be allowed to export. Establishments of very good performance producing low risk food are inspected annually, while those of poor ratings producing high risk food may be inspected every two weeks.

3.28 Establishments opted for the AQA arrangements must also comply with all legal requirements and their performance is audited every six months. Such establishments must maintain quality manuals on raw material control, process control, finished product control, hygiene and sanitary procedures, pest control, equipment maintenance, calibration, documentation control and international audit procedure.

Organic food

3.29 For the regulation of farmers and organic foods, the Export Organics & Biodynamic Program provides a third party inspection and certification system which is primarily administered by the industry itself. Inspection and certification services are provided by Approved Certification Organisations which are audited by AQIS.

3.30 Organic produce for export must comply with the Export Control (Organic Produce Certification) Orders and the National Standard for Organic and Biodynamic Produce. The latter establishes rules for labelling of organic products in order to protect consumer against deceptive practices, e.g. the word "organic" is not allowed to be used unless more than 70% of the total ingredients are of organic origin.

Dairy products

3.31 For dairy products, the State Dairy Authorities or State Food Safety Authorities conduct export inspection on behalf of AQIS, while AQIS provides export certification service.

3.32 The delegation visited the offices of Dairy Food Safety Victoria (DFSV) and received a briefing on its operation. DFSV is an independent statutory authority set up by the Dairy Act 2000 of Victoria. It is funded from an

establishment grant of AUD$ 1.8 million and from licence and service fees. DFSV is responsible for ensuring that the Victorian dairy industry is meeting national and international food safety standards. The State of Victoria produces almost 70% of the Australian dairy products, and 88% of the dairy products of Victoria are for export. All dairy premises operating in Victoria are required to be licensed with DFSV. Only licensed persons or organisations (about 7 000 at present) are permitted to produce milk for sale or be involved in its production, transport, manufacture or distribution.

3.33 DFSV works in partnership with the dairy industry to -

(a) provide assessments and input to Government on food safety issues, e.g. use of reclaimed water on farm, biosolid waste and use of stockfeeds containing animal by-products;

(b) monitor the presence of agricultural and veterinary chemicals and the presence of environmental chemicals in dairy products;

(c) develop and implement emergency management plans, e.g. plans to deal with outbreak of Anthrax and Foot and Mouth Disease;

(d) monitor the latest developments and research information that may have impact on dairy food safety; and

(e) encourage and advise on the adoption of industry-developed food safety programs for farms.

3.34 DFSV issued a Code of Practice which set the minimum mandatory standards for the production, manufacture, storage and transport of milk and dairy foods to safeguard public health. The Code was developed in consultation with the dairy industry using a risk-based approach and taking into account the international Codex requirements. All dairy premises must comply with the Code and put in place an approved Food Safety Program which is subject to audit on a regular basis. The Code stipulated requirements for a Dairy Food Safety Program, e.g. temperature for cooling and storage of milk, and documentation on traceability of products.

3.35 DFSV is mainly responsible for the audit and compliance checks at the farm and manufacture levels, and the checking of end products at retail outlets is performed by the local council. Apart from the 10 regular staff engaged for inspection of food factories, DFSV employs about 60 contract staff to conduct checks on farms. DFSV also conducts the Milk Residue Analysis Survey, for which about 2 000 product tests are performed annually.

Chapter 4

Safety assessment of genetically modified food

Figure 6 Visit to a GM laboratory in Tullamaine, Victoria

Chapter 4 : Safety assessment of genetically modified food

Foods requiring a safety assessment in Australia

4.1 According to the Organisation for Economic Co-operation and Development in 1993 (OCED 1993), "the safety of food for human consumption is based on the concept that there should be reasonable certainty of no harm from the intended use". Food is considered to be safe based on experience, for example, there is no history of adverse effects or there is adequate knowledge in the community to address any hazards.

4.2 The following categories of food for sale in Australia require a safety assessment -

(a) novel foods (including those with dietary macro-components; extracts of plants, animals or micro-organisms; single ingredient foods; and viable micro-organisms - probiotics);

(b) foods produced using gene technology; and

(c) irradiated foods.

Food produced using gene technology

4.3 Food produced using gene technology (GM food) is regulated by Standard 1.5.2 - Food Produced Using Gene Technology. The Standard prohibits the sale and use of a GM food unless it is included in the Table to clause 2 of the Standard and complies with any special conditions specified by that Table. The Standard requires FSANZ to assess the safety for human consumption of each food or class of food prior to their inclusion in the Table. Mandatory pre-market safety assessment is imposed on all kinds of GM food. The goal of such assessment is not to establish absolute safety but to consider whether the GM food is as safe as its traditional counterpart, where such counterpart exists.

4.4 The safety assessment for GM food is characterised by -

(a) use of scientific, risk-based methods;

(b) case-by-case assessment;

(c) consideration of both the intended and unintended effects; and

(d) comparisons with conventionally produced food.

4.5 The assessment aims to identify if a hazard is present in a GM food. Such assessment applies to food derived from a GM organism, and not the organism itself (e.g. oil, sugar, seed, fruit). The assessment process is based on internationally developed concepts and principles developed over the past 12 years. The process is constantly reviewed and updated to take into account new developments.

4.6 The safety assessment process is conducted in two phases -

(a) identification of similarities and differences (e.g. identification of the source of donor DNA/genes and the molecular characteristics); and

(b) further scrutiny of the identified differences (e.g. to assess the toxicity/allergencity of any novel protein, the safety of any transferred antibiotic resistance gene, and the safety and nutritional impact of any compositional changes).

Decisions on the safety of GM foods are based on the totality of the evidence gathered.

4.7 According to FSANZ, the first GM food safety assessment was conducted in 1998. Up to 2003, 21 food safety assessments have been completed, and all GM foods assessed to date are found to be "as safe as their non-GM counterpart".

Development of the GM food labelling requirements

4.8 In 1998, the Inter-governmental GM Food Labelling Taskforce was formed at the request of the Ministerial Council (paragraph 2.2) to develop options for labelling of GM food, and to provide the approximate costing for each option. A consultancy company was subsequently engaged to advise on the options and the estimated costs on the Government and the industries under each option. During the public consultation period, thousands of submissions were received. In November 2000, the Health Ministers approved the Standards for implementation of the new labelling provisions concerning presence of novel DNA or novel protein in final food. The new requirement was gazetted on 7 December 2000 and put in force a year later, i.e. on 7 December 2001.

GM food labelling requirements

4.9 The labelling requirements apply to GM food where -

(a) novel DNA and/or protein is present in the final food; and/or

(b) the food has altered characteristics when compared with its conventional counterpart.

4.10 There are several exemptions to the labelling requirements -

(a) highly refined food where the effect of the refining process removes novel DNA and/or protein;

(b) processing aids and food additives except those where novel DNA and/or protein is present in the final food;

(c) flavours which are present in a concentration less than or equal to 0.1% in the final food;

(d) 1% threshold or accidental contamination where the manufacturer has sought to obtain non-GM ingredients; and

(e) food prepared at the point of sale (i.e. restaurants and take-way food).

4.11 Food or food ingredients produced using gene technology where GM material is present in the final food must be labelled with the words "genetically modified". This information must appear on the label of packaged food or in connection with the display of the food if it is unpackaged.

4.12 If the GM food or ingredient has altered characteristics when compared to its conventional counterpart, there are additional labelling requirements, which are specified in Standard 1.5.2. These altered characteristics are -

(a) composition or nutritional values;

(b) anti-nutritional factors or natural toxicants;

(c) factors known to cause allergic responses;

(d) difference in the intended use; and

(e) factors that may raise significant ethical, cultural or religious concerns.

4.13 Standard 1.5.2 is silent with regard to negative claims such as "GM free" or "non-GM". The Standard does not prescribe statements to be used for negative claims nor does it prohibit the use of negative claims. Negative claims are made by food businesses on a voluntary basis. However, such claims are subject to the fair trading requirements of the Australian Trade Practices Act 1974. Food businesses must ensure that any such claims are not false, misleading or deceptive.

Enforcement

4.14 FSANZ only sets the regulatory standards and enforcement in Australia is carried out by the State/Territory Governments. In Australia, the inspection and enforcement of food labelling of processed food at retail level are undertaken by Environmental Health Officers (EHO) of local councils, or Senior Food Officers of the State health authorities, depending on their jurisdictions. For imported food, the inspection and enforcement of the food labelling requirement are undertaken by AQIS (paragraphs 3.14 - 3.15 refers). Complaints concerning non-compliance with the labelling requirements could be made to the consumer organisations or the relevant enforcement agency.

4.15 Dr Paul Brendt, Manager, Biotechnology Products Standard Program of FSANZ has advised that only a limited amount of enforcement activity has taken place in Australia due to manpower constraints. Nevertheless, a recent survey on compliance to the GM food labelling requirements in Australia (see paragraphs 4.16 - 4.24) reveals that the GM food labelling requirements of Standard 1.5.2 are in general complied with by the food businesses surveyed. FSANZ is also conducting a review of the GM food labelling standard which has been in place for almost three years. The review is expected to be completed by the end of 2003.

Australian GM food labelling survey

4.16 The State and Territory Governments in Australia have recently collaborated to conduct a pilot survey of corn and soy derived food products in Australia aiming to determine -

(a) how food businesses are adapting to comply with GM food labelling requirements, and the need to determine the GM status of their ingredients; and

(b) the usefulness of document surveys to regulatory authorities in determining compliance or non-compliance with the mandatory GM food labelling requirements, as an alternative to undertaking expensive laboratory tests.

4.17 The survey tested a representative range of soy and corn derived food products (soy milk, bread, cornflakes, corn chips and tacos) for the presence of novel DNA. These products have the potential for the inclusion of GM ingredients, because of international trade and the commercial cultivation of GM crops overseas. Three rounds of Polymerase Chain Reaction (PCR) testing were conducted to detect the presence of DNA in 51 samples collected in the survey. 36 manufacturers, importers and retailers (supermarkets with generic products) providing such samples were also asked to present evidence on how they determined the GM status of their food products. The document survey covered a mixture of small, medium and large food businesses.

4.18 At the time of the delegation's visit, the results of the survey had not yet been considered by the Ministerial Council. The survey report was subsequently released in August 2003. The full report is now available on Australian Commonwealth Government's web site at *http://www.foodstandards.gov.au.*

4.19 According to the survey report, all the 51 samples tested in the survey were found to have complied with the GM food labelling requirements of Standard 1.5.2. In 10 samples, the GM material detected was within the 1% limit of the labelling exemption for unintentional presence of an approved GM food in non-GM food.

4.20 The report also revealed that the large food businesses covered by the document survey had management systems (documentation or testing) in place to demonstrate the GM status of ingredients used in their products. However, the smaller food businesses surveyed were unable to provide evidence that their products did not contain GM ingredients because they had not implemented management systems.

4.21 Examples of documents included in the management systems of large and medium food businesses are -

(a) supplier's product specification sheets;

(b) supplier certification or declaration statements (assurances may be validated by audits or testing);

(c) independent third party certification;

(d) an "Approved Supplier Program" requiring suppliers to meet certain requirements; and

(e) a database classifying the GM status of all raw materials and ingredients used, such as "GM", "GM derived/contain novel DNA or protein", "GM derived/DNA negative", " Non-GM sourced" and "GM free".

4.22 Standard 1.5.2 does not require a food business to establish a management system to determine the GM status of ingredients used in its products to demonstrate the basis of decisions to label or not label products as GM. The Standard is also silent on documentation. However, documentation has been proposed as a method to determine the GM integrity of products.

4.23 In general, the findings of the survey indicate that large food businesses have adapted to the need to label food products which are GM or contain GM ingredients, and the consequential need to determine the GM status of ingredients used in the products. They have also implemented management systems for the purpose. On the other hand, the smaller food businesses do not appear to have adapted. However, from the samples which were subject to testing and document survey, there have not been non-compliance with the GM labelling requirements.

4.24 According to the report, the document survey is a useful tool for regulatory authorities as an alternative to expensive testing to determine compliance or non-compliance with GM food labelling requirements if the food business has implemented a management system to demonstrate the GM status of ingredients used in its products.

AgriQuality - genetically modified organisms testing services

4.25 The delegation visited one of the laboratories operated by AgriQuality which is a New Zealand-based company wholly owned by the New Zealand Government. The organisation provides internationally accredited certification services on food safety and biosecurity through a network of laboratories.

4.26 AgriQuality offers testing services for the detection of genetically modified organisms (GMOs) in food and animal feed. Its technical experts use PCR technology to detect the presence of DNA sequences typical of GMOs. With highly sophisticated equipment and using real-time PCR, AgriQuality can also quantify the amount of target DNA that has been genetically modified. During the meeting with representatives of AgriQuality in Victoria, the delegation was told that the current PCR testing could detect the presence of up to 0.1% DNA in food.

4.27 According to AgriQuality, about 63% of soy, 21% of maize, 11% of cotton and 5% of canola grown worldwide were genetically modified. The major countries growing commercial GM crops include USA, Mexico, Canada, Argentina, China and Australia.

4.28 In 2002, GMO tests were conducted by AgriQuality on flours (53%), mixes (41%), final products (31%), seed/grain (19%) and oil/lecithin (10%). These included soybean, maize, rice, rape seed, sugar beet, tomato, potato and cotton.

4.29 According to AgriQuality, the following issues would continue to receive attention worldwide -

(a) emerging technology for GMO testing;

(b) acceptance of GMO testing worldwide;

(c) extended application of GMO testing to the whole food spectrum including animals;

(d) control of the supply chain to ensure that consumer has choice;

(e) better identification system for GM food; and

(f) development of GM-free zones.

The new labelling system in the European Union (EU)

4.30 Dr Paul Brendt of FSANZ advised the delegation that the European Parliament had adopted a new legislation on 2 July 2003, and the new legislation would have to be ratified by the European Council before the Regulations could come into force. The new legislation provides for :

(a) a single approval process for GMOs, e.g. seeds, and feeds derived from those GMOs;

(b) traceability across production and distribution chains; and

(c) extensive mandatory labelling of GMOs in food and feed.

4.31 Under the new legislation, all foods produced from GMOs irrespective of whether there is DNA or protein of GM origin in the final product (e.g. highly refined oils and sugars) must be labelled. In addition, all genetically modified feed have to be so labelled and a 0.9% threshold has been adopted for adventitious presence of approved events.

4.32 According to Dr Paul Brendt, the new EU legislation recognises that accidental or unintended presence of minute traces of GMOs in products is largely unavoidable. The EU recognises that such situation already exists and affects products originating both in EU and in other countries. While EU has adopted an across-the-board threshold of 0.5%, a technically unavoidable presence of GMOs not formally authorised but scientifically assessed could be permitted. This exemption applies for a limited time period of three years. This is less strict than the FSANZ requirements, which apply a nil tolerance for unapproved GM foods.

4.33 In comparing EU's new legislation with the Australian requirements, Dr Paul Brendt of FSANZ explained that EU's regulatory system covered seeds, while the Australian system regulated the crops but not the seeds. Moreover, EU adopted a threshold of 0.9% while Australia maintained the 1% threshold for GM labelling. As regards accidental contamination, EU accepted 1% while Australia adopted "zero tolerance" at the moment.

4.34 The Research and Library Services Division of LegCo Secretariat has prepared an information note on the GM food labelling system in the EU (IN 25/02-03).

Chapter 5

Regulation of food businesses

Figure 7 Discussion with the Environmental Health Officer of Melbourne City Council

Figure 8 The delegation visited the Victoria Market in Melbourne

Chapter 5 : Regulation of food businesses

General

5.1 The delegation visited the Melbourne City Council and received a briefing on the regulatory framework for food businesses in Melbourne.

Food Standard Code in Victoria

5.2 While FSANZ sets down the national Food Safety Standards, the State and local Governments are responsible for the enforcement of such Standards. The national Standards have been incorporated into the Food Standards Code and became law in the State of Victoria on 1 January 2002. They apply to all premises registered under the Food Act 1984 (paragraph 5.5).

5.3 The Food Standards Code in Victoria sets out the food hygiene practices, and rules for food premises such as the structure and equipment. The Safe Food Australia publication "A Guide to the Food Safety Standards" provides examples and explanations on how the Standards should be applied.

5.4 It is up to the local councils to interpret the requirements of the Food Safety Standards. Food businesses must demonstrate compliance with the Standards. If a business cannot demonstrate compliance, a local council can take any step it deems appropriate pursuant to the provisions of the Food Act. However, if a food business can demonstrate that it is meeting an outcome required by a Standard, a local council should only impose additional requirements in relation to that Standard with sufficient justification.

Food Act

5.5 The Food (Amendment) Act 2001 reforms the Food Act 1984 to build on established Standards for managing food hygiene. The 2001 Food Act amendments sought to simplify the administration of Food Safety Programs (see paragraphs 5.14 - 5.16), and these apply to all food businesses from 2 January 2002.

5.6 The Food Act amendments follow the direction of moving away from a prescriptive approach towards co-regulation, focusing on prevention of risk through the assessment and control of food hazards. The approach emphasizes the responsibility for each food business to ensure food safety within a legislative framework. To provide guidance on the implementation of the Food Act, the Guide for Administering the Food Act was issued in 2002.

Classification of food businesses

5.7 Under the Food Act, all food businesses are required to be registered with the local authorities, and such businesses include restaurants, take-away food shops, milk bars, pubs (liquor licences are separately issued by the Liquor Commission), candies shops, etc. Food businesses are classified into the following two categories for the purpose of developing a Food Safety Program -

(a) Class 1 - all food premises where the food handled or sold is of high risk and ready to eat, handled prior to sale, or to be consumed predominantly by at-risk or vulnerable populations (e.g. hospitals, old age homes, nurseries).

(b) Class 2 - all food premises other than Class 1 food premises, and retail food premises at which only pre-packaged low risk food is handled or sold (e.g. take-away food shops, restaurants).

5.8 All Class 1 food premises must adopt a standard Food Safety Program and they are subject to compulsory audit. Class 2 premises can elect to have a standard Food Safety Program which is subject to compliance check by the local council, or they can choose to write their own Food Safety Program (paragraph 5.14) which is to be audited by a third party.

5.9 Businesses where the only foods provided are tea, coffee or similar beverages and low-risk snack foods, or as part of another service (such as hairdressers) are exempt from the requirement to have a Food Safety Program.

Registration procedures

5.10 An applicant needs to submit to the local council an application together with the layout plan and specifications on lighting, materials, drainage, refuse disposal, ventilation, etc. **Appendix V** gives details on such specifications. A land use meeting attended by representatives of the relevant departments (including town planning and buildings departments) will be held to examine the application details. The applicant will then be informed whether the layout plans and specifications meet the requirements.

5.11 When the applicant has completed all necessary works for the premises, he/she may make an appointment with the local council for an Environmental Health Officer (EHO) to inspect the premises. No inspection fee will be charged if not more than two inspections need to be conducted. If all conditions are found in compliance with the requirements, the application will be approved. Where only minor rectification works are necessary, the food business may be allowed to operate provisionally.

5.12 Food business operators have to pay annual registration fees and the annual fee for a large-scale food business is AUD $420.

5.13 A compliance check will be made to the premises shortly before expiry of the registration. The registration may be revoked or suspended by the local council if the premises are found not in compliance with the requirements.

Food Safety Program

5.14 Local councils must be satisfied that there is a Food Safety Program before registering a food premises. For Class 2 food businesses which choose to write their own Food Safety Program (see paragraph 5.8), the Program must be submitted to the local council for approval prior to the businesses being registered. The local council must check that the Program covers all the food operations of the business and must undertake a compliance check to verify that the Program has been implemented correctly.

5.15 A Food Safety Program should contain instructions on each aspect of the operation of a food business. It should identify the risks associated with each process, set out the necessary actions to be taken to control the risks, identify the corrective actions to be taken if something goes wrong and specify what records need to be kept. The Program includes detailed requirements, such as the temperature required for storage and display of potentially hazardous foods (i.e. raw and cooked meat, dairy products, seafood, processed food, sandwiches and rolls).

5.16 The Food Safety Program and the relevant records of the food business must be kept on site at all times and be available for inspection by the local council.

Two-hour and four-hour rule

5.17 Standard 8 of Food Safety Standard 3.2.2 sets the requirements for displaying food and requires food to be stored under temperature control. In this context, temperature control means that food can be displayed out of refrigeration for up to two hours and then placed back in refrigeration. Alternatively, food can be displayed out of refrigeration for up to four hours but it has to be discarded after four hours.

5.18 Business relying on this rule must be able to demonstrate to the local council how long the food has been out of refrigeration. If the business cannot demonstrate how long the food has been out of refrigeration, then all food out of temperature control must be discarded and all food subsequently prepared must be kept under refrigeration.

Food Safety Supervisor

5.19 All food businesses in the City of Melbourne must, unless they are exempted (i.e. if the proceeds are used solely for charitable purposes or for community benefit), have an Food Safety Supervisor (FSS) on the registered premises. The FSS must :

(a) know how to recognise, prevent and alleviate the hazards associated with the handling of food at the premises they are responsible for;

(b) have met the required competency Standards;

(c) have the authority to supervise and direct staff handling food, and

(d) ensure the food handling is done safely.

5.20 The food handling and supervisory skills that the FSS has must be appropriate to the nature of the business in which he works. In all cases, a business must demonstrate to the satisfaction of the local council that the FSS can carry out his functions adequately. This is of particular importance where the nominated FSS is not on-site at all times.

5.21 The Department of Human Services has set competency standards for FSS. These competency standards are the minimum that must be demonstrated by the FSS before the Food Safety Program for the premises can be approved.

Training and consultation

5.22 The Melbourne City Council organises a number of training courses and workshops for food businesses to help them draw up the Food Safety Program and to train up FSS and food handlers. **Appendix VI** gives examples of some of these training courses.

5.23 Fact sheets and booklets on food safety are also issued by the Melbourne City Council to assist food business operators to train their staff on food handling skills and knowledge. **Appendix VII** gives examples of these fact sheets/booklets issued.

Inspection of premises

5.24 Local councils enforce the Food Safety Standards in registered premises under the Food Act (including supermarkets). The Food Act requires local councils to conduct annual inspections of all food premises within their jurisdictions prior to renewing the registration of food premises for the next registration period. The Food Act also empowers local council officers to inspect a food premises using a Standard Food Safety Program at any time to determine whether the business is operating in accordance with the Program. A sample compliance assessment checklist for such inspections is given in **Appendix VIII**.

5.25 Local councils are also responsible for investigation of complaints of food-borne illness under the Food Act and for investigating nuisance complaints under the Health Act.

5.26 When investigating a complaint at any food premises, the local council can examine and assess any part of a Food Safety Program that is relevant to the investigation and form an opinion and make any determination allowable under the Act. For example, when an EHO is investigating a complaint of an adulteration at a food manufacturer, the EHO should, as well as inspecting the processes on-site, examine if the complaint is unique or a multiple occurrence. Where multiple occurrences are detected, the matter will be reported to the Department of Human Services for possible food recall action.

Penalty

5.27 According to Mr Yan Looi, EHO of the Melbourne City Council, if irregularities are found during inspection, the operator of a food business will be required to make improvements or rectification within 14 days of the inspection. The EHO will then make follow-up inspections. If no improvement is made by the operator, prosecution action may be taken. Normally, the operator concerned will make improvements within the prescribed period, and there have not been many prosecution cases in recent years. However, for cases which were prosecuted and convicted, heavy fines were often imposed by the court. Currently, the maximum penalty is a fine of AUD$100,000 (for operator who is an individual), or AUD$500,000 (for premises operated by a company), and two years' imprisonment. Where serious food incidents were involved, the food premises would be closed by court order after prosecution.

Other regulatory bodies

5.28 Under the Food Act, certain types of food businesses are licensed by authorities other than the local councils. The Victorian Meat Authority (VMA) licenses premises which predominantly process, handle or sell meat. The VMA licenses all processors and wholesalers premises handling or selling fresh meat and all retailers (including supermarkets) handling or selling predominantly fresh meat. It is also responsible for interpreting the Meat Standards.

5.29 Dairy Food Safety Victoria (DFSV) licenses all wholesale ice cream manufacturers and all other dairy manufacturers. Its operation is detailed in paragraphs 3.31 to 3.35.

5.30 While local councils have discretion to take food samples from a facility licensed by VMA or DFSV, breaches of the Meat Standards or Dairy Act in these premises will be referred back to the VMA or DFSV, as appropriate, for necessary action.

Chapter 6

Research and laboratory facilities

Figure 9 Visit to Discovery Centre, CSIRO

Chapter 6 : Research and laboratory facilities

General

6.1 The delegation has been briefed on the research work and advance laboratory facilities in connection with food science and animal health in Australia.

Commonwealth Scientific and Industrial Research Organisation (CSIRO)

6.2 The Commonwealth Scientific and Industrial Research Organisation (CSIRO) of Australia is one of the world's largest and most diverse scientific research institutions. It was established in 1926 and currently has about 6 500 staff in 65 Australian sites, three overseas laboratories and seven international locations. Its capabilities and operations embrace areas of economic, environmental and social value in many countries, including agriculture, minerals and energy, manufacturing, materials technology, communications, information technology, construction, health and the environment.

6.3 In past years, CSIRO has developed globally important technologies, such as the atomic absorption spectrometer, the self-twist yarn (which increases mechanised yarn production 10-fold), and a quantum leap in precision for the international standard for electrical resistance. Developments in agriculture include advances in cotton breeding, water-efficient grape production and the application of biotechnology to both plant and animal products.

6.4 CSIRO also provides support for businesses and industries such as those in minerals, energy and pharmaceuticals. Moreover, the new CSIRO-developed polymers have led to 18 countries so far replacing their paper banknotes with the stronger and more durable plastic material. As regards information technology, CSIRO has made advances in pattern recognition that have led to commercial application in security systems (face recognition), and more effective scanning for breast cancer.

6.5 In 2001, CSIRO was active in more than 80 countries, with over 750 current or recently completed projects. CSIRO also works in collaboration with leading scientific organisations and companies in other countries, such as USA, Europe and Japan. Commercial collaboration on significant research issues operate on a shared-risk, shared-cost, shared-benefit basis. Examples include automotive applications, aircraft materials, aerospace technologies, vehicle batteries, biotechnology, food preserving packaging, and petroleum exploration and drilling.

6.6 CSIRO is also assisting developing countries in Pacific and Africa. Much of this work is funded by the Australian aid program, with an emphasis on agricultural development, including plant and animal production, forestry, marine resources and aquaculture, water and related environmental management. Standards and measurements, urban and rural infrastructure, mining and research management are other key areas.

6.7 In some instances, collaboration with organisations in other countries is facilitated by a formal agreement. As with the Australian scientific community in general, CSIRO operates within a framework of bilateral agreements maintained by the Australian Government, and has access to Government overseas aid and international business support schemes. In CSIRO, specific collaborative arrangements may be negotiated and signed at the level of the business unit, or Division. Other agreements exist at corporate level, and currently involve research agencies in France, Italy, the Netherlands, South Africa, China, Indonesia, Vietnam, Thailand and Malaysia.

Australian Animal Health Laboratory

6.8 The delegation visited the Australian Animal Health Laboratory (AAHL) which is situated in Geelong, Victoria. AAHL is a national centre in disease diagnosis, research and policy advice in animal health. AAHL is a major facility of CSIRO Livestock Industries. It was opened in 1985 at a cost of over AUD $150 million, and is one of the most sophisticated laboratories in the world for the safe handling and containment of animal diseases.

6.9 AAHL plays a vital role in maintaining Australia's capability to quickly diagnose exotic (foreign) and emerging animal diseases. AAHL also undertakes research to develop new diagnostic tests, vaccines and therapeutics for endemic animal diseases of national importance. Major diseases of livestock, aquaculture animals, and wildlife, are studied.

6.10 AAHL includes a high-biocontainment facility, in order to safely fulfill its major role of diagnosing potentially exotic (foreign) animal disease outbreaks. It is the only laboratory in Australia at which both exotic and zoonotic (infectious to humans and animals) micro-organisms can be safely handled.

6.11 AAHL receives diagnostic samples which may contain exotic disease agents. Exotic disease agents are also used in trailing vaccines and in training veterinarians to recognise diseases they would not normally see. Some of these exotic diseases pose major economic threats to the nation's animal industries, so they must be kept securely and handled safely inside the laboratory.

Security measures in AAHL

6.12 The laboratory has the capacity to operate at the highest biosecurity level (i.e. level four). Such facilities are necessary to safely handle zoonotic pathogens that pose a high risk to humans as well as animals.

6.13 AAHL's main building has five levels, of which four are inside the secure barrier, a thick concrete wall that forms an airtight "box" around the secure area. All of this area is held at a lower air pressure than the outside world, to keep any airborne infectious agent inside the laboratory.

6.14 All physical containment systems are duplicated, and all essential systems, such as electricity generators, steam and compressed air plants, are triplicated. Biocontainment would not be at risk from a computer or power failure, for example.

6.15 Most things never leave the secure area in AAHL, but those that do must first be treated. The air is routinely filtered to remove infectious aerosols. All the sewage is heat-treated and solid waste is incinerated.

6.16 A number of procedures and policies are in place to minimise the risk of human infection and possible transfer of zoonotic agents out of the secure area. Access to such agents is strictly limited to trained staff.

6.17 Special biocontainment cabinets are used for laboratory bench work. When working with infected animals that may be excreting viruses potentially fatal to humans in AAHL, staff work in special plastic suits that cover the whole body and isolate them from the disease hazard.

6.18 The personal containment procedures are backed up by compulsory showering out of infected animal rooms and out of the secure area. Once outside the secure area, as an added precaution, AAHL staff must not have contact with livestock animals for seven days.

6.19 In addition, a quarantine suite is maintained on site in the event of a laboratory accident which exposes a staff member to an exotic infectious agent. Staff would then stay on site in the quarantine suite until cleared to leave.

Research on infectious diseases

6.20 The delegation was informed that AAHL was conducting researches, through the Cooperative Research Centre for Australian Biosecurity which was funded by the Government and the industries, to eliminate risk posed by new and emerging infectious diseases. New technologies are being developed to provide early warning and diagnostic tests to identify such diseases. New vaccines are also being developed to control the spread of infectious diseases.

6.21 According to Dr Linfa WANG, Principal Research Scientist & Project Leader of AAHL, out of 1 415 species of known human pathogens, 868 (61%) are zoonotic, and 75%-80% of the emerging infectious diseases in the past 30 years were zoonotic.

6.22 Dr WANG also briefed the delegation on the outbreaks of Hendra and Nipah viruses in Queensland of Australia and in Malaysia respectively.

6.23 The delegation noted that Dr WANG was also a member of the joint team of specialists currently investigating the animal reservoir of the Severe Acute Respiratory Syndrome (SARS) coronavirus. The joint team comprises specialists from the Government of the People's Republic of China, the World Health Organization (WHO) and the United Nations Food and Agriculture Organization, to investigate the animal reservoir of the SARS coronavirus.

6.24 AAHL's work in this area is mainly to -

(a) produce high quality reagent for diagnostic application in Australia (human diagnosis);

(b) develop a "universal" test for different animal species aiming to be used in field study to identify natural reservoir;

(c) test SARS-CoV infection in different animals (small animal model);

(d) test SARS-CoV infection in livestock animals (food safety and transmission study); and

(e) produce human recombinant antibodies for potential therapeutics (collaboration with Chinese Academy of Science).

6.25 AAHL has subsequently issued a series of recommendations and actions necessary not only to identify the disease's animal reservoir, but to contain any future outbreaks.

Food Science Australia

6.26 The delegation visited the Werribee Centre of Food Science Australia in Victoria and received a briefing on its research work as well as its laboratory and pilot processing facilities.

6.27 Food Science Australia is the trading name of Australia's largest food research and development organisation. It is a joint venture of the CSIRO Division of Food Science and Technology and the Australian Food Industry Science Centre, partly funded by the Federal and Victorian Governments. It undertakes both publicly-funded long-term strategic research for food industry sectors and confidential close-to-market applied research and development projects for individual companies.

6.28 Food Science Australia employs over 300 highly skilled and experienced staff with a diverse range of skills in food-related disciplines, including microbiology, engineering, chemistry, food science and technology and consumer science. It offers a range of purpose-built laboratory and pilot processing facilities to provide leading research projects for the industries.

6.29 Recent researches undertaken by Food Science Australia focus on -

(a) ingredient innovation (e.g. food components, ingredient functionality, food processing);

(b) food and packaging technology (e.g. cheese science and microbial, biotechnology, muscle food quality, food packaging and coatings, packaging material development);

(c) process and supply chain innovation (e.g. equipment and automation innovation, process design and development, bioprocess technology);

(d) food safety and quality (e.g. microbiology and production hygiene, mycology and mycotoxins, microanalytical chemistry, meat industry services); and

(e) consumer science (e.g. sensory acceptability, nutritional considerations).

6.30 Food Science Australia also offers seminars, conferences, workshops, information services and training programs to keep industry professionals up-to-date on current food science and technology issues and emerging food processing trends and to improve professional standards in the industry.

Chapter 7

Observations

Chapter 7 : Observations

General

7.1 The delegation is of the view that the information gathered from the visit in relation to food science, food surveillance and food safety controls has provided useful reference for Hong Kong. The delegation is also impressed by the advance technology applied in food science, the high standard of hygiene in food markets, and the Food Safety Supervisor scheme for food establishments. The observations of the delegation are given in the following paragraphs.

Two countries, one system

7.2 The delegation has noted that Australia and New Zealand have adopted a common set of food safety standards under the Food Standards Australia and New Zealand Act 1991. The two countries work in partnership, through an independent statutory body (i.e. FSANZ), in devising and administering the standards (paragraphs 2.12 to 2.19). The two countries have also signed mutual recognition agreements on food safety and animal health matters.

7.3 According to AQIS, a common set of food safety standards was adopted by the two countries because of their close proximity and similarities in size, interests and economy. There is also greater efficiency for the two countries to share the costs for the research work and the administration of food safety and animal health standards.

7.4 The delegation has also noted that while the two countries share the same policy objectives and food safety standards, enforcement of such standards is carried out by the respective country. According to AQIS, the primary objective for regulatory control on food matters is to safeguard public health. The other considerations are enforceability of the standards/requirements and facilitation to the import/export trade. There is close interaction between the two Governments to share enforcement experience and to exchange views on the need for revision to these standards.

Consultation with industries and the public

7.5 The delegation has noted that FSANZ usually conducts two rounds of consultation with all stakeholders in formulating or revising a food safety standard (paragraph 2.18). The first round of consultation is carried out when a draft standard is issued, and the submissions received are advertised for general information. The stakeholders will be consulted again on the revised

standard before the final version is put forward to the Ministerial Council for approval. The consultation process thus ensures that the industries and stakeholders are fully consulted on any proposed changes to the food safety regulations before promulgation.

7.6 Apart from FSANZ, other regulatory bodies, such as the State dairy authorities, also involve the industries in drawing up their Codes of Practice for regulation of the industries (paragraph 3.34).

Testing of GM food

7.7 There are several laboratories in Australia which provide GMO testing services for industries and organisations. The delegation is given to understand that with advance technology, it is now possible for the PCR testing to identify the presence of up to 0.1% DNA in food (paragraph 4.26).

7.8 According to Australia's recent GM food labelling survey (paragraphs 4.16 to 4.24), the large food businesses surveyed have put in place management systems (documentation and testing) to demonstrate the GM status of ingredients used in their products, but the smaller food businesses do not have such systems and they generally rely on the information provided by suppliers. The survey report also suggests that document survey is a useful tool to regulatory authorities as an alternative to expensive laboratory testing in determining compliance or non-compliance with the GM labelling requirements.

Research studies on food science and animal health

7.9 The delegation is impressed by the advance technology applied in the research work in relation to food science and animal health in Australia. The delegation has noted that AAHL and other laboratories operated by CSIRO have made significant achievements in identifying new and emerging infectious diseases which affect both humans and animals, and in developing more effective diagnostic tests and vaccines for the control of such diseases (Chapter 6). The CSIRO and Food Science Australia have also worked in collaboration with other countries in researches for promoting food safety and safeguarding public health.

Food Safety Supervisors at food premises

7.10 The delegation has noted that the regulatory framework for food businesses in Melbourne places emphasis on the responsibility of each food establishment to ensure food safety. Apart from implementing the Food Safety Program, each food establishment must appoint a Food Safety Supervisor to ensure that the food handling operations are in compliance with

the food safety requirements. These Food Safety Supervisors have to pass the competency tests set by the Government, and the Melbourne City Council organises training courses to assist them in acquiring the necessary skills and qualifications.

Markets

7.11 The delegation also visited a fish wholesale market and a fruit/vegetable wholesale market in Victoria. Members are impressed by the high hygiene standard and cleanliness of these markets. It is noted that while large volumes of fresh fish and fruits/vegetables are handled in these markets, all operations are carried out in a tidy manner. The floor is dry and clean and all foods are stored and displayed in hygienic conditions in these markets.

Conclusions

7.12 The delegation has found the visit to Australia very useful, as it has enabled Members to obtain first-hand information on the food regulatory systems in Australia. It has also provided valuable opportunities for the delegation to exchange views on food safety issues and food regulation matters with the Australian Commonwealth Government, the State Government of Victoria, as well as scientists, directors and administrators of related organisations.

Council Business Division 2
Legislative Council Secretariat
21 November 2003

Appendix I

Visit programme for the Panel on
Food Safety and Environmental Hygiene to Australia
(20 - 25 July 2003)

20 July 2003 (Sunday)	**Sydney - Canberra**
13:25 pm	Arrive Canberra
21 July 2003 (Monday)	**Canberra**
9:00 am	Depart hotel for Department of Agriculture, Fisheries and Forestry (AFFA)
9:30 am – 1:00pm	Federal Government/Ministries on food safety - Welcome by Dr. Ann McDonald, General Manager, Australian Quarantine and Inspection Service (AQIS) Market Maintenance Group - Presentation by AFFA /Food Standards Australia – New Zealand (FSANZ) and Department of Health on Australia's food regulation, AQIS Border Conference Room GM food labelling - Presentation by FSANZ on GM labelling including implementation and enforcement of the system Food standards and import/export control of food - presentation by AQIS on export and import controls Venue : Edmund Barton Building (Core 1), Kings Avenue, Barton
2:45 pm	Depart for Commonwealth Scientific & Industrial Research Organisation (CSIRO)
3:30 pm – 5:00 pm	CSIRO - presentation by Ta-Yan Leong, Manager International, CSIRO - tour the Discovery Centre Venue : Office of the Group Chair, Environment & Natural Resources, CSIRO Black Mountain Laboratories, Clunies Ross Street, Acton
5:00 pm	Return to hotel

22 July 2003 (Tuesday)	**(Canberra - Melbourne)**
7:45 am	Depart Hotel for Melbourne
10:00 am	Arrive Melbourne Domestic Airport
10:45 am	Check-in hotel
1:30 pm	Depart hotel for Dairy Food Safety Victoria
2:00 – 3:00 pm	Dairy Food Safety Victoria - presentation by Dr. Anne Astin, Chief Executive Officer and her colleagues on import and export control on dairy products Venue : Dairy Food Safety Victoria (Boardroom), Unit 4, 651 Victoria Street, Abbotsford
3:00 pm	Depart for Melbourne Town Hall
3:45 – 5:00 pm	Melbourne City Council - Lord Mayor John So would welcome the delegation upon their arrival of the Melbourne Town Hall - Presentation by Mr. Yan Looi, Environmental Health Officer on food regulation and registration in Victoria Venue : Victoria Room, Melbourne Town Hall
5:00 pm	Return to hotel
23 July 2003 (Wednesday)	**Melbourne**
7:45 am	Depart hotel for Abalone Exports Pty Ltd.
8:30 am – 5:00 pm	Visits to the following agencies : - Seafood processing plant, Australian Abalone Exports Pty Ltd. - Plummer Road, Laverton North - A GM laboratory at Tullamarine - AQIS office on import controls Cnr Grants and Centre Roads, Melbourne Airport
5:00 pm	Return to hotel

24 July 2003 (Thursday)	**Melbourne**
4:20 am	Depart hotel for Melbourne Wholesale Fish Market Pty Ltd.
4:30 – 5:45 am	Melbourne Wholesale Fish Market Pty Ltd. - site visit to the wholesale market for fish and seafood - Victor Ailakis, the Finance and Operations Manager for the Melbourne Wholesale Fish Market would guide and host the delegation Victoria Market
6:00 am	Return to hotel
8:00 am	Depart hotel for Australian Animal Health Laboratory (AAHL)
9:30 – 11:30 am	AAHL - presentation on SARS researches and surveillance for disease in support of quarantine Venue : 5 Portarlington Road, East Geelong
1:30 pm	Depart for CSIRO Food Science Australia (FSA)
2:30 – 4:30 pm	CSIRO FSA - presentation on "Food Science Australia and Food Safety Programs" by Dr. Jason Wan, Senior Research Scientist and his colleagues - a tour of facilities in FSA Venue : 671 Sneydes Road, Werribee
4:30 pm	Return to hotel
8:00 pm	Dinner hosted by D(SY) Tea House at Chinatown Ground Floor, 11-17 Cohen Place
25 July 2003 (Friday)	**(Melbourne – Hong Kong)**
10:30 am	Depart hotel for Hong Kong
1:00 pm	Programme concluded

Appendix II

List of officers, scientists and other persons with whom the delegation met in Australia

Australian Quarantine and Inspection Service

Dr Ann McDonald	General Manager, Market Maintenance Group
Mr Peter Maple	Manager, Food & Agricultural Products, Import Operations
Mr Gary Luckman, M.Sc(Biotech)	Manager : New Technologies Unit, Market Maintenance Group
Mr Ed Lewellin	Manager Processed Foods
Ms Marisa Perri	Supervising Quarantine & Inspection Officer, Victorian Region
Mr Chris Miller	Operations Co-ordinator, Victorian Region

Department of Agriculture, Fisheries & Forestry - Australia

Ms Sonia Nielsen	Senior Policy Officer, Food Policy and Safety, Food and Agriculture Group

Food Standards Australia New Zealand

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CSIRO International

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Dairy Food Safety Victoria

Mr Desmond Hore	Chairman
Dr Anne Astin	Chief Executive Officer
Ms Joanne Patterson, B APP SC (App Biol)	Manager, Industry Services

Melbourne Wholesale Fish Market

Mr Victor Ailakis	Finance Manager

Therapeutic Goods Administration, Commonwealth Department of Health and Aged Care

Mr Sam WONG, AM	Manager, National Drugs and Poisons Schedule Committee Secretariat, Chemicals & Non-prescription Medicines Branch

City of Melbourne

Mr John SO	Lord Mayor, City of Melbourne
Mr Yan Looi	Environmental Health Officer

Glorious Sun (Australia) P/L

Mr Wilkin W. K. FON	Director

William Buck Business Consultants Chartered Accountants

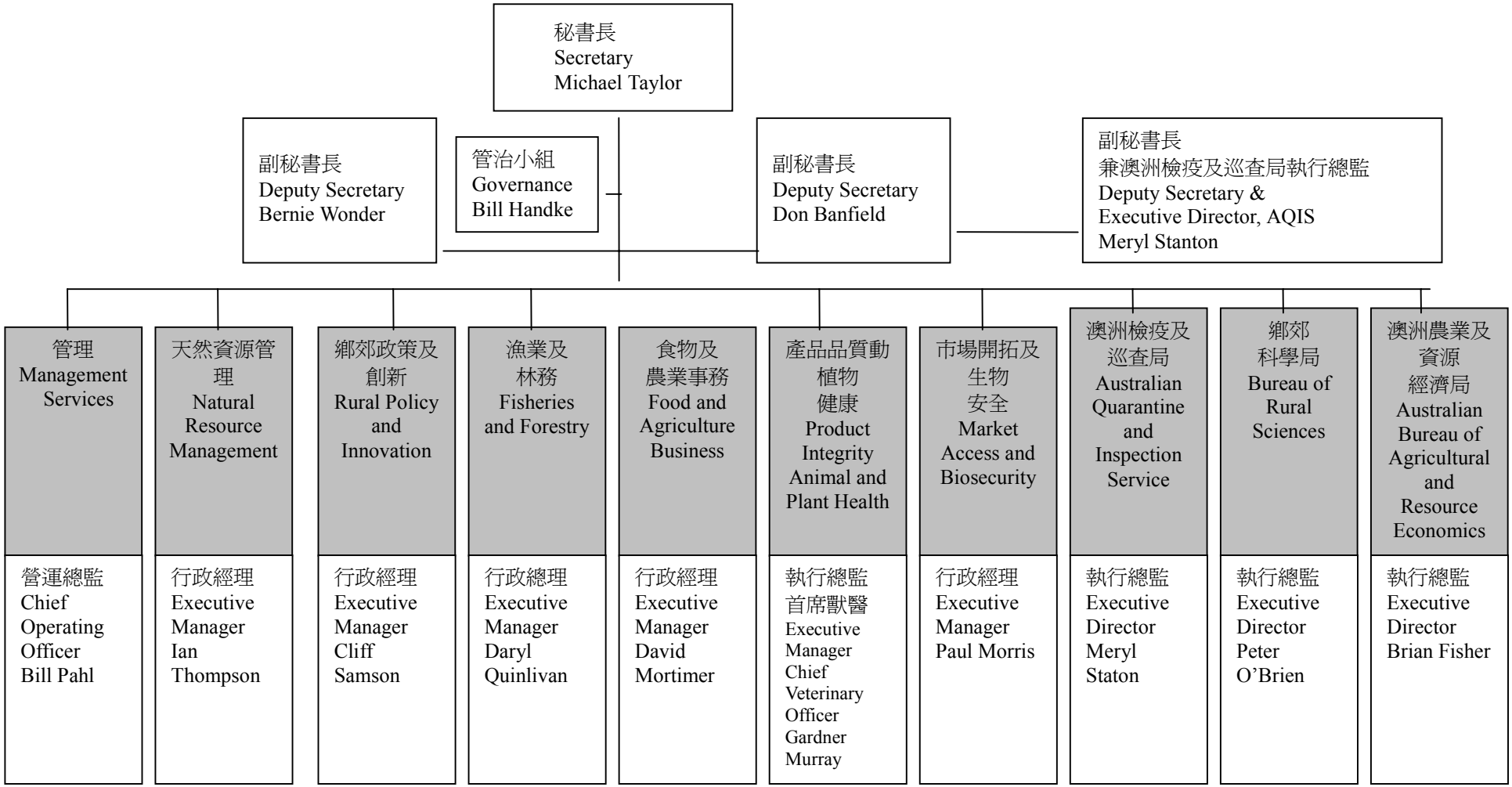
Mr David CHU, FCPA	Partner

Hong Kong Economic & Trade Office, Sydney

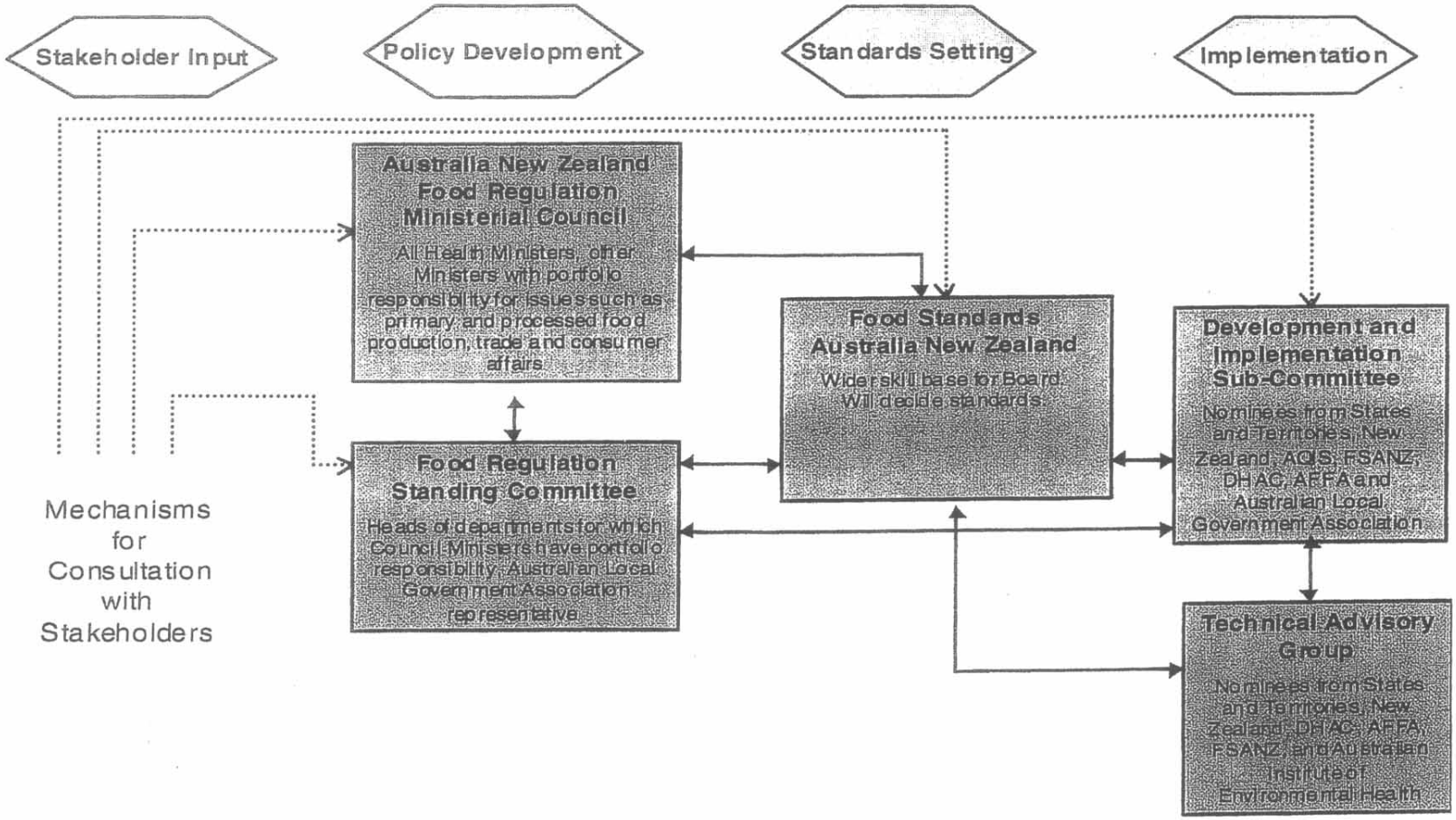
Mrs Jenny Wallis	Director
Mr Vincent WONG	Trade Officer

澳洲漁農及林務部組織架構圖
Organization Chart of the Department of Agriculture Fisheries & Forestry - Australia

(截至 2003 年 5 月 7 日)
(as at 7 May 2003)



Australia and New Zealand Food Regulatory Model



Department of AGRICULTURE FISHERIES & FORESTRY – AUSTRALIA

Appendix IV

City of Melbourne

Health Services
Food Premises Specifications

INTRODUCTION

This Food Premises Specification has been produced to assist people in the food industry establishing a food premises and it also outlines the standards expected by the City of Melbourne.

A well designed and constructed food premises helps to ensure that food is prepared, handled and stored in conditions that will avoid the risk of compromising the safety and quality of food and will facilitate cleaning and maintenance in the premises. It is important that in the early stages of design that proper consideration is given to what the most suitable materials for the type of food operation proposed.

This document should be read in conjunction with the Food Safety Standards published by Australia New Zealand Food Authority. A reference copy of the publication is available on the Australia New Zealand Food Authority website at http://www.anzfa.com.au.

Please contact the Council's Health Services Branch for further information on telephone (03)9658 8831

FOOD SAFETY PROGRAM

The Victorian Government has recently introduced amendments to the *Food Act 1984*, and specific types of food premises and food vehicles are now required to implement a Food Safety Program as part of the registration process.

All food business that are classified as high risk (Class 1) or medium risk (Class 2) are required to have a Food Safety Program.
Class 1- Businesses that provide food to high risk groups within the community including; Nursing Homes, Childcare Centres, Hospitals and 'Meals-On Wheels' Services.
Class 2- All other businesses that serve, sell, prepare, handle or package food for the general public such as: restaurants, cafés, delicatessens, bakeries, milk bars, processors/manufacturers.

A Food Safety Program is a document that outlines how food safety is to be monitored and controlled. There are two types of Food Safety Program:

1. *Non Standard* - **Independently Developed**

Class 1 businesses must have an independently developed Food Safety Program for their business. You can develop the program yourself, there are a number of training courses available to help you, or you can use the services of a food safety consultant.

2. *Standard* - **Developed using a Template**

Class 2 businesses can use a State Registered Template to create a Standard Food Safety Program. This is an easy and cost effective way to produce a Food Safety Program. Follow the set of instructions that come with the template to create a program that is suitable for your business.

All approved Department of Human Services Registered Templates can be found at Food Safety Victoria website www.foodsafety.vic.gov.au The City of Melbourne have developed the 'CoMplete' Food Safety Package. (Department of Human Services Registered Food Safety Program Template No. 5.) You can find out more by visiting www.melbourne.vic.gov.au or by contacting 9658 8817 for further information.

If there is not a registered template that is suitable for use in your business you will need to develop a Non-Standard Food Safety Program as required for Class 1 businesses.

As well as requiring you to have a Food Safety Program, the Food Act 1984 also requires you to have a Food Safety Supervisor. The Food Safety Supervisor will be responsible for making sure that everyone who handles

food in your food business understands what they have to do to ensure the safety of the food that is being prepared and served.

The Food Safety Supervisor's qualifications may be either a copy of tertiary qualifications in the food science and microbiology field or a certificate or statement of attainment showing that the person named as a Food Safety Supervisor has the required competencies issued by a training provider that is a Registered Training Organisation (RTO).

FOOD PREMISES AND EQUIPMENT

General Requirements

1. Provide adequate space for the activities to be conducted on the food premises and for the fixtures, fittings and equipment used for those activities.

2. Render premises flyproof by providing flywire screens to all window and ventilator openings and fit self-closing doors or an adequate fly repellent air curtain to all doorways. Heavy duty plastic strips (or similar type strip curtains) properly designed and fitted are acceptable in lieu of air-curtains.

3. Construct and maintain premises so as to exclude and prevent the harbouring of insects, rodents, vermin and birds therein.

4. Paint or affix the name of the proprietor in a conspicuous place on the front of the premises.

5. Your enclosed dining facilities are required to prominently display prescribed no-smoking signs in accordance with the Tobacco Act.

Water supply

6. Provide an adequate supply of potable water for all activities that use water that are conducted on the food premises.

7. The capacity of hot water service must be adequate for the type of trade carried out.

8. Hot water services must be capable at all times of providing hot water at 77°C if no chemical sanitisers are used for cleaning operations.

9. Ensure that chemical sanitisers are used to sanitise eating and drinking utensils and food contact surfaces. The following table indicates the minimum concentration of a chlorine solution to use, depending on the pH and temperature of the water.

Minimum concentration (mg/L or ppm)	Minimum temperature (°C) for water at pH 8 or less
25	49
50	24
100	13

Sewage and waste water disposal

10. Provide a sewage and waste water disposal system that:
    - will effectively dispose of all sewage and waste water; and
    - is constructed and located so that there is no likelihood of the sewage and waste water polluting the water supply or contaminating food.

Storage of garbage and recyclable matter

11. Provide facilities for the storage of garbage and recyclable matter that:
    - adequately contain the volume and type of garbage and recyclable matter on the food premises;
    - enclose the garbage or recyclable matter, if this is necessary to keep pests and animals away from it; and
    - are designed and constructed so that they may be easily and effectively cleaned.

    11.1. Provide for the storage of receptacles containing putrescible matter, a separate room or enclosure and in a manner denying access to flies, insects and rodents. Where it is impractical to provide a garbage room, a paved area of impervious material sited on the premises is recommended.

    11.2. Provide a bin washing area (paved, concrete pad of minimum dimensions 1.5 X 1.5m). The bin washing room/area must be graded and drained to the sewer in accordance with Melbourne Water requirements. The drainage point is to be fitted with a silt trap. (Please contact **South East Water** or **City West Water** for any trade waste enquiries on telephone : **9552 3322**)

    11.3. Provide an adequate supply of hot and cold water for the cleansing of refuse receptacles in the immediate garbage room/area.

    11.4. Bin wash facility must not be located in the kitchen or food preparation/storage area.

    11.5. Provide adequate impervious receptacles with properly fitting lids for the temporary storage of refuse. Ensure that adequate garbage bins and waste collections are organised to meet your waste disposal needs. Discuss your waste requirements with your waste collection service provider to make the necessary arrangements.

Ventilation

12. Provide sufficient natural or mechanical ventilation to effectively remove fumes, smoke, steam and vapours from the food premises.

13. Provide a mechanical exhaust system over cooking equipment in accordance with Australian Standard 1668 with a total energy output more than 8KW.

14. Provide a mechanical exhaust system over dishwashing appliances in accordance with Australian Standard 1668. This does not apply to under bench dishwashers or dishwashers with a total power output of less than 8KW.

Lighting

15. Provide a lighting system that provides sufficient natural or artificial light for the activities conducted on the food premises.

16. Provide sufficient lighting in accordance with Australian Standard No. 1680, *Code of Practice for Interior Lighting and the Visual Environment*.

    Examples of minimum maintenance levels are:

Activity	Level of illuminance (Lux)
Food and equipment storage areas	110-150
Retail, dishwashing, handwashing, toilet areas	200-300
Food preparation surfaces	500
Reading inspection and monitoring equipment	600-1200

17. All light fittings are to be recessed, or alternatively, flush fixed and adequately sealed to the ceiling/wall surface.

18. All light fittings in food preparation areas, coolrooms and freezer rooms must be provided with shatter proof guards.

Floors

19. Provide floors that are designed and constructed in a way that is appropriate for the activities conducted on the food premises.

20. Provide floors that are:
    - able to be effectively cleaned;
    - unable to absorb grease, food particles or water;
    - laid so that there is no ponding of water;
    - to the extent that is practicable, unable to provide harbourage for pests;
    - constructed without cracks or crevices;
    - finished to an even surface graded and drained to the sewer in accordance with the Melbourne Water requirements; and
    - with an impervious cleanable coving material extending up the wall 70mm, so that the angles between the floor and walls are concavely rounded off or another approved coving material.

Walls and ceilings

21. Provide walls and ceilings that are designed and constructed in a way that is appropriate for the activities conducted on the food premises.

22. Provide walls and ceilings where they are necessary to protect food from contamination.

23. Provide walls and ceilings that are:
    - sealed to prevent the entry of dirt, dust and pests;
    - unable to absorb grease, food particles or water; and
    - able to be easily and effectively cleaned.

Fixtures, fittings and equipment

24. Provide fixtures, fittings and equipment that are:
    - adequate for the production of safe and suitable food; and
    - fit for their intended use.

25. Fixtures, fittings and equipment must be designed, constructed, located and installed, so that:
    - there is no likelihood that they will cause food contamination;
    - they are able to be easily and effectively cleaned;
    - adjacent floors, walls, ceilings and other surfaces are able to be easily and effectively cleaned; and
    - to the extent that is practicable, they do not provide harbourage for pests.

26. Provide adequate refrigeration apparatus for the storage and prevention of spoilage of perishable foodstuffs. Refrigerators shall be able to maintain food at or below 5°C. Freezers shall be able to maintain food at or below -15°C.

27. Provide food contact surfaces of fixtures, fittings and equipment that are:
    - able to be easily and effectively cleaned and, if necessary, sanitised if there is a likelihood that they will cause food contamination;
    - unable to absorb grease, food particles and water if there is a likelihood that they will cause food contamination; and
    - made of material that will not contaminate food.

28. Eating and drinking utensils must be able to be easily and effectively cleaned and sanitised.

29. Provide a pair of stainless steel sinks and draining board connected to an adequate supply of hot and cold water, which will enable the effective cleansing of all appliances and utensils.

30. Provide an approved impervious wall finish above the sinks.

31. Provide adequate sink facilities for food preparation, washing and sanitising. The number of sinks for equipment washing and sanitising and for food preparation will depend on the food operations carried out by the business. Most food business will require a food preparation sink for the washing of fruit and vegetables and a double bowl sink for the effective cleaning and sanitising of equipment.

Connections for specific fixtures, fittings and equipment

32. Fixtures, fittings and equipment that use water for food handling or other activities and are designed to be connected to a water supply must be connected to an adequate supply of water.

33. Fixtures fitting and equipment that are designed to be connected to a sewage and waste water disposal system and discharge sewage or waste water must be connected to a sewage and waste water disposal system.

34. Automatic equipment that uses water to sanitise utensils or other equipment must only operate for the purpose of sanitation when the water is at a temperature that will sanitise the utensils or equipment.

Hand washing facilities

35. Provide hand washing facilities that are located where they can be easily accessed by food handlers:
    - within areas where food handlers work if their hands are likely to be a source of contamination of food; and
    - if there are toilets on the food premises - immediately adjacent to the toilets or toilet cubicles.

36. Provide hand washing facilities that are:
    - permanent fixtures;
    - connected to, or otherwise provided with, a supply of warm running potable water;
    - is controlled by foot-operated stop cocks, approved electronic devices or other approved devices;
    - for a size that allows easy and effective hand washing; and
    - clearly designated for the sole purpose of washing hands, arms and face.

    It is recommended that hand washing facilities are no further than 5m from any place where food handlers are handling food.

37. Provide each hand basin with soap, paper towels or other approved hand drying equipment.

Storage facilities

38. Provide adequate storage facilities for the storage of items that are likely to be the source of contamination of food, including chemicals, clothing and personal belongings.

39. Locate storage facilities where there is no likelihood of stored items contaminating food or food contact surfaces.

Toilet facilities

40. Provide adequate toilets for the use of food handlers working for the food business.

41. Sanitary conveniences shall be properly constructed in accordance with the Building Regulations 1994 and shall not open directly into any room in which food is manufactured, prepared, stored or sold (air lock to be provided).

SELF SERVE SALAD BARS/BUFFET BARS

Self serve salad bars/buffet food bars are display units provided within food establishments to display food such as salads, sauces and other condiments for sale by customer self service. The construction of self serve salad/buffet food bars must be in accordance with the following guidelines.

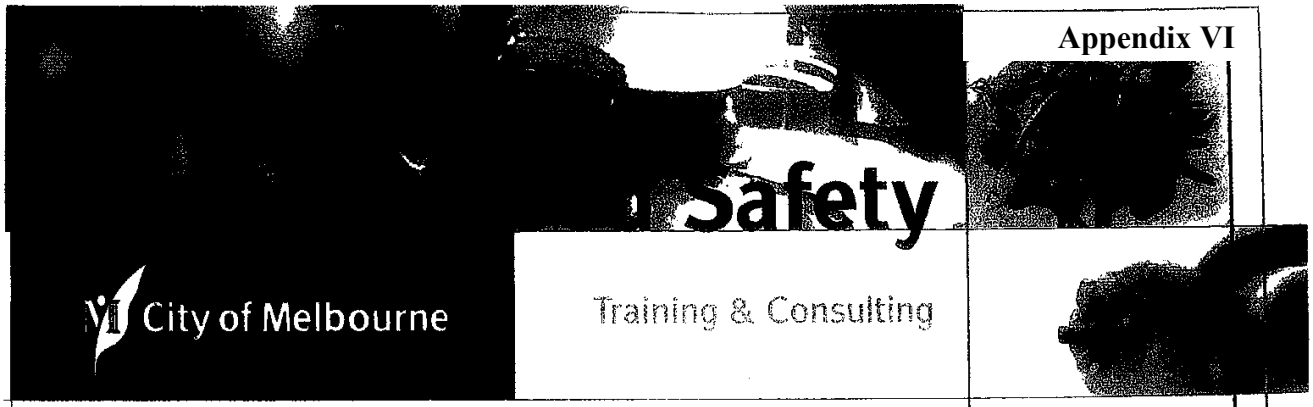
- The salad bar must be designed to ensure that all voids, spaces and surfaces can be easily cleaned, sanitised, maintained and treated for pests and vermin. It is to be constructed of durable, easily cleaned and impervious material incapable of introducing a health or safety risk.
- A canopy must be provided over the salad bar to avoid dust and droplet contamination of the food therein. The lower surface of the canopy is to extend to the peripheral edge of the salad bar and ideally should not exceed a distance of 1250mm above floor level.
- The canopy must not be fitted with fixtures or accessories capable of collecting dust or contributing to the contamination of foods in any way.
- The top surface of the display containers must be at least 900mm above floor level.
- A shield or spill barrier must be installed on the periphery of the salad bar at a minimum height of 50mm above the top surface of the display containers.
- A maximum opening of 350mm, between the lower edge of the canopy and the top edge of the spill barrier should be provided for self-service access.
- The distance from the outer edge of the canopy to the outer edge of the display containers must be not less than 130mm and not more that 190mm.
- Salad bars must be designed to include a system of mechanical refrigeration which enables them to meet the temperature holding and monitoring requirements.
- The salad bar must be fitted with or closely accompanied by a covered customer container dispenser which is capable of dispensing single containers and their lids as required.

Display containers

- Display containers must be constructed of stainless steel or other durable, easily cleaned, impervious and non-toxic material.
- Display containers must be free of chips, cracks, dents or other defects.
- Brittle plastic containers are not to be used in salad bars.
- Glass and crockery containers are not to be used unless they consist of a chip-resistant material.
- Salads within the salad bar display unit may be accessed from any side, provided that the customer is not permitted to reach salads in excess of 750mm* from the edge of the unit beside which the customer is positioned.

Utensils

- Self-service utensils are to be provided for each display container.
- Utensils must be constructed of durable, non-toxic and easily cleaned impervious material such as stainless steel or non-brittle plastic. The use of wooden utensils is not permitted.
- Utensils must be free of chips, cracks, dents or other defects.
- Utensils should have clearly defined handles and be designed to ensure their handles will not fall below the top surface of the display counter.



Food Safety Supervisor Training Package FOR SMALL BUSINESS *2 DAYS*

This comprehensive two-day course is nationally accredited training that will take you through all aspects of safe food practices in relation to the food safety legislation. **Day one** explains the hazards involved in food storage, preparation and handling, displaying, service and transportation. It will cover the basic skills and knowledge required to implement food safety procedures and to fill in food safety records as appropriate. (Department of Human Services (DHS) minimum competency standards for Food Safety Supervisor).

Day two explains the role and responsibility of the 'Food Safety Supervisor' implementing a Food Safety Program in a small business using a Standard Food Safety Program Template. You will walk away with the tools necessary to supervise food handling staff in the business and ensure that they implement safe food practices. (***Participants are asked to bring their Food Safety Program Template).***

Suitable for Food Safety Supervisors and food handling staff in small businesses:

- Kitchen Hands, Cooks, Food & Beverage Attendants, Counter-Hands / Sales Assistants, Sandwich Hands.
- Permanent & Casual Restaurant & Coffee Shop Staff
- Proprietors and Supervisors of small businesses ie. Restaurants, Coffee Shops, Sandwich Bars, Delicatessens, Take-Away Food Outlets and all Retail Food Businesses.

Day 1: Food Safety for Food Handlers *Department of Human Services minimum competency standards for Food Safety Supervisor.*	*Day 2: Food Safety for Food Safety Supervisors*
Topics include: • An introduction to the Food Act • Personal hygiene • Cross contamination • Food storage & temperature control • Cleaning and sanitation • Basic monitoring and record keeping. **Nationally accredited training units:** FDFCORFS1A: Apply Basic Food Safety Practices FDFCORFS2A: Implement the Food Safety Plan WRRLP.6B: Apply Retail Food Safety Practices THHGHS01B: Follow Workplace Hygiene Procedures THHBCC11B: Implement Food Safety Procedures	**Topics include:** • Overview of legislation and Food Safety Programs • The role & responsibilities of a Food Safety Supervisor • How to monitor the implementation of the Food Safety Program • How to keep food safety records • How to respond to occurrences of non-compliance • How to review your program • How to contribute to continuous improvement. **Nationally accredited training units:** FDFCORFS3A: Monitor the implementation of a Food Safety Plan WRRLP.7B: Monitor the Food Safety Plan/Program

Assessment: A blend of course work, class room activities and workplace assignment which includes record keeping and is completed outside course delivery time. Flexible delivery modes available.

NATIONALLY RECOGNISED TRAINING

Course Duration: 2 days, 9.00am – 4.30pm.

Course Fee: $245 per person (No GST applicable) and includes all training notes, workshop materials and refreshments. Participants receive a 'Statement of Attainment' on successful completion of the course.

Bookings: For more information on course dates, venues and booking please contact Food Safety Training and Consulting at Melbourne City Council, on 9658 8817.
Email: foodsafety@melbourne.vic.gov.au Website: www.melbourne.vic.gov.au

AUSTRALIAN HOSPITALITY REVIEW PANEL

Food Safety *for* Food Handlers

Department of Human Services (DHS) minimum competency standards for Food Safety Supervisor.

This nationally accredited training will instruct food handlers in food safety legislation and their role and responsibilities under a Food Safety Program. It will cover the basic skills and knowledge required to implement food safety procedures and to fill in food safety records as appropriate.

You will learn about the risks involved in food storage, preparation and handling, displaying, service and transportation, with a detailed look at bacteria, food poisoning and adulteration.
We will teach you the best ways to reduce risk through personal hygiene, cleaning and sanitation, temperature control and safe handling procedures. Improve your food operations with a clean, safe working environment — reducing the risks to your customers.

Suitable for Food Safety Supervisors and food handling staff in small businesses:

- Kitchen hands, cooks, food & Beverage Attendants, Counter-Hands / Sales Assistants, Sandwich Hands
- Permanent & Casual Restaurant & Coffee Shop Staff
- Proprietors and Supervisors of small businesses ie. Restaurants, Coffee Shops, Sandwich Bars, Delicatessens, Take-Away Food Outlets and all Retail Food Businesses.

Topics include:

- An introduction to the Food Act
- Personal hygiene
- Cross contamination
- Food storage & temperature control
- Cleaning and sanitation
- Basic monitoring and record keeping

Nationally accredited training units:

FDFCORFS1A: Apply Basic Food Safety Practices
FDFCORFS2A: Implement the Food Safety Plan
WRRLP.6B: Apply Retail Food Safety Practices
THHGHS01B: Follow Workplace Hygiene Procedures
THHBCC11B: Implement Food Safety Procedures

Assessment: A blend of course work, class room activities and workplace assignment which includes record keeping and is completed outside course delivery time. Flexible delivery modes available.

Course Duration: 1 Day, 9.00am – 4.30pm.

Course Fee: $125 per person (No GST applicable) and includes all training notes, workshop materials and refreshments. Participants receive a 'Statement of Attainment' on successful completion of the course.

NATIONALLY RECOGNISED TRAINING

AUSTRALIAN HOSPITALITY REVIEW PANEL

Bookings: For more information on course dates, venues and booking please contact Food Safety Training and Consulting at Melbourne City Council on 9658 8817.
Email: foodsafety@melbourne.vic.gov.au Website: www.melbourne.vic.gov.au

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Health & Hygiene Responsibilities of Food Handlers

Appendix VII

Chapter 3 (Australia only) Australia New Zealand Food Standards Code

NOTE: The new Food Safety Standards do not apply in New Zealand. The provisions of the food standards treaty between Australia and New Zealand do not include food hygiene standards.

Under Food Safety Standard 3.2.2 *Food Safety Practices and General Requirements*, food handlers have an overall responsibility for doing whatever is reasonable to make sure that they do not make food unsafe or unsuitable for people to eat. Food handlers also have specific responsibilities related to their health and hygiene.

Are you a food handler?

A food handler is anyone who works in a food business and who either handles food or surfaces that are likely to be in contact with food such as cutlery, plates and bowls. A food handler may do many different things for a food business. Examples include making, cooking, preparing, serving, packing, displaying and storing food. Food handlers can also be involved in manufacturing, producing, collecting, extracting, processing, transporting, delivering, thawing or preserving food.

What must a food handler do if she or he is sick?

If a food handler has a Food-Borne illness

Food handlers must tell their work supervisor if they have any of the following symptoms while they are at work - vomiting, diarrhoea, a fever or a sore throat with a fever. The only exception to this is if the food handler knows that he/she has these symptoms for a different reason. For example, a food handler may be vomiting at work because of pregnancy.

Food handlers must also tell their supervisor if they have been diagnosed as having or carrying a food-borne illness.

As well as reporting the food-borne illness, the food handler must not handle any food where there is a chance they might make the food unsafe or unsuitable because of their illness. Also, if a food handler stays on at work to do other work, he or she must do everything reasonable to make sure that they do not contaminate any food.

Note: Illnesses that can be passed on through food include Hepatitis A and those caused by giardia, salmonella and campylobacter.

If a food handler has skin injuries or sores or is otherwise unwell

Food handlers must tell their supervisor about any infections or conditions like a cold or other problem that may result in discharges from their ears or nose or eyes if there is any chance that they might make food unsafe or unsuitable for people to eat as a result of their condition.

Also, if they continue to handle food with such a condition, food handlers must do whatever is reasonable to make sure that they don' t contaminate any food. For example, an infected sore could be completely covered by a bandage and clothing or by a waterproof covering if on an area of bare skin, and medication can be used to dry up discharges.

If a food handler knows or suspects he or she might have contaminated some food

Food handlers must tell their supervisor if they know or think they may have made any food unsafe or unsuitable to eat. For example, jewellery worn by a food handler may have fallen into food.

Health & Hygiene Responsibilities of Food Businesses

Chapter 3 (Australia only) Australia New Zealand Food Standards Code

NOTE: The new Food Safety Standards do not apply in New Zealand. The provisions of the food standards treaty between Australia and New Zealand do not include food hygiene standards.

Under Food Safety Standard 3.2.2 *Food Safety Practices and General Requirements* food businesses are expected to ensure, as far as they can, that their food handlers and anyone else on the premises do not contaminate food. Food businesses also have specific responsibilities relating to the health of people who handle food, the provision of hand washing facilities, telling food handlers of their health and hygiene obligations and the privacy of food handlers.

Making sure that people on the food premises do not contaminate food

Food businesses must do all they practically can to make sure that people on their premises do not contaminate food. This includes food handlers but it also includes other people who visit the premises, such as tradespeople and members of the public. In areas where food is exposed, such as the kitchen, practical steps the business can take include:

- restricting people who are not food handlers from food handling areas; and
- where other people have legitimate reasons for being in these areas, supervising these people to make sure that they do not handle, sneeze, blow, cough or eat over exposed food or surfaces likely to come into contact with food.

A food business must also take practical steps to stop people from smoking or spitting in food preparation areas or in areas where there is unprotected food. Practical steps include:

- putting ' No Smoking' signs on the walls and, if spitting is a problem, putting up signs to say that this is also prohibited; and
- making sure that there are no ashtrays in these areas.

The health of persons who handle food and preventing food contamination

It is very important that people who may be suffering from or carrying certain illnesses or suffering from some other conditions do not handle food or food contact surfaces. This is particularly so if they are likely to contaminate food while they are working.

If a food business is aware that a food handler, or anyone else handling food for the business (such as friends and relatives) has or may have a food-borne illness, the business should make sure that this person does not handle food or food contact surfaces. A food business may suspect a person has a food-borne illness if they have vomiting, diarrhoea, fever or a sore throat with fever.

If a person is known to have or to be carrying a food-borne illness and has been excluded from food handling activities, the person cannot resume food handling until medical advice confirms they are no longer suffering from or carrying a food-borne illness.

If a food business knows or suspects that a food handler or anyone else handling food for the business has an infected skin sore or discharge from their ears, nose or eyes, the food business must make sure this person takes all reasonable measures to prevent contamination of food. For example, an exposed skin sore should be covered with a bandage and waterproof covering and someone with a cold could take medication to stop any nasal discharge.

Receiving Food Safely

Chapter 3 (Australia only) Australia New Zealand Food Standards Code

NOTE: The Food Safety Standards do not apply in New Zealand. The provisions of the food standards treaty between Australia and New Zealand do not include food hygiene standards.

What is required?

Under Standard 3.2.2Food Safety Practices and General Requirements, food businesses are expected to take all practicable measures to ensure that they do not receive unsafe or unsuitable food. This means that they must make sure that the food they receive:

1. is protected from contamination;
2. can be identified while it is on the premises; and
3. is at the correct temperature when it arrives,.if it is potentially hazardous.

How can I make sure food is not contaminated when it arrives at my premises?

While you will not always be able to tell if the food coming into your business is contaminated, you must take practical steps to reduce the possibility of contamination. For example, you might take the following steps.

- Ask your food suppliers to make sure that food is protected from contamination during transportation and, wherever possible, ask them to send it in packages or containers.
- Check that food is covered or packaged when it arrives and that the packaging or covering is not damaged, and check the ' best before' or ' use by' date' if the 'use by' date has passed the food may have spoilt.
- Make sure, wherever possible, that food is not delivered unless someone is at work to inspect the food when it arrives and to place it directly into the freezer or refrigerator or other appropriate storage area.

It might be difficult to check every item of food that comes into your premises but you could inspect incoming food on a random basis. You might also decide to check food from some suppliers more often than you check food from suppliers whose product generally arrives in good condition.

If food delivered to your premises is contaminated or you think it may be contaminated, you should return it to the supplier or, with the agreement of the supplier, destroy the food. For example, you may suspect contamination if packaging around the food is split or damaged. Food is also contaminated if it contains insects, rodent droppings, glass, metal or other foreign matter, or if it has spoilt.

How can I make sure that I know the source and name of food on my premises?

If an enforcement officer asks you to do so, you must be able to provide the officer with information on the suppliers of any food on your premises and what that food is. You need this information in case food on your premises is found to be unsafe or contaminated in some way and has to be returned to the supplier or destroyed.

Although most, if not all of the food you buy will be labelled with the name of the product and the name and address of the manufacturer, importer or packager of the food, you may also have unpackaged or unlabelled food on your premises and will need other ways of proving what this food is and where it came from. You might do so using your supplier invoices, or you might keep some other record of your suppliers and what you buy from them and the food you have on your premises.

You must not accept food unless you can identify it and trace it back to its supplier.

Receiving Food Safely

How do I ensure that potentially hazardous food arrives at the right temperature?

You must take practical steps to ensure that you do not accept a delivery of potentially hazardous food that is not at the correct temperature or that has been outside temperature control for longer than safe time limits. Potentially hazardous food delivered to your business must be:

- if it is chilled - at a temperature of 5°C or below;
- if it is hot - at a temperature of 60°C or above;
- if it is frozen - frozen and not partly thawed; or
- it can be at another temperature - provided the business delivering the food can demonstrate that safe time limits have not been exceeded.

If potentially hazardous food delivered to your business does not meet these requirements you must reject that food.

In most cases, businesses will want potentially hazardous food delivered in chilled (5°C or below) or frozen form but there may be circumstances in which you are willing to accept potentially hazardous food at other temperatures. For example, you might be buying food that leaves the supplier at the correct temperature and where the transport time to your premises is short.

The fact sheet *Food Safety Standards - Temperature control requirements* provides more information on the temperature control of potentially hazardous food and the length of time that it can be kept safely at temperatures between 5°C and 60°C. Generally, however, where delivery times exceed two hours, the food should be carried in refrigerated vehicles that can hold the food at a temperature of 5°C or below or keep it frozen.

The following examples include some of the practical steps you might take to make sure that potentially hazardous food is safe when it is delivered to your business.

- You discuss acceptable delivery temperatures with a business that delivers food to your premises and formally agree that food will be delivered frozen or chilled or hot, or within safe time limits.
- If food should be frozen, you check it when it is delivered to your business to make sure that it is frozen and has not begun to thaw.
- If food should be chilled or hot, you check the temperature of the food when it is delivered to your business and make sure that it is at or below 5°C or at or above 60°C.
- If food should be delivered within safe time limits, you check the records of delivery departure and arrival times to ensure that the delivery took place within the agreed time limit.

You need not check every food item or relevant delivery record but you should check some items to make sure that your suppliers are doing the right thing.

Food Premises Compliance Assessment Checklist

Trading Name	Reg No.	Date
Address		Time
Proprietor	Officer	

Requirements	Comments
A. Premises Design and Construction	
1. Appropriate/sufficient space provided/facilitate-cleaning operations.	
2. Premises protected against entry of pests, dirt, dust, fumes and other contaminants/harbourage of pests.	
B. Water Supply	
3. Adequate water supply, safe, provided as required.	
C. Sewage and Waste Water Disposal	
4. Adequate/maintained in a manner to prevent contamination.	
D. Waste Management	
5. Refuse disposed of in an approved manner.	
6. Approved refuse containers, covered, rodent proof.	
7. Waste facilities adequately designed & constructed/able to be easily and effectively cleaned/kept in a clean condition.	
E. Ventilation	
8. Sufficient and effective ventilation.	
F. Lighting	
9. Sufficient lighting provided.	
G. Floors	
10. Appropriately designed and constructed.	
11. Able to be effectively cleaned/maintained in a clean condition.	
12. Impervious to grease, food particles or water.	
13. Adequately graded and drained, where required.	
14. In good repair/inability to harbour pests.	
H. Walls and Ceilings	
15. Appropriately designed and constructed.	
16. Provided where necessary to protect food from contamination.	
17. In good repair, sealed to prevent entry of pests, dirt and dust.	
18. Capable of been easily and effectively cleaned/maintained in a clean condition.	

J. Fixtures, Fittings and Equipment							
19.	Adequate fixtures, fittings, and equipment provided for producing safe food.						
20.	Fixtures, fittings and equipment fit for their intended use.						
21.	Designed, constructed, located and installed so there is no likelihood of contamination.						
22.	Able to be easily and effectively cleaned/maintained in a clean condition.						
23.	In good repair/incapable of harbouring pests.						
24.	Food-contact surfaces able to be easily and effectively cleaned/maintained in a clean and sanitary condition.						
25.	Unable to absorb grease, food particles and water.						
26.	Made of appropriate material.						
J. Eating and Drinking Utensils							
27.	Eating and drinking utensils in good repair.						
28.	Able to be easily and effectively cleaned and sanitised/maintained in a clean and sanitary condition.						
29.	Single use items properly stored and maintained to prevent contamination.						
K. Hand Washing Facilities							
30.	Hand basins provided, easily accessible, adequate size.						
31.	Permanently fixed/good repair, adequate supply of warm water, soap, hand drying facilities & clearly designated.						
L. Toilet and Storage Facilities							
32.	Adequate toilet facilities for food handlers/ in good repair/maintained in a clean condition.						
33.	Adequate storage facilities for cleaning chemicals and equipment, clothing and personal belongings.						
M. Food Temperatures							
34.	Temperature controls for receival adequate.						
35.	Temperature controls for storage adequate.						
36.	Temperature controls for display adequate.						
37.	Temperature controls for transport adequate.						
N. Food Protection							
38.	Food adequately protected.						
39.	Safe and suitable food.						
O. Food Processing							
40.	Process step to reduce pathogens to safe levels adequate.						
41.	Cooling practices adequate.						
42.	Potentially hazardous food thawed properly.						

43. Reheating method adequate.					
F. Food Recall					
44. Food recall system adequate (manufacturers, importers, wholesalers).					
G. Food Handlers					
45. Food handler preparing food safely.					
46. Food handler with no illness, infection or sores preparing food.					
47. Good hygiene and behaviours of food handlers.					
H. Animal and Pest Control					
48. No live animals on premises.					
49. No pest activity/harbourage.					
I. Facility Issues					
50. Food handlers and supervisors have skills and knowledge in food safety.					
51. Accurate (+/-1°C) thermometer provided.					
52. Proprietor's name displayed.					
53. Appropriate record keeping (optional).					

Overall Score	
Total Risk Factor Category 1	☐
Total Risk Factor Category 2	☐
Total Risk Factor Category 3	☐
Total Risk Factor Category 4	☐

Grade	
Excellent	☐
Satisfactory	☐
Poor	☐
Unacceptable	☐

Remarks

_____

_____

_____

_____

_____ / / _____

Officer Signature Date

List of reference materials acquired from the visit and related information which the delegation has considered in drawing up its observations

Publications

- ***Administering the Food Act - A Guide for Local Government 2002*** / Public Health Division, Victorian Government Department of Human Services

- ***Australian agriculture, fisheries and forestry, At a Glance 2003*** / Department of Agriculture, Fisheries and Forestry - Australia

- ***Australian pilot survey of GM Food Labelling of Corn and Soy Food Products*** / The TAG Working Group on GM Food Labelling / June 2003

- ***Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption - SCARM Report No. 80 (AS4696:2002)*** / Standing Committee on Agriculture and Resource Management / 2002

- ***Code of Practice for Dairy Food Safety*** / Dairy Food Safety Victoria / September 2002

- ***Food Safety for Food Handlers*** / City of Melbourne / September 2002

- ***Food Safety Standards Chapter 3 of the Australia New Zealand Food Standards Code (Australia only)*** / Australia New Zealand Food Authority / 2001

- ***Safe Food Australia, 2nd Edition, A guide to the Food Safety Standards*** / Australia New Zealand Food Authority / January 2001

- ***Genetically Modified Food Labelling (RP05/02-03)*** / Research and Library Services Division, Legislative Council Secretariat / 19 March 2003

- ***Information note on "Health regulations for the import of food in Japan and the export of food in Australia" (IN 32/01-02)*** / Research and Library Services Division, Legislative Council Secretariat / 9 July 2002

- ***Information note on "Regulation of food premises in new South Wales, Australia" (IN 33/01-02)*** / Research and Library Services Division, Legislative Council Secretariat / 10 July 2002

- ***Licensing of Food Premises*** / Research and Library Services Division, Legislative Council Secretariat/23 July 1999

Websites

AgriQuality
http://www.agriquality.com

Dairy Food Safety Victoria
http://www.dairysafe.vic.gov.au

Australian Quarantine and Inspection Service
http://www.aqis.gov.au

Food Standards Australia New Zealand
http://www.foodstandards.gov.au

Australian Food Industry Science Centre
http://www.foodscience.afisc.csiro.au