

The NSW Food Authority is Australia's first completely integrated or 'through-chain' food regulation agency, responsible for food safety across the entire NSW food industry, from primary production to point-of-sale. The Authority will create a more streamlined, consistent and efficient approach to food regulation in NSW and a single point of contact for both the industry and public.

The Authority was established on 5 April 2004 by merging SafeFood NSW with the food regulatory activities of NSW Health. The Authority regulates all food industries in NSW and, in many cases, has introduced specific food safety scheme regulations. Following is a summary of Authority involvement in these industries:

Primary Production and Processing

Eggs

Industry description

NSW is the largest egg producer in Australia, accounting for 37% of the nation's egg production. The NSW egg industry comprises 176 egg producers, 4 million egg-laying hens and approximately 3,700 people employed throughout the egg supply chain in an industry with a gross production value estimated at \$123 million.

Industry regulation

At present, the NSW egg industry is self-regulated through industry codes of practice. The Authority is developing a regulation now which will require the industry to implement a food safety program as a condition of licence.

Authority involvement

The Authority is working with industry representatives to develop appropriate and effective food safety plans. The Authority is in the process of conducting a baseline survey of the egg industry and, upon conclusion, will review industry programs for adequacy and will meet with smaller producers in key rural areas.

The food safety program will be developed and is planned for pilot in October 2004, with implementation of the program to follow afterwards.

Meat

Industry description

Australia has over 26.5 million head of cattle and over 121.6 million head of sheep. Exports of meat and livestock earn around \$3.5 billion and, with income generated from sales of meat within Australia and jobs created values the industry at worth well over \$6 billion (*Source: Meat and Livestock Australia*).

Industry regulation

The NSW meat industry is regulated under the Food Production (Meat Food Safety Scheme) Regulation 2000. The meat food safety program which applies this Regulation encompasses all red meat, poultry, game and rabbit meats handled at domestic and export abattoirs, meat processing plants and retail meat premises, knackeries and pet food processing plants, rendering plants, meat vans, game meat harvesters' vehicles and field chillers. These businesses are required to hold a NSW Food Authority licence to operate.

Authority involvement

The NSW Food Authority's work in this well established industry comprises regular audits and inspections of licensed businesses.

Seafood

Industry description

The total gross value of Australian fisheries production is now more than \$2.4 billion from more than 220,000 tonnes of seafood product. Fish accounts for \$861 million, crustacean \$985 million and molluscs \$538 million with other product contributing \$23 million (*Source: Australian Seafood Industry Council*).

NSW commercial fishing is worth more than \$90 million annually at first point of sale. Value adding by fishing cooperatives, wholesales, processors, retail and restaurants make commercial fishing an important regional industry (*source: NSW Fisheries*).

Industry regulation

The NSW seafood industry is regulated by the Authority under the Food Production (Seafood Safety Scheme) Regulation 2001. All businesses that process, pack, store and transport seafood; seafood wholesalers; fishing vessels that handle seafood after catch; and aquaculture businesses are required to hold a NSW Food Authority licence to operate.

Authority involvement

The first phase of introducing food safety programs in the seafood industry is complete with around 1000 commercial fishers and oyster processors trained in implementing food safety programs in 2003. Audits of seafood cooperatives will start in July 2004.

A baseline survey of aquaculture (farmed fish and crustaceans, but excluding shellfish), seafood wholesalers, importers, distributors and processors is underway and a food safety program will be developed for these sectors from July/August 2004. A seafood industry consultative committee has been established and met for the first time in June 2004.

Shellfish

Industry description

NSW has 137 commercial shellfish harvest areas between Eden in the south and Tweed Heads in the north with around 360 oyster farming businesses producing 9.2 million dozen oysters for a \$31 million industry and representing 60 per cent of Australia's oysters (*source: Oyster Farmers Association of NSW Ltd*).

Industry regulation

The NSW shellfish industry is regulated by the Authority under the Food Production (Seafood Food Safety Scheme) Regulation 2001. All businesses that harvest, collect or depurate shellfish are required to hold a NSW Food Authority licence to operate. All oysters in NSW are harvested in accordance with the NSW Shellfish Program, adopted in June 2001 and managed by the Authority.

Authority involvement

From 2000 to 2004, the Authority has conducted risk assessments of commercial shellfish harvest areas in NSW to classify each harvest area as approved, restricted or prohibited for harvest of shellfish. In June 2004, Authority released its *NSW Aquaculture Shellfish Harvest Area Water Bacteriology and Phytoplankton Survey Data January 2003 - December 2003* reporting on the status of risk assessments completed or in progress for each of NSW's shellfish harvest areas. Five harvest areas have been surveyed, being Nelson Lake and Corrie Island and three areas in Wallis Lake.

Dairy

Industry description

In 2002/03, NSW has 1290 registered dairy farms producing 1302 million litres of milk for processing into liquid milk and dairy products, contributing to a national dairy industry valued at \$2.8 billion at the farm gate (*Source: Dairy Australia*).

Industry regulation

The NSW dairy industry is regulated by the Authority through the Food Production (Dairy Food Safety Scheme) Regulation 1999. All dairy product factories, vehicle vendors, dairy produce stores, milk stores, milk collectors and dairy farmers are required to hold a Authority licence to operate.

Authority involvement

The Authority's work in this well established industry comprises regular audits and inspections of licensed businesses.

Goat dairy

Industry description

In NSW, there are currently 11 licensed goat milk producers, eight goat dairy producers selling product other than milk (such as cheese) and four farmers who sell to producers.

Industry regulation

In July 2003, the Food Production (Dairy Food Safety Scheme) Regulation 1999 was amended to include goat and sheep farms that supply goat milk, specialty cheese and yoghurts for human consumption. As of 12 June 2004, these businesses are required to hold a Authority licence to operate.

Authority involvement

The Authority has developed a code of practice for all milking animals and completed a baseline study to get a real picture of food safety issues in the goat dairy industry. The Authority is conducting microbiological testing on goat milk to obtain a proper scientific profile of this relatively unknown industry, testing 500 samples from 2003 to 2005.

The Authority is assisting the goat dairy industry in implementing food safety programs and will start auditing businesses in July 2004.

Grevillea Goats of Bega was the first goat milk producer voluntarily certified by predecessor organisation SafeFood NSW in September 2003 as implementing a Hazard Analysis Critical Control Point (HACCP)-based food safety program.

Plant Products

Industry description

Estimates indicate at least 110 businesses operating in priority areas identified as higher-risk, ranging from the vegetables in oil cottage industry to large fruit juice processors.

Industry regulation

At present, the NSW plant products industry is self-regulated. NSW is leading national work to regulate food safety in plant products. As SafeFood NSW, Authority identified five product categories in 2000/01 as priorities for food safety scheme development. They are fresh cut fruit, fresh cut vegetables usually consumed raw, vegetables in oil, unpasteurised juice and seed sprouts.

The Authority has developed a regulation which will require identified priority areas of the industry to implement a food safety program as a condition of licence.

Authority involvement

The Authority has established an industry consultation group to provide real-world advice on how the plant products industry operates. Food Standards Australia New Zealand (FSANZ), Health and Agriculture Departments, State food safety agencies, NSW Farmers Association, NSW Chamber of Fruit and Vegetable Industries and the Australian Food and Grocery Council have all provided valuable input.

The Authority has developed a model food safety program which has been reviewed by an independent expert. A baseline survey of the industry is complete and a Plant Products Regulation has been drafted for public comment. The Regulation is expected to be introduced in July 2004 and plant products processors will be required to implement food safety programs by December 2004.

A code of practice will cover transportation of these high priority plant products as a lower risk activity.

Food Manufacture, Service and Retail

Hospitals and aged care facilities

Industry description and regulation

NSW's 1200 hospitals and aged care facilities are regulated under the Australia and New Zealand Food Standards Code and have implemented voluntary food safety programs. On a national level, the Food Standards Code is being amended so that food safety programs will become mandatory for hospitals and aged care facilities.

Authority involvement

Through predecessor NSW Health Food Branch, the Authority has surveyed and 100 hospitals and aged care facilities prior to establishing an industry reference group in September 2003. The industry has advised its expectations and needs in relation to food safety programs in December 2003 and a technical group has been established to help identify gaps in current practice and develop a generic food safety program for all facilities to use.

Twenty hospitals and aged care facilities, representing a cross section of the industry in location, size and activities, have also participated in trial food safety audits from January to April 2004 and another 50 facilities have volunteered to participate in future trials.

Childcare facilities

Industry description

In June 1998, there were 399,400 operational places in child care, incorporating community based centres, private centres, family day care, school age care and other services (*Source: Commonwealth Department of Family and Community Services*). Authority has identified around 1000 childcare centres which provide food in NSW.

Industry regulation

Childcare facilities operate under a national Quality Assurance (QA) system which includes a requirement that a food safety plan is operating at each centre.

Childcare facilities must also comply with the Food Standards Code which sets out a range of requirements such as health and hygiene of food handlers or cleaning and sanitising of utensils, kitchens and equipment. In many areas, Environmental Health Officers employed by local Councils inspect childcare centres to confirm compliance with these requirements.

Authority involvement

In December 2003, there was a national agreement for mandatory food safety programs in childcare centres. Authority is responsible for implementing this agreement in NSW.

At present, Authority is investigating the possibility of building on the existing QA system and its audit process. If this is not possible, Authority will convene an industry reference group to help design a strategy for cost effective implementation of the national agreement in NSW.

Catering

Industry description

In Australia, the restaurant and catering industry turns over \$9.3 Billion and employs 217,400 people (*Source: Restaurant and Catering Association*). Catering involves both function catering (such as weddings, parties and corporate events) and non-function catering (for school camps, prisons, boarding schools, juvenile justice facilities and airlines).

Industry regulation

The NSW catering industry must comply with the Food Standards Code which sets out a range of requirements (such as health and hygiene of food handlers or cleaning and sanitising of utensils, kitchens and equipment). In many areas, Environmental Health Officers employed by local councils inspect caterers to confirm compliance with these requirements.

In December 2003, there was a national agreement for mandatory food safety programs for caterers. For the purpose of this agreement, catering was defined as simultaneous service to groups of 50 or more people or where there is a transport step between preparation and serving.

Authority involvement

The Authority is responsible for implementing the national agreement in NSW. An industry reference group, representing both function and non-function caterers has been established and meets for the first time on 29 July 2004. An industry survey will be conducted after the group is established to guide development of a strategy for cost effective implementation of the national agreement in NSW.

Food service and food retail

Industry description

NSW has around 50,000 food businesses which have notified NSW Health of their activities in the food industry, including bakeries, B&Bs, beekeepers, butchers, canteens, charity groups, delicatessens, health food shops, home delivery services, hotel/motel operations, kiosks, licensed clubs, food manufacturers and packers, pharmacies, pubs, restaurants, service stations, street vendors, takeaways, food transporters and wineries (*source: Notification and Food Safety Information System, NSW Health*)

Industry regulation

The NSW food service/retail industries are regulated by the Food Standards Code which requires all food businesses in NSW to notify the Authority of food activity details. Since April 2004, food businesses that fail to notify the Authority can face fines of up to \$55 000 for individuals and \$275 000 for corporations.

Authority involvement

Since establishment in April 2004, the NSW Food Authority's work in these industries comprises inspections of notified businesses to verify compliance with the Food Standards Code.

NSW Food Authority projects

Partnership with Local Government

The Section 73 Review conducted by the Hon. John Kerin, which recommended the establishment of the Authority, also recommended that the NSW Government explore with local government a mandated and resourced role for local government working in partnership with the Authority to regulate food in NSW.

In mid-2003, a Food Regulation Partnership was established, with representation by the Authority, Department of Local Government, NSW Health, the Local Government Association of NSW, the Shires Association of NSW, the Local Government Managers Association, the Australian Institute of Environmental Health and the Development and Environmental Professionals Association.

The Partnership published a paper in November 2003, *Toward A Strong Food Regulation Partnership* which addressed the issues of defining roles, recovering costs, providing support and assistance and coordinating frameworks across State and local governments involved in food regulation in NSW.

The Partnership will publish an options paper and conduct regional workshops on the partnership between the Authority and local government from mid-2004, with the final report recommending the way forward scheduled for completion in December 2004.

Fish substitution

From 17 May to 4 June, the Authority investigated the importation, sale and descriptions of Nile perch, barramundi, red emperor and dory species at 80 seafood importers and wholesalers in Sydney, Newcastle and Wollongong as part of a crackdown on fish substitution.

Officers issued 13 notices or warning letters to businesses. There were two incidents of mislabelling of fish species and problems with traceability of product through storage facilities were identified in five premises. Six notices were issued for labelling of imported product on display in association with a simultaneous crackdown on imported seafood labelling and 59 dozen oysters were seized due to absence of labelling.

Stage 2 of the project runs from 7 June to 31 July 2004 when retail, takeaway and restaurant sectors will be monitored for fish substitution.

Imported prawn labelling

From 7 May to 25 June 2004, the Authority inspected 295 food businesses in Sydney and across NSW in the far north coast, Newcastle, far west, mid west, Wollongong and south coast as part of a crackdown on incorrect labelling of imported prawns.

Officers found 221 businesses were selling imported prawns and 121 businesses (57%) had labelled prawns as imported or detailed country of origin as required under the Food Standards Code.

A total of 100 businesses or 43% were warned they were in breach of the Food Standards Code. Businesses had seven days to comply with warnings or face penalties of up to \$55,000 for individuals and \$275,000 for businesses. All of these businesses (100%) were found to be compliant on reinspection.

NSW Shellfish Program

The NSW Government has allocated \$890,000 for 2004/05 for the third phase of the NSW shellfish harvest area classification project. The project, which began in early 2002, involves Authority conducting risk assessments of commercial shellfish harvest areas to classify each harvest area as approved, restricted or prohibited for harvest of shellfish. Classification enables the Authority to determine the controls necessary to manage food safety risks of harvest areas. The classification methodology meets international standards and assists in developing export markets for NSW shellfish and assists local councils and authorities responsible for use of waterways and their environmental management, as well as the 360 oyster farmers and 50 licensed fishermen generating a farm gate value of around \$35 million.

In June 2004, Authority released its *NSW Aquaculture Shellfish Harvest Area Water Bacteriology and Phytoplankton Survey Data January 2003 - December 2003* reporting on the status of risk assessments completed or in progress for each of NSW's shellfish harvest areas. Five harvest areas have been surveyed, being Nelson Lake and Corrie Island and three areas in Wallis Lake.

High Risk Industries

The NSW Government has allocated \$1 million to help refine food safety programs for "high risk" sectors, as part of national requirements. Funding has been allocated to help these sectors, including hospitals, aged care, childcare and catering facilities, meet national food safety program standards by 1 July 2007. The funding will also support the Authority in improving food safety management systems in other sectors.

For more information

The NSW Food Authority on 1300 552 406 or www.foodAuthority.nsw.gov.au