

# NSW enforcement agency activities: retail food service sector

Summary Report 2024-25



Published by the NSW Food Authority

Title: NSW enforcement agency activities: retail food service sector

Subtitle: Summary Report 2024-25

---

© State of New South Wales through NSW Food Authority [2025]. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Food Authority as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (October 2025) and may not be accurate, current or complete. The State of New South Wales (including the Food Authority), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

# Table of Contents

Background and the Food Regulation Partnership.....	4
Support for retail food businesses.....	4
Support for enforcement agency authorised officers (AOs).....	5
Compliance of retail food businesses.....	7
Retail food business inspection outcomes .....	7
Enforcement action.....	8
Complaints of retail food businesses.....	10
Foodborne illness reduction .....	11
Food Regulation Partnership Forum.....	11
More information.....	12

## Background and the Food Regulation Partnership

The Food Regulation Partnership (FRP) was implemented on 1 July 2008. It is a strong food surveillance partnership model between the state and local government in NSW aimed at ensuring that consumers have safe food in the retail food service sector and that the NSW food industry continues to thrive.

The NSW Food Authority appoints all NSW local councils and other bodies as enforcement agencies under the *NSW Food Act 2003* (the Act). They work together to ensure NSW retail food service businesses comply with food safety standards and regulations.

NSW has 132 areas regulated by 131 enforcement agencies: 128 councils (in respect of their own local government area), National Parks and Wildlife Service under the Department of Climate Change, Energy, the Environment and Water (in respect of Kosciusko National Park), Lord Howe Island Board (in respect of Lord Howe Island) and the Food Authority (in respect of Sydney Harbour Federation Trust and the unincorporated far west areas).

Enforcement agencies are responsible for food safety surveillance of the retail food service sector in NSW which includes routine inspections, enforcement when non-compliance is identified, and complaint investigation. There are over 41,000 high and medium risk fixed retail food businesses and almost 16,000 temporary and mobile food businesses that require regular inspection.

The NSW retail food service sector is one of the biggest contributors to the NSW food industry and the state's economy. It is an innovative and evolving sector and includes changes in the way food is sold e.g. farmers markets, mobile food vending vehicles, home-based, online and increasingly in the sharing economy.

Enforcement agencies are required to report annually to the Food Authority on their food surveillance activities, and this report summarises the data submitted by these agencies.

---

## Support for retail food businesses

The Food Premises Assessment Report (FPAR) is a standardised inspection checklist. Enforcement agencies appoint authorised officers (AOs) under the Act to conduct food safety inspections. All AOs use the FPAR in a consistent manner to determine a business inspection outcome score. The score is based on demerit points for non-compliance matters identified during the inspection. Retail food businesses can also use the FPAR to self-assess their food handling practices. The FPAR is available in several languages on the Food Authority's website, and the Food Authority provides the standard FPAR free of charge to all enforcement agencies.

The Scores on Doors program is a voluntary program in which enforcement agencies may participate. It allows for retail food businesses in their area, to publicly display the score of their food safety inspection. The score is represented as five stars for 'excellent', four stars for 'very good', three stars for 'good', or if the result equates to less, a certificate is not issued. The score is determined from the business inspection outcome generated by an officer at an unannounced inspection using the FPAR checklist.

The benefit of displaying scores at food outlets is that it provides consumers with information about the retail food business's food safety practices at the time of the inspection. It also encourages retail food businesses to strive for a higher score and thereby improve food safety.

The reported participation rate of enforcement agencies in the Scores on Doors food safety ratings program in the 2024-25 period has remained the same as last year at 48% (62 areas). For this period the program captures 63% (25,969) of NSW retail food businesses.

NSW enforcement agencies continue to provide a range of additional support services to retail food businesses including:

- 94% provided technical advice to retail food businesses
- 94% provided food safety information to retail food businesses
- 34% organised food handler training for retail food businesses.

During the period 2024–25, the Food Regulation Partnership hosted 3 Food Safety Information Sessions for the retail and food service businesses in partnership with Dubbo Regional, Yass Valley and City of Canterbury Bankstown Councils.

These events provided opportunity for local retail food businesses to engage face-to-face with the hosting local council and the Food Authority to learn about food safety and the resources available to them. There were 78 registrations for the session at Dubbo, 55 registrations at Yass, and 180 for the Canterbury Bankstown session.

Presentations were provided on a wide range of priority food safety topics including food safety laws, cleaning and sanitising, food labelling, preventing foodborne illness, Council's food safety initiatives, and retail programs such as Scores on Doors and Food Safety Supervisor.

These sessions were attended by food retail managers, food business owners and employees who predominantly worked in restaurants, takeaway shops, cafes and bakeries with less than 10 staff members. Feedback from attendees informed the session had delivered a significant improvement participants' food safety knowledge.

---

## Support for enforcement agency authorised officers (AOs)

The Food Authority supports enforcement agencies by ensuring AOs have access to the very latest information and guidance they need to conduct their duties.

The Food Authority continues its commitment to provide contemporary and pragmatic training, information, and networking opportunities for the 517 (176 full time equivalents) enforcement agencies' AOs.

The FRP Portal is the major source of information for this geographically dispersed inspectorate. Along with valuable resources such as the FRP Protocols, Advisory Guidelines, and Communiques, all the training and professional development materials delivered to AOs are available on the FRP Portal. All AOs can access the material at a time that is convenient to them and their agencies. During this period the capabilities of the FRP Portal were reviewed in line with departmental requirements. Alternative document sharing platforms were explored with a view to providing a new future home for internal FRP resources.

Training is delivered to help maintain AOs' skills and knowledge, promote consistency in inspection protocols and enforcement, and identify emerging risks.

The Food Authority conducts three rounds of Regional Food Group meetings at each of the 16 regions across NSW each year. Each meeting has two components. The first is a meeting which provides opportunity for the Food Authority and enforcement agencies to engage on topical food safety issues and developments. It also provides opportunity to problem-solving with colleagues from different local government areas and seek to develop regionally consistent approaches to local issues.

The second component is a professional development session aimed at providing officers up-to-date training on topical issues. In 2024–25, the professional development topics were:

- Plain English Allergen Labelling (PEAL), as these requirements were recently introduced nationally
- FRP roles and responsibilities, as the FRP documents had been revised and all enforcement agencies were re-appointed, and

A workshop on frequently asked questions, to assist in officers' problem-solving strategies, as well as an update on the draft Food Regulation 2025.

The Food Authority also provides a comprehensive 'Authorised Officer (Local Government) Food Surveillance Training' program for new officers, trainees or officers wanting refresher training to gain the appropriate skills and knowledge to conduct food surveillance activities in the retail food service sector. This program is an online training program open to food safety authorised officers working in local government. Up to 50 spaces are available each year. The course aims to educate and provide officers with the skills and knowledge they need to carry out their food safety duties, as well as promote consistency between agencies, provide workforce continuity and build relationships between the Food Authority and local councils.

The program consists of 12 modules (21 topics) to capture the work of an authorised officer and is delivered with a mix of interactive materials such as presentations, videos and practicals. Officers must complete the online modules, attend a one-day face-to-face workshop and complete an assessment task. Participants who complete the course receive a certificate of completion.

During the 2024-25 period, demand for the Authorised Officer training course was high and 46 participants successfully completed all elements of the course and received their certificate.

## Compliance of retail food businesses

There were a total of 54,427 inspections and re-inspections conducted across the retail food services sector, including fixed, temporary and mobile food premises. This value has increased from 53,212 in 2023-24.

A total of 91% of high and medium risk food premises (37,740 were inspected which is the same as for the previous period.

Compliance with food safety requirements across the retail food service sector has improved since the commencement of the FRP in 2008 and remains steady. In this period the sector recorded a compliance rate of 97%, which is consistent with 2023-24, as shown Figure 1 below, but higher than the 10-year average compliance rate of 96%.

The number of fixed retail food businesses requiring additional re-inspections and intervention for non-compliance was calculated at 2.61% (1,108 of the 37,740 high and medium risk, fixed retail food businesses inspected), which yields in an overall compliance rate of 97% for this sector.

Figure 1: Overall compliance rate of the retail food services sector 2013-2025



## Retail food business inspection outcomes

NSW retail food businesses continue to have high food safety standards; 93% of retail food businesses achieved an inspection outcome of 15 demerit points or less, which equates to a Scores on Doors ‘star rating’ of at least three or more stars.

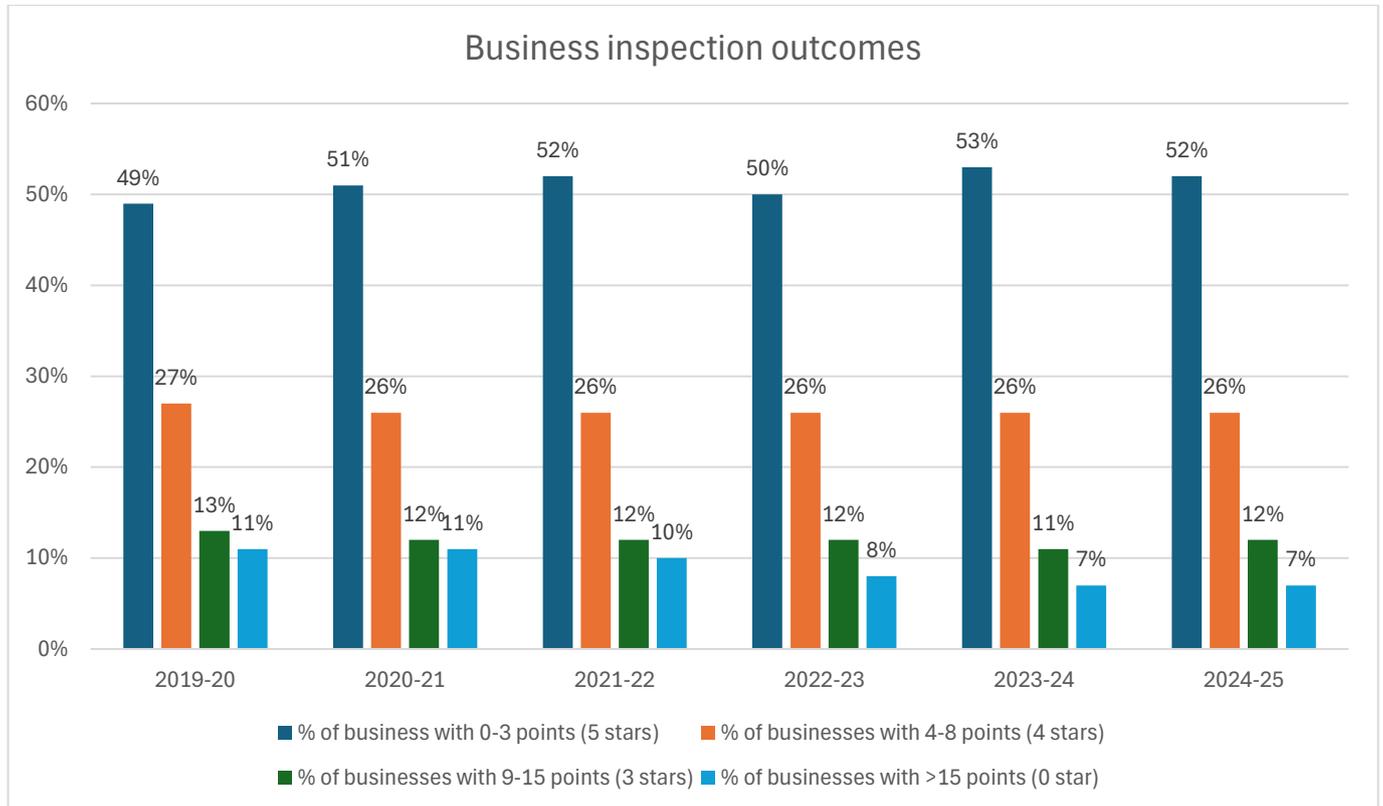
Enforcement agencies provided business inspection outcomes for 86% of all high and medium risk fixed, temporary and mobile food premises inspected, and the results are shown in Figure 2 below.

The distribution of scores remains consistent with previous periods although the proportion of business scoring 0-3 points (5 stars equivalent) has increased steadily from 49% in 2019-20 to 52%

during this reporting period. The proportion of businesses scoring greater than 15 points (no Scores on Doors stars equivalent) has dropped from 11% in 2019-20 to 7% this period. Both these trends indicate retail food businesses are continuing to achieve stronger inspection results.

Another notable trend is the number of fixed premises requiring re-inspection. The value for 2023-25 remains stable at 14%.

Figure 2: Business inspection outcome scores reported for 2019-25



## Enforcement action

There are a range of enforcement tools that AOs can use, depending on the nature and severity of the food safety risks, to ensure food safety standards are being met. An escalatory approach is encouraged with warnings issued as a first step to encourage improvements in safe food handling processes. For more severe breaches improvement notices and penalty notices may be issued, as well as seizure of product/equipment, prohibition orders and prosecution.

The enforcement tools used and their frequency of use in each period is shown in Figure 3 and 4. This data also confirms that enforcement agencies are in general implementing the graduated enforcement approach recommended by the Food Authority.

Figure 3: Numbers of warning letters, improvement notices and penalty notices issued in the retail food sector for 2019-2025

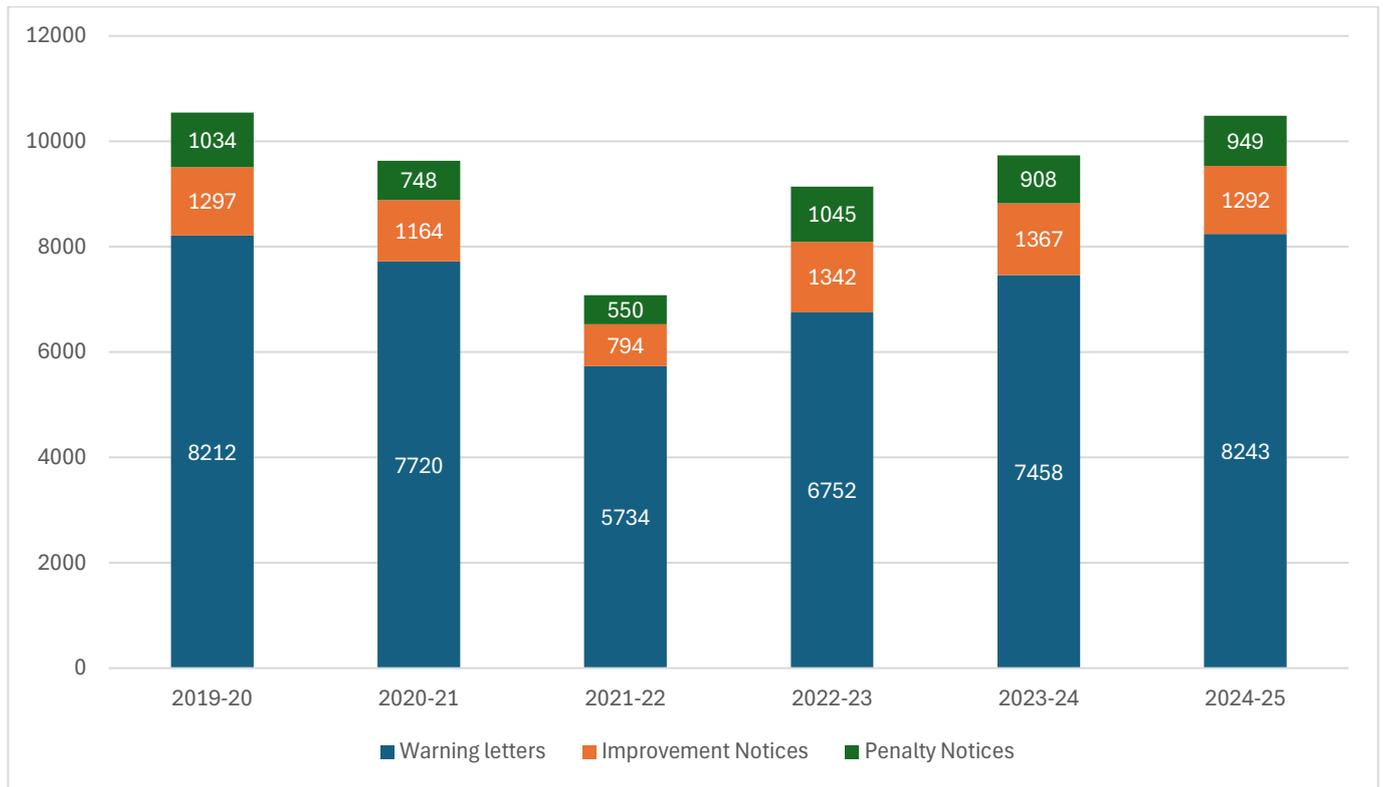
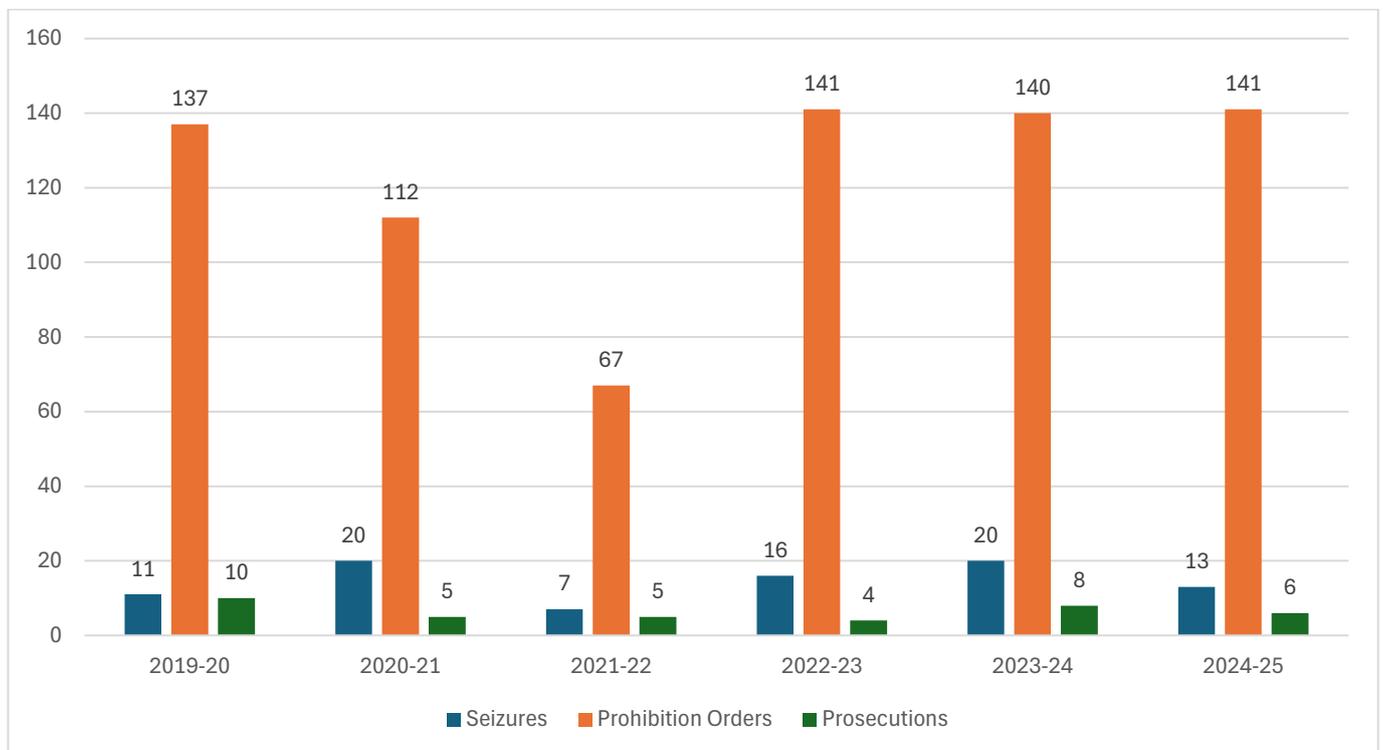


Figure 4: Numbers of seizures, prohibition orders and prosecutions in the retail food sector for 2019-2025



The use of most statutory enforcement tools has decreased from 2023-24. For example:

- 1292 Improvement Notices, down from 1367 in 2023-24
- 13 seizures, down from 20 in 2023-24
- 6 Prosecutions, down from 8 reported in 2023-24.

The number of penalty infringement notices and warning letters increased from the last period.

The most common food safety breaches under the Act for which penalty notices were issued during the 2024-25 period remain similar to previous period, and were:

- unclean food premises (19%)
- improper food storage (17%)
- poor handwashing facilities (13%)
- unclean fixtures and fittings and equipment (9%)
- poor pest control (8%)
- poor facility, construction and maintenance (7%)
- poor display conditions (6%)
- poor cleaning and sanitising (5%)

Food businesses who have been issued with penalty notices or prosecuted for food safety breaches under the Act are displayed on the Name and Shame register of offences<sup>1</sup> on the Food Authority website. Penalty notices are published for no longer than 12 months and prosecutions for no longer than 24 months.

## Complaints of retail food businesses

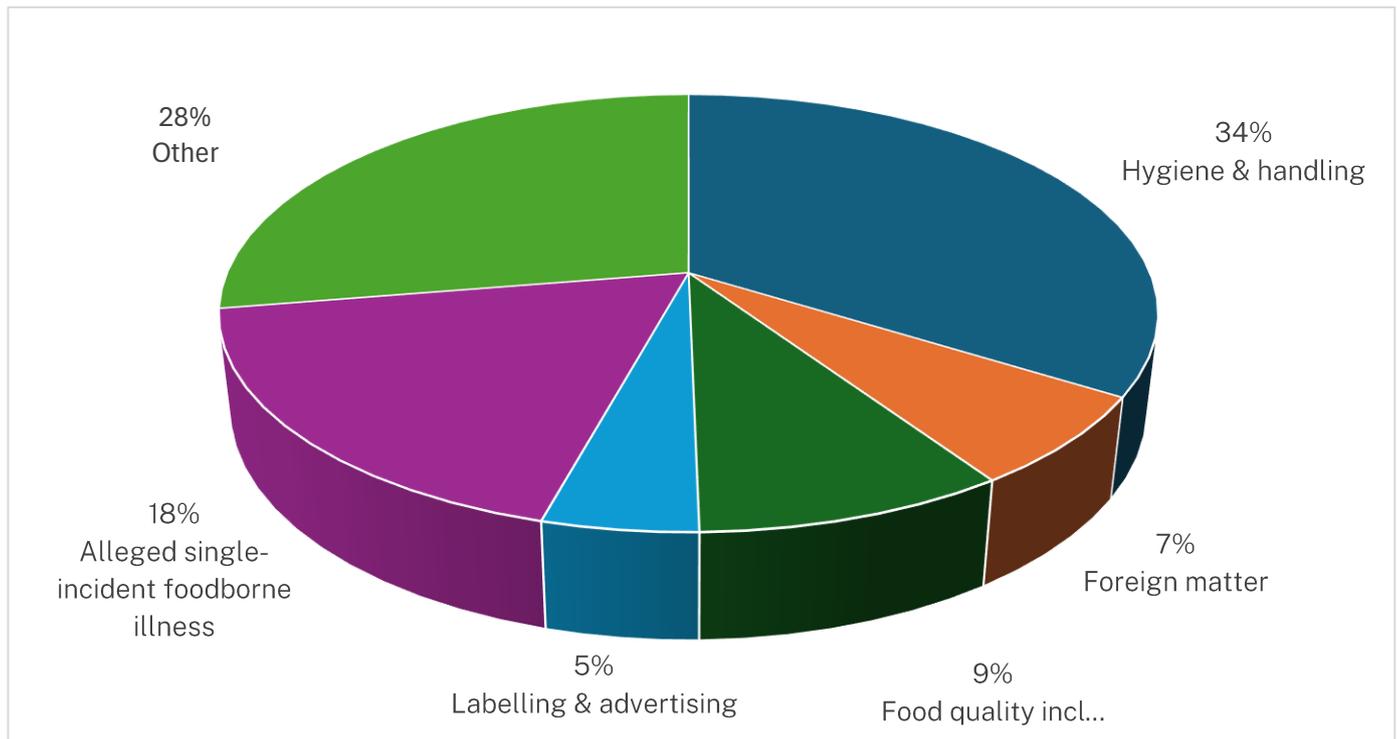
Enforcement agencies are responsible for investigating complaints in relation to retail food businesses within their area. The total number of food complaints for the 2024-25 period is reported as 6,258 which is an increase from 6,093 for 2023-24. The distribution of complaint types remains relatively steady from the previous year and is shown in Figure 5.

The most common complaint type investigated is in relation to hygiene and handling, which is consistent with previous reporting periods, followed by 'other' which may include complaints such as noise, odour etc.

---

<sup>1</sup> [foodauthority.nsw.gov.au/offences](https://foodauthority.nsw.gov.au/offences)

Figure 5: Complaint types investigated 2024-25



### Foodborne illness reduction

All enforcement agencies continued to focus on reducing the incidence of foodborne illness through robust inspection programs and timely responses to complaints. The Food Authority continued to work in partnership with enforcement agencies to provide latest advice, best practice guidance and additional support to assist them with this goal.

The professional development and training programs offered to enforcement agencies continued to focus on food safety measures to reduce the risk of foodborne illness.

### Food Regulation Partnership Forum

The NSW Food Regulation Forum (the Forum) is a group of representatives from government and industry who provide strategic focus and advice on local government matters. The Forum met twice during the 2024-25 period.

The Forum is chaired independently by Cr Claire Pontin, and organisations represented on the Forum are NSW Food Authority, Local Government NSW, Development and Environmental Professionals' Association, Environmental Health Australia, and Local Government Professionals Australia.

Members include:

Chair: Cr Claire Pontin

- Mr Andrew Davies (NSW Food Authority)
- Mr Greg Vakaci (NSW Food Authority)

- Cr Phyllis Miller (Local Government NSW)
- Cr Dr Elizabeth Adamczyk (Local Government NSW)
- Cr Jay Suuval (Local Government NSW)
- Mr Hugh Waters (Environmental Health Australia)
- Ms Erin Hogan (Environmental Health Australia)
- Mrs Fiona Stalgis (Development and Environmental Professionals' Association)
- Ms Sally-Anne Donahue (Development and Environmental Professionals' Association)
- Mr Peter Fitzgerald (Local Government Professionals Australia)
- Ms Genevieve Taylor (Local Government Professionals Australia)

The Summary of outcomes for each meeting are available on the Food Authority website.

---

## More information

- Visit [foodauthority.nsw.gov.au](https://foodauthority.nsw.gov.au)
  - Contact the Food Authority:
    - Email [food.contact@dpird.nsw.gov.au](mailto:food.contact@dpird.nsw.gov.au)
    - Phone 1300 552 406
- 

## Copyright and disclaimer statement

© State of New South Wales through NSW Food Authority 2025. The information contained in this publication is based on knowledge and understanding at the time of writing October 2025. However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the DPIRD or the user's independent adviser.