Food Authority

NSW GOVERNMENT

NSW retail food sector enforcement agency activities

Summary report 2025–26



www.foodauthority.nsw.gov.au

Background and the Food Regulation Partnership

Established on 1 July 2008, the Food Regulation Partnership (FRP) brings together state and local government in NSW to ensure safe food in the retail food service sector and that the NSW food industry continues to thrive.

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

NSW has 132 areas regulated by 131 enforcement agencies in the retail service sector:

- **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)
- the **Food Authority** (in respect of Sydney Harbour Federation Trust and the unincorporated far west areas).

Enforcement agencies monitor food safety through routine inspections, investigate complaints and take enforcement action when businesses fail to comply. They are required to report annually to the Food Authority on their food surveillance activities.

This report summarises agency data submitted for 2025–26.

An evolving sector

The NSW retail food service sector is a major contributor to the NSW food industry and the state's economy. It continues to innovate and evolve, with food increasingly sold through farmers markets, mobile food vending vehicles, home-based businesses, online and in the sharing economy.

43,000

high and medium risk fixed retail food businesses require regular inspection



16,000

temporary and mobile food businesses require regular inspection







Initiatives and support

The Food Authority's Local Government Unit supports enforcement agencies and their authorised officers (AOs) in undertaking their food safety surveillance obligations.

Food Premises Assessment Report (FPAR)

The Food Premises Assessment Report (FPAR) is a standardised checklist used by AOs to inspect food businesses. All AOs use the FPAR to consistently determine a business's inspection score, based on demerit points for non-compliances.

Available in several languages, retail food businesses can also use the FPAR to self-assess their food handling. The Food Authority provides the FPAR free of charge to all enforcement agencies.

45%

of enforcement agencies participated in Scores on Doors, capturing 63% of retail food businesses

Scores on Doors

Scores on Doors is a voluntary program that allows food businesses in participating local government areas to publicly display their food safety inspection rating. The rating is based on the inspection score recorded by an AO during an unannounced inspection using the FPAR checklist.

Businesses receive:

- 5 stars for 'excellent'
- 4 stars for 'very good'
- 3 stars for 'good'.

Businesses with a rating below 3 stars do not receive a certificate.

Displaying ratings gives consumers information about a business's food safety practices at the time of an inspection. It also encourages businesses to improve their practices and work towards a higher rating.

In 2025–26, 59 enforcement agencies (45%) participated in Scores on Doors, capturing 63% (25,969) of NSW retail food businesses.





Retail and Food Service Information Sessions

Hornsby, Central Coast and AlburyCity councils each hosted a Retail and Food Service Information Session for retail and food service businesses in partnership with the Food Authority.

The sessions gave local food businesses an opportunity to meet with their council and the Food Authority, learn about food safety and explore available resources.

Presentations covered:

- food safety laws
- cleaning and sanitising
- preventing foodborne illness
- council food safety inspection program
- initiatives such as the Scores on Doors and Food Safety Supervisor programs.

243

participants attended Retail and Food Service Information Sessions

Attendees included managers, owners and employees, mainly from restaurants, takeaways, cafes and bakeries with fewer than 10 staff, as well as school canteens, childcare services, mobile and home-based businesses. Their feedback indicated that the sessions significantly improved their food safety knowledge.

Support provided by enforcement agencies

- 93% provided food businesses with technical advice
- 93% provided food safety information to food businesses
- 34% organised food handler training for food businesses

Support for authorised officers

557

authorised officers delivering food safety surveillance across NSW

The Food Authority supports enforcement agencies' AOs with current information and practical guidance to help them with their duties. During 2025-26, the Food Authority addressed over 1,300 enquiries from AOs.

In 2025–26, the Food Authority supported 557 AOs, (184 full-time equivalant positions), through training, information, and networking opportunities.

Training is critical in helping to maintain AOs' skills and knowledge, promote consistent inspection and enforcement practices, and help AOs identify emerging risks.

Regional Food Group meetings

Each year, the Food Authority conducts 3 rounds of Regional Food Group meetings across 16 regions in NSW.

Each meeting includes 2 components:

- a discussion session, which allows the Food Authority and agencies to share updates, problem-solve issues with colleagues from other areas, network and develop consistent regional approaches
- a professional development session, to provide practical training on current issues.

In 2025–26, professional development topics included:

- açaí and kebabs (with a focus on food handler practices)
- Childcare Services Survey
- Frequently Asked Questions Workshop (with a focus on Food Safety Supervisor and food handling practices).

FRP Library

In June 2026, the Food Authority launched the FRP Library, the new secure home for internal resources for AOs, available on the Food Authority website.

The library enables the hundreds of AOs from enforcement agencies to log-in and easily access resources to help with their role.



Training for new authorised officers

The Food Authority offers an Authorised Officer (Local Government) Food Surveillance Training program for new officers, trainees or those seeking a refresher. The training equips officers with the skills and knowledge to conduct food surveillance activities in the retail food service sector. It also promotes consistent practices, supports workforce continuity and builds relationships between the Food Authority and local councils.

The program comprises of 12 modules covering 21 topics and uses interactive presentations, videos and practical activities. Participants must complete the online modules, attend a one-day face-to-face workshop and complete an assessment task. Those who successfully complete the program receive a certificate of completion.

The program offers 50 places each year, which fill quickly.

Compliance of retail food businesses

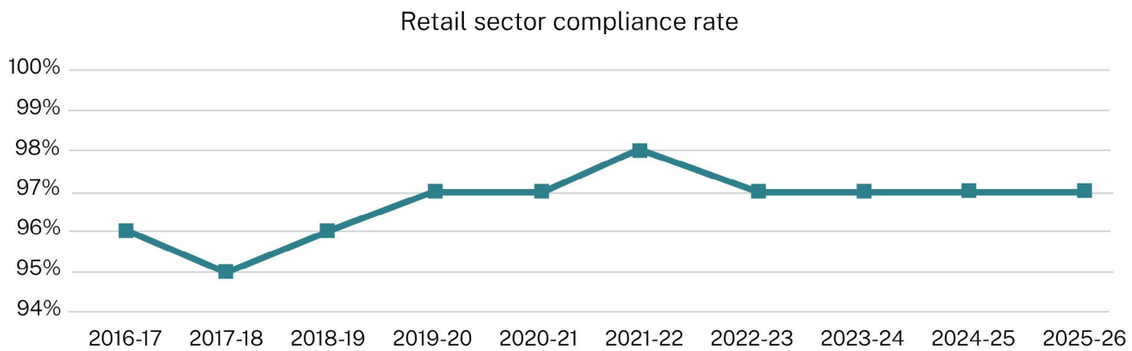
Highlights

3% of fixed food businesses required additional re-inspection/s and intervention for non-compliance (1,134 of the 39,451 fixed food businesses inspected), yielding an overall compliance rate of 97%.

92% of high- and medium-risk fixed food premises (39,451) were inspected, consistent with the previous reporting period.

55,565 inspections and re-inspections were conducted across the sector, including fixed, temporary and mobile food premises (an increase from 54,427 in 2024-25).

Figure 1: Overall compliance rate of the retail food services sector over 10 years.



Retail food business inspection outcomes

NSW retail food businesses continue to have high food safety standards; 91% achieved an inspection outcome of 3, 4 or 5 stars (Scores on Doors rating), which equates to 15 demerit points or less.

The distribution of scores remains consistent with previous periods.

97%

compliance rate among inspected high- and medium-risk fixed food premises

Table 1: Business insection outcome scores reported over 5 years.

Business inspection result	2021–22	2022–23	2023–24	2024–25	2025–26
0-3 demerit points *****	52%	50%	53%	52%	51%
4-8 demerit points ****	26%	26%	26%	26%	27%
9-15 demerit points ***	12%	12%	11%	12%	13%
>15 demerit points	10%	8%	7%	7%	9%

Figures are indicative only and may not add up to 100% due to rounding or estimates.



Enforcement action

Authorised Officers (AOs) can access a range of enforcement tools depending on the nature and severity of the food safety risk. A graduated approach is encouraged, where a warning letter or improvement notice can be issued as a first step to improve compliance. Penalty notices, product or equipment seizure, prohibition orders and prosecution can be issued for more severe breaches in accordance with risk.

Enforcement tools used and their frequency of use in each period is shown in Table 2. This data also confirms that enforcement agencies are generally implementing the graduated enforcement approach recommended by the Food Authority.

The use of all statutory enforcement tools increased from 2024–25.

Table 2: Enforcement action issued in the retail food sector reported over 5 years.

Enforcement tool	2021–22	2022–23	2023–24	2024–25	2025–26
Warning letters	5,734	6,752	7,458	8,243	7,822
Improvement notices	794	1,342	1,367	1,292	1,540
Penalty notices	550	1,045	908	949	1,017
Seizures	7	16	20	13	20
Prohibition orders	67	141	140	141	182
Prosecutions	5	4	8	6	11



Common breaches

The most common food safety breaches under the Act for which penalty notices were issued during the 2025–26 period were consistent with the previous period:

- unclean food premises (20%)
- improper food storage (17%)
- poor handwashing facilities (11%)
- unclean fixtures, fittings and equipment (10%)
- poor pest control (9%)
- poor facility, construction and maintenance (5%)
- poor display conditions (5%)
- poor cleaning and sanitising (5%).

Food businesses issued with penalty notices or prosecuted for food safety breaches under the Act are displayed on the Name and Shame register of offences on the Food Authority website. Penalty notice listings are published for no more than 12 months and prosecutions for no longer than 24 months.

Complaints about retail food businesses

Enforcement agencies reported investigating 6,730 food complaints in 2025–26, an increase from the previous 2 years (6,258 in 2024-25 and 6,093 in 2023–24). The distribution of complaint types remains consistent with previous years.

The most common complaint type investigated was in relation to hygiene and handling, followed by ‘other’ which may include complaints such as noise and odour.

Complaint types investigated:

- 34% hygiene and handling
- 28% other
- 18% alleged single incident foodborne illness
- 9% food quality (including deterioration)
- 7% foreign matter
- 5% labelling and advertising.

Food Regulation Forum

The NSW Food Regulation Forum is a group of representatives from government and industry who provide strategic focus and advice on local government matters. The Forum met twice in 2025–26.

It is chaired independently by Cr Claire Pontin. Organisations represented are NSW Food Authority, Local Government NSW, Development and Environmental Professionals' Association, Environmental Health Australia, and Local Government Professionals Australia.

Members during the 2025-26 period include:

- Chair: Cr Claire Pontin
- Mr Andrew Davies (NSW Food Authority)
- Mr Mark Mackie (NSW Department of Primary Industries and Regional Development)
- Cr Phyllis Miller (Local Government NSW)
- Cr Dr Elizabeth Adamczyk (Local Government NSW)
- Ms Denise Anderson (proxy for 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 the most recent meetings are available on the Food Authority website.

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