

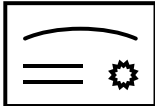

Standard 3.2.2A guideline for food retailers

Recent changes to the Food Standards Code introduced new food safety requirements for food retailers, including supermarkets, delis, greengrocers, service stations and convenience stores.

In NSW, the changes apply from 8 December 2024 and affect businesses that sell unpackaged, ready-to-eat food that requires temperature control.

The requirements

Standard 3.2.2A introduces 3 mandatory food safety management tools for food businesses, depending on their food handling activities:

 <p>1. Food Safety Supervisor</p> <p>A business must have a Food Safety Supervisor who:</p> <ul style="list-style-type: none">• is qualified, and• can give advice to employees who handle food.	 <p>2. Food handler training</p> <p>All staff who handle food must have appropriate skills and knowledge of food safety and hygiene.</p>	 <p>3. Showing food is safe</p> <p>A business must be able to show they are managing key food safety risks by either:</p> <ul style="list-style-type: none">• demonstrating safe food handling practices, or• keeping records.
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In NSW, local councils inspect most retail food businesses, including food retailers, under the Food Regulation Partnership with the NSW Food Authority.





The Food Authority is encouraging councils to initially take an educative approach while businesses adjust to the new requirements.

Who the requirements apply to

The Standard applies to all food services and businesses that sell or serve food that is:

- potentially hazardous (requires temperature control)
- ready-to-eat, and
- not in its original package.









Affected food retailers include:

 <p>Delicatessens</p>	 <p>Greengrocers</p>	 <p>Service stations and convenience stores</p>	 <p>Supermarkets and market stalls</p>
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Potentially hazardous foods

Potentially hazardous foods have certain characteristics that support the growth of bacteria, or the production of toxins, and must be kept at 5°C or colder, or 60°C or hotter, to stay safe to eat.

Examples of potentially hazardous food include:

 <p>Raw and cooked meat and poultry</p> <p>Deli meat, burgers, curries, kebabs, pâté, meat pies</p>	 <p>Foods with eggs, beans and nuts</p> <p>Quiche, aioli, mayonnaise, mousses, tofu</p>	 <p>Dairy and foods containing dairy</p> <p>Milk, dairy desserts, fresh cream, custard, cheese</p>	 <p>Cooked rice and pasta</p> <p>Fried rice, plain rice, spaghetti, carbonara, lasagne</p>
 <p>Seafood</p> <p>Sushi, prawns, fish, mussels, oysters, shellfish</p>	 <p>Sprouted seeds</p> <p>Alfalfa sprouts, clover sprouts, chickpea sprouts</p>	 <p>Cut fruits and vegetables</p> <p>Cut melon, salads, pre-cut fruit trays, vegetable sticks</p>	 <p>Foods containing any of these foods</p> <p>Sandwiches, pizzas, rice rolls.</p>

Foods not considered potentially hazardous include raw whole fruit and vegetables, bread, biscuits, crackers and crispbreads and plain cakes.

For more information, see:

- [Managing potentially hazardous foods](#)
- [Potentially hazardous foods: Foods that require temperature control for safety](#) (pdf 404 KB).

Categories under the Standard

Standard 3.2.2A classifies businesses into 2 categories, depending on their activities.

If a business engages in the activities of both category one and category two, it is deemed a category one business. The requirements are based on the highest-risk activities, and are designed to strengthen the business's food safety management.

Category one businesses

Category one businesses **process** potentially hazardous food into a food that is ready-to-eat and potentially hazardous and serve it to consumers. Processing means chopping, cooking, drying, fermenting, heating, thawing and washing, or a combination of these.

Category one businesses must implement all 3 tools:

- have a qualified onsite Food Safety Supervisor
- ensure all food handlers have appropriate skills and knowledge of food safety and hygiene
- be able to show their food is safe.

Examples of category one food retailers

- A supermarket cooks roast chickens onsite for sale. In this example, potentially hazardous food is processed (cooked) into a food that is potentially hazardous and sold ready-to-eat.
- A supermarket or deli makes and/or cooks food onsite that is sold as ready-to-eat food, such as sushi, quiches, potato bakes, pasta salads, chopped salads and/or fried chicken. The food is held on display (either refrigerated, or hot) and the products are packaged by staff for each customer.
- A supermarket seafood section thaws frozen cooked seafood, such as prawns, for sale. In this example, the potentially hazardous food is processed (thawed) and served ready-to-eat.
- A supermarket bakery makes and sells custard tarts, quiches and fresh cream buns.

Category two businesses

Category two businesses sell or serve unpackaged, potentially hazardous, ready-to-eat food they have not made themselves. The business might remove packaging before serving, or receive the food unpackaged (for example, from a manufacturer). These businesses only slice, weigh, repack, reheat or hot-hold the food, but do not process it in any other way.

Category two businesses must implement tools 1 and 2 in the Standard:

- have a qualified onsite Food Safety Supervisor
- ensure all food handlers have appropriate skills and knowledge of food safety and hygiene.

Examples of category two food retailers

- A supermarket receives bulk deli meats from a manufacturer and slices them on site. The sliced meat is held in a refrigerated display unit and placed in a bag and weighed for each customer.
- A supermarket deli receives ready-to-eat salads in a bulk bag to portion and serve. The bag is opened and the salad placed into a container in a refrigerated display unit, where customers can pick an amount to be weighed and packaged for them by staff.

- A convenience store receives packaged pies, pasties and sausage rolls from a local caterer. The business unpackages these products, reheats them and then hot holds them in a display oven. The products are placed in a bag for sale to the consumer.
- A greengrocer receives whole fruit and vegetables and slices it into individual portions that are sold as ready-to-eat, for fruit salad and snack packs of carrots and celery.
- A greengrocer selling unpackaged, ready-to-eat sprouts.
- A greengrocer offers a fresh juice service, where fruit is cut and fed into a juicer. Juices may be made to order and/or bottled onsite for sale but are not wholesaled.

Exclusions

In NSW, Standard 3.2.2A does not apply to the following:

- the handling or sale of food for the purpose of raising funds solely for community or charitable causes, and providing food for free
- food businesses licensed with the NSW Food Authority
- businesses that only manufacture or wholesale food with no direct sale to consumers
- businesses that do not serve or sell unpackaged food that is potentially hazardous and ready-to-eat
- greengrocers that sell only whole fruit and vegetables.

If you are still unsure whether the Standard applies to your circumstances, try our [quiz for businesses](#), or phone the Food Authority helpline on 1300 552 406.

Tool 1 - Food Safety Supervisor (FSS)

The Food Safety Supervisor (FSS) requirement is not new in NSW – many businesses are already required to appoint at least one per premises. Prior to the introduction of Standard 3.2.2A, supermarkets, delicatessens and greengrocers were exempt from the FSS requirement – they now have until 8 December 2024 to comply.

Food businesses in NSW must appoint a certified Food Safety Supervisor if they prepare and serve food that is:

- unpackaged
- potentially hazardous (requires temperature control)
- ready-to-eat.

An FSS is someone associated with the business who is certified to have skills and knowledge in food safety, especially around high-risk foods.

Food Safety Supervisors give businesses a better level of protection. They:

 <p>Oversee day-to-day food handling</p>	 <p>Ensure food safety risks are managed</p>	 <p>Share skills and knowledge</p>	 <p>Promote positive food safety practices</p>
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How to become a Food Safety Supervisor

Food Safety Supervisor training is delivered by approved Registered Training Organisations (RTOs). Training is delivered online, face-to-face, in the workplace, or a combination, and can generally be completed in one full day. Course costs, set by the RTOs, range from \$99 to \$200.

There are 2 learning pathways in NSW to achieve FSS certification – hospitality and retail. Food retailers can use either pathway to qualify. In NSW the course **must** include either:

Two hospitality units:

- SITXFSA005 – Use hygiene practices for food safety
- SITXFSA006 – Participate in safe food handling practices

OR

One retail unit: SIRRFSA001 – Handle food safely in a retail environment.

Certification is valid for 5 years, after which the business has 30 working days to ensure their appointed FSS completes recertification training with an approved RTO.

Nominating a Food Safety Supervisor

The business nominates their own Food Safety Supervisor. They must have the authority and ability to give direction on the safe handling of food. It may be the owner, manager or other paid staff.

The FSS should work onsite to oversee food handling but they do not have to be there all the time. Larger retailers may choose to certify more than one FSS to cover shift work and leave.

A copy of the FSS certificate must remain on the premises.

Steps to complying with the Food Safety Supervisor requirement

1. Choose who will be the FSS.
2. The chosen staff member completes the training and assessment through an approved RTO.
3. The FSS receives a Statement of Attainment and a NSW FSS certificate. A copy of the certificate must be kept on the business premises.
4. After 5 years, the FSS completes recertification training and assessment for an updated NSW FSS certificate and an updated Statement of Attainment for the required units of competency.
5. More information is available on the Food Authority website:
 - [Food Safety Supervisors](#)
 - [Approved training providers](#)
 - [Guideline to Food Safety Supervisor requirements \(pdf 555KB\)](#)







Tool 2 – Food handler training

Food businesses handling and serving unpackaged, potentially hazardous food, must ensure their food handlers have appropriate skills and knowledge in food safety and hygiene. This is different to the Food Safety Supervisor requirement. Supermarkets, delis and greengrocers have until 8 December 2024 to comply with this requirement.

Businesses can choose how food handlers are trained. They may use or recognise free online food safety training programs, past experience, internal training tailored to suit their own procedures, or courses from vocational training providers.

Additional training is not needed if food handlers can already demonstrate adequate skills and knowledge for their duties.

If opting for food handlers to undertake a food handler training course, it must cover:

 <p>Safe handling of food</p> <p>Temperature control for potentially hazardous food, understanding the temperature danger zone</p>	 <p>Food contamination</p> <p>Strategies to separate raw and cooked food, allergen management, food storage, and use of separate utensils and chopping boards</p>	 <p>Cleaning and sanitising</p> <p>Correct procedures for cleaning then sanitising, using food-safe chemicals and/or heat as a sanitiser</p>	 <p>Personal hygiene</p> <p>Obligations for sick employees, handwashing, uniforms and grooming of hair, nails and skin.</p>
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Free training available

The NSW Food Authority's free online Food Handler Basics training course can help retailers meet food handler training obligations under the Food Standards Code.

The interactive short course covers the basic knowledge required and takes about an hour to complete. It is not the same as Food Safety Supervisor training, which is delivered by certified registered training organisations.



- [Access Food Handler Basics training](#)

Steps to complying with the food handler training requirement

1. Check whether food handlers have an adequate understanding of the above topics. You may wish to refer to the factsheets available at foodauthority.nsw.gov.au/resource-centre.
2. Set aside at least 1 hour for each food handler who requires training to complete the Food Authority's free Food Handler Basics course, or develop and deliver in-house training.
3. It is recommended you keep a record of training food handlers have completed to show authorised officers on request.

Tool 3 – Showing food is safe

Retailers that undertake higher risk food handling need to be able to demonstrate safe food practices under Standard 3.2.2A of the Code. This requirement ensures businesses are actively monitoring and managing key risks related to temperature control, processing, and cleaning and sanitising, which are critical for food safety. Retailers can meet this requirement by either:




 <p>Demonstrating safe food handling practices</p>	OR	 <p>Keeping records</p>
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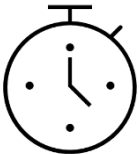

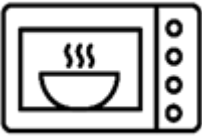

Who this requirement applies to

This requirement applies to businesses that **process** potentially hazardous food into a food that is ready-to-eat **and** potentially hazardous, and serve it to consumers. “Process” is defined as chopping, cooking, drying, fermenting, heating, thawing and/or washing. Supermarkets, delis and greengrocers have until 8 December 2024 to comply with this requirement.

What needs to be shown

Businesses must be able to show they are monitoring and managing the following (where applicable):

Activity	Food safety requirement
 <p>Receipt</p>	<p>A food business must take all practicable measures to ensure it only accepts potentially hazardous food (PHF) at a temperature of:</p> <ul style="list-style-type: none"> • 5°C or below; or • 60°C or above, unless the business transporting the food demonstrates the temperature of the food will not adversely affect its microbiological safety due to the time taken to deliver it. <p>What needs to be shown: The temperature of PHF when received OR the time arrangement with the supplier showing that food safety has not been adversely affected during food transport.</p>
 <p>Storage</p>	<p>A food business must, when storing PHF, store it under temperature control.</p> <p>What needs to be shown: The temperature of PHF during storage.</p>
 <p>Display</p>	<p>A food business must, when displaying PHF, display it under temperature control.</p> <p>What needs to be shown: That PHF is displayed at 5°C or below; or 60°C or above, or the total time out of temperature control does not exceed 4 hours (2 hr/4 hr rule).</p>

<p>Transport</p> 	<p>A food business must, when transporting food, transport PHF under temperature control.</p> <p>What needs to be shown: That PHF is transported at 5°C or below; or 60°C or above, or total time out of temperature control does not exceed 4 hours (2 hr/4 hr rule).</p>
<p>Pathogen reduction during food processing (cooking)</p> 	<p>A food business must, when processing food, where a process step is needed to reduce to safe levels any pathogens that may be present in the food, use a process step that is reasonably known to achieve the microbiological safety of the food.</p> <p>What needs to be shown: That pathogen reduction or killing step has been used on PHF to achieve safety of the food (destroy pathogens potentially present). See Processing food safely for guidance.</p>
<p>Minimising time during food processing</p> 	<p>A food business must, when processing PHF that is not undergoing a pathogen control step, ensure that the time the food remains at temperatures that permit the growth of infectious or toxigenic microorganisms in the food is minimised.</p> <p>What needs to be shown: The time that ready-to-eat PHF is in the temperature danger zone (between 5°C and 60°C) is minimised and does not make the food unsafe (see the 2-hour/4hour rule).</p>
<p>Cooling food</p> 	<p>A food business must cool PHF:</p> <ul style="list-style-type: none"> • within 2 hours – from 60°C to 21°C; and • within a further 4 hours – from 21°C to 5°C unless the food business demonstrates that the cooling process used will not adversely affect the microbiological safety of the food. <p>What needs to be shown: That cooked PHF has cooled to prescribed temperatures within the required timeframes.</p>
<p>Reheating food</p> 	<p>A food business must, when reheating previously cooked and cooled potentially hazardous food to hold it hot, use a heat process that rapidly heats the food to a temperature of 60°C or above, unless the food business demonstrates that the heating process used will not adversely affect the microbiological safety of the food.</p> <p>What needs to be shown: That cooked and cooled PHF is reheated rapidly (within 2 hours) to 60°C or above.</p>
<p>Cleaning and sanitising</p> 	<p>A food business must ensure the following equipment is in a clean and sanitary condition in the circumstances set out below:</p> <ul style="list-style-type: none"> • eating and drinking utensils - immediately before each use; and • food contact surfaces of equipment - whenever food that will come into contact with the surface is likely to be contaminated. <p>What needs to be shown: That eating and drinking utensils and food contact surfaces have been cleaned and sanitised when required (see Cleaning and sanitising surfaces and utensils (PDF, 384KB)).</p>

Keeping records

'Records' are documents or objects kept for the information they contain, or can be obtained from them. Examples include writing on invoices or templates, photos or footage, data logger information, and verified written instructions, such as a validated recipe or standard operating procedure (SOP).

If making records, they should include the date (and time, if appropriate) and the food or activity it relates to. Records should be made each day the business handles unpackaged potentially hazardous food, unless it can be shown in another way requirements are being met. Once made, records must be kept for 3 months.

Templates available

A range of free templates are available to help businesses record food temperatures and their cleaning and sanitising activities on the Food Authority website at [Showing food is safe](#).

Demonstrating safe practices

Records are not needed if the business can show in another way it has adequately managed food safety risks.

This could include having a written instruction sheet or standard operating procedure, and/or being able to walk and talk an authorised officer through their food handling practices and processes.

Steps to complying with the showing food is safe requirement

- Ensure food handlers are capable of demonstrating safe food handling practices and processes to an authorised officer, **or**
- Have a written instruction sheet or standard operating procedure that is followed for each of the activities above, **or**
- Keep records of important food safety information, including how you have safely received, stored, processed, displayed, and transported potentially hazardous food, and cleaned and sanitised.

See [Standard 3.2.2A – showing food is safe](#) for more information on this tool.

More information

- Visit the Food Authority website:
 - foodauthority.nsw.gov.au/safetytools
 - [Standard 3.2.2A - Frequently asked questions](#)
 - [Standard 3.2.2A - quiz for businesses](#)
- Phone the Food Authority helpline on 1300 552 406
- Email food.contact@dpi.nsw.gov.au

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