

Summary report of NSW enforcement agency activities in the food retail and food service sectors 2015-16

Background

The NSW retail food industry makes an important contribution to the state's economy. The food retail service sector in NSW is valued at more than \$45 billion per annum¹, the biggest contributor to the NSW food industry.

- Food retailing is the biggest driver of growth in NSW's retail industry
- There are 40,000 retail food service businesses in NSW
- 128,000 people in NSW are employed in cafes, restaurants and takeaway food services
- Supermarkets and grocery stores employ around 69,000 people.

Food Regulation Partnership

The Food Regulation Partnership (FRP) is a joint initiative of the NSW Food Authority (Food Authority), NSW councils and the National Parks and Wildlife Service who work together to ensure NSW retail food service businesses comply with food safety regulations. In order to ensure enforcement agencies have met their duties under the *Food Act 2003* (NSW), they are required to annually report their activities to the Food Authority.

During 2015-16, the Audit Office of NSW (the Audit Office) commenced a performance audit to assess how effectively the Food Authority, through the FRP, regulates food retail businesses. The Food Authority welcomed the performance audit as a further opportunity for external evaluation of arrangements that underpin food safety in the retail food service sector.

The Audit Office's report was tabled in the NSW Parliament on 15 September 2016 (<http://www.audit.nsw.gov.au/publications/latest-reports/monitoring-food-safety-practices>).

The report acknowledges areas where partnership arrangements are operating effectively and where improvements can be made. The Food Authority accepted the recommendations made by the Audit Office and will progress actions in consultation with the FRP.

Support for retailers

In addition to their regulatory duties, NSW councils provided a range of complimentary services to support the retail businesses in their areas in 2015-16:

- 88% councils provided technical advice to food businesses
- 91% of councils provided information to food businesses to help them comply
- 38% of councils organised food handler training for food businesses.

¹ Retail sector statistics are taken from NSW Food Safety Strategy 2015-2021

The remake of Food Regulation 2015 means retail food businesses are no longer required to notify the Food Authority of their business details. Councils already receive relevant information through applications for services, permits and approvals and are responsible for the regulation of the retail sector. This initiative reduces red tape for restaurants, cafes and supermarkets, and supports the Food Authority's commitment to red tape reduction.

To ensure consistency, the Food Premises Assessment Report (FPAR) has been widely adopted across NSW. More than 26,000 inspections were conducted using this standardised checklist in 2015-16, and the FPAR and supporting guideline is available on the website allowing businesses to self-assess against required standards.

Retail meetings

During the 2015-16 financial year the FRP held three meetings with retail and food service businesses. These were hosted by Lismore City Council, on the NSW far north coast, Warringah Council in Sydney's northern suburbs and Sutherland Shire Council in Sydney's southern suburbs. Each meeting included a presentation on safe egg preparation as part of a broader *Salmonella* reduction strategy and a presentation on the benefits of participation in *Scores on Doors* for food retail business

Each meeting was well received with approximately 100 local food retail businesses attending each event where they had the opportunity for face to face engagement with local council, the Food Authority and other retailers and to learn about current food safety issues and trends.

Supporting the sector through education and training for council officers

The Food Authority provides training to councils' environmental health officers (EHOs) to enhance skills and knowledge, address priority topics and promote consistency in inspection and enforcement action.

During 2015-16 the Food Authority conducted three rounds of Regional Food Group meetings in 15 regions across NSW. These meetings consisted of a training session as well as updates regarding topical food safety matters. Each meeting contains opportunities to problem solve and seek regionally consistent approaches to local issues.

In 2015-16 the training addressed:

- Consistency in using the Food Premises Assessment Report (FPAR) standard inspection checklist
- Food allergen complaint investigation
- Assessing skills and knowledge in retail businesses.

In addition, the Food Authority conducted the Authorised Officer (Local Government) intensive training. This training covered 13 topics including inspections, enforcement policy and regulatory tools, cleaning and sanitising, investigations, labelling, and pest control.

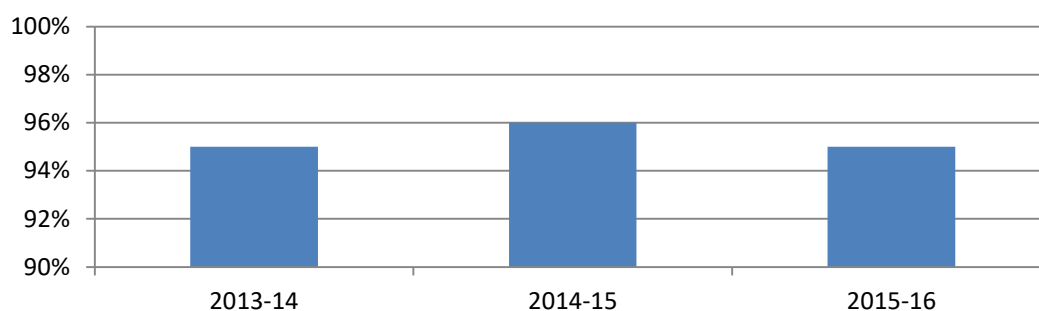
The training was held over six days at the Food Authority's head office in Newington and was attended by 27 EHOs from across NSW.

Compliance

Surveillance activity in the retail food services sector involved a total of 61,753 inspections by 484 authorised officers. This equates to 94% of all high and medium risk fixed food premises being inspected².

Compliance with food safety requirements across the retail food sector for the 2015-16 financial period was 95%, remaining steady over the last three years. Only 1,820 (5%) were judged non-compliant (requiring ongoing intervention that involved two or more re-inspections).

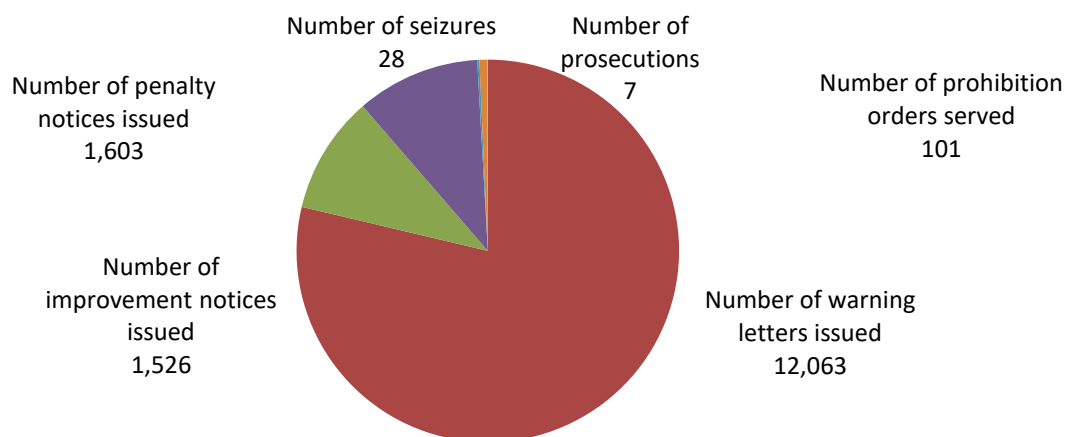
Figure 1: Overall compliance rate of the retail food services sector



Enforcement

The type of enforcement action taken is determined by the nature and severity of the food safety risks. An escalatory approach is used with warnings issued as a first step to encourage improvement in safe food handling processes.

Figure 2: Types of enforcement action in the retail sector 2015-16



² Enforcement agency activity statistics provided by enforcement agencies July 2016

Name and Shame

In 2015-16 a total of 1,611 listings were added relating to 882 retail food businesses.

The most common food safety breaches under the *Food Act 2003* (NSW) generally during this period were in relation to:

- cleanliness of food premises (21%)
- pest control (13%)
- storage and temperature control (16%)
- cleanliness of food fixtures, fittings and equipment (12%)
- hygiene of food handlers (13%).

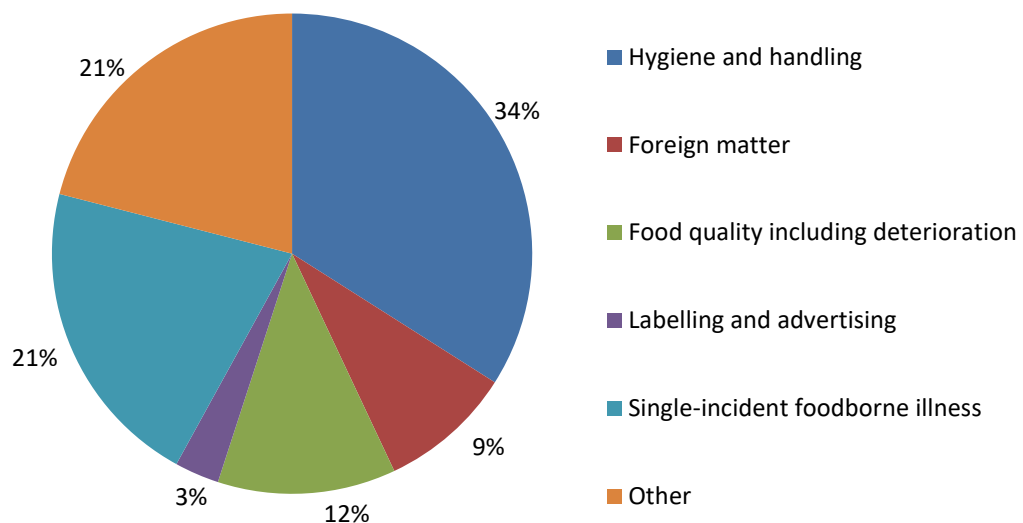
Figure 3: Penalty notices published for retail food businesses in the last three years

	2014-15	2015-16
No. of penalty notices published	1504	1611
No. of facilities that had penalty notices published	866	882

Food complaints

Enforcement agencies are also responsible for investigating food related complaints relating to retail food businesses. A total of 5,134 complaints were investigated in 2015-16.

Figure 4: Complaint types investigated 2015-16



Scores on Doors

2015-16 has seen significant growth for the Food Authority's *Scores on Doors* food safety ratings scheme. Council participation has increased and half of all retail food businesses in NSW are now in areas participating in the program.

In 2016 the Food Authority produced a *Scores on Doors* sticker which councils can give to star rated businesses along with the certificate that displays their star rating. The sticker will provide businesses with another resource to promote their star rating and increase the visibility of the program.

The Food Authority also promoted the program at the three Retail and Food Service Industry Advisory Group meetings throughout the 2015-16 year. These meetings provided an additional opportunity for retail food businesses to engage directly with the local councils and the Food Authority.

The Food Authority will continue to target growth in the *Scores on Doors* program in collaboration with our partners in local government with a goal of 75% participation of NSW retail food services by 2021 as part of the NSW Government Food Safety Strategy 2015-2021.

Foodborne illness reduction

The Food Authority and local councils have continued their work to secure a 30% reduction in *Salmonella*, *Campylobacter*, Listeriosis, and fatal anaphylaxis cases caused by allergen contamination across the food chain by 2021. These targets are articulated in the NSW Government Food Safety Strategy 2015-2021.

A particular focus continues to be the safe preparation of raw egg products through the *Salmonella* reduction strategy for the retail sector. This reduction strategy resulted in the development of various resources for local government and retailers, including checklists, guidelines and training delivered to council EHOs across the state to raise skills and competencies in reducing the risk of *Salmonella* in restaurants and cafes.

In addition, Food Authority provided training and resources to council EHOs to help them raise awareness of allergen management in retail food businesses as well as respond to anaphylaxis incidents.

The Food Authority added additional units of competency to the Food Safety Supervisor (FSS) certificate to address contemporary food safety risks. From 1 September 2015 Registered Training Organisations (RTO) trained prospective FSS in units of competency including:

1. safe egg handling
2. allergen management
3. cleaning and sanitising practices.

Food Regulation Partnership Forum

The NSW Food Regulation Forum (the Forum) oversee the Food Regulation Partnership between councils and the Food Authority. The Forum brings together local government and industry representatives to enhance strategic focus and issue resolution across the retail food industry sector. The Forum met three times during the period.

Committee representation at 30 June 2016

Chair: Cr Paul Braybrooks OAM

NSW Food Authority – Dr Lisa Szabo and Peter Day

Elizabeth Gemes (representing Local Government NSW)

Cr Maria Woods (representing Local Government NSW)

Cr Scott Lloyd (representing Local Government NSW)

Julie Kisa (representing the Development and Environmental Professionals' Association)

Corey Stoneham (representing the Development and Environmental Professionals' Association)

Jody Houston (representing Environmental Health Australia)

Stuart Nunn (representing Environmental Health Australia)

Alexandra Stengl (representing Local Government Professionals Australia)

Robyn Hobbs OAM NSW Small Business Commissioner (Independent)