

Food premises classification review

Small Business Regulation Review

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Aim of the Victorian *Food Act 1984* (the Act)

To ensure that food sold is safe and suitable.

The role of the government

- The role of the Department of Health and Human Services is to
- ensuring food sold in Victoria is safe and suitable for human consumption; and
 - the consistent administration of the Act through the provision of information and guidance to local councils, including supporting local council environmental health officers (EHOs).

The role of council in food safety

Councils regulate and enforce the Food Act 1984.

Councils regulate food businesses in their municipalities.

Councils regulate food businesses primarily through registration of premises, monitoring compliance, providing education and advice, and taking enforcement action where necessary.

Presentation overview

Major food outbreaks /recalls 2018

Victorian *Food Act 1984* and farming

Existing classification system

Review of classification system

Major food outbreaks in 2018

Rockmelon – *Listeria* outbreak

Listeriosis/ LM	Outbreak
very young, elderly, pregnant women & immuno-compromised most susceptible	22 Cases – Average age 70 also one pregnant female
high case fatality rate (20 - 30%)	7 Deaths plus 1 miscarriage
Can be isolated from a wide variety of raw foods	Rockmelon high risk food. Rough surface, neutral flesh, ground fruit
Long incubation period (3-70days)	Incubation period was estimated as 2-4 weeks

Frozen pomegranates – Hepatitis A outbreak

- NSW Health Investigation (initially)
- 30 Cases across the national
- Product imported and repacked in Australia
- Frozen minimally processes product
- Product distributed to one major supermarket
- Investigation – Importer and Egyptian Authorities
- Testing of Product



Frozen veg – *Listeria* detected



Does the Act apply to walnut farmers?

The Act does not apply if:

- the farm is harvesting, picking, packaging and transporting walnuts to a distribution centre or direct to retail outlets.

The Act applies if:

- removing the kernel from the inner shell
or/and
- selling walnuts direct to the public.

What regulations apply under the Act?

Council is the principal regulator under the Act

- premises must be registered under the Act (not the farm)
- regulatory requirements are determined by the class
- class is determined by activity.

Current classification system

The higher the class the greater the regulatory requirements

Four classes:

- class 1 highest
- class 4 the lowest

Current classification system

- Class 1: hospitals, child care, aged care facilities that handled potentially hazardous food.
- Class 2: handles unpackaged potentially hazardous food.
- Class 3: handles low-risk unpackaged foods or pre-packaged potentially hazardous foods.
- Class 4: pre-packaged low-risk foods and certain other activities.

How does the class affect you?

Class is determined by the highest risk activity that occurs on the farm

Class 4 activity

- selling walnuts in the shell directly to the public (for example, food stalls).

Regulatory requirements:

- one-off notification to council
- no mandatory inspection required.

What class are you?

Class 3 activity

- removing the kernel from the shell, packaging and transporting for distribution and/or directly selling to the public.

Regulatory requirements:

- annual registration under the Act
- mandatory inspection.

What class are you?

Class 2 activity

- removing and processing the kernel. For example, dehydration, walnut meal.

Regulatory requirements:

- annual registration
- food safety program
- food safety supervisor
- audit of the premises
- council may decide to undertake an inspection.

Review of the classification system

The Department of Health and Human Services is currently undertaking a review of the classification system.

Consultation will occur with business associations.

Working draft food premises classification

Classification system based on a risk management approach

How does it work?

- The five categories:
 - food type – end product
 - activity of the food premises
 - method of processing
 - premises type
 - pre-arranged food activity rating.
- The highest risk activity is assessed
- Each category has a risk rating score.
- Class determined by adding the risk rating scores of the five categories.

Scoring system

Classification score range

Class	Score range
1	> 150
2	46 to 150
3	6 to 45
4	=< 5

Food type – end product

Proposal

Food type	Score	Example
PH ready-to-eat (RTE) foods	35	Salads, sauces
PH not RTE	15	Frozen packaged foods
Cooked, prepared and served food	10	Foods ordered, made and served
Pre-packaged ready to eat PH food	5	Pre-packaged meat, salads
Low risk foods that may/may not be RTE	0	Handling chocolate, biscuits, nuts
Maximum score	35	

Activity of the food premises

Activity	Score	Example
Existing class 1 premises	> 150	
Business processes or manufactured food sold as free from declared allergens	50	
Potentially hazardous RTE foods handled during processing or manufacturing	25	The processing of walnut meal.
Potentially hazardous RTE foods portioned before receipt by the customer	20	
Low –risk and or not RTE foods handled during processing or manufacturing	15	Removing the walnut flesh from the shell.
Storage, distribution or sale of food	0	Storing and selling walnuts direct to the public.

Method of food processing

Processing	Score	Example
A pathogen reduction step is performing during processing by the food premises prior to sale	-15	Pasteurising the walnut
A pathogen reduction step is not performed	0	Handling walnuts
Cook/chilled process	45	
Fermentation	45	
Dehydration/rehydration	45	Dry fruits and nuts out of shell
Extended shelf life of potentially hazardous foods	45	
Maximum score	45	

Premises type

Premises type	Score	Example
Mobile and temporary	5	
Local customer base	5	Milk bar, take away premises located in an industrial setting
Food warehouse/distributor to retail outlets	10	Import business
Large customer base	20	Restaurant in a tourist area, shopping centre
Caterers	20	On and off site catering
Exporter	50	Food Manufacturer

Pre-arranged food activity

Pre-arranged activity	Score	Example
Outlets selling tea/coffee with milk	-15	Coffee cart/ T 2 selling tea
Green grocer selling cut fruit or water melons not includes fruit salads, stir fry, crudites or similar	-15	
The handling of low risk foods or cutting fruit or vegetables and serving of the food to children at a sessional children services	-165	Childcare centres that only provide fruit/vegetables
Cooked sausages with or without onions and sauces	-15	Sausage sizzle
Fermented soft drinks	30	
Food tasting	0	

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