

## MANDATORY FOOD SAFETY PROGRAMS FOR BUSINESSES SERVING VULNERABLE POPULATIONS

### Frequently asked questions

#### Audit and auditors

#### **How will we know when our business is required to have a mandatory food safety program?**

Your local Council or the Department of Health will advise you in writing if you are required to have a mandatory food safety program. The Council will also advise compliance timeframes and the initial audit frequency.

#### **How often would our food safety program require audit?**

It is expected that audit would initially be required every 6 months. However the auditor may change the frequency depending on audit outcomes. That is, audit frequency may be reduced to every 12 months for businesses that perform well and increased to every 3 months for those that perform poorly.

#### **Who would conduct the audit?**

Currently the Department of Health is approving Local Government Environmental Health Officers who have met the Department of Health criteria; all approved auditors will be listed on the Department of Health website. The Department of Health will undertake auditing of public hospitals and not for profit delivered meals organisations. All other businesses may choose any Department of Health approved auditor from the website to audit their business.

#### **Would an audit be conducted as part of our accreditation?**

Food safety audits and accreditation are different. Most accreditation assessors are not food safety experts and would not be approved to conduct food safety audits. Food safety audits will be required more frequently than accreditation.

#### **What if we fail an audit?**

There is no pass or fail. The auditor would identify any areas for improvement. If these are very serious and could result in unsafe food the auditor may refer the issue to the local authority. Generally the auditor would discuss areas requiring improvement and determine a reasonable time frame to return to check that improvements have been made. If there are no areas that require immediate follow-up the auditor may check minor improvements at the next scheduled audit.



## Can auditors impose fines or orders?

Council EHO officers and Department of Health officers authorised under the *Food Act 2001* can impose food safety related fines or issue orders. As the pool of auditors will be from these two areas there will be very clear delineation between the functions of auditing and enforcement. The Department of Health or Council may investigate or take action against a food business for breaches of the *Food Act 2001* or the Food Safety Standards at any time including following an audit.

## Do we need to have our food safety program approved?

No. Food safety programs are simply developed and implemented by the business, and audited by an approved auditor. There is no regulatory requirement to have your food safety program approved or checked by the auditor, Council or Department of Health.

## We already have a food safety program and an auditor. Do we need to do anything else?

As long as your food safety program satisfies Standard 3.2.1 you will only have to arrange for an audit by a DH approved auditor. At this stage third party auditors are not eligible for approval as DH approved auditors.

## How will an audit be conducted?

The audit scope and method of conducting the audit is determined by the auditor and is individual to the business with respect to the type of operation, food safety program and food safety hazards. The auditor should discuss their audit procedures with you before conducting the audit, for consistency a uniformed reporting format will be used by all auditors.

## Scope and content of a food safety program

### Should we include food supplied by clients/visitors/families in our food safety program?

No. Food purchased by clients, or provided by others to clients, is not sold by your business and is therefore not covered by the legislative requirements. Your business may choose to provide information to clients, visitors and families about foods considered higher risk for vulnerable people. Two fact sheets are available either on the Department of Health Food Safety CD or the Food Safety Information Council website at [www.foodsafety.asn.au](http://www.foodsafety.asn.au) - one for visitors who provide food to elderly people and another for those that provide food to young children ('protecting tiny tummies'). General information about food safety is available from your local Council or on the Dept of Health web site at [www.dh.sa.gov.au/pehs/](http://www.dh.sa.gov.au/pehs/) click on 'food'.

### Do fridges in client's rooms need to be included in our food safety program?

The Department of Health recommends that resident's fridges do not need to be included in the business's food safety program and would not require temperature monitoring by the facility.

Clients that have fridges in their room would be expected to be capable of recognising obvious problems with the operation of the fridge. It would also be expected that nurses, support staff and visitors would open the fridge often enough to recognise if it was not cold. The products generally stored in client's fridges are not considered potentially hazardous (such as chocolates, water, milk, fruit etc.)

## Should we include special events catered for by community and charity groups in our food safety program?

The business should be confident community and charity groups will provide safe and suitable food to clients. These events are not required to be part of your food safety program as the food is not sold or supplied by your business. However, it is recommended that your business makes sure the community or charitable group is aware of the higher food safety risks associated with providing food to vulnerable people and provide appropriate support and advice to assist with the production and supply of safe food.

## Should we include fetes, fairs and other fundraising events in our food safety program?

The Department of Health considers fairs and fetes outside of the scope of the food safety program because the food is provided for sale to the general public and not exclusively to vulnerable people. Businesses selling food at fetes and fairs must still comply with the general Food Safety Standards (Standard 3.2.2 and 3.2.3) for these events but specific record keeping is not required.

Businesses and charities that rent a stall and retain the proceeds of their sales are food businesses and have obligations under the *Food Act 2001*. Food safety is the responsibility of the proprietor of each of these businesses. The organisation conducting the fete/fair may ask these businesses when renting the stall if they have notified the Council and are aware of their food safety obligations but it is not a requirement to ask.

## Records

### How many records do we need to keep?

The standard requires that a food safety business must keep appropriate records that demonstrate compliance with the food safety program. Because each business is unique, individual businesses must determine appropriate record keeping. The Department of Health Food Safety Program templates provide guidance and your auditor is likely to also provide guidance.

The records will be reviewed for adequacy and compliance by your auditor.

Businesses may develop, adapt or adopt the example forms in the templates or any other forms to suit their needs or may use other methods of recording keeping like electronic logging, palm pilots etc.

### Do records have to be kept in the catering dept/kitchen?

Records are not required to be kept in the catering department as long as they are available should an auditor need to review them. It may be prudent to ensure they will be assessable on the day of your audit.

### How long are we required to keep completed records?

The legislation does not specify a timeframe for keeping records. The Department of Health recommends that records should be held for at least 12 months from audit to audit. Once the period has been audited the records would not be required to be held unless there are follow up measures that may require the records.

### How long are we required to keep completed audit reports?

The Department of Health recommends that audit reports should be held for a minimum of four years.

### **Are there guidelines for inspecting a supplier's premise?**

It is not a requirement of the legislation (or template) for businesses to inspect their food suppliers. All food businesses in South Australia are required to submit to inspection by Council, some choose to have additional food safety systems to satisfy their customers and to ensure the quality and safety of their products. All meat and dairy processors, and shellfish growers, are regulated by primary processing standards and are required to have a food safety program and regulatory audit. Suppliers may be willing to provide reports or certificates from their inspection or audits.

Department of Health does not have any specific guidelines for inspecting food businesses, however, the Food Safety Standards 3.2.2 and 3.2.3 provide the basic requirements for all food businesses. Businesses that inspect suppliers could use the Food Safety Standards 3.2.2 and 3.2.3 as the basis for an inspection.

Department of Health considers that most food businesses, known to the authorities, can be reasonably expected to provide safe and suitable food and therefore food businesses should concentrate on controlling food safety hazards within their business.

### **Sanitising – how long does it last – for example on plates that go through the dishwasher?**

Eating and drinking utensils must be in a clean and sanitary condition immediately before use [Standard 3.2.2 clause 20 (1)(a)]. Eating and drinking utensils that are used regularly and stored so they are protected from contamination (ie away from food) would be expected to be in a sanitary condition until their next use. Eating and drinking utensils that are not used regularly may require cleaning and sanitising before use.

### **What would a simple food recall plan look like?**

Only manufacturers, wholesalers and importers are required by the Food Safety Standards to have a documented system for food recall. It is not a requirement for businesses that retail or sell to their internal customers. Some businesses sell wholesale to other businesses who then on-sell to their clients (for example, hospital sells to Meals on Wheels). These businesses would require a very simple food recall plan.

The elements of a simple recall plan are listed below and have been included in the draft template.

- The name or names of the person that will be responsible for conducting the recall;
- Up to date contact details of the Food Section Department of Health;
- Up to date contact details for customer (s) and the most appropriate method of contacting them; and
- A checklist of the information your organisation would provide to the customer such as:
  - ▶ name and precise description of the product;
  - ▶ reason for it being recalled;
  - ▶ what should happen to the product; and
  - ▶ your contact details.

### **Should food donations be prohibited by our food safety program?**

The Food Safety Standards do not prohibit the use of donated food and the Department of Health does not discourage the donation of food as such. However, donated Potentially Hazardous Foods should only be accepted from reputable commercial businesses that are included on the Food Safety Programs approved supplier list. All food deliveries including donated foods must be safe and suitable for its intended use, must be received in accordance with Section 5 of Food Safety Standard 3.2.2 Food Receipt and in accordance with the receiving business's food safety program.

## Should the recycling of excess food be prohibited by our food safety program?

The Food Safety Standards [3.2.2 (11) (4)] prohibit the recycling of food that has already been served to a person unless that food was completely wrapped when served and remains completely wrapped.

Food left over from lunch service that has not been served to a person may be reused as long as it is safe and suitable; for example, left over roast beef can be used for sandwiches and left over vegetables could be used in soup.

Individual businesses may choose to outline their policy on recycling of excess food in the food safety program.

**Note:** For infection control purposes the Department of Health recommends that in a health care setting a completely wrapped food item should be visually checked to ensure it has not been contaminated with blood or body fluid before it is considered for re-issuing to another person. If it is suspected that such contamination may have occurred, then the item should be discarded.

In addition, in acute care settings, wrapped food items that have been served to a patient diagnosed with a multi-drug resistant organism, such as MRSA, should be discarded regardless of the condition, as the risk of infection transmission and the consequences are greater (NB this is not relevant to aged care facilities, unless the resident with MRSA is in isolation precautions). Some clinical areas that manage severely immunocompromised patients (such as transplant patients) may also have special requirements.

## Should our food safety program allow the use of rainwater?

It can. But rainwater must be safe and suitable for human consumption. The Department of Health recommends that where rainwater is for drinking or food preparation the business manages water quality through implementing a documented management plan that includes:

- having correct tank and catchment design and installation;
- keeping catchments and tanks clean and free from debris, reducing overhanging vegetation and monitoring sludge build-up;
- verifying water quality through regular testing (testing frequencies may be reduced if UV light disinfection is installed); and
- if necessary, undertaking corrective disinfection activities.

For more information the national Guidance on the Use of Rainwater Tanks provides information on measures that should be included in a management plan to ensure and verify rainwater acceptability. This document is available on the Department of Health, Environmental Health Service web site at [www.dh.sa.gov.au/pehs/environ-health-index.htm](http://www.dh.sa.gov.au/pehs/environ-health-index.htm) go to 'Water Quality'. To discuss these requirements contact the Environmental Health Service on 08 8226-7100.

## Should our food safety program prohibit the use of home grown vegetables, fruit and herbs?

No. The Food Safety Standards do not prohibit the use of home grown produce; however, the Department of Health recommends that home grown vegetables, fruit and herbs should be thoroughly washed as a precaution.

## Should our food safety program prohibit the use of home grown eggs?

Home grown eggs pose a special risk and should not be used. There have been recent *Salmonella* cases in South Australia and other States where the source of the *Salmonella* has been linked to eggs. The Department of Health advises that eggs should be sourced from a reputable supplier where egg production follows the South Australian Government's Health Directive – Minimum Requirements for Food Safety for Egg Production or an independently audited HACCP program (e.g. the Australian Egg Corporation's 'Egg Corp Assured'). More information on egg supply and safe handling can be found in [Food Safety Bulletin 1/07 – Egg Safety](#) (includes Health Directive) available through the website or your local council.

## Should our food safety program require special care with modified texture foods?

Yes. The risk of contamination increases with additional handling and time, however, the same food handling fundamentals apply. That is, cook foods for modification thoroughly, cool rapidly, reheat quickly if holding hot, maintain preparation areas and equipment in a clean and sanitary state and follow hygiene requirements.

### For more information contact Department of Health:

Phone: 8226-7100

Fax: 8226-7102

Email: [food@health.sa.gov.au](mailto:food@health.sa.gov.au)

Post: Environmental Health Service

Web site: [www.health.sa.gov.au/pehs](http://www.health.sa.gov.au/pehs)

PO Box 6, Rundle Mall

click on "Food Safety"

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