

Food Act Report

Year ending 30 June 2007

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Printed June 2008.

September 2007

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South Australian food legislation

The Food Act 2001

The objectives of the *Food Act 2001* (the Act) are defined in Section 3 of the Act as:

- > Ensuring that food for sale is safe and suitable for human consumption
- > Preventing misleading conduct in connection with the sale of food
- > Providing for the application of the Food Standards Code.

The *Food Act 2001* closely follows the content and structure of national model food provisions, which provide for the consistent administration and enforcement of food legislation in Australia. This uniform approach to national food legislation was formalised by the Inter-Governmental Food Regulation Agreement 2002. Under the Agreement all states and territories have adopted the Australia New Zealand Food Standards Code (the Food Standards Code, 'the Code') through their food acts. While the Act contains important legal and administrative issues, such as defining offences and penalties, the Code details the specific requirements with which food businesses must comply.

The Food Standards Code (the 'Code')

The Code is a bi-national document that details labelling, composition and food safety laws that apply to foods and food handling businesses. It is set out in four chapters:

- > **Chapter 1 — General food standards:** general labelling and composition standards applying to all foods
- > **Chapter 2 — Food product standards:** standards applying to specific foods or categories of foods
- > **Chapter 3 — Food safety standards (Australia only):** the Food Safety Standards include specific requirements for food businesses and food handlers that, if complied with, will ensure food does not become unsafe or unsuitable
- > **Chapter 4 — Primary production standards (Australia only):** primary production and processing standards for seafood, meat, dairy and wine.

Primary Industries legislation

The *Primary Produce (Food Safety Schemes) Act 2004* is administered by Primary Industries and Resources South Australia (PIRSA) and implements food safety requirements in the meat, dairy, seafood and citrus industries. This Act and the Food Safety Scheme regulations under this Act are recognised by (regulation under) the Food Act, as they implement equivalent food safety requirements to those required by the Food Act.

South Australian food legislation forms part of a bi-national food regulatory system which is described as follows.

The bi-national food regulation system

The food regulatory system is established by the Inter-Governmental Food Regulation Agreement 2002 between the State, Territory and the Australian Governments. New Zealand's role and participation in the system is established by the Australia New Zealand Joint Food Standards Agreement between Australia and New Zealand, creating a joint food standards system. The system consists of three major components.

Policy development

The **Australia New Zealand Food Regulation Ministerial Council** (the Ministerial Council) is primarily responsible for the development of domestic food regulatory policy and the development of policy guidelines for setting domestic food standards. It has the capacity to adopt, amend or reject standards recommended by Food Standards Australia New Zealand (FSANZ) and to request that these be reviewed.

The council comprises Health Ministers from most Australian states and territories and the Australian Government, as well as other Ministers from related portfolios (Primary Industries, Consumer Affairs etc), where these have been nominated by their jurisdictions. Currently all jurisdictions, except New South Wales and New Zealand, have nominated a Health Minister as Lead Minister for voting purposes. NSW has nominated the Minister for Primary Industries and New Zealand has nominated the Minister for Food Safety as Lead Minister for voting purposes. Under the Food Regulation Agreement the Australian Government Health Minister chairs the council. South Australia is represented by the Minister for Health and Minister for Agriculture, Food and Fisheries. The Minister for Health is the Lead Minister.

The **Food Regulation Standing Committee** (FRSC) is responsible for coordinating policy advice to the Ministerial Council and ensuring a nationally consistent approach to the implementation and enforcement of food standards. It also advises the Ministerial Council on the initiation, review and development of Standing Committee activities.

Membership of FRSC reflects the membership of the Ministerial Council and comprises the heads of Departments for which the ministers represented on the council have portfolio responsibility, as well as the President of the Australian Local Government Association and FSANZ as observers. The Director of Public Health represents the Department of Health at FRSC.

FRSC Working Groups

The Standing Committee has a number of working groups, and this financial year, the Department of Health was represented at the following groups:

FRSC sub group on addition to food of substances other than vitamins and minerals

The FRSC sub group continues to work on developing a policy guideline relating to the addition of substances other than vitamins and minerals to foods. A draft policy was referred to FRSC in December 2006. FRSC agreed that further consultation with stakeholders was required before this draft policy was provided the Ministerial Council. The sub group is now undertaking this work.

FRSC strategic planning working group

The working group was formed in December 2005 and includes representation from all jurisdictions. Its main objective is to assist FRSC in strategic discussions on the overarching policy of the food regulatory system. This group has assisted FRSC to identify the following work priorities for 2007:

- > Develop a vision for the role of Food Regulation
- > Engagement with Bethwaite Review
- > Enhance jurisdictions' input to CODEX standard setting processes
- > Identify opportunities for sharing knowledge, resources and information
- > Identify options for food and nutrition monitoring and surveillance.

FRSC risk profiling working group

As reported in the 2006 Annual Report, the Department of Health and Ageing (DoHA), on behalf the FRSC initiated a project in April 2005 to develop a Risk Profiling Framework. Oversight of the project was given to a FRSC food safety management working group (FSMWG). The purpose of the project was to develop a transparent, science and evidence based process for placing food businesses into risk profile categories. This categorisation, when completed, will allow an appropriate regulatory or non-regulatory food safety management option to be applied to the food business categories. The development of risk management options was referred to an Implementation Subcommittee (ISC) working party.

Following FRSC endorsement, a framework developed by the University of Tasmania's Australian Food Safety Centre of Excellence (AFSCoE) for categorising risk was released for public consultation in August 2006. Using comment received FRSC FSMWG worked with AFSCoE to address the issues raised in the consultation and endorsed a revised Risk Profiling Framework in March 2007. A joint workshop was held in Canberra in April 2007 to coordinate the work of the FRSC and ISC working parties. The work by both committees following the workshop has resulted in the development of principles for the use of the risk profiling framework. These principles would be put to FRSC in August 2007, with recommendations for a process of public and industry consultation.

FRSC front-of-pack labelling (FOP) working group

In October 2006, the Ministerial Council considered a proposal from the Hon John Hill, South Australian Minister for Health, regarding a front-of-pack nutrition labelling scheme. It was proposed that the Ministerial Council examine schemes such as the traffic light labelling system being used in the United Kingdom, which provides information about the nutritional content of foods to consumers at a glance.

Ministerial Council members agreed to ask FRSC to explore and report to the council (at its next meeting) on whether a uniform front-of-pack food labelling system would be an effective health strategy. FRSC was also to advise on the efficacy of a range of options for such a labelling system, which may include the traffic light labelling system, the behavioural labelling system and any other options.

The department is a member of the FRSC working group established to undertake this work.

Standards development

Food Standards Australia New Zealand (FSANZ) is the statutory authority responsible for developing all domestic food standards, consistent with Ministerial Council policy and also for developing labelling and compositional standards for both Australia and New Zealand.

In addition, FSANZ has a national coordination role in food surveillance and food recalls; conducts research, and supports the Australian Quarantine and Inspection Service (AQIS) in the control of imported foods.

The trigger for the development of, or amendment to, a food standard may be:

- > An application submitted by an outside body (usually a food business)
- > A proposal raised by FSANZ itself
- > Policy advice issued by the Ministerial Council.

The standard development and amendment process involves an evaluation of the risk to public health of the proposed change to the Australia New Zealand Food Standards Code (the Code); the impact of regulatory measures on the food industry; and Australia's international trading obligations. FSANZ drafts a legal standard for public comment. There may be one or more periods of public consultation for each standard.

Finally, the draft standard is considered for approval by the FSANZ Board and if the Ministerial Council does not request a review of the decision within 60 days, FSANZ gazettes (publishes) the standard and it becomes law as part of the Code.

Food standards developed by FSANZ are adopted automatically by reference, without scrutiny by parliaments and without amendment to the food law of state and territory governments in Australia, and the New Zealand Government.

Department of Health advice to FSANZ regarding proposed amendments to the Code

A total of 47 applications and proposals to amend the Food Standards Code were assessed by the department during the 2006–07 financial year. Some of the issues raised in these applications/proposals included:

- > Iodine & Folic Acid Fortification
- > Food Safety Programs for Vulnerable Populations
- > Primary Production & Processing Standards for Dairy and Eggs
- > Food Derived from Genetically Modified Crops
- > Nutrition, Health and Related Claims
- > New Food Additives and Processing Aids
- > Maximum Residue Limits in food
- > Addition of Calcium to Chewing Gum
- > Isomaltulose Sweetener as a Novel Food
- > Addition of Lutein as a Nutritive Substance to Infant Formula.

Below is a summary of three of the major issues covered by these applications/proposals.

Nutrition, health and related claims

Work continues on the development of a new standard for nutrition, health and related claims on packaged foods to replace the current transitional standard, which prohibits the use of prophylactic or therapeutic claims.

FSANZ conducted further public consultation on proposed drafting for this standard in March 2007. This draft classifies claims as:

- > Nutrition content claims — nutrition content claims are statements regarding the amount of a nutrient, energy or biologically active substance in a food. For example: *This food is high in fibre.*
- > General level health claims — general level claims refer to the presence of a nutrient or substance in a food and its effect on health. For example: *Calcium is good for strong bones and teeth when consumed as part of a healthy diet containing a variety of foods.*
- > High level health claims — high level claims refer to the presence of a nutrient in a food and its relationship to a serious disease, condition, or indicator of a serious disease. For example: *This food is low in sodium. A healthy varied diet including foods low in sodium may assist in reducing blood pressure.*

All claims will need to be scientifically substantiated and meet certain conditions set out in the standard. To be permitted to make a general level or high level claim, the food must meet specified eligibility criteria that are intended to prevent the usage of these claims on foods that are high in energy, saturated fat and sugar or salt.

The only high level claims permitted will be those specified in the standard. To-date the only claims proposed for inclusion in the standard are those where there is substantial evidence supporting them, such as calcium and bone mineral density, and folic acid and neural tube defects.

It is expected that this standard will be finalised in 2008. More details can be found at the FSANZ website www.foodstandards.gov.au.

Consideration of mandatory fortification with folic acid

This proposal considered fortification of certain foods with folic acid as a means of reducing the number of infants born with neural tube defects, such as spina bifida.

Neural tube defects are severe birth defects that are associated with considerable morbidity and mortality, as well as hardship for carers and families. Fortifying food with folic acid has been shown internationally to be an effective way to reduce the prevalence of these birth defects. Increasing folic acid intake directly before and during the first three months of pregnancy can substantially reduce this risk.

This proposal was finalised on 22 June 2007 mandating the addition of folic acid to all wheat bread making flour, except flour used to make organic bread. A two-year transition period has been provided to allow industry to set up the systems required to comply. An extensive monitoring system is currently being finalised. This system will monitor the impact and effectiveness of the new standard.

Addition of calcium to 'sugar free' chewing gum

This application seeks permission to add a specified level of calcium to sugar free chewing gum, with the intention of promoting its use as an additional source of calcium with benefits for bone and dental health.

If the application is approved it would allow products to be marketed using a nutrient content claim. This has ongoing implications when considering the broader issue of health claims (which is still under review) and their use on appropriate foods.

The Department of Health representation at Standards Development Advisory Committees

The department participated in the following FSANZ advisory committees in 2006–07.

Egg and egg products — Standards Development Committee

The department is represented on a national Standards Development Committee that is assisting FSANZ develop a new standard for Egg and Egg Products for inclusion in the Food Standards Code. An Initial Assessment Report on the proposed standard was circulated for public comment and the next stage of the process will see a Draft Assessment Report circulated for further comment in the second half of 2007.

Health claims — Standard Development Advisory Committee

This committee was formed to assist in the development of the new Standard for Nutrition, Health and Related Claims. Currently, health claims on food labels are covered by a transitional Standard 1.1A.2 in the Code, which prohibits statements linking consumption of a food with a therapeutic or prophylactic use. It also prohibits references to physiological conditions or diseases on a food label or advertisement. The department continues to be closely involved with the development of this new standard, which is expected to be recommended to the Ministerial Council in 2008.

Novel foods — Standard Development Advisory Committee

This committee was formed to assist in the review of Standard 1.5.1 Novel Foods. Novel foods are foods which are not traditionally consumed in Australia and New Zealand and do not have a history of safe consumption in the context or at the levels in which they are presented for sale. Such foods may include traditional foods from other cultures, foods that are technologically altered or foods that have substances added for a specific purpose, such as phytoesterol margarines to aid in lowering blood cholesterol levels.

The committee includes representatives from Australian and New Zealand governments, state and territory health agencies, nutritionist associations, consumer and fair trading organisations, therapeutic goods, quarantine and industry bodies. The committee met twice in 2006–07. The proposal to amend Standard 1.5.1 Novel Foods is currently on hold to allow for consideration of exclusivity provisions, as recommended in the recent review of the FSANZ Act and its administrative processes.

Fortification — Standard Development Advisory Committee

This committee was formed to assist in the development of standards for mandatory fortification of food. The committee includes representatives from Australian and New Zealand governments, state and territory health agencies, nutritionist associations, consumer and fair trading organisations, therapeutic goods, quarantine and industry bodies. Members have assisted FSANZ to develop standards to regulate the mandatory fortification of food with folic acid and the proposed mandatory fortification with iodine. The committee met twice in 2006–07 to discuss fortification in general, however work on each fortification issue also progressed independently.

Food safety programs for food service to vulnerable populations — Standards Development Committee

This committee advised on the development of the standard to mandate food safety programs for businesses that provide food to vulnerable people in hospitals, aged care, child care centres and via delivered meals organisations. The group met on several occasions and liaised extensively with FSANZ to ensure that the proposed standard reflected the Ministerial Council policy guidelines and could be implemented by businesses and enforced by regulators. The Ministerial Council endorsed the standard out of session in September 2006, and it was subsequently introduced into the Food Standards Code on 5 October 2006, with a two-year transition period. The advisory group was dissolved at that time.

Food safety programs for caterers to the general public — Standards Development Committee

This committee is advising on the development of a standard to mandate food safety programs for businesses that cater for the general public. The development of this standard has been difficult due to the complexities of defining to whom the standards would apply. A Draft Assessment Report was expected in mid-2007, with the aim of the new standard being introduced into the Food Standards Code during 2008.

Administration of legislation

States and territories have enacted Food Acts based on model food provisions, as agreed under the Food Regulation Agreement 2002. Also under the Agreement, states and territories have adopted the Code through their Food Acts. The model for administration of Food Acts differs between jurisdictions with either State and Territory Governments taking sole responsibility, or responsibility being shared between State Government and local government.

The Australian Quarantine Inspection Service (AQIS) is responsible for the control of imported food, which must also comply with the Code.

States and territories have also traditionally regulated food safety in the domestic meat, dairy and shellfish industries under Primary Industry Acts, administered by primary industry departments. Recently, there have been moves in some jurisdictions to integrate this legislation into single Primary Industry Acts, or modified Food Acts, with corresponding changes in administration. AQIS has responsibility for food safety regulation of the export meat, dairy and shellfish industries. Some jurisdictions, in some industries, share enforcement responsibilities between AQIS and states/territories.

Developing and overseeing a consistent approach across jurisdictions to the implementation and enforcement of food regulations and standards (regardless of whether food is sourced from domestic producers, export-registered establishments, or from imports) is the role of the **Implementation Sub Committee** (ISC). ISC is a sub committee of the Food Regulation Standing Committee (FRSC).

ISC members are either heads of their agencies or operational experts at senior level with capacity to make and implement decisions about enforcement issues in their jurisdictions. The membership comprises up to two representatives from each state and territory; one representative from each of the Commonwealth Department of Health and Ageing, Department of Agriculture, Fisheries and Forestry Australia and AQIS; FSANZ; one representative from New Zealand; and one representative from the Australian Local Government Association. The department is represented by the Director of the Food Policy and Programs Branch.

An ISC strategy for consistent implementation and enforcement of food regulation in Australia was endorsed by the Ministerial Council in October 2005. It is available from: www.health.gov.au/internet/wcms/publishing.nsf/Content/Food+Regulation+Secretariat-1.

The strategy incorporates an agreed three-year work plan containing eight components — each of which is sponsored by an ISC member. The department is sponsor of Component 3 — *Food Safety Incident Response and Management Systems*, with the goals of maintaining an effective system for the management of national food safety incidents.

ISC Working Groups

The ISC has a number of working groups, and in 2006–07 the department was represented at the following groups.

ISC health claims watchdog working group

This working group, chaired by the department, is tasked with the development of an implementation framework with regard to proposed amendments to the Food Standards Code. Additionally, the working group is tasked with clarifying issues and reporting to ISC in relation to the proposed health claims and nutrition standard, particularly around enforcement of the proposed standard, and with monitoring complaints regarding health claims. The working group met three times in the 2006–07 year. The group's role is ongoing.

ISC national food safety audit policy working group

The department was a member of the ISC working group established to develop the National Food Safety Audit Policy. The policy outlines a nationally consistent approach to the management of food safety audits and food safety auditors. It aims to facilitate minimum standards and mutual recognition of audits and auditors across jurisdictions. The policy was endorsed by the Australian New Zealand Food Regulation Ministerial Council in October 2006. The group was dissolved at that time.

ISC national food safety audit policy implementation working group

Following completion of the National Food Safety Audit Policy, ISC convened a national working group to oversee the consistent implementation of the policy, which is required by October 2011. The group has met in person twice and conducted several teleconferences.

ISC sprouts working group

In response to a *Salmonella* outbreak related to sprouts in Western Australia, and reports of illness attributed to sprouts overseas, ISC formed a working group, with participation from the department, to consider the management of risks from sprouts in Australia. The group held discussions with the industry which resulted in the formation of a bi-national industry association, with New Zealand representation. The association has addressed issues including sprout disinfection and auditing of sprout growers, and is initiating research into improving management of the risks posed by bacterial pathogens. The group will continue to work with the industry to maintain progress.

ISC food safety management working group

As reported previously, the FRSC risk profiling working group has developed a risk profiling framework that will be used to place business sectors into risk profile categories. The development of options to manage food safety risks in business sectors — that were categorised using the risk profiling framework — was referred to the ISC food safety management group. The working group will develop:

- > A suite of risk management options (regulatory and non-regulatory)
- > Risk management criteria that will be applied when making decisions about the use of the risk profiling framework
- > A process for identifying and applying a food safety management option appropriate to the level of food business risk.

ISC seafood standard implementation group

The group was established by ISC to work with the seafood industry on implementation issues in relation to the new Primary Production and Processing Standard for Seafood.

It was agreed that seafood regulators would implement consistent food safety management arrangements depending on jurisdiction arrangements, and use the FSANZ guide *Safe Seafood Australia*. It was also agreed that seafood regulators would support industry development of guidelines and codes of practice for industry to maintain a consistent approach. The group did not meet during 2006–07, but communicated on issues by email.

ISC inter-agency working group on the food-medicine interface

The group's aim is to establish an agreed process by which regulators can identify the appropriate regulatory regime for managing a particular product or group of products which sit at the food-medicine interface. This group has been waiting on the finalisation of trans-Tasman arrangements for regulating therapeutics. The working group will continue to progress issues through 2007–08.

ISC Enforcement Policy Working Group

This working group was established in 2006 with the aim of developing an enforcement policy based on a graduated response, as part of a cooperative and collaborative enforcement framework, for consistent corrective action in Australian and New Zealand. The working group is chaired by the NSW Food Authority and comprises nominees from state and territory health and primary industry jurisdictions, and the Australian Government. During 2006, a face-to-face meeting was conducted at the NSW Food Authority and three teleconferences were also held.

The working group has completed development of the draft policy which was submitted to ISC for endorsement at the April 2007 meeting. As a result, ISC agreed to endorse the policy as a 'working draft'. The current working group will expand to include representatives from local government to ensure that sector is also included in consultation processes, because the policy document is also for local government use.

Administration of *The Food Act 2001* in South Australia

The administration of the *Food Act 2001* in South Australia and the food standards which apply under the Act, are the responsibility of the Department of Health and local government.

Responsibilities of the Department of Health

The department is responsible for the following:

- > Oversight of administration of the Act
- > Monitoring compliance with labelling, composition, microbiological and chemical requirements of the Code throughout SA
- > The safety and suitability of food sold, and monitoring and enforcement of compliance with Food Safety Standards in unincorporated areas of the state (85% of the geographical area of SA)
- > Monitoring food safety related incidents and initiating appropriate responses
- > Providing advice to local governments dealing with minor food borne disease outbreaks in their areas and leading investigations and remediation of more significant outbreaks
- > The exercise of emergency powers to remove, prevent or reduce the possibility of a serious health risk including initiation and coordination of food recalls
- > Providing advice, support and assistance to local government
- > Providing advice to food businesses and the public on food issues
- > Advising the Minister on issues pertaining to the application of the Act and food issues generically.

The department responsibilities are delivered by:

Food Policy and Programs Branch

The branch is responsible for the day-to-day administration of the Food Act, as described above (except for the role of the Regional Services Section as described below). More specifically, the branch prepares advice to senior department staff and the Minister for Health on food issues, and is involved in the development of legislation and proposed amendments to the Code. The branch monitors compliance with the Code, and publishes the results of surveys undertaken for this purpose on its website. The branch conducts environmental investigations of major food poisoning outbreaks. This involves an immediate response to stop the supply of suspect food, the collection of samples to confirm the source of the outbreak and an analysis of the food handling procedures to determine the cause of the outbreak. In addition, the branch participates in the development of state and national food regulatory policy and contributes to national programs which facilitate a consistent approach across jurisdictions to the implementation and enforcement of food regulations and standards. The branch also provides assistance to the food industry for the implementation of significant new legislation.

Regional Services Section of the Applied Environmental Health Branch

The Regional Services Section administers the Food Act to 'unincorporated' areas of the state, which are those not serviced by a local council). This primarily involves remote areas of South Australia.

Communicable Diseases Control Branch

Under the *Public and Environmental Health Act 1987* laboratories and medical officers are required to notify occurrences of food borne diseases to the department's Communicable Diseases Control Branch (CDCB). Monitoring and analysis of these reports by CDCB provides an alert for food borne disease outbreaks in the community. A follow-up interview with affected persons, including an assessment of foods eaten during the days prior to the onset of the illness, is used to trace potential causes of a food borne disease outbreak. The application of statistical tools can assist CDCB to identify the likely food or business responsible for the outbreak.

The responsibilities of local government

Local government councils are responsible for the following functions within their areas:

- > Safety and suitability of food sold, and monitoring and enforcement of compliance with Food Safety Standards, including undertaking appropriate inspections
- > Managing minor food borne disease outbreaks within council boundaries and assisting the department with investigations into any significant food borne disease outbreaks within SA
- > Monitoring and taking action as appropriate to ensure the efficiency with which food recalled for health and safety reasons is removed from sale
- > Receiving notifications from food businesses.

Environmental Health Officers (EHOs) representing local councils are the front line for food safety in South Australia. EHOs routinely inspect food businesses to ensure that the premises, equipment and the standard of food handling, will result in the supply of safe and suitable food. A key part of their role is the provision of advice and educational materials to food businesses. They also respond to complaints about food businesses and investigate food poisoning outbreaks independently, or with the assistance of officers from the department.

Establishing roles and responsibilities

A Memorandum of Understanding (MOU) between the Minister for Health and the Local Government Association of SA Inc: 'Exercise of Functions Under the *Food Act 2001*,' establishes the roles and responsibilities of the department and local councils, as discussed above.

To maintain food safety through all stages from primary production to the end consumer, the responsibilities and cooperative arrangements between the department, PIRSA and local government, are defined through a MOU between the department and PIRSA: *Surveillance, Incident Response and Regulation of Food Safety in the Primary Industry Sector in South Australia* and a MOU between the Minister for Agriculture Food and Fisheries, Minister for Health and Local Government Association of SA Inc: *Regarding Management of Food Safety at Accredited Meat Processors in South Australia*.

A review of the MOU between the Minister for Health and the Local Government Association of SA Exercise of Functions Under the *Food Act 2001*, and also of the MOU between the department and PIRSA: *Surveillance, Incident Response and Regulation of Food Safety in the Primary Industry Sector in South Australia*, commenced in 2006–07.

Effective administration

To facilitate effective administration of the Act in South Australia and implementation of Food Safety Standards, the department undertook a number of activities in 2006–07.

Establishing roles and responsibilities in relation to the Dairy Industry

Under the *Primary Produce (Food Safety Schemes) (Dairy Industry) Regulations 2005* dairy farmers, dairy manufacturers, dairy distributors, and dairy produce carriers are required to have food safety accreditation administered by the Dairy Authority of SA (DASA). As food businesses, they are also subject to the *Food Act 2001*. Under Section 108 of the *Food Act 2001* the Minister of Health (by Gazettal Notice of 17 July 2003) exempted these accredited businesses from a requirement to comply with Parts 5, 7 and 8 of the Act. These businesses are bound by all other parts of the Act. The Ministerial exemption minimises the areas of overlap of responsibilities under the two legislative instruments. To manage the potential for administrative overlap, a working party of representatives from the department, local government and DASA was formed in 2006, to prepare a MOU to clarify relevant agency responsibilities and define procedures for resolving any administrative uncertainty that may arise. The MOU will be finalised in the second half of 2007.

Department of Health Local Government Strategic Planning

A strategic planning day attended by staff from the department and local government Environmental Health Officers (EHOs) was held in December 2006. The planning day was held to review the activities of these agencies and identify common issues and challenges that need to be addressed.

Issues identified for further work included:

- > Achieving consistency across councils in support and resources for enforcement
- > A better definition of council responsibility for food safety where the Food Act and PIRSA legislation overlap
- > The food business notification system
- > Ways to improve the delivery of information to EHOs
- > The education and qualifications of EHOs.

Issues from the planning day will be considered during the review of the MOU between the Minister for Health and the Local Government Association of SA: 'Exercise of Functions Under the *Food Act 2001*,' commenced in 2006–07.

The Australian Institute of Environmental Health (SA Division), a professional body for EHOs, assisted with organising the strategic planning day and agreed to take up the issues of EHO education and consistency in practices across councils that can be considered outside of the MOU review.

Food Special Interest Group of the SA Division of the Australian Institute of Environmental Health (Food SIG)

The department is routinely represented at bi-monthly meetings of the Food SIG. EHOs employed by councils are members of the SIG, and have responsibility for inspecting food businesses in their jurisdictions and administering the requirements of the Food Act that deal with the safety and suitability of food.

The Food SIG allows the department to raise food issues with councils and respond to queries. The Food SIG also allows for EHOs to provide advice to the department and work jointly on matters of concern.

Invited speakers as well as departmental staff covered a range of topics including:

- > Treatment of mould and bacterial growth in food premises
- > Humidity control technology
- > Under sink wastewater pumps and grease arrestors for food premises
- > Overview of the new Food Safety and Audit Section and proposed Audit Management Framework for implementation of Standard 3.3.1
- > Ten point egg safety health directive for egg producers
- > *Campylobacter* and *Salmonella* in poultry
- > Nutrition and food hygiene award for child care centres, implemented by community dietitians in consultation with EHOs.

Bi-monthly Meetings with the Executive of the SA Division of the Australian Institute of Environmental Health (AIEH)

In 2006–07 bi-monthly meetings commenced between departmental staff and the President and Vice Presidents of the SA Branch of the AIEH, to provide a regular forum for the discussion of both strategic and operational issues in relation to the administration of the *Food Act 2001*.

Activities of Food Policy and Programs Branch

Monitoring compliance with the *Food Act 2001*

The Food Policy and Programs Branch conducts sampling surveys of various foods that are of public health concern, or to confirm compliance with the compositional and labelling requirements of the Code. The surveys completed by the branch in 2006–07 include:

- > A Survey of the **Microbiological Quality of Sweet Baked Goods**
- > Survey of **Nutrition Claims** in South Australia
- > **Mince Meat and Sausage** Survey.

Complete reports for the surveys can be found in Appendices I to III.

Past and current surveys listed above can be found on the branch website at www.health.sa.gov.au/pehs — click on 'Food'.

Interim Report — Uncooked Fermented Manufactured Meats Survey

This survey was carried out from April to June 2007, with 100 samples of salami and mettwurst collected from 20 manufacturers to-date. Samples were collected from manufacturers based in metropolitan areas, regional SA, and interstate, and were tested for *Salmonella spp.*, *Listeria monocytogenes*, *E.coli* and *Staphylococcus*. Unsatisfactory test results led to one manufacturer undertaking a trade level recall of their product, and another manufacturer removing product from sale.

Following a full assessment of all results a final report will be prepared and included in next years' Annual Report.

South Australian Participation in National Food Surveys — the ISC National Coordinated Survey Plan

The ISC national coordinated survey plan consists of surveys that are selected to gather information on current national issues of food safety and compliance. The Food Surveillance Network, made up of senior representatives from the states and territories, manages the plan on behalf of ISC. A state or territory is nominated to coordinate each survey, with other jurisdictions participating. During this reporting period the department participated in the following surveys.

Australian Key Foods Program

The Australian Key Foods Program is a national sampling and analysis program designed to update current nutrient data by gathering full nutrient profiles for foods that are likely to be top contributors to nutrients for Australian children aged 2–15 years. The program was funded and coordinated by FSANZ and information from the survey supports the National Children's Nutrition and Physical Activity Survey. South Australia provided support for the survey with the purchase of samples. Sampling was completed in January 2007, and the final report is due for completion in late 2007.

National survey of microbiological quality of raw and ready to eat fresh produce

A national survey coordinated by FSANZ examined the microbiological quality of fresh horticultural produce including lettuce, strawberries, sprouts and parsley. The South Australian component of the survey included testing of 120 hydroponically grown lettuces. Samples were examined for *E.coli*, *E.coli* 0157:H7, *Salmonella* and *Listeria monocytogenes*. None of these bacteria were detected in samples taken in South Australia. The final report of the survey is expected late in 2007.

National survey of microbiological quality of spices

A national survey to assess the microbiological quality of spices was undertaken during the first half of 2007. The Victorian Department of Human Services (VDHS) is coordinating the survey across five states. Spices may be incorporated into processed foods, or may be added to food as an ingredient or condiment in the home or in a food business. Spices can sometimes have a high incidence of microbial contamination. In many cases, food will be subjected to sufficient heat to inactivate any pathogenic bacteria present, however sometimes bacterial spores may be present that can survive the cooking process and germinate, given sufficient time, appropriate moisture and temperatures. Testing of samples included laboratory examination for *Salmonella spp.*, *Bacillus spp.*, and *Clostridium perfringens*. Thirty five samples were submitted from South Australia. All samples were free of salmonella. The VDHS will be assessing the results from all states and preparing a final report to ISC late in 2007.

National survey of the microbiological quality of sushi (Part 1)

A two part survey of the microbiological quality of sushi is being carried out by all states as part of a national survey with NSW Food Authority (NSWFA) as lead agency.

Sushi samples were tested to determine the pH (acidity) and for a range of organisms including *Salmonella spp* and *Listeria monocytogenes*.

This survey was divided into two parts; the first part was carried out in the warmer months, November 2006 to March 2007. Part two of the survey would be conducted in the cooler months, July to August 2007, to enable a comparison on the effect of ambient temperature to the microbiological quality of the sushi.

In the first stage of the survey in SA, 120 samples were collected from 20 premises throughout the metropolitan area. Four of the samples, all from different premises, tested positive for the presence of *Listeria monocytogenes*. These results were followed up with joint inspections of premises: local council Environmental Health Officers reviewed cleaning and preparation practices, and departmental officers took further samples. None of the follow-up samples contained *Listeria monocytogenes*.

All results were forwarded to the NSWFA which will collate the data from each state and publish the findings at a later date. The aim of the survey was to provide data to help jurisdictions consider risk management options for sushi.

Department of Health Prosecutions

There were no prosecutions in the 2006–07 year.

Food recalls

The majority of food recalls are carried out voluntarily by food businesses when production monitoring or public complaints have identified a food safety risk. Most voluntary recalls are precautionary and are not associated with cases of illness. Following the investigation of a food poisoning incident or complaint about food safety, the Department of Health may issue a food recall order under the *Food Act*. Food recalls, whether initiated voluntarily or by a state or territory agency, are nationally coordinated by FSANZ.

The food business undertaking a recall is responsible for ensuring that the recall is carried out rapidly and efficiently. This includes contacting wholesalers and retailers and placing advertisements in newspapers to inform the public. Where the department considers additional actions are needed to inform and protect the public it will take further action. This may include media statements to raise public awareness and asking that local councils check that food businesses in their area are aware of, and acting on, the recall.

During the 2006–07 reporting period FSANZ advised states and territories of 59 food recalls. Table 1 lists the reasons for the recalls and jurisdictions affected, and Table 2 below lists the states involved in each of the recalls.

Table 1

Reason for recall	Number
Microbiological contamination	25
Chemical contamination	5
Foreign matter in food	13
Labelling non-compliance representing a health and safety risk	16

Table 2

Jurisdictions affected by recall	Number
National (all states and territories)	20
SA only	0
Some states and territories including SA	12
Some states and territories not including SA	27

During 2006–07 one recall was initiated by the Department of Health following the detection of microbial contamination in a ready-to-eat product.

Food safety management

Food Safety Programs (FSPs)

Food safety programs have been mandated nationally for businesses providing food to vulnerable populations in hospitals, aged care facilities, child care centres, via delivered meals organisations, like Meals on Wheels, and for caterers to the general public.

A food safety program is a written document that identifies a business's potential food safety hazards, identifies means of control and monitoring of controls, and establishes corrective action and record keeping, with the entire program audited periodically by a Department of Health approved auditor.

Food Standards Australia New Zealand developed the vulnerable populations standard — 3.3.1, with stakeholder consultation. It was introduced into the Food Standards Code in October 2006 with a two-year implementation period. FSANZ continues to develop the catering standard with stakeholder input.

The department is working with industry and local government to prepare for these standards. Generic food safety program templates have been developed to assist the hospital, aged care and child care sectors to meet the new requirements. The Department of Health has also assisted Meals on Wheels SA to develop a program for its 40 fresh cook volunteer kitchens. A template is planned for the catering sector.

The Department of Health is establishing the framework within which food safety programs, auditing and auditors will be managed. The Minister for Health has agreed that the department will conduct the food safety audits of public hospitals and not-for-profit delivered meals organisations including Meals on Wheels.

A new Food Safety and Audit Section was established in the Food Policy & Programs Branch in February 2007. This section consists of three staff that will manage the food safety program and audit system and conduct the audits of public hospitals and not-for-profit delivered meals organisations.

To facilitate the introduction of FSPs in businesses providing food to vulnerable populations, the department participated in the following working groups.

Department of Health/EHO food safety program working group

The department established a small working group with local government EHOs to provide advice on matters pertaining to food safety programs and auditing. The group did not meet during 2006–07, but operates on an as needs basis via electronic media.

Development of the national food safety program template for delivered meals organisations — project reference group

The Australian Government Department of Health and Ageing contracted a project to Queensland Health to develop a national food safety program template for delivered meals organisations. The department was a member of the Project Reference Group to support the project. Most of the work was completed in 2005–06, and the national template endorsed by ISC in November 2006 was released electronically in March 2007. The group was dissolved at that time.

Educational activities

Food Safety Resource CD and Bug Buster DVD

In November 2006 the department sent a food safety CD and DVD to 700 food businesses that serve food to vulnerable people, as outlined in Standard 3.3.1, and to all local councils. The CD contains the Department of Health food safety program templates and a variety of other food safety information to assist these businesses to implement a mandatory food safety program and assist local council officers with food safety enforcement activities. The DVD provides these businesses with a training resource that may be used to ensure food handlers have appropriate food safety skills and knowledge.

A questionnaire is being developed for the bug busters training DVD to assist food businesses assess competency of their staff.

Food Safety Program Information Sessions

To support Standard 3.3.1 and the release of the food safety resources CD, the department conducted six metropolitan and four regional public information sessions. The sessions were well attended, with 330 people representing 177 organisations.

In October 2006 the department conducted two half day information sessions regarding mandatory food safety programs and auditing specifically for local government. The sessions were well attended.

Start Right Eat Right for Child Care Centres

The Start Right Eat Right program focuses on nutrition and food safety in child care environments. The department gave presentations about current food safety requirements and mandatory food safety programs at three Start Right Eat Right training days. The department organised for one session to be video taped for use at future training sessions.

The department is analysing the gaps between the current 'Food Safe' program used by the Start Right Eat Right program and the Department of Health food safety program template. Workshops are planned for 2007–08 to further assist the child care sector.

Meals on Wheels SA

The department made a presentation at the Meals on Wheels SA annual conference. Meals on Wheels launched its food safety program template for *fresh cook kitchens* at this event. The template was developed with support from the Department of Health.

Australian Institute of Environmental Health SA Division (AIEH)

The department gave a presentation about proposed mandatory food safety programs and auditing to a specially convened meeting of members of the AIEH. The AIEH members are mostly from local government and are involved in enforcing food regulation.

The department also attended several AIEH Food Special Interest Group meetings and provided updates regarding proposed mandatory food safety programs and audit requirements.

Environmental Health News

The department contributed articles regarding the proposed mandatory introduction of food safety programs and audit requirements for the EH newsletter, which is sent bi-monthly to local government.

Auditor Training for Department of Health and Local Government Officers

The department is facilitating Lead Auditor in Food Safety Management Systems training sessions through SAI Global. This will provide assurance that Department of Health and local government food safety auditors are competent to audit high risk food businesses. The first training session was conducted in May 2007. Further sessions are scheduled for 2007–08.

Food Safety Week

Food Safety Week is a national event organised by the Food Safety Information Council — a government-industry body. The theme for November 2006 was food safety for young people leaving home, and the event was launched in South Australia by the Minister for Health at Windsor Gardens Vocational School. Departmental staff manned an information display in Rundle Mall for the first two days of the week and did a number of media engagements to promote food safety to the wider community.

The department also made available five \$1 000 grants to councils that developed innovative ways to communicate the Food Safety Week theme to their constituents. The councils that were successful in obtaining the grants were:

- > Mt Gambier — developed a food safety board game designed by a local artist with artwork featuring local landmarks
- > Barmera — conducted a workshop for youth, who created a healthy meal under supervision and were presented with prizes and info packs
- > Mitcham — developed a collaboration with three schools that will feature student participation in cooking demonstrations and also developed an educational package for subsequent teacher usage
- > Charles Sturt — arranged for barbecues and competitions be held throughout Food Safety Week
- > Adelaide Hills — developed radio messages featuring local youth groups and radio stations, and also developed school holidays packages themed for 'preparing to leave home'.

Egg Safety

In recognition of the potential for dirty and cracked eggs to carry *Salmonella*, the department, PIRSA and the egg industry met to discuss risk management strategies. The outcome has been the issue of a Departmental Directive to SA egg growers informing them of the practices that they need to follow to ensure the safety of their products.

In addition, the department sent a Food Industry Bulletin to over 13 000 food businesses in SA advising them of the risk associated with poor quality eggs; asking them to ensure that they only purchase from reputable suppliers who have undertaken to follow best practices, and that they store their eggs safely. The department and PIRSA will continue to work with the industry to ensure high standards are in place.

Presentations to Students

Officers from the department lectured Flinders University nutrition students on food law and nutrition and health claims, and also lectured Adelaide University medical students on food safety.

Communication and consultation

To facilitate communication and consultation with stakeholders, the department used a number of different mechanisms this year.

Food Regulation Inter-Departmental Committee

In response to the Minister for Health's proposal, a SA Government Food Regulation Inter-departmental Committee (IDC) was established in October 2005 with the role of facilitating communication between relevant government organisations regarding the operation of the food regulatory scheme, food safety and policy, and compliance issues.

The SA departments represented at the IDC are:

- > Department of Health (chair, secretariat)
- > Department of Premier and Cabinet
- > Department of Primary Industries and Resources South Australia
- > Food South Australia
- > Trade and Economic Development
- > Attorney General — Office of Consumer and Business Affairs.

The Terms of Reference of the IDC are

- > To consider food regulation, policy and industry compliance issues
- > To actively share information that may be relevant or of interest to South Australian Government agencies in relation to food regulation and policy
- > To consider issues referred to it by government, ministers or the Premier's Food Council
- > To advise the Minister for Health and other relevant ministers on food regulation and policy issues.

The IDC met twice in 2006–07 and will continue to meet at least twice per year.

South Australian Meat Food Safety Advisory Committee

The South Australian Meat Food Safety Advisory Committee is constituted under the *Primary Produce (Food Safety Schemes) (Meat Food Safety Advisory Committee) Regulations 2005*. The Committee is made up of representatives from state and Australian Government agencies, with responsibility for food safety and industry representatives with interests in meat production and processing. It provides advice to the Minister for Agriculture, Food and Fisheries, on meat safety in businesses that process or handle meat or that sell meat (by wholesale or retail).

It is a statutory requirement that the Department of Health is a member of the committee through a nomination by the Minister of Health. The department attended the meetings of the committee held in his reporting period.

The Premier's Food Council

The Premier's Food Council is a high level partnership between the South Australian Government and 24 food industry leaders. The Premier's Food Council creates the vision and sets the strategic direction for growth and development of an internationally competitive food industry in South Australia.

It meets quarterly and is chaired by Minister for Agriculture, Food and Fisheries, the Hon Rory McEwen MP. The other government ministers also represented on the council are:

- > The Hon Mike Rann MP, Premier
- > The Hon Kevin Foley MP, Minister for Industry and Trade
- > The Hon Jane Lomax-Smith MP, Minister for Education and Tourism
- > The Hon Karlene Maywald MP, Minister for Regional Affairs
- > Michael O'Brien MP, Convenor for the Premier's Food Council.

In 2007 the Department of Health became an observer at the council and attended one meeting during this reporting period.

Premier's Food Council Food and Wine Issues Group

The Food and Wine Issues Group is a whole of government group of senior public servants who have the authority to commit the support and resources of their agencies to support implementation of the State Food Plan, and to address issues raised by the Premier's Food Council. Meetings of the Issues Group are chaired by the convenor of the Premier's Food Council, Michael O'Brien MP. The Department of Health is a member of the Issues Group and attended the meetings held in this reporting period.

Food borne disease investigations in South Australia

Introduction

The Communicable Disease Control Branch of the department conducts epidemiological investigations into food borne disease outbreaks in conjunction with local government EHOs and the Food Policy & Programs Branch, who specialise in food policy and enforcement activities. Primary Industry and Resources South Australia staff may also assist with trace back investigations. The Institute of Medical and Veterinary Science (IMVS) conducts microbiological testing of food and environmental samples.

Epidemiological and environmental information, including reports of on-site visits to premises, food history questionnaires of cases and laboratory results of stool and food samples, are collated and used to provide an analytical picture of outbreaks. Epidemiological analysis may demonstrate a statistical association between illness and the consumption of a particular food item. Microbiological evidence can suggest an association when a very similar or identical micro-organism is found in the food vehicle, suspected on epidemiological grounds.

The specific food vehicle or source of an outbreak is difficult to identify, as there is often no remaining food to start the investigation. Additionally, faecal samples from affected persons are not always provided for analysis, limiting the microbial evidence.

The department investigated seven outbreaks of gastrointestinal illness during the period July 2006 to June 2007, where there was evidence for food as the mode of transmission for the cause, or a link to a particular food premise or restaurant was suspected. Two outbreaks occurred in care facilities, two in restaurants, one was linked to a bakery and the final two outbreaks were at private functions. A further 16 clusters (cases linked by a particular causative organism) of illnesses that are commonly, though not exclusively, food borne were investigated, but the mode of transmission was not identified. A summary of these outbreaks and clusters and their settings is presented in Table 1.

Outbreak No. 1: *Campylobacter* — care facility

The department was notified of an outbreak of gastroenteritis in an aged care facility in metropolitan Adelaide in October 2006. Illness onset occurred over a three day period. Four cases were confirmed as *Campylobacter* infection. Environmental investigation of the facility reported satisfactory conditions and all food samples were negative for *Campylobacter*. The source of the infection remains unidentified.

Outbreak No. 2: *Campylobacter* — private function

The department investigated six cases of gastrointestinal illness among people who consumed food at a business meeting in December 2006. Of the eight attendees, six became ill and one case was confirmed as *Campylobacter* infection. A cohort study demonstrated an association between illness and eating a chicken meal at the meeting. Environmental investigation of the catering company was satisfactory with all food samples being negative for *Campylobacter*.

Outbreak No. 3: *Salmonella* Typhimurium phage type 9 — bakery associated outbreak

The department observed an increase in notifications of *Salmonella* Typhimurium phage type 9 during December 2006 with 15 cases notified. At interview, several cases reported eating products from a specific bakery. One of the cases was an employee of the implicated bakery. A case control study demonstrated an association between illness and consuming products from the bakery. Environmental investigation at the bakery found that food handling practices at the bakery were generally satisfactory. Eggs in the bakery were tested and *Salmonella* Typhimurium phage type 9 was isolated. An environmental investigation of the farm supplying the eggs was also conducted and *Salmonella* Typhimurium phage type 9 was isolated from the farm. Advice was provided to the farm about methods to reduce *Salmonella* contamination in eggs. This outbreak prompted the department and PIRSA to conduct a major exercise to improve compliance and understanding of the risks associated with the production and handling of eggs by growers, food manufacturers and the food service industry and the distribution of the Food Safety bulletin on egg safety.

Outbreak No. 4: *Salmonella* Typhimurium phage type 44 — care facility

In January 2007, the department was notified of five cases of gastroenteritis associated with a special needs care facility. Four cases were residents and one was a staff member. *Salmonella* Typhimurium phage type 44 was identified in all five cases. Environmental investigation and infection control measures were instituted. The specific mode of transmission was not determined at the time, as a point source was not identified. Subsequently, it was found that eggs supplied to the facility were obtained from the same farm implicated in Outbreak No. 5 below. The eggs in question were not tested from the facility as they had already been consumed.

Outbreak No. 5: *Salmonella* Typhimurium phage type 29 — community cluster

Between January and March 2007, the department investigated 26 cases of *Salmonella* Typhimurium phage type 29. Four cases reported consuming fried ice cream (coated in egg and crumbs then deep fried) from the same food outlet that was also associated with Cluster 6. A sample of the fried ice cream from the implicated food outlet was positive for *Salmonella* Typhimurium phage type 44 and *Salmonella* Typhimurium phage type 29. Trace back to the farm supplying eggs was conducted and some environmental samples were positive for *Salmonella* Typhimurium phage type 44. Instructions for improving operation of this small farm were issued.

Outbreak No. 6: *Salmonella* Typhimurium phage type 9 — restaurant

In March 2007, the department was notified of several cases of *Salmonella* Typhimurium phage type 9 infection linked by attendance at a metropolitan restaurant over a short period. A cohort study identified 46 people who reported gastrointestinal illness after eating at the restaurant. Of these, 36 were confirmed as *Salmonella* Typhimurium phage type 9 infections. The cohort study demonstrated a weak association between illness and consumption of several food items. Environmental investigation was conducted at the restaurant venue. All environmental swabs and food samples were negative for *Salmonella*. The local council provided food handler training as a precautionary measure.

Outbreak No. 7: Gastroenteritis — private function

In early May, the department investigated a report of gastrointestinal illness following a one-day business seminar in April 2007. All cases consumed a common meal provided by caterers. A cohort study demonstrated an association between illness and consumption of sushi at the function. The local council inspected the caterer's premises and reviewed food handling practices.

Cluster No. 1: *Salmonella* Typhimurium phage type 135a — community cluster

A prolonged investigation of *Salmonella* Typhimurium phage type 135a infection was conducted from July to December 2006, with 41 cases of *Salmonella* Typhimurium phage type 135a notified. Four cases had a dual infection with *Campylobacter*. Cases were interviewed to determine foods consumed prior to the onset of illness. A common source of the infections was not identified.

Cluster No. 2: *Salmonella* Typhimurium phage type 9 — community cluster

An increase in *Salmonella* Typhimurium phage type 9 notifications was observed during October 2006 with six cases notified within two weeks. These cases were interviewed, but the source of the infections remains unknown.

Cluster No. 3: *Campylobacter* — community cluster

The department identified a local geographic cluster of *Campylobacter* infections within Adelaide in October 2006. Twelve cases from a specific suburb and the surrounding area were notified within one week. Cases were interviewed but no common food item or outlet was identified as a source of this outbreak.

Cluster No. 4: *Salmonella* Hessarek — community/restaurant

The department received notifications of nine cases of *Salmonella* Hessarek infection between October 2006 and January 2007. All cases were interviewed. The three cases notified during November 2006 all ate at a common restaurant in metropolitan Adelaide. An environmental investigation was conducted at the implicated restaurant. Microbiological sampling did not identify any particular food item as a vehicle of this infection and food handling procedures were reported as satisfactory. The remaining six cases reported consuming raw or semi cooked eggs; however the brand of eggs consumed could not be recalled by cases.

Cluster No. 5: *Salmonella* Typhimurium phage type 9 — community cluster

There continued to be high numbers of notifications of *Salmonella* Typhimurium phage type 9 into January 2007. These comprised community cases and cases associated with a restaurant described separately in Outbreak 6 above. A prolonged investigation of the (non-restaurant) community cases was conducted from January to mid-April. Fifty four cases were investigated. All cases were interviewed and molecular typing was also carried out to assist the epidemiological investigation; however the source of the cluster could not be determined.

Cluster No. 6: *Salmonella* Typhimurium phage type 44 —community cluster

Subsequent to the January 2007 care facility outbreak (Outbreak 4), the department continued to observe higher than expected notifications of *Salmonella* Typhimurium phage type 44 cases in the community. Excluding the care facility cases, between January and March, there were 25 cases notified. One case reported eating fried ice cream from the food outlet associated with Outbreak 5. Public health action was taken and is described in Outbreak 5.

Cluster No. 7: Shiga like toxin producing *Escherichia coli* — community cluster

During January and February 2007, the department investigated 12 cases of Shiga like toxin producing *Escherichia coli* (STEC) serotype 0157. Seven cases were hospitalised or had attended a hospital emergency department. Hypothesis generating interviews did not establish any plausible hypothesis and the cause of this STEC increase remains unknown. Extensive environmental investigations including testing of 313 samples of fresh produce, meats, nuts and water, did not detect the organism that had been consumed by cases.

Cluster No. 8: *Salmonella* Typhimurium phage type 135a — community cluster

During the months of February and March 2007, 17 cases of *Salmonella* Typhimurium phage type 135a were notified in South Australia. These cases were investigated but no plausible hypothesis was established. The source of infection remains unknown.

Cluster No. 9: *Salmonella* Bovismorbificans phage type 13 — community cluster

During February 2007, the department investigated four cases of *Salmonella* Bovismorbificans phage type 13. No common exposures were identified in the investigation and the cases appear to have been sporadic infections.

Cluster No. 10: *Salmonella* Infantis — community cluster

In February 2007, there was an increase in notifications of *Salmonella* Infantis infection. Thirteen cases were investigated but the cause of these infections could not be determined.

Cluster No. 11: *Salmonella* Typhimurium phage type 22 — community cluster

Salmonella Typhimurium phage type 22 is a rare cause of human infection in South Australia. However, during February 2007, the department was notified of four cases of *Salmonella* Typhimurium phage type 22 infections. The cases were interviewed, but the cause of this infection remains unknown.

Cluster No. 12: *Salmonella* Adelaide — community cluster

In March 2007, the department investigated a cluster of seven cases of *Salmonella* Adelaide infection. Case interviews did not identify a link to any particular foods or functions and the cause of the increase of this cluster was not determined.

Cluster No. 13: *Salmonella* Typhimurium phage type 108 — community cluster

Between January and March 2007, 15 cases of *Salmonella* Typhimurium phage type 108 infections were notified to the department. These cases were investigated but the cause of these infections remains unknown.

Cluster No. 14: *Salmonella* Typhimurium phage type 22 — community cluster

Salmonella Typhimurium phage type 22 is a rare cause of human infection in South Australia; however four cases were notified to the department in February and March 2007. An epidemiological investigation was conducted but the cause of these infections remains unknown.

Cluster No. 15: *Salmonella* Typhimurium phage type 6 var — community cluster

Seven cases of *Salmonella* Typhimurium phage type 6 var infections were notified to the department between January and March 2007. These cases were interviewed; however the cause of this cluster was not determined.

Cluster No. 16: *Salmonella* Typhimurium phage type 29 —community cluster

Further increases in notifications of *Salmonella* Typhimurium phage type 29 infection occurred in April 2007. These cases were interviewed but the cause for these infections was not identified.

Table 1 Summary of outbreak/clusters of food borne or suspected food borne disease according to the setting of outbreak in SA

Setting	Number of outbreaks/clusters
Private function	2
Bakery	1
Restaurant	2
Care facility	2
Community clusters	16
Total	23

Local government activities under the *Food Act 2001*, 2006–07

Under the *Food Act 2001*, it is a mandatory requirement for local government councils to provide the department with information on their activities. For the purpose of this Annual Report, a request for information was circulated to all councils.

Council Environmental Health Officers (EHOs) are empowered under Parts 4 and 5 of the Act to ensure that proper standards of hygiene are maintained in relation to the manufacture, transportation, storage and handling of food for sale. They are also responsible for taking measures to prevent the sale of unfit food and to investigate complaints related to the sale of unfit food. EHOs are authorised under the Act to issue orders and notices and take action for breaches.

Authorised officers

Local councils reported employing a total of 118 officers authorised under the Food Act and working solely for one council. A further 28 authorised officers were reported as working for more than one council.

Inspections

EHOs conducted 11 648 premises inspections, slightly up on the 11 230 conducted in 2005–06. Of the total 11 648 inspections, councils reported that 8,455 were inspected at least once.

Complaints

Councils reported the investigation of a total of 1 423 food related complaints, down from the 1 755 complaints received in the previous reporting period.

The following outlines the nature and number of those complaints received:

- > Alleged unfit food due to foreign matter — 295
- > Microbiological growth or alleged food spoilage — 164
- > Suspected food poisonings — 282
- > Unclean premises — 158
- > Personal hygiene/poor food handling — 226
- > Vermin-related — 68
- > Waste disposal (for example, odours/poor waste management) — 42
- > Miscellaneous matters — 188.

Orders/notices issued to food businesses

In the reporting period, 319 orders/notices were issued under a number of sections of the Food Act for non-compliance with the Food Safety Standards. This is more than the figure of 198 for 2005–06.

Council prosecutions

There were no prosecutions in the 2006–07 financial year.

Council expiations

Adelaide	Section 17 — Handling and sale of unsuitable food	\$500
	Section 17 — Handling and sale of unsuitable food	\$500
Adelaide Hills Council	Section 17 — Handling and sale of unsuitable food	\$500
Alexandrina	Section 21 — Compliance with the Food Standards Code	\$500
City of Charles Sturt	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 50 — Contravention of an improvement notice or prohibition order	\$750
Coorong District Council	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
Eastern Health Authority	Section 21 — Compliance with the Food Standards Code	\$2500
	Section 50 — Contravention of an improvement notice or prohibition order	\$750
	Section 21 — Compliance with the Food Standards Code	\$2500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 50 — Contravention of an improvement notice or prohibition order plus late payment fee	\$780
	Section 21 — Compliance with the Food Standards Code	\$2500
Section 21 — Compliance with the Food Standards Code	\$500	
Section 21 — Compliance with the Food Standards Code	\$2500	
Section 21 — Compliance with the Food Standards Code	\$500	
Section 21 — Compliance with the Food Standards Code	\$500	
Section 21 — Compliance with the Food Standards Code	\$2500	
Section 21 — Compliance with the Food Standards Code	\$2500	
Section 21 — Compliance with the Food Standards Code	\$530	
City of Holdfast Bay	Section 21 — Compliance with the Food Standards Code	\$2500
	Section 21 — Compliance with the Food Standards Code	\$2500
	Section 21 — Compliance with the Food Standards Code	\$2500
City of Marion	Section 17 — Handling and sale of unsuitable food	\$500
	Section 17 — Handling and sale of unsuitable food	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 17 — Handling and sale of unsuitable food	\$2500

Rural City of Murray Bridge	Section 50 of Food Act— contravention of improvement notice plus fee for issue of reminder	\$780
City of Onkaparinga	Section 21 — Compliance with the Food Standards Code	\$500
City of Playford	Section 21 — Compliance with the Food Standards Code	\$2500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$2500
City of Port Adelaide Enfield	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 17 — Handling and sale of unsuitable food	\$750
	Section 17 — Handling and sale of unsuitable food	\$750
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$2500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 17 — Handling and sale of unsuitable food	\$2500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$2500
	Section 21 — Compliance with the Food Standards Code	\$500
	Section 21 — Compliance with the Food Standards Code	\$500
	City of Salisbury	Section 21 — Compliance with the Food Standards Code
Section 21 — Compliance with the Food Standards Code		\$500
Section 21 — Compliance with the Food Standards Code		\$500
Section 21 — Compliance with the Food Standards Code		\$500
Section 21 — Compliance with the Food Standards Code		\$2500
Section 17 — Handling and sale of unsuitable food		\$2500
City of Unley	Section 17 — Handling and sale of unsuitable food	\$500
	Section 17 — Handling and sale of unsuitable food	\$2500
City of West Torrens	Section 17 — Handling and sale of unsuitable food	\$2500
	Section 21 — Compliance with the Food Standards Code	\$500

Highlights of other local government activities

Food safety education

Adelaide Hills Council

In April 2007, the Adelaide Hills Council in conjunction with a local commercial cook conducted cooking classes for first time home leavers with the aim of providing them with a number of basic recipes and a working knowledge of food safety. During the year Environmental Health Officers conducted food safety presentations to volunteer groups, commercial food service staff and high school students and these presentations proved to be popular and successful.

The Adelaide Hills Council made 10 copies of the interactive food safety training program *I'm Alert* available for sale at a discounted rate. This initiative proved to be extremely popular with local business and community based groups. Food safety articles were included in editions of the Adelaide Hills Council community publication, the *Hills Voice*. The *Hills Voice* is distributed by the Adelaide Hills Council to all homes, business and groups within its boundaries. A council stall at the 2007 Uraidla Agricultural Show was also used to distributed food safety information.

Barossa Council

During the year, the Barossa Council worked closely with TAFE SA Barossa Valley Campus in the promotion of a one day food safety course. The council promoted the course through local newspapers and during routine food safety inspections. In addition, the course was recommended to specific food businesses that would benefit in their understanding of the requirements of the Food Safety Standards.

City of Charles Sturt

The City of Charles Sturt prepared four food safety fact sheets. Two fact sheets were distributed to food businesses to provide comprehensive information addressing common areas of non-compliance:

- > Storage of Personal Goods and Chemicals to Prevent Food Contamination
- > Cleaning of Food Premises.

The information contained in the fact sheets was designed to provide clarity and assist with the interpretation of relevant sections of the Food Safety Standards.

A fact sheet 'Preventing Food Poisoning at Home' was distributed to community members through council libraries and web sites and provided to Community Services Officers for distribution to people using the home shopping service. To complement the Department of Health's Food Safety Information Pack distributed to new food businesses, the council prepared a fact sheet for people wanting to start, or those who already were operating a home based food business.

The City of Charles Sturt continued to provide its successful program for Vietnamese speaking food handlers. In all, 17 Vietnamese speaking food handlers from four food businesses participated in the program. With the assistance of an information folder, together with a presentation provided in both English and Vietnamese, participants gained a greater understanding of food safety fundamentals in the kitchen, as well as an understanding of the legislative requirements of the Food Safety Standards and the *Food Act 2001*.

The program's success has been reflected in the greater level of compliance seen in routine inspections. The program will continue to be offered.

Approximately 100 people from community, sporting and charitable groups attended food handler training sessions in November 2006. The training provided up-to-date information on food handling, temperature control, protecting foods from contamination and the importance of correct hand washing. Participants received a certificate of attendance and a food safety information pack on completion of the session.

City of Holdfast Bay

The City of Holdfast Bay's Environmental Health Section developed a one hour food safety education session designed to improve the skills and knowledge of food handlers. Several food handlers and proprietors were invited to a trial run of the course to evaluate it. The feedback was positive with several attendees requested further sessions. The Environmental Health team contacted other food businesses requesting expressions of interest. Businesses contacted were enthusiastic and sent staff to the food safety sessions. The program has become a continuing part of the Environmental Health Section's activities.

Mallala Council

Mallala Council engaged a training facilitator to assist in conducting a half day training course in food handling and hygiene for local charity and community volunteers. The course, designed to improve the level of skills and knowledge in food handling, was attended by 29 volunteers from 15 volunteer organisations. Programmed inspections during 2007–08 will be used to monitor the success of the training session.

City of Marion

The City of Marion provided food handler training to a variety of organisations and groups. The training covered an overview of legal requirements for food handlers and information on how to safely prepare, handle, store and serve food. During the reporting period, food handler training was conducted with child care centres, nursing homes, school canteens and food premises.

City of Mitcham

Routine food premises inspections by EHOs at the City of Mitcham showed a need for improved food handler skills and knowledge. To meet this need, officers ran 10 free two hour sessions attended by 145 food handlers, and one session for year 12 students (19 participants).

The sessions included a Power Point presentation of 24 slides; a mime act (humour with exaggeration) that highlighted unacceptable food handling practices, the viewing of the Department of Health's Bug Busters video and hand-washing procedures using a UV lamp to show where cleaning had been ineffective. A certificate of participation was awarded to all participants. The sessions have increased cooperation from businesses, improved premises standards and food handling practice. Some businesses insist that all new staff undertake the training.

Murray Bridge Council

Murray Bridge Council environmental health officers provided food safety sessions to groups of volunteers and new migrants from China, Sudan and Afghanistan. These sessions were to help immigrants understand the basic principles of food safety when catering in food stalls at Multicultural Festival events, and to assist them with integration into the local community. The Department of Health's Bug Busters video gave the attendees a chance to observe safe food handling practices and translation services were used to help the immigrants understand the information. Certificates were provided to each of the attendees, which might be beneficial if they wish to seek work in food businesses.

Onkaparinga Council

Onkaparinga Council conducted nine food safety presentations on food legislation, safe food practices and personal hygiene for Year 11 and 12 high school students. In the presentation the Department of Health's Bug Busters DVD was viewed. An exercise using agar plates and swabbing was used to demonstrate potential contamination by inadequate hand washing.

Eight food safety information sessions were conducted for food businesses and community groups. The sessions covered information on food legislation, food handling practices and personal hygiene, and were designed to improve skills and knowledge to levels appropriate for the food handling activities of these businesses.

Port Adelaide Enfield Council

The Port Adelaide Enfield Council developed a Food Hygiene and Safety Course for food handlers to increase awareness of food safety practices. The course was offered at \$50 per person with discounts available for two or more attendees from the same business. The seven hour course was divided into four modules, which include group learning activities, assessment questions and case studies. The course material is updated annually. Participants are assessed by the trainers who are Environmental Health Officers with additional qualifications in Workplace Training. Attendees are educated in interpreting the Food Safety Standards and the Australian Food Safety Assessment (AFSA) form used by officers during food inspections. Six courses were held in 2006–07, with a total of 74 attendees successfully completing the course. A number of food businesses continue to send new food handlers when the courses become available. Council continues to provide the course at an affordable cost to encourage attendance and increase education amongst food handlers and food businesses within the area.

Coorong District Council

In February 2007, the Coorong District Council arranged for the contractor Regency Pacific to deliver a Food Safety: Legislation and Compliance short course at the Taillem Bend Town Hall Community Function Centre. The arrangement of the short course was in response to the number of new businesses opening in the council area and existing businesses changing ownership. The short course covered:

- > Health and hygiene of food handlers
- > Receiving, storing, processing, reheating, displaying, packaging, transporting and disposing of food
- > Temperature monitoring
- > Workplace cleanliness and sanitation
- > Offences relating to food and the penalties they may incur
- > Acquiring a working knowledge of the Food Safety Standards.

Thirty eight participants received comprehensive workbooks and sat a written exam at the end of the training seminar. A Certificate of Completion was issued on the successful completion of the written exam.

Food safety week

Adelaide Hills Council Environmental Health Officers used funding from the Department of Health to mount a radio campaign regarding food safety. Food safety messages were recorded by students at the Oakbank Area School and were broadcast on Power FM, a top 40 radio station broadcasting throughout the Adelaide Hills, Mount Barker, Victor Harbour and Murray Bridge.

Barossa Council's Environmental Health Officers actively participated in Food Safety Week during 13–18 November 2006. As per the week's theme, Environmental Health Officers focused on an audience of young people. Actions included the distribution of various educational materials to relevant locations within the council area, such as high schools.

Berri Barmera Council received a \$1 000 grant from the Department of Health for Food Safety Week activities. Three information sessions were held at Glossop High School Middle Campus with Year 10 students. In total almost 60 students attended these sessions. The sessions were interactive with questions being asked throughout.

Topics included:

- > What not to buy when shopping
- > What to look for when people are handling the food you will be buying
- > What to do if you buy food that is unsuitable/unsafe, or contains foreign matter — who to contact, what information is needed, how to make a complaint
- > The difference between 'best before' and 'use by' dates
- > What to do if you think you have food poisoning
- > Food handling/hygiene at home — for example, hand washing (when and how), cross contamination, food storage, temperature control
- > Correct cooking, thawing, reheating procedures.

Petri dishes and swabs were used to demonstrate the need for good personal hygiene in food handling. Students placed their fingers and strands of hair on the Petri dishes. Swabs were used on noses and the webbing between fingers. The students enjoyed this activity.

In follow-up activities, two cooking sessions were conducted with the students who attended the previous information sessions. The students were provided with ingredients, and were required to produce a stir-fry with limited instruction.

The students were assessed on a scale of one to 10 on the following:

- > Hand washing — before starting, after touching body, after handling raw meat
- > Preventing cross contamination
- > Clean-as-you-go
- > Washing, rinsing, drying dishes (for example, tea towel only used for drying dishes).

At the end of the session the students were provided with feedback on their performance. Feedback was well accepted and led to discussion regarding food handling at home, in comparison with working for a food business. This activity not only showed the students their strengths and weaknesses in a kitchen environment, but it also gave them an idea of what it would be like to work in a kitchen subject to inspection.

Charles Sturt Council, in conjunction with Council's Youth Team, the Service to Youth Council and the Western Area Multicultural Youth Service, held a barbeque to promote food safety.

The event was attended by over 50 teenagers, including young African and Aboriginal Australians. Some of the attendees were already living independently, while others were considering the move. Environmental Health Officers along with youth workers demonstrated the principals of temperature control, basic hygiene and the importance of keeping food preparation surfaces and implements clean. Each received a show bag containing simple yet relevant information on food safety. A competition was also held on the day with prizes given out for the winners. The council's food safety week activity was assisted with funding from the Department of Health.



Eastern Health Authority targeted a sample group of takeaway food establishments and distributed food safety flyers to them, and sought feedback from those businesses to gauge the flyers' value. A simple, generic brochure was designed so that it could be utilised outside of the confines of Food Safety Week.

An overwhelming majority of businesses responded favourably to the idea and agreed to place the brochure on their counters for customers to take and read. Large chain businesses were restricted by company policy that prohibited the distribution of material that didn't possess their corporate identity, and as such, declined to participate.

A total of 1 200 brochures were distributed to 29 premises. Random feedback was sought from approximately 15 food premises who participated. Comments received included:

'Many customers read this brochure while they waited for their order and a few took them away when they left'

'This type of brochure is likely to be well received by our customers'

'I am concerned about what my customers do with the food they purchase from my shop and I can never be sure they are going to handle it properly'

'I am just as concerned about my older customer's food handling practices and I think this is an important message for them too.'

Following Food Safety Week, several businesses have queried the brochure's availability and further copies have been supplied upon request.

Mount Gambier Council developed a food safety board game called 'What You Cook Can Make You Crook' to provide an educational experience where young people could learn about the principles of food safety in a fun way. The target group was young people who leave home at the completion of high school, to pursue study and work options elsewhere in the state and country. The council's Environmental Health Officers developed a range of food safety quiz questions with a focus on how to keep the food you eat safe, while looking after the local environment. To keep the game fun, some entertaining general knowledge questions were also included. A local artist was engaged to design the graphics for the game — the game was designed to be bright and modern, incorporating a number of local landmarks.

During Food Safety Week the game was tested with a number of class groups of Year 10 students, in particular those students undertaking hospitality studies. Teachers and Environmental Health Officers from the council were present to answer any questions the students had. The students enjoyed playing the game in small groups and learning from each other. Feedback from the teachers suggested the game was a good way of engaging students while teaching them the principles of food safety. In February 2007, copies of the game were distributed to secondary schools, recreational clubs, the public library, and included in a local festival promoting healthy lifestyle choices.

The **Port Adelaide Enfield Council** Food Safety Week activities focussed on 18–23 year-olds at Regency TAFE. Council's Environmental Health Team organised a free barbecue, where more than 200 students and staff were served lunch. Officers offered food safety advice to attendees and distributed approximately 160 fridge thermometers and 100 food safety brochures during the barbecue.

A food safety display titled 'What you cook can make you crook' designed for display at Council's Civic Centre to increase public awareness of food poisoning prevention through four main food safety tips — Clean, Cook, Chill and Separate — was also utilised at Regency TAFE during food safety week. Feedback from TAFE students and staff was positive and indicated the information provided was well received.

Food sampling

An increase in *Salmonella* and *Campylobacter* notifications both statewide and within the **City of Charles Sturt** prompted a food sampling program to be undertaken in the 2006–07 financial year. Sixteen hot cooked barbecue chicken samples from 11 food businesses were collected from both employee serve and self-serve areas of supermarkets and then delivered to the Institute of Medical and Veterinary Science (IMVS) for analysis. The samples were tested for *Salmonella*, Thermophilic *Campylobacter*, and a Standard Plate Count. All 16 samples were found to be satisfactory.

Furthermore, a hot cooked barbecue chicken from each of the 11 premises was brought back to the council for visual inspection, and all samples appeared to be thoroughly cooked. Discussions with the managers at each food business confirmed that the staff members responsible for cooking chickens have the relevant skills and knowledge required for that particular task.

The **City of Marion** routinely samples food from premises within the council area. Samples are collected unannounced and taken to the IMVS for testing. The City of Marion's Environmental Health Officers have found that food sampling is a useful tool to educate the proprietors of food businesses regarding safe food handling practices and procedures. During the 2006–07 financial year, 20 samples were taken from premises within the council area. Of the 20 samples, the results of two samples were found to be of an unacceptable level. The two businesses were inspected and the practices and procedures reviewed. Samples taken from these premises at a later time were satisfactory.

Through routine food inspection, a **Port Adelaide Enfield** EHO identified packets of fresh rice noodles for sale in a food premises. Storage instructions specified the product could be stored at room temperature; however no preservative was specified on the label. The officer procured two noodle samples from the business for chemical analysis. The food laboratory analytical report confirmed the presence of a preservative in one of the samples. Although the addition of the preservative to this food is permitted, the manufacturer has breached the Food Act for failing to list the preservative on the packaging label. Appropriate action was taken — in conjunction with the Department of Health — to ensure all products manufactured by the factory comply with labelling requirements.

Food businesses are required to take all practicable measures to ensure food received is protected from the likelihood of contamination and that potentially hazardous food is received under temperature control. To monitor business compliance, EHOs visited 264 food businesses between 5.00 am and 7.00 am, or prior to the usual operating hours of the business. Officers focused on the presence of unattended food at risk of contamination, or potentially hazardous food not left under temperature control. Three businesses were found to be non-compliant resulting in follow-up action. All businesses were written to reiterating the requirements of the Food Safety Standards and acceptable methods of compliance.

Other activities

Adelaide Hills Council EHOs conducted inspections at all major outdoor events that occurred during the 2006–07 financial year, including the Oakbank Easter Racing Carnival, Bay to Birdwood Car Rally, the Crush Food and Wine Festival, the Rock and Roll Rendezvous and the Lobethal Lights, and regularly attended Adelaide Hills weekend markets.

Following a serious food recall on a weekend, officers of the **Alexandrina Council** identified that council procedures for responding to recalls should be formalised. The preparation of formal procedures was undertaken by a graduate student on work experience with the council, in consultation with council Environmental Health Officers. The development of formal procedures included updated contact details for food businesses in the area. In the event of a serious food recall where council EHOs are not immediately available, administration staff can use the procedure to contact food businesses and make them aware of the recall.

The **City of Charles Sturt** recognised and praised the commitment to food safety demonstrated by a number of food businesses by placing them on a list of 'fully compliant' businesses within each quarterly edition of the council's community newsletter — the *City to the Sea*. To achieve this recognition, food businesses must achieve full compliance with the Food Safety Standards during their initial routine inspection. This initiative has proved to be of benefit to the success of these food businesses, with council receiving a number of enquiries regarding their operations. The initiative will be continued, with the primary aim of promoting full compliance amongst food businesses.

To maintain accurate and up-to-date details of food businesses within the City of Charles Sturt, an advertisement was placed in the *Weekly Times Messenger* promoting the notification of food businesses. The information contained within the advertisement described the circumstances under which a food business must notify, and also highlighted the point that penalties may apply under the *Food Act 2001* to those who do not lodge a notification. The advertisement was also placed in the *Portside Messenger*, in conjunction with the City of Port Adelaide Enfield.

In July 2006, the **Eastern Health Authority** (EHA) received a request to assist in the introduction of FoodSafe® into a new food business in the provision of child care. FoodSafe® is a food handler training program developed by the Australian Institute of Environmental Health. Following a pre-opening food inspection, the skills and knowledge of the training coordinator nominated by the business was assessed, and the food business staff completed the FoodSafe® in-house training program. Three hygiene audits were conducted by an EHO before the food business successfully completed all the required elements of FoodSafe® in January 2007. The first compliance inspection of the business was conducted in June 2007. This inspection showed that continual effort was required to ensure that standards were maintained, particularly in the event of staff turnover. Under changes to the Food Standards Code being introduced in October 2008, food safety programs will become mandatory for food business servicing vulnerable populations, including child care businesses providing food. Record keeping and other documenting processes, which are part FoodSafe®, will greatly benefit businesses when they prepare their food safety programs.

EHA Customer Service Survey

A survey of 500 food businesses within the Eastern Health Authority's jurisdiction was conducted during August 2006 to ascertain their level of satisfaction with the authority's food safety services. The questionnaire was divided into two categories, namely *Routine Food Inspection* and *Food Handler Skills and Knowledge*.

The *Routine Food Inspection* section comprised multiple choice questions and sought information about food proprietor's experiences with the Authority's Environmental Health Officers (EHOs). The *Food Handler Skills and Knowledge* section was designed to gather information on the qualifications of food handlers and the educational resources they utilised.

A response rate of 30 per cent was achieved, and the key findings were:

- > Eighty five per cent of the respondents stated that they had a positive experience with their EHO (considered excellent — 47 per cent, or above average — 38 per cent)
- > Ninety nine per cent of respondents agreed that food inspections should occur within the community
- > Twenty eight per cent of respondents employed food handlers with recognised food safety qualifications through Technical and Further Education (TAFE) and Certified Training Providers
- > Fifty two per cent of respondents used local resources to update food handler's skills and knowledge, namely information provided by the EHO and the South Australian Food Handlers Update (SAFHU)
- > There was a high demand from respondents for information about food standards (31 per cent).

The authority concluded that food businesses within the jurisdiction were satisfied with its approach to food safety and hygiene. It is also positive to note that respondents welcomed additional information on a variety of issues that were addressed during routine food inspections. The use of this information has the potential to benefit food businesses and hence build a better relationship between proprietors/staff and EHOs.

Following on from an education program begun in 2004 to raise food hygiene awareness within grocery stores, the **Port Adelaide Enfield Council** EHOs carried out 12 unannounced inspections of grocery stores. Attention was given to the display of ready-to-eat potentially hazardous food. They found that seven stores continued to display these foods at room temperature, which was a breach of Food Safety Standards.

Expiation notices were served on all food premises that failed to comply with temperature control requirements. These inspections identified 12 home based manufacturers selling unlabeled ready-to-eat food. Five of these businesses operating from residential premises were within the council's jurisdiction and none had notified council of their activities. Inspections of the manufacturing businesses were conducted and all were advised of the fit out requirements and their obligations under the Food Act. Three businesses with premises unsuitable for operation as a food business ceased manufacture and one food business moved into commercial premises.

The two remaining home based businesses have similar plans. Seven businesses operating from residential premises outside of the council area were referred to neighbouring councils for investigation. Labelling information was provided to each business. Where continuing offences were identified, these cases were referred to the Department of Health for investigation. Environmental Health Officers continue to work in conjunction with four neighbouring councils and information has been forwarded for follow-up.

Appendix 1

Sweet Baked Goods

A survey of the microbiological quality of sweet baked goods

Food Policy and Programs Branch, Public Health

Report compiled by Eleanor Schmedemann

January 2007

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© Department of Health 2007

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Food Policy and Programs Branch

Public Health

Department of Health

Government of South Australia

Sweet Baked Goods

Background to the survey

In the years 2001 to 2005, OzFoodNet recorded 11 outbreaks in Australia associated with the consumption of food from bakeries (Table 1). These 11 outbreaks affected at least 243 people, with 23 (nine per cent) of these people hospitalised and one death.

The median size of the outbreaks was 16 cases (range 5–70). *Salmonella* Typhimurium caused 82 per cent (nine of 11) of outbreaks and 73 per cent (eight of 11) of outbreaks involved cream or custard filled cakes or tarts. Five of the outbreaks were in South Australia.

Table 1 Outbreaks of food borne illness associated with barriers in OzFoodNet Sites 2001–2005

State	Year	Setting food prepared	Ill	Medical	Hospitalised	Died	Food Vehicle	Aetiology	Notes
NSW	2002	Bakery	29	25	4	0	Cream filled cakes	<i>Salmonella</i> Typhimurium 135a	14/22 primary cases ate cream filled cakes. Some people who ate cakes did not get ill.
QLD	2004	Bakery	5	3	0	0	Custard fruit tart	<i>Salmonella</i> Typhimurium 135a	An almond sauce added to fruit tarts which does not undergo any cooking step is the suspected source of infection.
	2005	Bakery	14	–	7	0	Mixed bakery products	<i>Salmonella</i> Typhimurium 197	Soiled and damaged eggs on premises. Trace back of eggs not possible.
SA	2001	Bakery	16	16	3	0	Custard tart & strawberries & jelly glaze	<i>Salmonella</i> Typhimurium 126	9/16 cases statistically linked to bakery. Unable to link other 7 to bakery.
	2002	Bakery	22	20	7	1	Cream & custard filled cakes & buns	<i>Salmonella</i> Typhimurium 99	Statistical evidence. Piping bags in the bakery were reused and used for both sausage meat and cream.
		Bakery	8	2	0	0	Potato meat pie	<i>Clostridium perfringens</i>	Pathogen isolated from pie.
	2003	Bakery	6	6	1	0	Cheesecake	<i>Salmonella</i> Typhimurium 4	Statistical evidence.
2004	Bakery	13	13	–	0	Cream filled cakes	<i>Salmonella</i> Typhimurium 108	Statistical evidence and pathogen isolated from cakes.	
Tas	2004	Bakery	50	9	0	0	Savory & sweet pastries; cakes; cheesecake	<i>Norovirus</i>	Ill food handlers source of infection.
	2005	Bakery	~70	70	–	0	Cream filled & iced cakes	<i>Salmonella</i> Typhimurium 135a	Large outbreak involving two bakeries. Introduction of <i>salmonella</i> into bakery undetermined.
VIC	2002	Bakery	10	10	1	0	Cream filled cakes	<i>Salmonella</i> Typhimurium U290	Statistical evidence.
Total			243	174	23	1			

In October 2005, Tasmania experienced the largest Salmonella outbreak in several years. The outbreak of over 70 cases of *Salmonella Typhimurium* 135a occurred in northern Tasmania in association with contaminated foods prepared by two bakeries. Inspection of the bakery premises identified poor hygiene and significant potential for contamination of food products. Cream and piping bags from the bakery tested positive for *Salmonella Typhimurium* 135a, along with other environmental samples.

The recent outbreak in Tasmania highlights the need for action to reduce the risk of food borne illness arising from poor food preparation practices in bakeries. Bakery-associated outbreaks are often large and serious, as the products allow Salmonella to grow to high concentrations.

Foods prepared in bakeries are at higher risk of contamination due to the nature and handling of bakery products. Some factors leading to contamination are that bakery products are:

- > handled following cooking, that is, to ice or fill products
- > made of ingredients that allow growth of bacteria, such as cream and custard
- > filled using single use piping bags that are reused
- > often left un-refrigerated for long periods of time
- > made in premises where Salmonella contaminated meat and eggs are not properly separated from ready-to-eat products
- > manufactured in non-purpose built premises.

To assist small bakeries producing higher risk products and to minimise the risk of outbreaks, the Department of Health, with the assistance of the food special interest group of the Australian Institute of Environmental Health, has prepared a targeted inspection and education program.

Council Environmental Health Officers (EHOs) were asked to implement this program of inspections in a 12 month period beginning in March 2006, to ensure that safe operating practices are employed and construction standards meet legal requirements. Quarterly reports from councils are being collated to track the results of the inspections.

Previous surveys

ACT Health conducted two surveys into the microbial quality of un-refrigerated desserts. The first survey was conducted in 1997 with a total of 68 samples of various un-refrigerated desserts being collected from 32 different outletsⁱ. The samples were assessed for hygiene quality by the Standard Plate Count (SPC), *E. coli* and coagulase-positive *Staphylococcus aureus* analyses, and for specific food pathogens such as *B. cereus* and *Salmonella* spp.

The SPC, *E. coli* and *B. cereus* results indicated a problem associated with inadequate practices for storing and handling sampled desserts. This problem appeared to be premises specific as detection of pathogens and/or quality indicator organisms was predominantly restricted to multiple samples collected from the same premises.

The follow-up survey in 1999 identified that while the microbial quality of un-refrigerated desserts in the ACT improved they still had the potential to be a risk to the public's health.ⁱⁱ

Department of Human Services Victoria supplied funding to Dunn Son & Stone, Public Analysts, in 2001 to conduct a challenge testing study of custard and cream products with *Bacillus cereus*, Coagulase positive *Staphylococci* and *Escherichia coli* at ambient temperatures to test the 2 hour/4 hour rule introduced by the FSANZ Food Safety Standards (Standard 3.2.2 Food Safety Practices and General Requirements).ⁱⁱⁱ

The study found that over a four hour time period 13 per cent of samples were found to sustain the growth of either: *Bacillus cereus*, Coagulase positive *Staphylococci*, or *Escherichia coli*; and that over an eight hour time period 34.8 per cent of samples sustained bacterial growth. The study concluded that custard and cream based products should conform to the 2/4 hour rule.

The SA Department of Health has conducted two sampling surveys in the last three years. In 2002–2003, 35 sweet baked goods containing custard or cream were sampled and tested for *Salmonella* sp. There were no positive results.

A small survey was performed in July 2003. Eighteen samples were sampled, temperature recorded and tested for SPC, coliforms, yeast, mould, *Listeria* sp., *Salmonella* sp., *Staph. aureus* & *B. cereus*. No *Salmonella* sp., *Staph aureus* or *B. cereus* was detected. One sample had high coliform levels. Approximately 50 per cent of samples had high Standard Plate Counts and approximately 50 per cent of samples had high yeast counts.

Benchmark survey

During the period April to June 2006, the department carried out a benchmark microbiological survey in metropolitan and country areas (the subject of this report). The aim of the survey was to establish the prevalence of pathogens and hygiene indicator organisms in a selection of at risk sweet baked goods and use the data as a measure of bakery hygiene standards prior to full implementation of the targeted inspection program.

Which foods were tested?

There are approximately 500 small bakeries in South Australia that have been identified as potentially fitting the at risk category. This number may be less, as the specific target is manufacturing bakeries.

Using the 1997 ACT survey results as a guide where 30 per cent of samples had unacceptable Standard Plate Count results; to provide 95 per cent confidence, samples needed to be taken from 20 per cent or approximately 100 bakeries. The choice of bakery was based on obtaining a representative sample across rural and urban areas, across traditional bakeries and continental patisserie style bakeries.

Ninety eight bakeries in 26 council areas were visited and two or three samples of sweet pastries with fresh cream or custard fillings and cold set cheesecakes, depending on the product range available on the day, were purchased for microbiological analysis.

The sample consisted of whole product — cream bun, custard tart, similar products containing fresh cream, mock cream or custard. Imitation cream and butter cream containing no milk protein are not considered high risk, as they do not support the growth or toxin production of pathogenic bacteria. Cold set cheesecakes were also sampled and tested, but not baked ones.

What did we test for?

Products were tested for *Salmonella* sp., SPC (Standard Plate Count) coagulase positive *Staphylococcus aureus* and *E. coli* as these bacteria provide an indicator for hygienic food handling practices and cross contamination. The samples were sent to the Institute of Medical and Veterinary Science (IMVS) Food and Environmental Laboratory and Australian Standard methods were used. Results were compared against the acceptability criteria in the FSANZ guidelines for ready to eat food.

Survey results

Assessment of results

There are no mandated microbiological limits for cream or custard filled products in the Food Standards Code.^{iv}

The guidelines for the microbiological examination of ready-to-eat foods^v provided the criteria against which the test results were measured (Table 2).

Table 2

Test	Satisfactory	Marginal	Unsatisfactory/Potentially Hazardous
SPC	<10 ⁶	<10 ⁶ –10 ⁷	≥10 ⁷
<i>E.coli</i> #	<3	3–100	≥100
Coag+staph	<100	100–10,000	≥10,000
<i>Salmonella</i> sp.	Not detected in 25g		Detected

Results Data

There were 290 samples taken from 98 bakeries. There were no detections of *Salmonella* sp. and no unsatisfactory levels of Coagulase positive *Staphylococcus aureus* in any products tested.

There were 41 products with unsatisfactory Standard Plate Counts and two products with unsatisfactory *E. coli* counts. The results have been analysed by product type in Table 3.

Table 3

Product type	No. of samples	Unsatisfactory SPC	Unsatisfactory E coli	Total unsatisfactory
Baked custard tarts	51	0	0	0
Cont. vanilla slice	22	3 (14%)	0	3 (14%)
Soft custard only	12	3 (25%)	0	3 (25%)
Soft custard + fruit	22	3 (14%)	0	3 (14%)
Soft custard + cream	9	1 (11%)	0	1 (11%)
Cream + fruit	26	4 (15%)	1 (4%)	5 (19%)
Cream filling only	128	26 (20%)	1 (1%)	27 (21%)
Cheesecake only	12	0	0	0
Cheesecake + fruit	8	1 (13%)	0	1 (13%)
TOTAL	290	41 (14%)	2 (1%)	43 (15%)

Twenty nine per cent of bakeries had one or more products with unsatisfactory Standard Plate Counts and a further two per cent of bakeries, while having satisfactory SPCs, had unsatisfactory counts of *E. coli*.

- Two bakeries had unsatisfactory counts on all three product samples taken.
- Ten bakeries had unsatisfactory counts on two product samples.
- Eighteen bakeries had unsatisfactory counts on only one product sample.

Discussion of results

Based on the criteria in Table 2, there were no unsatisfactory results obtained for plain baked custard tarts (n = 51) or plain cold set cheesecakes (n = 12).

Plain baked custard tarts have no further ingredients added after cooking. Samples of this product type were taken at both ambient and refrigerated storage and the average Standard Plate Count of 8 000 org/gram appeared to have no significant difference due to storage temperature.

There was some concern before the survey was conducted that the egg based nature of these fillings could be of particular concern, but the results would seem to indicate that the baking temperature required to achieve a proper set of the filling is sufficient to reduce bacterial counts significantly and constitutes a good control step.

The only other product range with comparable results was plain cold set cheesecakes, but the average Standard Plate Count was higher at 525 000 org/gram. These products may be slightly inhibitory to bacterial growth due to lower pH, but caution in interpreting the results is required as it was a fairly small sample and there is no control step to reduce or eliminate bacteria. Refrigerated storage and hygienic handling and preparation are still essential.

All other filling types including compound fillings, eg custard + fruit, had relatively similar rates of unsatisfactory Standard Plate Count at 11–25 per cent (total 14 per cent). The only two products with unsatisfactory *E coli* counts contained cream but it is hard to draw any particular significance from this.

Twelve of the 30 bakeries with one unsatisfactory test result had more than one unsatisfactory test result (40 per cent). Of the other 18, four had other product samples with marginal Standard Plate Counts (a further 13 per cent). This seems to indicate that in over 50 per cent of bakeries unhygienic preparation practices were having an effect on the quality of products across the product range.

It was note worthy that in 82 per cent of bakeries where at least one cream filled product in a bakery had unsatisfactory Standard Plate Counts; other cream products also had unsatisfactory or marginal Standard Plate Counts. Reports from council inspections indicate that there are still considerable issues in the bakery sector regarding reuse, cleaning and sanitisation of piping bags and this statistic seems to confirm that.

Councils were supplied with details of the individual bakeries sampled in their jurisdictions, and the product test results for bakeries with at least one unsatisfactory result. This information can be useful in assisting bakeries to identify areas for improvement in their hygiene practices and was seen as being of assistance to the ongoing targeted program of inspection and education for risk reduction in small bakeries.

Conclusion

The 30 per cent levels of unsatisfactory results are comparable to results obtained from similar surveys in other jurisdictions and highlight the need for the targeted inspection and education program presently underway, in order to address the potential food safety risk from hygiene practice issues suggested by these results.

It is envisaged that in 12 to 18 months time this survey will be repeated, providing an extra indicator for the success or otherwise of the concurrent inspection/education program on the microbiological quality of sweet baked goods in SA.

References

- i [ACT Health — Microbial Quality of Un-refrigerated Desserts 1997](#)
- ii [ACT Health — Microbiological Quality of Un-refrigerated Desserts 1999](#)
- iii [A challenge testing study of Custard & Cream Products](#) Dunn, Son & Stone 2001
- iv [Standard 1.6.1 — Microbiological Limits for Foods](#)
- v [Guidelines for Microbiological examination of Ready to Eat food, FSANZ 2001](#)

Appendix 2

Nutrition Claims

A survey of nutrition claims in South Australia

Food Policy and Programs Branch, Public Health

June 2007

June 2007

A survey of nutrition claims in South Australia

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Food Policy and Programs Branch

Public Health

Department of Health

Government of South Australia

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Background

Nutrition claims on food labels use terms such as 'reduced salt', 'cholesterol free', 'high in dietary fibre', 'good source of calcium' or 'no added sugar'. The claims are intended to provide information to consumers, and to influence consumers to purchase a particular product over one made by a competitor.

Some claims are regulated by the Australia New Zealand Food Standards Code (the Code) or guided by the Code of Practice on Nutrient Claims (CoPoNC), a voluntary guideline produced by Food Standards Australia New Zealand (FSANZ).

In South Australia, the Department of Health (the department) has responsibility for enforcement of compliance with the Code, which is administered under the South Australian *Food Act 2001* (the Act). While consistency with CoPoNC is voluntary, if inconsistency was considered to be misleading to consumers, the department could take enforcement action under Division 2 of the Food Act, which covers offences for misleading conduct relating to the sale of food.

The information gathered from this survey is intended to give an indication of the level of compliance in relation to nutrition claims and to identify any compliance issues that warrant further attention.

It is noted that a survey conducted by the NSW Food Authority¹ found that 51 per cent of products complied with nutrition information panels (not necessarily claims) given a tolerance of 20 per cent. As there is no legislative determination or national agreement on a tolerance for nutrition statements, no tolerance has been applied in this report.

Which foods were tested?

One hundred and fifty samples from the following six categories of food were sampled. The foods surveyed were manufactured in different states and distributed nationally.

- > Biscuits
- > Breakfast cereals
- > Bread
- > Cheese
- > Spreads (that is, butter, margarine and similar)
- > Frozen meals (ready-to-eat).

The categories were chosen on the basis of an examination of foods on display in two major supermarkets, which indicated that these foods were well represented with nutrition claims.

*1 Precision in nutritional information declarations on food labels in Australia. S Fabiansson. *Asia Pac J Clin Nutr* 2006;15(4): 451-458.

Standards and guidelines

Food Standards Code

Division 3 of Standard 1.2.8 (Nutrition Information Requirements) of the Australia New Zealand Food Standards Code (the Code) sets out conditions for making the nutrition claims that concern the following:

- > Polyunsaturated or monounsaturated fatty acid content
- > Omega fatty acid content of foods
- > Low joule
- > Lactose
- > Gluten
- > Salt, sodium or potassium.

To illustrate the conditions that apply, a low joule claim must not be made unless the average energy content of the food is no more than 80 kJ/100 mls for beverages and liquid foods and 170 kJ/100 g for solid or semi-solid foods.

In addition, Standard 1.3.2 (Vitamins and Minerals) of the Code places restrictions on claims that can be made in relation to vitamin and mineral contents. Claims can only be made for foods that are at least 90 per cent 'primary foods' (fruits, vegetables, grains, legumes, meat, milk, eggs, nuts, seeds and fish), or a mixture of primary foods and water, or foods listed in the table in the standard.

Standard 1.3.2 also sets out the minimum amount that can be claimed for vitamins and minerals. The reference quantity of the food (listed) must contain at least 10 per cent of the Recommended Daily Intake (RDI) or the Estimated Safe and Adequate Daily Dietary Intake (ESADDI), as established by Standard 1.1.1 (Preliminary Provisions). Further, if the claim is that a food is a 'good source' of a vitamin or mineral, then it must contain at least 25 per cent of the RDI or ESADDI.

The Code can be found on the FSANZ web site at www.foodstandards.gov.au.

Code of Practice on Nutrient Claims in Food Labels and in Advertisements (CoPoNC)

Not all nutrient claims are regulated by the Code. A voluntary 'Code of Practice on Nutrient Claims in Food Labels and in Advertisement' (CoPoNC) produced in 1995 by the National Food Authority (now FSANZ) provides criteria for the use of additional claims.

CoPoNC details conditions under which claims may be made for the following nutrients: fats, saturated fats, cholesterol, sugars, fibre, salt/sodium, energy, and the use of terms relating to 'per cent free, 'light' or 'lite', 'diet' and comparative claims between different foods.

CoPoNC can be found at www.foodstandards.gov.au.

Testing

Samples were purchased from retail outlets in metropolitan Adelaide and forwarded to the National Measurement Institute in Melbourne for analysis.

Samples were tested to determine compliance with the relevant claim for:

- > Fat
- > Cholesterol
- > Omega 3, 6 and 9 fatty acids
- > Sodium
- > Sugars
- > Vitamins
- > Calcium
- > Iron

Results were examined for compliance with the requirements of the Code or consistency with CoPoNC.

Follow-up

Most product samples were manufactured interstate and the relevant jurisdictions were notified of invalid outcomes. Local manufactures with invalid outcomes were contacted. All agreed to undertake corrective action and no formal regulatory action was required.

Outcomes

Summary of results

Tables 1 to 6 summarise the results for each category of food and Table 7 combines the results for all categories.

Consistent with the approach taken throughout the report, the lightly shaded areas of the tables show claims regulated by the Food Standards Code.

Similarly, the plain areas of the tables show claims defined by CoPoNC.

In the body of the report, for each claim examined, there is an 'outcome' of the examination, which can be reported in the tables as an 'Invalid Claim', or an 'Invalid Result'. An 'Invalid Claim' is one that is prohibited by the Food Standards Code (FSC) or is not approved by CoPoNC. For example, a '95 per cent fat free' claim is invalid, as CoPoNC restricts such claims to foods with no more than three per cent fat. An 'Invalid Result' is not consistent with the claim. For example, five per cent fat in conjunction with a '97 per cent fat free' claim.

In some instances both the FSC and CoPoNC refer to the same nutrient. To simplify presentation of the data the result in such cases is presented against the FSC requirement. The one exception is 'salt', where the FSC refers to 'a claim to the effect that a food is low in salt or sodium', and sets a maximum sodium level of 120 mg/100 g of the food. CoPoNC lists the same requirement but additionally defines 'very low salt/sodium' (no more than 40 mg sodium/100 g) and 'salt/sodium free' (no more than 5 mg sodium/100 g). Accordingly salt claims are recorded in the tables as 'Low Salt', against the FSC, or 'Salt-other', against CoPoNC.

Table 1 Biscuits (19 Products)

Claim	N ^o	Invalid Claim	Invalid Result
Fat	19	3	3
Total	19	3	3

Table 2 Bread (6 Products)

Claim	N ^o	Invalid Claim	Invalid Result
Omega fatty acids	1	0	1
Folate	2	0	0
Thiamin	1	0	0
Niacin	1	0	0
Iron	1	0	0
Fat	4	0	2
Cholesterol	1	0	0
Salt-other	1	0	1
Sugar	3	0	1
Total	15	0	5

Table 3 Breakfast Cereals (28 Products)

Claim	N ^o	Invalid Claim	Invalid Result
Low Salt	5	0	1
Calcium	1	0	0
Folate	1	0	0
Thiamin	2	0	0
Niacin	2	0	0
Iron	1	0	0
Fat	20	1	4
Cholesterol	2	0	0
Salt-other	6	0	1
Sugar	2	0	0
Fibre	2	0	0
Protein	1	0	0
Total	45	1	6

Table 4 Butter and Spreads (21 Products)

Claim	N ^o	Invalid Claim	Invalid Result
Omega fatty acids	2	0	1
Fat	5	0	2
Cholesterol	9	0	1
Salt-other	16	0	2
Total	32	0	6

Table 5 Cheese (18 Products)

Claim	N ^o	Invalid Claim	Invalid Result
Calcium	1	0	0
Fat	18	2	5
Total	19	2	5

Table 6 Frozen Meals (20 Products)

Claim	N ^o	Invalid Claim	Invalid Result
Fat	20	0	3
Total	20	0	3

Table 7 All Foods (112 Products)

Claim	N°	% of Total	Invalid Claim	Invalid Result
Low Salt	5	3%	0	1 (20% of low salt claims)
Omega fatty acids	3	2%	0	2 (67% of Ω fat claims)
Calcium	2	1%	0	0
Iron	3	2%	0	0
Folate	3	2%	0	0
Niacin	3	2%	0	0
Thiamin	2	1%	0	0
<i>Subtotal</i>	<i>21</i>	<i>13%</i>	<i>0</i>	<i>3 (14% of FSC claims)</i>
Fat	86	57%	6 (7% of fat claims)	19 (22% of fat claims)
Cholesterol	12	8%	0	1 (8% of cholesterol claims)
Salt-other	23	15%	0	4 (17% of 'salt-other' claims)
Sugar	5	3%	0	1 (20% of sugar claims)
Fibre	2	1%	0	0
Protein	1	1%	na	na
<i>Subtotal</i>	<i>129</i>	<i>87%</i>	<i>6 (5% of CoPoNC claims)</i>	<i>25 (19% of CoPoNC claims)</i>
Total	150	100%	6	28

Discussion of results

Tables 1–6 show that all foods have invalid outcomes for some of their claims with cheese (7/19 or 37 per cent) having the highest proportion of invalid outcomes and breakfast cereals (7/45 or 15 per cent) the lowest.

Table 7 identifies that fat and, to a lesser extent, salt and cholesterol were the predominant claims, making 126 of the 150 claims (84 per cent). With the exception of sugar, no other claim occurs more than three times.

Fat, salt, cholesterol and sugar are negative nutrition indicators, which suggests that food manufacturers may see consumers as more interested in reducing their consumption of 'bad' food components, rather than seeking to increase the consumption of 'good' components. Because of the low number of claims for many of the nutrients, it is difficult to ascribe a high proportion of invalid outcomes to any one nutrient listed in Table 7, with the exception of fat. All the invalid claims relate to fat, as do 22 per cent of the invalid results.

Table 7 further shows that the proportion of invalid results regulated by the FSC (14 per cent) is lower than the proportion of invalid results set by CoPoNC (19 per cent).

As the large majority of invalid outcomes (23/32) are for fat claims, these are listed separately in Table 8.

Table 8 Invalid Outcome: Fat

Claim	Valid?	Result	Valid?
<i>Biscuits</i>			
50% less fat	✓	48% less fat	✗
50% less fat	✓	49% less fat	✗
94% fat free	✗	93.8% fat free	✗
95% fat free	✗	96% fat free	✓
96% fat free	✗	97% fat free	✓
<i>Bread</i>			
Fat free ($\leq 0.15\%$)	✓	2.2% fat	✗
97% fat free	✓	96% fat free	✗
<i>Breakfast Cereals</i>			
97% fat free	✓	95% fat free	✗
95% fat free	✗	96% fat free	✓
98% fat free	✓	97% fat free	✗
98% fat free	✓	97% fat free	✗
Low fat ($\leq 3\%$)	✓	3.9% fat	✗
<i>Butter and Spreads</i>			
25% less fat	✓	16% less fat	✗
Fat reduced (25% less fat)	✓	18% less fat	✗
<i>Cheese</i>			
25% less fat	✓	23% less fat	✗
25% less fat	✓	20% less fat	✗
30% less fat	✓	27% less fat	✗
30% less fat	✓	29% less fat	✗
37% less fat	✓	36% less fat	✗
93% fat free	✗	94% fat free	✓
80% less fat than butter (cream cheese)	✗ (Not comparable claim)	82% less fat	✓
<i>Frozen Meals</i>			
97% fat free	✓	96% fat free	✗
97% fat free	✓	96% fat free	✗
97% fat free	✓	95% fat free	✗

All six invalid claims relate to CoPoNC, with five of these to the requirement that 'per cent fat free' claims are not applied to products with more than three per cent fat. The sixth invalid claim compares the fat content of cream cheese with butter and spreads. While CoPoNC says that such claims can be made for 'foods which may substitute for one another in the diet', the Department of Health considers that cream cheese is not generally regarded as a substitute for conventional fat-based spreads.

Invalid outcomes for components other than fat are listed in Table 9 below.

Table 9 Invalid Outcomes: other-than-Fat

Claim	Valid?	Result	Valid?
<i>Bread</i>			
Omega-3*	✓	low levels	✗
Salt free (≤5mg Na/100g)	✓	51mg Na/100g	✗
Sugar free (≤0.2g/100g)	✓	12.3g/100g	✗
<i>Breakfast Cereals</i>			
Low salt (≤120mg Na/100g)	✓	190mg Na/100g	✗
<i>Butter and Spreads</i>			
Omega-3 & 9*	✓	low levels	✗
Cholesterol (≤3mg/100g)	✓	3.5mg/100g	✗
Salt free (≤5mg Na /100g)	✓	8mg Na/100g	✗
Salt free (≤5mg Na /100g)	✓	8mg Na/100g	✗

* See following discussion for more detail on claim requirements.

The bread 'sugar free' claim apparently does not take account of sugar in fruit ingredients. On investigation, it was found that the manufacturer of this product had ceased trading.

The bread omega-3 claim falls well short of the requirement for no less than 200 mg of alpha-linolenic acid(ALA)/reference quantity (result = 45 mg) or 30mg eicosa pentaenoic(EPA) acid plus docosahexaenoic acid(DHA)/reference quantity (result = 3 mg). Similarly the spread omega-3 claim was well short of the requirement for ALA (result=77 mg) or EPA+DHA (result = <30 gm) and the corresponding omega-9 claim (result = 38.9 per cent of fatty acids) was just short of the required 40 per cent of fatty acids. The extent of the invalidity of the omega-3 results is of concern, as the two manufacturers are major companies that would be expected to have adequate controls in place. The testing methodologies for omega-3 fatty acids may need to be further considered.

Conclusions

Frequency of Claims by Type

The majority of the 150 claims referred to fat (57 per cent), salt (18 per cent), cholesterol (eight per cent) and sugar (three per cent).

Claims for omega fatty acids, calcium, iron, folate, niacin, thiamin, fibre and protein, each ranged from one-to-two per cent of the total number of claims.

This evidence suggests that industry is more concerned with highlighting low levels of 'unhealthy' components of foods on labels, than 'healthy' components.

CoPoNC versus FSC Claims

The majority (87 per cent) of the 150 claims relate to the CoPoNC guidelines rather than to claims regulated by the FSC (13 per cent). It is difficult to conclude that industry favours working to unregulated guidelines based on this data. It may be that the CoPoNC guidelines deal with issues that industry considers to be of more importance to consumers and the high number of fat claims (86), which aren't covered by the FSC, substantially skews the percentages in favour of CoPoNC claims.

Invalid Claims

Invalid claims are confined to fat — and five of the six invalid claims are 'per cent fat free' claims — which are limited by CoPoNC to products with no more than three per cent fat. Products with 'per cent fat free' claims, claimed as much as seven per cent fat.

Invalid Results

Twenty eight, or 19 per cent of all results, were invalid with 19 of them relating to fat. Substantial discrepancies in two of the three claims for omega-3 fatty acids are particularly noted, which is consistent with the NSW Food Authority report quoted in the Background section, which identifies large discrepancies with mono, poly and trans unsaturated fats.

Claims on Biscuits

Biscuit Type	Claim	FSC Claim OK?	CoPoNC Claim OK?	Result/100g	FSC Result OK?	CoPoNC Result OK?
Choc Chip cookies-1	50% less fat ²⁰	na	✓	9.6g against 18.4g choc fudge cookies	na	✗ (48% less)
Choc Chip cookies-2	50% less fat ²⁰	na	✓	9.7g against 20.8g reg cookies	na	✓
Choc Chip cookies-3	Reduced fat ¹	na	✓	14.8g against 20.8g reg cookies	na	✓
Raspberry Tartlets	Reduced fat ¹	na	✓	8.0g against 17.6g reg leading brand	na	✓
Sponge Fingers	94% Fat free	na	✗ (>3% fat)	6.2g	na	✗ (93.8% fat free)
Puffed Crispbread	98% Fat free	na	✓	1.9g	na	✓
Wholemeal Crispbread	97% Fat free	na	✓	3.8g	na	✓
Crispbread	98% Fat free	na	✓	3.5g	na	✓
High Fibre Crispbread	98% Fat free	na	✓	2.0g	na	✓
Thin Crispbread	98% Fat free	na	✓	1.9g	na	✓
Original Crispbread	98% Fat free	na	✓	1.6g	na	✓
Rice Crackers-1	97% Fat free	na	✓	2.4g	na	✓
Rice Crackers-2	95% Fat free	na	✗ (>3% fat)	3.8g	na	✓
Crackers-1	50% less fat ²⁰	na	✓	13.1g against 25.5g std crackers	na	✗ (49% less)
Crackers-2	97% Fat free	na	✓	2.6g	na	✓
Crackers-3	97% Fat free	na	✓	2.7g	na	✓
Crackers-4	98% Fat free	na	✓	1.9g	na	✓
Cracker Bread	96% Fat free	na	✗ (>3% fat)	3.4g	na	✓
Rye Crackers	97% Fat free	na	✓	<1g	na	✓

1 CoPoNC: No more than 75% fat and at least 3g/100g less fat than reference food.
 20 CoPoNC: Consistent with claim and at least 3g/100g less fat than reference food.

Claims on Bread

Type	Claim	FSC Claim OK?	CoPoNC Claim OK?	Result/100g	FSC Result OK?	CoPoNC Result OK?
Oat bran & honey	Folate ²	✓	✓	487µg	✓	✓
	Cholesterol free ³	na	✓	2.8mg	na	✓
White	Omega-3 ⁴	✓	na	sfa+tfa=0.44% of food ala=45mg/serve(50g) epa+dha=3mg/serve(50g)	✗ ⁴	na
	No sugar ⁵	na	✓	<0.1g	na	✓
	97% fat free ⁵	na	✓	2.7g	na	✓
With Folate	Iron ⁶ ≥25%RDI	✓	na	60mg/ref quantity (50g)	✓	na
	Folate ² ≥25%RDI	✓	na	138µg/ref quantity (50g)	✓	na
	Thiamin ⁷ ≥25%RDI	✓	na	0.21mg/ref quantity (50g)	✓	na
	Niacin ⁸ ≥25%RDI	✓	na	6mg/ref quantity (50g)	✓	na
Fruit Loaf	97% fat free	na	✓	4.4g	na	✗ (96% fat free)
	No added sugar ⁹	na	✓	2.8g	na	? ⁹
Health Loaf with Fruit	Fat free ¹⁰	na	✓	2.2g	na	✗
	Salt free ¹¹	na	✓	51mg sodium	na	✗
	Sugar free ⁵	na	✓	12.3g sugars	na	✗
White Spelt	No added fat ⁹	na	✓	1.4g	na	? ⁹

2 FSC: folate RDI=200µg. Max claim=50%RDI/reference quantity.
 3 CoPoNC: Less than 3mg/100g.
 4 Saturated+trans fatty acids no more than 28% of total fatty acids; or Saturated+trans fatty acids no more than 5% of food; and No less than 200mg alpha-linolenic acid per serving; or 30mg eicosapentaenoic acid+docosahexaenoic acid per serving; and Source of omega 3 fatty acids must be declared.
 5 CoPoNC: 0.2g sugars/100g.
 6 FSC: iron RDA=12mg. Max claim=25% RDI/reference quantity.
 7 FSC: thiamin RDA=1.1mg. Max claim=50%RDI/reference quantity.
 8 FRC: niacin RDA=10mg. Max claim=25%RDI/reference quantity.
 9 Couldn't assess 'no added' claim by analysis.
 10 CoPoNC: 0.15g fat/100g.
 11 CoPoNC: No more than 5mg Na/100g (12.7mg salt/100g).

Claims on Breakfast Cereals

Type	Claim	FSC Claim OK?	CoPoNC Claim OK?	Result/100g	FSC Result OK?	CoPoNC Result OK?
Bran with Soy & Linseed	95% fat free	na	X (>3% fat)	4g	na	✓
	Cholesterol free ³	na	✓	<1mg	na	✓
Corn Flakes	99% fat free	na	✓	0.8g	na	✓
Wheat Biscuit	No added salt ²³	na	✓	12mg sodium	na	✓
	No added sugar	na	✓	<0.1g	na	✓
Muesli-type-1	97% fat free	na	✓	2.2g	na	✓
Quick Cooking Oats	No added sugar	na	✓	<0.1g	na	✓
Cooking Oats	Low salt ¹²	✓	✓	12mg sodium	✓	✓
	Low fat ¹³	na	✓	1.5g	na	✓
Muesli-type-2	97% fat free	na	✓	5.1g	na	X (95% fat free)
Fruit and Bran Cereals and Fruit	98% fat free	na	✓	1.9g	na	✓
	Low fat ¹³	na	✓	2g	na	✓
Puffed Wheat	98% fat free	na	✓	1.7g	na	✓
	No added salt	na	✓	31mg sodium	na	✓
Toasted Grains and Cereals	97% fat free	na	✓	2.4g	na	✓
	High fibre ¹⁴	na	✓	8.9g	na	✓
Cereal with "Energy"	Calcium ¹⁵ ≥10%RDI	✓	na	117mg/ref quantity (30g)	✓	na
	Thiamin ⁷ ≥10%RDI	✓	na	0.1mg/ref quantity (30g)	✓	na
	Niacin ⁸ ≥10%RDI	✓	na	0.4mg/ref quantity (30g)	✓	na
Wholegrain Cereal	98% fat free	na	✓	2.5g	na	X (97.5% fat free)
	Low salt ¹²	✓	✓	118mg sodium	✓	✓
Muesli-type with Fruits-1	No added salt	na	✓	20mg	na	✓
	No added fat ⁹	na	✓	7.1g	na	? ⁹
Oat Porridge-1	No added fat	na	✓	6.6g	na	? ⁹
Extruded Cereal-1	No added salt	na	✓	28mg Na	na	✓
	Low salt ¹²	✓	✓	190mg Na	X	X
Rice Flakes	50% folate RDI ²	✓	✓	200mg/50g serving	✓	✓
	25% iron RDI ¹⁶	✓	na	50mg/ref quantity(50g)	✓	na
	25% niacin RDI ⁸	✓	na	4.9mg/ref quantity(50g)	✓	na
Oats Porridge-2	No added salt	na	✓	not detected	na	✓
Bran	Low fat ¹³	na	✓	3.9g	na	X

Claims on Breakfast Cereals (cont)

Type	Claim	FSC Claim OK?	CoPoNC Claim OK?	Result/100g	FSC Result OK?	CoPoNC Result OK?
Cereal with malt/chocolate	Low fat ¹³	na	✓	3.1g	na	✓
	High protein ¹³	na	na	23.5g	na	na
Wholegrain Wheat Biscuit	98% fat free	na	✓	2.5g	na	X (97.5% fat free)
	High fibre ¹⁴	na	✓	8.0g	na	✓
Toasted Nut Cereals	Low fat ¹³	na	✓	1.5g	na	✓
	Low fat ¹³	na	✓	1.5g	na	✓
Nut and Fruit Muesli	Low salt ¹²	✓	✓	43mg sodium	✓	✓
	Low fat ¹³	na	✓	3g	na	✓
Wheat Flakes	Low fat ¹³	na	✓	3g	na	✓
	No added fat	na	✓	6.7g	na	? ⁹
Muesli-type with Fruits-2	No added salt ²³	na	✓	23mg sodium	na	✓
	Cholesterol free ³	na	✓	not detected	na	✓
Grains and Fruit	Low salt ¹²	✓	✓	23mg sodium	-	-
	Low fat ¹³	na	✓	2.2g	na	✓
Extruded Cereal-2	Source of Iron (10% RDI) ¹⁶	✓	na	2.3mg/ref quantity (30g)	na	✓

2 FSC: folate RDI=200µg. Max claim=50%RDI/serve.
 3 CoPoNC: Less than 3mg/100g.
 7 Thiamin RDA=1.1mg. Max claim=50%RDI/reference quantity.
 8 Niacin RDA=10mg. Max claim=25%RDI/reference quantity.
 9 Could not assess 'no added' claim by analysis.
 12 FSC & CoPoNC: ≤120mg sodium/100g.
 13 CoPoNC: ≤3% fat.
 14 CoPoNC: ≤3g fibre/serving.
 15 FSC: calcium RDI = 800mg/serve. Max claim = 25% RDI/reference quantity.
 16 FSC: iron RDI = 12mg/serve. Max claim = 25% RDI/reference quantity.
 17 Protein is not addressed by CoPoNC.
 23 Low levels of sodium (equate to 0.06% salt maximum in the three products with claims) not proof of salt addition.

Claims on Butter and Spreads

Type	Claim	FSC Claim OK?	CoPoNC Claim OK?	Result/100g	FSC Result OK?	CoPoNC Result OK?
Spread-1	Cholesterol free ³	na	✓	2.1mg	na	✓
Milk-free Spread	Salt reduced ¹⁸	na	✓	338mg Na against 790mg (regular product)	na	✓
	Cholesterol free ³	na	✓	2.0 mg	na	✓
Spread-2	Salt reduced ¹⁸	✓	✓	382mg Na against 790mg (regular product)	✓	✓
Butter-1	Unsalted ¹⁹	✓	✓	16mg	✓	✓
Butter-2	Unsalted ¹⁹	✓	✓	16mg	✓	✓
Margarine	Salt reduced ¹⁸	✓	✓	374mg Na against 590mg (regular product)	✓	✓
	Cholesterol free ³	na	✓	3.5mg	na	✗
Butter-3	Salt reduced ¹⁸	na	✓	314mg Na against 695mg (regular product)	✓	✓
Spread-3	Salt reduced ¹⁸	✓	✓	275mg Na against 640mg (regular product)		
Spread -4	25% less fat ²⁰	na	✓	59.3g against 70g (regular product)	na	✗ (15% less)
Spread-5	Reduced fat ¹	na	✓	44.7g against 70g (regular product)	✓	✓
	Cholesterol free ³	na	✓	2.4mg	na	✓
	Salt free ¹¹	na	✓	8mg	✓	✗
Spread-6	Cholesterol free ³	na	✓	1mg	na	✓
Spread-7	Salt reduced ¹⁸	✓	✓	380mg Na against 790mg (regular product)	✓	✓
	Omega 3 ⁴	✓	✓	sfa+tfa=24.6%; ala=529mg/serve(10g)	✓	✓
Milk-free Spread	Cholesterol free ³	na	✓	<1mg	na	✓
	Salt free ¹¹	✓	✓	8mg	✓	✗
Canola Spread-1	Salt reduced ¹⁸	✓	✓	354mg Na against 790mg (regular product)	✓	✓
	Fat reduced ¹	na	✓	57.7g against 70g (regular product)	✓	✗ (82% of regular)
Canola Spread-2	Salt reduced ¹⁸	✓	✓	433mg Na against 790mg (regular product)	✓	✓
	Cholesterol free ³	na	✓	2.8mg	na	✓
Canola Spread-3	Salt reduced ¹⁸	✓	✓	390mg Na against 790mg (regular product)	✓	✓
	Cholesterol free ³	na	✓	2.7mg	na	✓
	37% less fat ²⁰	na	✓	46.6g against 70g regular product	✓	✓

Claims on Butter and Spreads (cont)

Type	Claim	FSC Claim OK?	CoPoNC Claim OK?	Result/100g	FSC Result OK?	CoPoNC Result OK?
Spread-1	Cholesterol free ³	na	✓	2.1 mg	na	✓
Milk-free Spread	Salt reduced ¹⁸	na	✓	338mg Na against 790mg (regular product)	na	✓
	Cholesterol free ³	na	✓	2.0 mg	na	✓
Spread-8	Salt reduced ¹⁸	✓	✓	433mg Na against 790mg (regular product)	✓	✓
Butter-based Spread	Less salt ²¹	✓	✓	173mg Na against 480mg (regular product)	✓	✓
Dairy Spread	Salt reduced ¹⁸	✓	✓	295mg Na against 570mg regular product	✓	✓
Light Spread	50% less fat ²¹	na	✓	37.8g against 81g regular product	na	✓
Spread with Omega 3, 6, 9	Reference to omega fatty acids ⁴	✓	na	Ω-3: sfa+tfa=16.3% of fa; ala = 77mg/serve (10g); epa+dha:<30mg /serve (10g). Ω-6: 42.7% of fa Ω-9: 38.9% of fa	X (Ω-3/Ω-9) ⁴	na
	Cholesterol free ³	na		2.5mg	na	✓

- 1 CoPoNC: No more than 75% fat and at least 3g/100g less fat than reference food.
- 3 CoPoNC: Less than 3mg cholesterol/100g.
- 4 Omega 3: Saturated+trans fatty acids no more than 28% of total fatty acids; or No more than 5% saturated+trans fatty acids; and No less than 200mg alpha-linolenic acid per serving; or 30mg eicosapentaenoic acid+docosahexaenoic acid per serving; and Source of omega 3 fatty acids must be declared.
Omega 6 & 9: Saturated+trans fatty acids no more than 28% of total fatty acids; and fatty acid content of the named fatty acid is no less than 40% of the fatty acids.
- 11 CoPoNC: No more than 5mg sodium/100g.
- 18 CoPoNC: No more than 75% sodium than the reference food; and At least 90mg/100g less sodium than the reference food.
- 19 CoPoNC: No more than 5 mg sodium/100g.
- 20 CoPoNC: Consistent with claim and at least 3g/100g less fat than reference food.
- 21 CoPoNC does not provide for a "Less Salt" claim, though it has been assessed as "Reduced Salt" 18.

Claims on Cheese*

Type	Claim	FSC Claim OK?	CoPoNC Claim OK?	Result/100g	FSC Result OK?	CoPoNC Result OK?
Light Cheddar-1	25% reduced fat ¹	na	✓	24.2g against 36g regular cheddar	na	✓
Light Cheddar Singles	25% less fat ¹	na	✓	16.9g against 21.1g regular cheddar	na	✗ (20% less)
Greek Style Feta	Reduced fat ¹	na	✓	16.9g against 28.2g regular fetta	na	✓
Spape	93% fat free High calcium ²²	na ✓	✗ (>3% fat) na	6.1g 940mg	na ✓	✓ na
Light Cheddar-2	25% less fat	na	✓	25.5g against 33.3g regular cheddar	na	✗ (23% less)
Low Fat Cottage-1	97% fat free	na	✓	1.8g	na	✓
Cottage	Low fat ¹³	na	✓	1.8g	na	✓
Lite Cheddar-3	30% less fat	na	✓	23.4g against 36.8g regular cheddar	na	✓
Feta	Reduced fat ¹	na	✓	15.1g against 24.1g regular fetta	na	✓
Extra Lite Slices	60% reduced fat	na	✓	9.6g against 24.1g regular cheese	na	✓
Light Cheddar-4	30% less fat	na	✓	23.8g against 32.8g regular cheddar	na	✗ (27% less)
Grated Cheddar	30% less fat	na	✓	23.3g against 32.8g regular cheddar	na	✗ (29% less)
Light Mozzarella	35% less fat	na	✓	11.3g against 25.5g regular mozzarella	na	✓
Light Cheddar-5	50% less fat	na	✓	11.3g against 32.8g regular cheddar	na	✓
Cream Cheese	80% less fat	na	✗ (Not comparative claim ²³)	14.5g against butter (80g in FSC)/margarine	na	✓
Cheddar Sticks	37% less fat ²⁰	na	✓	21.2g against 33.3g regular cheddar	na	✗ (36% less)
Light Cheddar-6	25% reduced fat	na	✓	23.4g against 33.3g regular cheddar	na	✓
Single Slices	97% fat free	na	✓	2.4g	na	✓

1 CoPoNC: No more than 75% fat and at least 3g/100g less fat than reference food.
 13 CoPoNC: ≤3% fat.
 22 FSC: ≥800mg/100g.
 20 CoPoNC: Consistent with claim and at least 3g/100g less fat than reference food.
 23 CoPoNC: Only foods that can substitute for one another in the diet can be compared.
 * CoPoNC states that the terms 'light' are 'lite' must comply with a corresponding 'reduced' or 'low' claim.

Claims on Frozen Meals

Food	Claim	FSC Claim OK?	CoPoNC Claim OK?	Result/100g	FSC Result OK?	CoPoNC Result OK?
Vegetable lasagne	98% fat free	na	✓	1.2g	na	✓
Lasagne	97% fat free	na	✓	2.9g	na	✓
Sundried Tomato Chicken Pasta	97% fat free	na	✓	2.5g	na	✓
Honey Soy Fish	97% fat free	na	✓	1.4g	na	✓
Satay Beef	97% fat free	na	✓	1.4g	na	✓
Beef Ravioli	97% fat free	na	✓	3.7g	na	✗ (96% fat free)
Chicken Korma with Rice	97% fat free	na	✓	2.9g	na	✓
Chicken in Plum Sauce	97% fat free	na	✓	2.0g	na	✓
Ravioli	Less than 3% fat	na	✓	2.4g	na	✓
Fish Dinner	97% fat free	na	✓	2.1g	na	✓
Chicken Fettucini	98% fat free	na	✓	1.9g	na	✓
Chicken in Mustard Sauce	97% fat free	na	✓	2.3g	na	✓
Salmon with Pasta	97% fat free	na	✓	2.2g	na	✓
Green Chicken Curry	Less than 2% fat	na	✓	2.4g	na	✓
Beef Lasagne	97% fat free	na	✓	4.2g	na	✗ (96% fat free)
Thai Red Beef Curry	97% fat free	na	✓	5.1g	na	✗ (95% fat free)
Fettuccini with Pesto Sauce	97% fat free	na	✓	2.6g	na	✓
Beef Lasagne	97% fat free	na	✓	3.4g	na	✓
Beef Lasagne with Tomato	97% fat free	na	✓	2.3g	na	✓
Chicken Tikka Masala	98% fat free	na	✓	1.6g	na	✓

Appendix 3

Food Standards Snapshots

Food Policy and Programs Branch

Report compiled by Garry Clarke, Environmental Health Officer

04/05/2007

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Food Policy and Programs Branch

Public Health

Department of Health

Government of South Australia

Mince Meat and Sausage Survey

A survey to investigate the compliance rate of mince meat and sausages with the Australia & New Zealand Food Standards Code

Background to the survey

Prior to 2002 the sampling and testing for sulphur dioxide in mince meat and the fat content in sausages formed part of the Implementation and Enforcement Sections official food sampling program. This particular survey was to identify the level of compliance with the Australia New Zealand Food Standards Code (the Code) that now exists. Overall a total of 221 mince meat and sausage samples were taken from a variety of small and larger retail outlets. A high proportion of the businesses sampled manufactured their own mince and sausages.

Standards

Standard 2.2.1 of the Code provides that sausage must contain:

- (a) no less than 500 g/kg of fat free meat flesh
- (b) the proportion of fat in sausage must be no more than 500 g/kg of the fat free meat flesh content.

Standard 1.3.1 permits a maximum of 500 mg/kg of sulphur dioxide preservative in sausages.

The addition of sulphur dioxide preservative to mince meat is not permitted by the Code. Sulphur dioxide has been linked to severe asthma attacks in an estimated 10 per cent of asthma sufferers and as such its use may be harmful to consumers.

Which foods were tested?

Only mince labelled as mince meat was sampled to avoid any confusion with the definition of mince meat in the Code. Products such as barbecue mince or sausage mince were not included because of the possibility that they did not fit the definition of minced meat. In total 83 mince meat samples from 14 metropolitan and 16 regional council areas were taken and assessed for compliance with the Food Standards Code.

In all, seven different types of mince meat were selected and tested as illustrated in Table 1.

The second part of the survey involved the collection of 138 sausage samples. These were collected from the same 14 metropolitan and 16 regional council areas as the mince meat samples. In all, 12 different types of sausages were selected and tested as illustrated in Table 2.

What did we test for?

All samples were sent to the National Measurement Institute (NMI) in Melbourne for analysis. Mince meat samples were analysed for the presence of any sulphur dioxide.

The composition of sausages was also tested to determine compliance with the maximum level of sulphur dioxide, fat free meat content and the fat content.

Results

The mince and sausages sampled and their results are set out in the tables below.

Table 1 Mince Meat Mince Meat Samples — Sulphur Dioxide Analysis

Product	Sample Numbers	Test	Compliance	Non-Compliance	Percentage Failure
Topside	33	Sulphur dioxide	33	Nil	Nil
Plain beef	38	Sulphur dioxide	37	1	2.6%
Slimmers	5	Sulphur dioxide	5	Nil	Nil
Pork	2	Sulphur dioxide	2	Nil	Nil
Chicken	3	Sulphur dioxide	3	Nil	Nil
Beef/lamb	1	Sulphur dioxide	1	Nil	Nil
Turkey	1	Sulphur dioxide	1	Nil	Nil
Total	83		82	1	1.2%

Table 2 Sausages Sausage Samples — Fat Free Meat, Fat and SO2 Analysis

Sausage Type	Sample Numbers	Test	Compliance	Non-Compliance	Percentage Failure
Country	14	Fat free meat	14	0	0
		Fat	14	0	0
		Sulphur dioxide	10	4	28%
Plain	16	Fat free meat	16	0	0
		Fat	15	1	6%
		Sulphur dioxide	13	3	19%
BBQ	16	Fat free meat	16	0	0
		Fat	16	0	0
		Sulphur dioxide	12	4	25%
Chicken	22	Fat free meat	22	0	0
		Fat	22	0	0
		Sulphur dioxide	20	2	9%
Pork	18	Fat free meat	16	2	11%
		Fat	18	0	0
		Sulphur dioxide	14	4	22%
Beef	18	Fat free meat	18	0	0
		Fat	18	0	0
		Sulphur dioxide	13	5	28%
Turkey	3	Fat free meat	3	0	0
		Fat	3	0	0
		Sulphur dioxide	3	0	0
Slimmers	2	Fat free meat	2	0	0
		Fat	2	0	0
		Sulphur dioxide	2	0	0
Continental	4	Fat free meat	4	0	0
		Fat	4	0	0
		Sulphur dioxide	3	1	25%
Bratwurst	2	Fat free meat	2	0	0
		Fat	2	0	0
		Sulphur dioxide	1	1	50%
Gourmet/Herb	12	Fat free meat	12	0	0
		Fat	12	0	0
		Sulphur dioxide	10	2	16%
Italian/Aust/Mexican	11	Fat free meat	11	0	0
		Fat	11	0	0
		Sulphur dioxide	10	1	9%
Total	138	-	93%	7%	-

Summary of sausage test results

Type of Test	Sample Numbers	Failures	Percentage Failures
Fat free meat	138	2	1.4%
Sulphur dioxide	138	36	26%
Fat content	138	1	<1%

Discussion of results

The survey results for mince meat show a high level of compliance, with only one of 83 samples collected recording the presence of sulphur dioxide preservative.

The analysis of sausages shows a high level of compliance with the standard for the meat and fat content prescribed in the Code. One sample of the 138 samples tested exceeded the level of fat and two samples did not contain the required level of meat.

The survey did not show the same high level of compliance with the standard for sulphur dioxide in sausages. Twenty-six per cent of samples contained sulphur dioxide in excess of the 500 mg/kg permitted by Standard 1.3.1. Complying with the permitted level of preservative requires attention to the weight of meat and the measured addition of the appropriate amount of preservative. While some of the samples were minor breaches, this level of non-compliance indicates some butchers are not maintaining effective control over the manufacturing process.

Follow-up compliance action

A warning letter has been sent to all businesses from which samples were taken, giving them a copy of the test results and advising of the penalties for non-compliance.

Follow-up sampling of products that had breached the standards was carried out and showed no further breach of standards.

Meat processors including retail butchers are required to be accredited under the *Primary Produce (Food Safety Schemes) Act 2004* and are subject to audits by the Meat Hygiene Unit of Primary Industries and Resources SA. The results of the survey were provided to the Meat Hygiene Unit.

The Meat Hygiene Unit has sent a circular to meat processors informing them of the survey and the need to monitor their production processes to ensure compliance with the standards. The Meat Hygiene Unit will be reviewing management of production processes during future audits.

Conclusion

The fact that there was only one instance of mince meat failure indicates a high level of compliance in the meat processing industry. However, the presence of sulphur dioxide in any sample is a potential risk to someone with an allergy who expects the mince to be free of preservative.

Of the sausages tested, 26 per cent failed to meet the maximum permitted level for sulphur dioxide. This indicates that manufacturing processes need to be monitored more closely by accredited processors to ensure compliance.

The Department of Health will program sampling of mince and sausages in the 2006–07 reporting period and will prosecute for failure to meet the standards.