

## **Submission to the Agriculture and Food Policy Reference Group from Food Standards Australia New Zealand July 2005**

The role of Food Standards Australia New Zealand (FSANZ) is to protect the health and safety of people in Australia and New Zealand through the maintenance of a safe food supply. FSANZ is a partnership between ten Governments: the Commonwealth; Australian States and Territories; and New Zealand. It is a statutory authority under Commonwealth law and is an independent, expert body.

FSANZ is responsible for developing, varying and reviewing standards and for developing codes of conduct with industry for food available in Australia and New Zealand covering labelling, composition and contaminants. In Australia, FSANZ also develops food standards for food safety, maximum residue limits, primary production and processing and carries out a range of other functions under the *Food Standards Australia New Zealand Act 1991* including the coordination of national food surveillance and recall systems, conducting research and assessing policies about imported food.

FSANZ is submitting comments in relation to Section 4 - Domestic markets in response to the following issues:

- *What significant changes in domestic and export markets, with respect to labelling and product traceability, are likely? Are the systems currently in place or under development likely to be sufficiently responsive to future consumer requirements for quality assurance, audit and product information? Should industry responses to such demands be left to businesses (individually or collectively) or is there a role for government here?*

Australia enjoys a high level of food safety protection. However, like many other nations, we face the challenge of continually improving food safety and reducing food-borne illness. Globally, food-borne illness is a growing public health problem because of the increasing global trade in food, changes in the way food is produced and changes in consumer requirements. These changing patterns cause new challenges in the way food safety is managed.

In 1997 the Commonwealth, State and Territory Governments agreed to a comprehensive review that examined the regulatory burden on businesses and the clarity and efficiency of food regulatory arrangements. The resultant Blair Report recommended a national 'paddock-to-plate' approach to food regulation to protect public health and safety.

The Council of Australian Governments (COAG) Senior Officials Working Group on Food Regulation (SOWG), formed in 1999, recommended that all existing domestic food standards, including standards that cover primary production and processing, be combined to produce a single set of national standards consistent with internationally recognised Codex Alimentarius Commission<sup>1</sup> ('Codex') standards. The development of the national 'paddock-to-plate' standards is the responsibility of FSANZ and aims to:

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<sup>1</sup> The Codex Alimentarius is the international body whose purpose is protecting the health of consumers, ensuring fair trade practices in the food trade, and promoting coordination of all food standards work undertaken by international governmental and non-governmental organizations. The Codex Alimentarius commission

- ensure that food safety is addressed across the entire food chain;
- provide nationally consistent standards that will set a benchmark for industry obligations to produce safe food;
- provide minimum impost on industry to achieve the most effective food safety outcomes;
- harmonise with international standards; and
- increase public confidence in the safety of food products.

The development of the primary production and processing standards take into account COAG's Principles and Guidelines for National Standards Setting and Regulatory Action by Ministerial Councils and Standard-Setting Bodies (1997) and the Office of Regulation Review's Guide to Regulation (1998). These additional guidelines ensure that standards protect public health and safety and result in the development of minimum effective regulation.

### **Introduction of traceability requirements for primary products**

The Food Standards Code contains labelling requirements for identification and tracing food to facilitate retrieval of unsafe or unsuitable food from the market place. Certain sectors of the food industry (wholesalers, manufacturers and importers) are required to have recall systems in place but the obligation does not extend to traceability/product tracing. However, traceability/product tracing is being considered in the development of primary production standards on a sector by sector basis for example, under the recently introduced Primary Production and Processing Standard for Seafood, seafood businesses are required to maintain records to enable seafood to be traced one step forward and one step back. The standard specifies that this is for food safety purposes only i.e. it is only for purposes where it is justifiable to protect consumers' health.

A traceability requirement is justified to ensure effective targeted recalls with minimal disruption of the market place and to facilitate investigations of foodborne illness. Businesses will need to comply with the standard by May 2007 and it applies to both domestic and imported seafood. It is likely that traceability for food safety purposes will be required for other sectors as whole-of-chain standards are developed initially for dairy, meat, poultry, and eggs sectors.

The traceability requirement is an example of food safety regulation that allows flexibility and choice as to how each business can comply, as the requirement does not prescribe the type of records businesses must keep.

***• How can food safety, labelling and other consumer requirements best be achieved in ways that minimise the need for regulation, encourage investment in the sector, and allow maximum flexibility and innovation in product***

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develops food standards, guidelines and related texts such as codes of practice under the Joint FAO/WHO Food Standards Programme.

### *manufacture and marketing?*

Food standards are one risk management option and can include prohibitions, restrictions, maximum limits of contamination or residues and labelling requirements. Other risk management measures include advice to specific at-risk populations, co-regulatory measures such as guidelines and codes of practice and general advice to the community. Various steps can be taken to safeguard consumers against identified foodborne hazards, including regulatory and non-regulatory measures. The decision as to what risk management measure is developed takes into account factors such as:

- What is likely to be the most effective measure for the particular target group i.e. whole population compared with a sub-group;
- The severity of the hazard;
- Economic and social acceptability; and
- Technical feasibility.

Labelling differs from some other regulatory controls as it places some responsibility and choice directly with the consumer regarding the implementation of the safety measures. Labelling is used as a risk management measure where there is reasonable certainty that consumers will know how to use the information provided to avert a serious public health and safety risk (e.g. allergen warnings). Labelling is also often used when there is a need to target a particular subgroup of the population (e.g. consumer with an allergy), rather than the whole population.

Education is another risk management (and risk communication) tool. Any regulatory action taken to achieve a specific objective may need to be supported by an education initiative. One of FSANZ's functions, in cooperation with the Australian states and territories and New Zealand, is to help develop food education initiatives, including the publication of information to increase public awareness of food standards and food labels. This could include information targeted to specific sub-populations of the community (e.g. allergen sufferers, vulnerable populations etc). Education raises awareness and increases comprehension of food regulations, making them more effective, and thereby making the food supply safer. FSANZ has limited capacity if it works unilaterally in this area.

- *What is the appropriate role for government in resolving the above issues and in relation to the efficient operation of the manufacturing, distribution and retail parts of the food supply chain?*

### **Achieving consistency in regulation**

Government has a role in providing guidance on the interpretation of food safety standards to assist consistent enforcement and to aid businesses to understand their obligations. In this role, for example, FSANZ has followed its practice of producing guides to standards by producing an interpretative guide to the Primary Production and Processing Standard for Seafood.

Also, Government should:

- pursue an active role in the Codex Committee on Food Hygiene to ensure that standards applying to agricultural commodities do not restrict or prevent safe

Australian practices e.g. the role taken in developing the Code of Hygienic Practice for Eggs and Egg products;

- base domestic standards on Codex general hygienic principles to promote consistency internationally;
- work across agencies to ensure national auditing programs, auditor competency, national training schemes etc to assist exporters and interstate trading;
- work with industry to make best use of industry schemes and compliance with existing codes of practice; and
- work with Standards Australia on industry developed standards to promote consistency with government regulation e.g. the draft ISO 22000 Food safety management systems.