

Food safety programs for vulnerable persons

Food Act 2006

This fact sheet provides general information on food safety programs for food businesses licensed under the *Food Act 2006* (the Act) as part of the operations of a private hospital licensed under the *Private Health Facilities Act 1999* or as a prescribed food business.

Do I need a food safety program?

Under the Act, certain licensable food businesses in Queensland must have a food safety program accredited by their local government. This includes a food business carried on as part of the operations of a private hospital and food businesses prescribed under the *Food Regulation 2006* (the Regulation). There are significant penalties for not having an accredited food safety program.

In relation to vulnerable populations, the Act states that the following licensable food businesses must have an accredited food safety program:

1. A food business carried on as part of the operations of a private hospital licensed under the *Private Health Facilities Act 1999*.

Example:

The kitchen facilities in and operated by, a private hospital prepare food for service to those in the hospitals care.

In relation to vulnerable populations, the Regulation prescribes that the following licensable food businesses must have an accredited food safety program:

2. A relevant facility that processes potentially hazardous food for at least six persons in the facility's care at a time.

Example:

A 55 place child care centre provides long day care to pre-school children and provides lunches and morning and afternoon tea to the children. The food is processed in the centre's kitchen and includes potentially hazardous food.

3. A relevant facility that serves potentially hazardous food to at least six persons in the facility's care at a time.

Example:

A residential aged care facility that serves meals prepared by an off-site supplier to persons in its care.

4. A ready-to-eat food business processing ready-to-eat food that—
 - a) includes potentially hazardous food; and
 - b) is for service to at least six persons at a time.

Example:

A cook-chill facility that processes ready-to-eat potentially hazardous food for service to patients in several aged care facilities and a regional hospital.

5. A food business whose principal activity is processing ready-to-eat food for delivery by a delivered meals organisation if the food –
 - a) includes potentially hazardous food; and
 - b) is for delivery to at least six persons at a time.

Note: a delivered meals organisation that **only delivers** food is not required to have an accredited food safety program.

Example:

A Meals on Wheels branch that cooks meals for delivery to frail or aged persons.

A small business that prepares meals for distribution by a delivered meals organisation as their principal activity. The delivered meals organisation collects the meals daily before lunchtime and delivers the meals to its clients (8- 10 people).

A **ready-to-eat food business** means a food business whose principal activity is processing ready-to-eat food for service in another facility that is –

1. a relevant facility; or
2. a private hospital; or
3. a public sector hospital.

A **relevant facility** means any of the following –

1. an aged care facility
2. a facility that provides care, including palliative care, to persons with a terminal illness
3. a day hospital licensed under the *Private Health Facilities Act 1999*, part 6, that provides haemodialysis or cytotoxic infusion health services
4. a centre based service licensed under the *Child Care Act 2002*, part 2, other than a school age care service under that Act
5. an approved education and care service under the Education and Care Services National Law (Queensland), other than—
 - a) a family day care service under that Law; or
 - b) an education and care service under that Law providing education and care primarily to children who attend school in the preparatory year or a higher year

What is a food safety program?

A food safety program is a documented system that identifies the food safety hazards in the handling of food in a food business and details the ways the hazards will be controlled in that business.

Why develop a food safety program?

The introduction of food safety programs for certain sectors of the food industry was part of the national food reform process which aimed to reduce the incidence of food-borne illness, reduce the regulatory burden on the food industry and provide consistent food regulation and standards across Australia.

The National Risk Validation Report published in 2002 identified:

- the incidence of food-borne illness attributed to various food industry sectors.
- the most cost effective method to reduce the incidence of food-borne illness.
- the overall cost benefit of implementing food safety programs.

The report identified food service to vulnerable populations, as one of five high risk industry sectors in which food safety programs would reduce the incidence of food-borne illness.

What are the benefits of a food safety program?

A food safety program is a documented system for managing parameters linked to food safety. If developed and followed properly, a food safety program helps to ensure food for sale is safe. A food safety program can also help a food business manage their operations better through improved record keeping and cost control. An appropriate and well implemented food safety program can also help a food business demonstrate that all due diligence was exercised in the preparation and sale of food.

What must a food safety program contain?

A food safety program must:

- systematically identify the food safety hazards that are reasonably likely to occur in food handling operations of the food business, and
- identify where, in a food handling operation of the food business, each hazard identified can be controlled and the means of control, and
- provide for the systematic monitoring of the means of control, and
- provide for appropriate corrective action to be taken when a hazard identified is not under control, and
- provide for the regular review of the program to ensure it is appropriate for the food business, and
- provide for the keeping of appropriate records for the food business, including records about action taken to ensure the business is carried on in compliance with the program, and
- contain other information, relating to the control of food safety hazards, prescribed under a regulation.

How do I develop a food safety program?

There are various food safety program templates available to help food businesses develop a food safety program that is tailored to the food business. The Department of Health has released a number of food safety program templates that are available at www.health.qld.gov.au. However, a food business is able to use any food safety program template to develop a food safety program, provided the completed program meets the criteria outlined above.

How do I get my food safety program accredited?

The local government that issues a food business's licence is responsible for accrediting the food safety program for the food business. Contact details for local governments can be found in the White Pages or at www.dilgp.qld.gov.au/local-government-directory.

What happens after my food safety program is accredited?

The licensee of a food business with an accredited food safety program must comply with the program in carrying on the food business.

A copy of the accredited food safety program must be kept at the premises of the food business and be kept available for inspection by employees in the food business.

The first compliance audit must be conducted by an auditor approved under the Act within six months of accreditation of the food safety program.

Audits must then be undertaken at the frequency specified by the local government that accredited the food safety program.

How do I find an auditor?

The Queensland Department of Health keeps a register of auditors approved under the Act at www.health.qld.gov.au. The register contains the name and contact details of the auditor, the conditions of the auditor's approval and the term of the approval.

For further information on finding and selecting an auditor, refer to Food Safety Fact Sheet 25 – *Choosing an approved auditor*.

If you have any questions or concerns about an auditor, contact Food Safety Standards and Regulation on phone (07) 3328 9310 or email foodsafety@health.qld.gov.au.

What happens after an audit?

Within 14 days after completing an audit, an auditor is required to provide a copy of the audit report to the food business and the local government that accredited the food safety program. The auditor will identify any non-compliances (instances where the food business does not comply with the accredited food safety program or the food safety standards).

If non-compliances are very serious and could result in unsafe food, the auditor is required to refer the issue to the local government that accredited the food safety program within 24 hours. The local government may take further action.

For further information

The Queensland Department of Health has a variety of fact sheets with detailed information on food safety. Food Safety Fact Sheets 22 to 26 provide further information on food safety programs. Fact sheets can be accessed at www.health.qld.gov.au.

If you have any further questions relating to whether your food business is a licensable food business or if the food safety program provisions relate to your food business, contact the local government for the area where your food business is located. Contact details can be found in the White Pages or at www.dilgp.qld.gov.au/local-government-directory/.