



Making Food Safety Your Business Information for Class 1 Food Premises

What do changes to the Food Act mean for your premises?

The Food Act 1984 regulates the sale of food for human consumption. From 1 July 2010, a new state-wide food premises classification system and changed regulatory requirements will apply to food premises operating in Victoria.

As a result of the Food Act changes, councils are responsible for reclassifying every food premises within their municipalities according to their food safety risk. You have received this information flyer because your food premises has been classified as a class 1 using the Department of Health's new *Food business classification tool*. The tool is on the department's website if you would like more information about the new classification system.

What is a class 1 food premises?

Class 1 food premises are those that predominantly handle potentially hazardous food that is served to vulnerable groups, such as in hospitals, child care centres providing long day care, and aged care facilities such as nursing homes and hostels. Food premises that were class 1 under the previous regulatory system remain class 1.

What requirements apply to class 1 food premises?

Class 1 has been designed to be nationally consistent. It reflects the fact that the frail aged, the seriously ill and the very young are more vulnerable to the severe consequences of food poisoning. This risk is greatest in settings where meals are routinely provided exclusively for these groups. For this reason, existing key regulatory requirements for these facilities have been retained.

Your food premises must:

- ensure that food that is sold or prepared for sale is safe to eat
- continue to register annually with the council
- be inspected by the council when first registered or when registration is transferred to a new proprietor
- have a food safety program which is tailored specifically for the food premises (an "independent" or "non-standard" program)
- keep a copy of the food safety program on site
- have a food safety supervisor with the necessary skills and accredited training (except in the circumstances set out below for Quality Assurance (QA) food safety programs)
- undergo two mandatory compliance checks each year, that is:
 - a council assessment of the premises and food safety program compliance
 - an audit of the food safety program by a Department of Health approved auditor to determine adequacy and compliance.

What are the main changes for class 1 food premises from 1 July 2010?

Audits:

- You can choose to have audits of your tailored food safety program conducted by an auditor approved by the Department of Health. That audit can – as at present – be conducted by an independent private auditor, or – if the local council offers audit services – by a council auditor
- You no longer have to provide your premises' statutory audit certificate to council – this will be the responsibility of the auditor
- You should retain full audit reports for four years after they are prepared by the auditor (so that the report can be provided to the council, if the council requests it).

Food safety programs – no change at present:

- At present, you must continue to have a tailored food safety program.

Food Safety Programs – in future:

- **Templates:** The Act allows food safety program templates to be registered by the Department of Health for different types of class 1 premises. This may be easier for class 1s, without compromising safety. These facilities would be able to complete a template document rather than arrange for a program to be written specifically for their food handling. It would also simplify the compliance checking process.

As this is a new initiative, no such templates have yet been developed or registered with the Department of Health. Detailed work is required to ensure that any template that is developed is suitable to address the risks associated with the vulnerable persons who are supplied food by the facility. Further information will be provided when any templates are registered.

This will build on the current practice where some premises have a food safety program that is used in their sector that is adapted from a registered template.

- **QA system:** The Act allows the Department of Health to formally declare QA systems or codes under which a tailored food safety program for a premises can be developed. A QA system or code will have to be sufficient to ensure that any programs developed under it adequately assess all food safety risks. As this is a new process it will take time for QA systems to be assessed and declared, if satisfactory. Information about any

relevant QA systems or codes will be made available after the systems are declared under the Act.

QA systems tend to include requirements about training. To avoid duplication of training requirements, a food premises will not need to have a food safety supervisor if it has a food safety program prepared under a declared QA system, and if the program includes competency based or accredited staff training.

Further information about these changes will be provided when templates are registered or QA systems are declared in the future.

What are the overall benefits of the changes?

The amendments to the Food Act maintain Victoria's high level of food safety and enable food regulation in Victoria to work as a 'system'. The changes:

- match the level of regulation to the risks in premises' food handling activities
- manage risks more consistently across municipalities, with a greater focus on businesses that may not comply with the law
- establish a foundation for allowing greater flexibility for class 1 premises.

Free online food handler learning program

To help maintain safe food handling practices, the Department of Health has also made available for your food premises and staff the 'Do Food Safely' program, a free online food handling learning program. (This course is designed to improve basic knowledge of food safety).

**This information sheet explains the recent changes to Victoria's Food Act.
The national Food Standards Code continues to apply to food premises
and is not affected by changes to the Act.**

More information about the Food Act reforms can be accessed on the Department of Health website:

<http://www.health.vic.gov.au/foodsafety/>

or by contacting the Health Unit of your local council:

<http://www.localgovernment.vic.gov.au/>

A free online (non-accredited) food safety learning program can be accessed at:

<http://dofoodsafely.health.vic.gov.au/>