



A Guide to the Operational Requirements for Food Premises

Health Services Information Package

www.swan.wa.gov.au

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Introduction

The purpose of this guideline is to provide information in an easy to read format to assist food business proprietors meet their obligations under legislation when operating or running a food premises. It is designed to cover the operational requirements. Structural aspects of a food business operation are addressed in a separate City document A Guide to the Structural Requirements for Food Premises.

Operational requirements are covered by the Food Standards Code. They include such issues as temperature control, food storage, food handling and preparation, cleaning, waste disposal, maintenance, personal hygiene and pest control. The practices of the food business to meet these requirements will be dependant on the type of food handling activities undertaken within the premises.

How a food business meets their obligations is largely up to them. However some businesses find the use of checklists particularly useful and some examples have been included in this guide. Operators of food businesses are free to use or modify the checklists to suit their particular operation should they wish.

Legislation

All food businesses within the City must comply with the requirements of the following legislation;

- *Food Act 2008* (available from the State Law Publisher at www.slp.wa.gov.au)
- *Food Regulations 2009* (available from the State Law Publisher www.slp.wa.gov.au)
- *Australia New Zealand Food Standards Code* (available from FSANZ www.foodstandards.gov.au)

Approval Requirements

Despite no longer requiring a specific approval from the City's Health Services to operate, approval may still be required from the City's Building Services or Planning Services. For further information on the approval process refer to the City document A Guide to the Structural Requirements for Food Premises. Food business proprietors must also either Register with the local authority or if they are an exempt business, have provided Notification to the local authority prior to operating. Operating a food business before undertaking this action is an offence under the Act.

To meet this obligation the food business proprietor can submit one of the relevant forms below which are available on the City's website at www.swan.wa.gov.au;

- Notification Form for an Exempt Food Business
- New Food Business Registration Form
- Change of Ownership Form for an Existing Food Business

Where a Registration Form or Change of Ownership form is received a new Registration Certificate will be issued to the new proprietor.

Design Objectives

Your Food Premises should be operated with the following aims;

- To only prepare safe and suitable food
- To protect food from contamination
- To adhere to all other process requirements

Operational Requirements

The following information has been taken from the requirements of the *Australia New Zealand Food Standards Code*, Standard 3.2.2 - Food Safety Practices and General Requirements. It is provided as a summarised guide and Food Proprietors should refer to the Code directly for specific details. The Performance Criteria is what is required in the standard and the acceptable solution is what the City considers appropriate. In relation to acceptable solutions this is a guide only. Different solutions (other than those listed) may also be acceptable depending on the specific nature of the food business or as new technology emerges. If you are unsure whether what is being proposed will be deemed an acceptable solution please contact the City's Health Services on 9267 9153.

Skills and Knowledge

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 2 Clause 3	<p>A food business must ensure persons undertaking food handling operations have:</p> <ul style="list-style-type: none"> Skills in food safety and hygiene matters Knowledge of food safety and food hygiene matters <p>commensurate with their work activities.</p>	<p>Skill: Your staff and their supervisors must be able to do their work in ways that ensure that your business produces safe food.</p> <p>Knowledge: Your staff and their supervisors must know about issues associated with food safety and safe food handling practices that are relevant to your business and the jobs they do for you.</p> <p>It is recommended that all staff undertake the free food safety online training 'I'm Alert' available at www.swan.wa.gov.au</p>

Notification

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 2 Clause 4	<p>A food business must, before the food business commences any food handling operations, notify the City of Swan of business information.</p>	<p>A food business proprietor is required to submit one of the following forms prior to operating;</p> <ul style="list-style-type: none"> Notification Form for an Exempt Food Business New Food Business Registration Form Change of Ownership Form for an Existing Food Business

Food Receipt

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 3 Clause 5	<p>A food business must take all practicable measures to ensure it only accepts food that is protected from the likelihood of contamination, can be traced back to its source and if it is a potentially hazardous food is at an appropriate temperature.</p>	<p>The actions required to meet this requirement will depend on the type of food being received. A simple visual inspection may be sufficient for some foods whilst for others it may be necessary to take a temperature check.</p> <p>Food should be protected from contamination during transport and potentially hazardous food should be at the correct temperature ie either above 60°C or below 5°C. If the food is intended to be frozen it should be so when received. Premises may wish to record the information in a receipt log thereby demonstrating it has complied with this requirement.</p> <p>Suitable arrangements should also be made with suppliers so that they deliver at appropriate times or have necessary access to deliver food so that it is not left out unattended.</p> <p>If you suspect the food is damaged or is not at the correct temperature you should not accept it.</p>

Food Storage

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 3 Clause 6	A food business must store food in a way that it is protected from contamination and where it will not be adversely affected. Potentially hazardous food must be stored under temperature control. Food intended to be frozen shall be stored as such.	Food should be protected from potential sources of contamination. Food should be kept covered in suitable food grade storage containers. Food storage areas such as fridge, freezer, cool room and dry stores should be kept clean and pest free. Potentially hazardous food is required to be either above 60°C or below 5°C or is frozen if intended to be so. Cooked food should be stored above raw food.

Food Processing

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 3 Clause 7	A food business must take all practicable measures to process only safe and suitable food and prevent the likelihood of contamination. Processing steps needed to reduce to safe levels any pathogens should be properly undertaken. Where pathogen reduction steps are not undertaken, ensure that the time potentially hazardous food is out of temperature control is minimised. When cooling potentially hazardous cooked food ensure that within two hours the temperature goes from 60°C to 21°C and within a further four hours from 21°C to below 5°C	Food should be protected from potential sources of contamination during processing. Pathogen reduction steps, such as cooking, should be properly undertaken so they have the desired effect eg correct time and temperature. Ensure the processing or preparation time for foods not being cooked is kept as short as possible to prevent bacterial growth. If not being immediately consumed return potentially hazardous food to temperature control as soon as practicable. Cool food to below 5°C as soon as possible. Use a thermometer to ensure the required timeframes are being met. If needed divide food into smaller portions or shallow containers to chill food quickly.

Food Display

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 3 Clause 8	A food business must when displaying food, take all practicable measures to protect the food from the likelihood of contamination. When displaying unpackaged ready to eat food for self service, ensure that it is properly supervised, has separate serving utensils for each food and that there are protective barriers that minimise contamination by customers. When displaying potentially hazardous food ensure it is under correct temperature control.	Food should be protected from potential sources of contamination during display. They should be adequately covered and potentially hazardous foods should be above 60°C or below 5°C. Self serve foods should be monitored closely by staff and any contamination removed immediately. Sneeze guards and other barriers should also be in place to prevent customer contamination.

Food Packaging

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 3 Clause 9	A food business must when packaging food only use materials fit for use and that are not likely to cause contamination. The packaging process should also not result in contamination.	Ensure all packaging material remains clean and uncontaminated. When sourcing materials ensure the supplier certifies the material as being food grade material and safe to use. Process risks should be controlled to prevent contamination during the packaging step eg some food manufacturers with automated production lines use metal detectors to verify no contamination has occurred.

Food Transportation

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 3 Clause 10	A food business must when transporting food protect it from the likelihood of contamination. When transporting potentially hazardous food ensure it is under temperature control.	When transporting food from one location to another the food should be covered in suitable food grade containers. Potentially hazardous foods should be below 5°C or above 60°C. Frozen food should remain frozen.

Food Disposal

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 3 Clause 11	A food business must ensure that food for disposal is held and kept separate until it is destroyed or disposed of, returned to its supplier, further processed to be safe and suitable or ascertained to be safe and suitable. Food for disposal must be clearly identified as such and kept separate from other food. Food returned by a customer can not be sold to another person unless the food was completely wrapped when served and has remained completely wrapped	Food for disposal means food that is subject to a recall, has been returned, is not safe or suitable or is suspected of not being safe or suitable. Food for disposal must be kept separate from other food so it is not accidentally sold. An examples of reprocessing to make suitable would be relabelling. Products may be held pending further analysis and can be released if test results indicate product is safe. Products which have been opened and returned by a customer cannot be resold.

Food Recall

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 3 Clause 12	A food business engaged in the wholesale supply, manufacture or importation of food must have a documented recall system in place for unsafe food.	Manufacturers, wholesalers and importers are required to have a documented recall system which they can follow to retrieve products from their customers and other food businesses. Retail food business are not required to have a recall system.

Health and Hygiene Requirements – Duties of Food Handlers

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
<p>FSS 3.2.2 Division 4 Clause 13, 14 and 15</p>	<p>A food handler must take all reasonable measures not to handle food or surfaces likely to come into contact with food in a way that is likely to compromise the safety and suitability of food</p> <p>A food handler who knows or has symptoms that indicates they may be suffering from a food – borne disease report this to their supervisor and not engage in any handling of food where there is a reasonable likelihood of food contamination.</p> <p>A food handler must notify their supervisor if the food handler knows or suspects that they may have contaminated food whilst handling it.</p>	<p>A food handler must, when engaging in any food handling operation;</p> <ul style="list-style-type: none"> • Take all practicable measures to ensure his or her body, anything from his or her body and anything he or she is wearing does not contaminate food or surfaces likely to come into contact with food • Take all practicable measures to prevent unnecessary contact with ready to eat food • Ensure outer clothing is of a level of cleanliness that is appropriate for that handling food that is being conducted • Only use on exposed parts of his body bandages and dressings that are completely covered with a waterproofed covering • Not eat over unprotected food or surfaces likely to come into contact with food • Not sneeze , blow or cough over unprotected food or surfaces likely to come into contact with food • Not spit, smoke or use tobacco or similar preparations in areas in which food is handled • Not urinate or defecate except in toilet <p>A food handler must wash his or her hands;</p> <ul style="list-style-type: none"> • Whenever they are likely to be a source of contamination • Before commencing or recommencing handling of food • Immediately after smoking, coughing, sneezing, using a handkerchief or disposable tissue, eating, drinking or using tobacco or similar substances • After touching his or her hair,scalp or a body opening <p>Food handlers must tell their work supervisor if they have any of the following symptoms while they are at work - vomiting, diarrhoea, a fever or a sore throat with a fever. The only exception to this is if the food handler knows that they have these symptoms for a different reason. For example, a food handler may be vomiting at work because of pregnancy.</p> <p>The food handler must also report any suspected contamination, for example, jewelry worn by a food handler may have fallen into food.</p>

Health and Hygiene Requirements – Duties of Food Businesses

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 4 Clause 16, 17 and 18	<p>A food business must ensure that persons suffering or suspected of suffering a food borne disease do not handle food.</p> <p>Maintain for the use of staff accessible hand wash facilities with a supply of warm water, soap and single use towels or other approved means for hand drying.</p> <p>A food business must ensure all food handlers are aware of their responsibilities and do not contaminate food.</p>	<p>Food handlers suffering symptoms or who have reported to their supervisor symptoms suspected of being from a food borne disease should be excluded from food handling activities.</p> <p>Hand wash basins are to be used for handwash purposes only and kept free of obstructions. The use of tea towels or similar to dry hands is not permitted.</p> <p>New staff should be properly inducted so they are aware of their responsibilities to not contaminate food and report issues to their supervisor.</p>

Cleanliness

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 5 Clause 19	<p>A food business must maintain all fixtures, fittings and equipment, having regard to its use, and those parts of vehicles that are used to transport food, to a standard of cleanliness where there is no accumulation of food waste, dirt, grease or other visible matter.</p>	<p>A food business must be regularly cleaned to prevent possible contamination and harborage of pests. Depending of the food handling processes different cleaning activities will be required at different frequencies. Some actions are ongoing whereas some may be daily, weekly or even monthly. Some food businesses use a cleaning record sheet to ensure staff undertake the required tasks. An example is provided later in this document.</p>

Cleaning and Sanitising of Specific Equipment

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 5 Clause 20	<p>A food business must ensure the following equipment is in a 'clean and sanitary' condition in the circumstances set out below;</p> <ul style="list-style-type: none"> Eating and drinking utensils- immediately before each use Food contact surfaces of equipment that may lead to contamination 	<p>'Clean and sanitary' condition means, in relation to a surface or utensil, the condition of a surface or utensil where it is clean and has had applied to it heat and/or chemicals, or other processes, so that the number of micro organisms on the surface or utensil has been reduced.</p> <p>Cleaning requires the use of a detergent. Sanitising require the use of a sanitiser. Some products contain both and businesses should check the product label.</p>

Maintenance

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 5 Clause 21	<p>A food business must maintain food premises, fixtures, fittings, equipment and those parts of vehicles that are used to transport food, in a good state of repair and working order.</p> <p>A food business must not use any chipped, broken or cracked eating or drinking utensils for handling food.</p>	<p>Ensure that kitchen or food preparation area is always maintained and fixtures, fittings and equipment are replaced or repaired when needed. In general they should be maintained to a similar standard as when they were new.</p>

Temperature Measuring Device

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 5 Clause 22	A food business where potentially hazardous food is handled must have a temperature measuring device that is readily accessible and can accurately measure the temperature of potentially hazardous food $\pm 1^{\circ}\text{C}$.	A simple probe thermometer is the easiest and cheapest way of satisfying this requirement. However infra red thermometers can also be used or some businesses have a combination of both. Thermometers should be regularly calibrated to ensure they are working accurately and all staff should know where they are located and how to use them.

Single Use Items

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 5 Clause 23	In relation to single use items that are intended to come into contact with food or the mouth of a person a food business must take all practicable measures to protect them from the likelihood of contamination until use	A typical example of this is lids or covers on straw dispensers.

Animals and Pests

Relevant Standard	Performance Criteria	Examples of Acceptable Solutions
FSS 3.2.2 Division 5 Clause 24	<p>A food business must not permit live animals in areas in which food is handled, other than fish, shellfish or other seafood or an assistance animal which is permitted in the dining and drinking areas used by customers only.</p> <p>Food businesses must take all practicable measure to prevent pests entering the food premise and eradicate and prevent their harbourage.</p>	<p>Live animals other than those intended to become food should not be permitted in the kitchen or other food handling areas.</p> <p>Assistance animals as referred to in the Disability Discrimination Act 1992 are permitted within the dining areas used by customers.</p> <p>A food premises should be adequately screened to prevent pests entering the premises. Doors should be kept closed or other alternatives such as fly strips or air curtains used.</p> <p>A regular pest control program should also be undertaken on a regular basis to eradicate any pests such as cockroaches and rodents. Bug zappers can also be used to eradicate any flying insects which do make it into the food premises.</p>

Cleaning Record Checklist

The following checklist has been created as template guide only and food business are free to use and modify it as they desire to fit their specific circumstances. Electronic copies are available from the City.

Responsibilities of Food Business Proprietor

It is the responsibility of the Food Business Proprietor to ensure the food business complies with the Act. The City's role is a safeguard that this is happening. Where non compliance is observed, the City can take enforcement action as required.

Enforcement Action

Where issues of non compliance are identified the City has a range of enforcement options open to it. These include but are not limited to issuing Improvement Notices, issuing Infringement Notices, seizing equipment or food products or undertaking a prosecution.

The action taken by the City will depend on the severity of the offence, the risk to the public and the history of the food business with regards to past non compliance issues. The amount of penalty for an infringement notices is set in legislation and is usually \$1000 per offence. The amount of penalty for a prosecution is determined by the magistrate and may be up to \$250 000. In addition a business found guilty via a prosecution may also be liable to cover the City's legal costs and will have the details published on the Department of Health's Publication of Names of Offenders List.

Skills and Knowledge

A food business must ensure all food handlers have skills and knowledge commensurate with their work activities. To assist food businesses meet this requirement the City provides free food safety training via an online learning program called 'I'm Alert'. This is available on the City's website at www.swan.wa.gov.au. Upon completion of the training course a certificate can be printed out verifying the person has completed the course.

Further Information

Additional information, including fact sheets and guidelines on food handling and food safety, may be found on the following websites;

- Department of Health – www.public.health.wa.gov.au
- Food Standards Australia New Zealand – www.foodstandards.gov.au
- City of Swan – www.swan.wa.gov.au
- Australia Standards (SAI Global) - www.saiglobal.com

Should you have any queries regarding any of the above, please do not hesitate to contact the City of Swan's Health Services on 9267 9153.