



Module 2: Food safety legislation and your responsibilities



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Learning objectives

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At the end of 'Module 2 - Food safety legislation and your responsibilities' you will be able to:

1

Summarise the key requirements of The Food Act 1981

2

Describe the key legal obligations for food businesses and food handlers

3

Explain the role of each level of regulatory body



4

Describe the role of a Food Safety Supervisor

5

Summarise the requirements of a Food Safety Program

6

Explain the consequences of breaching the legislation

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Overview of key legislation

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The Food Act 1981:

Forms the basis for all legislation and regulations for food safety across Australia

Key requirements covering:

- the food premises and vehicles
- food appliances
- food hygiene
- the protection of food and appliances from contamination
- packaging and labelling
- conveyance of food
- meat and meat premises
- sampling and analysis.



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Food Handling CERTIFICATE



Overview of key legislation

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Key obligations for food businesses

- Train staff on personal hygiene and food handling techniques
- Ensure a copy of the relevant state Food Act is accessible to food handlers
- Ensure all procedures are documented in a log book
- Buy from reliable suppliers
- Ensure all equipment meets required temperatures for use
- Use correct cleaning procedures
- Control and provide proper storage areas
- Control pests and vermin in the property
- Ensure all premises are designed and built to meet all legal requirements
- Report all incidences of food contamination or poisoning to the relevant authority and implement preventative measures.



Key obligations for food handlers

- 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
- Follow all workplace hygiene policies, procedures and training to prevent food contamination and ensure food is safe
- Report any food hazards, unsafe practices or personal health issues immediately.



Most states also have a compulsory requirement that food businesses implement a Food Safety Program, carried out by a designated Food Safety Supervisor.



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Overview of key regulatory bodies

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Click each level in the pyramid to find out more about each level of regulatory body.



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Overview of key regulatory bodies

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Click each level in the pyramid to find out more about each level of regulatory body.



Established by the Food Standards Australia New Zealand Act 1991.

Role of the **FSANZ**:

- develop the **Food Standards Code** in Australia that must be adhered to by all food businesses across the whole of the food supply chain
 - Chapter 3: Food Safety Standards apply to you
- co-ordinate the **recall** of foods which pose a risk to the public
- introduce national food safety **legislation**.

We will explore the requirements of the **Food Standards Code** for food **businesses** and **food handlers** further.



[Food Standards Australia and New Zealand website](#)

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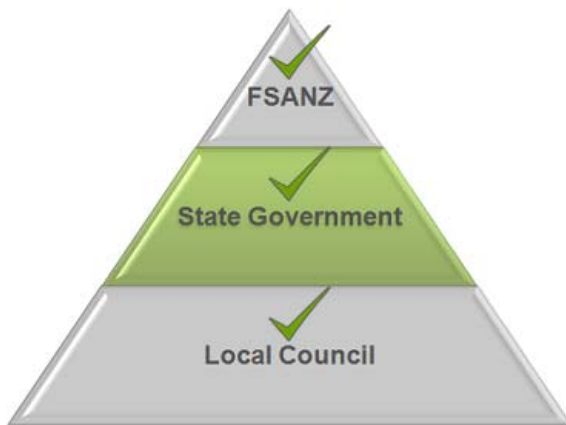


Overview of key regulatory bodies

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Click each level in the pyramid to find out more about each level of regulatory body.



Role of the **State Health Department** to:

- enforce the requirements of the Food Standards Code
- maintain food hygiene standards in crown facilities
- manage consumer complaints
- investigate allegations of foodborne illness
- provide information and advice
- facilitate and action food recalls
- conduct inspections on labelling a

Please click each category
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Overview of key regulatory bodies

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Click each level in the pyramid to find out more about each level of regulatory body.



Each Local Council will use their relevant **Environmental Health Services**. Their role is to:

- enforce the food safety regulations
- licence and register food businesses
- conduct routine inspections
- follow up on complaints from the public
- provide an advisory role to local businesses and other regulatory authorities
- prosecute breaches of food safety

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Food Handler and Employer Responsibilities

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Not handle food or food surfaces in a way that is likely to
compromise safety

Specific responsibilities relating to health
and hygiene

Ensure food handlers do not handle food if there is a possibility
of contamination

Maintain easily accessible handwashing facilities

Ensure food handlers have appropriate skills
and knowledge

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Food Safety Supervisor

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A designated person in your workplace responsible for upholding the **Food Safety Program** and following the **legislation and regulations**.

Their **main role** is to:

- map production flows for a variety of menu items
- have a broad understanding of the legislation, regulations, food standards and industry codes
- incorporate the principles of Hazard Analysis Critical Control Points or HACCP within the workplace
- determine training needs for employees to implement the Food Safety Program.



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Food Safety Program

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PURPOSE:

Identify food **hazards** and **document** procedures and critical points in the process where **control** is needed, to ensure food is safely produced and sold.

A FOOD SAFETY PROGRAM MUST:

- systematically identify the potential hazards
- identify where, in a food handling operation, each hazard identified can be controlled and how
- provide for the systematic monitoring of the controls
- provide for appropriate corrective actions when a hazard is found not to be under control
- provide for the regular review of the program by the food business to ensure its adequacy
- provide for appropriate records to be made and kept by the food business demonstrating action taken in relation to, or in compliance with, the Food Safety Program.

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Auditing the Food Safety Program

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A food business **must**:

-  ensure that the Food Safety Program is audited by a Food Safety Auditor
-  create a documented Food Safety Program
-  keep records demonstrating compliance / non-compliance
-  retain copies of the audit reports



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Consequences of breaching legislation

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Compliance with the legislation, regulations and Food Safety Standards is **mandatory** for **all food businesses**.

Financial Penalties

- On-the-spot fines
- Prosecution in court



- Consequences of not meeting your obligations are not limited to money
- Suffer damage to your **reputation**
 - Prosecution
 - 'Name and shame' websites
 - Negative news articles
- **Closure** of your food business

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Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



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Food Handling CERTIFICATE



Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



Queensland

- QLD - Food Act 2006
- QLD - Food Regulation 2006
- QLD - Food Production (Safety) Act 2000
- QLD - Food Production (Safety) Regulation 2002

Under the legislation:

- every licensable food business is required to have a Food Safety Supervisor
- food handlers must complete a Food Handling Certificate.



[QLD Food Enforcement
Contacts](#)



[QLD - Specific
Legislation](#)

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Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



New South Wales

- NSW - Food Act 2003
- NSW - Food Regulation 2010

Under the legislation:

- every licensable food business is required to nominate a Food Safety Supervisor that holds the relevant certification.



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[NSW-Specific
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Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



Australian Capital Territory

- ACT - Food Act 2001
- ACT - Food Regulations 2002

Under the legislation:

- all food business must be registered.



[ACT Food Enforcement
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[ACT-Specific
Legislation](#)

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Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



Victoria

- VIC - Food Act 1984
- VIC - Food (Forms and Registration Details) Regulations 1995
- VIC - Food (Competency Standards Body) Regulations 2001
- VIC - Food (Forms and Registration Details) Regulations 2005

Under the legislation:

- food businesses must be registered
- most registered food businesses need to nominate a Food Safety Supervisor that holds the relevant certification
- food handlers must complete a Food Handling Certificate.



[VIC Food Enforcement
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Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



Tasmania

- TAS - Food Act 2003
- TAS - Food Regulations 2003

Under the legislation:

- food businesses must be registered
- food handlers must complete a Food Handling Certificate.



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[TAS-Specific
Legislation](#)

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Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



South Australia

- SA - Food Act 2001
- SA - Food Regulations 2002

Under the legislation:

- food businesses must be registered
- food handlers must complete a Food Handling Certificate.



[SA Food Enforcement
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[SA-Specific
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Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



Western Australia

- WA - Food Act 2008
- WA- Food Regulations 2009

Under the legislation:

- all food businesses must be registered.



[WA Food Enforcement
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[WA-Specific
Legislation](#)

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Further information – State-specific requirements

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Each state implemented The Food Act 1981 at different times.
Click your state to view the relevant regulations and requirements for food businesses.



Northern Territory

- NT- Food Act 2005

Under the legislation:

- all food businesses must be registered.



[NT Food Enforcement
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[NT-Specific
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Food Handling CERTIFICATE



Summary

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Congratulations! You have now completed Module 2 - Food Safety Legislation and Your Responsibilities.

You should now be able to:

-  Summarise the key requirements of The Food Act 1981
-  Describe the key legal obligations for food businesses and food handlers
-  Explain the role of each level of regulatory body
-  Describe the role of a Food Safety Supervisor
-  Summarise the requirements of a Food Safety Program
-  Explain the consequences of breaching the legislation

You can now return to the home page and move on to the next module which will look at identifying food hazards.

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