

# ***Food Act 2008* and *Public Health Act 2016* Reporting**

#### Information from Local Government Authorities (LGA) on the performance of functions under the *Food Act 2008* (Food Act) and the *Public Health Act 2016* (PH Act)

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|  | Local Government Authority: |  |

**This form is provided to assist you in collating information. The report must be submitted to the Department of Health online at** [**https://consultation.health.wa.gov.au**](https://consultation.health.wa.gov.au) **by 31 August 2019.**

#### Part A

The information gathered in this section relates to your functions under the PH Act

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| Public Health Act authorised officers | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | What is the number of full time equivalent (FTE)[[1]](#footnote-1) PH Act authorised officers working in your LGA? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |
|  | What is the number of FTE1 persons that assist authorised officers with their duties in your LGA? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |
|  | Has your LGA experienced difficulties recruiting appropriately qualified persons to be designated as authorised officers under the PH Act during the reporting period? | | | | | | | | | | | | | | | | | | | | | | | | | | Yes  No | | | | | | | |  | | | |
| If yes, please specify | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | Has your LGA had any authorised officers return their certificate of authority (i.e. cease to be authorised officers) during the reporting period? | | | | | | | | | | | | | | | | | | | | | | | | | | Yes  No | | | | | | | |  | | | |
| If yes, how many? | | | | | | | | | | | | | | | | | | | | | |  | | | | | | | | | | | | | | | |
| Part B The information gathered in this section relates to your core functions under the Food Act Food Act authorised officers[[2]](#footnote-2) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | What is the number of FTE1 Food Act authorised officers? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |
|  | What is the number of FTE1 persons that assist with the discharge of duties of Food Act authorised officers? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |
|  | What is the number of FTE1 Food Act authorised officers - meat inspectors? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |
|  | What are the qualifications2 of Food Act authorised officers (please specify the number of authorised officers with the following qualifications) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Environmental Health degree | | | | | | | | |  | | | | Other (number) | | | | | | | | | | | | | |  | | | | | | | | | | |
| Please specify other qualifications | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | Has the enforcement agency experienced recruiting difficulties during the reporting period? | | | | | | | | | | | | | | | | | | | | | | | | | | Yes  No | | | | | | | |  | | | |
| Registration and assessment of food businesses | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | What is the total number of food businesses in the enforcement agency’s jurisdiction[[3]](#footnote-3)? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |
|  | How many onsite assessments[[4]](#footnote-4) were conducted during this reporting period? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |
|  | What is the number of food businesses by risk rating3? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| High | | | | |  | | | Medium | | | | | | | | |  | | | Low | | | | | | |  | | | | | | | | | | |
| Very low/exempt | | | | |  | | | Not determined | | | | | | | | |  | | | Other (please specify the risk rating and number of food businesses) | | | | | | |  | | | | | | | | | | |
|  | What is the number of food businesses by principal type of activity3? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Manufacturer/processor | | | | | | | |  | | | | Hotel/motel/guesthouse | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Retailer | | | | | | | |  | | | | Pub/tavern | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Food service | | | | | | | |  | | | | Canteen/kitchen | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Distributor | | | | | | | |  | | | | Hospital/nursing home | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Importer | | | | | | | |  | | | | Childcare centre | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Packer | | | | | | | |  | | | | Home delivery | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Storage | | | | | | | |  | | | | Mobile food operator | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Transport | | | | | | | |  | | | | Market Stall | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Restaurant/café | | | | | | | |  | | | | Charitable/community organisation | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Snack bar/takeaway | | | | | | | |  | | | | Temporary food premises | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Caterer | | | | | | | |  | | | | Primary processor5 | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Meals-on-wheels | | | | | | | |  | | | | Residential manufacturer/processor | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Primary producer[[5]](#footnote-5) | | | | | | | |  | | | | Family day care | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Other (please specify other categories and the number of food businesses) | | | | | | | |  | | | | Not determined | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| Food Act compliance and enforcement activities[[6]](#footnote-6) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | Does the enforcement agency have a compliance and enforcement policy in place? | | | | | | | | | | | | | | | | | | | | | | Yes  No | | | | | | | | | | | | |  |
|  | | Number of prosecutions instigated | | | | | | | | | | |  | | of which: number successful | | | | | | | | | | | | | | | | | | | | | |  |
| of which: number unsuccessful | | | | | | | | | | |  | | of which: number ongoing | | | | | | | | | | | | | | | | | | | | | |  |
| 1. 0 | | Number of seizures performed | | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | |  |
|  | | Number of improvement notices served | | | | | | | | | | |  | | | | of which: number complied with | | | | | | | | | | | | | | | | | | | |  |
| of which: number not complied with | | | | | | | | | | |  | | | | of which: number ongoing | | | | | | | | | | | | | | | | | | | |  |
|  | | Number of infringement notices served | | | | | | | | | | |  | | | | of which: number paid | | | | | | | | | | | | | | | | | | | |  |
| of which: number referred to court | | | | | | | | | | |  | | | | of which: number withdrawn | | | | | | | | | | | | | | | | | | | |  |
| of which: number ongoing | | | | | | | | | | |  | | | | of which: number registered with the Fines Enforcement Registry | | | | | | | | | | | | | | | | | | | |  |
|  | | Number of prohibition orders served | | | | | | | | | | |  | | | | of which: number complied with | | | | | | | | | | | | | | | | | | |  | |
| of which: number not complied with | | | | | | | | | | |  | | | | of which: number referred to State Administrative Tribunal | | | | | | | | | | | | | | | | | | |  | |
| of which: number ongoing | | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | |
| Regulatory food safety auditing | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | What is the total number of food businesses captured under Standard 3.3.1? | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | |
|  | | | | Of all the food businesses captured under Standard 3.3.1 (response to question 21) how many have a food safety program that is verified[[7]](#footnote-7) (as of 30 June 2019)?8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | |
|  | | | | Of all the food businesses with verified food safety programs (response to question 22) how many are undergoing regulatory food safety auditing (as of 30 June 2019)?[[8]](#footnote-8) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | |
|  | | | | How many regulatory food safety audits were conducted between 1 July 2018 and 30 June 2019? | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | |
|  | | | | How many regulatory food safety audits lead to compliance and enforcement action between 1 July 2018 and 30 June 2019? | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | |
| Primary Production and Processing (PPP) Standards[[9]](#footnote-9) | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | Eggs | | Poultry | | | | | | | | | Sprouts | | | | | | |
|  | | | | What is the total number of food businesses captured under Standard 4.2.2 (Poultry), Standard 4.2.5 (Eggs) and Standard 4.2.6 (Seed sprouts)? | | | | | | | | | | | | | | | |  | |  | | | | | | | | |  | | | | | | |
|  | | | | How many of these are registered? | | | | | | | | | | | | | | | |  | |  | | | | | | | | |  | | | | | | |
|  | | | | How many of these have a food safety management statement that has been approved or recognised in accordance with Standard 4.1.1? | | | | | | | | | | | | | | | |  | |  | | | | | | | | |  | | | | | | |
|  | | | | How many assessments were conducted in relation to the PPP Standards during the reporting period? | | | | | | | | | | | | | | | |  | |  | | | | | | | | |  | | | | | | |
| “Raw Egg Package”[[10]](#footnote-10) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | Is the enforcement agency aware of Regulatory Guideline 5 and the “Raw Egg Package”? | | | | | | | | | | | | | | | | | | Yes  No | | | | | | | | |  | | | | | | |
|  | | | | Has the enforcement agency implemented Regulatory Guideline 5 and the “Raw Egg Package”? | | | | | | | | | | | | Yes  No  N/A (there are no food businesses handling raw egg-based products in the local government jurisdiction) | | | | | | | | | | | | | | |  | | | | | | |
|  | | | | If yes, has the enforcement agency used the following “Raw Egg Package” resources? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Egg inspection checklist | | | | | | | | | | | | | | | Yes  No | | | | | | | | | | | | | | | | | | |
| Advisory letter for Council | | | | | | | | | | | | | | | Yes  No | | | | | | | | | | | | | | | | | | |
| Compliance strategy | | | | | | | | | | | | | | | Yes  No  N/A | | | | | | | | | | | | | | | | | | |
| Template prohibition order | | | | | | | | | | | | | | | Yes  No  N/A | | | | | | | | | | | | | | | | | | |
|  | | | | How many raw egg-based product handling assessments utilising the “Raw Egg Package” egg inspection checklist were performed? | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |
|  | | | | How many improvement notices and prohibition orders were served in relation to raw-egg based product handling assessments? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Improvement notices | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | | | |
| Prohibition orders | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |
| **Part C** | | | | | The Food Act has given enforcement agencies greater autonomy to implement food related public health initiatives in addition to their core Food Act functions. This section provides you with the opportunity to share these initiatives and to suggest future policy considerations. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | Does the enforcement agency provide food safety education or training? | | | | | | | | | | | | | | | | | | | | | | | Yes  No | | | | | | | |  | | | |
| If yes please specify: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | Key highlights of the last 12 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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Signed declaration by enforcement agency

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Enforcement Agency: | |  | | |
| Authorised by enforcement agency Chief Executive Officer: | |  | | |
| Signature: |  | | Date: |  |

**This report must be submitted online at** [**https://consultation.health.wa.gov.au**](https://consultation.health.wa.gov.au) **by 31 August 2019**

**For enquiries regarding the online form please contact the Environmental Health Directorate on (08) 9222 2000 or email** [**foodsafety@health.wa.gov.au**](mailto:foodsafety@health.wa.gov.au)

1. An authorised officer working one day a week is considered to be 0.2FTE. [↑](#footnote-ref-1)
2. The response to these questions should be in line with Food Act section 122 – appointment of authorised officers, and the guidelines on the appointment of authorised officers issued by the CEO of the Department of Health which can be viewed at <http://ww2.health.wa.gov.au/Articles/A_E/CEO-approved-documents-on-food-businesses> [↑](#footnote-ref-2)
3. Include all food businesses that are registered with the enforcement agency and those exempt from registration (notified only). Do not include temporary and mobile food businesses from other jurisdictions. [↑](#footnote-ref-3)
4. The process of reviewing a food business onsite in order to confirm compliance with the Food Act, Food Regulations 2009 (WA) or the Australia New Zealand Food Standards Code. [↑](#footnote-ref-4)
5. Primary producers and processor that are captured under Chapter 4 of the Food Standards Code. [↑](#footnote-ref-5)
6. Number of enforcement actions taken and the outcome of that enforcement action between 1 July 2018 and 30 June 2019 [↑](#footnote-ref-6)
7. Leading to the setting of priority classification and audit frequency as per Food Act Section 100 [↑](#footnote-ref-7)
8. Since commencement of Part 8 of the Food Act on 23 October 2010 [↑](#footnote-ref-8)
9. For further information a fact sheet on the primary production and processing standards for eggs, poultry and sprouts can be viewed at <http://ww2.health.wa.gov.au/Articles/N_R/Primary-production-and-processing-standard-for-eggs-poultry-and-sprouts> [↑](#footnote-ref-9)
10. These questions relate to the implementation Regulatory Guideline 5 – The Preparation of Raw Egg-based Products, and associated documents (the “Raw-Egg Package”) which can be viewed at <https://ww2.health.wa.gov.au/Articles/S_T/Safe-Handling-of-Eggs-and-Products-Containing-Eggs> [↑](#footnote-ref-10)