

Proposal P1052 Primary Production and Processing Requirements for high-risk horticulture

1st Call for Submissions Consultation Paper

Summary

The NSW Food Authority (Food Authority) welcomes the opportunity to comment on 1st call for submissions (CFS) for Proposal 1052 – Primary Production and Processing Requirements for high-risk horticulture.

NSW supports the development of national regulatory measures for the high risk horticulture sections identified in the 1st CFS. NSW further supports FSANZ intended approach for addressing the 5 high-risk sectors referred by Food Ministers on 29 June 2018 in managing leafy vegetables, melons and berries through Proposal 1052 and considering sprouts and minimally processed fruit and vegetables (other than leafy vegetables) during the course of the broader review of Chapters 3 and 4 of the Australia New Zealand Food Standards Code (the Code).

NSW considers that option 2.B.2 as proposed by FSANZ (graduated risk-based approach) in the 1st CFS seems the appropriate solution given the through chain nature of the risk factors identified by FSANZ in the 1st CFS and SD 1 for high risk horticulture products considered in Proposal 1052. Some form of on-farm regulatory measures are required to manage food safety risks arising from high-risk horticulture crops (e.g. inputs – water, fertiliser, animals) as well as at the processing/pack house (e.g. water for processing, premises design, equipment).

NSW seeks further information from FSANZ as to how the proposed ‘proxy’ risk assessment approach will work in practice, as there are likely to be common principles guiding what is considered like with such an approach as well as what is considered different. As an example, produce with a netted skin surface could present higher food safety challenges than those with smooth surface. Would these be considered as belonging within the same ‘proxy’ grouping or separate groups?

NSW supports FSANZ continuing to work on Proposal 1052 and will assist as requested through the Standards Development Advisory Committee and the Horticulture Implementation Working Group.

Further commentary in support of the above comments is offered below.

Proposed scope of Proposal 1052

NSW supports the prioritisation of the 3 identified high risk horticulture sectors in the 1st CFS as suggested by FSANZ. NSW acknowledges these sectors are largely unregulated in Australia and have been associated with serious food safety incidents in recent years (rockmelons – 2016, 2018, strawberries – 2018, mixed lettuce - 2016).

NSW acknowledges that there are food safety hazards associated with the other two high risk sectors and outbreaks have been associated with products (sprouts – 2016, pomegranate arils – 2018). NSW considers for these sectors already have regulation through Standard 4.2.6 of the Code (sprouts) and Chapter 3 (minimally processed fruits and vegetables as food businesses).

Preferred regulatory approach: in-principle support for 2.B.2

NSW considers that option 2.B.2 as proposed in the 1st CFS seems most appropriate given the through chain nature of common risk factors identified from foodborne illness outbreaks associated with the 3 high risk areas of high risk horticulture considered by P 1052. It would seem counter-productive to the overall purpose of this work to not include on-farm regulatory measures and rely on controls at the packing/processing house as many risk factors originate on-farm (e.g. water used in pre-harvest activities). However in the absence of a risk assessment, it is difficult to visualise how this would look as a draft regulatory measure. NSW will offer further comment on this matter in the 2nd CFS when a risk assessment is available for review.

Notwithstanding the above qualified support for option 2.B.2, NSW will offer FSANZ continued assistance to help further develop this proposal with a broad, through chain scope in mind as information provided in the 1st CFS and SD 1 suggests that common on-farm risk factors include:

- Water as an input, in pre-harvest irrigation systems and other on-farm uses
- Application of animal/human effluent on lands used to produce high risk horticulture
- Frequent use of land used to produce high risk horticulture by grazing animals or wild animals.
- Inappropriate use of pesticides/herbicides on high risk horticulture
- Maintenance and cleanliness of equipment used in production processes and harvesting processes, including watering systems
- Skills and knowledge
- Health and hygiene practices
- Impact of severe weather events on food safety of high risk horticulture as a ready to eat food.
- Lack of Traceability back to farm of origin
- Pest and vermin entry into storage areas used for harvested product.
- Removal of unsuitable product from growing areas to prevent attraction of pests/vermin/animals.

NSW further suggests that common food safety risk factors associated with processing/pack houses include:

OFFICIAL

- Receipt checks of in-coming stock from the field to determine suitability for further processing. This should include consideration of product affected by severe, adverse weather events (e.g. flooding, severe storms).
- Premises, equipment and transportation vehicles: cleanliness, maintenance and design. Processing equipment should be designed to provide a logical flow of product in one direction, and minimise opportunity for processed product to contact un-processed product.
- Skills and knowledge of food handlers
- Health and hygiene of food handlers
- Process control: product cleaning and/or sanitation.
- Ensuring that cleaning and sanitation medium remains fit for purpose, with sufficient availability of active agent for processing runs
- Water used for processing operations should be of potable grade or equivalent.
- Pest and vermin control
- Removal of garbage from processing areas
- Traceability back to farm of origin.
- Post process packaging: clean sanitary containers and maintained at appropriate temperature until ready for distribution.

Given the high risk associated with processing the horticultural crops identified in the 1st CFS, NSW suggests that processors in all 3 sectors will likely be required to operate according to a food safety management program approved by the relevant regulatory authority. Dependent on the outcome of the risk assessment that NSW understands will be conducted ahead of the 2nd CFS, it may be necessary to implement regulatory food safety management programs on some, but not all areas of high risk horticulture producer sectors.

NSW also requests FSANZ explore food safety risks associated with post-processing supply chain activities as it may be necessary to consider some of these products after processing as potentially hazardous foods for the purposes of post-process storage and transport from to wholesalers/retailers/distribution centres (e.g. packaged leafy vegetables).

'Proxy' risk assessment approach

NSW offers qualified support for the 'proxy' risk assessment approach proposed in the 1st CFS. The support is qualified as it is unclear whether FSANZ will be following an established framework/guidelines and what criteria will be used to determine the selection of a 'proxy'. The method adopted to select a proxy and its range will determine which products will be considered equivalent and which will be considered different. It seems logical that specific factors under consideration should be given a higher weighting of importance when determining which specific commodities are grouped together, as they will have a greater bearing on risk. As an example, would produce with a netted, rough or wrinkled surfaces that present higher food safety challenges than those with a smooth surface be considered as belonging within the same 'proxy' grouping or treated as separate groups? NSW seeks further clarity if a higher weighting would be allocated to such intrinsic risk factors.

Other comments

NSW notes that the 1st CFS applies terms from schedule 22 in the Code in the absence of Code definitions for melons, berries and leafy vegetables in Chapters 1-4

OFFICIAL

OFFICIAL

of the Code. As the application of schedule 22 is limited to Standard 1.4.1 (natural toxicants), 1.4.2 (MRLs) and 1.5.3 (food irradiation) NSW requests that FSANZ provide clear definitions for the 3 high risk horticulture sectors in the 2nd CFS.

NSW suggests that 'receipt of food' provisions are inserted into processing provisions of the draft standard for high risk horticulture so that product that is weather damaged may be inspected for suitability, and discarded if considered unsuitable, or considered likely to be unsuitable due to information provided through the supply chain. Product may be weather damaged in terms of physical damage (broken, bruised or scarred) and/or compromised in terms of the likelihood of a higher prevalence/degree of microbial contamination. Severe weather events have been associated with significant food borne illness outbreaks associated with high risk horticulture and should be considered as a specific risk factor with this work. Another outcome of this pre-processing check could be diverting to processing for product other than ready to eat food or adjustment of washing parameters to include additional washing steps and higher concentrations of sanitisers.

NSW suggests that application of *Listeria monocytogenes* provisions in Standard 1.6.1 and Schedule 27-4 of the Code be considered as part of this Proposal so stakeholders are clear on the required status of product from the 3 high risk sectors at retail.

NSW considers that the proposed regulatory measures should apply to all businesses operating in the 3 high risk horticulture sectors, irrespective of size. This provides the means for the regulator to enforce, as required, the requirements of the standard on all businesses, creating a level playing field. Regulators may then make risk based decisions on deployment of limited compliance resources based on the assessed risk of an individual businesses operations.

ENDS

The views expressed in this submission may or may not accord with those of other NSW Government agencies. The NSW Food Authority has a policy which encourages the full range of NSW agency views to be submitted during the standards development stages before final assessment. Other relevant NSW Government agencies are aware of and agree with this policy.

OFFICIAL