

## Guide to Food Safety Laws & Regulations

Every food business in Australia is legally required to train all staff that work with food. Ensure that you are operating within the law to avoid serious penalties and fines.

### UNDERSTAND THE RISK

If your business causes a foodborne illness outbreak, the consequences can be serious:

- ✗ Your food business licence may be suspended or cancelled
- ✗ You may be fined hundreds of thousands of dollars
- ✗ You may be personally liable and may be prosecuted
- ✗ Your business may be shut down
- ✗ Your brand and reputation may be damaged

### REQUIREMENTS

- ✓ All Food Handlers must be trained in food safety
- ✓ Food Safety Supervisors are legally required in most states & territories
- ✓ A compliant Food Safety Plan must be implemented within the business

Every food business in Australia, whether a five-star restaurant, a takeaway store or a school canteen, is required by law to ensure that their food is safe to eat and that staff have been properly trained.

Food safety laws and regulations are enforced at a federal, state and local level.

### UNDERSTANDING FEDERAL REQUIREMENTS

Federal requirements apply to all food related organisations within Australia. In relation to food safety training the main requirements are covered in Section 3.2.2 of the Food Standards Code which states that:

**“A food business must ensure that all persons undertaking or supervising food handling operations have the necessary skills in food safety and food hygiene matters.”**

This means that anyone who handles or prepares food, serves food, transports food or cleans food equipment and utensils must undergo food safety training.

### UNDERSTANDING STATE REQUIREMENTS

Food safety legislation is heavily enforced in NSW, QLD, VIC and ACT. In these states, organisations must also nominate a Food Safety Supervisor who will take responsibility for food safety within the business.

To become a Food Safety Supervisor, you must complete a nationally recognised Food Safety Supervisor course specific to your industry. Recognised industry groups include Hospitality, Retail, Health & Community, Food Processing and Transport & Distribution.

In other states and territories, it is strongly recommended that you nominate a Food Safety Supervisor to ensure that your business is complying with all relevant legislation, and for the protection of your customers and your business.

### UNDERSTANDING LOCAL REQUIREMENTS

Environmental Health Officers (EHOs) are employed by local councils and are responsible for visiting food businesses to help ensure they are complying with all food safety legislation.

Environmental Health Officers may visit a food business at any time. They are legally permitted to take samples, review records and ask to see evidence that the necessary food safety training has been undertaken by staff.

## WHAT IS A FOOD HANDLER?

Many people are surprised to learn that the term 'Food Handler' doesn't just refer to people that prepare food in a commercial kitchen.

A Food Handler can also be someone who:

- Serves food to customers
- Moves food into storage
- Delivers food
- Cleans equipment or utensils

Simply put, anyone that comes into contact with food or food equipment in a business is a 'Food Handler'.

All Food Handlers are required to be trained in food safety. The nationally recognised Food Handler course has been designed to meet this requirement.

## HOW TO COMPLY

The best way to meet all legal requirements and protect your customers and business is to ensure that:

- ✓ All employees that handle food have undertaken a nationally recognised Food Handler course
- ✓ A Food Safety Supervisor has been nominated for your business
- ✓ Your Food Safety Supervisor has been trained by a Registered Training Organisation
- ✓ Your Food Safety Supervisor holds a valid Statement of Attainment for the correct industry
- ✓ If you are in NSW, you use a training provider approved by the NSW Food Authority
- ✓ Regular refresher training is performed for everyone in the business

## About AIFS

As Australia's largest provider of food safety education, the Australian Institute of Food Safety is dedicated to helping organisations protect their business and their customers from foodborne illness.

As a community focused organisation we deliver public health information to food businesses and consumers in order to improve food safety throughout Australia.

AIFS delivers nationally recognised training that meets all federal and state compliance requirements related to food safety. This includes Food Safety Supervisor and Food Handler compliance training.

The mission of the Australian Institute of Food Safety is to reduce foodborne illness within Australia by educating, advocating and promoting food safety.

Ensure your business is compliant by following these simple steps ...

### Step 1



### Nominate your Food Safety Supervisor

Nominating a Food Safety Supervisor is a legal requirement for most food businesses. They play an important role in managing food safety for a business.

### Step 2



### Train your Food Handlers

Anyone that prepares, stores, transports, displays or serves food is a Food Handler and requires proper food safety training according to federal laws.

To download your free **Guide to Food Safety**, visit [foodsafety.com.au/tradeshaw](https://foodsafety.com.au/tradeshaw)

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