



Australian Government

Department of Agriculture, Fisheries and Forestry

Australia's imported food regulation and control



Mark Phythian – Director, Imported Food Program

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Overview

Presentation will cover:

- Brief summary of Australia's food regulatory system;
- Imported food legislation;
- Alternate arrangements under food inspection scheme

Tomorrow's presentation:

- Discuss how Australia implement the legislation

Australia's food regulatory system

Two levels of government:

- Commonwealth government (DAFF and DoHA – FSANZ) - 1
- State or territory governments - 8

Each level has a role in regulating food for human consumption, including imported food, for compliance and safety

Australia's food regulatory system

Commonwealth government legislation

- *Imported Food Control Act 1992*
- *Quarantine Act 1908*
- *FSANZ Act*

State or Territory legislation

- Primary production legislation
- Food Act

Imported food - responsibilities

PRINCIPLE - All food for sale in Australia must meet the requirements of the Australia New Zealand Food Standards Code.

Importer

- Must source and import food that is safe and compliant with the code

DAFF

- Imported Food Inspection Scheme – monitor importer compliance

State and Territory authorities

- Monitor all food at the point of sale

Domestic food processors

- Must source and process food in compliance with code.

Importer responsibilities

An importer of food must comply with:

- Quarantine requirements under Quarantine Act (DAFF)
- Food safety and compliance requirements under the Imported Food Control Act (DAFF)
- Each state and territory food legislation where the importer distributes the food (state and territory government authorities)

Imported Food Control Act 1992

Section 8 of the Act

Importers must source food that is compliant with Australian food standards and meets the requirements of public health and safety.

How is this verified?

Controls on importation and movement of food;

Risk based food inspection scheme;

- Government certification arrangements;
- Compliance agreements with importers;

Food Inspection Scheme

Imported Food Inspection Scheme

Risk based border inspection activity

Two categories of foods

- Risk category
- Surveillance category

Risk assessor – Food Standards Australia New Zealand (FSANZ)

Advise DAFF on outcomes of food safety risk assessments

Categories of imported food

Risk category foods

Determined by FSANZ where a food:hazard combination is identified as posing a medium-to-high risk to public health and safety through a science-based food safety risk assessment.

DAFF publish the food:hazard combinations in Imported Food Notices available from the DAFF website at

<http://www.daff.gov.au/aqis/import/food/notices>

Risk category foods

- **Beef**



- **Cooked & cured meats**



- **Soft cheeses**



- **Cooked crustacea**



- **Tuna & mackerel**



- **Bivalve molluscs**



- **Seaweed**



- **Coconut**



- **Peanuts**



- **Pistachio nuts**



- **Sesame seeds**



- **Pepper**



- **Paprika
& dried chilli**



- **RTE cassava chips**



Categories of imported food

Surveillance category foods

All other foods not categorised as risk category foods.

DAFF publish the food:test combination that will be applied at the border in Imported Food Notices available from the DAFF website.

Regulation and control of risk food

100% of import consignments are referred to the Imported Food Inspection Scheme for inspection and testing – must be held for inspection by DAFF

Subject to 'Test and Hold' controls

- Goods must remain on hold while testing of samples occurs
- Provision made for highly perishable food

Compliance history for each risk food is recorded in IT system

- Food type, producer, country of origin

A history of compliance will reduce inspection rates

- 5 consecutive passes = drops to 25% inspection rate
- 20 consecutive passes = drops to 5% inspection rate

Any failure at inspection returns the inspection rate to 100%

Regulation and control of surveillance category foods

5% referral to the Imported Food Inspection Scheme – must be held for inspection by DAFF.

Subject to 'Test and Release' controls

- Goods may be distributed while testing of samples occurs

No further reduction in rate of inspection, no recognition of good compliance.

Tests subject to review and chosen on basis of previous compliance and food standards.



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Regulation and control of surveillance category foods

Surveillance food inspection fails:

Any failure at inspection increases the inspection rate for that surveillance food to 100% until there have been five consecutive inspection passes.

Once the history of compliance has been demonstrated, the inspection rate returns to 5%

All importers of the same food may be selected for inspection – the increased inspection rate applies to the food, not the importer.

Food that fails inspection – what happens?

Three options only

Where an imported food has failed an inspection and is still under the importer's or DAFF control, the importer must decide which of the following actions will be taken:

- Treat the food to bring it into compliance – used for labelling non-compliances;

- Export the food back to the country of origin or another country provided evidence is presented that the receiving country will accept the food; or

- Destroy the food.

Food that fails inspection

If the food has been distributed

As surveillance category foods or some risk category highly perishable foods may be distributed prior to completion of testing, DAFF advise the state or territory food authorities.

These authorities have legislated powers to remove food from retail sale.

May trigger need for a national recall if the food has been distributed across multiple states and territories within Australia.

FSANZ co-ordinate food recalls.

Analysis of food samples

Appointed Analysts

Food samples may only be analysed by laboratories appointed by DAFF under the *Imported Food Control Act 1992*.

These laboratories must be subject to audit against a standard – ISO 17025 to ensure they are competent for the tests they are appointed to perform.

Appointed Analysts

Conditions of appointment

Conditions of appointment require Appointed Analysts to hold accreditation with:

Australian laboratories - National Association of Testing Authorities (NATA) <http://www.nata.asn.au/> ; or
New Zealand laboratories - International Accreditation New Zealand (IANZ) <http://www.ianz.govt.nz/>

The laboratory must have an electronic system compatible with the DAFF eResults messaging system to register samples and report test results.

The laboratory must comply with DAFF administrative requirements and be subject to a biennial review for continued appointment.

Compliance of imported food

Since 2006, approximately 2% of tests applied (including label and visual assessment) result in a failed inspection.

Of this 2%, typically 1.4% fail due to label non-compliances.

Based on above – evidence that importers are sourcing food generally compliant with Australian food standards.

Alternative arrangements under Act

Foreign government certification arrangements

Used for risk category foods, provide assurances as to how the food was processed/handled and food safety managed.

Agreed government certificate format is part of arrangement.

Minimum 5% rate of inspection in recognition of these controls.

Alternative arrangements under Act

Food import compliance agreements

DAFF may enter into an agreement with an importer that will exempt their imports from the routine inspection and testing under the Food Inspection Scheme.

Formal recognition of an importer's documented food safety management system – based on ISO 22000

These agreements focus on importer's sourcing of food from approved suppliers – assurances that the food is compliant with Australian food standards

Verified through audits of the importer's system

QUESTIONS?