

Farmers' Market Food Safety Guide



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markets
association



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Status of this guide

This guide has been written by Food Standards Australia New Zealand (FSANZ) in consultation with the Australian Farmers' Markets Association (AFMA) and the state and territory food enforcement agencies. The guide was written at the request of AFMA to provide guidance to stall holders at markets on the food regulatory requirements in Australia for the food they are selling. AFMA requested that it cover all produce sold at farmers' markets, which is fresh produce (such as horticultural produce, meat, seafood, eggs, honey, dairy and wine), value-added products (such as jams and chutneys) and food service (food prepared on site for customers to eat/drink at the market). AFMA is responsible for providing the guide to its own stakeholders and for ensuring the guide is kept updated. The state and territory enforcement agencies may also choose to use this guide in its entirety or alternatively, as a resource document to develop targeted guidance for stallholders in their jurisdictions.

FSANZ is not responsible for enforcement of food laws or of the Australia New Zealand Food Standards Code (the Code). Nor is FSANZ responsible for providing advice on food compliance issues. FSANZ provides the information in this publication simply to provide interested parties with a guide to provisions of the Code.

Disclaimer

FSANZ makes no representation regarding the completeness, accuracy, or currency of any information contained in this publication or that such information will be error-free. To the extent that the material may incorporate or summarise views, guidelines or recommendations of third parties, such material is assembled in good faith, but does not necessarily reflect the considered views of FSANZ, or indicate any commitment to a particular course of action.

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Food businesses, primary producers and primary processors should seek independent legal advice in relation to any queries they may have regarding the legal obligations imposed upon them under state and territory food laws and the Code.

AFMA's Contribution

AFMA the peak national organisation for Australia's farmers' markets seeks to encourage best practice in the farmers' market sector, including high standards of food safety. For this reason AFMA approached Foods Standards Australia New Zealand (FSANZ) to develop a useful, practical and general guide to food safety to assist farmers and growers, specialty food makers, wineries, market managers and other agencies responsible for the delivery of food safe practices in farmers' markets.

AFMA makes no representation regarding the completeness, accuracy or currency of any of the information contained in this publication prepared by FSANZ, or that such information will be error-free.

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AFMA advises food producers, primary producers and food processors to seek independent legal advice in relation to any queries they may have regarding the legal obligations imposed upon them under state and territory food laws and the Code.

This document was first published in August 2015. It will be reviewed and updated as required. It is available as a free pdf download on the AFMA website:
www.farmersmarkets.org.au/farmersmarketfoodsafetyguide

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Several photographs kindly supplied by Sam Byrne and Carriageworks Farmers' Market, Sydney



Introduction

This Guide is written for organisers of and stallholders at Australian Farmers' Markets. It provides an introduction to food legislation in Australia with an overview of the importance of food safety in the production and sale of food, as well as links to where you can find more information about food safety (Attachment 1).

Market managers and stallholders are encouraged to contact their local food enforcement authority for more specific food safety advice and guidance.

Most people who sell food at a Farmers' Market sell their own produce. It is important that all food produced is safe and suitable for people to eat. Food can become contaminated while it is being grown, harvested and further processed, if care is not taken. So if you produce the food you sell, you need to know about what food safety problems could occur and what you can do to reduce the chances of this occurring.

Food legislation in Australia

Food Acts

Any person that sells foods must comply with their state or territory Food Act. The Food Acts include penalties for persons who sell unsafe or unsuitable food. It is also an offence to handle food intended for sale in a manner that will make, or is likely to make, the food unsafe. The definitions for unsafe and unsuitable food are contained with these Food Acts. The state and territory Food Acts can be accessed at:

<http://www.foodstandards.gov.au/about/background/foodlaw/Pages/default.aspx>.

In summary:

unsafe food is food that is likely to cause physical harm to a person, provided that the food is used as it is intended to be used. For example, raw sausages are considered to be safe, even if contaminated with pathogenic microorganisms, as they are intended to be cooked before consumption.

unsuitable food is food that:

- is damaged, deteriorated or perished
- contains a matter or substance that is foreign to the nature of the food
- is the product of a diseased animal or an animal that has died otherwise than by slaughter.

Other penalties apply for misleading and deceptive conduct in relation to the sale of food and selling food that is falsely described.

Food Standards Code

The state and territory Food Acts also include penalties for persons who sell food that does not comply with any requirements of the Code that relates to the food. And if you are a food business, penalties apply if you do not comply with the requirements on food businesses as set out in the Code. The Code, and all the standards it contains, can be accessed from:

<http://www.foodstandards.gov.au/code/Pages/default.aspx>

A **food business** is a business, enterprise or activity (other than primary food production) that involves the handling of food intended for sale, or the sale of food. This means all people making, manufacturing, producing, collecting, processing, storing, packing and transporting food intended for sale and the sellers of food are considered to be food businesses.

People involved in primary production activities **only** are not considered food businesses. Primary food production means the growing, cultivation, picking, harvesting, collection or catching of food. However, if you are primary producer **and** either:

- substantially transform any food you are producing, for example, making strawberries you grow into jam; and/or
- sell any food you produce directly to the public,

then you are considered a food business for these activities.

The Code includes requirements on food, food businesses and certain primary producers.

The Code contains a series of standards, each with a particular focus (e.g. limits on pesticide residues or labelling requirements). Similar standards are grouped together in chapters. Because the standards range from everything from health claims to processing aids to food safety requirements, the standards may not all apply to you and the food you produce or sell.


Chapter one of the Code contains general food standards – these include standards about labelling, substances added to food, contaminants and residues, novel foods and microbiological limits.

Chapter two contains standards for particular foods, including meat, eggs, fish, oils, dairy, beverages, sugars and honey, among others.

Chapter three contains the food safety standards, which apply to food businesses.

Chapter four contains the primary production and processing standards. There are currently standards for producers and processors of seafood, poultry meat, ready-to-eat meat products, dairy, specific cheeses, eggs and seed sprouts.





The Code is developed and maintained by FSANZ. In consultation with government, industry and consumers, FSANZ writes the standards and makes sure the Code is kept up to date. However, FSANZ does not enforce the standards. This is done by the states and territories and local government authorities through their Environmental Health Officers.

Are you a food business?

At a Farmers' Market, you are a food business if you:

- are a stallholder selling food that you grow or produce such as fruits and vegetables, eggs and dairy products
- make food for sale, that you sell from a stall or someone else does on your behalf (e.g. you make jams, cakes, confectionery, breads, pies, cheeses or smallgoods)
- operate a food service stall at a Farmers' Market such as a temporary café or takeaway food stall
- are a stallholder at a Farmers' Market selling food that others have grown, produced or made
- store, wash, pack or transport other people's food that will be sold at a stall from a Farmers' Market.

If any of the above applies to you, you will need to contact your local food enforcement agency, normally your local council, to find out what food business notification, licensing or registration requirements apply. There may also be state or territory legislation that needs to be complied with.

Are you a primary producer?

You are a primary producer if you grow, cultivate, pick, harvest, collect or catch food. If you personally sell your primary produce at a Farmer's Market, you are considered a food business for this activity. If you sell your primary produce to another person to sell at a Farmers' Market, the seller is considered a food business. If you substantially transform any of your primary produce, such as cook it, for you or someone else to sell, you are also a food business for this activity.

All primary producers must ensure the food they sell is safe and suitable and complies with any requirements in the Code that apply to the food they are selling. Additionally, if you are a primary producer of seafood, poultry meat, ready-to-eat meat products, dairy and dairy products, eggs and seed sprouts, you need to comply with the relevant primary production and processing standards in the Code for these foods.

If you are a primary producer of seafood, poultry meat, ready-to-eat meat products, dairy and dairy products, eggs and seed sprouts, contact your state or territory food enforcement agency, such as the state or territory primary industry department or state food, dairy or meat authority to find out what notification, licensing or registration requirements apply. There may also be state or territory legislation that needs to be complied with.



Contact details for state and territory food enforcement agencies are available on the FSANZ website - [Food enforcement contacts](#)

Growing and producing safe food

If you grow or produce foods it is possible that they may become contaminated by harmful chemicals and other contaminants and microorganisms.

What are the hazards?

Chemical and other contaminants

Chemicals and other contaminants include heavy metals, natural toxins, insecticides, fungicides, herbicides and antibiotics. The Code indicates which chemicals and contaminants can be present in food.

Standard 1.4.1 – *Contaminants and Natural Toxicants* sets out the maximum levels of specified metal and non-metal contaminants and natural toxicants in nominated foods. For example, fruit can contain lead, provided the level in the fruit does not exceed 0.1 mg/kg or 0.1 parts per million. As a general principle, regardless of whether or not a limit exists, the levels of contaminants and natural toxicants in all foods should be kept as low as reasonably achievable.

Standards 1.4.2 – *Maximum Residue Limits* lists the maximum permissible limits for agricultural and veterinary chemical residues present in food. If a maximum residue limit for an agricultural or veterinary chemical in a food is not listed in this Standard there must be no detectable residues of that agricultural or veterinary chemical in that food.

To make sure that any food you grow or produce complies with Standard 1.4.2, only use agricultural and veterinary chemicals that are listed in the Code for the food you are growing or producing. You must follow the directions for use, including any withholding periods, listed on the label of the chemical.

The Australian Pesticides and Veterinary Medicines Authority (APVMA) have a set of resources for users of chemicals. The following page contains a number of factsheets: <http://apvma.gov.au/node/10811>

Harmful microorganisms

Microbiological hazards include harmful viruses, bacteria and parasites. Common food-borne viruses include Norovirus and Hepatitis A. Common food-borne bacteria include *Salmonella* and *Listeria*. Food-borne parasites are relatively rare in Australia, but outbreaks of *Cryptosporidium* and *Cyclospora* have occurred from contaminated produce.

Most of these disease-causing microorganisms cause gastro-intestinal illness, but all of them have the potential to cause severe disease or even death. Many outbreaks around the world have been caused by contamination of food on the farm. As such, it is vital that you minimise the likelihood that your produce is contaminated with disease-causing microorganisms.

Horticulture

The main hazards for fresh horticultural produce (such as fruit, vegetables, tree nuts, micro-greens and mushrooms) are introduced by contaminated water, organic fertilisers, animals and people. Horticultural produce can also become contaminated if grown in contaminated soil or if pesticides are used incorrectly.

Disease causing microorganisms may be present in water used before harvest (e.g. for irrigation or from flooding and run-off) or after harvest (for example, for washing or cooling).

Organic fertilisers such as compost or manure, if not properly composted, are also a source of disease causing microorganisms.

Animals that enter or fly over fields can introduce disease causing microorganisms through their faeces, for example, rodents, farm and wild animals and birds.

People who themselves have been sick, particularly with gastrointestinal illnesses can carry harmful microorganisms on their hands. If they pick fruits or vegetables by hand, this can transfer the microorganisms on to the food.

It is important to consider whether the soil you are using to grow horticultural produce may be contaminated. Soil may be unsuitable for use if it has been:

- used for sewage treatment, such as for septic tank absorption trenches or is located downhill from a treatment site
- previously used for rubbish or chemical disposal
- contaminated by run-off from nearby sewerage facilities, dumps, industrial sites or agricultural activities such as a dairy farm
- previously used to grow crops or livestock production, which may have led to contamination of the soil with agricultural or veterinary chemicals.



How can I produce safe horticultural produce?

- Do not grow horticultural produce in contaminated soil
- Only use fertilisers and pesticides that are approved for use with the produce you are growing
- For each crop, keep a record of any chemicals you use, including what chemical was used, what it was used for, when you used it and any withholding periods (if applicable)
- Only use properly composted organic fertilisers
- Do not use contaminated water to irrigate crops
- Use drinking water or water treated to drinking water standard for post harvesting treatments
- As far as is practicable, keep animals (including farm and wild animals, birds and rodents) away from growing areas, sheds and packing houses where food is grown, washed, packed or stored
- Ensure toilets and hand-washing facilities are available
- If your produce is picked by hand, ensure workers who have been ill or are known to be carrying a foodborne disease, do not harvest or handle the food
- Keep records of businesses you sell your produce to, such as an agent, restaurant or wholesaler including what you sold, when you sold it and to whom it was sold.

You may wish to implement an on-farm food safety scheme on your farm.

The uptake of such a scheme has an up-front cost, but they are very valuable tools for maximising food safety. The best kind of scheme is one that is accepted widely by retailers and is independently (or “third party”) audited. You can contact your industry peak body or State/Territory agriculture or primary industries department for details of suitable schemes.

Where to go for more information?

Many industry peak bodies have produced information on how to identify hazards on your farm and how to manage them. In addition, a quick internet search will yield numerous food safety plans, guidelines and codes of practice. These resources may help you to find and reduce hazards relevant to your food product. See Attachment 1 for more information on available resources.

Sprouts

Seed sprouts are a particularly risky food for the following reasons:

- if the seed is contaminated with pathogenic bacteria, these can be internalised into the sprout during the growing period
- the sprouting process is done using a warm, moist environment, which is also the ideal environment for bacteria to grow, whether these bacteria are present on the seed to begin with or are introduced through contaminated water
- seed sprouts are frequently eaten raw, so there is no step after sprouting that could kill any pathogenic bacteria that may be present.

Several food poisoning outbreaks have been attributed to seed sprouts in the past. As a result, seed sprouts have been a focus for food safety regulation. The NSW Food Authority has required high-risk plant products (including seed sprouts) to be produced under a food safety scheme in NSW since 2005. Similarly, FSANZ finalised a national standard (Standard 4.2.6 – Production and Processing Standard for Seed Sprouts) in 2012 that sets out requirements for the safe production of seed sprouts for all seed sprout producers in Australia. This Standard can be found at the ComLaw website:

<http://www.comlaw.gov.au/Details/F2012L00023>

If you are a producer of seed sprouts, contact your state or territory food enforcement agency to find out about what state or territory legislation needs to be complied with.



Important to Remember



If you are a seed sprout producer you are required to:

- Comply with Standard 4.2.6 – Production and Processing Standard for Seed Sprouts and any other legislative requirements that apply to sprout producers in your state or territory
- Prepare a food safety management system that identifies potential hazards with your seed producing operation and the control measures you will put in place to address those hazards
- Source quality seed from a trusted supplier that is acceptable for producing seed sprouts for human consumption
- Manage inputs during the production and processing of seed sprouts to ensure sprouts do not become contaminated, such as water
- Implement effective decontamination processes to reduce the level of food poisoning micro-organisms that may be present, prior to the sale or supply of seed sprouts
- Develop a system to record when and from whom you received seed for sprouting, and to whom you sold your sprouts, if not sold directly to the public.

Poultry

Raw poultry meat can be contaminated with pathogens, especially *Salmonella* and *Campylobacter*. For this reason, as well as for reasons of biosecurity, animal welfare and suitability, **poultry meat may only be sold if slaughtered at a licensed abattoir**. That is, if you want to sell the meat of poultry animals you raise, and you do not have a licence to slaughter the animals, you must have the animals killed at a licensed abattoir. You will also need to be registered or licensed with your local food enforcement agency to sell the poultry meat.



All producers of poultry meat, which is intended for sale, must follow Standard 4.2.2 (Primary Production and Processing Standard for Poultry Meat). This Standard can be found at the ComLaw website:

<http://www.comlaw.gov.au/Details/F2012L00292>

Standard 4.2.2 sets out a number of food safety requirements for the primary production and processing of poultry, and poultry carcasses and poultry meat for human consumption.

If you are a producer of poultry meat, contact your state or territory food enforcement agency to find out about what state or territory legislation needs to be complied with.

Important to Remember



In order to produce safe poultry meat as a primary producer you must:

- Comply with Standard 4.2.2 – Primary Production and Processing Standard for Poultry Meat and any other legislative requirements that apply to poultry growers and/or producers in your state or territory
- Identify potential food safety hazards associated with your poultry operations and implement control measures to address these hazards
- Operate according to a food safety management statement that sets out how the requirements of Standard 4.2.2 are being complied with
- Take all reasonable measures to ensure inputs (feed, litter, water, chemicals) do not introduce hazards to your poultry
- Keep a record of when and to whom you sold your poultry and if applicable, the supplier of any poultry you purchase, to then on-sell.

Eggs

Food poisoning bacteria such as *Salmonella* that live inside chickens can contaminate the shells of their eggs, and if the eggs are cracked, may penetrate inside the egg, contaminating the contents. It is against the law to sell eggs that are dirty or cracked. This includes cracks that are only visible by candling. Eggs must also not be sold unless each individual egg is marked with the producer's unique identification (unless you are a small producer **and** a specific exemption applies in your state or territory). This can assist in tracing outbreaks of illness back to the farm on which the eggs were produced.

There are requirements placed on all egg producers and processors, which are outlined in Standard 4.2.5 (Primary Production and Processing Standard for Eggs and Egg Product), available at: <http://www.comlaw.gov.au/Details/F2011L00860>

Standard 4.2.5 sets out a number of food safety requirements for the primary production and processing of eggs, egg pulp and other egg product for human consumption.

If you are a producer of eggs, contact your state or territory food enforcement agency to find out about what state or territory legislation needs to be complied with and whether any exemptions apply from the requirement to stamp your eggs.





Important to Remember

If you produce eggs for sale, you are required to:

- Comply with Standard 4.2.5 – Primary Production and Processing Standard for Eggs and Egg Product and any other legislative requirements that apply to egg producers in your state or territory
- Identify and control potential food safety hazards in your egg producing operation
- Operate according to a food safety management statement that sets out how the requirements of Standard 4.2.5 are being complied with
- Take all reasonable measures to ensure inputs (feed, litter, water, chemicals) do not introduce hazards to your eggs
- Not source eggs from poultry affected by diseases or conditions that would make the eggs unsafe or unsuitable
- Ensure staff and visitors follow health and hygiene requirements
- Mark each egg for sale with your producer's unique identification (unless you are a small producer **and** a specific exemption applies in your state or territory)
- Not sell cracked or dirty eggs
- Keep a record of when and to whom you sold your eggs, if not sold directly to the public.

Additional requirements in Standard 4.2.5 also apply if you process eggs for sale. For example, you have an egg pulping, grading or washing facility.

Dairy

Dairy products, particularly if consumed without prior pasteurisation, can pose a significant risk to health. Milk can become contaminated with food poisoning organisms during the milking process when microorganisms are shed directly into raw milk from the udder as a result of illness or disease, or through contamination from the external surface of the cow and the milking environment. For this reason, all milk sold for human consumption must be pasteurised both for sale as drinking milk, as well as when it is used to make dairy products such as butter and yoghurt.

Raw milk can be used for the production and importation of raw milk cheeses, where defined safety outcomes can be met, including ensuring pathogens are able to be controlled during manufacture and are unable to grow in the final product. Producers will have to demonstrate to enforcement agencies that these additional measures are in place and that they can achieve an acceptable level of safety.

There is a primary production and processing standard for dairy products (Standard 4.2.4 – Primary Production and Processing Standard for Dairy Products). This standard can be found here: <http://www.comlaw.gov.au/Details/F2012C00458>

Standard 4.2.4 sets out food safety requirements, including the implementation of documented food safety programs for dairy primary production, collection, transportation and processing.

If you are a dairy primary producer, contact your state or territory food enforcement agency to find out about what state or territory legislation needs to be complied with.





Important to Remember

If you are a dairy **primary producer** you are required to:

- Comply with Standard 4.2.4 - Primary Production and Processing Standard for Dairy Products and any other legislative requirements that apply to dairy producers in your state or territory
- Identify and control potential food safety hazards arising from inputs, the dairy premises, equipment, milking animals, people involved in milking and milking practices
- Control the hazards using a documented food safety program
- Ensure the premises and equipment are clean and sanitary and pests are controlled
- Ensure that milk is cooled and stored to minimise growth of microbiological hazards
- Ensure milk is not taken from unhealthy animals
- Make sure you can trace inputs, animals to be milked and the milk you produce.

If you are a **dairy processor** you are required to:

- Comply with Standard 4.2.4 - Primary Production and Processing Standard for Dairy Products and any other legislative requirements that apply to dairy processors in your state or territory
- Control potential food safety hazards using a documented food safety program
- Be able to identify the immediate supplier and immediate recipient of the dairy products
- Pasteurise milk in accordance with the pasteurisation requirements in Standard 4.2.4
- Treat dairy products (other than cheese and cheese products) to have a lethal effect on any pathogenic micro-organisms (unless the milk has already been pasteurised)
- If wanting to make cheese, using unpasteurised milk, contact your local state or territory dairy enforcement agency.

Seafood

Seafood can contain food safety hazards derived from several different sources. Some of these hazards occur naturally in the environment in which seafood lives and grows and are unavoidable contaminants of seafood when it is harvested, such as the presence of ciguatoxin in some subtropical and tropical marine fish. Others are a consequence of the polluting of seafood growing and harvesting areas with human sewerage, industrial chemical run-off or agricultural run-off.

In Australia, the main hazards of concern in seafood are disease causing microorganisms such as Norovirus, Hepatitis A and *Vibrio parahaemolyticus*, as well as biotoxins and some parasites. As such, it is important, if you are producing seafood, that you know about and minimise the risk of these hazards.

FSANZ has developed a primary production and processing standard for seafood (Standard 4.2.1 – Primary Production and Processing Standard for Seafood). This standard can be found here: <http://www.comlaw.gov.au/Details/F2012C00775>

Standard 4.2.1 sets out food safety and suitability requirements for seafood producers and processors, from pre-harvesting production. More stringent requirements apply to primary producers and processors of certain bivalve molluscs, such as oysters.

If you are a seafood business, contact your state or territory food enforcement agency to find out about what state or territory legislation needs to be complied with.



Important to Remember

If you are a seafood business (business involved in the primary production of seafood) you are required to:

- Comply with Standard 4.2.1 – Primary Production and Processing Standard for Seafood and any other legislative requirements that apply to seafood businesses in your state or territory
- Identify and control potential food safety hazards associated with your seafood operations
- Maintain seafood under temperature control during storage and transport and monitor the temperature of the seafood
- Take all reasonable measures to ensure inputs do not adversely affect the safety or suitability of seafood such as feed and veterinary chemicals
- Use packaging materials that are fit for their intended use, and that do not allow contamination of the seafood
- Ensure seafood handlers follow health and hygiene requirements
- Maintain records so you can identify the immediate supplier and immediate recipient of the seafood, if not sold directly to the public

If you harvest or handle bivalve molluscs you are required to comply with the above requirements, but also:

- Have a documented food safety management system to identify and control hazards
- Prevent co-mingling of batches of bivalve molluscs

Meat

The most common food safety risks in meat are disease causing strains of *E. coli*, *Salmonella* and *Listeria monocytogenes*. Raw meat can become contaminated with food poisoning organisms during the slaughtering process. Consumers can then become sick if they eat undercooked meat. Food poisoning organisms can also be transferred from raw meat to ready-to-eat foods due to poor food handling practices.

Manufacturers of processed meats that are chilled for long storage such as luncheon meats, as well as ready-to-eat smallgoods, need to comply with additional requirements to ensure these meats are not contaminated with food poisoning organisms. Chilled ready-to-eat meats such as luncheon meats can become contaminated with the food poisoning organism, *Listeria*, after being cooked or processed. *Listeria* is able to grow at refrigeration temperatures and is particularly risky to pregnant women as it can infect their unborn babies, the elderly and immune-compromised people. Other ready-to-eat meats can also be contaminated with *Listeria*, *E. coli* and *Salmonella* because they have survived the production process or are contaminated after processing is completed.

FSANZ has developed a primary production and processing standard for meat and meat products (Standard 4.2.3 – Primary Production and Processing Standard for Meat). This standard commenced on 31 July 2015 and is available here:

<http://www.foodstandards.gov.au/code/Documents/4.2.3%20Meat%20PP%20v149.pdf>



Due to the higher risks associated with the production of ready-to-eat meats, specific requirements currently apply to the producers of these meats. These are set out in division 3 of Standard 4.2.3 – Production and Processing Standard for Meat. This standard can be found here: <http://www.comlaw.gov.au/Details/F2011C00594>

Ready to eat meat products are also required to comply with Standard 1.6.1 - Microbiological limits in food. This standard can be found here:
<http://www.comlaw.gov.au/Series/F2008B00630>

If you are a producer of ready-to-eat meats or seller of raw meat, contact your state or territory food enforcement agency to find out about what state or territory legislation needs to be complied with.



Important to Remember

If you produce ready-to-eat meats you are required to:

- Comply with Standard 4.2.3 and any other legislative requirements that apply to meat producing businesses in your state or territory
- Identify and control potential hazards such as *E. coli*, *Salmonella* and *Listeria monocytogenes* through the implementation of a food safety management system as set out in the Australian Standard AS4696-2002
- Comply with Standard 1.6.1
- Document compliance with Standard 3.2.2 – Food Safety Practices and General Requirements of the *Code*.
- If you are making **uncooked comminuted fermented meat products** (e.g. salami, mettwurst, Chorizo, Csabai, Loukanika, Lebanese dry sausage, Lap Cheong and some traditional Asian fermented meat products such as Naem) you must comply with the above requirements, but **in addition you must:**
- Monitor and record the number of *E. coli* organisms in the raw meat ingredients used to make the product, during the production process and in the final product to ensure processing is effective and the microbiological limits for these products in the *Code* are complied with
- Monitor and record critical steps for food safety during production such as pH, temperature and time of fermentation, weight loss or water activity etc.

Wine

Due to the fermentation process, alcoholic content and long storage time before consumption of wine, harmful bacteria and viruses are not normally able to survive in wine. However incorrect fermentation or poor bottling or handling practices could lead to glass fragments in the wine or explosion of bottles. Furthermore, incorrect use of food additives, processing aids or pesticides could lead to an unsafe or non-compliant product.

The requirements for the production of wine are set out in Standard 4.5.1 (Wine Production Requirements) in the *Code*. This standard specifies the processing aids and additives that can be used in the production of wine and compositional requirements. This standard is available at: <http://www.comlaw.gov.au/Details/F2012C00776>



Important to Remember

If you produce wine you must:

- Make sure that anything you add to your wine or use in the production of your wine is allowed to be used
- Ensure that anything added to the wine does not exceed the limits as set out in the standard
- Be careful that your wine does not contain naturally occurring contaminants above permitted levels
- Establish that your wine contains the correct amount of ethanol for its type (e.g. fortified wine, brandy)



Making, selling and offering samples of food

Any person who sells food at a Farmers' Market is a food business. This includes people selling their produce or anything made from their produce. It also includes any person selling hot food and other ready-to-eat food and beverages at a market.

If you offer free samples of the food you are selling, or if you demonstrate cooking methods and then allow the public to sample your food, you are offering food for sale. This is because the definition of "sell" in the Code includes: dispose of by way of raffle, lottery or other game of chance, offer as a prize or reward, give away for the purpose of advertisement or in furtherance of trade or business. This means that the food you are giving away to allow people to taste, and then potentially to buy, is considered food for sale. As such, the same rules apply to this food as apply to all the other food you sell.

It's important to know if you are a food business (see Food Businesses – are you one?), because certain requirements will apply to you. Food businesses need to be registered or licensed with their local council or territory health department. If you are a food business, you need to contact your local council or health/food authority that will explain your legal obligations in relation to making and selling food. These include complying with your State or Territory Food Act and the Code. The main food standards that apply are the food safety and labelling standards. Below is a summary of the main requirements. However, it remains your responsibility to be familiar and comply with, food laws in your state or territory. Your local Council or territory government may also have specific food safety guidance available for temporary food businesses.

Important to Remember

If you sell food at a Farmers' Market you are a food business and you will need to be registered or licenced with your local council or territory health department.





Food safety standards

There are two food safety standards in the Code that apply to food businesses at Farmers' Markets.

These are:

- Standard 3.2.2 – Food Safety Practices and General Requirements; and
- Standard 3.2.3 – Food Premises and Equipment.

Standard 3.2.2 – Food Safety Practices and General Requirements

The main requirements of Standard 3.2.2 are summarised below. If complied with, these requirements will ensure that food does not become unsafe or unsuitable.

Food handler skills and knowledge

Food businesses are required to ensure their food handlers have the skills and knowledge they need to handle food safely. This means food handlers must have the ability to perform those tasks that are necessary to ensure the food safety of food being handled (the skills) and have an understanding of food safety and hygiene matters (the knowledge). The skills and knowledge are only required to a level that corresponds with the work activities of the food handler.

At a Farmers' Market, a person selling fresh fruit and vegetables will need basic food safety and hygiene skills and knowledge. However, a food handler that prepares and cooks higher risk food at the market will need more training in food safety and hygiene.

If you are the owner, or are responsible for, the business, you need to ensure any person who handles food that you sell is appropriately trained in food safety and hygiene. Training can be provided by you (if you have the necessary skills and knowledge) or by another suitably trained person.

In some states and territories, food businesses that handle potentially hazardous foods are required to have a food safety supervisor who has completed nationally developed competency standards.


You should contact your state or territory food enforcement agency to check whether this requirement applies to your business.

Food handling controls

Food business must comply with food handling controls related to the receipt, storage, processing, display, packaging, transportation and disposal of food.

If you are storing, displaying or transporting higher risk food (such as dairy products, seafood, meat, poultry, seed sprouts, cut fruits and vegetables such as salads), you will need to be able to keep this food under temperature control. This means keeping it:

- cold (5°C or below); or
- hot (60°C or above); or
- frozen.



However, you are permitted to have higher risk food at temperatures between 5°C and 60°C, provided you can show that the time the food is between 5°C and 60°C does not affect the safety of the food.

As a general rule, the total time that higher risk food can be at temperatures between 5°C and 60°C is 4 hours. The food then needs to be thrown out. If the food is to be re-refrigerated, the total time it can be at temperatures between 5°C and 60°C is two hours. This is referred to as the '4-hour/2-hour rule' and is summarised below.

High-risk food that has been at temperature between 5°C and 60°C:

- for a total of less than 2 hours, must be refrigerated or used immediately
- for a total of longer than 2 hours but less than 4 hours, must be used immediately;
- for a total of 4 hours or longer, must be thrown out.

If you want to make use of the '4-hour/2-hour rule', you will need to keep written records to show that the time limits have not been exceeded.

Your local food enforcement agency may have specific guidance documents available on using the '4-hour/2-hour rule' safely.

If you are handling high-risk foods, you will also need to have a thermometer that can accurately measure the temperature of this food so that you can ensure the food is kept at the correct temperatures.

Receipt of food

Food businesses must be able to provide, upon request, information regarding what the food is that is being sold by the business and where it came from. In order to provide this information, you should keep a record of what food you have purchased from suppliers.

Food storage

You are required to store food appropriately so that it is protected from contamination and does not become unsafe or unsuitable.

Food that you have at your market stall should also be kept at a temperature that does not make the food unsafe. For high-risk products, this means storing food at 5°C or below, or at 60°C or above (depending on the nature of the food) unless you are using the '2-hour/4-hour rule', explained earlier in this section. If you are storing frozen food, you have to make sure it stays frozen.

Food processing

If you are preparing food for sale at your stall such as chopping and cooking, you must protect food from contamination while it is being prepared and ensure any cooking steps are undertaken correctly. For example, if you are cooking sausages, they must be cooked all the way through before they can be sold.

If you have limited facilities, prepare food in a commercial kitchen and then transport it to the event, for example, slicing vegetables and raw meats. However, wherever possible cook food at your stall, as food that is freshly cooked and served straight away, such as occurs with barbecues, has less chance of becoming unsafe than food that is pre-cooked and then transported.



Food display

Food on display must be protected from contamination. If you have unpackaged, ready-to-eat food for self-service (such as nuts and breads), you are required to protect this food with barriers, provide separate serving utensils and supervise the food to ensure that food that may have been contaminated is removed from sale.

If you are displaying higher risk food, it needs to be kept cold (5°C or below), hot (60°C or above) or frozen, unless you are using the '2-hour/4-hour rule', explained earlier in this section.

Food packaging

All food packaging you use must be fit for the purpose you intend it (i.e. made for what you intend to use it for) and made of material that is not likely to contaminate the food.

Food transportation

If you are transporting food to a market stall, you must protect the food from contamination while it is being transported and if it is higher risk food, keep it cold (5°C or below), hot (60°C or above) or frozen, unless you are using the '2-hour/4-hour rule', explained earlier in this section.

Food disposal

After you have finished selling for the day, you need to dispose of garbage and waste water and decide what to do with left-over food.

Garbage and waste water needs to be kept separate from the food you are selling, and should be kept in a way that is inaccessible to pests. Garbage and waste water should be disposed of in accordance with the type of waste (food waste versus packaging, recycling etc.) and the requirements of the venue or the local government authority where the market is held.


If you have leftover food that is not damaged, deteriorated or perished and is low risk (e.g. a box of apples) it can be kept for a future market. Leftover higher risk food should not be kept unless you are confident that it is safe and suitable and will remain so, when you next offer it for sale. For example, leftover cheeses can be sold at a future market, provided you have been able to keep them cold for the duration of the market and during transport.

Food recall

If you are a food manufacturer, importer or wholesaler, you are required to have a written system in place to ensure the recall of unsafe food. Therefore, if you sell food at a market and you are also the manufacturer of that food, you need to have a recall system.

The three primary objectives of a food recall are to:

- stop the distribution and sale of the product as soon as possible
- inform the government, the food businesses that have received the recalled food and the public, of the problem
- effectively and efficiently remove unsafe product from the market place.



Key features of a recall system are:

- internal procedures and staff responsibilities for conducting a recall
- contact details and procedures for notification (e.g. FSANZ and state or territory food enforcement agency, distributors, wholesalers, retailers and consumers)
- distribution and other records that will help identify and retrieve the recalled food
- arrangements and procedures for food retrieval and assessing the recalled product returns.

User guide

For information on recalling food in Australia and writing a food recall plan, see the FSANZ Food Industry Recall Protocol – available from the [food recall area](#) of the FSANZ website.

Health and hygiene requirements

If you own, or are responsible for the operation of, the business, you must tell your food handlers the health and hygiene rules they need to comply with. These rules ensure that food handlers take steps to avoid contaminating food. A food handler is anyone who handles food or items that may come into contact with food, such as eating and drinking utensils. These rules are listed in Attachment 2 of this Guide. They:

- restrict food handlers who are sick from handling food
- require food handlers to do everything practicable to ensure they do not contaminate the food, including washing their hands, wearing clean clothes, avoiding unnecessary contact with ready-to-eat food.

Food businesses must also:

- ensure sick people do not handle food
- provide adequate hand-washing facilities
- take all reasonable measures to ensure persons on the premises do not contaminate food.

Cleaning, sanitising and maintenance

You need to keep your food stall clean, even though it may be a temporary structure. There should be no accumulation of garbage, recycled matter, food waste, dirt, grease or other visible matter. For example, full bins need to be emptied, so they do not overflow. If you are using water on your site for hand-washing or cleaning equipment, ensure you are able to collect the waste water and dispose of it correctly.

Any equipment you are using must also be kept clean and in a good state of repair and working order. For example, if you use a bain-marie to keep food hot, it must be working correctly.

Any eating and drinking utensils (that are not disposable) and equipment used to handle food such as chopping boards, knives, mixing bowls etc must be cleaned and sanitised before being reused. If you do not have the necessary equipment on site, to clean and sanitise, this will need to be done off-site in an approved kitchen.



Animals and pests

Animals are not permitted in areas where food is being handled. This includes the areas where you are preparing, storing, displaying and serving food. Assistance animals, such as guide dogs, are permitted in dining and drinking areas and other areas used by customers. The Code also allows food business owners, if they wish, to permit dogs in outdoor dining and drinking areas. However, the market operator or local council may restrict dogs from entering the market.

You must, to the extent practicable, keep pests away from the stall and especially from the food. For example, you should cover ready-to-eat food to keep flies away.



Standard 3.2.3 – Food Premises and Equipment

Standard 3.2.3 lists the requirements for the design and construction of food premises and the fixtures, fittings and equipment in the food premises. It applies to all premises that are used to handle food for sale, including temporary food premises such as market stalls.

To comply with this Standard you will need to ensure that your food premises:

- is big enough to fit the equipment you need and for the food handling activities you will be conducting at the premises
- is able to be easily cleaned and kept clean
- is provided with enough clean water available at the right temperature for the work that needs to be done
- has facilities to dispose of garbage and waste water
- has sufficient lighting and ventilation (if cooking is being conducted)
- has adequate equipment for the production of safe and suitable food (such as refrigeration, washing and cooking facilities)
- has hand-washing facilities available (running water¹, soap and paper towel)
- has access to toilets.

¹ In temporary premises, running water can be provided by the use of a portable water container with a spout/tap.



Important to remember

You must comply with the following Food Safety Standards in the Code:

- Standard 3.2.2 – Food Safety Practices and General Requirements
- Standard 3.2.3 – Food Premises and Equipment.

Standard 3.2.2 requires you to:

- Comply with food handling controls related to the receipt, storage, processing, display, packaging, transportation and disposal of food
- Store, display and transport high risk food at safe temperatures unless you are making use of the '4-hour/2-hour rule' (explained earlier in this section) and have written records to show that the time limits have not been exceeded
- Have an accurate thermometer (if you are handling high risk food) so that you can ensure this food is kept at the correct temperatures
- Have a written food recall system (if you are a food manufacturer)
- Ensure your food handlers are appropriately trained in food safety and hygiene
- Tell your food handlers the health and hygiene rules they need to comply with
- Ensure sick people do not handle food and persons on the premises do not contaminate food
- Provide adequate hand-washing facilities
- Keep your food stall clean
- Keep equipment clean and in a good state of repair and working order
- Clean and sanitise all eating and drinking utensils (that are not disposable) and equipment used to handle food, before being reused
- To the extent practicable, keep pests away from the stall and especially from the food
- Ensure animals are not in areas where food is being handled.

Standard 3.2.3 requires you to ensure your food premises (even if temporary):

- Is big enough for the food handling activities you will be conducting at the premises
- Is able to be easily cleaned and kept clean
- Is provided with enough clean water available at the right temperature for the work that needs to be done
- Has facilities to dispose of garbage and waste water
- Has sufficient lighting and ventilation (if cooking is being conducted)
- Has adequate equipment for the production of safe and suitable food (such as refrigeration, washing and cooking facilities)
- Has hand-washing facilities available and access to toilets.



Labelling requirements

All the packaged food you sell at the Farmers' Market must be correctly labelled. This includes jams, chutneys, chocolates, sauces, confectionery, cakes, slices, breads, cheeses, meats, pies, quiches, wine and spirits. There are eleven labelling standards in the Code, all in Part 1.2. The labelling requirements can be complex and if you are not familiar with the requirements, refer to guidance material available from the FSANZ website, or from your state/territory food enforcement agency.

Below is a summary of the main information that must be listed on a label for foods usually sold at a Farmer's Market and references to user guides. All required information must be in English and written legibly and prominently.

The name of the food

If a name for the food has been prescribed in the Code, it must be used (such as for honey and fermented meats). If no name has been prescribed, a name or description of the food sufficient to indicate the true nature of the food must be included on the label (for example, strawberry jam).

Lot identification

Lot identification is needed to assist in the rare event of a food recall. The lot identification indicates in a clearly identifiable form, the *lot* a food comes from as well as the premises where the food was packed or prepared. The *lot* is a quantity of food which is prepared or packed under essentially the same conditions, usually from a particular preparation or packing unit and during a particular time ordinarily not exceeding 24 hours.

A date mark and the supplier's address may be sufficient to satisfy the requirements of lot identification.

Date marking

A date mark is the length of time a food should keep before it begins to deteriorate or, in some cases, before the food becomes less nutritious or unsafe. All packaged food, with a shelf life less than two years must be date marked (unless an exemption applies).

Date marking is usually indicated with a 'best before' date, which is the date on which you can expect a food to retain all of its quality attributes, provided it has been stored according to any stated storage conditions and the package is unopened. Foods which need to be eaten within a certain time because of health or safety reasons, must be date marked with a 'use by' date. Bread, with a shelf life of less than 7 days can be date marked with a 'baked-on date' or a 'baked-for date'.

Where applicable, a statement is required of any specific storage conditions to ensure the food will keep for the time indicated in the *use-by* date or *best-before* date, for example 'store at or below 5°C'.

User guide

For specific guidance on using and applying date marks, see the FSANZ User Guide on *Date Marking*.



Name and business address of supplier

The supplier's name and Australian business address must be included on the label on a packaged food. The supplier of the food could be the packer, manufacturer, or vendor of the food.

A business address means a description of the location of the premises from which a business in question is being operated; for example the street number, the street name, the town or suburb, and, in Australia, the state or territory. A post office box address is not sufficient.

Labelling of ingredients

An ingredient means any substance, including a food additive, used in the preparation, manufacture or handling of a food. Essentially, any substance used to make a food must be listed in the statement of ingredients. Unless covered by an exemption, ingredients must be listed in descending order of ingoing weight. In other words, the statement of ingredients must begin with the ingredient in the largest quantity and end with the ingredient in the smallest quantity, based upon the ingoing weight of the ingredients.

User guide

For guidance on the requirements on the labelling of ingredients see the FSANZ User Guide on *Ingredient Labelling of Foods*.

Mandatory warning and advisory statements and declarations

Information must be provided about certain foods and substances, if present in a food, in the form of mandatory declarations, warning statements or advisory statements. For people with food allergies and sensitivities, it is very important to be able to identify if your food contains a substance they have an allergy or sensitivity to.

The following substances must be declared when present in a food:

- added sulphites in concentrations of 10 mg/kg or more
- cereals containing gluten and their products, namely, wheat, rye, barley, oats and spelt and their hybridised strains (other than where the substances are present in beer and spirits standardised in Standards 2.7.2 and 2.7.5 respectively)
- crustacea and their products
- egg and egg products
- fish and fish products, except for isinglass derived from swim bladders and used as a clarifying agent in beer and wine
- milk and milk products
- peanuts and peanut products
- sesame seeds and sesame seed products
- soybeans and soybean products
- tree nuts and tree nut products other than coconut.

The above declarations must be included in the label of the food being sold, or, if the food is unpackaged, be visible in connection to the food on display, or available to a customer on request.

User guide

For guidance on the use and application of warning statements, advisory statements and declarations, see the FSANZ User Guide on *Warning and Advisory Statements and Declarations*.

Directions for use and storage

Directions for use and/or storage of the food must be included where needed for health or safety reasons, for example, cooking or storage instructions.

Nutrition information requirements

A label on a packaged food must display a nutrition information panel setting out specific information such as the average energy, protein, total fat, saturated fat, carbohydrate, total sugars and sodium content of the food on a per serving and per unit quantity (100 g or 100 ml) basis. Some exemptions apply, for example, herbs, spices, mineral waters, teas and coffees are not required to have nutrition information panel. A nutrition information panel must be set out as per the requirements in the Code and must include the number of servings of the food in the package, as well as the average quantity of the food in a serving.

NUTRITION INFORMATION		
SERVINGS PER PACKAGE: 50 SERVING SIZE: 15mL		
AVERAGE QUANTITY	PER 15mL	PER 100mL
ENERGY - kJ	565kJ	3448kJ
PROTEIN	0.0g	0.0g
FAT		
- TOTAL	13.7g	91.5g
- SATURATED	2.0g	14.0g
- MONOUNSATURATED	10.1g	67.7g
- POLYUNSATURATED	1.3g	9.8g
- TRANS	< 0.01g	< 0.05g
CHOLESTEROL	0mg	0mg
CARBOHYDRATE		
- SUGARS	0.0g	0.0g
SODIUM	0.0mg	0.0mg

Extra Virgin Olive Oil Nutrition Information Panel

There are additional nutrition labelling requirements that apply if you make a nutrition content claim or a health claim about the food.

User guides

For further information in relation to nutrition information requirements, see the FSANZ User Guide on Nutrition Information.

FSANZ has also developed a nutrition panel calculator. You can use this calculator to calculate the average nutrient content of your food products and prepare a *nutrition information* panel. It is available on the FSANZ website under the 'Industry' tab.

Characterising ingredients and components of food (percentage labelling)

'Percentage labelling' means stating on a food label the proportion of a characterising ingredient or component contained in that food. Percentage labelling is designed to help consumers make informed choices about the foods they buy by allowing them to compare how much of a characterising ingredient or component is present in similar products.

A **characterising ingredient or characterising component** is an ingredient or component that is:

- mentioned in the name of a food
- usually associated with the name of a food by the consumer
- emphasised on the label of a food in words, pictures or graphics.

For example, if you are selling jam, labelled as 'strawberry jam', the characterising ingredient is 'strawberry' and you will need to include the percentage of strawberries present in your jam. This percentage can be included in the ingredient list in brackets after the characterising ingredient is listed, for example strawberries (30%).

User guide

For guidance on labelling characterising ingredients and components of food see the FSANZ User Guide on *Percentage Labelling of Food*.



Country of origin labelling

All packaged food must be labelled with:

- a statement on the package that identifies the country where the food was made, produced, or grown; **OR**
- a statement on the package
 - that identifies the country where the food was manufactured or packaged; and
 - to the effect that the food is constituted from ingredients imported into that country or from local and imported ingredients.

Some unpackaged foods for retail sale need a label placed on the food or in connection with the display to:

- identify the country or countries of origin of the food (including Australia), or
- indicate that the food is a mix of local and imported foods; or
- indicates that the food is a mix of imported foods

Unpackaged foods for retail sale that require country of origin labelling include fish and fruits and vegetables.

Important to remember



All the packaged food you sell at the Farmers' Market must be correctly labelled. There are eleven labelling standards in the Food Standards Code, all in Part 1.2. The labelling requirements can be complex and if you are not familiar with the requirements, refer to guidance material available from the FSANZ website, or from your state/territory food enforcement agency.

For Further Information:

FSANZ

PO Box 7186

Canberra BC ACT 2610

www.foodstandards.gov.au/pages/contact.aspx

T: 02 6271 2222

F: 02 6271 2278

AFMA

PO Box 1101

Potts Point NSW 2011

www.farmersmarkets.org.au

T: 02 9360 9380



Attachments

Attachment 1 – Food safety resources

The following resources may assist you meet your legal obligations under state and territory food acts, the Food Standards Code and state and territory legislation.

Food Standards Australia New Zealand (FSANZ)

From the FSANZ website you can access the Food Standards Code, user guides and food safety resources.

- FSANZ website

<http://www.foodstandards.gov.au>

- User guides

<http://www.foodstandards.gov.au/code/userguide/Pages/default.aspx>

- Food safety resources

<http://www.foodstandards.gov.au/consumer/safety/faqsafety/pages/default.aspx>

State and territory food enforcement agencies also have extensive food safety resources available on their websites. Contact details for state and territory food enforcement agencies, including websites are available on the FSANZ website - [Food enforcement contacts](#)

Horticulture

Guidelines for On-Farm Food Safety for Fresh Produce

The Australian Department of Agriculture has produced a booklet called “Guidelines for On-Farm Food Safety for Fresh Produce.” It can help you to identify and manage both microbiological and chemical hazards step-by-step. This booklet can be found at:

<http://www.daff.gov.au/agriculture-food/food/publications/farm-food-safety>

Freshcare

Freshcare is the name for the horticulture industry owned, not for profit, on-farm assurance program, established and maintained to service the needs of the Australian industry. More information can be found at: <http://www.freshcare.com.au>



Guidelines for the Management of Microbial Food Safety in Fruit Packing Houses

The Western Australian Department of Agriculture has produced a guide on how to minimise microbial contamination and food safety risks in packing houses. It can be accessed at: http://archive.agric.wa.gov.au/objtwr/imported_assets/content/hort/fn/pw/bull4567.pdf

Industry Guide for the Development of a Food Safety Program (High Priority Plant Products Industry)

The NSW Food Authority has prepared a guide to assist businesses in the development and implementation of a food safety program for high priority plant products, which include:

- seed sprouts
- fresh cut fruit (usually consumed raw)
- fresh cut vegetables (usually consumed raw)
- vegetables in oil
- unpasteurised juice.

This document can be accessed at:

http://www.foodauthority.nsw.gov.au/Documents/industry_pdf/Part%203%20-%20Industry%20Guide%20for%20Plant%20Products.pdf

If you are a citrus packer in South Australia, specific food safety requirements apply. See link below.

[Biosecurity SA | Food Safety | Horticulture food safety and accreditation](#)

Poultry, Eggs, Dairy, Seafood and Meat

If you are a poultry, egg, dairy, seafood or meat producer, you will need to contact the state or territory food enforcement agency in your jurisdiction that has responsibility for your sector, for guidance.

Wine

The Code of Good Manufacturing Practice for the Australian Grape and Wine Industry.

This Code has been prepared by the Australian Wine Research Institute in conjunction with the Winemakers' Federation of Australia's Wine Industry Technical Advisory Committee. Its purpose is to outline the basic principles that should be followed in the production and packaging of 'wine' and 'wine products' to ensure that safe, sound quality products reach the consumer.

<http://www.awri.com.au/wp-content/uploads/WR163The.pdf>



Attachment 2 – Food handler health and hygiene rules

Following are the health and hygiene requirements for food handlers in Standard 3.2.2 – Food Safety Practices and General Requirements. Food businesses must inform food handlers of their health and hygiene requirements.

Division 4 - Health and hygiene requirements

Subdivision 1 - Requirements for food handlers

13 General requirement

A food handler must 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.

14 Health of food handlers

(1) A food handler who has a symptom that indicates the handler may be suffering from a food-borne disease, or knows he or she is suffering from a food-borne disease, or is a carrier of a food-borne disease, must, if at work:

(a) report that he or she is or may be suffering from the disease, or knows that he or she is carrying the disease, to his or her supervisor, as the case may be;

(b) not engage in any handling of food where there is a reasonable likelihood of food contamination as a result of the disease; and

(c) if continuing to engage in other work on the food premises - take all practicable measures to prevent food from being contaminated as a result of the disease.

(2) A food handler who suffers from a condition must, if at work:

(a) if there is a reasonable likelihood of food contamination as a result of suffering the condition - report that he or she is suffering from the condition to his or her supervisor; and

(b) if continuing to engage in the handling of food or other work - take all practicable measures to prevent food being contaminated as a result of the condition.

(3) A food handler must notify his or her supervisor if the food handler knows or suspects that he or she may have contaminated food whilst handling food.



15 Hygiene of food handlers

(1) A food handler must, when engaging in any food handling operation:

- (a) take all practicable measures to ensure his or her body, anything from his or her body, and anything he or she is wearing does not contaminate food or surfaces likely to come into contact with food;
- (b) take all practicable measures to prevent unnecessary contact with ready-to-eat food;
- (c) ensure outer clothing is of a level of cleanliness that is appropriate for the handling of food that is being conducted;
- (d) only use on exposed parts of his or her body bandages and dressings that are completely covered with a waterproofed covering;
- (e) not eat over unprotected food or surfaces likely to come into contact with food;
- (f) not sneeze, blow or cough over unprotected food or surfaces likely to come into contact with food;
- (g) not spit, smoke or use tobacco or similar preparations in areas in which food is handled; and
- (h) not urinate or defecate except in a toilet.

(2) A food handler must wash his or her hands in accordance with sub-clause (4):


- (a) whenever his or her hands are likely to be a source of contamination of food;
- (b) immediately before working with ready-to-eat food after handling raw food; and
- (c) immediately after using the toilet.

(3) A food handler must, when engaging in a food handling operation that involves unprotected food or surfaces likely to come into contact with food, wash his or her hands in accordance with sub-clause (4):

- (a) before commencing or re-commencing handling food;
- (b) immediately after smoking, coughing, sneezing, using a handkerchief or disposable tissue, eating, drinking or using tobacco or similar substances; and
- (c) after touching his or her hair, scalp or a body opening.

(4) A food handler must, whenever washing his or her hands:

- (a) use the hand-washing facilities provided;
- (b) thoroughly clean his or her hands using soap or other effective means, and warm running water; and
- (c) thoroughly dry his or her hands on a single use towel or in another way that is not likely to transfer pathogenic micro-organisms to the hands.



(5) A food handler who handles food at temporary food premises does not have to clean his or her hands with warm running water, or comply with paragraph (4)(c), if the appropriate enforcement agency has provided the food business operating from the temporary food premises with approval in writing for this purpose.