

REGIONAL COUNCIL OF GOYDER

| | | | |
|---|-----------------------------------|-----------------|----------|
|  GOYDER South Australia's Heartland | FOOD INSPECTION POLICY | Department | I&TS |
| | | Version No: | 1.0 |
| | | Adopted: | Jul 2023 |
| | | Reviewed: | |
| | | Next Review: | Nov 2025 |
| | | Minutes Ref: | 099/23 |
| | | Responsibility: | EHO |

1. PURPOSE

The administration of the Food Act 2001 allows for the carrying out an inspection of any food premises or food transport vehicle by an authorised officer. A fee for carrying out a food premises inspection is permitted under the Food Act 2011. This procedure provides for a consistent and equitable approach when imposing fees for conducting a food premises inspection.

2. REFERENCES AND SUPPORTING DOCUMENTATION

- This Food Inspection Policy should be read in conjunction with the Fees & Charges Register
- Global Glossary
- Food Act 2001 Section 113 (i)
- Food Regulations 2017 Section 13

3. APPLICATION

| | |
|---|--|
| Chief Executive Officer | To ensure transparency and to promote consistency |
| Director of Infrastructure & Technical Services | Provide appropriate systems, processes, or guidelines for delegated and authorised offices to utilise to ensure this procedure is followed |
| Environmental Health Officer | Authorised and delegated officers under the Food Act 2001 are required to: <ul style="list-style-type: none">- apply the relevant fees following Food premises inspections, in line with section 4.2- undertake and schedule food premises inspections in line with the appropriate frequency outlined in 4.2.3 |

4. PROCEDURE

4.1 Definitions

4.1.1 Environmental Health Officer - Authorised Officer appointed under Section 94 of the Food Act 2001.

4.1.2 Food Business – as defined in the Food Act 2001 Section 6: A business, enterprise or activity (other than primary food production) that involves handling of food intended for sale or the sale of food.

4.1.3 Food Premises – includes land (whether vacant), whole or any part of a building, tent, stall or other structure (temporary or permanent), pontoon, or vehicle that is being used as a food business.

REGIONAL COUNCIL OF GOYDER FOOD INSPECTION POLICY V1.0

4.1.4 Food Business Notification – All business preparing or handling food for sale including individual persons operating home businesses must notify council by completing the online Food Notification Form.
[Food Safety | Goyder Regional Council](#)

4.1.5 Inspection Fee – means the fee charged under Regulation 13 of the Food Regulations 2017 for the carrying out of any inspection of any food premises or food transport vehicle set in accordance with the Fees & Charges Register. The fee shall not exceed the maximum prescribed charge.

4.1.6 Maximum Prescribed Fee – is the maximum fee under Section 13 of the Food Regulations 2017.

4.1.7 South Australian Food Business Risk Classification – framework and decision document to assist in identifying the risk of the food business.

- High and Medium Risk Business (P1 and P2) – is a business that will handle food that supports the growth of pathogenic micro-organisms. Food handling control action must be implemented to ensure the safety of the food.
- Low Risk Business (P3) – is a business that handles food that does not normally support the growth of pathogenic micro-organisms.
- Nominal Business (P4) – is a business that handles food for sale which is non-perishable or pre-packaged food.

4.1.8 Mobile Food Van – a mobile structure or vehicle that is being used as a food business.

4.1.9 Not for Profit Organisation – applies to organisations that have been endorsed by the Australian Taxation Office as income tax exempt and can produce the written tax office endorsement documentation to Council.

4.1.10 Small Business – as defined in Section 3 of the Food Regulations 2017 means a business where not more than 20 people (full time equivalent) are engaged in handling food.

4.2 Application of Inspection Fees

4.2.1 The Regional Council of Goyder will impose inspection fees at the determined rate set out in the Fees & Charges Register for each routine inspection of food premises within the Council area. This includes food premises which may operate primarily from mobile food vans that are housed / garaged within the Regional Council of Goyder (regardless of their serviced localities).

4.2.2 Inspection fees are exempt from GST (Class Ruling 2013/41)

4.2.3 Inspection Frequency: The South Australian Food Business Risk Classification developed by SA Health defines the food safety risk priorities of specific businesses depending on the type of food or processing undertaken.

A business in a higher risk classification will require higher levels of surveillance than those in a lower classification. The business should be inspected within the applicable frequency range for that risk. The frequency of inspection may be reduced or increased depending on whether food safety compliance is satisfactory during the inspection.

| Classification | Frequency (every x months) | | |
|----------------|----------------------------|---------|---------|
| | Starting Point | Maximum | Minimum |
| P1 | 6 | 3 | 12 |

REGIONAL COUNCIL OF GOYDER FOOD INSPECTION POLICY V1.0

| | | | |
|----|--|----|----------------------------------|
| P2 | 12 | 6 | 18 |
| P3 | 18 | 12 | 24 |
| P4 | Initial inspection to confirm risk level | | Complaint, recall or risk change |

Priority 1 food businesses relate to businesses that produce or handle high risk foods and have high risk practices such as reheating or 'hot holding' of food, or where the consumers are predominantly immunocompromised populations such as the very young, the very old and the very sick as well as the scale of production/service and other factors. These may include Hotels, Restaurants, Bakeries, Café's, Child Care Centres, Hospitals, Aged Care Homes and the like

Priority 2 food businesses relate to businesses that produce or handle foods that may be high risk, but the practices are less risky. Handling of food will, characteristically, also involve at least one step.

Priority 3 food businesses relate to businesses that only handle "low risk" or "medium risk" foods and have practices that are low risk. These may include Bakeries that only bake biscuits, bread, scones & cakes, Fruit and Veg and the like.

Priority 4 food businesses that will normally handle only "low risk" foods such as pre-packaged foods like chips, sweets, soft drinks and the like. These may include chemists

4.2.4 The frequency of inspection will be changed in the following circumstances:

- Will revert to the starting point for a new food business or where there is a new proprietor.
- Will increase from the starting point to the maximum frequency when 2 consecutive inspection scores for compliance is greater than 12 demerit points or where a single inspection incurs that records 24 demerit points or greater.
- Will revert to the starting point from the maximum inspection frequency where 2 consecutive inspection scores for compliance are less than 7 demerit points or where a single inspection incurs 3 or less demerit points.
- Will decrease to the minimum from the starting point frequency where 2 consecutive inspection scores for compliance are 3 demerit points or less.

4.2.5 Multiple food businesses with different trading names operating from single premises shall each be charged the maximum inspection fee in accordance with their risk classification.

4.2.6 Inspections undertaken to follow up and confirm the rectification of non-conformances will incur fees in accordance with:

- 1st follow up inspection – no inspection fee applied.
- 2nd and subsequent follow up inspections will incur the maximum prescribed fee.

4.2.7 Complaint inspections will incur the maximum prescribed fee where the matter is justified and a non-conformance with the Food Act can be demonstrated.

4.2.8 Temporary food businesses (festivals, fetes, markets and shows) may be inspected and no charge

REGIONAL COUNCIL OF GOYDER FOOD INSPECTION POLICY V1.0

will be levied against either the event organiser or the mobile individual food business inspected.

4.2.9 Inspection fees will be applied as follows:

- Standard large food businesses will incur a fee in accordance with the fees and charges register at the time of conducting the inspection.
- Standard small businesses will incur a fee in accordance with the fees and charges register at the time of conducting the inspection for a small business.
- Low Risk Businesses such as Bed and Breakfasts will incur a fee that is half the amount of the maximum fee charged in accordance with the fees and charges register at the time of conducting the inspection.
- Home businesses producing low risk shelf stable foods will not incur an inspection fee.
- Not for profit organisations such as sporting clubs, schools, council owned facilities will not incur an inspection fee.

4.2.10 All inspection fees will be included in the Fees and Charges Register and updated in accordance with the maximum prescribed fee changes.

5. RECORDS

All records should be kept confidential and be treated in accordance with Local Government GDS40.

6. REVIEW

This document shall be reviewed by Council every two (2) years (or on significant change to legislation or aspects included in this policy that could affect the health and safety of workers).

7. REVIEW HISTORY

| Document History | Version No: | Issue Date: | Description of Change: |
|------------------|-------------|--------------|------------------------|
| | 1.0 | 18 July 2023 | Adopted |