



Government of **Western Australia**  
Department of **Health**

# Report on the *Food Act* *2008*

1 July 2016 – 30 June 2019

### **This document was prepared by:**

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The following agencies contributed to this report:

### Cities

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### Shires

Ashburton, Augusta-Margaret River, Beverley, Boddington, Boyup Brook, Bridgetown-Greenbushes, Brookton, Broome, Broomehill-Tambellup, Bruce Rock, Capel, Carnamah, Carnarvon, Chapman Valley, Chittering, Collie, Coolgardie, Coorow, Corrigin, Cranbrook, Cuballing, Cue, Cunderdin, Dalwallinu, Dandaragan, Dardanup, Denmark, Derby-West Kimberley, Donnybrook-Balingup, Dowerin, Dumbleyung, Dundas, East Pilbara, Esperance, Exmouth, Gingin, Gnowangerup, Goomalling, Halls Creek, Harvey, Irwin, Jerramungup, Katanning, Kellerberrin, Kent, Kojonup, Kondinin, Koorda, Kulin, Lake Grace, Laverton, Leonora, Manjimup, Meekatharra, Menzies, Merredin, Mingenew, Moora, Morawa, Mt Magnet, Mt Marshall, Mukinbudin, Mundaring, Murchison, Murray, Nannup, Narembeen, Narrogin, Ngaanyatjarraku, Northam, Northampton, Nungarin, Peppermint Grove, Perenjori, Pingelly, Plantagenet, Quairading, Ravensthorpe, Sandstone, Serpentine-Jarrahdale, Shark Bay, Tammin, Three Springs, Toodyay, Trayning, Upper Gascoyne, Victoria Plains, Wagin, Wandering, Waroona, West Arthur, Westonia, Wickepin, Williams, Wiluna, Wongan-Ballidu, Woodanilling, Wyalkatchem, Wyndham/East Kimberley, Yalgoo, Yilgarn and York.

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### Department of Health

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## Abbreviations, initialisms and definitions

Authorised officer	means a person appointed under Part 10 Division 3 of the Food Act
CEO	Chief Executive Officer (Director General) of the Department of Health
Code	Australia New Zealand Food Standards Code
Enforcement agency	the CEO of Department of Health or local government
Food Act	<i>Food Act 2008</i>
Food business	means a business, enterprise or activity that involves the handling of food intended for sale or the sale of food
Food Regulations	Food Regulations 2009
the Forum	The Australia New Zealand Ministerial Forum on Food Regulation
FRA	the Food Regulation Agreement
FRSC	Food Regulation Standing Committee
FSMS	food safety management statement
FTE	full-time equivalent
ISFR	Implementation Sub-committee for Food Regulation
PPP	Primary Production and Processing
WA	Western Australia

## A Message from the Director General

In Western Australia we have a robust food regulatory system that applies across our entire food supply chain to ensure that food sold in our State is safe to eat. Our principal piece of food safety legislation, the *Food Act 2008* (Food Act), adopts the national food standards – the Australia New Zealand Food Standards Code, which comprises standards that regulate a wide range of food safety aspects including safe food handling practices, composition of foods, labelling requirements and primary production standards.

In Western Australia this legislation is enforced by 138 Food Act enforcement agencies consisting of 137 local government authorities and the Department of Health. As of 30 June 2019, there were approximately 25 300 food businesses in Western Australia who are responsible for maintaining their compliance with the legislative requirements, while enforcement agencies and Food Act authorised officers perform vital monitoring, compliance and enforcement activities to help uphold food safety standards and assist to reduce the risk of foodborne illness.

The Department of Health performs a key role to facilitate the operation of the Western Australian food regulatory system by contributing to the national food regulatory framework, coordinating state-wide food safety activities, and providing support to enforcement agencies and the food industry with the implementation of the food safety legislation.

I am pleased to release this report on food regulatory activities in Western Australia during 2016 to 2019. I would also like to thank the 138 Food Act enforcement agencies, their authorised officers and the food industry for their ongoing work to maintain high food safety standards and a safe food supply for Western Australians.

Dr DJ Russell-Weisz  
DIRECTOR GENERAL



## Executive Summary

This report contains analysis of information received from *Food Act 2008* (Food Act) enforcement agencies on the performance of Food Act regulatory functions from 1 July 2016 to 30 June 2019. There are 138 enforcement agencies in Western Australia (WA) consisting of 137 local government authorities and the Department of Health.

The food regulatory functions analysed in this report include Food Act authorised officers, registration and assessment of food businesses, Food Act compliance and enforcement activities, regulatory food safety auditing, primary production and processing standards, egg safety, food safety education and training, and highlights from enforcement agencies.

### Food Act authorised officers

Enforcement agencies appoint authorised officers under the Food Act to perform a range of food business monitoring, compliance and enforcement functions. There were 292 full-time equivalent (FTE) authorised officers in 2018/19, increasing from 289 in 2016/17. There were 74 FTE persons that assist with the discharge of duties of an authorised officer in 2018/19 who have some but not all the regulatory functions of authorised officers. Authorised officer meat inspectors are appointed for the inspection of animals and carcasses at abattoirs and there were 21 FTE in 2018/19 increasing from 18 in 2016/17.

Most authorised officers have an environmental health degree (331 in 2018/19) and 63 had other qualifications.

There was a decline in the percentage of enforcement agencies experiencing recruiting difficulties from 17.8% in 2016/17 to 10.4% in 2017/18 and 12.3% in 2018/19.

### Registration and assessment of food businesses

The number of food businesses reported by enforcement agencies in WA increased from 23 623 in 2016/17, to 23 989 in 2017/18 and 25 330 in 2018/19. The number of food businesses per enforcement agency in 2018/19 ranged from 3 to 1786.

On-site assessments of food businesses are performed by authorised officers to assess compliance with the food legislation. There were 32 340 on-site assessments performed in 2018/19 which increased from 31 222 in 2016/17.

### Food Act compliance and enforcement activities

There are a range of enforcement options under the Food Act that can be used to enforce compliance when evidence of a breach of the legislation is found. The most frequently used enforcement options were improvement notices (1408 served in 2018/19) and infringement notices (647 in 2018/19). The more severe enforcement options were used less frequently including 28 prosecutions instigated, 11 seizures performed, and 28 prohibition orders served in 2018/19.

### Regulatory food safety auditing

Food businesses that provide food service to vulnerable persons are required to comply with Standard 3.3.1 of the Australia New Zealand Food Standards Code (the Code) – *Food Safety Programs for Food Service to Vulnerable Persons*. They must implement a documented food safety program, which the enforcement agency verifies is compliant with the Standard and are subject to regulatory food safety audits.

In 2018/19 there were 1112 food businesses required to comply with Standard 3.3.1. The percentage of businesses with verified food safety programs increased from 70% in 2016/17 to 83% in 2018/19. The percentage of businesses undergoing regulatory food safety auditing also increase – from 69% in 2016/17 to 76% in 2018/19.

### **Primary production and processing standards**

The Primary Production and Processing Standards of the Code aim to reduce the incidence of foodborne disease by strengthening food safety in the primary production and processing of certain foods. The Food Act requires businesses captured by these Standards to register with the appropriate enforcement agency and operate according to a food safety management statement (FSMS) which must be recognised (verified for substantial compliance) by the enforcement agency.

There was a 10% decrease in the number of poultry meat producers and processors in 2018/19, the number of egg producers in 2018/19 increased by 3%, and the number of seed sprout producers remained consistently low over the three years. Over the three years there was an overall increase in the percentage of registered food businesses that have a recognised FSMS, with a possible anomaly in 2017/18 with no seed sprout businesses with a recognised FSMS, and a slight increase in the percentage of egg producers that were not registered with the appropriate enforcement agency in 2018/19 which may be due to an increase of new producers that were yet to formally register.

### **Egg safety**

*Regulatory Guideline 5 – The preparation of raw egg-based products – consistent approach to be adopted by enforcement agencies* was introduced in December 2018, to provide for a consistent approach by enforcement agencies to monitoring, compliance and enforcement of raw egg handling in food businesses. Awareness of the new Regulatory Guideline was high with 82% of enforcement agencies reporting that they were aware of the Regulatory Guideline; 43% reported that the Regulatory Guideline applied to them of which 58% had implemented it. This information will assist in the review of the Regulatory Guideline and its implementation.

### **Food safety education and training**

The majority (88% in 2018/19) of enforcement agencies provided food safety education and training to assist in achieving safe food handling practices and food regulatory compliance. Enforcement agencies deliver this in a range of formats such as face-to-face interactions, online content and written guidance.

### **Conclusion**

This report contains analysis of the information received from WA enforcement agencies from the three reporting years: 2016/17, 2017/18 and 2018/19 on the performance of food regulatory functions and is used by the Department of Health to provide support to assist with implementation of the food safety legislation in WA. Data will continue to be collected annually from enforcement agencies to fulfil the requirements of the Food Act.





138

Food Act enforcement agencies

292

full time equivalent Food Act authorised officers



Qualifications of authorised officers:



331

environmental health degree

25,330

food businesses in WA



Authorised officers performed

31,222

onsite assessments of food businesses



63

'other' qualifications



Food Act enforcement action taken



- **1408** improvement notices
- **647** infringement notices
- **28** prosecutions instigated
- **11** seizures
- **28** prohibition orders



88%

Enforcement agencies that provide food safety education or training

Number of food businesses in Western Australia



**2009** service of food to vulnerable persons



**21,120** food service/retail



**2998** manufacturer/distributor/importer/storage/packer



**575** primary producer/processor

## Introduction

### About this report

This report on the performance of *Food Act 2008* (Food Act) regulatory functions contains analysis of information received from Food Act enforcement agencies over the three financial years from 1 July 2016 to 30 June 2019. Enforcement agencies report to the Department of Health on the performance of food regulatory functions in accordance with section 121 of the Food Act, which is an annual requirement as determined by the CEO of the Department of Health.

In Western Australia (WA) the food legislation is enforced by 138 Food Act enforcement agencies, consisting of 137 local government authorities and the Department of Health. Of the 138 enforcement agencies 135 reported to the Department of Health in 2016/17 and 2017/18. In 2018/19 all 138 enforcement agencies reported.

The food regulatory functions analysed in this report include:

- Food Act authorised officers
- registration and assessment of food businesses
- Food Act compliance and enforcement activities
- regulatory food safety auditing
- primary production and processing standards
- egg safety
- food safety education and training
- highlights from enforcement agencies

### The food regulatory system

Australia and New Zealand have a bi-national food regulatory system, underpinned by two agreements:

1. the Agreement Between the Government of Australia and the Government of New Zealand Concerning a Joint Food Standards System
2. the Food Regulation Agreement (FRA).

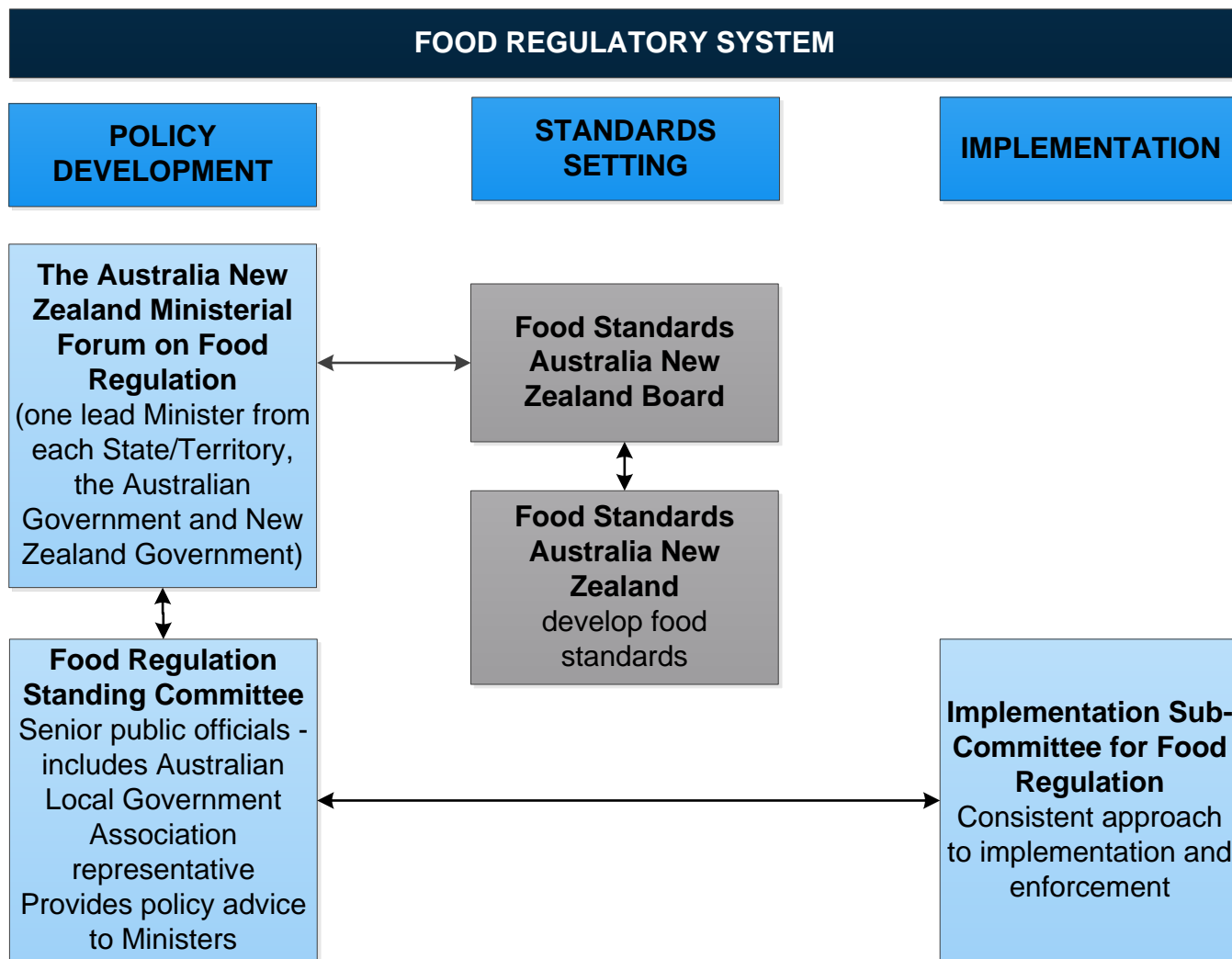
The food regulatory system aims are to:

- protect the health and safety of consumers by reducing food-related risks
- help consumers make informed choices about food by making sure they have information they need and are not misled
- support public health by promoting healthy food choices; maintaining and enhancing the nutritional qualities of food and responding to specific public health concerns
- support a strong, sustainable food industry that offers a diverse, affordable food supply that also benefits the Australian and New Zealand economies.

The FRA is an inter-governmental agreement to establish a national approach to food regulation in Australia. One of the requirements of the FRA is for states and territories to have legislation in force based on the Model Food Provisions, which adopts the Code. In WA the Food Act and Food Regulations 2009 (WA) (the Food Regulations) have been in operation since 2009.

Food standards are developed by Food Standards Australia New Zealand, which can be accepted, amended or rejected by the Australia New Zealand Ministerial Forum on Food Regulation (the Forum). The Forum consists of Ministers from each state and territory and the Australian and New Zealand Governments. The WA representative of the Forum is the Minister for Health. The Forum is supported by the Food Regulation Standing Committee (FRSC) which

provides policy advice to the Forum, and the Implementation Sub-Committee for Food Regulation (ISFR) ensures a consistent approach to implementation and enforcement of the Standards. WA representatives of these committees are the Department of Health’s Executive Director Environmental Health (for FRSC) and the Managing Scientist Food (for ISFR).



### Roles and responsibilities

As the state government agency responsible for administering the food legislation, the Department of Health has a wide range of roles within the food safety system across all levels of government (national, state and local government). Nationally the Department of Health supports the Minister for Health, the WA representative of the Forum, participates on national committees and working groups, and prepares written submissions on proposals to change the food legislation.

The Department of Health promotes consistent implementation of the food legislation in WA by providing support to enforcement agencies and the food industry through the development of state-wide policies, guidelines, guidance documents, workshops, seminars and presentations. The Department of Health coordinates state-wide food safety activities such as food recalls, cross-jurisdictional food safety incident and outbreak investigations and state-wide food safety monitoring.

It is the responsibility of food businesses to comply with the food legislation, whilst the Department of Health and local governments have responsibility for enforcing the food legislation in WA.

Under the Food Regulations local government is the appropriate enforcement agency for food businesses within their district. The Department of Health is the appropriate enforcement agency for food businesses that are:

- conducted at public hospitals and prepare food for patients
- dairy primary producers, transporters or processors
- primary producers or processors of bivalve molluscs
- not within a local government district
- conducted at premises on Rottnest Island or in Kings Park.

## Performance of food regulatory functions by Food Act enforcement agencies

### Food Act authorised officers

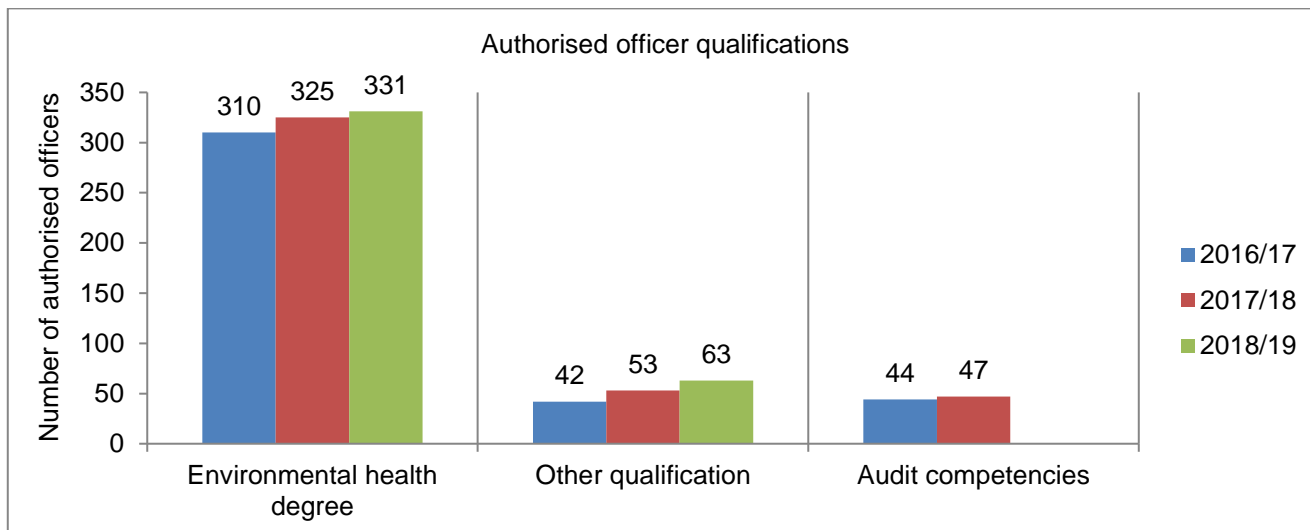
Authorised officers are appointed by enforcement agencies and have functions under the Food Act to carry out food business monitoring, compliance and enforcement activities. Enforcement agencies may also appoint persons to assist with the discharge of duties of an authorised officer; having some but not all of the regulatory powers of authorised officers. Authorised officer meat inspectors are appointed for the inspection of animals and carcasses at abattoirs, as required by regulation 21 of the Food Regulations 2009.

The following table gives the number of authorised officers in WA each year. It is represented on a fulltime equivalent basis to take in to account authorised officers that work for more than one enforcement agency, and that authorised officers deliver other functions in local government in addition to food safety. The number of authorised officers and meat inspectors remained relatively stable over the three years. The number of persons that assist declined in 2017/18 and increased in 2018/19.

	2016/17	2017/18	2018/19
Authorised officers	289	292	292
Persons that assist	57	49	74
Meat inspectors	18	19	21

In 2018/19 the number of authorised officers per enforcement agency ranged from 14 in the largest, whilst three enforcement agencies reported that they did not have an authorised officer.

Food Act enforcement agencies may appoint a person to be an authorised officer if they have appropriate qualifications and experience, having regard to guidelines issued by the CEO of the Department of Health. Most authorised officers have environmental health degrees, as shown in the following chart.



Authorised officer qualifications other than environmental health degree or diploma included qualifications in food science, food technology, public health, health surveying and population health. There were 44 authorised officers with audit competencies in 2016/17 and 47 in 2017/18, which enable them, if they wished, to become regulatory food safety auditors.

There was a decline in the percentage of enforcement agencies experiencing recruiting difficulties from 17.8% in 2016/17 to 10.4% in 2017/18 and 12.3% in 2018/19.

## Registration and assessment of food businesses

### Number of food businesses

Food businesses must give written notification to, or register with the appropriate enforcement agency under the Food Act prior to operating. This requirement enables enforcement agencies to gather information to assist with the monitoring of food businesses. Notification applies to food businesses which are exempted from registration under the Food Act.

Enforcement agencies report the total number of food businesses in their jurisdiction registered with them under the Food Act and exempted food businesses. The number of food businesses reported by enforcement agencies in WA increased from 23 623 in 2016/17, to 23 989 in 2017/18 and 25 330 in 2018/19. The number of food businesses per enforcement agency in 2018/19 ranged from 3 to 1786.

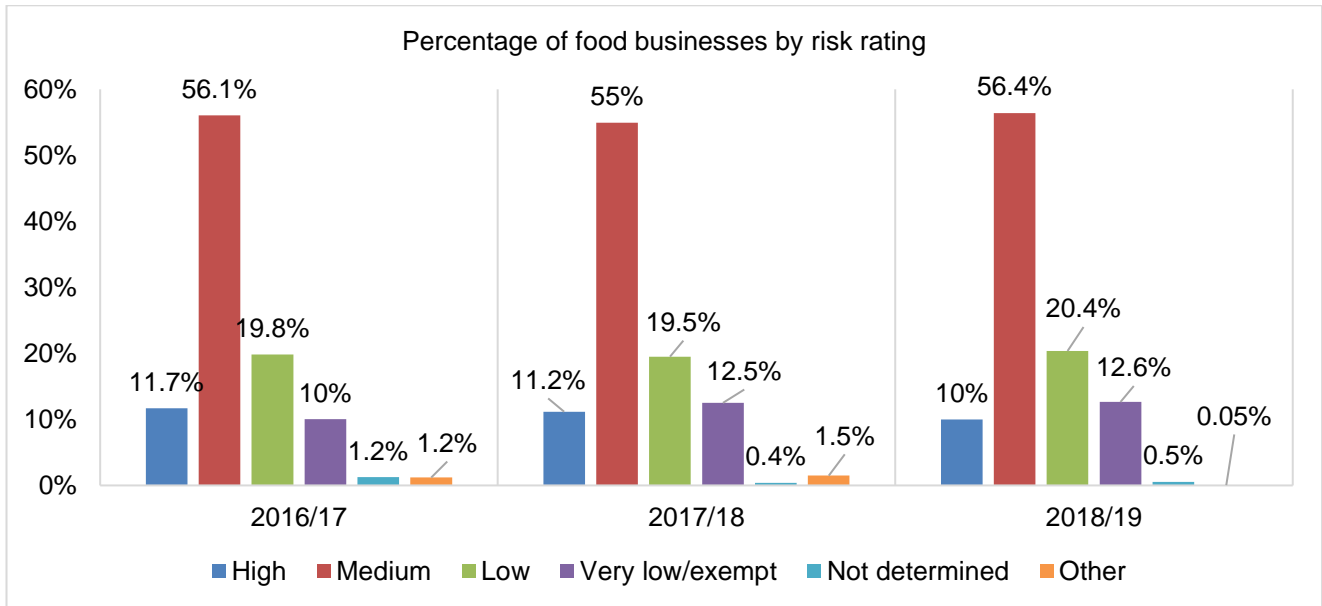
### On-site assessments

Authorised officers undertake on-site assessments of food businesses to assess compliance with the food legislation. Enforcement agencies are encouraged to adopt a risk-based approach to the frequency of assessments, with frequency increasing the higher the risk of the food business. The total number of on-site assessments conducted increased over the three years as shown in the following table.

Reporting year	2016/17	2017/18	2018/19
Number of food businesses	23 623	23 989	25 330
Number of on-site assessments	31 222	31 640	32 340

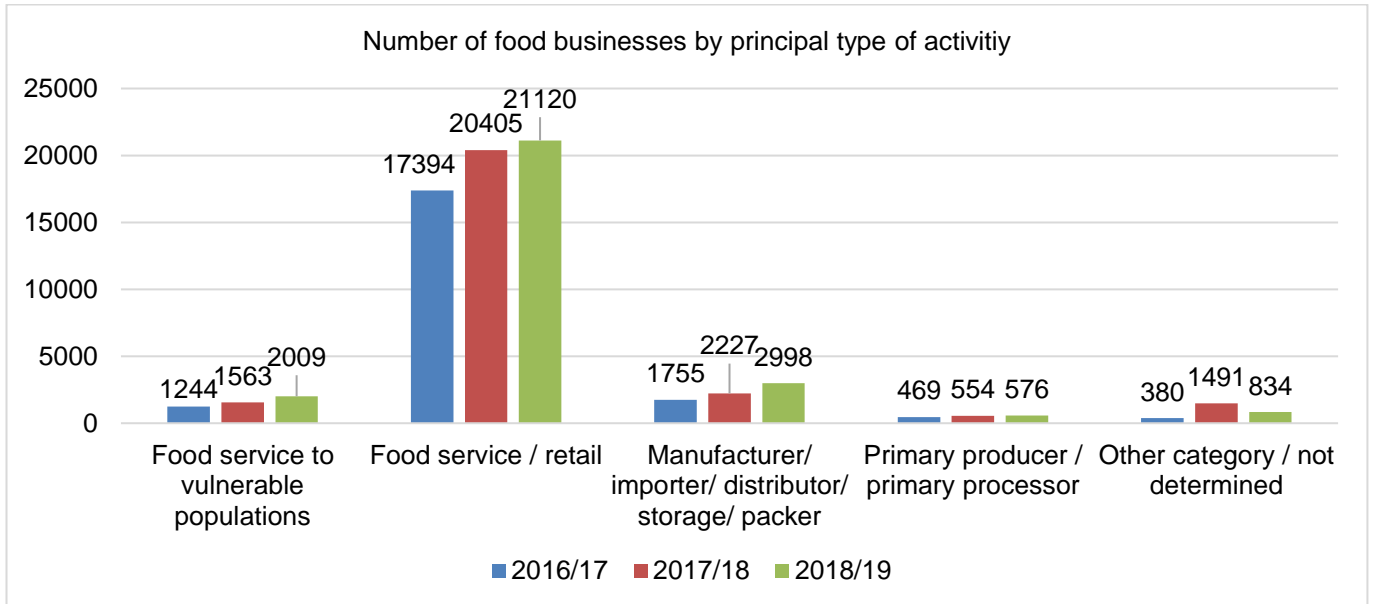
## Risk profiling

Enforcement agencies are encouraged to undertake risk profiling of food businesses to assist with determining an appropriate frequency and scope of food safety assessments. The following chart gives the percentage of food businesses in WA by risk rating.



## Principal type of activity

The chart below gives the number of food businesses by principal type of activity grouped in to four broad categories. The data for all activity types is in Appendix 2 – Summary of WA enforcement agency reporting data on Food Act activities.



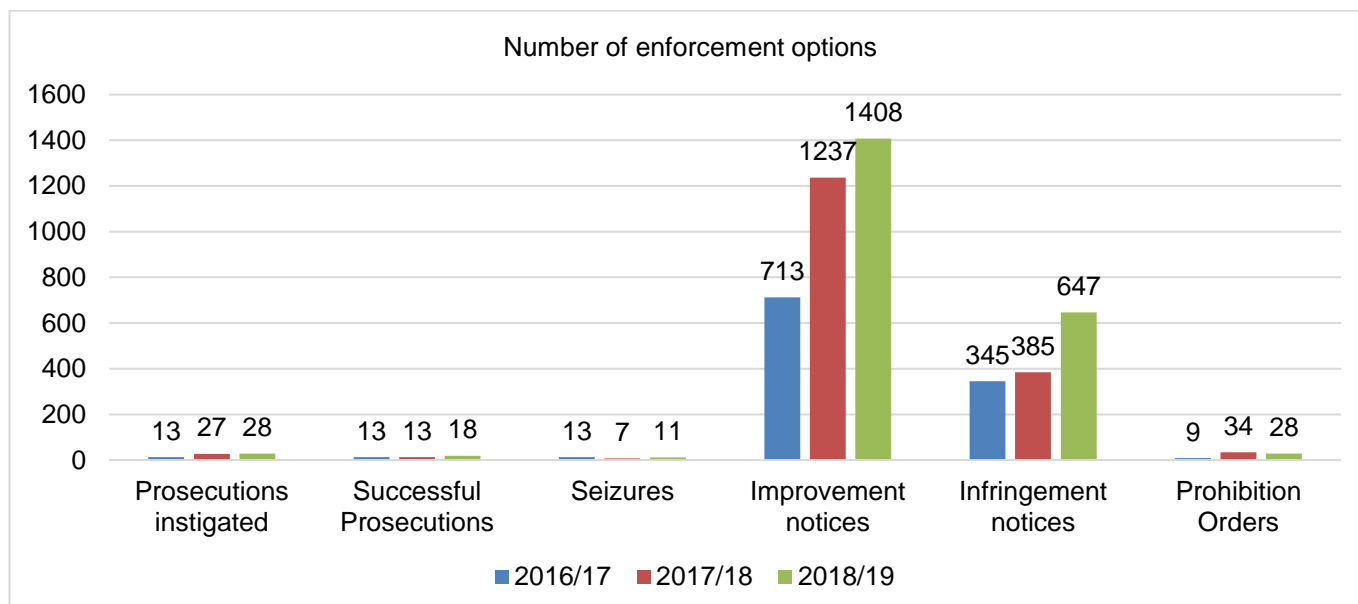
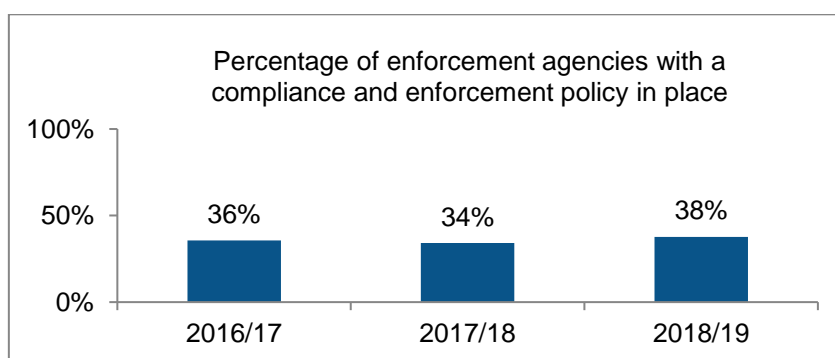
## Food Act compliance and enforcement activities

Authorised officers have a range of enforcement provisions under the Food Act that can be used when there is evidence of a breach of the food legislation by food businesses, to ensure food businesses comply with the food regulatory requirements. The enforcement tools range in severity and include:



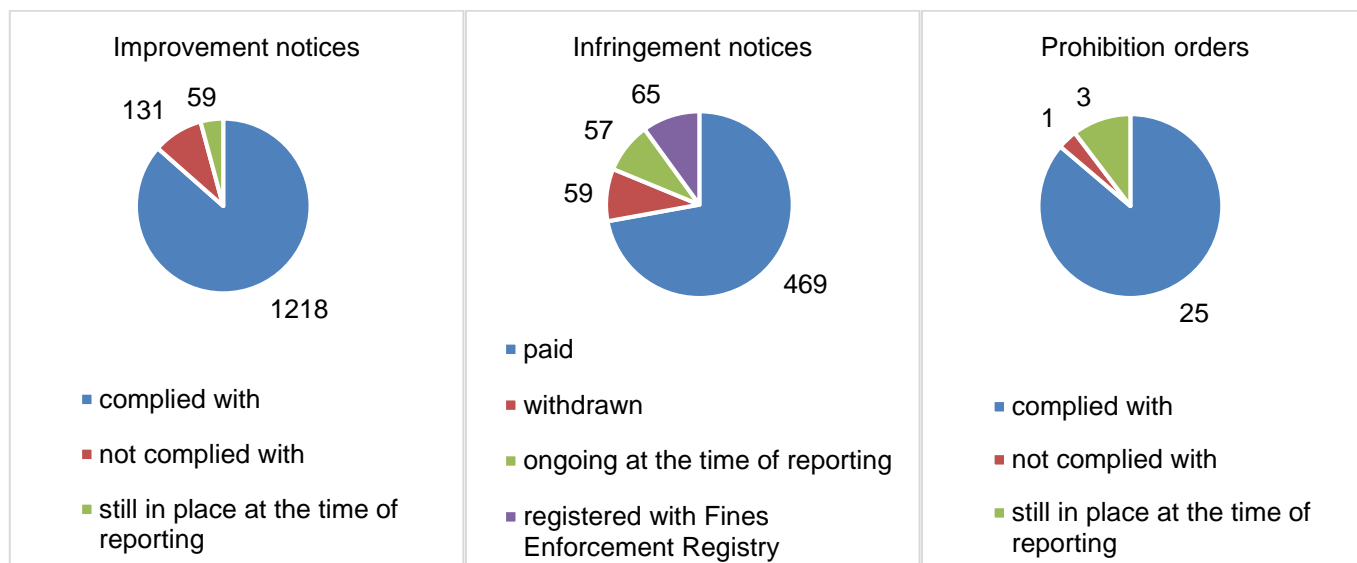
- Improvement notice (an order that requires a food business to rectify non-compliances within a specified period of time)
- Infringement notice (a modified penalty for an offence under the food legislation)
- Prohibition order (prohibit certain food handling activities within a food business in the event that an improvement notice has not been complied with or if the order is necessary to prevent or mitigate a serious danger to public health)
- Seizure (of food, vehicles, equipment, packages, labelling or advertising material that is believed to be evidence that an offence under the Food Act has been committed)
- Prosecution (generally reserved for the more serious breaches of the food legislation or repeat offences).

Enforcement agencies are encouraged to implement a compliance and enforcement policy to achieve consistency, efficiency and transparency in enforcement activities, and guide decision making to be aligned with risk to public health and to best achieve compliance. The Department of Health Compliance and Enforcement Policy and Compliance and Enforcement Guideline for Enforcement Agencies are available for enforcement agencies and are based on the Australian and New Zealand Food Regulation Enforcement Guideline. Approximately a third of enforcement agency have a compliance and enforcement policy as shown in the following chart.



The most frequently used forms of enforcement are improvement notices and infringement notices. More severe forms of enforcement are applied less often including prohibition orders and prosecutions as these are reserved for more severe breaches or where other forms of enforcement have not resulted in compliance.

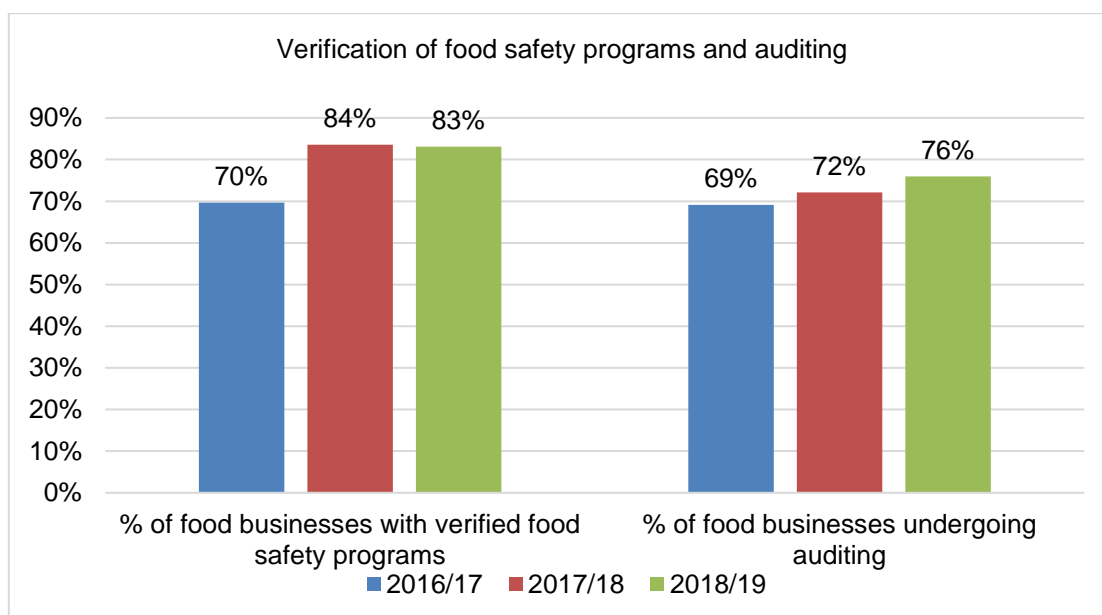
The following charts show the outcome of enforcement action in 2018/19. Most of the enforcement action was complied with.



### Regulatory food safety auditing

Food businesses that provide food service to vulnerable persons are required to comply with Standard 3.3.1 of the Code – *Food Safety Programs for Food Service to Vulnerable Persons*. Standard 3.3.1 requires these food businesses to implement a documented food safety program. Enforcement agencies have a role to verify that the food safety program meets the requirements of Standard 3.3.1, and once verified the food business must commence regulatory food safety audits.

The number of food businesses that are required to comply with Standard 3.3.1 of the Code gradually increased over the three years from 940, to 955 and 1112. The percentage of these food businesses that have a food safety program that has been verified and are undergoing regulatory food safety audits has increased as shown in the following chart.



The number of regulatory food safety audits that were conducted fluctuated over the three years and the number of audits that led to compliance and enforcement action decreased.

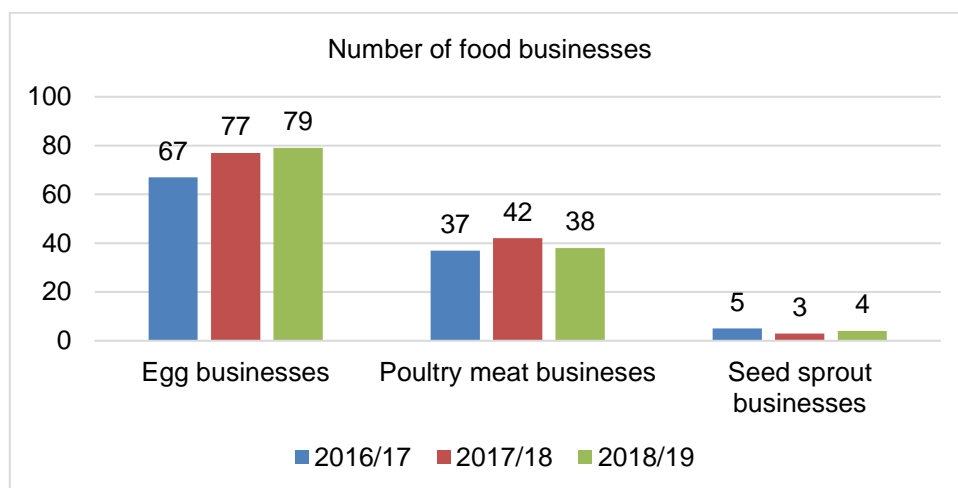


Reporting year	2016/17	2017/18	2018/19
Number of audits conducted	1021	963	1147
Number of audits that led to compliance and enforcement action	52	43	30

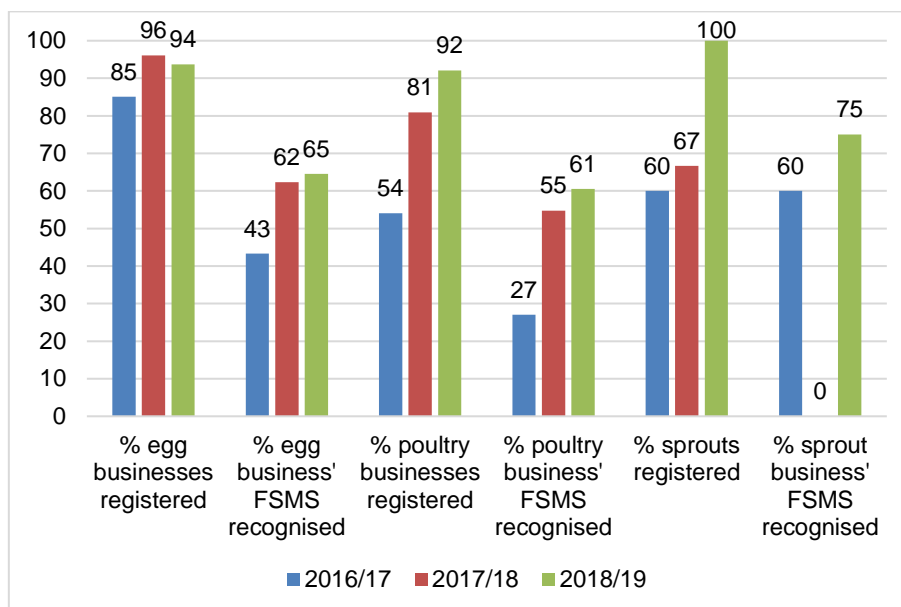
### Primary production and processing standards

The Primary Production and Processing Standards of the Code aim to reduce the incidence of foodborne disease by strengthening food safety in the primary production and processing of poultry meat, seafood, meat, dairy products, eggs and egg product and seed sprouts. Enforcement agencies were asked to provide data on the implementation of Standard 4.2.2 – Primary Production and Processing Standard for Poultry Meat, Standard 4.2.5 – Primary Production and Processing Standard for Eggs and Egg Product, and Standard 4.2.6 – Production and Processing Standard for Seed Sprouts. The Food Act requires businesses captured by these Standards to register with the appropriate enforcement agency and operate according to a food safety management statement (FSMS) which must be recognised (verified for substantial compliance) by the enforcement agency.

Unlike the 15% increase in 2017/18, the number of egg producers in 2018/19 increased by 3%. In contrast, there was a 10% decrease in the number of poultry meat producers and processors in 2018/19. The number of seed sprout producers remained consistently low over the three years.



There was a slight increase in the percentage of egg producers that were not registered with the appropriate enforcement agency in 2018/19. This may be due to an increase of new producers that were yet to formally register. Over the three years, there was an overall increase in the percentage of registered food businesses that have a recognised FSMS, with a possible anomaly in 2017/18 with no seed sprout businesses with a recognised FSMS.



The number of assessments conducted by enforcement agencies in relation to these Standards is given in the below table.

	2016/17	2017/18	2018/19
Standard 4.2.2 – poultry	16	28	38
Standard 4.2.5 – eggs	41	56	48
Standard 4.2.6 – seed sprouts	3	2	1

## Egg safety

In December 2018 “Regulatory Guideline 5 – The preparation of raw egg-based products – consistent approach to be adopted by enforcement agencies” was formally adopted under the Food Act. Regulatory Guideline 5 provides for a consistent approach by enforcement agencies to monitoring, compliance and enforcement of raw egg handling in food businesses. It was developed in response to a strong epidemiological link between the consumption of raw or undercooked eggs and human Salmonellosis cases.

In the 2018/19 reporting period enforcement agencies were asked to report on their awareness and implementation of Regulatory Guideline 5.

- At the time of reporting 82% of enforcement agencies were aware of Regulatory Guideline 5 and its supporting documents.
- 57% of enforcement agencies advised that Regulatory Guideline 5 was not applicable to them as there were no food businesses handling raw egg-based products in their jurisdiction. There were 59 remaining enforcement agencies (43%) to which the Regulatory Guideline did apply.
- Of these 59 enforcement agencies – 58% implemented the Regulatory Guideline and 42% did not.
- 22 of the 59 enforcement agencies (37%) used the egg inspection checklist.
- 12 of the 59 enforcement agencies (20%) used the advisory letter for Council.
- 12 of the 59 enforcement agencies (20%) used the compliance strategy.
- A total of 106 raw egg handling assessments using the egg inspection checklist were conducted.

- 1 improvement notice, and 0 prohibition orders were served.

The above findings will assist in the review of the Regulatory Guideline and its implementation. In addition to the review of its content, the Department will consider further strategies and supporting materials that need to be developed to assist enforcement agencies with its implementation.

### Food safety education and training

Enforcement agencies may provide food safety education and training to assist in achieving safe food handling practices and food regulatory compliance. The following table gives the percentage of enforcement agencies that provide food safety education and training.

Reporting year	2016/17	2017/18	2018/19
Percentage of enforcement agencies that provide food safety education and training	83	89.6	87.7

Most enforcement agencies provided some form of food safety education and training. Enforcement agencies deliver this in many different formats including workshops, seminars, presentations, online training, newsletters, factsheets, guidelines, website content, guidance provided during food business assessments / when requested, and group training.

### Highlights from enforcement agencies

Enforcement agencies reported a range of highlights about their food regulatory functions and public health related initiatives. Highlights related to activities in food monitoring, food safety education and awareness, food business monitoring, compliance and enforcement, food safety and nutrition related public health initiatives, administrative improvements, and staff resourcing. This demonstrates the diverse range of activities that enforcement agencies undertake in the enforcement of food legislation and to maintain food safety standards in WA.

### Conclusion

This report contains analysis of the information received from WA enforcement agencies from the three reporting years: 2016/17, 2017/18 and 2018/19 on the performance of food regulatory functions and is used by the Department of Health to provide support to assist with implementation of the food safety legislation in WA. Data will continue to be collected annually from enforcement agencies to fulfil the requirements of the Food Act.

## Appendix 1: Food Act reporting questions 2018/19

### Food Act authorised officers

1.	What is the number of FTE Food Act authorised officers?
2.	What is the number of FTE persons that assist with the discharge of duties of Food Act authorised officers?
3.	What is the number of FTE Food Act authorised officers - meat inspectors?
4.	What are the qualifications of Food Act authorised officers? Please specify the number of authorised officers with the following qualifications: Environmental Health degree/Other?
5.	Has the enforcement agency experienced recruiting difficulties during the reporting period?

### Registration and assessment of food businesses

6.	What is the total number of food businesses in the enforcement agency's jurisdiction?																														
7.	How many onsite assessments were conducted during this reporting period?																														
8.	What is the number of food businesses by risk rating? high / medium / low / very low/exempt / not determined / other																														
9.	What is the number of food businesses by principal type of activity?																														
	<table> <tr> <td>Manufacturer/processor</td> <td>Caterer</td> <td>Mobile food operator</td> </tr> <tr> <td>Retailer</td> <td>Meals-on-wheels</td> <td>Market Stall</td> </tr> <tr> <td>Food service</td> <td>Primary producer</td> <td>Charitable/community organisation</td> </tr> <tr> <td>Distributor</td> <td>Other</td> <td>Temporary food premises</td> </tr> <tr> <td>Importer</td> <td>Hotel/motel/guesthouse</td> <td>Primary processor</td> </tr> <tr> <td>Packer</td> <td>Pub/tavern</td> <td>Residential</td> </tr> <tr> <td>Storage</td> <td>Canteen/kitchen</td> <td>manufacturer/processor</td> </tr> <tr> <td>Transport</td> <td>Hospital/nursing home</td> <td>Family day care</td> </tr> <tr> <td>Restaurant/café</td> <td>Childcare centre</td> <td>Not determined</td> </tr> <tr> <td>Snack bar/takeaway</td> <td>Home delivery</td> <td></td> </tr> </table>	Manufacturer/processor	Caterer	Mobile food operator	Retailer	Meals-on-wheels	Market Stall	Food service	Primary producer	Charitable/community organisation	Distributor	Other	Temporary food premises	Importer	Hotel/motel/guesthouse	Primary processor	Packer	Pub/tavern	Residential	Storage	Canteen/kitchen	manufacturer/processor	Transport	Hospital/nursing home	Family day care	Restaurant/café	Childcare centre	Not determined	Snack bar/takeaway	Home delivery	
Manufacturer/processor	Caterer	Mobile food operator																													
Retailer	Meals-on-wheels	Market Stall																													
Food service	Primary producer	Charitable/community organisation																													
Distributor	Other	Temporary food premises																													
Importer	Hotel/motel/guesthouse	Primary processor																													
Packer	Pub/tavern	Residential																													
Storage	Canteen/kitchen	manufacturer/processor																													
Transport	Hospital/nursing home	Family day care																													
Restaurant/café	Childcare centre	Not determined																													
Snack bar/takeaway	Home delivery																														

### Food Act compliance and enforcement activities

10.	Does the enforcement agency have a compliance and enforcement policy in place?
11.	Number of prosecutions instigated, of which: number successful, number unsuccessful, number ongoing
12.	Number of seizures performed
13.	Number of improvement notices served, of which: number complied with, number not complied with, number ongoing
14.	Number of infringement notices served, of which: number paid, number referred to court, number withdrawn, number ongoing, number registered with the Fines Enforcement Registry
15.	Number of prohibition orders served, of which: number complied with, number not complied with, number referred to State Administrative Tribunal, number ongoing

## Regulatory food safety auditing

16.	What is the total number of food businesses captured under Standard 3.3.1?
17.	Of all the food businesses captured under Standard 3.3.1 how many have a food safety program that is verified (as of 30 June 2019)?
18.	Of all the food businesses with verified food safety programs how many are undergoing regulatory food safety auditing (as of 30 June 2019)?
19.	How many regulatory food safety audits were conducted between 1 July 2018 and 30 June 2019?
20.	How many regulatory food safety audits led to compliance and enforcement action between 1 July 2018 and 30 June 2019?

## Primary Production and Processing (PPP) Standards

21.	What is the total number of food businesses captured under Standard 4.2.2 (Poultry), Standard 4.2.5 (Eggs) and Standard 4.2.6 (Seed sprouts)?
22.	How many of these are registered? (poultry, eggs, seed sprouts)
23.	How many of these have a food safety management statement that has been approved or recognised in accordance with Standard 4.1.1? (poultry, eggs, seed sprouts)
24.	How many assessments were conducted in relation to the PPP Standards during the reporting period? (poultry, eggs, seed sprouts)
<b>“Raw Egg Package”</b>	
25.	Is the enforcement agency aware of Regulatory Guideline 5 and the “Raw Egg Package”?
26.	Has the enforcement agency implemented Regulatory Guideline 5 and the “Raw Egg Package”?
27.	If yes, has the enforcement agency used the following “Raw Egg Package” resources: egg inspection checklist, advisory letter for Council, compliance strategy, template prohibition order?
28.	How many raw egg-based product handling assessments utilising the “Raw Egg Package” egg inspection checklist were performed?
29.	How many improvement notices and prohibition orders were served in relation to raw-egg based product handling assessments?

## Part C

30.	Does the enforcement agency provide food safety education or training?
31.	Key highlights of the last 12 months

## Appendix 2: Summary of WA enforcement agency reporting data on Food Act activities

		2016/17	2017/18	2018/19
Number of enforcement agencies that reported		135	135	138
Number of FTE authorised officers working in food safety		289	292	292
Number of FTE authorised officers assisting in working in food safety		57	49	74
Number of FTE authorised officers - meat inspectors		18	19	21
Qualifications of authorised officers	EH degree	310	325	331
	Audit competencies	44	47	(question not included)
	Other	42	53	63
Number of enforcement agencies that experience recruiting difficulties		24	14	17
Total number of food businesses		23 623	23 989	25 330
Number of assessments conducted		31 222	31 640	32 340
Number of food businesses by risk rating	High	2647	2661	2391
	Medium	12 718	13 104	13 494
	Low	4495	4650	4869
	Very low/exempt	2274	2981	3022
	Not determined	281	91	130
	Other	271	353	11
Number of food businesses by principal type of activity	Manufacturer/processor	1412	1681	1436
	Hotel/motel/guest house	494	591	640
	Retailer	2652	2773	2870
	Pub/tavern	469	474	529
	Food service	359	470	476
	Canteen/kitchen	1251	1333	1431
	Distributor	154	212	203.5
	Hospital/nursing home	350	398	399

	Importer	14	36	37.5
	Childcare centre	862	1134	734
	Packer	28	65	80
	Home delivery	106	169	127
	Storage	113	191	177
	Mobile food operator	865	1112	1237
	Transport	34	42	47
	Market stall	753	1206	1031
	Restaurant/cafe	4379	4577	4523
	Charitable/community organisation	830	1064	1085
	Snack bar/takeaway	3119	3239	3106
	Temporary food premises	1797	2989	3630
	Caterer	320	408	435
	Primary processor	182	221	218
	Meal-on-wheels	32	31	32
	Not determined	380	1491	797
	Primary producer	287	333	358
	Residential manufacturer/processor	(question not included)	(question not included)	1017
	Family day care	(question not included)	(question not included)	844
	Other	(question not included)	(question not included)	37
Number of enforcement agencies with a compliance and enforcement policy in place		48	46	52
Prosecutions	Number instigated	13	27	28
	Number successful	13	13	18
	Number unsuccessful	(question not included)	0	0
	Number ongoing	(question not included)	17	11

		included)		
Seizure powers performed		13	7	11
Improvement notices	Number served	713	1237	1408
	Number complied with	(question not included)	899	1218
	Number not complied with	(question not included)	252	131
	Number ongoing	(question not included)	327	59
Infringement notices	Number served	345	385	647
	Number paid	277	275	469
	Number Referred to court	22	5	0
	Number Withdrawn	20	34	59
	Number ongoing	(question not included)	60	57
	Registered with Fines Enforcement Registry	(question not included)	(question not included)	65
Prohibition orders served	Number served	9	34	28
	Number complied with	(question not included)	29	25
	Number not complied with	(question not included)	1	1
	Number referred to SAT	(question not included)	0	0
	Number ongoing	(question not included)	3	3
Total number of food businesses captured under Standard 3.3.1		940	955	1112
Total number of food safety programs verified		655	798	924
Number of food businesses that have had a		650	689	845



regulatory food safety audit				
Number of regulatory food safety audits		1021	963	1147
Number of regulatory food safety audits that led to enforcement action		52	43	30
Standard 4.2.5 – eggs and egg product	Number of food businesses	67	77	79
	Number registered	57	74	74
	Number of assessments	41	56	48
	Number of FSMS recognised	29	48	51
Standard 4.2.2 – poultry meat	Number of food businesses	37	42	38
	Number registered	20	34	35
	Number of assessments	16	28	38
	Number of FSMS recognised	10	23	23
Standard 4.2.6 – seed sprouts	Number of food businesses	5	3	4
	Number registered	3	2	4
	Number of assessments	3	2	1
	Number of FSMS recognised	3	0	3
Number of enforcement agencies aware of Regulatory Guideline 5 and the “Raw Egg Package”		(question not included)	(question not included)	113
Has the enforcement agency implemented Regulatory Guideline 5 and the “Raw Egg Package”	Yes	(question not included)	(question not included)	34
	No	(question not included)	(question not included)	25
	N/A (there are no food businesses handling raw egg-based products in the local government jurisdiction)	(question not included)	(question not included)	79
Number of enforcement agencies that used:	Egg inspection checklist	(question not included)	(question not included)	22
	Advisory letter for council	(question not included)	(question not included)	12
	Compliance strategy	(question not included)	(question not included)	12

		included)	included)	
	Template prohibition order	(question not included)	(question not included)	0
Number of raw egg-based product handling assessments utilising the egg inspection checklist		(question not included)	(question not included)	106
Number of improvement notices served in relation to raw-egg based product handling assessments		(question not included)	(question not included)	1
Number of prohibition orders served in relation to raw-egg based product handling assessments		(question not included)	(question not included)	0
Number of enforcement agencies that provide food safety education or training		112	121	121

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