Revision

The Australian food industry
POLICY & LEGISLATION
Definitions

• **Policy:** a strategy developed to address a particular area of concern. E.g. Trade Policy

• **Legislation:** a law passed by the government that describes what can and cannot be done in specific situations. E.g. Trade Practices Act 1974

• Legislation exists on the **THREE** government levels - local, state & federal.
• Legislation is required to ensure food is safe for human consumption and to maintain Australia’s reputation of producing safe food for export.
• Businesses must adhere to legislation otherwise they could face fines, business closure or even gaol.
• Some food producers may be **self-regulated,** meaning they have their own **codes of practice**

• **Advisory Groups:** Independent organisations that advise organisations on the development of policy and legislation. Advisory groups can be in the form of:
  • Business groups E.g. The Australian Food and Grocery Council
  • Health group E.g. National Heart Foundation
  • Independent bodies responsible for making and changing laws E.g. FSANZ
  • Environmental groups that aim to protect the local food supply E.g. AQIS
Food Standards Australia New Zealand (FSANZ)

• An independent legislative body that works with the government to achieve a safe food supply by developing food standards and codes of practice, and standardising food law.

• FSANZ is the main agency that sets standards that must be met before food is sold

• Responsible for:
  • Developing standards for what is in our food and how it is labelled
  • Developing and reviewing the Food Standards Code
  • Conducting research into food standards
  • Product recalls

Food Standards Code: ‘the code’ sets out conditions that must be met before food is sold. Its aim is to protect consumers from harmful foods. Manufacturers of new food products must adhere to standards. Because of these standards, Australia & NZ have one of the safest food supplies.

Product recall: a request to the manufacturer to return a batch or production run of a particular product is a product poses a risk to consumer health, the product is tampered with or in an extortion attempt.
Australian Quarantine Inspection Service (AQIS)

- The AQIS is a government body whose main role is to protect Australia’s agriculture and environment from exotic pests and diseases. The AQIS is part of the Australian Department of Agriculture, Fisheries & Forestry (DAFF).
- **Responsible for:**
  - Protecting Australian primary producers and the community from exotic pests
  - Inspecting legally imported animals and plants

- **Programs:**
  - **Airport program**  *E.g. sniffer dogs and x-ray units*
  - **Seaport program**  *E.g. checking cargo*
  - **Programs for ballast water** (water used on a ship to stabilise it – the water pumped out raises concern for marine life)
Policies

National health & nutrition policies:

- The Department of Health and Ageing is responsible for developing and evaluating national policy on health and nutrition.

   - Prevention of overweight & obese
   - Increasing consumption of fruit & vegetables
   - Promotion of optimum nutrition for women, infants & children

   - Food supply to remote & rural communities
   - Family focussed nutrition promotion
Trade Policy

- Instituted the removal of trade barriers affecting imports and exports. Also known as the **Policy of Free Trade**.
- Tools used by the government to remove the barriers:
  - reducing tariffs
  - Raising quotas
  - Eliminating subsidies
  - Establishing free trade agreements with other countries
- As a result of lifting the barriers:
  - Increase in imported foods such as meat
  - Increased imports results in greater competition in the marketplace, leading to price competition & increased product variety
Local Legislation

✶ Environmental Health Officers (EHO’s) appointed by local councils to inspect food premises

✶ Codes for construction and alteration of food premises
State Legislation

- **Fair Trading Act 1987**
  - Legislates fair & honest business practices protecting both consumers & traders

- **Trade Measurement Act 1989**
  - Ensures accurate measurement of equipment used for weighing and how the equipment is used in front of the consumer

- **Occupational Health & Safety Act 2000**
  - Protects the health, safety and welfare of people at work. The main purpose of this act is to reduce work-related accidents & eliminate risks to health & safety at work

- **NSW Food Act 2003**
  - Enforces food standards & hygiene regulations. It deals with adulteration & unlawful practices

- **Protection of the Environment Operations Act 1997**
  - Applies to the noise produced during food processing
Federal Legislation

- **Food Standards Australia New Zealand Act 1991**
  - Focuses on cooperation between the government, food industry & community to establish uniform food regulations in Aust. & NZ

- **Trade Practices Act 1974**
  - Controls restrictive trade
  - Restricts companies from unconscionable conduct
  - Provides consumer protection from unfair practices

- **HACCP**
  - Food safety program that ensures consistent quality

- **Gene Technology Act 2000**
  - Ensures public health & safety in addition to protecting the environment by identifying & managing potential risks associated with GM foods
Food Labelling Legislation

- **Food Standards Code** - sets labelling standards to ensure consumers are provided with correct information and safe food through proper packaging.

- **Trade Measurement Act** - enforces the correct labelling of weight.

- **Trade Practices Act** - ensures that imported foods are correctly labelled with country of origin and prevents deceptive or misleading conduct.

- **National Packaging Covenant**
  
  Designed to:
  
  * Reduce the environmental impacts arising from the disposal of used packaging
  
  * Conserve resources through design & production processes
  
  * Facilitate the re-use & recycling of packaging

  Producers are required to sign the covenant that demonstrated their commitment to monitor all aspects of packaging use. [www.packagingcovenant.org.au](http://www.packagingcovenant.org.au/)
Food Labelling Requirements

* Labels are legible & written in English
* Foods must be in accordance with their name’s description E.g. Strawberry Yoghurt
* Must feature the name and business address of supplier, manufacturer or importer
* If specific storage conditions are required, this must be stated
* Food additives (code name) listed in the ingredients list
* Country of origin statement
* Must be labelled as GM if the product contains altered DNA
* Irradiated foods must be labelled as irradiated
* Nutrition information panel
* Major food allergens identified in the ingredients list and hi-lighted in bold font
* Used by or best before date marking
* Ingredients list listed in descending order
* % of the main or characterising ingredient E.g amount of strawberry in strawberry yoghurt
Food Labelling Restrictions

- No misleading names
- Nutritional claims that do not exist
- Use of works that could be interpreted as medical advice
- The word ‘health’ cannot be used in a product name