



Food safety in Queensland

Report on local government activities 2010

Food Act 2006

JUNE 2012

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Introduction

Queensland Health and local government are accountable to the community for ensuring acceptable food safety standards are being achieved by food businesses. One of the main ways of demonstrating that these standards are being met is by monitoring compliance with the *Food Act 2006* (the Act).

Section 28 of the Act provides for Queensland Health to request information from local government on matters which local government enforce provided Queensland Health consults with local government prior to such requests being made.

As a partner in the administration of the Act, section 29 of the Act provides for Queensland Health to give local government, in return, collated reports on the administration of the Act.

Queensland Health and local government as Queensland's food regulators, have a duty to demonstrate the effective administration of the Act. Reporting provides a qualitative tool to measure the effectiveness and may include the release of information such as the number of inspections conducted.

The information provided to Queensland Health may be used in the development of reports on the administration of the Act and the status of food safety in Queensland and to respond to requests and enquiries from the Minister for Health, Director-General or appropriate Commonwealth agencies.

1 – Requesting information

Following a consultative period with local government, Queensland Health requested local government supply data on the administration and enforcement of licensed food businesses in their area.

Local government were provided with a notice under section 28 of the Act requesting data be provided for their activities covering the period 1 July 2009 – 30 June 2010. Local government were required to return the requested data in the approved format.

2 – Reporting outcomes

Local government provided the requested information as detailed in this section. It should be noted however, that Brisbane City Council did not provide data on the average number of food inspections undertaken per food business in 2009/2010 due to the advent of their Eat Safe Brisbane food rating scheme which commenced in May 2010. To prepare for the new scheme, Brisbane City Council suspended the operation of their inspection regime during 2009/2010. Brisbane City Council further advised that Eat Safe Brisbane would allow for more accurate reporting of inspections in future years.

2.1 – Summary of local government responses

Table 1

Overall local government information	
Number of food businesses licensed	24,029
Average number of inspections per food business licensed	1
Number of infringement notices issued since 1 January 2009	266
Number of full time equivalent (FTE) employees committed to food regulation	136
Number of prosecutions undertaken since commencement of <i>Food Act 2006</i>	33

Food businesses licensed

Local government are required to license certain food businesses under the Act. They include food manufacturers (e.g. a bakery or a cannery), food businesses selling unpackaged food by retail (e.g. a restaurant or catering business) and non profit organisations who sell meals on at least 12 days per year (e.g. Meals on Wheels).

Not all food businesses or activities are licensable under the Act e.g. supermarkets selling only prepacked foods, the sale of whole fruit and vegetables, the sale of drinks such as tea, coffee, soft drink and alcoholic drinks. Primary producers of eggs, dairy, meat, and seafood are accredited by Safe Food Production Queensland.

While there are approximately 24,000 licensed food businesses in Queensland taking into account businesses not required to be licensed and those accredited by Safe Food Production Queensland it is estimated there are 40,000 food businesses in Queensland.

Infringement notices

77 per cent of infringement notices issued between 1 January 2009 and 30 June 2010 were for failure to comply with the conditions of a food licence. The remaining infringement notices were issued for failure to comply with an improvement notice or breaches in relation to food safety supervisor provisions.

Employees in food regulation

The majority but not all employees in food regulation are environmental health officers (EHOs). In some rural and remote regions, food regulation is carried out by contract EHOs who are employed on an as need basis. In this case, the number of FTE employees committed to food regulation has been estimated. In some of the indigenous local government authorities (e.g. in the Far North and Northern regions) environmental health workers fulfil this function as part of their duties.

2.2 – Regional results for all categories

2.2.1 Regions and local authorities

To assist in interpreting the data, local governments have been grouped into regions as identified below in Table 2. These regions are based on the geographic areas of Queensland and are the same divisions used by the Australian Bureau of Statistics. Sometimes several of these regions may be combined and referred to a single region for example, Mackay and Fitzroy are together sometimes known as Central Queensland, while Brisbane and Moreton are together sometimes known as South East Queensland.

Of the regional results shown in Table 3, Brisbane and Moreton have the greatest number of licensed food businesses and the greatest number of FTE employees dedicated to food regulation. This region has also issued more infringement notices and undertaken more prosecutions than any other region.

However, per 100 food businesses the North West region has issued the most infringement notices, and the Northern region has conducted the most prosecutions.

Table 2

Region	Local government
Brisbane and Moreton	Brisbane, Gold Coast, Ipswich, Lockyer Valley, Logan, Moreton Bay, Redland, Scenic Rim, Somerset and Sunshine Coast
Mackay and Fitzroy	Central Highlands, Gladstone, Isaac, Mackay, Rockhampton and Woorabinda
Wide Bay Burnett	Banana, Bundaberg, Cherbourg, Fraser Coast, Gympie, North Burnett and South Burnett
Far North	Aurukun, Cairns, Cassowary Coast, Cook, Croydon, Etheridge, Hopevale, Lockhart, Mapoon, Napranum, Northern Peninsula, Pormpuraaw, Tablelands, Torres, Torres Strait Region, Weipa, Wujal Wujal and Yarrabah
Northern	Burdekin, Charters Towers, Hinchinbrook, Palm Council, Townsville and Whitsunday
Darling Downs	Goondiwindi, Southern Downs, Toowoomba and Western Downs
North West	Burke, Carpentaria, Cloncurry, Doomadgee, Flinders, Kowanyama, McKinlay, Mornington, Mt Isa and Richmond
South West	Balonne, Bulloo, Maranoa, Murweh, Paroo and Quilpie
Central West	Barcaldine, Barcoo, Blackall-Tambo, Boulia, Diamantina, Longreach and Winton

Table 3

Region	No. of food businesses licensed	Average no. of inspections per food business licensed	Infringement notices	FTE employees	Prosecutions
Brisbane and Moreton	15,256	1	194 (1.3)*	67 (0.4)*	22 (0.1) *
Mackay and Fitzroy	1,716	1.3	4 (0.2)*	11(0.6)*	1 (0.1) *
Wide Bay Burnett	1,679	1	10 (0.6)*	7(0.4)*	1 (0.1) *
Far North	1,934	0.6	5 (0.2)*	20(1.0)*	1 (0.0) *
Northern	1,558	1.3	43 (2.8)*	12(0.8)*	8 (0.5) *
Darling Downs	1,290	1	0	4(0.3)*	0
North West	224	1.4	10 (4.5)*	6(2.7)*	0
South West	231	1.5	0	3(1.3)*	0
Central West	141	1.3	0	6(4.2)*	0
TOTAL	24,029	(average) 1	266 (1.2)*	136(0.6)*	33(0.1) *

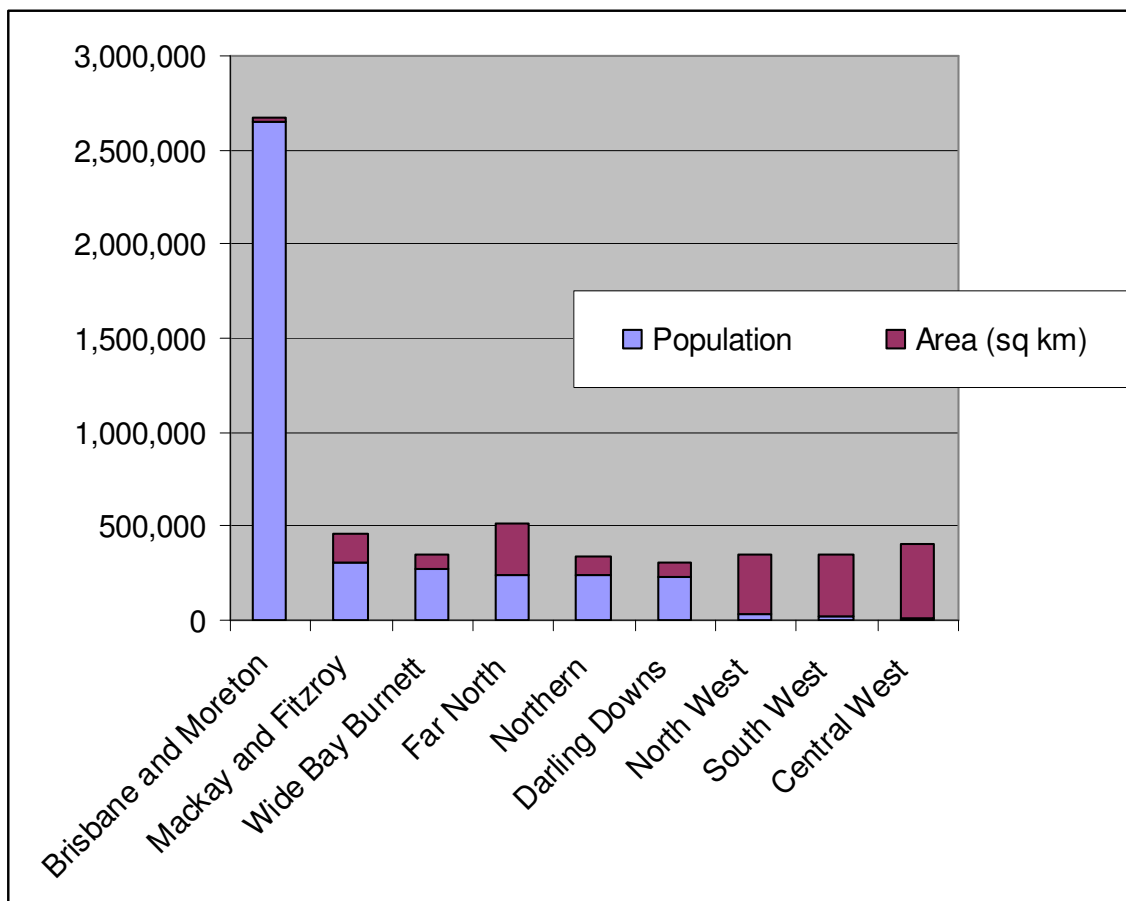
* Per 100 businesses

2.2.2 Regional population, area and population density

Table 4

Region	Population (2006)	Area (sq km)	Population density (people/sq km)
Brisbane and Moreton	2,647,861	22,309	119
Mackay and Fitzroy	303,210	155,607	2
Wide Bay Burnett	273,356	77,190	3
Far North	239,945	270,507	1
Northern	238,271	103,911	2
Darling Downs	224,631	77,426	3
North West	35,242	310,651	<1
South West	26,921	319,876	<1
Central West	13,248	396,627	<1
TOTAL	4,002,685	1,734,104	2

Chart 1 – Population and area (sq km) per region



Brisbane and Moreton

The Brisbane and Moreton region is commonly considered to be a single region. The region contains 66 per cent of Queensland’s population and includes Brisbane, the state’s capital city, as well as the other densely populated areas of the Gold Coast, Sunshine Coast and Ipswich. The region is the major administrative and commercial centre within Queensland.

Mackay and Fitzroy

Rockhampton, Gladstone and Mackay are the regional centres within this region.

Wide Bay Burnett

This coastal region contains four major centres Bundaberg, Gympie, Hervey Bay and Maryborough. The region is similar in size and population to the adjacent Darling Downs region.

Far North and Northern Regions

Each region has populations concentrated around the coast and ranges and scattered in remote communities throughout the rest of the region. The regions are vulnerable to cyclones and flooding with vast distances and unsealed roads between many of the local government authorities. A number of Aboriginal and Torres Strait Islander local government authorities are within this region.

Cairns is the major city within the Far North region and Townsville is the major city within the Northern region.

Darling Downs

The major centre within this region is Toowoomba and is similar in size and population to the adjacent Wide Bay Burnett region.

North, South and Central West regions

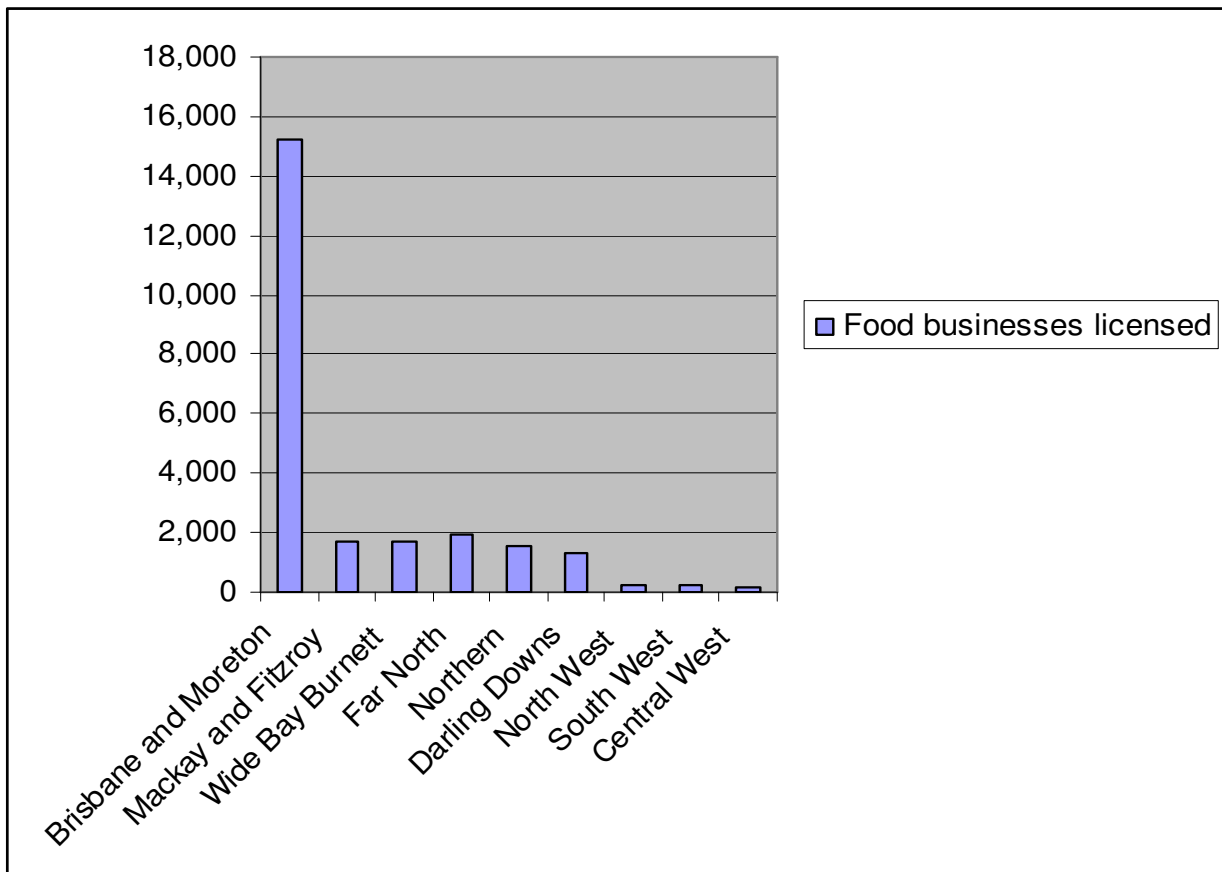
Each of these regions contains less than 1% of the state’s population yet combined, occupies almost 60 per cent of Queensland’s area.

2.3 – Percentage of food businesses licensed per region

Table 5

Region	No. of food businesses licensed	Percentage of total
Brisbane and Moreton	15,256	63.5
Mackay and Fitzroy	1,716	7
Wide Bay Burnett	1,679	7
Far North	1,934	8
Northern	1,558	6
Darling Downs	1,290	5.5
North West	224	1
South West	231	1
Central West	141	1
TOTAL	24,029	100

Chart 2 – Number of food businesses licensed per region



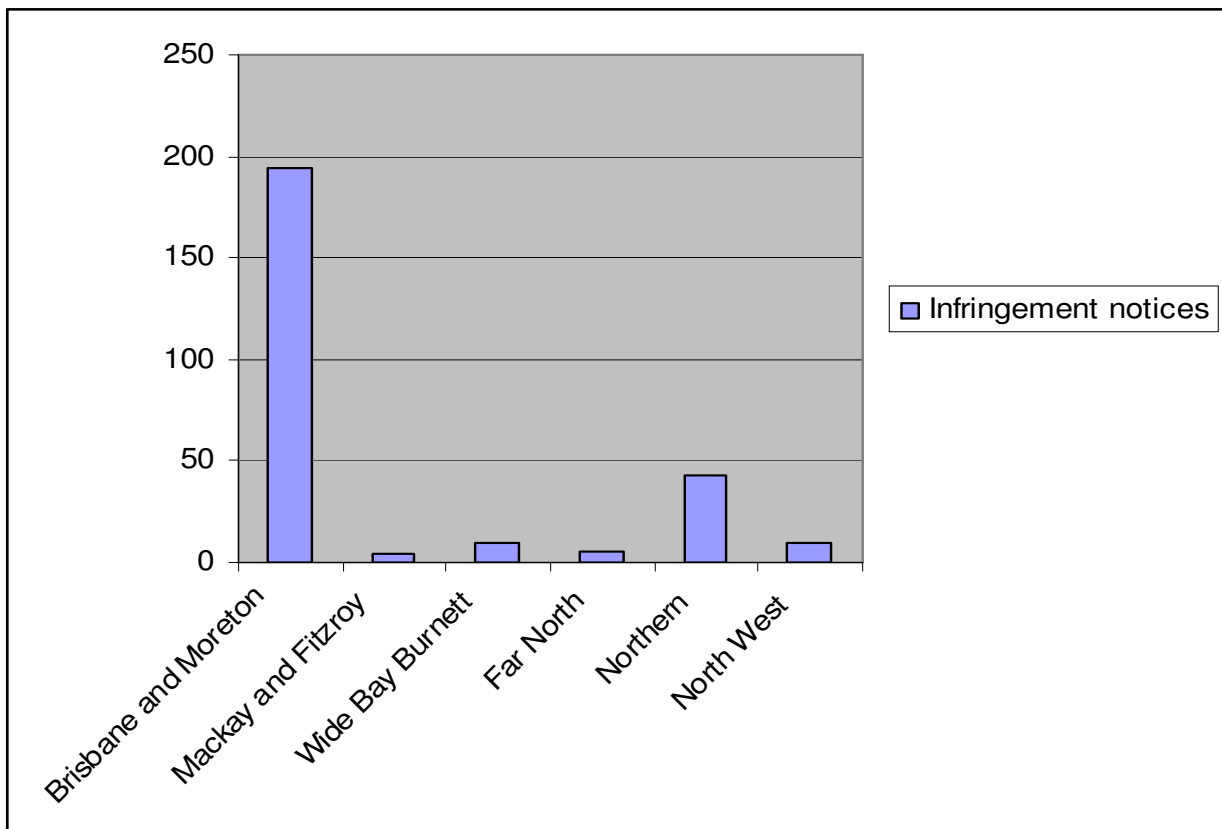
2.4 – Percentage of infringement notices issued since 1 January 2009 per region

In order to establish a history regarding infringement notices, information relating to the number of infringement notices issued was requested for the period 1 January 2009 to 30 June 2010. An amendment to the *State Penalties Enforcement Regulation 2000* (SPE Regulation) took effect on 1 January 2011 which made provision for additional infringement notice offences for breaches of the food standards code. Therefore, while 77 per cent of infringement notices issued in this period were for breach of licence conditions, it is expected this number will decrease in future reports due to the availability of more specific offences.

Table 6

Region	Infringement notices	Percentage of total
Brisbane and Moreton	194	73
Mackay and Fitzroy	4	1
Wide Bay Burnett	10	4
Far North	5	2
Northern	43	16
Darling Downs	0	0
North West	10	4
South West	0	0
Central West	0	0
TOTAL	266	100

Chart 3 – Number of infringement notices since 1 January 2009 per region

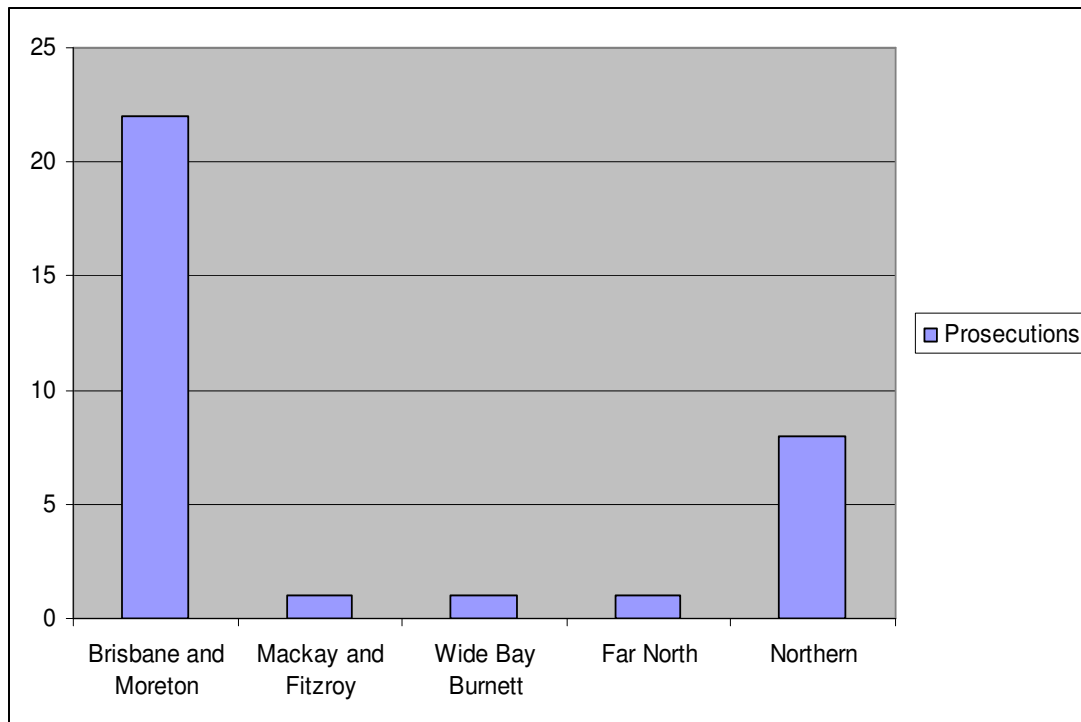


2.5 – Percentage of prosecutions undertaken since commencement of *Food Act 2006* per region

Table 7

Region	Prosecutions	Percentage of total
Brisbane and Moreton	22	67
Mackay and Fitzroy	1	3
Wide Bay Burnett	1	3
Far North	1	3
Northern	8	24
Darling Downs	0	0
North West	0	0
South West	0	0
Central West	0	0
TOTAL	33	100

Chart 4 – Number of prosecutions undertaken since commencement of *Food Act 2006* per region



Enforcement options

Prosecutions are one tool available in a suite of enforcement tools under the Act. Prosecutions are usually instigated after other tools have failed to rectify the issue or in situations of extreme cases. Other compliance and enforcement options available under the Act include:

- the issue of verbal and/or written advices or directions;
- the issue of compliance or improvement notices; and
- the issue of an infringement notice.

Appendix A – Queensland regional map

