



Food safety in Queensland

Report on local government activities 2011 - 2012 *Food Act 2006*

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Introduction

The Department of Health (DoH) and local governments are accountable to the community for ensuring that 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's DoH to request information from local governments on matters that are enforced by local government, provided the DoH consults with the local governments before such a request is made.

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

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

The information provided to the DoH 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, the Director General or appropriate Commonwealth agencies.

1 – Requesting information

The DoH requested local governments supply data on the administration and enforcement of licensed food businesses in their area.

Local governments were provided with a notice under section 28 of the Act requesting data to be provided for their activities covering the period 1 July 2011 – 30 June 2012. Local governments were required to return the requested data in the approved format. Of the 74 local governments within Queensland, 69 provided the requested information.

2 – Reporting outcomes

In addition to the standing parameters of previous local government reports, a number of extra parameters were added for the 2011/2012 reporting period. It is hoped that the additional information requested will enable more accurate and detailed reporting on food business activity across the state. The reporting parameters can be broken down into 8 categories; licences, food safety supervisors, food safety programs, inspections, complaints, employees, enforcement and fees. It is acknowledged that some local governments did not have the ability to provide data for these new parameters in this reporting period. It is expected that mechanisms will be in place to be able to provide this data for the 2012/2013 period. The results will be discussed according to these categories.

3 – Regions and local governments

To assist in interpreting the data, local governments have been grouped into regions as identified below in Table 1. These regions are based on the geographic areas of Queensland and are the same divisions used by the Australian Bureau of Statistics.

Table 1 provides a list of the local governments within each region, followed by a description of each region. The descriptions include comparative information and information about the identifying features of the regions. Refer to Appendix A for a map depicting the geographical location of each region of Queensland identified.

Table 1 – Local government regions

Region	Local governments
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

3.1 – Regional population, area and population density

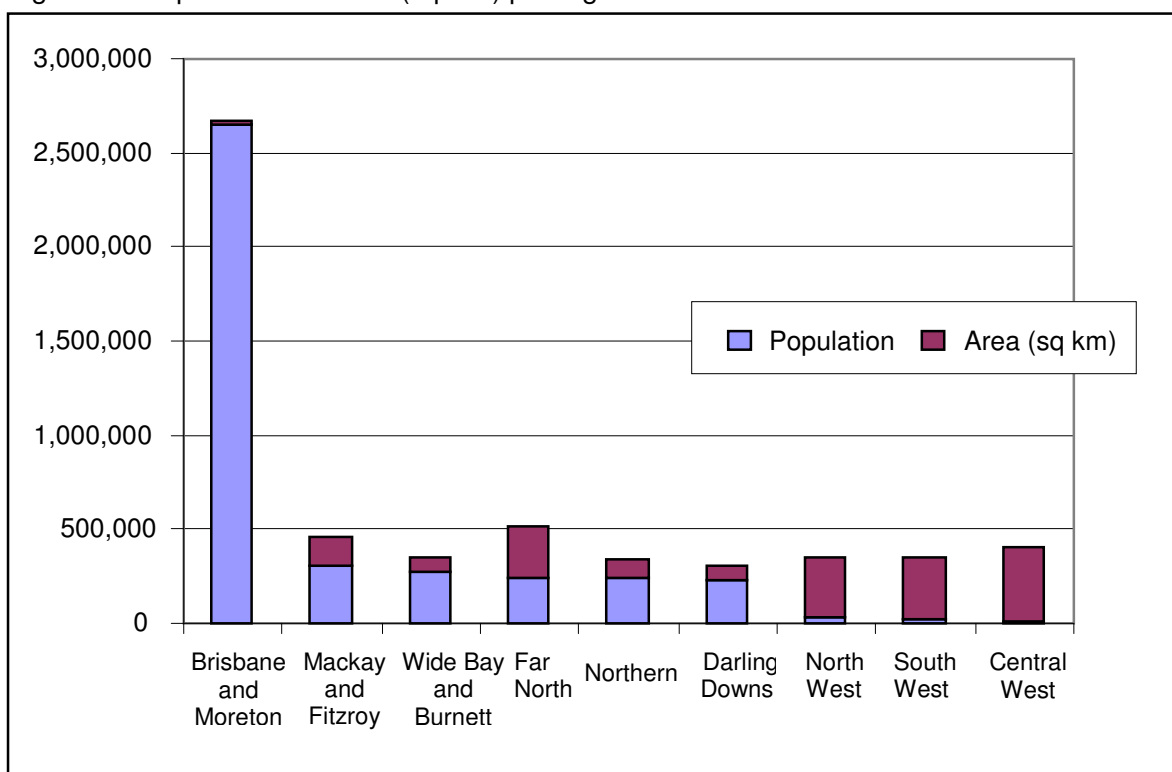
To assist in comparing the data of local government activities, Table 2 provides data for each region in relation to population and area and the resulting population density. Figure 1 depicts this information in a format that allows visual comparison to be made between the regions in relation to these aspects and assists in demonstrating employee workloads in relation to area. Regional data from the most recent census (2011) was not available at the time of printing this report.

Table 2 – Regional demographics

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

Data used in Table 2 is sourced from the most recently published census data¹.

Figure 1 – Population and area (sq. km) per region



¹ Australian Bureau of Statistics (2012) 2006 Census data www.censusdata.abs.gov.au

3.2 – Summary of local government responses

Table 3 – Comparison of standing parameter results for the 2010/2011 and 2011/2012 reporting periods.

Overall local government information for standing parameters	2010/2011	2011/2012
Number of food businesses licensed	25,409	24076
Average number of inspections per food business licensed	1.1	1.18
Number of full time equivalent (FTE) employees committed to food regulation	157	171.25
Number of infringement notices issued	250	306
Number of prosecutions undertaken	18	16

3.3 – Regional results

A summary of the regional results for standing parameters required each year is presented in Table 4.

Table 4 – Totals for all standing parameters per region

Regions	No. of food businesses licensed	Average no. of inspections per food business	Infringement notices	Prosecutions	FTE employees
Brisbane and Moreton	15,162	1.28	223	15	91.4
Mackay and Fitzroy	1,879	0.93	2	0	15.5
Wide Bay Burnett	1,708	0.8	8	0	12.5
Far North	2,069	1.1	5	0	18.78
Northern	1,355	1.38	14	1	13.95
Darling Downs	1,389	0.74	7	0	5.2
North West	209	0.73	47	0	5.5
South West	169	1.95	0	0	4.9
Central West	136	1.46	0	0	4.02
TOTAL	24,076	1.18	306	16	171.75

3.3.1 – Licensed food businesses

Local governments are required to licence 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 nonprofit 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, including, but not limited to, supermarkets selling only prepacked foods, the sale of whole fruit and vegetables and the sale of drinks such as tea, coffee, soft drink and alcoholic beverages. Primary producers of eggs, dairy, meat and seafood are accredited by Safe Food Production Queensland. These businesses are not captured by this report.

For the 2011/2012 reporting period there were approximately 24,076 licensed food businesses in Queensland. This is a decrease of 1,424 licensed food businesses from the previous period.

The five largest local governments in terms of number of licensed food businesses in order from largest to smallest were:

1. Brisbane City Council
2. Gold Coast City Council
3. Sunshine Coast Regional Council
4. Cairns Regional Council
5. Moreton Bay Regional Council

15 local governments reported that they had no licensed food businesses.

Unsurprisingly the region with the greatest number of licensed food businesses was the Brisbane and Moreton region and the region with the least was Central West.

3.3.2 – Food safety supervisors

Provisions of the Act which came into force on 1 July 2007, require licensable food businesses to have at least one nominated food safety supervisor. However, local governments reported that for the 2011/2012 reporting period, only 13,012 (71.93%) food businesses had a nominated food safety supervisor, leaving a total of 11,064 licensed food businesses with out food safety supervisors. This is significant as food safety supervisors are intended to improve the level of food safety and hygiene in food businesses. The Mackay and Fitzroy region had the lowest level of food safety supervisors with only 34.49% of food businesses with a nominated food safety supervisor. Both the Far North and Darling Downs regions had over 95% of food businesses with a nominated food safety supervisor.

Table 5 – Food

Region	No. of licensed food businesses	Food Safety Supervisors	
		No. of businesses with a food safety supervisor	% of businesses with a food safety supervisor
Brisbane and Moreton	15,162	10,198	67.26
Mackay and Fitzroy	1,879	648	34.49
Wide Bay Burnett	1,708	1,606	94.03
Far North	2,069	1,974	95.41
Northern	1,355	1,224	90.33
Darling Downs	1,389	1,323	95.25
North West	209	80	38.28
South West	169	141	83.43
Central West	136	123	90.44
TOTAL	24,076	17,317	71.93

Food safety supervisors are required to have experience and expertise in food safety relevant to the licensable food business and be able to supervise and give directions about food safety to food handlers at the food business. The DoH developed the guideline “Food safety supervisors – Food Act 2006” to assist local governments with the enforcement and administration of the food safety supervisor provisions of the Act. Within this guideline minimum training competencies were recommended for food safety supervisors within their respective food sectors. Despite this, only 44 of the 74 local governments required food safety supervisors to possess the recommended competencies and 3 local governments did not assess the suitability of food safety supervisors in any way.

3.3.3 – Food Safety Programs

Since 1 July 2008 certain food businesses have been required under the Act to have food safety programs. The introduction of food safety programs for certain sectors of the food industry was part of the national food reform process which aimed to reduce the incidence of food borne illness, reduce the regulatory burden on the food industry and provide consistent food regulation and standards across Australia.

The National Risk Validation Report published in 2002 identified:

- the incidence of food-borne illness attributed to various food industry sectors
- the most cost effective method to reduce the incidence of food borne illness
- the overall cost benefit of implementing food safety programs.

The report identified five high risk industry sectors in which food safety programs would reduce the incidence of food-borne illness. Food safety programs have been implemented under the Act for licensable food businesses in two of these industry sectors: food service in catering operations; and food service to vulnerable persons.

Only the Darling Downs and the North West regions reported that 100% of food businesses requiring a food safety program, had an accredited food safety program. The next highest was the Brisbane and Moreton region with 83.27% of applicable food businesses having accredited food safety programs. However, as this was a new reporting parameter, not all local governments were able to provide information regarding food safety programs. Table 6 shows the number of accredited food safety programs by region.

Table 6 – Food safety programs

Region	No. of businesses requiring a FSP	Food safety programs	
		No. of accredited FSP	% of businesses with accredited FSP
Brisbane and Moreton	1,112	926	83.27
Mackay and Fitzroy	105	70	66.67
Wide Bay Burnett	110	79	71.82
Far North	103	62	60.19
Northern	87	59	67.82
Darling Downs	70	70	100
North West	27	27	100
South West	8	6	75
Central West	5	1	20
TOTAL	1,627	1,300	79.9

Note – not all local governments were able to provide accurate data on food safety programs

3.3.4 – Inspections of licensed food businesses

Inspections of licensed food businesses allow local governments to assess compliance of food businesses with the Act, the Food Safety Standards of the Australia New Zealand Food Standards Code (the Food Safety Standards) and the food business' licence conditions. The frequency of inspections undertaken per licensed food business provides an indication of the capacity of local governments to assess food business' compliance with their legislative requirements in relation to food safety.

From the data received, on average, licensed food businesses are inspected annually. The South West region had the highest inspection rate, with food businesses inspected nearly twice a year, while the North West region had the lowest inspection rate at 0.73 inspections a year for each food business. While there has been fluctuations in the inspection rate for some regions, the overall inspection rate for the Queensland has not changed significantly from the previous reporting period.

Table 7 – Inspections of food businesses

Region	No. of licensed food businesses	Inspections	
		No. of inspections	Average per food business
Brisbane and Moreton	15,162	19,343	1.28
Mackay and Fitzroy	1,879	1,750	0.93
Wide Bay Burnett	1,708	1,374	0.80
Far North	2,069	2,275	1.10
Northern	1,355	1,873	1.38
Darling Downs	1,389	1,032	0.74
North West	209	152	0.73
South West	169	330	1.95
Central West	136	199	1.46
TOTAL	24,076	28,328	1.18

3.3.5 – Complaints

This year local governments were asked to report on the total number of food business complaints received. These results were not broken down into particular categories and so encompass all types of complaints relating to food businesses. Table 8 below shows the regional results. Of the 2,863 complaints made across Queensland, 2,132 (or 74.4%) were made within the Brisbane and Moreton region, however when represented per 100 food businesses the Northern region received only slightly fewer complaints. Brisbane City Council received the most complaints of any local government at 870.

Table 8 – Complaints

Region	No. of licensed food businesses	Complaints	
		Total	Per 100 food businesses
Brisbane and Moreton	15,162	2,132	14.06
Mackay and Fitzroy	1,879	169	8.99
Wide Bay Burnett	1,708	108	6.32
Far North	2,069	116	5.61
Northern	1,355	180	13.28
Darling Downs	1,389	122	8.78
North West	209	27	12.9
South West	169	4	2.37
Central West	136	5	3.68
TOTAL	24,076	2,863	8.44

3.3.6 – 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 Full Time Equivalent (FTE) employees committed to food regulation has been estimated. In some of the Aboriginal Shire Councils (e.g. in the Far North and Northern regions) environmental health workers fulfil this function as part of their duties.

As reported in Table 9, the Brisbane and Moreton region have the greatest number of FTE employees dedicated to food regulation. However, the Brisbane and Moreton region, along with the Darling Downs region, have the lowest number of FTE employees per 100 food businesses.

The South West and Central West regions have the least number of FTE employees dedicated to food regulation, but, due to the small population size, the Central West region has the greatest number of FTE employees per 100 food businesses.

Table 9 provides details of FTEs in relation to number of licensed food businesses and Appendix A – Queensland Regional Map allows further comparison to be made between the number of FTE employees and number of licensed food businesses for each region.

Table 9 – FTE employees per number of licensed food businesses

Region	No. of licensed food businesses	FTE employees dedicated to food regulation	
		Total	Per 100 food businesses
Brisbane and Moreton	15,162	91.4	0.60
Mackay and Fitzroy	1,879	15.5	0.82
Wide Bay Burnett	1,708	12.5	0.73
Far North	2,069	18.78	0.91
Northern	1,355	13.95	1.03
Darling Downs	1,389	5.2	0.37
North West	209	5.5	2.63
South West	169	4.9	2.90
Central West	136	4.02	2.96
TOTAL	24,076	171.75	0.71

3.3.7 – Enforcement

The Act provides a variety of enforcement options for authorities to use and which options an authority chooses to use is usually dependant on the severity of the breaches observed. Where available, local governments provided information on enforcement action taken during the reporting period. This is presented in Table 7.

The most common form of enforcement action taken across all regions was improvement notices with a total of 1,506 issued across the State. The Brisbane and Moreton region issued significantly more improvement notices than any other region, however when looked at per 100 food businesses, the Central West region issued the most.

Infringement notices are usually issued “on the spot” and are a monetary penalty which increases depending on the severity of the offence. Local governments reported that for the 2011/2012 reporting period a total of 306 infringement notices were issued. This is an increase of 56 from the previous year. The majority of these were issued in the Brisbane and Moreton region, while the South West and Central West regions did not issue any.

Section 83 of the Act allows local governments to immediately suspend a food business licence where there is an immediate and serious risk to public health. For the 2011/2012 reporting period only 2 regions issued immediate suspensions. Brisbane and Moreton reported 42 immediate suspensions while the Northern region reported 2.

Prosecutions are usually initiated after other tools have failed to rectify the issue or in other extreme cases and are consequently the least common enforcement tool utilised by local governments. It was reported that a total of 16 prosecutions were undertaken across the State. Of these 11 were undertaken by Brisbane City Council alone, which is down from the 14 prosecutions they undertook in the 2010/2011 reporting period.

Table 7 - Enforcement action undertaken for each region

Regions	Infringement Notice		Prosecutions		Immediate Suspensions		Improvement Notices	
	Total	Per 100 businesses	Total	Per 100 businesses	Total	Per 100 businesses	Total	Per 100 businesses
Brisbane and Moreton	223	1.47	15	0.10	42	0.28	1127	7.43
Mackay and Fitzroy	2	0.11	0	0	0	0	49	2.61
Wide Bay Burnett	8	0.47	0	0	0	0	10	0.53
Far North	5	0.24	0	0	0	0	106	5.12
Northern	14	1.03	1	0.07	2	0.15	94	6.94
Darling Downs	7	0.50	0	0	0	0	75	5.40
North West	47	22.49	0	0	0	0	12	5.74
South West	0	0	0	0	0	0	5	2.96
Central West	0	0	0	0	0	0	28	20.59
TOTAL	306	1.13	16	0.07	44	0.18	1506	6.26

3.3.8 – Fees

The Act gives local governments the capacity to charge fees for services provided or action taken under the Act. The Act prescribes that fees charged by the local governments must not be greater than the cost of providing the service or taking action. Local government inspection fees cannot be charged if the service is not provided. Some local governments charge an inspection fee as part of the annual licence fee (to recover service costs).

The information provided for this report shows that the fees charged by local governments vary greatly, not only in the amount charged but also in the way that fees were categorised. A number of the smaller regional councils reported that they do not charge fees to food businesses or have a flat fee which incorporates all aspects of food business licence administration. While larger councils, particularly within the Brisbane and Moreton region, charge a variety of fees for different services relating to food businesses, such as application fees, inspection fees and food safety supervisor nomination fees. Because of the variation in the type and amount of fees charged by local governments, it is not possible to provide accurate comparisons on fees across the State.

4 – Comparison of results to previous reporting period

The total number of licensed food businesses in Queensland decreased by 5.25 per cent.

There were no substantial changes in relation to the average number of inspections undertaken in each region indicating that local government's capacity to monitor food business compliance has not changed.

While the number of infringement notices issued increased from the previous reporting period, the number of prosecutions decreased. A comparison between the number of improvement notices and immediate suspensions could not be made as this was the first time that this information had been requested.

The number of FTE employees increased for all except 3 regions, resulting in a total increase of 9.39 per cent. There are a total of 157 FTE employees dedicated to food regulation across Queensland local governments, compared with 136 FTE employees in the previous reporting period. The number of FTE employees more than doubled in the Wide Bay Burnett and the South West regions.

Information on food safety programs, complaints and fees was not requested for the previous report and some local governments were not able to provide accurate data on these and other new parameters for this reporting period. However, it is anticipated that this information will be available for the 2012/2013 report enabling more detailed analysis and comparisons of food business activity within Queensland.

Appendix A – Queensland regional map

