

4th Edition - May 2019

Welcome to the fourth edition of The Menu. A newsletter produced by Baw Baw Shire Council to keep you up to date with issues relevant to food safety and best practice contemporary food trading.

**Have a question?
We're here to help.**

**Contact our
Public Health team
on 5624 2411**

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Emergency Food Relief in Baw Baw

The Baw Baw Emergency Food Relief Network provide emergency food and other relief to those in Baw Baw who need it most.

Last year, this network of emergency relief providers collectively distributed over 200,000 kilograms of food to over 4,700 Baw Baw residents in need.

Can your business help those in need?

Food relief providers can accept donations of perishable and non-perishable produce and packaged food (depending on each provider's facilities) which they can then re-distribute to community members in need.

Even if your business does not have a great deal of left-over food or packed foods that go past the best before date, it is always possible

to make specific small donations that greatly assist the efforts of distributing emergency food.

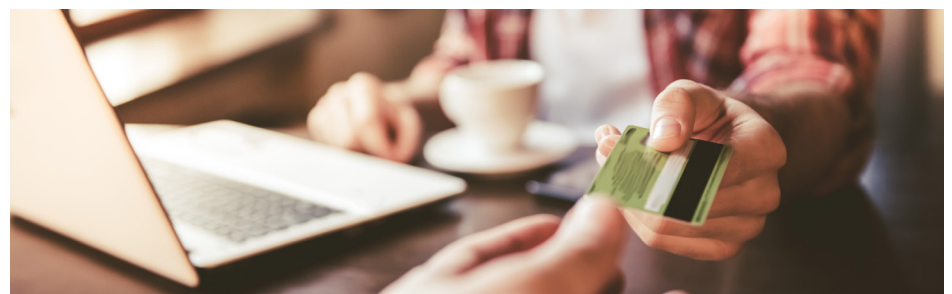
If you would like to donate food, details of current providers can be found in the 'Baw Baw Emergency Food Relief Directory' found here <http://www.bawbawshire.vic.gov.au/Our-Community/Food-Relief>

Pay It Forward

Have you ever considered setting up a "pay it forward" system...for coffee or a meal?

Pay it Forward is a worldwide celebration of kindness.

It may assist someone in our community doing it tough. It's great for brand reputation and may even give your food business an advantage. To see how it may work for your business, visit <http://payitforwardaustralia.net/>





Food Act Registration Fees will be changing for 2020

Why are registration fees changing?

Baw Baw Shire has over 800 registered food businesses/commercial food providers that operate within the municipality. Council have many different fee registration types that are currently not aligned to the State Governments' food premises description types. These descriptions were established by the State Government to assist in accurately reporting Council's food safety compliance as well as performance benchmarking against other Victorian Councils.

Up until now, Council has not passed on the cost of registration to commercial food businesses to be registered on the State Government STRETRADER system. However, that is now changing. Nearly every Victorian Council charge food businesses a range of fees for Streatrader

registration. Through Council implementing a Streatrader fee, staff will continue to monitor all commercial food safety compliance at temporary food trading events, festivals and markets. (Community groups/schools/clubs will continue to be free on Streatrader).

Another important reason for this change is to make it fairer for everyone. Our analysis showed a considerable fee inconsistency amongst some 200 Baw Baw Shire food businesses, especially amongst community groups and seasonal sporting clubs. We found varying registration fees, with some businesses paying reduced fees, whilst others running similar operations were paying higher fees. The new fee structure reflects the fact, as legislated, all food businesses must have an annual inspection.

Compared to neighbouring Councils, our fees are well below the costs of administrating the annual Food Act inspection and education regime legislated by the Food Act.

Our health team is required by the Food Act to inspect every commercial food activity, whether the business is a registered charity, community group, service club, low scale food manufacturer, weekend festival attendee, seasonal event or large global takeaway food chain.

We are confident that the new fee structure and food business types are now consistent with other Victorian municipalities. We understand that each food trading situation is unique and encourage you to discuss the following fee changes with Geoff Fraser – Public Health Coordinator. Geoff is happy to discuss directly with you and can be contacted by calling 5624 2452.

Have a question?

Geoff Fraser – Council's Public Health Coordinator is happy to discuss any queries and can be contacted by calling 5624 2452

Class	2019 Fee	2020 Fee	Comments
Class 1 (hospitals, child care, nursing homes)	\$575	\$575	These facilities are heavily regulated by the requirement for independent third-party food safety auditing.
Class 2 (takeaway, restaurant, food manufacture, bakery, caterer)	\$575	\$675	Baw Baw Shire Council was found to charge one of the lowest Victorian Class 2 food premises registration fees ** (1) This caused a significant gap for the simple measure of total fee revenue approximating the total cost of the inspection workload.
Class 2 (school canteens, clubs, community groups)	\$0	\$190	Council officers are required to inspect all municipal food activity and respond to food safety concerns. With the low Class 2 fee and over 200 clubs and groups paying no registration (inspection) fees, Council currently does not recover adequate fees to have a robust food inspection, education and complaint investigation service. Council also reports one of Victoria's lowest spends on food safety measured in terms of 'cost per food premises to Council'.
Class 2 reduced fees (sporting clubs with restaurant facilities)	\$430	\$675	Some incorporated clubs were previously granted reduced fees. The inspection workload in this sector is no different to other class 2 premises.
Class 3 (packaged food, low risk manufacture, low risk baking)	\$430	\$430	No change and reduced food safety risks as no exposed foods.
Class 4 (packed lollies, cans of drink)	\$0	\$0	No change and no inspection requirement.
STRETRADER			
Community groups, clubs, schools, service clubs, simple sausage sizzle, fundraisers	\$0	\$0	No change – all food safety requirements must be met. Operations subject to random officer inspection.
Class 2 – Commercial operations	\$0	\$340	Annual inspection
Class 3 – Commercial operations	\$0	\$215	Annual inspection

** NOTE 1 – [2019 CLASS 2 FOOD ACT REGISTRATION – LATROBE CITY COUNCIL \$665, CARDINIA SHIRE \$817, MORNINGTON PENINSULA SHIRE \$767, CITY OF MELBOURNE \$770].



Frequently asked questions

Q. We run a local club and only do six catering events a year. Why do we have to pay \$190?

A. Council have a legal obligation to inspect every club and all facilities annually. If you do only have six events, consider if you really need the fixed premises licence. You may be better to just register for free as a club on Streatrader and cancel the fixed premises licence.

Q. I only make low volumes of food and attend at the Warragul market, why do I have to pay a full commercial registration AND Streatrader.

A. The Food Act makes no concession on food volumes. All food intended for sale, for individual or company profit, is deemed commercial food production. If it is no longer financially viable to have your main premises registered as a Class 2 food premise, consider food preparation at an already registered commercial kitchen and only being registered on the Streatrader system.

Q. If I do pursue food preparation at an already registered commercial kitchen can I return shelf stable food products to my domestic kitchen for storage?

A. Yes

Q. It appears Council is cracking down on food preparation in the domestic setting, is this true?

A. In part yes. Domestic food production is very hard to regulate against the commercial expectations of associated legislation. We make appointments to visit – often only inspecting the kitchen and never the food production. As featured in previous editions of The Menu, the main reason for our inspections is to witness how you ‘handle, prepare and store’ foods.

Whilst kitchen structure and cleanliness are very important, it is a lesser inspection priority than seeing you in full food preparation

mode. It is essential that as industry regulators, we ensure acceptable standards are in place regarding food production risks. We are trying to lower these risks by keeping food production to commercial facilities only.

Q. Do I even need registration?

A. Put simply – yes. No current registration is a serious offence.

If you neglect to pay your registration (due 31 December each year) you are deemed unregistered. In the event of any incident where a consumer takes direct legal actions against you, your insurance and protections would be jeopardised.

By maintaining your registration, any consumer concerns can only be investigated by the registration authority – being Baw Baw Shire Council.

Q. What does my registration fees pay for?

A. Council employs four fully qualified and experienced Environmental Health officers to administrate the Victorian legislated Baw Baw Shire food safety regime. The team are connected to Industry and State

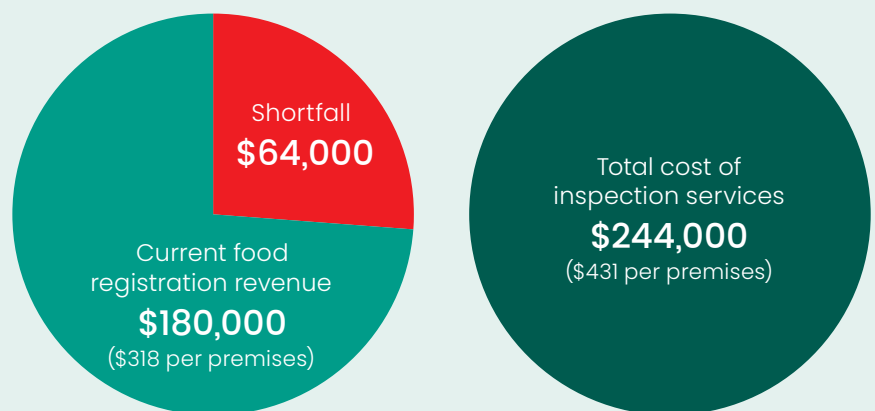
food safety networks, are members of Environmental Health Practitioners Australia and linked to contemporary Hazard and Critical Control Point (HaCCP) food safety information.

The team travel over 100,000 kilometres across the region each year visiting business operators, clubs, pop up operators and the like. They also attend all festivals and events such as Beyond the Valley, Farm World, Harvest Festival as well as many weekend markets.

Food safety training sessions are held throughout the year by Council’s Public Health team to benefit existing and new operators and their staff. Council staff attend up to three visits for initial business opening advice and education for new start-ups.

Council are also mandated to conduct compulsory food sampling that is sent to laboratories for analysis. The team also complete annual and follow-up compliance inspections, the taking of a declared number of random (consumer) food samples as well as responding to consumer complaints, outbreaks, supply investigations and unregistered trading investigations.

Food service revenue vs. cost of inspections



There are 566 food premises in Baw Baw Shire requiring annual inspections. With the restructure of Food Registration fees, the per food premises revenue will now match the cost of inspection services.

<http://knowyourcouncil.vic.gov.au/councils/baw-baw>



Food safety complaints in Baw Baw Shire

Here are a variety of genuine food safety complaints we have observed across Baw Baw Shire in the past few months. Below are a few examples. Unfortunately, we can't share them all, as many complaints received are investigated confidentially.

Band Aid in meal

A non-kitchen grade (not blue) band aid was found by a consumer in a takeaway meal. The consumer chewed on the adhesive before realising it was not part of the meal.

Investigation showed that the busy restaurant pre-prepares many vegetables in bulk. Cut vegetables are placed in multiple 20 litre plastic tubs. A total of nine staff are involved in weekly food preparations. Some staff have shifts of only a few hours a week. Unfortunately, the managers don't keep records and knowledge of who was working which day and consequently could not identify who prepared which tub of vegetables.

The business acted to ensure this didn't happen again. They called all staff together and ran a food safety session. They explained new systems and processes to staff as well as what is involved when working with a band aid.

Smelly bins

Smelly bins are common complaints we receive mainly from your business neighbours. Your neighbours often tell us that your bins are smelly and that some operators wash their bins into the storm water system (instead of the sewer).

Unkept rear yards are where pests reside too, so keeping a tidy 'backyard' is essential to good business operations. Remember, sometimes your patrons can also see into your 'backyard'.



Mould in lamingtons

A consumer noted significant mould in lamingtons purchased on a Sunday.

Investigation showed poor inventory management. The business did not have a simple white board in the kitchen area that stated the 'made date' and 'not for sale after date'.

The business acted by establishing a product item whiteboard on the cool room door with three columns; 1. Product. 2. Date made. 3. Date not to be sold.

Smoking in outdoor dining area

We receive many complaints about patrons who smoke in non-smoking outdoor dining areas. Businesses are responsible to self-regulate smoking and the proprietors are the ones that will be fined if breaches are observed, not the smoker.

We acknowledge that it is very difficult to monitor, however, as smoking becomes less the norm within our society, by advising your smoking customers "sorry you are not permitted to smoke in this area", you are in fact speaking on behalf of 88% majority of your patrons that do not smoke.

Your staff tell us 'I work there, you should see how.....'

This may surprise you, yet other common complaints come directly from your staff.

You may have had a recent disagreement with a key staff member involved in food safety. In circumstances where your staff terms of departure have not been amicable, history shows they may contact Council and vent their frustrations, often detailing every nitty gritty (perceived) food safety issue.

Our team have an obligation to attend and investigate all lodged concerns, including allegations made via social media channels such as Facebook. Social media reviews and comments are paramount to your brand reputation, so you should always monitor, moderate and respond to your customers enquiries and complaints.

Customers are rating your business on every single attribute of their experience at your business – from how easy the disabled access may be, to the cleanliness of toilets to food quality, price and presentation and of course the professionalism of your staff.



Bar and Grill - a week ago

(actual reviews of a Melbourne / South Bank restaurant)

Food was pretty good. We both had steaks which were cooked well. Drinks and cocktails were great. But disappointed with the quality of service.

Received horrible service by a not only unprofessionally looking but also unprofessionally acting waitress – she asked us to get our phones out to split the bill?

We were charged a public holiday surcharge on Easter Saturday, a non-public holiday, with the explanation being it's a public holiday weekend- I doubt that's legal.

Drinks were good and location is great.



Let's Talk: Whitegrain - Warragul

We caught up with John and Thu Mai from Whitegrain; Warragul's new Vietnamese restaurant. 57-59 Queen Street.

Hi John and Thu. Wow, what a beautiful fit out. You've really picked the right food offering at the right time. Was that always the plan?

Thu - Yes, we moved to Warragul about eight years ago and always dreamed of being able to make a business from a culturally unique food offering such as Vietnamese.

Have either of you been in the food industry before?

John and Thu (in perfect harmony) - No never.

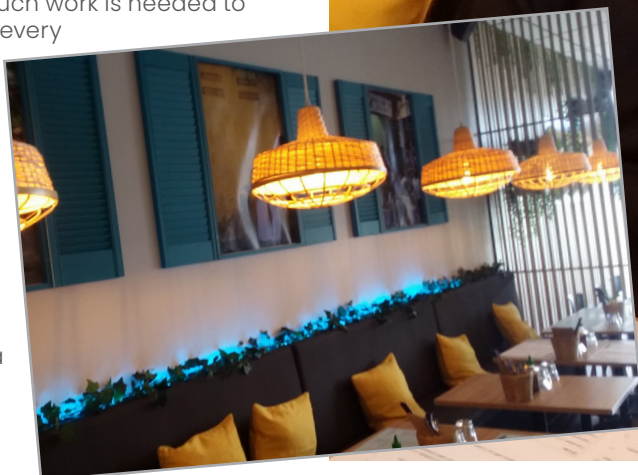
John - But we are loving it. We love the customers and the energy every single night. The experience is so different to anything else we have done. We love being able to please every customer and we are getting a buzz seeing empty plates returning to the kitchen; meaning we must be offering dishes that people are liking.

How long did it take you to fit out the restaurant?

John - it took 9 months to fit it out and ensure that we had the flow of the kitchen correct. I'm very systematic and look at the kitchen as a process, where every process including staff operations must be perfect.

You've been open now for a couple of months. What has been one of the main surprises about getting into the food business that you may be able to share?

John - How much work is needed to stay on top of every aspect of the business. It took us a while to fine tune weekly inventory to ensure minimisation of waste. We source all our foods fresh which is also a lot of work.



Where do you think Warragul is heading in terms of food offerings and what do you think is needed to assist?

Thu - We hope that others will gain the confidence to make their background culture shine in Warragul through getting into food. It would be great to see other authentic culturally specific food offerings bouncing off each other's success - I think it will happen over time.

John - We also hope we can be assisted to take the vibe of our new food business out onto Queen Street, either under heaters or when the weather improves.

What's the most popular dish so far?

John & Thu - Bo Luc Lac! This dish is a stunning shaken beef in oyster sauce served on a sizzling plate.

"We love being able to please every customer and we are getting a buzz seeing empty plates returning to the kitchen; meaning we must be offering dishes that people are liking"





Paddle board plates

A restaurant in Birmingham England was fined approximately \$87,000 for serving food on wooden platters described by environmental health officers as unhygienic.

If your business uses wooden platters, remember it's important to never soak wooden tableware in water as this can cause the wood to split and harbour bacteria.

Wash hand basins

Wash hand basins should always be clean, with clear access, deliver hot/warm water with soap and hand towel. A reminder to businesses not conforming to the act, that hefty fines can occur. Section 8a (1) of the Food Act states:

A person must not handle food intended for sale in a manner that the person ought reasonably to know is likely to render the food unsafe. In the case of an individual the fine is \$75,000 and corporation \$375,000.



Rats

Not everyone wants to think about rats, but here's some facts you may not know.

In a typical urban rat colony, researchers estimate that a litter of nine pups 10 weeks into the year would grow to 270 pups by the 30th week. Rats usually reach sexual maturity by 12 weeks and litters can vary from two to 14 pups. The more shelter, food and trash, the higher the rat count.

Most rat burrows have three entrances, a main entrance and two bolt-holes for quick escapes.

Their filth is really our own. In most places' rats are thriving on our trash and our carelessly tossed leftovers.

SOURCE: FROM NATIONAL GEOGRAPHIC EDITION 04-2019, PAGE 134]

Food Act facts. Did you know?

The registration authority (Baw Baw Shire Council) under section 19W (3) (a) of the Food Act can *...have staff at the (food) premises undertake training or instruction within a specified time to ensure that the requirements of (the) Act ... are met.*

It's in your best interest to take control of your staff training and food safety knowledge, rather than Council having to direct you that training is needed.

Section 38F(1)(b) states it is an offence to *... change the operation of the food premises ... after the premises is registered or its registration is renewed (penalty \$10,000).*

Please let us know about any new change to your operations or business type. A new product range or significant change within your business could save you being uncomfortable at your next annual inspection.

The Food Act's most significant penalties rely on the legal clause *'ought reasonably to know'*.

For instance, "ought reasonably to know that a food handling practice was unsafe".

The legal definition of this phrase is lengthy and becomes the main point of analysis in larger food prosecutions. However, the definition does include factors such as; would risks be known and foreseen, would there be general knowledge of the possibility of causing harm, would evidence (after an event) clearly show a breach of a duty of care.