

Draft variations to the *Australia New Zealand Food Standards Code*

Standards or variations to standards are considered to be legislative instruments for the purposes of the Legislative Instruments Act 2003 and are not subject to disallowance or sunseting.

To commence: 24 months from gazettal

[1] *Standard 1.6.2 of the Australia New Zealand Food Standards Code is varied by deleting clause 4, substituting –*

4 Deleted

[2] *Standard 2.2.1 of the Australia New Zealand Food Standards Code is varied by deleting clause 2, substituting –*

2 Deleted

[3] *Standard 2.2.1 of the Australia New Zealand Food Standards Code is varied by deleting the Schedule.*

[4] *The Australia New Zealand Food Standards Code is varied by inserting –*

STANDARD 4.1.1

PRIMARY PRODUCTION AND PROCESSING STANDARDS PRELIMINARY PROVISIONS

(Australia only)

Purpose and commentary

This Standard sets out preliminary provisions which apply to the Primary Production and Processing Standards contained in Chapter 4 of the Code.

Table of Provisions

- 1 Interpretation
- 2 Application

1 Interpretation

Unless the contrary intention appears, in this Chapter –

Authority means the State, Territory or Commonwealth agency or agencies having the legal authority to implement and enforce primary production and processing Standards.

control measure means a measure that prevents, eliminates or reduces to an acceptable level, a food safety hazard.

handling of food includes the producing (including growing, cultivation, picking, harvesting, or catching), collecting, extracting, processing, manufacturing, storing, transporting, delivering, preparing, treating, preserving, packing, cooking, thawing, serving or displaying of food.

hazard means a biological, chemical or physical agent in, or condition of, food that has the potential to cause an adverse health effect in humans.

inputs includes any feed, litter, water, chemicals or other substances used in, or in connection with the primary production or processing activity.

supply includes intra company transfer of produce.

verification means the application of methods, procedures, tests and other tools for evaluation to determine compliance with the relevant requirement.

2 Application

(1) Unless the contrary intention appears, this Standard applies to Primary Production and Processing Standards in Chapter 4 of this Code.

(2) Standards in Chapter 4 of this Code do not apply in New Zealand.

[5] *The Australia New Zealand Food Standards Code is varied by omitting Standard 4.2.2 substituting –*

STANDARD 4.2.2

PRIMARY PRODUCTION AND PROCESSING STANDARD FOR POULTRY MEAT

(Australia only)

Purpose and commentary

This Standard sets out a number of food safety requirements for the primary production and processing of poultry, and poultry carcasses and poultry meat for human consumption. At the primary production stage, businesses that produce poultry must implement measures to control the food safety hazards and must be able to trace their products. Businesses that process poultry must control their food safety hazards and must be able to trace their products.

It is the responsibility of these businesses not only to comply with this Standard but also to be able to demonstrate compliance. This Standard is, in part, intended to reduce the contamination of poultry, poultry carcasses and poultry meat by pathogenic *Campylobacter* and *Salmonella*.

Table of Provisions

Division 1 – Preliminary

- 1 Interpretation
- 2 Application

Division 2 – Primary production of poultry

- 3 General food safety management
- 4 Inputs
- 5 Waste disposal
- 6 Health and hygiene requirements
- 7 Skills and knowledge
- 8 Design, construction and maintenance of premises, equipment and transportation vehicles
- 9 Traceability
- 10 Sale or supply

Division 3 – Processing of poultry

- 11 Application
- 12 General food safety management
- 13 Receiving birds for processing
- 14 Inputs
- 15 Waste disposal
- 16 Skills and knowledge
- 17 Traceability
- 18 Sale or supply
- 19 Requirements for producers of ready-to-eat poultry meat

Clauses

Division 1 – Preliminary

1 Interpretation

- (1) Unless the contrary intention appears, and subject to Standard 4.1.1, the definitions in Chapter 3 of this Code apply in this Standard.
- (2) The definition of ‘condition’ in Standard 3.2.2 does not apply in this Standard.
- (3) In this Standard –

carcass means the whole dressed body of slaughtered poultry, but excludes any part that has been removed from the dressed body, for example, the head, feathers, viscera and blood.

food safety management statement means a statement, which at a minimum, has been approved or recognised by the relevant authority and subjected to ongoing verification activities by a poultry producer or poultry processor and the relevant authority.

Editorial note:

‘Authority’ is defined in draft Standard 4.1.1 as –

the State, Territory or Commonwealth agency or agencies having the legal authority to implement and enforce primary production and processing Standards.

poultry means chicken, turkey, duck, squab (pigeons), geese, pheasants, quail, guinea fowl, muttonbirds and other avian species (except ratites).

poultry handler means a person who handles or supervises the handling of poultry.

poultry meat means the parts of the poultry carcass intended for human consumption.

poultry producer means a business, enterprise or activity that involves –

- (a) growing; or
- (b) live transporting;

of poultry for human consumption.

poultry processor means a business, enterprise or activity that involves the processing or transporting of poultry product for human consumption.

poultry product means the carcass of poultry, poultry meat or poultry meat product, as the case may be.

premises means a poultry primary production or processing premises.

processing of poultry or poultry product includes the –

- (a) holding before stunning; or
- (b) stunning; or
- (c) bleeding; or
- (d) scalding; or
- (e) defeathering; or
- (f) removing of head or feet; or
- (g) processing of feet; or
- (h) removing of viscera; or
- (i) processing of offal; or
- (j) trimming; or
- (k) washing; or
- (l) chilling; or
- (m) spin chilling; or

- (n) freezing; or
- (o) thawing; or
- (p) deboning or portioning; or
- (q) mincing or dicing; or
- (r) marinating; or
- (s) injecting or massaging; or
- (t) partial cooking; or
- (u) crumbing; or
- (v) packaging; or
- (w) storage, associated with processing;

of poultry or poultry product, as the case may be, for human consumption.

unsuitable means unsuitable as defined in Standard 3.1.1, but includes poultry or poultry product that is in a condition, or contains a substance a person would ordinarily regard as making the poultry, after processing, or poultry product unfit for human consumption.

Editorial note:

‘Suitable’ are defined in Standard 3.1.1. Clause 2 of Standard 3.1.1 provides:

Food is not suitable if it –

- (a) is damaged, deteriorated or perished to an extent that affects its reasonable intended use; or
- (b) contains any damaged, deteriorated or perished substance that affects its reasonable intended use; or
- (c) is the product of a diseased animal or an animal that has died otherwise than by slaughter, and has not been declared by or under another Act to be safe for human consumption; or
- (d) contains a biological or chemical agent, or other matter or substance, that is foreign to the nature of the food.

However, food is not unsuitable for the purposes of the Food Safety Standards merely because –

- (a) it contains an agricultural or veterinary chemical in an amount that does not contravene the *Australia New Zealand Food Standards Code*; or
- (b) it contains a metal or non-metal contaminant (within the meaning of the *Australia New Zealand Food Standards Code*) in an amount that does not contravene the permitted level for the contaminant as specified in the *Australia New Zealand Food Standards Code*; or
- (c) it contains any matter or substance that is permitted by the *Australia New Zealand Food Standards Code*.

2 Application

This Standard does not apply to poultry retail sale activities or poultry product retail sale activities.

Division 2 – Primary production of poultry

3 General food safety management

- (1) A poultry producer must systematically examine all of its primary production operations to identify potential hazards and implement control measures to address those hazards.
- (2) A poultry producer must also have evidence to show that a systematic examination has been undertaken and that control measures for those identified hazards have been implemented.
- (3) A poultry producer must operate according to a food safety management statement that sets out how the requirements of this Division are to be or are being complied with.

4 Inputs

A poultry producer must take all reasonable measures to ensure inputs do not make the poultry unsuitable.

Editorial note:

See the definition of ‘inputs’ in Standard 4.1.1 which includes feed, litter, water and chemicals used in or in connection with the primary production activity.

5 Waste disposal

- (1) A poultry producer must store, handle or dispose of waste in a manner that will not make the poultry unsuitable.
- (2) For subclause 5(1), waste includes sewage, waste water, litter, dead poultry and garbage.

6 Health and hygiene requirements

- (1) A poultry handler must exercise personal hygiene and health practices that do not make the poultry unsuitable.
- (2) A poultry producer must take all reasonable measures to ensure that poultry handlers, personnel and visitors exercise personal hygiene and health practices that do not make the poultry unsuitable.

7 Skills and knowledge

A poultry producer must ensure that poultry handlers have –

- (a) skills in food safety and food hygiene; and
- (b) knowledge of food safety and food hygiene matters;

commensurate with their work.

8 Design, construction and maintenance of premises, equipment and transportation vehicles

A poultry producer must –

- (a) ensure that premises, equipment and transportation vehicles are designed and constructed in a way that minimises the contamination of poultry, allows for effective cleaning and sanitisation and minimises the harbourage of pests and vermin; and
- (b) keep premises, equipment and transportation vehicles effectively cleaned, sanitised and in good repair to ensure poultry is not made unsuitable.

9 Traceability

A poultry producer must be able to identify the immediate recipient of the poultry handled by the poultry producer.

10 Sale or supply of poultry

A poultry producer must not sell or supply poultry for human consumption if the producer ought reasonably know or ought reasonably suspect that the poultry is unsuitable.

Editorial note:

‘Supply’ is defined in Standard 4.1.1 as including intra company transfers of product.
--

Division 3 – Processing of poultry

11 Application

- (1) Subject to subclause (2), and to avoid doubt, Standards 3.2.2 and 3.2.3 apply to a poultry processor.
- (2) In areas where poultry is slaughtered –
 - (a) paragraph 17(1)(d) of Standard 3.2.2 does not apply; and
 - (b) paragraph 24(1)(a) of Standard 3.2.2 does not apply in relation to the poultry intended for slaughter.

12 General food safety management

- (1) A poultry processor must systematically examine all of its processing operations to identify potential hazards and implement control measures to address those hazards.
- (2) A poultry processor must also have evidence to show that a systematic examination has been undertaken and that control measures for those identified hazards have been implemented.
- (3) A poultry processor must verify the effectiveness of the control measures.

(4) A poultry processor must operate according to a food safety management statement that sets out how the requirements of this Division are to be or are being complied with.

13 Receiving

A poultry processor must not process poultry product for human consumption if the processor ought reasonably know or ought reasonably suspect that the poultry product is unsuitable.

14 Inputs

A poultry processor must take all reasonable measures to ensure inputs do not make the poultry product unsuitable.

Editorial note:

See Standard 4.1.1 for the definition of ‘inputs’.

For guidance on what constitutes acceptable water in processing see the *Australian Drinking Water Guidelines 2004* of the National Health and Medical Research Council of Australia.

15 Waste disposal

(1) A poultry processor must store, handle or dispose of waste in a manner that will not make the poultry product unsuitable.

(2) For subclause 15(1), waste includes unsuitable poultry and unsuitable poultry product, sewage, waste water and garbage.

16 Skills and knowledge

A poultry processor must ensure that persons engaged in poultry processing have –

- (a) skills in food safety and food hygiene; and
- (b) knowledge of food safety and food hygiene matters; and
- (c) skills and knowledge to detect a condition that would render poultry or poultry product unsuitable;

commensurate with their work.

17 Traceability

A poultry processor must ensure that it can identify the immediate supplier and immediate recipient of poultry product handled by the poultry processing business.

18 Sale or supply

A poultry processor must not sell or supply poultry product for human consumption if the processor ought reasonably know or ought reasonably suspect that the poultry product is unsuitable.

Editorial note:

See Standard 1.3.3 for requirements relating to the use of water as a processing aid.

See Standard 1.2.4 for labelling requirements where water is an ingredient in the final poultry product at a level of 5% or more.

19 Requirements for producers of ready-to-eat poultry meat

Division 3 of Standard 4.2.3 applies to the producers of ready-to-eat poultry meat.