

Second Reading

The Hon. PENNY SHARPE (Parliamentary Secretary) [9.53 p.m.], on behalf of the Hon. Ian Macdonald: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

Poor food handling practices in hospitality businesses cause over a third of food-borne illness outbreaks in New South Wales. No-one is immune as restaurants, takeaways, bakeries, clubs and catered events are the most common places where we eat outside the home. Young children, the elderly, pregnant women and those with compromised immune systems are particularly vulnerable to food-borne illness, but the impact of food-borne illness is felt by all. People can become very ill and in more serious cases face hospitalisation and even death. Businesses suffer losses in productivity; and tarnished reputations impact on the livelihoods of all involved. The direct cost to New South Wales is estimated at \$150 million. This places a significant burden on the State's economy and is of increasing concern to the New South Wales Government.

The people of New South Wales care about the safety of the food they eat. It is so topical that a software development company recently linked the name and shame register to a GPS application on the new iPhone. The hospitality industry is overrepresented on the name and shame register. These businesses account for 93 per cent of entries. This is simply unacceptable. Proper food handling will result in fewer penalty notices being published on the name and shame register. This will strengthen consumer confidence in the New South Wales hospitality industry. The hospitality industry is one of the cornerstones of the New South Wales economy. The industry is keen to target food-borne illness and continue to build its reputation. This bill is the next step in realising the New South Wales Government's twin visions of a safe and secure food supply coupled with a strong, profitable hospitality industry.

The bill demonstrates the Government's strong commitment to food safety. It ensures that the right level of intervention is implemented to address food safety risks in this sector. The introduction of mandatory food handler training will reduce food-borne illness by improving food handler skills and knowledge. The scheme will enable a designated and trained person to take a lead role in supervising food safety in a food business. Better compliance with food safety laws will lead to improved food safety outcomes. This will save businesses large amounts of money. Not only will the risk of causing a food-borne illness be minimised, but also businesses will be less likely to be issued with a penalty notice or a costly prohibition order. New South Wales has studied comparable food safety supervisor requirements currently in place in Queensland and Victoria. This initiative builds upon the lessons learnt in these jurisdictions to place New South Wales at the forefront of food safety in Australia.

All food businesses in New South Wales are already required to meet basic food safety and hygiene requirements under the national Food Standards Code. Regulation and enforcement in this area is undertaken by local councils under a partnership arrangement with the New South Wales Food Authority. The Food Standards Code requires that food handlers have adequate skills and knowledge in relation to food safety. This outcome-based approach does not require accredited training and simply does not work effectively. It has been criticised across all jurisdictions, including New South Wales, as being unenforceable.

Mandatory food handler training as required by the bill will address this issue. It will formalise skills and knowledge by requiring completion of accredited training within the national vocational and education and training system. The initiative will also align with the training requirements for a food safety supervisor already prescribed in Queensland and Victoria. This ensures mutual recognition of qualifications for food safety supervisors across the eastern seaboard States. In this highly mobile employment sector, nationally accredited training can only improve individual work prospects and opportunities. The implementation of mandatory training for an industry sector is not a new concept. In 2004 the New South Wales Government mandated responsible service of alcohol training for all staff employed within licensed premises. It is equally important that the safety of people in New South Wales is assured when it comes to food. The majority of the public, including our young children and elderly, regularly consume food prepared outside the home.

The Government is acting to protect consumers from food-borne illness by ensuring that food handlers have the skills and knowledge to handle food properly. In January 2007 the Tables restaurant tragedy brought this issue sharply into focus. The coroner's inquest revealed an inadequate level of food safety knowledge. The Deputy State Coroner subsequently recommended that the New South Wales Food Authority should "consider how to better educate the food industry". The Government takes this recommendation seriously and this bill provides the means to better educate the food industry by implementing mandatory food handler training. In July this year the *Sydney Morning Herald* poignantly summed up the feelings of the victim's son that if restaurants were made to take greater care in the handling of food his father did not die in vain. Now is the time for action. We must take the next steps towards improving the safety of food in New South Wales, which will benefit both consumers and the State's food industry.

Food handler training is a low cost investment that will generate huge benefits for consumers, food businesses and the Government. It has been demonstrated that the training can be done in one day. The Food Authority has consulted extensively with industry and even conducted a safe food handler pilot. Restaurant and Catering New South Wales delivered the course, based on the same national units of competency that underpin food safety supervisor requirements in Queensland and Victoria. The pilot was well received by participants, who found the course informative

and relevant to their businesses. The benefits of food handler training extend beyond the shop front door. One pilot participant even commented, "Food handler training also applies to your own home your own life."

Before I turn to the bill, I acknowledge and thank organisations including the Australian Hotels Association, ClubsNSW, Restaurant and Catering New South Wales and the Australian National Retailers Association, which participated in the Hospitality Sector Co-regulatory Working Group. This group worked collaboratively with the New South Wales Food Authority to develop the key features of the initiative. This ensured that the requirements were developed to operate practically and effectively to target food safety risks. I particularly acknowledge the contribution of Robert Goldman, who recently retired as the Chief Executive Officer of Restaurants and Catering New South Wales. In that capacity he championed the cause of mandatory food handlers for many years, and I extend the Government's thanks. Industry supports the proposals contained within the bill and sees them as a positive intervention.

I turn now to the bill. The New South Wales food industry comprises a range of different business types. Each business is unique in the way food is prepared and sold to the public. Only those businesses conducting defined high-risk food handling activities—namely, the processing of ready to eat, potentially hazardous foods—are covered. Food businesses that sell only pre-packaged food will not be affected. For example, petrol stations and convenience stores that sell pre-packaged sausage rolls and pies will not be required to have a food safety supervisor. As I said earlier, initiatives such as this one can work practically and effectively only if they are developed in close consultation with industry. There are a number of types of businesses that may be required to meet food safety supervisor requirements at some stage in the future. Each of these types of business has different needs, priorities, issues and challenges.

For this reason the bill and underlying regulations enable a staged approach to the implementation of the food safety supervisor requirement by utilising an exemption of power. During stage one of implementation the regulations will be used to exempt not-for-profit community and charitable causes, school canteens, delicatessens who do no more than slice smallgoods, cheeses and processed meats, greengrocers who process fresh fruit and vegetables, seafood retailers who sell only raw seafood and childcare centres. The food safety supervisor requirement may be extended to these in future stages if consultation and evaluation of other schemes support this. In addition, businesses licensed by the New South Wales Food Authority will be exempt because they are already subject to specific food safety management requirements.