

New mandatory food safety rules for Berries

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On 12 August 2022, Food Standards Australia New Zealand (FSANZ) introduced new primary production and processing standards for berries, leafy vegetables and melons. The new requirements will take effect from 12 February 2025. The standards in the Australia New Zealand Food Standards Code are legislative instruments under the *Legislation Act 2003*.

You can view the full text 'Standard 4.2.7 – Primary Production and Processing Standard for Berries' at: www.legislation.gov.au/Details/F2022L01060

What this means is that as well as the market driven requirements – such as Freshcare and HARPS – the government has also put in place a mandatory requirement for all berry growers to meet a minimum standard with regard to food safety.

We are working closely with State governments to ensure that they recognise existing schemes so that berry growers who are already certified to a compliant base scheme (Freshcare, SQF or GLOBAL G.A.P) and/or HARPS will not have to do anything extra.

Berries Australia along with AUSVEG and Melons Australia pushed back strongly on the new standard. We argued that there was no justification for singling out these crops for additional levels of regulation which are not required for other horticulture commodities. Whilst we were not successful in pushing back completely, the requirement for berries is only a 'Notification' and as outlined above any grower with an existing certification scheme in place should not have to do anything further in terms of compliance.

The system is a bit complicated in that FSANZ sets the rules, but it is up to each State (the relevant authority) to determine how they will assess compliance. We are pushing for a consistent system between States that places minimal additional burden on those who already have food safety compliance schemes in place, with education and support for growers who do not yet have schemes in place. These discussions are ongoing.

In terms of the specific requirements, the new Code states the following:

Notification

- (1) A primary horticulture producer and a primary horticulture processor must provide the specified information to the relevant authority before engaging in a relevant activity.
- (2) In this section, **specified information** means the following information:
 - (a) the contact details of the primary horticulture producer or the primary horticulture processor, including the name of their business and the name and business address of the proprietor of their business;
 - (b) a description of the activities the primary horticulture producer or the primary horticulture processor will undertake in relation to berries; and
 - (c) the location or locations of each activity referred to in paragraph (b) that is within the jurisdiction of the relevant authority.
- (3) A primary horticulture producer and a primary horticulture processor must notify the relevant authority of any proposed change to specified information provided to a relevant authority in accordance with this section before that change occurs.

4.2.7–5 Traceability

A primary horticulture producer and a primary horticulture processor must have in place a system that can identify:

- (a) the growing site of berries which they grew or received; and
- (b) from whom berries were received; and
- (c) to whom berries were supplied.

4.2.7–6 Inputs – soil, fertiliser and water

A primary horticulture producer and a primary horticulture processor must take all reasonable measures to ensure that any of the following inputs do not make berries unacceptable:

- (a) soil;
- (b) soil amendments (including manure, human biosolids, compost, and plant bio-waste);
- (c) fertiliser; and
- (d) water.

4.2.7–7 Premises and equipment

- (1) A primary horticulture producer and a primary horticulture processor must take all reasonable measures to ensure that premises and equipment are designed, constructed, maintained and operated in a way that:
 - (a) allows for effective cleaning and sanitisation of the premises and equipment; and
 - (b) does not make berries unacceptable.
- (2) A primary horticulture producer and a primary horticulture processor must ensure that premises and equipment are kept clean, sanitised and in good repair to the extent required to ensure that berries are not made unacceptable.

4.2.7–8 Skills and knowledge

A primary horticulture producer and a primary horticulture processor must ensure that persons who engage in a relevant activity, or who supervise a person who engages in a relevant activity, have:

- (a) knowledge of food safety and food hygiene matters; and
- (b) skills in food safety and food hygiene matters commensurate with their work.

4.2.7–9 Health and hygiene of personnel and visitors

A primary horticulture producer and a primary horticulture processor must take all reasonable measures to ensure that personnel and visitors exercise personal hygiene and health practices that do not make berries unacceptable.

4.2.7–10 Sale or supply of unacceptable berries

A primary horticulture producer and a primary horticulture processor must not sell or supply berries for human consumption if they ought reasonably know, or ought reasonably suspect, that the berries are unacceptable.