

Food Retailers and Food Service Advisory Forum

Meeting February 14th 2008

This is a process of NZFSA consulting with the food industry on the new Food Bill.

The first meeting was held 31st October 2007. This meeting was purely to introduce everyone to the process and cover the background of the Domestic Food Review and resulting Food Bill.

The purpose of the second meeting was to present the Food Bill for discussion by the forum.

The Bill will go before parliament. The date for presentation isn't set. NZFSA have the intention of 'getting it right' rather than been tied to a timeline.

Special permission was sought from the Minister to be able to release the Bill to this select group. A confidentiality agreement was signed by all present so that the Bill could not be disclosed to a third party. The draft Bill is not available for general release because it is still the property of the Minister and would not be available to the public until tabled in the House of Parliament. Once the Bill is tabled this will be the opportunity for any body to comment to the Select Committee on the Bill's contents.

Below are the salient points of the Food Bill as they may affect Farmers' Markets.

What?

The Bill will see the introduction of Food Control Plans (FCP).

Food Businesses (as defined by the bill) will require an FCP.

Very small businesses may be exempted and instead have Food Handler Guidance (FHG). Criteria around who would qualify for FHG is included, similar to what has been in previous discussion documents released by NZFSA. These operations may include B&Bs, fundraisers etc.

National Programmes will be developed in conjunction with various groups. For example HortNZ are working with NZFSA in developing a National programme. (NB FMNZ will liaise with HortNZ to discuss potential cross over of interests). Also note that any business may opt out of a National Programme in favour of their own FCP.

FCPs will be able to be achieved in 2 ways:

Off-The-Peg

Custom-made

We are discussing Farmers' Market criteria in order to develop Off-The-Peg templates.

Managed by Who?

Plans will be approved and registered by TAs will have ability to also register FCPs within their jurisdiction. They will allowed to register Off the Peg FCPS within their jurisdiction.

NZFSA will approve templates & model FCPs that can be used by food operators. TAs use Environmental Health Officers to undertake food responsibilities within their jurisdiction

Territorial Authorities (TAs) will verify/inspect and enforce act.

When

The Food Bill will be implemented over a 5 year period with year one likely to be 2009 or 2010 – this will depend on when the new Bill is enacted.

Implications

All stall holders at markets will require an FCP or will have to obtain an exemption from their local TA.

An example for exemption might be someone that has 10 walnut trees and sells some nuts in shell at a market of a few weeks.

Stalls will have FCPs according to their entire business, not just covering sale of goods at a market.

Different stalls will have to comply with the new legislation at different times. For example off site catering is covered in year one (breakfast stall). Chilled soups, dips and spreads are covered in year two. Businesses have been prioritised according to risk.

Farmers' Markets may have to operate their own FCP or may be exempted to FHG

NB: During the meeting many forum members were nervous about the introduction of FCPs until they were shown some samples from the trial conducted in dairies and with caterers. The feed back from dairy owners was mainly positive. Many felt that the FCP gave them guidance in good practices.

I offered a couple of scenarios for consideration during the meeting and at a later meeting with Chris Hewins:

- Kitchen facilities shared by several stall holders and the level of responsibility carried by the owner of the premises.
- Difficulty in Farmers' Market managers having resources to operate an FCP. Suggested that if all stalls held their own FCP a market need only ensure that all stalls displayed certificate.
- How will the manager know if a stalls FCP is appropriate for sale of goods at a market?
- Can there be an exemption for horticultural enterprises that only sell directly to the public?

These points will be discussed by the NZFSA before the next forum.

NZFSA is developing Off-The-Peg FCPs sector by sector. We are involved in discussions with NZFSA outside the forum to develop FCPs that will suit Farmers' Markets. Following the forum I spent 90 minutes with Chris Hewins discussing points of interest and concern to FMs, especially limiting requirements of market managers.

Voluntary Implementation Programme

Due to delays with the Food Bill a number of TAs and businesses in those regions will implement the changes proposed in the bill.

Some FMs could be involved in this once FCP templates are developed.