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COUNCIL POLICY - Food Act Inspections and Auditing Fees

1. Preamble

- 1.1 The City of West Torrens (CWT) undertakes routine inspection of food premises and audits of Food Safety Programs for facilities that provide food service to vulnerable persons, to ensure the safety and suitability of the food. The CWT has accordingly set fees for these services.

2. Purpose

- 2.1 The CWT is required to set fees for both inspections and auditing of Food Safety Programs in accordance with the *Food Act 2001* and *Food Regulations 2017*.
- 2.2 The CWT will annually review its charges and record them in its Schedule of Fees and Charges. Fees for inspections will be charged on the basis of the size of the business. Fees for auditing will be charged at an hourly rate (based on 15 minute increments rounded down to the nearest quarter hour).

3. Scope

- 3.1 This policy applies to businesses which undertake the sale of food or provide food service to vulnerable persons as prescribed in the *Food Act 2001*.

4. Definitions

4.1 Audit

Means a systematic and independent examination of documented systems and records to assess whether the system has been implemented and is effective in meeting standards.

4.2 Community and charitable organisation

Means any group that does not provide financial gain to any members.

4.3 Food Service to Vulnerable Persons

Means a food business involved in food processing and service to vulnerable persons as set out in Food Safety Standard 3.3.1

4.4 Low risk foods

Means food that is unlikely to contain pathogenic micro organisms and will not normally support their growth due to food characteristics.

4.5 Nominal risk business

Means a business that handles only low risk foods, and hence will not warrant frequent or lengthy inspections.

4.6 Risk classification

Means the risk classification allocated to a business as determined by the South Australia Department of Health and Ageing, the South Australian Food Business Risk Classification system.

4.7 Routine inspection

Means an inspection conducted at a frequency determined by the business' risk classification and performance history.

4.8 Small business

Means a business where not more than 20 people are engaged in handling food (determined as people who work full-time in handling food, or the full-time equivalents of such people).

4.9 Vulnerable Persons

Means a person who receives care from one of the facilities listed in the Schedule of Food Safety Standard 3.3.1.

5. Policy Statement

5.1 Standard Fee Application for Inspections

5.1.1 Inspection fees will be imposed for routine inspections only.

5.1.2 Inspection fees will not be imposed for follow-up inspections related to non-compliances of the Food Act 2001.

5.1.3 Inspection fees will not be imposed for inspections carried out in relation to complaints received.

5.1.4 Inspection fees will not be varied or waived for food businesses that have formal audited food safety programs in place.

5.2 Concessional Fee Application for Inspections

5.2.1 The City of West Torrens will provide concessions on inspection fees for:

- a. Community and charitable groups
- b. Nominal Risk businesses
- c. Major Festivals, Events, Food Markets

5.2.2 Inspection fees will not be imposed for community and charitable organisations.

5.2.3 An inspection fee will be imposed for 'nominal risk businesses' at a reduced rate equivalent to 50% of the standard fee for small businesses.

5.2.4 An inspection fee up to the maximum inspection fee as per the Food Regulations 2017 will be negotiated with the host organisations of major festivals, events and food markets in place of inspection fees for individual food stalls and vans.

5.2.5 An inspection fee will not be imposed for mobile food vans that have completed their notification process within the previous 3 (three) months in another local government area.

5.3 Standard Fee Application for Auditing

5.3.1 Audit fees will be imposed to conduct:

- a. An onsite audit; and
- b. A desktop audit of a Food Safety Program for food service to vulnerable persons

5.3.2 Audit fees will be imposed for follow up audits required to determine compliance with non conformances raised during an audit.

5.4 Concessional Fee Application for Auditing

5.4.1 The City of West Torrens will provide concessions on auditing fees for Community and charitable groups

5.4.2 An Audit fee will be imposed for community and charitable organisations at a reduced rate equivalent to 50% of the standard audit fee.