



## Local government and Department of Health food business responsibilities

The following table details responsibilities for local governments, Department of Health and Department of Agriculture Water and Environment; including registration, notification and enforcement activities for food businesses. It also outlines the primary<sup>1</sup> regulatory requirement for various food business activities under the Food Act 2008 and Food Standards Code.

### Table Key

<b>Notification</b>	Requirement of all food businesses in accordance with Section 107 of the <i>Food Act 2008</i> .
<b>Registration</b>	Requirement of food business in accordance with Section 110 of the <i>Food Act 2008</i> . Export food businesses registered under Section 111 of the <i>Export Control Act 2020</i> are exempt from complying with Section 110 by Regulation 13 of the Food Regulation 2009.
<b>Regulatory requirements</b>	Principle food safety related legislation applicable to the food business activities (not exhaustive).
<b>Department of Health (DOH)</b>	Environmental Health Directorate of the Department of Health of Western Australia
<b>Department of Agriculture Water and the Environment (DAWE)</b>	Department of Agriculture Water and the Environment
<b>Food safety plan requirement</b>	The legislative requirement that describes how the food business must identify, control, monitor and document the management of food safety hazards.
<b>Approved arrangements</b>	Food businesses that export food, an approved arrangement is required by the Department of Agriculture and Water and Environment in accordance with the <i>Export Control Act 2020</i> . The arrangement documents food safety processes and practices that provide for Export Certification. Food businesses that are required to comply with Australian Standards in Regulation 18 of the <i>Food Regulations 2009</i> need an approved arrangement as described in the relevant Standard.
<b>Verification authority</b>	The authority responsible for verifying the accuracy of the documented food safety plan or approved arrangement.
<b>Enforcement agency</b>	The agency responsible for compliance and enforcement of the requirements of the <i>Food Act 2008</i> , <i>Food Regulations 2009</i> , <i>Australia New Zealand Food Standards Code</i> identified by Regulation 4 and 5 of the <i>Food Regulations 2009</i> in relation to the activities of the food business.
<b>Controlling authority</b>	The authority conducting verification and auditing activities in relation to the food businesses required to comply with Australian Standards in Regulation 18 of the <i>Food Regulations 2009</i> .
<b>Auditing arrangements</b>	Describes which agency or auditor nominated by the Enforcement / Controlling Authority conducts audits of the food safety program or approved arrangement requirement.
<b>NA</b>	Not Applicable
<b>Standard</b>	The relevant <i>Food Safety Standard</i> applicable in accordance with the <i>Australia New Zealand Food Standards Code</i>
<b>AS</b>	The Australian Standard identified in Regulation 18 of the <i>Food Regulations 2009</i>
<b>Tier 1 Abattoir</b>	Abattoir processing meat which can be exported to a 'restricted' number of predetermined international countries.
<b>Tier 2 Abattoir</b>	Auditor abattoir processing meat which can be exported to an 'unrestricted' number of international countries.
<b>Regulatory Food Safety Auditor (RFSA)</b>	Approved by the DOH under Section 94 of the <i>Food Act 2008</i> to undertake regulatory food safety audits of the food business food safety plan.

<sup>1</sup> Primary regulatory requirement is listed however other regulatory requirements may also apply, please consult with the appropriate enforcement agencies.

**Table:** Enforcement agency responsibilities for WA food businesses and applicable regulatory requirements

Type of food business	Regulatory requirement	Food Safety Plan Requirement	Registration / Notification	Verification authority	Appropriate Enforcement / Controlling Authority	Auditing arrangement
<b>Vulnerable Populations</b>						
Hospitals - Public	Standard 3.3.1	Food Safety Program in accordance with Standard 3.2.1	DOH	DOH	DOH	RFSA
Hospitals - Private	Standard 3.3.1	Food Safety Program in accordance with Standard 3.2.1	LG	LG	LG	RFSA
Café in hospital	Standard 3.2.2, 3.2.3	NA	LG	NA	LG	NA
Aged Care Facility (private, public)	Standard 3.3.1	Food Safety Program in accordance with Standard 3.2.1	LG	LG	LG	RFSA
Child Care Centres	Standard 3.3.1	Food Safety Program in accordance with Standard 3.2.1	LG	LG	LG	RFSA
Delivered Meals Organisations, Hospice, Same day Chemotherapy	Standard 3.3.1	Food Safety Program in accordance with Standard 3.2.1	LG	LG	LG	RFSA
<b>Dairy</b>						
Retail sales (limited distribution, small scale, shop front sales, no pasteurising)	Standard 3.2.2, 3.2.3	NA	LG	LG	LG	LG
<ul style="list-style-type: none"> <li>▪ Dairy primary production (dairy farm)</li> <li>▪ Dairy transporter (collection of milk from farm transport to processor)</li> <li>▪ Dairy Processor, manufacturer (pasteurising milk, cheese, yoghurt, ice cream)</li> </ul>	Standard 4.2.4	Food Safety Program in accordance with Standard 3.2.1	DOH	DOH	DOH	RFSA
Export Dairy Processing	Standard 4.2.4	Approved Arrangements	DAWE Registration DOH Notification	DAWE	DOH (domestic) DAWE (Export)	DAWE

Type of food business	Regulatory requirement	Food Safety Plan Requirement	Registration / Notification	Verification authority	Appropriate Enforcement / Controlling Authority	Auditing arrangement
Dairy Stores	Standard 4.2.4	Food Safety Program in accordance with Standard 3.2.1	DOH / DAWE as determined	DOH / DAWE as determined	DOH/ DAWE as determined	DOH/ DAWE as determined
<b>Meat for human consumption</b>						
<b>Export</b> Abattoir Tier 2 (unrestricted market)	AS4696 As4464	Approved Arrangements	DAWE Registration	DAWE	DOH (domestic) DAWE (Export)	DAWE
<b>Export</b> Abattoir Tier 1 (export to restricted markets) Boning Room	AS4696 AS4464	Approved Arrangements	DAWE Registration DOH Notification	DOH	DOH	DOH / DAWE
Abattoir domestic	AS4696	Approved Arrangements	LG Registration	DOH	LG Enforcement DOH controlling	DOH
<b>Export</b> meat processing (including rabbit, emu, crocodile, wild game) UCFM, ready to eat meat.	Standard 4.2.3 AS 4696 AS 4466 AS 5010 AS 4467 AS 4464	Approved arrangements	DAWE Registration DOH Notification	DAWE	DOH (domestic) DAWE (Export)	DOH / DAWE
Meat processing (including rabbit, emu, crocodile, wild game) UCFM, ready to eat meat. Wholesale supply	Standard 4.2.3 AS 4696 AS 4466 AS 5010 AS 4467 AS 4464	Approved arrangements	LG	DOH	LG enforcement DOH controlling	DOH

Type of food business	Regulatory requirement	Food Safety Plan Requirement	Registration / Notification	Verification authority	Appropriate Enforcement / Controlling Authority	Auditing arrangement
Meat transporter (meat that has been processed), wholesale supply	AS4696	Approved arrangements	LG	LG / DOH on case by case (contact Department for advice)	LG enforcement DOH controlling	DOH
Meat retail small scale, shop front, only	Standard 3.2.2 3.2.3	NA	LG	LG	LG	LG
Processing UCFM, retail sales, small scale, shop front	Standard 4.2.3	Food safety management system in accordance with Standard 4.2.3	LG	LG / DOH on case by case (contact DOH for advice)	LG enforcement DOH controlling authority	LG
Rendering premises (breaking down animal by products) for human consumption	AS 5008	Approved arrangement	LG	DOH	LG DOH controlling authority	DOH
Processing ready to eat meat retail sales, small scale shop front	Standard 3.2.2, 3.2.3	NA (case by case)	LG	LG	LG	LG
Ready to eat retail Modified atmosphere packaging	Standard 4.2.3	Food safety management system in accordance with Standard 4.2.3	LG	LG / DOH case by case	LG	LG / DOH case by case
<b>Pet Meat</b>						
Pet meat harvest in field	Local Laws	NA	NA	NA	LG	NA
Pet meat processing / abattoir, knackery, rendering, wholesale supply	Food Regulations Division 4	NA	LG registration	NA	LG	NA
Retail pet meat processor	Food Regulations Division 4	NA	LG notification only	NA	LG	NA

Type of food business	Regulatory requirement	Food Safety Plan Requirement	Registration / Notification	Verification authority	Appropriate Enforcement / Controlling Authority	Auditing arrangement
<b>Poultry</b>						
Poultry producer	Standard 4.2.2	General food safety management	LG	LG	LG	LG
Poultry processing	AS4465	Quality Assurance Arrangement	LG	DOH	LG enforcement DOH controlling authority	DOH
<b>Export</b> Poultry processing	AS4465	Approved arrangement	DAWE Registration DOH Notification	DAWE	DAWE (Export) DOH (Domestic)	DOH / DAWE
Poultry retail premises	Standard 3.2.2, 3.2.3	NA	LG	NA	LG	LG
<b>Seafood</b>						
Primary production, processing of seafood	Food Regulations Clause 4 Standard 4.2.1	Comply with General Seafood Safety Management Clauses	LG	NA	LG	NA
Seafood processing premises	Standard 4.2.1 Standards 3.2.2, 3.2.3	NA	LG	NA	LG	NA
Primary production and harvesting of bivalve molluscs	Standard 4.2.1	Documented food safety management system	DOH	DOH	DOH	DOH

Type of food business	Regulatory requirement	Food Safety Plan Requirement	Registration / Notification	Verification authority	Appropriate Enforcement / Controlling Authority	Auditing arrangement
<b>Export</b> shellfish estuary and harvest management	Standard 4.2.1	Approved Arrangements	DAWE registration, DOH notification	DAWE	DOH	DOH
<b>Export</b> fish handling and processing, fishing vessels	Standard 4.2.1	Approved Arrangements	DAWE registration DOH notification	DAWE	DAWE	DAWE
<b>Eggs</b>						
Egg production, processing	Standard 4.2.5	Food safety management statement	LG	LG	LG	LG
<b>Export</b> egg production, processing		Approved Arrangements	DAWE Registration	DAWE	DAWE	DAWE
<b>Horticulture</b>						
Seed sprout processing	Standard 4.2.6	General Food safety management requirements	LG	LG	LG	LG