



# Guide to Regulatory Guideline Number 6: Regulatory Food Safety Auditing in Western Australia

## Background

The Chief Executive Officer (CEO) of the Department of Health initially approved a guideline in October 2010 under section 120 of the *Food Act 2008* (Food Act) that set out the approach to the auditing requirements to be adopted by enforcement agencies. The purpose of this revised fact sheet is to provide additional current information that assists enforcement agencies in the practical adoption of this guideline.

## What is a guideline approved under section 120?

Section 120 of the Food Act enables the CEO to adopt guidelines that relate to the performance of functions of enforcement agencies under the Food Act. The CEO can also require enforcement agencies to adopt such guidelines. Once the CEO has approved a guideline under section 120 requiring enforcement agencies to adopt them, enforcement agencies have an obligation to perform their functions in accordance with the requirements of the guideline.

## Which businesses are required to have a food safety program?

As per the revised Western Australian Priority Classification System, approved by the CEO under section 100 of the Food Act, food businesses captured under Standard 3.3.1 (Food Safety Programs for Food Service to Vulnerable Persons) and Standard 4.2.4 Primary Production and Processing Standard for Dairy Products of the Australia New Zealand Food Standards Code (the Code) are required to implement a Food Safety Program (FSP) that complies with Standard 3.2.1 of the Code.

N.B Standard 4.2.4 Primary Production and Processing Standard for Dairy Products (i.e. Dairy collection, dairy transportation and dairy processing businesses) the enforcement agency is the Department of Health and these food businesses also are required to implement an FSP that complies with Standard 3.2.1 of the Code.

## What is a 'verification assessment' of a food safety program?

A 'verification assessment' of an FSP is an initial assessment of whether a food business has developed an FSP that contains the elements required by Standard 3.2.1. Authorised officers will need to be satisfied that the FSP, when put into operation, will be likely to enable a food business to meet its obligations under Standard 3.2.1 (Food Safety Programs). This will only require a decision to be made on whether the program 'substantially complies' at the time of the assessment.

A tool has been developed to assist with this FSP assessment - *Food Act 2008 Verification of Food Safety Program Guideline* - which should be read in conjunction with Food Standards Australia New Zealand 'Food Safety Programs: A guide to Standard 3.2.1'.

The initial verification assessment is not an approval of the FSP; an FSP is a 'living document' and once it has been determined that the FSP contains the required elements it will be the audit process (and the regulatory food safety auditor) that will determine whether the FSP continues to be adequate to control the hazards associated with the business and the processes involved.

- Following verification of an FSP, enforcement agencies are responsible for assigning initial audit frequencies and advising food businesses that the first regulatory food safety audit is required to be performed within six months.
- Subsequent audit frequencies will be determined by the RFSA by reference to the WA Priority Classification System and confirmed or otherwise by the enforcement agency.

It is important to note that these requirements relate only to regulatory food safety auditing. Enforcement agencies must ensure that food businesses subject to these requirements still comply with the provisions of the Code relevant to the business, and where necessary take appropriate enforcement action for non-compliance.

For further information please refer to

[WA Food Regulation: Food Safety Auditing – Guidelines for Enforcement Agencies \(PDF 383 KB\)](#)

## Other information

- [Food Standards Australia New Zealand 'Food Safety Programs: A guide to Standard 3.2.1 \(PDF 357 MB external site\)](#)
- [Food Act 2008 Verification of Food Safety Program Guideline \(PDF 25 KB\)](#)

## References

<sup>1</sup> [Refer to: Food Standards Australia New Zealand 'Food Safety Programs: A guide to Standard 3.2.1 \(June 2007\) \(PDF 357 MB external site\)](#)

## More information

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