

# Food for Thought

A publication prepared by the Food Unit, Department of Health WA

Issue 9 March 2011



Government of Western Australia  
Department of Health

## Inside this issue:

Introduction	1
Parallel Importation of Alcoholic Beverages	1
Apricot Kernels for Sale	2
Food Labelling Review	2
Myth busters: Keeping the Mystery out of Safe Food	3
<i>Food Act 2008</i> Surveys	4
Welcome	4
<i>Food Act 2008</i> Updates	5

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## Introduction

Welcome to the 9th Issue of the Food Unit's Food for Thought Newsletter. This newsletter outlines some of the achievements and topical issues that were addressed during this quarter.

## Parallel Importation of Alcoholic Beverages



Summer is the time of year when alcoholic beverage sales are large and also the time when liquor licensees are pressed to maintain stocks. It is also the most active time for "parallel" importation of alcohol.

Parallel importation is the landing of product independent of an Australian distributor; it is not an illegal activity to parallel import but has in the past caused concerns from the aspect of non compliance with the *Australia New Zealand Food Standards Code*.

Of particular concern is the lack of

- Importers details as required by Standard 1.2.2,
- Standard drinks labelling as required by Standard 2.7.1
- Date marking as per Standard 1.2.5

A lack of all or one aspect as detailed above is non compliance with *Food Act 2008* Part 3 Division 2 Section 22

The main product being parallel imported is beer, in particular the very popular brands; Corona, Stella Artois and Hoegaarden.

Any action taken in relation to such non-compliance should be in accordance with the enforcement agency's compliance and enforcement policy.

The [Food Unit Notice: Labelling of Imported Alcoholic Beverages](#) provides further information on this matter.

## Apricot Kernels for Sale

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Recently the Department of Health (DOH) was contacted by a member of the public who had seen apricot kernels for sale in a local health food store and was concerned that there maybe an issue with the product containing cyanide (hydrocyanic acid).

Apricot kernels contain cyanide and are not specifically mentioned in the *Australia New Zealand Food Standards Code* (the Code) as they are not a nominated food. Standard 1.4.1 of the Code sets out the maximum levels (MLs) of specified metal and non-metal contaminants and natural toxicants in nominated foods. As a general principle, regardless of whether or not an ML exists, the levels of contaminants and natural toxicants in all foods should be kept As Low As Reasonably Achievable (the ALARA principle).

An ML has been established only where it serves an effective risk management function and only for those foods which provide a significant contribution to the total dietary exposure. Food not listed in Standard 1.4.1 of the Code may contain low levels of contaminants or natural toxicants.

However, MLs have not been assigned to these foods because they present a low public health risk. The general provisions of the *Food Act 2008* (the Food Act) relating to the availability of safe foods apply to all foods.

MLs have been set at levels that are consistent with public health and safety and which are reasonably achievable from sound production and natural resource management practices.

Section 9(1)(a) of the Food Act clearly covers the sale of kernels, as food – especially when sold in a health food shop. If the food proprietor is claiming kernels are therapeutic goods, it is appropriate to see the therapeutic goods approval or a 'Certificate of Analysis' supplied by the product distributor.

In 1992 the DOH seized 30kg of kernels that were for sale and asked all retail outlets and local government authorities to participate in a state-wide recall. The DOH's medical consultant at the time stated that all apricot kernels could be dangerous. The kernels that were tested contained 1450 milligrams per kilogram of cyanide.

It is suggested that the course of action is either the proprietor knows/confirms that the kernels are safe via testing (as the proprietor is selling a food) or alternatively enforcement agencies determines that they are safe.

It is important to note that this issue has been brought to the DOH's attention and as such this must be considered as a 'high risk' matter for enforcement agencies. Accountability under the Food Act and subsidiary legislation in relation to this matter rests with the food business proprietor and the enforcement agency. Section 15 of the Food Act should also be considered i.e. sale of unsafe food, which provides penalty for selling unsafe food.

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## Food Labelling Review

The final report for the Review of Food Labelling Law and Policy (the Review), entitled *Labelling Logic* was released on 28 January 2011.

Please visit the [Labelling Logic website](#) for further information and for an electronic copy of the document.

## Myth busters: Keeping the Mystery out of Safe Food

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The purpose of this article is to provide assistance to people needing to determine the safety of food production recipes. It is important for anyone involved in the production of food for sale, including home based food businesses, to be aware that they are responsible for ensuring the safety of the food they produce.

There are a number of factors that can be controlled to prevent the growth of microorganisms in food. These include: acidity, time, temperature, oxygen and moisture. The following provides guidance on some common food safety myths on how to control microorganism growth in food.

### **Myth number 1: HEAT “Cooking at 100°C kills all bacteria”**

This myth relates to making food commercially sterile, which is important for unrefrigerated food intended to have a long shelf life. Only a temperature of 121°C, maintained for 15 minutes will kill all microorganisms including spores.

Alternative time and temperature parameters may produce a similar result, but food businesses involved in the manufacturing of food for sale must be able to provide evidence that validates the safety of their chosen methods.

### **Myth number 2: SUGAR “Sugar preserves food by lowering water activity”**

Once the jar of jam has been opened, only a sugar content of between 68%-72% will prevent mould from growing in the jam and be effective in preserving food. Recipes that aim to reduce the sugar content of foods like jams will require additional controls to ensure food safety.

### **Myth number 3: SALT “Salt preserves food”**

Food can only be preserved by salt if the final concentration of salt in the recipe is greater than 10%. An alternative control method such as dehydration or the addition of acid (as per pickled foods), will be required if this salt concentration is not met.

### **Myth number 4: OIL “Oil preserves food”**

Oil does not preserve food. The only function of oil is to prevent oxidation, which can lead to discoloration of some foods. As in the previous example, acidification or another control is required.

Apart from providing information on a product’s shelf life and appropriate storage conditions, all recipes used by food businesses should include the following information:

- list of all ingredients and quantities of each;
- cooking time (expressed in minutes) for each cooking step; and
- cooking temperatures (expressed in °C degrees) for each cooking step in the recipe.

### Mandatory Folic Acid Fortification of Wheat Flour for Bread Making Compliance Survey



Photo by Victoria Herrera

WA Health is presently the lead agency for the Mandatory Folic Acid Fortification of Wheat Flour for Bread Making Compliance Survey. This survey was commissioned under the Implementation Sub-Committee's (ISC) Co-ordinated Food Survey Plan and all Australian jurisdictions participated.

The aim of the survey was to provide a preliminary snapshot for assessing how effectively flour mills have implemented Quality Assurance Arrangements (QAA) as a basis for demonstrating compliance with

Standard 2.1.1 – Cereals and Cereal Products of the *Australia New Zealand Food Standards Code*.

The survey was carried out by State Government jurisdictions from October 2010 to February 2011. Each jurisdiction was required to conduct a questionnaire of flour mills' QAA documentation and to collect and analyse samples of wheat flour for making bread from flour mills. Preliminary findings of the survey have indicated that folic acid is being added to bread making flour at the flour mills, with a final report to ISC to be presented by June 2011.

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### Egg Based Sauces & Salmonella Survey

A state-wide *Survey of Egg Based Sauces and Salmonella* was co-ordinated by the Western Australian Food Monitoring Program and conducted by local government from April to August 2010. The survey report is now completed and pending publication. Further information on the outcomes of this survey will be available in the March issue of the [Environmental Health Newsletter](#)

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## Welcome



### Welcome Anna!

The Food Unit would like to extend a warm welcome to Anna Pardini, the newest member of the Food Unit.

Anna joined the Food Unit in November 2010 and is working within the Operations Team. She brings to the team her knowledge in environmental health, environmental biology and more recently occupational health and safety systems.

Anna has experience working in local governments as an Environmental Health Officer and private industry in the field of safety and risk.

Anna is working on a number of strategies to assist local government and food businesses in complying with WA legislation. Specifically, she is working on reviewing the Investigation of Food Poisoning Outbreak procedure for local government and developing guidelines to assist food businesses on the safe production of raw egg products.

Please feel more than welcome to contact Anna should you have any queries on food safety

## Food Act 2008 Updates

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### Food Transport Businesses & Registration

The *Food Act 2008* (the Food Act), section 10 defines a food business as "...a business, enterprise or activity that involves (a) the handling of food intended for sale; or (b) the sale of food....". The definition of transporting and delivering is covered in Standard 3.1.1 of the *Australian New Zealand Food Standards Code* (the Code).

As food transport businesses handle food intended for sale, they come under the definition of a food business within the Food Act. Therefore, all food transporters within Western Australia are required to be registered with the relevant enforcement agency under the Food Act.

Additionally, a food transport business which handles meat is required under division 2, clause 18 (1) of the *Food Regulations 2009* (the Regulations) to comply with the *Australian Standard for The Hygienic Production and Transportation of Meat and Meat Products for Human Consumption AS 4696:2007* (the Standard).

At present, the Department of Health (DOH) is the Controlling Authority for auditing the HACCP based food safety plan/approved arrangement, required by the Standard. The DOH Food Unit currently audits meat transport businesses annually and is subject to risk assessment and ongoing review.

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### Reporting Requirements by Enforcement Agencies under Section 121 of the Food Act 2008

The Food Unit would like to thank local governments for completing the proforma for last year's reporting period; 24 October 2009 to 30 June 2010. The response was very positive and all local governments participated fully.

A report of last years' performance is being compiled by the Chief Executive Officer (CEO) of the Department of Health (DOH) and it is anticipated that this will be finalised by the end of March 2011.

To provide local governments with as much time as possible and to ensure a similar return rate for this reporting period, the proforma for 2011 has been released.

The reporting period for this year is **1 July 2010 until 30 June 2011**. The completed proforma should be submitted to the DOH by **28 October 2011**.

Hardcopies of the proforma and additional relevant documents are being sent out to all local government CEOs. Please visit the [Reporting Requirements webpage](#) for electronic copies of these documents including an online reporting template.

If you have any queries please do not hesitate to contact the Food Unit on 9388 4903 or [foodunit@health.wa.gov.au](mailto:foodunit@health.wa.gov.au).

For food enquires please contact the Food Unit on:

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*Thoughts, comments and topic suggestions are also welcomed.*