

AUSTRALIAN CAPITAL TERRITORY

FOOD ACT 1992

APPROVAL OF CODE OF PRACTICE NO.4 " THE FOOD PREMISES CODE"

NO.6 OF 1994

EXPLANATORY STATEMENT

INTRODUCTION

This instrument approves a code of practice for the design, construction and fit out of new and renovated food premises.

Food legislation in the ACT has included structural requirements for food premises since its inception in the 1920s. It has always been recognised that a properly constructed food premises provided the right environment for the production of food that is safe to eat.

To enable persons designing and building food premises enforcement officers produced various guidelines on suitable design, materials and fittings which, when included in the design, ensured that the premises would meet any statutory constructional requirements and also promoted compliance with the very important statutory requirement that the premises be kept clean and free from vermin by requiring provision of sinks etc. and the use of materials that would withstand water.

Consequently a code of practice for the design, construction and fit out of new and renovated food premises has been used by Health officers, builders, shop fitters and proprietors of food shops in Canberra for at least the last fifteen years. It has been a voluntary code and has continually been updated as new materials, new methods of construction and new ideas on how to achieve food safety have impacted on food premises design.

Its content has been continually revised in line with national standards to ensure uniformity with the States. The latest attached code has taken the national code produced by the Australian Institute of Environmental Health "National Code for the Construction and Fit Out of Food Premises" and only included variations where necessary to meet ACT requirements.

The code is primarily designed to provide an environment for the production of safe food through the

- provision of surfaces which allow ease of cleaning (eg stainless steel)
- provision of adequate cleaning facilities eg dishwashers, sinks, hose points

- assistance to food handlers in preparing safe food by providing suitable size kitchens, accessible hand basins and similar.

Construction in accordance with the code will provide additional benefits to the shop owner: in the area of occupational health and safety by providing effective lighting (working with cutting blades) and adequate grease extraction systems preventing greasy surfaces.

Another major benefit is the long term economic returns in operating a well constructed premises. For example three relevant benefits could be;

- spacing around motors allowing effective air circulation preventing burn out motors
- easy to clean areas requiring less outlay on labour and chemicals
- maintenance costs reduced through using durable materials.

SCOPE

It is intended that the code will apply to all new work (a complete new food premises or a renovation, repair or alteration) from the date authorised by the Minister.

This continues the present practice with the existing code.

It is not practicable to apply the code to existing premises. However where an existing premises does not meet a particular food hygiene regulation and work is required (eg to install a hand basin) or defects in structure exist (eg a damaged portion of wall) the work that the officer requires to be undertaken would have to be in accordance with the code.

Similarly if a proprietor initiated work it would need to be carried out in accordance with the Code.

In this way the quality of food premises in the ACT rises to meet the requirements of the Code.

USING THE CODE

The code contains performance and prescriptive clauses.

Performance clauses

The code contains performance clauses such as "smooth impervious materials". If the product meets the performance required the enforcement authority will permit its use. This allows for the wide variety of products that are suitable and for new products to be tried.

Prescriptive clauses

These are defined measurements or products eg. 400mm from a wall or "non-corrosive tubular metal". They are mandatory.

PROVISIONS

The Code is divided into four parts

- Part A Construction, Materials and Finish
- Part B Installation of Fixtures, Fittings and Equipment
- Part C Washing Facilities, Other facilities and Special Requirements
- Diagrams.

The parts are preceded by an introduction and a list of contents and definitions.

For ease of reference each part is divided into sections that deal with one area of the plan or building. For example Part A is divided into nine sections beginning with constructional requirements for walls.

In each section a boxed area describes provisions that differ from the national code.

Certain words are written in italics and, as the introduction to the code explains, these words are defined. One such word in italics throughout the code is *approved*. For example section 10 para 10.3 (page 19) "The seal between the floor and the metal base of a cabinet to be of an *approved* silicone sealant laid on the floor in a continuous seam" This means that the product must be on the Health Officer's list of sealants that are known to perform. It should be noted that Health Officers will always consider new products for inclusion.

Diagrams have always proved helpful in explaining what is meant by certain provisions and the code includes several on pages 39 to 49.

REVIEW OF THE CODE

As a voluntary code its provisions were always being updated in line with new products and methods of construction. It is envisaged that this will continue with variations to the code being submitted to the Minister at appropriate intervals.

ADMINISTRATION

Page 5 of the code explains that plans and specifications must be submitted before any construction, renovation or alteration of a food premises is carried out and give details on how to apply.

This ensures that a premises will meet the requirements prior to the applicant seeking a license to carry on a food premises as required under Part IIB of the Food Act 1992 and in accordance with the requirement under that Act that alterations to existing food premises are not carried out without approval.

A factor in the consideration of whether to grant a license for a food business is the suitability of the premises for the purposes of the business.

It is not the intent that every alteration requires approval; the code says that minor renovations do not require submission of plans.

The code also states that plans should be lodged at Building Department offices for both compliance with the Building Control Department (if a building permit is required) and for code of practice compliance. This is intended to reduce the number of Government agencies that a person has to contact.

PUBLICITY

The Food Act requires that a notice be placed in the Gazette and in a local newspaper giving details of a code; the date on which it takes effect, places where copies may be purchased, and a place where it is available for inspection by the public.

A letter will be sent to each shop fitter, architect and builder known to be working in the ACT and Queanbeyan providing them with that information.

The code will be available for inspection and for purchase at each ACT Government shop front and at the office of the Public and Environmental Health Service at Scullin.
