Policy Guide - Food Safety Regulation in Child Care Centres

Purpose

The purpose of this document is to provide guidance to Environmental Health Officers (EHOs) regarding the application of the *Food Act 2003* and associated Standards to child care operations in Tasmania. This information builds on previous advice provided by the Food Safety Unit.

Application of Standard 3.3.1

Standard 3.3.1 – Food Safety Programs for Food Service to Vulnerable Persons applies to child care centres (ie long day care centres, employer-sponsored childcare and centre-based occasional care) that provide meals containing potentially hazardous food. Potentially hazardous food is food that can support the growth of bacteria and other pathogens.

This Standard does not apply to home-based care such as family day-care, or to after school care.

Child care centres that fit within the application of Standard 3.3.1 must be registered as food businesses under the *Food Act 2003* and must also have an audited food safety program. An example of a business that must abide by Standard 3.3.1 is a centre that prepares and provides cooked lunches to children.

Child care centres that prepare/mix infant formula on-site must also abide by the requirements of Standard 3.3.1 and have an audited food safety program. Infant formula is designed as a 'whole meal' for infants and because there are multiple food safety risks associated with its preparation, storage and serving, it is classified as a potentially hazardous food.

Please refer to Table 1 for examples of food service practices that trigger the application of Standard 3.3.1.

Lunch Box Only Services

Child care centres that do not provide food as part of their service (for example, lunch box only services) do not need to be registered as a food business and do not need to comply with Standard 3.3.1. This exemption applies even if the centre stores the food which has been provided by the parent or guardian.

In these circumstances the food safety risks primarily need to be managed by the parents/guardians providing the food. That does not mean that child care centres should ignore lunch box food safety. These centres are strongly encouraged to establish policies and procedures that address:-

- Food re-heating.
- Food storage and disposal.
- The use of 'single-use' disposable gloves when handling food; or utensils (such as tongs, forks), to avoid direct hand contact with food.
- Washing and sanitising utensils and the like.
- Refrigeration on-site or the use of lunch-box cool packs.
- Hand washing before eating and supervision during meal times.

Lunch Box Service with Snacks Provided by the Centre

In Tasmania many child care centres operate on a model whereby the main meal and some snacks are provided by the parents (for example, by way of a lunch box) with the centre providing additional snacks such as fresh fruit and fruit platters, toast and biscuits. In these circumstances the business is providing food as part of a service and the provisions of the *Food Act 2003* apply including the requirements of *Food Safety Standard 3.2.2 – Food Safety Practices and General Requirements* and *Standard 3.2.3 – Food Premises and Equipment*, which are adopted under the *Food Act 2003*.

In some circumstances the selection of food provided by the centre may necessitate compliance with Standard 3.3.1, requiring the adoption of an audited food safety program. This would be in cases, for example, where the variety of snacks provided is very extensive and includes numerous potentially hazardous products such as salad sandwiches, ham and cheese on toast, party pies, pizza etc. The issue of fruit platters is discussed further below.

Fruit Platters:

Given the importance of fruit to the health of children, the Department has adopted a special policy in relation to fruit platters. Essentially this policy means that the provision of fruit platters by child care centres **does not** trigger the requirement for a food safety program under Standard 3.3.1.

This is because whole fruit and vegetables do not generally become potentially hazardous *until* they have been cut up and/or peeled. It is the cutting/peeling process that exposes the flesh which in many cases is able to support the growth of bacteria and other pathogens that can be introduced by the cutting/peeling process. Because pathogens take some time to multiply in numbers sufficient to cause illness, fruit that is peeled and cut up on-site for consumption within 4 hours of preparation remains safe *provided* some basic food safety measures and the requirements of Standard 3.2.2 are adopted.

These measures are discussed below in more detail -

Supply of Fruit

- Do not supply any fruit that is damaged, bruised or deteriorated.
- Ensure cut fruit is wrapped and refrigerated at the point of sale and where possible purchase whole melons (watermelon, cantaloupe and honey dew) as opposed to pre-cut melons.

Preparation

- Wash hands before handling fruit and wash hands often.
- Use single-use disposable gloves when handling fruit or use a clean utensil such as tongs or fork to avoid direct contact with food.
- Wash & sanitise surfaces contacting fruit including benches and cutting boards, knives, dishes and platters before and after contact with fruit.
- Wash fruit with running cold potable tap water before cutting, peeling and serving.
- Do not cross-contaminate – use a cutting board reserved for fruits.

Serving

- Avoid the display of food for periods exceeding 2 hours.
- Discard any leftover cut fruit stored at room temperature after 4 hours (use the 2 hour 4 hour rule – see information box below).
- Discard any refrigerated cut fruit after 24 hours.
- Supervise selection to avoid food being returned to the platter by children.

Note: The Food Safety Standards and Food Business Registration requirements of the *Food Act 2003* apply to child care centres preparing fruit platters.

The 2 Hour 4 Hour Rule States that:

Any ready-to-eat potentially hazardous food, if it has been at temperatures between 5°C and 60°C:

- for a total of less than 2 hours, must be *refrigerated or used immediately*;
- for a total of longer than 2 hours but less than 4 hours, must be *used immediately*; or
- for a total of 4 hours or longer, must be thrown out.

Limited Food Handling in Areas other than Kitchens

Child care centres may have kitchenettes located within caring rooms that have historically been used to prepare basic foods for children including toast and cut fruit for immediate consumption. Typically the kitchenettes have a double bowl sink but no hand basin and to bring the area into full compliance with Standard 3.2.3 is frequently impracticable and very expensive.

The Department does not object to the continued use of kitchenettes that lack full compliance with Standard 3.2.3 provided the centre management can demonstrate to the Local Council Environmental Health Officer that relevant food safety risks can be appropriately managed. This may include-

- Ensuring the designated kitchenette is in a good state of repair and can be kept clean.
- Hand washing facilities are available within close proximity elsewhere in the building and their use is complemented by the appropriate use of hand sanitisers, coupled with the avoidance of direct contact with ready-to-eat food.
- Food preparation is strictly limited to low risk foods only such as toast or cut fruit for immediate consumption.

- Food contact equipment such as chopping boards and knives are in a clean and sanitary condition before use (ie this may necessitate that the equipment has been put through a commercial dishwasher in the formal kitchen, or had another suitable clean and sanitise process applied it).
- The kitchenette is not used for other purposes such as cleaning up after children's craft activities.

Food Based Learning Activities

From time to time child care centres undertake food-based learning activities with children. These activities often consist of making products such as biscuits, scones, basic pizzas etc. These activities are considered to be outside the scope of the *Food Act 2003* and, on their own, do not trigger the need for food business registration.

Notification and Registration

Food businesses are required by law to notify the Local Council of their existence and provide information about who they are and what they are doing with regard to food service. Information gained from the notification process is used by Local Council Environmental Health Officers to determine whether or not the premises needs to be registered as a food business (unless it already is). In cases where no potentially hazardous food is handled, the premise's status will be recorded as 'notified' and will remain as such until there are changes, such as the introduction of potentially hazardous foods. If this occurs, the proprietor *must* inform the Local Council about these changes.

It is recommended that where any doubt exists as to whether a child care centre needs to notify or be registered, the centre should notify the council in accordance with Part 7 of the *Food Act 2003* and provide *full* details of food service arrangements, client numbers and ages, and in-house food safety procedures. This will enable the Local Council to evaluate the food safety risk and to determine an appropriate level of regulation.

Further Information

For further information or advice relating to food service within the child care setting, please contact the DHHS Food Safety Unit on 1800 671 738.

The Standards referred to in this document can be accessed via the *Food Standards Australia New Zealand* website *(FSANZ)* http://www.foodstandards.gov.au/.

Table 1: Examples of potential child care food service activities and corresponding levels of regulation.

Type of food provided	Food Safety Program Required yes/no	Registration Required yes/no	Food Safety Standards Apply
Lunch provided by centre (eg Shepherd's pie, scrambled eggs, macaroni cheese, chicken & rice puree)	**yes**	**yes**	**yes**
Lunch box service with extensive, potentially hazardous snacks provided by centre (eg ham and cheese on toast, salad sandwiches, party pies).	**yes**	**yes**	**yes**
Lunch box service with non-potentially hazardous snacks provided by centre (eg vegemite on toast, biscuits, tubs of yogurt)	**no**	**no**	**yes**
Lunch box service with fruit platter provided by centre	**no**	**yes**	**yes**
Lunch box service with infant formula prepared by the centre	**yes**	**yes**	**yes**
Lunch box only service with bottles of prepared infant formula or expressed breast milk provided by parent.	**no**	**no**	**no**