

# Primary Produce Safety (Seed Sprouts) Regulations 2014

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### **NATIONAL PRIMARY PRODUCTION AND PROCESSING STANDARDS**

Primary Production and Processing (PPP) Standards impose mandatory obligations on producers to control food safety hazards occurring in the primary production phase of the food supply chain – before the produce enters the food retail and service sector.

PPP Standards are set by Food Standards Australia New Zealand (FSANZ) and incorporated into Chapter 4 of the *Australia New Zealand Food Standards Code* (Food Standards Code). There currently exist PPP Standards for ready-to-eat meat, dairy, seed sprouts, eggs, poultry and seafood.

All Australian states and territories are required under a Council of Australian Governments (COAG) agreement to mandate PPP Standards through state legislation. Accordingly, before its inclusion in the Food Standards Code, a new or amended PPP Standard is subject to a comprehensive national regulatory impact assessment overseen by FSANZ.

### **PRIMARY PRODUCTION & PROCESSING STANDARD FOR SEED SPROUTS (STANDARD 4.2.6)**

FSANZ developed Standard 4.2.6 in response to the large number of foodborne illness outbreaks suspected of being linked seed sprouts which are typically consumed raw.

Seed sprouts are currently the only horticultural food commodity that is the subject of a PPP Standard in Chapter 4 of the Food Standards Code.

Standard 4.2.6 aims to reduce the incidence of illness associated with seed sprouts by ensuring that producers and processors of seed sprouts control food safety hazards in accordance with a Government approved food safety program that is audited regularly.

### **REGULATORY IMPACT ASSESSMENT**

Standard 4.2.6 commenced operation in the national Food Standards Code on 26 November 2012. As with all PPP Standards, FSANZ previously carried out a national regulatory impact assessment in respect to implementation of Standard 4.2.6. It was estimated that legislative implementation of Standard 4.2.6 by all States and Territories would deliver a present net value of \$1.7 million over ten years.

The final report of the regulatory impact assessment for Standard 4.2.6 is available [here](#) for download from the FSANZ website.<sup>1</sup>

### **PRIMARY PRODUCE SAFETY ACT 2011**

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<sup>1</sup> <http://www.foodstandards.gov.au/code/primaryproduction/seed/pages/default.aspx>

## SEED SPROUTS INFORMATION SHEET

Parliament passed the [Primary Produce Safety Act 2011](#) (the Act) in 2011 to implement the national PPP Standards in Tasmania. The Act is modelled on corresponding interstate legislation and established a coherent legal framework to govern produce safety and integrity across all sectors of primary industry.

The Act will apply Standard 4.2.6 to the Tasmanian seed sprout industry; at the industry level via the Seed Sprouts Food Safety Scheme (Seed Sprouts Scheme) and, at the business enterprise level, via mandatory accreditation for seed sprout production.

Accreditation is the internationally recognised mechanism for verifying business compliance with product integrity standards such as Standard 4.2.6. Seed sprout producers in other states have been required to hold a statutory accreditation from the time the PPP Standard commenced.

### SEED SPROUTS FOOD SAFETY SCHEME

The PPSA applies PPP Standards in Tasmania through commodity specific **food safety schemes**. Part 3 of the Act provides for the making of food safety schemes by regulation. The Seed Sprouts Food Safety Scheme (Seed Sprouts Scheme) is made by the *Primary Produce Safety (Seed Sprouts) Regulations 2014*.

The form and content of food safety schemes are governed by Part 3 of the Act, which sets out the minimum requirements for a food safety scheme. Accordingly, the Seed Sprouts Scheme has been drafted from a common scheme template.

The Scheme requires commercial seed sprout producers to:

- comply with Standard 4.2.6;
- hold an **accreditation** in order to carry on a business involving the production or processing of seed sprouts; and
- prepare and implement an approved (usually HACCP<sup>2</sup> based) food safety program which is audited at least once a year (NB: The Act allows audits to be performed by approved private third party auditors).

### COMMENCEMENT

The *Primary Produce Safety (Seed Sprouts) Regulations 2014* commenced on 1 April 2014.

For further information, please contact:

Food Safety Management Officer  
Product Integrity Branch  
Phone: (03) 6165 3091  
Email: [Owen.Hunt@dpipwe.tas.gov.au](mailto:Owen.Hunt@dpipwe.tas.gov.au)  
Fax: 6233 6386

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<sup>2</sup>Hazard Analysis & Critical Control Point