

Biosecurity & Food Safety Compliance

COVID-19 Food Premises Inspections 2020-2021

In response to the COVID-19 pandemic, the Biosecurity & Food Safety Compliance team inspected a large number of licensed and retail food premises in NSW. This was to ensure that these businesses complied with the Public Health (COVID-19) Orders in NSW.

As of June 2021, a total of 5,514 facilities were inspected, with an overall compliance rate of 88%. This resulted in 47 penalty notices and 204 warning letters being issued.

Background

Compliance officers were assigned to inspect food businesses in NSW to ensure that they were not a source of COVID-19 virus transmission. Officers were authorised under the *Public Health Act 2010* in order to enforce the requirements of the Public Health (COVID-19) Orders.

Inspections commenced in July 2020 and were conducted in every Local Government Area (LGA) within NSW. Once these inspections were complete, Biosecurity & Food Safety (BFS) Compliance was required, as the result of subsequent localised COVID-19

detections, to target businesses within the impacted LGAs.

Inspections

Compliance officers were required to conduct inspections of both licensed and retail food businesses throughout NSW.

Retail food premises, primarily a local council responsibility, were inspected by BFS Compliance officers as a number of local councils did not have the resources to undertake these high priority activities.

Inspection Checklist

To assist with this process, an inspection checklist was developed to simplify reporting and, if required, progression to enforcement action.

Questions detailed in the inspection checklist included:

- COVID-19 Safety Plan
- Physical distancing
- Personal hygiene and cleaning
- Customer and visitor register
- Customer, visitor and employee entry screening procedures, including PPE, health status, recent travel and temperature checks
- Availability and use of hand sanitiser, and
- Information to employees on reducing the spread of COVID-19.

Inspection Results

As the result of these inspections, a high level of compliance was observed.

As of June 2021, a total of 5,514 inspections were conducted, with a compliance rate of 88%.

With respect to licensed businesses, 942 inspections were conducted, with a compliance rate of 95%.

With respect to retail food businesses, 4,572 inspections were conducted, with a compliance rate of 86%.

Enforcement Action

Enforcement action was developed via a staged approach. Inspection outcomes were rated as no action required, advice / guidance, warning letters, or penalty notices.

Where minor corrective actions were identified, officers provided guidance to those businesses on how to comply with the Public Health (COVID-19) Orders.

Offences where penalty notices were issued included the lack of a QR Code and the absence of a COVID-19 Safety Plan.

As the result of the inspection program, the following enforcement action occurred as of June 2021:

- 47 COVID-19 penalty notices were issued with a total accumulation of \$119,000
- 21 COVID-19 penalty notice reviews completed (within 42 days of receiving a notice from Revenue NSW)
- One penalty notice was withdrawn as a result of the review
- Three COVID-19 prosecution briefs for court elected penalty notices

- One successful prosecution resulting in a fine of \$5,000, plus \$4,400 in costs. The remaining two court elected penalty notices are yet to be finalised, and
- 204 warning letters were issued.

Outcomes

BFS Compliance officers successfully completed 5,514 COVID-19 food business inspections as of June 2021 due to their professionalism and diligence, and despite the risks associated with COVID-19.

RDOC/55618

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