



Food Safety

Do your employees ever embarrass you?

When I was an apprentice, the very first Executive Chef I had, never used to wash his hands after going to the toilet. One day, I overheard a waiter ask him why he didn't wash his hands and he replied "I've been cooking for thirty years and I've never killed anybody." Does this sound familiar?

For the past 20 years, first as a chef, and now as a food safety specialist, I hear this phrase repeated almost on a weekly basis. Do you think that he knew that what he was doing was wrong? Do you think he realised the consequences; first those of his own immediate actions and also of the kitchen brigade who were lead (and directed) by him.

“ Serious offences may be punishable by prison. ”

Most people have an "it won't happen to me" attitude, but many employees of kitchens and food businesses are not aware that they can be prosecuted in a court of law if they know what they are supposed to do, but don't actually do it.

For example, in Victoria, under the Food Act a person concerned in the management of the food business (i.e. director or employee) may be

liable for committing offences under the Food Act. Serious offences may be punishable by prison.

You can be found guilty of an indictable offence, if you know, or ought reasonably have known, that what you were doing would render the food unsafe or unsuitable. These can include:

- Knowingly handling food in an unsafe manner (s.8)
- Handling food in a manner that the person ought reasonably to know is likely to render the food unsafe (s.8A)
- Knowingly selling unsafe food (s.9)
- Selling food that the person ought reasonably to know was unsafe (s.9A)

For offences where the defendant had actual knowledge the maximum penalty for a company is \$500,000 per charge and \$100,000 and/or 2 years in jail for an individual.

This, in simple terms, means that if you know that what you are doing may make food unsafe, and it does cause a problem, then you, as an individual, may be prosecuted. In the example I detailed above, I believe that the chef must have known that he should wash his hands, however he deliberately chose not to.

Maybe he could afford a \$100,000 fine, but can you?

Some of the "everyday" things I see that people do that would deem food to be unsafe include not washing

hands after going to the toilet, wearing a uniform for more than one day, using products past "use by" dates because they still smell OK, or not checking temperatures as required by their food safety program. Next time you think that they might get away with it, think again, as it may be you that is prosecuted.

I suggest that you make sure all of your colleagues are aware of these consequences.

Until next edition,
Eat well. Eat safe!

Gavin Buckettt

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References:

Food Act 1984:

http://www.austlii.edu.au/au/legis/vic/consol_act/fa198457/

WIN!

Question of the Month

Next month's best question will receive a digital minimum/maximum temperature gauge with alarm, valued at \$70.00.

Send your responses via the flysheet included or email to gavin@agbsolutions.com.au

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