



# Notifying Contaminants in Food

## Information for laboratory staff and other people required to notify under the *Public Health Act 1997*

### Overview

The presence, or suspected presence, of certain contaminants in food must be reported to Public Health Services for investigation.

Laboratory staff are responsible for notifying test results, unless the test occurred outside of Tasmania, in which case the person informed of the test result must notify.

### Purpose of notification

The presence of certain microorganisms, toxins and chemicals in food can cause serious illness in consumers. Information on the detection or isolation of these contaminants is important for identifying unsafe food and determining if there is a threat to public health. This information is used by Public Health Services to assist businesses in managing risks to ensure the safety of Tasmania's food.

### Legal framework

Section 40 of the *Public Health Act 1997* (the Act) provides for the Director of Public Health (the Director) to declare certain organisms and substances to be 'notifiable contaminants'.

Section 46 of the Act requires that certain persons must notify the Director of the presence, or suspected presence, of notifiable contaminants in food.

The *Guidelines for Notifying Diseases and Food Contaminants* (the Guideline) specifies who must notify, when to notify, how to notify and what information to report. Division 3 relates specifically to food contaminants.

Section 52 of the Act provides for the Director to carry out an investigation into the presence, or suspected presence, of a notifiable contaminant.

### What is a notifiable contaminant?

A notifiable contaminant is any organism or substance declared to be notifiable by the Director and any toxin produced by those contaminants.

A list of notifiable contaminants is included in the Guideline. It includes specific microorganisms as well as limits given in the *Australia New Zealand Food Standards Code* (the Code). This includes Standard 1.6.1 for microorganisms, Standard 1.4.1 for metal and non-metal contaminants and natural toxins, and Standard 1.4.2 for agricultural and veterinary chemicals.

### Who must notify

If testing occurs in a laboratory located in Tasmania, the person in charge of the laboratory is responsible for notifying.

That person may entrust another laboratory staff member to make the notification on their behalf but any failure to notify is considered the fault of the person in charge.

If testing occurs in a laboratory outside of Tasmania, the person in Tasmania who is informed of the test result is responsible for notifying. This may be a staff member where the food was produced, a food safety consultant that initiated the test, a staff member at a Tasmanian laboratory that forwarded the sample for testing, or any other person informed of the result.

A person is **not** required to notify if they are aware that Public Health Services has previously been notified by someone else.

Results of a test conducted solely for educational or research purposes do **not** need to be notified, unless the result indicates a threat to public health.

### **When to notify**

A person is required to notify on becoming aware that a notifiable contaminant is present in food or on suspecting that a notifiable contaminant may be present in food. This means notifying if:

- (1) a final (or confirmed) test detects or isolates a notifiable contaminant in or from food (actual presence)
- (2) a preliminary (or presumptive) test detects or isolates a notifiable contaminant in or from food (suspected presence)

*Example: Listeria monocytogenes* is detected in a food using a rapid test method. The preliminary result should be notified prior to confirmation by culture. Early information provided here is important for initiating public health interventions.

- (3) a preliminary or final test detects or isolates an organism or group of organisms that indicates the presence of a notifiable contaminant in food (suspected presence).

*Example: a test isolates coagulase-positive Staphylococci in food.*

The result should be notified as it indicates the possible presence of the notifiable contaminant *Staphylococcus aureus*.

### **How to notify**

Notifications should be made by emailing [foodnotification@dhhs.tas.gov.au](mailto:foodnotification@dhhs.tas.gov.au) or telephoning 1800 671 738 (if after hours, select Option 4: Food Safety).

If notifying the actual presence of a notifiable contaminant, notify as soon as possible but in any event before 4pm on the day of the test result, including weekends.

If notifying the suspected presence of a notifiable contaminant, notify before 4pm on the next working day.

### **What to notify**

The table on next page shows the information that must be provided when notifying.

In most cases, providing a copy of the laboratory report and an email signature will be adequate.

Alternatively, the form contained in Appendix I may be used.

The form may be modified as long as all mandatory information is provided.

Mandatory information for notifications	
Person notifying	<ul style="list-style-type: none"> <li>• name</li> <li>• name of lab or organisation where employed</li> <li>• street and/or postal address</li> <li>• contact telephone and email</li> </ul>
Food	<ul style="list-style-type: none"> <li>• name of relevant business (e.g. where food was produced, handled or sold)</li> <li>• sample description (including food type)</li> <li>• date of sample collection</li> <li>• batch details (if known) (eg date made, use-by date, batch ID)</li> </ul>
Test	<ul style="list-style-type: none"> <li>• name of lab where test occurred</li> <li>• lab's sample ID</li> <li>• test method</li> </ul>
Result	<ul style="list-style-type: none"> <li>• name of contaminant</li> <li>• test result</li> <li>• level of contaminant (if known)</li> </ul>

### What will happen following notification?

An officer from Public Health Services will contact the business and/or laboratory to investigate the nature of the contamination.

The officer will ask the business if the food has been sold and what measures, if any, have been undertaken to manage the potential risks.

This might include activating a food recall plan, isolating the affected batch or undertaking other corrective action.

Public Health Services will also inform the business' food safety regulator of the result. They may contact the business to investigate the matter further.

### Frequently asked questions

#### 1. Do I have to notify the presence of a notifiable contaminant in a food if the food won't be sold?

Yes. Notification is needed for all food, including food withheld from sale pending the test result and a food product under development. The public health investigation triggered by the notification will consider whether the food has been, or will be, sold.

#### 2. Do I have to notify the presence of a notifiable contaminant in a food sample submitted to a Tasmanian laboratory from a business or person outside of Tasmania?

Yes. Tasmanian laboratories are required to notify the presence, or suspected presence, of notifiable contaminants in food, regardless of where the food originated.

#### 3. Do I have to notify the presence of a notifiable contaminant in an environmental swab sample taken from a food premises?

No. Notification is only required for contaminants in food, not environmental samples even if they relate to food production.

#### 4. Do I have to notify the presence of faecal indicators in food?

No, unless the level exceeds a microbiological limit prescribed under Standard 1.6.1 of the Code.

*Example 1:* A test detects *Escherichia coli* in 100 mL of packaged ice. The result must be notified since the level exceeds the microbiological limit prescribed under Standard 1.6.1 of the Code.

*Example 2:* A test detects coliforms at 100 CFU/g in lettuce. The result does **not** need to be notified since there is no coliform limit for this food under Standard 1.6.1 of the Code.

**5. Do I have to notify the presence of a toxin in food?**

Yes, if that toxin is known to be produced by a notifiable contaminant or if a maximum permissible level for that toxin and food is prescribed under the Code.

*Example 1:* A test detects Staphylococcal enterotoxins in food. The result must be notified since the toxin is produced by the notifiable contaminant *Staphylococcus aureus*.

*Example 2:* A test detects paralytic shellfish toxins at >0.8 mg/kg in bivalve molluscs. The result must be notified since the level exceeds the maximum permissible level under Standard I.4.1 of the Code.

**Do I have to notify the presence of a notifiable contaminant in pet food?**

No. Notification is only required for food intended for human consumption. This may include a live, raw, prepared or partly prepared food, an ingredient or additive, chewing gum or any other substance defined as food under the *Food Act 2003*.

**6. Do I have to notify the presence, or suspected presence, of a notifiable contaminant in drinking water?**

Maybe. The Guideline requires notification for bottled water and packaged ice, since these are considered to be food. It does not require notification for drinking water supplied by a regulated entity, private drinking water suppliers or water carriers. For those suppliers, notification may be required under the *Tasmanian Drinking Water Quality Guidelines*.

**7. Do I have to notify a final test result if I've previously notified the preliminary result?**

No. Notification is only required once. However, a Public Health Officer may request that the laboratory or business provide a copy of the final laboratory report as part of the public health investigation.

**8. Do I need to notify results of tests conducted 'in-house' at my food premises?**

Yes. By conducting your own testing, you are considered to be operating as a 'laboratory' under the Act and must notify in accordance with the Guideline.

**Further Information**

Contact the Public Health Hotline – Tasmania on 1800 671 738.

Access the *Guidelines for Notifying Diseases and Food Contaminants* and supporting documentation at:

[www.dhhs.tas.gov.au/publichealth/public\\_health\\_act2](http://www.dhhs.tas.gov.au/publichealth/public_health_act2)

# Notification of a Contaminant in Food (Form)

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The following information is provided to notify the Director of Public Health of the presence, or suspected presence, of a notifiable contaminant in food under **Clause 46 of the Public Health Act 1997**:

## Person notifying

Name: \_\_\_\_\_

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Contact details: Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## Food

Business: \_\_\_\_\_

Sample description (including food type): \_\_\_\_\_

Batch details (if known): \_\_\_\_\_ Date of sample collection: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Test and result

Name of laboratory where test occurred: \_\_\_\_\_

Laboratory's sample ID: \_\_\_\_\_

Contaminant<sup>1</sup> (and level, if known): \_\_\_\_\_

Test method: \_\_\_\_\_

Result: \_\_\_\_\_

*Result status*  Preliminary (interim/presumptive)  Final (confirmed)

*Laboratory report attached*  Yes  No

## Other information

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Email form to [foodnotification@dhhs.tas.gov.au](mailto:foodnotification@dhhs.tas.gov.au)

<sup>1</sup> If more than one contaminant, attach a separate sheet.

Fields in *italics* are not mandatory.