



Speech by

Michael Caltabiano

MEMBER FOR CHATSWORTH

Hansard Wednesday, 15 February 2006

FOOD BILL

Mr CALTABIANO (Chatsworth—Lib) (4.40 pm): I rise to make a contribution to the Food Bill 2005, which is a rewrite of the Food Act 1981. It is in accordance with the November 2000 intergovernmental agreement to adopt food safety standards across all jurisdictions in Australia and New Zealand which will bring Queensland into line with the rest of the country.

There are three tiers to the legislation: firstly, all food businesses comply with the requirements of the food safety standards; secondly, specified food businesses—for-profit businesses handling and selling unpackaged food and not-for-profit organisations serving meals more than 12 days of the year—will have to be licensed; thirdly, high-risk food businesses will be required to have an accredited food safety program.

The reasons put forward by the government for exemption of the state from the bill is that the state cannot prosecute itself. So it would not be practical for state facilities and services to come under the bill's provisions. Currently there are administrative requirements in place such as annual inspections by Queensland Health and audits to ensure that food safety standards are being adhered to. As demonstrated in the Parliamentary Library material on this bill, the government is aware that health and safety inspections and audit arrangements need to be strengthened. So state facilities are required to meet similar standards to those applying to the private sector, but there are no legislative requirements to do so. Despite this, the bill does not propose to strengthen those arrangements, leaving the state operating under much less rigid food, health and safety requirements and a standard well below that expected by similar private sector operations.

In proposing to exempt the state from the requirements of this bill, the government is differentiating itself from others who prepare food in Queensland. State school tuckshops are exempt from the regulations contained in the bill. However, private school tuckshops are required to operate under all three tiers of the legislation. A private school tuckshop will have to operate in accordance with the food safety standard, be licensed and have to put a food safety program in place.

Rotary Club fundraisers who operate every weekend will need a licence, whereas an adjoining club perhaps doing one fundraiser every six weeks will not need a licence. My Rotary Club, the Rotary Club of Carindale, for which I volunteer on a regular basis to undertake activities in the community, conducts a sausage sizzle every Saturday morning at the local business centre. That activity will not continue if the Rotary Club is required to be licensed and to go through the food safety standards. All that will happen is that those activities will cease and that income to the club will also cease.

Public hospital canteens and food provisions services for patients are exempt from the regulations contained in this bill. However, private hospitals will be required to operate under all three tiers of the legislation. State operated aged-care facilities will be exempt from the regulations contained in this bill, yet privately run facilities will be required to operate under all three legislative tiers.

There are two fundamental problems with the approach that this government has taken to exempt the state from this legislation, the objective of which is to ensure that food is safe for sale and suitable for human consumption. Firstly, this legislation discriminates against all private sector food businesses which

are subject to the legislation. This will result in more red tape for non-state operations and more cost to business to operate where licensing is required and where a food safety program needs to be implemented and enforced. We support the activities of food safety in the private sector. We just want it extended to the public sector. Why should there be a different food standard for the state-run food businesses compared with the private sector food businesses without any explanation in this bill? There is no logical reason that state-run food sellers should have less stringent health and food safety requirements than a private sector food seller. I accept that the state cannot prosecute itself under legislation for a breach. However, it is the local government that completes the inspection and the local government that issues the notices. All the state has to do is comply with the notices issued by the local government.

To ensure the same standard for all food sellers regardless of whether they are public or private sector operators, the administration arrangements for the state should have been strengthened to similar standards required of private food businesses. These unequal requirements for businesses will result in unequal safety standards, with food from private sellers being much safer than food from a state-run food business.

This leads me to the second major flaw exempting the state from standards under which it should also operate. The legislation demonstrates this state government's attitude to the health and wellbeing of Queenslanders. The government discriminates against consumers of food sold by state-run food businesses. People in public hospitals, people in aged-care facilities and children at public schools will have the safety of their food jeopardised by less than satisfactory food safety standards applicable to state-run businesses. Everyone in Queensland is aware that the health of our schoolchildren is not of great importance to the current Labor government. It clearly has the wrong priorities when it comes to the health and wellbeing of our children's schools.

There are already government entities paying compensation to victims of this government's maladministration, and the government is merely creating an opportunity for more negligence in its treatment of Queenslanders. The risk of not having appropriate food safety standards in state-run enterprises here in Queensland is increasing the likelihood of food poisoning of Queenslanders by the state. There is another show of incompetent administration by this Labor government and potentially a show of incompetence that could cost all Queenslanders millions of dollars.

This legislation is clearly not about reducing red tape for businesses in Queensland or ensuring food for sale is safe and suitable for human consumption and in compliance with the Food Standards Code. The purpose of the Food Standards Code, advocated back in November 2000, was to be universal code for all food businesses—not just some food businesses—to protect consumer safety. Under this legislation, inefficient government operations will be able to take advantage of less stringent food safety standards and provide food in a manner that is not consistent with the Food Standards Code advocated by the Australia New Zealand Food Authority. To a concerned Queensland, this appears to be another government attempt to provide an excuse for incompetence and hide it all behind a veil of faulty legislation. By allowing state-run food businesses to be exempt from these laws and save the funds that would otherwise be spent ensuring accordance with these laws, the health and safety of Queenslanders is being put in jeopardy. This government clearly has the wrong priorities when it comes to food standards in state-run organisations.