

President's Message

Welcome to the latest 'hEalthY fOCUS' newsletter.

2013 has started at a frenetic pace with plenty of activity occurring throughout EHPA and our membership.

EHPA has continued to deliver on its promises of providing superior products and services to members by continuing to enhance the website. The website (www.ehpa.org.au) is a great resource for all members and I strongly encourage you to log on and discover the extensive document repository, make a purchase from our online store or update your CPD points.

The Board has been busy finalising the long term business plan and developing strategies to ensure the long term sustainability of the organisation. The key objectives of the business plan include: organisational and financial sustainability, lifelong learning programs, advocacy and active engagement, and developing member value.

Our SIGs are becoming very active this year and I encourage all members who want to make a difference to join the SIG of their choice. The details of SIG convenors are located on our website.

Of special note, I would like to thank the Food SIG for their work and the Department of Health for their support in delivering a very successful Food Safety Forum on 26 February 2013.

Best Regards,

Nick Lund
President



Food SIG forum 2013: Louisa Dicker M&K Lawyers presenting on infringements



Food SIG forum 2013: Belinda Dunne, Travis Fitch & Claire Benzie - Manningham



Food SIG forum 2013: Streatrader workshop attendees

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Domesticating wastewater practices

An innovative wastewater management project developed and implemented in City of Wodonga

Mark Verbaken - Manager Environment and Community Protection, City of Wodonga

Background

Monitoring the performance of on-site domestic wastewater installations is a key element in ensuring that systems, once installed continue to meet acceptable treatment and performance standards. It is the responsibility of the landholder to ensure that the onsite wastewater disposal systems are operated in accordance with current guidelines to prevent environmental damage and risk to public health. Although this is critical, wastewater systems once installed are generally forgotten and not maintained. Therefore it is vital that council, as the local authority, monitors system and address the issues where they arise.

Like many other local government areas across the state, Wodonga Council has faced the problem of ensuring that wastewater systems once installed are maintained. With no ongoing funding to undertake monitoring activities it has not been possible. However, failure to act exposes council to unnecessary risks and potential liability claims.

A comprehensive review of Wodonga's wastewater management process undertaken in June 2003 found council faced a number of challenges in managing their obligations. In essence, council had a 'reactive management approach', failing to enforce ongoing maintenance responsibilities and wastewater system permit conditions (where these were available) this was mainly due to lack of resources, funding and expert knowledge.

Wodonga council realised it needed to improve these processes and practices to reduce environmental and public health risk. Instead of continuing to take a reactive approach and waiting for an answer from other authorities, Wodonga Council decided to tackle the issue head on. Wodonga Council has been successful in creating a best practice, easily transferable model that streamlines processes, maximises resources and is supported by legislation.

Preparing a municipal domestic wastewater management plan

Wodonga Council first developed its On-site Domestic Wastewater Management Plan in 2003. The plan highlighted that any system, from the most basic to the most sophisticated, poses risks to the environment and public health and therefore each system needed to be monitored to ensure compliance. A working party was established comprising representation from the various public sectors including North East Catchment Authority (NECMA), Environment Protection Authority (EPA), North East Regional Water Authority (NERWA), Goulburn Murray Water (GMW) and Albury Wodonga Corporation (AWC).

Developing a sustainable and lawful funding model

The lack of a viable funding model to support ongoing compliance programs was the main barrier to success. To our knowledge no other Victorian council had explored funding options for ongoing monitoring and maintenance of wastewater systems, so there was no established model to replicate. A "user pays" funding model was developed by council called the "environmental levy" where all properties which were not on sewer would be charged a levy of \$30 per year which would appear itemised on their rates notice.

Public consultation process

A number of information sessions were held in 2003 at rural community halls explain the proposal, which included introducing the environmental levy and adopting the. Whilst there was some opposition towards the proposal, in particular the introduction

of fees, most residents accepted their responsibilities when environmental and public health benefits were explained.

Adoption and rollout of the On-site Domestic Wastewater Management Plan, monitoring program and levy

The On-site Domestic Wastewater Management Plan, monitoring program and levy were introduced towards the end of 2003. It went relatively unnoticed until the levy appeared in the rates notice along with a brochure explaining the program, at this time councils environmental health department received an influx of calls. Once explained most residents did not object, however some opposed the program and levy and expressed their views.

Numerous councils have enquired about the rationale and legality of this service fee which has been applied under the LGAct. Whilst this is the most contentious inhibitor to other councils undertaking a similar stance, the auditor general favourably reviewed the practice in 2008 as part of a state wide audit. Wodonga Council continues to pursue minor legislative changes in line with the LGAct to remove any ambiguity with wording and interpretation.

Beginning the monitoring and maintenance program

The first step in the process was identifying properties with wastewater treatment systems and developing an inspection tool. Wodonga Council was lucky enough to have a staff member that had participated in a similar monitoring program for councils on the New South Wales South coast. The partnership with GIS unit at council and IT was vital in the roll out of this program. Questionnaires were loaded onto hand held electronic devices where GPS location could be tracked and recorded.

A first for Victoria, each property was put on a three yearly monitoring cycle and information was collected on system location, ownership, age, capacity, type, number of persons and bedrooms, maintenance and condition. Council EHO's also took samples from all AWTs systems. From this information each system was rated according to risk. Information was uploaded onto councils mapping system which meant all information could be accessed from any desk top computer. This led to major efficiencies in time and resources as any enquiry's about a system and planning or building referral could be answered using the information on the mapping system without need to a site visit.

Evaluation of program and amendments

As with all programs there were a few barriers and gaps identified as the project progressed. This led to a review of the On-site Domestic Wastewater Management Plan in 2006 and amendments to cater for changing legislation and gaps identified.

One of the major gaps identified was the lack of legislation to deal with failing systems. Existing state legislation specified that the systems must comply with permit conditions and almost all older systems did not have permits on council records. The only tool available for failing systems was the issue of penalty infringement notices, which would have been counterproductive to the intent of the program and not rectify the issues. As a response to this, in 2006 Wodonga Council amended an existing local law for on-site domestic wastewater management allowing it to place maintenance and monitoring conditions on all wastewater system owners (Apparently still the only council to have local laws relevant to wastewater treatment systems).

Hand over to the local water authority

As with most local government areas, Wodonga council had problems with small towns and a high number of failing systems. A plan was developed to transfer all monitoring programs to the local water authority. The thought behind this scheme was that if the

Continued on page 4...



Food SIG forum 2013: Department of Health Staff- Philip Montalto, Emma Gaul, Laura Butera, Dianne Scott, Gary Smith, Karen Marsh



Food SIG forum 2013: Kevin Murphy- Mansfield Shire, Bernadet Ferraro- EHPA, Ross Cairns- Wangaratta Rural City



Food SIG forum 2013: Julie Maczuga- DTS Food Laboratories, presenting on food sampling results



Food SIG forum 2013: Melissa Irvine & Sam Crowe- Shepparton Council, Tracy Watson- Mt Alexander Shire, Jeremy Draper - JCBD Consulting



Food SIG forum 2013 Maribel Alfaro & Jodie Stevens- from Darebin, Lucy Grant from Bayside



Food SIG forum 2013: Laura Ryan, Rob Guest, Wendy Wyman, Will Carroll - Boroondara

water authority could see the vast issues associated with wastewater in these towns they may put more resources into addressing the problems.

After a number of meetings with the regional water authority a strong three-way partnership was created between Wodonga Council, North East Regional Water Authority and Casey Inspection Services. The monitoring program was handed over in 2009.

Roles of the water authority included:

- Inspecting all systems on a three yearly cycle and updating council information.
- Advising on any systems that needed maintenance, council EHO's would then follow up issues as the water authority has no powers to do so.
- Reviewing and following up all the quarterly inspection and maintenance reports for all AWTS systems.

Revenue raised through the Environmental levy collection goes to the water authority on a quarterly invoice. This was introduced under section 162 of the Local Government Act 1989. Council still deals with all new installations and alterations as required under the Act and also any maintenance of systems.

Ongoing review

In order to keep stakeholders updated MOU's, annual review cycles and quarterly meetings are conducted. The On-site Domestic Wastewater Management Plan is regularly updated to deal with gaps and changing legislation.

Supporting changes in practice with a positive community education program

Council has developed and implemented an ongoing community awareness campaign to inform landholders of their obligations in operating compliant, environmentally friendly systems. This includes letters about compliance checks, factsheets and information on our website. Brochures are also provided to all new landholders explaining how their system works and how to maintain operational performance.

Project outcomes

The program has resulted in landholders accepting greater accountability for the maintenance and operation of their systems. As a result, 26 septic tanks have been upgraded in the past six years. Since the project's inception, complaints of this nature to council have reduced from six in 2008 to zero in 2011.

Conclusion

Wastewater treatment systems will always be required in areas that cannot be connected to reticulated sewerage. By ignoring compliance and maintenance issues, councils are placing public health and the environment at risk, as well as leaving council liable in negligence for any damages as a consequence of it breaching their duty of care and statutory requirements. Environmentally, the project is ensuring septic tanks are compliant with health and environmental regulations. Our experiences have shown that the management of systems cannot be completely left to individual landholders, and regular ongoing monitoring by council is necessary. By implementing this project, the longevity of systems can be increased, reducing the incidence of system failures and ultimately leading to positive environmental and public health benefits for our communities.

DTS Council Sample Numbers

Julie Maczuga - Technical Services Specialist - Microbiology, DTS Food Laboratories

General Numbers

During 2012, 6827 Council samples were tested at DTS laboratories.

- 84% of these were routine,
- 8% were complaint samples and
- 8% were Survey samples.

Of the total number of council samples tested

- 9% were unsatisfactory,
- 4% microbiological unsatisfactory and
- 2% each for chemistry unsatisfactory
- 2% labelling unsatisfactory

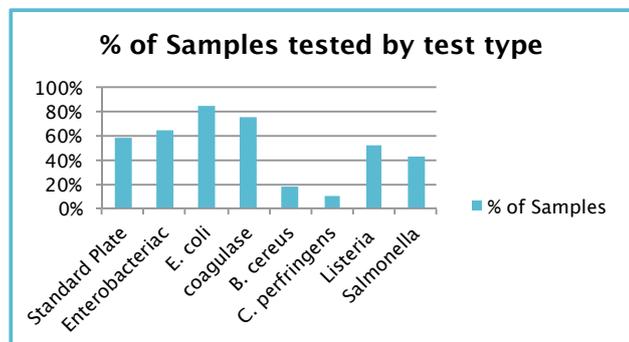
The number of unsatisfactory samples was further categorised into food types, see table below.

Food Categories and Unsuccessful Results:

| Food Category | % Samples Unsuccessful | Unsatisfactory Due To: |
|---------------------|------------------------|-----------------------------|
| Food Safety Program | 48 | pH for Sushi and Micro |
| Beverages | 41 | Labelling |
| Pasta | 41 | Labelling, Chemistry |
| Fish | 16 | Labelling, Micro |
| Egg | 7 | Micro |
| Fruit / Veg | 6 | Chemistry, Micro, Labelling |
| Cheese | 6 | Micro |
| Nuts | 5 | Labelling, Micro |
| Vitamised Foods | 5 | Micro |
| Dairy | 4 | Chemistry, Micro, Labelling |
| Deli meats | 4 | Micro |
| Ready to eat | 4 | Micro |
| Composite Foods | 2 | Chemistry |
| | 2 | Labelling |

The following graph shows the percentage of ready to eat food samples that went through the different microbiological test types.

Graph 1: Ready to eat composite foods by microbiological test type



| Test Type | % Micro Unsatisfactory or Marginal |
|--------------------|------------------------------------|
| Enterobacteriaceae | 14% |
| E. coli | 3% |

What tests are undertaken on which foods?

Standard Plate Count is allocated to heat processed foods because it is useful in determining the overall quality of food (e.g. spoilage). SPC results should not be the determining parameter - it should be used in conjunction with other microbial results. This test is not suitable for food in which a high background count is expected, e.g. raw foods like salads, or fermented foods.

Enterobacteriaceae are generally not heat tolerant and so are useful in determining inadequate processing and / or post-process recontamination. This test is not suitable for food in which a high background count is expected, e.g. raw foods like salads.

E. coli is found in the enteric tract of warm blooded animals, therefore its presence in foods generally indicates contamination of faecal origin. Inadequate heat treatment and / or post-process contamination may be causes.

Coagulase positive Staphylococci may occur via contamination from human / animal contact, cross contamination from inadequately cleaned equipment or raw materials and poor temperature /time control.

Bacillus cereus spores are common in starchy foods such as rice, noodles, pasta, potatoes and some spices. They can occur due to inadequate cooking and/or cross-contamination. In particular, slow cooling allows for the spores to germinate and subsequently multiply to high levels.

C. perfringens has been isolated from soil, animals, spices and herbs, dehydrated foods and faecal material. Like Bacillus, these spores can survive cooking and then germinate when the temperature drops and so slow cooling will then allow further growth.

Listeria species, including L. monocytogenes are widely spread in the environment and have been associated with raw meats, vegetables and dairy products. Usually associated with cross-contamination or unclean equipment.

Salmonella species are found in the intestinal tract of vertebrates and are widely spread in the environment. Salmonella may be

present due to inadequate thawing prior to cooking, inadequate cooking or heating, or cross contamination of cooked foods from raw foods or unclean equipment.

Allocation of Tests

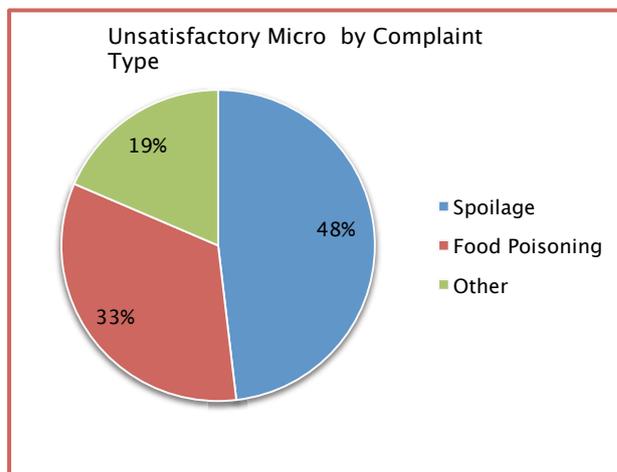
Microbiological tests are allocated according to the food type and ingredients. Generally 3 to 5 tests are chosen for each routine sample. Cooked food, for example, will generally have SPC, Enterobacteriaceae, E. coli, Staphylococci but may have additional tests added depending on other major ingredients:

- if it contains rice or pasta, then B. cereus is also undertaken;
- if it contains dairy, seafood, manufactured meats, Listeria is also undertaken;
- if it is a casserole or stew, then C. perfringens is also undertaken

Guidelines on the allocation of tests to food types were provided by the Department of Health after discussions with testing laboratories. Thus the allocation of tests is not only dependent on the food description, but on the major ingredients specified on the information supplied on Council Food Submission Forms.

| Complaint Samples | |
|--------------------|-------|
| Ready to eat foods | 50% |
| Foreign matter | 17.2% |
| Other | 32.8% |

Forty four percent of complaints were due to microbial parameters.



Spoilage complaints for processed foods are generally substantiated by high SPC and /or Enterobacteriaceae or other tests that return positive results such as Pseudomonas species. Food poisoning complaints are allocated more tests than routine samples, and tests are allocated according to sample type, symptoms and onset of symptoms.

Watch out for Ice Vending Machines

Environmental Health Officers have recently come across ice vending machines located at carwash areas and service stations. These ice vending machines manufacture and package ice within the unit. These machines are required to be registered as a vending machine with council and on Strestrader. Several issues have been identified with the vending machines including:

- Ensuring the units are sealed, several cockroaches and other insects have been observed in the units.
- Ensuring packaging is stored correctly.
- Ensuring potable water is used in the machines.



Conviction Case - Spicy Fish

Fontane Cheung, Environmental Health Officer City of Monash

The City of Monash recently prosecuted a Glen Waverley food premises trading as Spicy Fish. The charges relate to breaches of the Food Act 1984 and Food Standards Code. The defendants in this case were the proprietor of the business - Global Oceanic Investments Pty Ltd, its director as well as the manager of the food business.

In October 2011, an Environmental Health Officer visited the premises to carry out a routine inspection under the Food Act. During the inspection, serious breaches of the Food Act and Food Standards Code were observed. Some of these include: A build up of grease and grime on cooking equipment, utensils, surfaces, fixtures and fittings; food not adequately protected from the likelihood of contamination, obstruction to the hand washbasin, hand wash basin not functional, failure to provide liquid soap and paper towels to hand washing facility as well as issues in relation to personal hygiene practices.

In addition to the above, a hose connected to the hot water mop sink tap at the rear of premises had to be brought into the kitchen for washing of dirty dishes. It was found that there was inadequate supply of hot water to the premises.

The manager of the business advised he would voluntarily close the premises until it had been cleaned to Council's satisfaction.

A Section 19 Order was issued and the proprietor was given 7 days to

rectify all items. It took three follow up inspections for the premises to reach full compliance.

Council warned the manager that it will instigate legal action if the premises was found to be in an unclean and unhygienic condition in future. The manager appeared to take Council's warning seriously and reassured Council that he will endeavour to maintain the premises in a clean condition from then on.

In December 2011, the Environmental Health Officer and Team Leader Public Health visited the premises again to conduct a routine inspection. The officers found similar issues that were identified in the October inspection. Many of the issues were in relation to the cleanliness of the premises, food not adequately protected from the likelihood of contamination, obstruction to hand washing facilities and failure to provide liquid soap and paper towels. In addition, a tub of pork was stored at 17°C. The pork was later discarded in the presence of the officers. A Section 19 Order was again issued.

Subsequent to this inspection, Council decided to instigate legal action against the business proprietor - Global Oceanic Investments Pty Ltd and its company director. The manager of the business was also charged due to him being involved with the day to day operation of the business.

In the course of the proceedings, the defendants' legal representative argued that since the registered proprietor was only in the name of the company - Global Oceanic Investments Pty Ltd - that the company should be the sole entity to be prosecuted. In

addition, the charges against the director of the company should be withdrawn as the director has no day to day involvement with the business.

However Council's legal representatives from Macpherson + Kelly Lawyers argued that Section 51 of the Food Act makes a director of a body corporate liable to offences under the Food Act - unless the director can provide proof that offences were committed without her knowledge and that she has taken steps to avoid offences from arising. No proof of due diligence was ever provided to Council's legal representatives. Council decided not to withdraw charges against any of the three defendants.

On 15 August 2012, all three defendants pleaded guilty in the Ringwood Magistrate's Court. In his judgement, the magistrate stated that the director cannot 'hide' behind a corporation; that if the director reaps the profits of the business then she must also take responsibility for any legislative requirements having impact the business. He added that the director could have attended the premises to ensure compliance with the Food Act but did not do so. The Magistrate found all three defendants guilty with conviction. The company and its director were each fined \$40 000 with costs of \$12 969. The manager of the business was also fined \$15 000 with costs of \$3 350.

News articles on Food Act convictions around the state

An article by John Masanauskas on the above conviction and others around the state featured in the Herald Sun newspaper on 15 February 2013, titled "Restaurants, cafes and bars fined for breaking health rules". If you wish to search for this article on the web you will be able to see the full content. A web link has not been provided as you require a Herald Sun membership to view articles via web links.



Grime on the back of fridge door



An unwrapped loaf of ham on a cool room shelf and Build up of food matter on shelving



Dirty shelving and containers



Dirty shelving and containers



Wash up area



Hose brought in from the back of premises to provide hot water to wash dishes in the kitchen

NSW food news articles: 7 Million Hits on Name & Shame Register

Published 11 February 2013

The popular Name and Shame register which publicly names businesses that fail to meet food safety standards has received more than 7 million hits online, NSW Minister for Primary Industries Katrina Hodgkinson said.

"This sends a clear message to food businesses that consumers expect high standards and are scanning the list of restaurants and other food outlets before deciding where to dine out," Ms Hodgkinson said.

"A penalty notice on the register not only acts as a potential deterrent to would be diners it also serves as a deterrent to food businesses against making food safety breaches."

There were almost 1.25 million views on the Name and Shame register in 2012 alone and more than 7.1 million since the register was established in 2008.

The most common food safety breaches under the Food Act 2003 are;

- Cleaning and sanitation (35%)
- Temperature control (13%)
- Pest control - infestations, droppings (13%)
- Hand washing offences (13%)
- Protection from contamination - storage, personal hygiene (11%)

"The number of food businesses appearing on the register has almost halved in 3 years which shows the campaign is having the desired effect with more food outlets adhering to the rules," Ms Hodgkinson said.

In 2011-12, 785 food businesses appeared on the Name and Shame register (1337 penalty notices) compared to 1309 food businesses in 2009-2010 (2329 penalty notices).

"This is a timely reminder to all food businesses across NSW to comply with food safety laws to stay off the Name and Shame register," Ms Hodgkinson said.

To view the Name and Shame register visit: www.foodauthority.nsw.gov.au/penalty-notices

Council Profile - City of Yarra

Council Location

The Yarra Health Unit is situated at the Richmond Town Hall, Bridge Road, Richmond - actually we have recently been relocated to a portable at the rear of the town hall, which we are quite happy about.

Health Team

The Health team is made up of a Coordinator, 2 Team Leaders, 7 EHO's, an Immunisation Team Leader and 2 Administration Support Officers.

| EHP Name | Role |
|-------------------|------------------------------------|
| Mark Hoyne | Coordinator, Health Unit |
| Carolyn Anderson | Team Leader Eastern Yarra |
| Alex Raven | Team Leader Western Yarra |
| Andrew Demidowski | EHO |
| Geraldine Dwyer | EHO (part time) |
| Brendan Gorrie | EHO |
| Elena Deineka | EHO |
| Cam Le | EHO |
| David Huang | EHO |
| Robbie Crossley | EHO (temporary) |
| Natasha Macleod | Immunisation Nurse and Team Leader |
| Maddie Summers | Administration Support |
| Cailin Martin | Administration Support |



Richmond Town Hall - where we're based

Council Profile Continued

Council Profile

The City of Yarra is a vibrant inner city municipality that has a high density population and a number of well known shopping precincts including Bridge Road and Swan Street Richmond, Brunswick, Gertrude and Johnston Streets, Fitzroy, and Smith Street, Collingwood. We have 1354 food premises (39 Class 1, 968 Class 2, 211 Class 3 and 136 Class 4) which keeps us busy. We also have 290 registered PHWA premises (209 health and beauty and 81 prescribed accommodation)

There is an increasing number of medium to high density residential developments being built or being converted from old factories and warehouses which generate a number of nuisance complaints predominantly around noise and odour..

Current Issues

Food safety has always been a priority at Yarra with such a large number of registered food premises to monitor. We have recently developed our mobile inspection capability to better manage our field work. Initially this involved food premises but is now being further developed to be used for all field inspection activities.

Council supports a number of large festivals so managing the new Streatrader system at the registration renewal time provided a challenge - we think we've got it worked out now!

We recently restructured the unit into 2 work teams and allocate work according to a geographical split. Prior to this each EHO had a separate area to manage and we are finding the new allocation is working well.

Council key issues involve the changing environment - planning permits and appeals, large construction sites, traffic and parking, bike lanes and public transport, and managing the diverse interests of the diverse community that lives and works in Yarra.

In the morning when we get to work:- we have a smile on our face and are ready to face whatever the day brings!

Environmental Health Practitioner Profile

EHP's Name Brendan Gorrie

EHP year's experience 17 years

Previous Councils QLD Health, Pine Rivers Shire Council QLD, Yarra (9years)

Area of passion in EH incorporating technology into current work practises.

What am I working on at the moment The mobility project. Yarra is using tablets to record inspection details in the field. This automatically updates our system to reduce administration time and support our Food Act reporting responsibility.

In 50 years time the EHP will be focusing on Evolving diseases, new food processing technologies, environmental issues and FSP records.

Likes and interests outside of EH Ocean swimming, running, tennis and watching rugby league (Broncos)



Brenda Gorrie - hard at work



Victoria Street Food Display



Markets are a part of Yarra life

Yarra's Tobacco "Sales to Minor" Program

Carolyn Anderson
Team Leader Health, City of Yarra

The City of Yarra commenced its tobacco "sales to minors" program in September 2008. Prior to this it was believed there was not an issue with sales to minors within the City of Yarra based on the minimal number of complaints received. At the time the Department of Health were encouraging councils to take up to "sales to minors" activities and provided funding to Yarra to conduct a test purchase trial. The trial resulted in 62% of the tobacco retailers visited selling cigarettes to the 16 year old test purchase assistant - clearly there was a problem!

Since then Yarra has conducted regular test purchasing over the last 4 years where sale rates have fluctuated. Any business that has previously sold is included in future test purchase runs to ensure compliance is being maintained. On the last test purchasing run in September 2012 no retailers sold to the test purchase assistant.

To compliment Yarra's test purchase program a pro-active education program is implemented that includes:

- letters to all tobacco retailers following each test purchase run advising them of the results and reinforcing their responsibilities under the Tobacco Act,
- publishing articles in local newspapers, Council newsletters, the Health Unit's food premises newsletter and on the Health page of the Council's website and
- EHO tobacco education visits to all new and transferred food businesses at the time of the registration or transfer of registration inspection that is required under the Food Act.

As a result of this education program Yarra's policy is to issue infringements to all businesses who sell tobacco, unless they can demonstrate that they have not received any previous education (which is very unlikely) where they are given an official warning instead, and to prosecute for any further offences after an infringement has previously been issued.

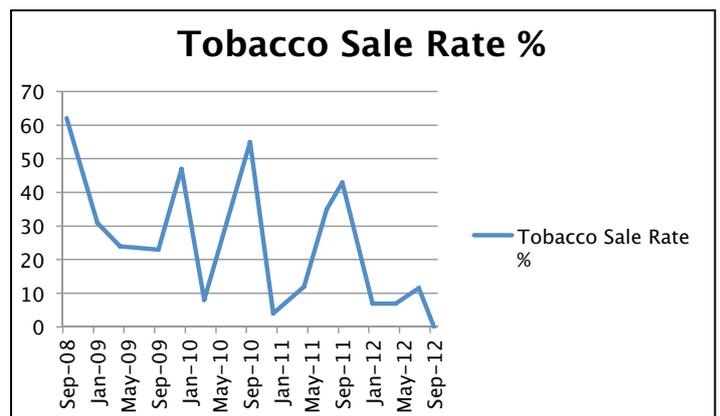
Yarra had its first prosecution under the Tobacco Act on 16 February 2012 following a test purchase run in late 2011 where a business that had previously been issued an infringement sold again to the test purchase assistant. Proceedings were commenced in the Melbourne Magistrate's Court against the company operating a newsagency business and its two directors.

The case was heard before a Judicial Registrar (JR) who found charges against all the accused proven. In the summary the JR said, "I am absolutely satisfied there is very significant public health policy addressed in this legislation and Council has thoroughly gone down the path of educating businesses on an ongoing basis as to their responsibilities. I am concerned of the history of non compliance with this business and impose the full costs of \$1,000 each. I fine the company \$2,000 and place them on a 6 month adjourned undertaking of good behaviour bond for each director instead of a fine. Payment of the costs will be included as a condition of the undertaking. There is also a 1 month ban imposed for sale of tobacco products by the business."

Whilst the fine was fairly low (less than an infringement for the company), this is the first time a Melbourne Court has used its power to ban cigarette sales and the one month ban imposed had a significant impact on the business concerned. This penalty option was raised by council's legal representatives during their summary of the case where the Tobacco Act provides for a maximum of a 3 months ban that can be imposed by the court.

Further test purchasing of this business recently resulted in no sale.

It is believed the Yarra's approach of education together with decisive enforcement action is an effective approach to ensuring compliance with the important sales to minors provisions of the Tobacco Act.



NEW EPA Code of Practice - Onsite Wastewater Management 891.3

The EPA Code of Practice - Onsite Wastewater Management 891.3 has been released. The Code can be downloaded from the EPA website at: <http://www.epa.vic.gov.au/our-work/publications/publication/2013/february/891-3>.

EPA plan on conducting three forums to discuss the new Code of Practice which will be held in one to two months time in Carlton, Bendigo and Gippsland. You will be sent an invitation with the

full details. In the meantime, please discuss the Code with you colleagues and other onsite wastewater practitioners in other sectors of the industry.

Please send any comments and issues regarding the Code to this email box - onsite@epa.vic.gov.au -before the Forums. This will help the EPA organise the Forums to best meet your needs.

Admitted to Membership as of 20th March 2013

Student Member

Laura Ryan
 Sinead Walker
 Marc Benchimol
 Anna Wortley
 Samin Vilas Hate

Upgraded from Graduate Member to Member

Emily Lanman Warrnambool City Council

Member

Leila Banihashemi Surf Coast Shire Council
 Michelle Newman Golden Plains Shire Council

ROYAL SOCIETY OF HEALTH DIPLOMA FOR HEALTH INSPECTORS - PART 2

David Thomas
Environmental Health Officer
Greater Shepparton City Council

Enrolling through the Technical Correspondence School in Adelaide to study for the Royal Society of Health Diploma for Health Inspectors was one thing, part time study as a mature aged student with a family of two small children and a full time job was another matter. Remember there were no full time courses available in the early nineteen seventies.

Just after I commenced studying in January 1970 I started work with the Engineering and Water supply Department (E&WS) as a "Charge Plant Operator". I was a member of a small group of technicians responsible for the chlorine and fluoride dosing of water supplies and the chlorine dosing of effluent from the sewage treatment works for the southern regions of Adelaide. Daily trips around the region of 300 to 400 Km with overtime were not uncommon. We were front line operators in the protection of Public Health and the environment. Our job was to ensure the dosing plants operated 24 hours a day 365 days of the year - no excuses. Because I could not guarantee to attend night classes I had to opt to do my studies by correspondence. I was also required to work one week end every five weeks.

Apart from running car loads of under 12 footballers around on my spare week ends and trying to maintain a normal family life just what was involved in studying for the RSH Diploma?

In the 1970's we had no word processors or internet "search engines". Assignments had to be hand written. If you did not want to waste reams of paper and suffer from RSI of the writing hand you learnt quickly how to write a full page of an essay with no mistakes. Research was done by reading hard copy text books, government publications, including legislation and the amendments, trade pamphlets and visits to the Adelaide Public Library or any other resources available. My wife worked in the Adelaide CBD and she would often spend her lunch time chasing up information, text books and visiting the Government Printers in Victoria Square for copies of legislation and the amendments.

We did however have the original version of "cut and paste". This consisted of obtaining the hard copy of legislation and the amendments and then cutting the amendments into small lines and "pasting" (gluing) them in the hard copy of the legislation as required. The amendments read something like this; "In the third line of Section 24 delete all words after the word "food" and insert the words etc, etc, etc.....". Snip, snip, black line to delete - paste. The number of amendments that needed to be made was huge.

The three years basic course for the RSH consisted of completing 18 written assignments each year of five to six essays. The second and third year also consisted of the completion of a Public Health project and two weeks full time practical experience with officers of the State Health Department. The E&WS Department reimbursed me each year for my tuition fees, the cost of my text books and allowed me to attend the practical sessions on full pay - a very generous privilege for the 1970's. Reimbursement of fees and the cost of text books was however conditional on my passing the exams at the end of each year.

Studying comprised at times of working on assignments until 2:00am or, if I was too tired to study at night going to bed early and getting up at 4:00am to complete or work on an assignment. My text

books, course notes and written notes accompanied me where ever I went. At work if I was ahead of schedule between pumping stations, I would pull into a side road find a shady tree and catch a few minutes sleep or scribble a few rough notes of answers to the assignments.

The only fright I got in my studies was in the second year Public Health exam. When we gathered outside after the exam most students talked about a different answer to the one I had given for a compulsory question. I did not sleep for a week. I kept going over and over the question in my head. I could not believe I had misread the question. I gained a pass in the exam. Those students who failed the exam had to repeat the subject the next year. I should add, the drop-out rate in student numbers over the three years was possibly in excess of 30% - many adult students did not last the distance.

A week before Christmas, 1973 I received a letter congratulating me on having successfully completed the course for the Royal Society of Health Diploma for Health Inspectors and that my Diploma would be forwarded to me in the near future.

Passing the exams entitled me to apply for a position as a Health Inspector. The legislation in South Australia at the time however required that Health Inspectors employed in a council having a population in excess of 6000 persons must have or be studying for a Certificate of Competency under the Food Act - Guess what? Yes, three more years of part time study in the subjects of Meat and Food Inspection. That is another story.

In one of my text books there is still a note from my wife listing the jobs around the house that needed to be done once my studies were completed one year. The man who coined the phrase "life wasn't meant to be easy" was still two years away from being Prime Minister of Australia.

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Over the past 12 months, EHPA has shown a commitment to providing services to all members that allows better communication, professional networking and shared resources. Some of the services that have been established during this time include:

- Development of EHPA's new website which includes:
 - o Current industry updates;
 - o Online EHPA membership Login where you can update and edit your details;
 - o Document repository which provides many useful professional resources;
 - o Online CPD program allowing you to add details relating to your involvement in the development of the profession; and
 - o Current industry specific job vacancies.

In addition to the above services, EHPA wish to announce the use of Yammer Enterprise Social Networking as a resource for further communication, professional networking, and resource sharing amongst members of EHPA. Yammer is as easy to use as Facebook or Twitter, but is designed for company collaboration, file sharing, knowledge exchange and team efficiency.

A number of networks have been established within Yammer specifically for the use by EHPA members, these include:

- EHPA - Food Safety and Security Special Interest Group;
- EHPA - Environment Special Interest Group;
- EHPA - Aboriginal Special Interest Group;
- EHPA - Public Health and Wellbeing Special Interest Group;
- EHPA - Emergency Management Special Interest Group;
- EHPA - Student and New Graduate Special Interest Group; and
- EHPA - Victorian Regional Groups which include:
 - o Loddon Mallee Regional Group;
 - o Hume Regional Group;
 - o North West Metro Regional Group;
 - o Barwon South Western Regional Group;
 - o Eastern and Southern Metro Regional Group;
 - o Gippsland Regional Group; and
 - o Grampians Regional Group

If you are interstate and would like to set up an EHPA Yammer Group in your area, or on topics of interest to you that we haven't covered above- contact us we will be happy to get you started!

If you haven't received an email already asking you to join one of the above mentioned networks you will soon. Involvement in the use of Yammer is completely voluntary and is free for members to use so make sure you have a look and start connecting with your peers. Terms of use will be developed shortly, until then it is important that when using social media you behave and engage with other members in a respectful manner that encourages diversity, creativity and supports the views of others.

Are Butcher Shops returning to Local Government

It's an interesting question and something all Councils need to keep in mind for the future!

The Parliament of Victoria Rural and Regional Committee released "FINAL REPORT: Inquiry into the Impact of Food Safety Regulation on Farms and Other Businesses - March 2013" available from the following link <http://www.parliament.vic.gov.au/rrc/article/1860>.

The government is yet to respond to the report's findings, this will happen within six months. There are many recommendations, however of specific interest to Local Government is the recommendation 4:

"RECOMMENDATION 4

That the Minister for Agriculture and Food Security consider transferring responsibility for registering and auditing all food retail businesses to local government, including butchers, fresh seafood and poultry retailers. This responsibility would also include registering all meat and seafood transport vehicles.

Further advice should be sought by government in relation to retail businesses that also Process food, for example smallgoods."

More details are provided in Chapter 5 a summary of which is provided below:

"A LOCAL APPROACH

Although the overwhelming majority of evidence received by the Committee regarding the food safety system in Victoria and its regulators was positive, pockets of frustration exist.

These most commonly occur where regulators operate in areas where there is not a 'natural fit'; that is, where legislation requires regulators to engage with small businesses who either should not be regulated or who would be better served being monitored by local councils.

The Committee believes that responsibility for monitoring all retail food businesses, including butchers, should be returned to local government. This is because:

- There is an inconsistency in local government auditing all food in supermarkets but not retail butchers, seafood or poultry businesses
- Small rural businesses are generally more comfortable dealing with local government than Melbourne based regulators and auditors
- Local government is well placed to understand the needs of regional businesses.

Evidence received by the Committee suggests that local councils, which currently monitor supermarkets, have both the capacity and skill required to take on this responsibility.

This chapter includes a discussion of the repercussions of nonD compliance in the food industry."

For more information on this report please go to <http://www.parliament.vic.gov.au/rrc/article/1860>.

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