

# FOOD SAFETY ENFORCEMENT

Whilst every effort is made by Council, from an educational perspective, to inform business operators and staff of their food safety responsibilities and the health and hygiene obligations under the relevant food laws, it should be recognised that Council also has a regulatory role in enforcing these laws.

As a consequence, from time to time, Council initiates legal action for serious breaches of the food laws. This action may arise from a routine inspection of a food business or may arise from the investigation of a complaint.

Generally, legal action will only be instigated by Council after some form of warning to the operator but there may be circumstances in which the seriousness of the offence/s or a series of previous warnings necessitate stronger action in the form of legal proceedings.

In these situations, legal action is undertaken at the Katoomba Local Court. It can take some months between the date of an alleged breach of the food laws before a matter is listed for hearing in court.

From an enforcement perspective, Council officers have a number of options for dealing with breaches of the food laws and the circumstances applicable to each situation are considered prior to instigating legal action.

Other ways to encourage compliance with legal requirements include the issue of a Penalty Infringement Notice, the service of a Prohibition Order or the service of an Improvement Notice.

In the interests of maintaining general community health standards and particularly the sensitivity of the local tourism industry to any potential food poisoning incident/s, Council is anxious to ensure that all food safety as well as health and hygiene aspects of food businesses are maintained to the highest standards.

Consumers wishing to lodge a complaint with Council for investigation can do so knowing that the matter/s will be treated confidentially. Council does however require some details of identification for a number of reasons.

Firstly it may be necessary to seek some additional information in regard to the facts associated with the allegation and secondly to provide feedback to the complainant in regard to the outcome of the investigation.



BLUE MOUNTAINS  
CITY COUNCIL

2 Civic Place  
Locked Bag 1005  
KATOOMBA NSW 2780

Phone: (02) 4780 5000  
Fax: (02) 4780 5555  
E-mail: [council@bmcc.nsw.gov.au](mailto:council@bmcc.nsw.gov.au)



# FOOD SAFETY ENFORCEMENT

## Name and Shame Register

All food retailers should be aware that laws have successfully been passed to give NSW consumers unprecedented access to information about breaches to the food safety laws.

The NSW Food Authority already publishes details on food safety law convictions on its website and consumers have online access to this information.

The Food Safety Program is an integral part of Council's commitment to maintaining acceptable health standards for the community and we are looking forward to working together to make a difference.

The publication of Penalty notices on the NSW Food Authority website for serious offences under the Food Safety Standards and Food Act 2003 should act as an added incentive for food businesses to operate under safe and hygienic conditions.



BLUE MOUNTAINS  
CITY COUNCIL

2 Civic Place  
Locked Bag 1005  
KATOOMBA NSW 2780

Phone: (02) 4780 5000  
Fax: (02) 4780 5555  
E-mail: [council@bmcc.nsw.gov.au](mailto:council@bmcc.nsw.gov.au)

