FOOD STANDARDS
Australia New Zealand
Te Mana Kounga Kai – Ahitereiria me Aotearoa

31 March 2025
335-25

Supporting document 3

Egg food safety and primary production requirements – Proposal P1060

Current food safety measures for eggs (domestic and international)

Executive summary

This document provides a summary of current food safety measures for eggs and egg product in Australia under Standard 4.2.5, with a breakdown by jurisdiction and relevant regulator. It also summarises relevant voluntary schemes operating in Australia, how they address safe egg production and their more recent updates to manage *Salmonella* Enteritidis (SE) in particular. There has been increased uptake of these schemes over the last decade.

Regulatory arrangements in five international markets with legislation managing SE were reviewed to provide a comparison of management measures and consider best practices in managing SE. Internationally, legislation and measures applied to producing eggs and egg products to manage food safety risks due to SE vary widely. For example, the European Union mandates time from lay by which an egg must be sold to the consumer, but not refrigeration of eggs. The United States of America mandates refrigeration of eggs within 36 hours from lay. In all countries reviewed, a combination of measures are applied along the supply chain. There is no one single measure that can satisfactorily manage food safety risk posed by SE and the suite of measures must be considered together.

FSANZ notes there is ongoing incidence of foodborne illness in Australia linked to eggs and sporadic occurrence of SE infecting layer flocks. Further, the current standard does not address SE, other countries have significantly more stringent measures than Australia to manage SE, and adoption of the industry schemes is voluntary.

FSANZ considers food safety measures within Standards 4.2.5 and 2.2.2 should be further strengthened to manage risks with SE and ensure a consistent minimum set of requirements for industry.

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1 Introduction

This paper describes Australia's food safety management framework for primary production and processing of eggs. It includes both regulatory requirements and non-regulatory measures for production, primary processing (e.g. cleaning, grading, pasteurisation), packing, storage, transport, export and import of eggs and egg product.

It identifies relevant standards in the Code[1], state and territory legislation and import and export requirements.

Regulatory requirements in New Zealand, United States of America, United Kingdom, Canada and the European Union addressing food safety risks posed by *Salmonella* Enteritidis (SE) are also discussed. These identified measures were considered to strengthen management of food safety risks associated with SE that is capable of vertical transmission in Australia.

2 Regulatory roles and requirements in Australia and overseas

The joint food regulation system comprises laws, policies and standards involving all levels of Australian and New Zealand governments involved in: the setting of food policy; the making of food standards; and the implementation and enforcement of food regulation.

The food regulatory system is established through the Inter-Government Agreement on Food (the FRA) and the Agreement Between the Government of Australia and the Government of New Zealand Concerning a Joint Food Standards System (the Treaty). These agreements are underpinned by the *Food Standards Australia New Zealand Act 1991* (the FSANZ Act) and legislation in New Zealand, and each State and Territory in Australia.

FSANZ is an independent statutory authority responsible for development and administration of the Code. Chapter 4 of the Code comprises of the primary production and processing standards (PPP standards) for which the FMM has issued a policy guideline[2].

Australian government agencies at local, state and national levels, and the New Zealand Government, implement and enforce food standards through their respective food and primary production legislation. For example, the Australian Government Department of Agriculture, Fisheries and Forestry (DAFF) enforces food standards at the border on imported food through the *Imported Food Control Act 1992*[3]. Australian and New Zealand authorities work closely to ensure food laws are implemented and enforced consistently where possible, via the Implementation Subcommittee for Food Regulation[4], under the Food Regulation Standing Committee and Food Ministers' Meeting.

2.1 Australia New Zealand Food Standards Code

The Code comprises of food standards given effect by state, territory and New Zealand laws. These laws generally contain provisions that require compliance with Code requirements.

Unless the Code provides otherwise, the Code applies to food that is either:

[1] Available at: https://www.foodstandards.gov.au/code/Pages/default.aspx
[2] Available at: https://www.foodregulation.gov.au/resources/publications/policy-guideline-primary-production-and-processing-standards
[3] Available at: https://www.legislation.gov.au/Details/C2004C00775
[4] See: https://foodregulation.gov.au/internet/fr/publishing.nsf/Content/ISFR

- sold, processed or handled for sale in Australia or New Zealand; or
- imported into Australia or New Zealand.

Examples of standards in the Code which expressly apply only in Australia are:
- Standard 1.4.2
- Standard 1.6.2
- Standard 2.2.2
- Standard 2.9.1, and
- standards in Chapters 3 and 4.

Chapter 1 (of the Code): 'Introduction and Standards' applies to all foods The standards included in Chapter 1 include (but are not limited to) standards about:
- the structure of the Code and general provisions
- definitions applying throughout the Code
- labelling and other information requirements
- requirements for substances added to or present in food such as processing aids, contaminants and residues, and foods requiring pre-market clearance such as novel foods and food produced using gene technology, and
- microbiological limits and processing requirements.

Chapter 2 (of the Code): 'Food Standards' apply to specific types of food for sale such as:
- cereals
- meat, eggs and fish
- fruit and vegetables
- edible oils
- dairy products
- alcoholic and non-alcoholic beverages
- special purpose foods such as infant formula products and food for special medical purposes.

Chapter 3 (of the Code): 'Food Safety Standards' contains food safety standards applying to all food businesses in Australia only.

Chapter 4 (of the Code): 'Primary Production and Processing Standards' contains primary production and processing standards applying to primary producers and processors in Australia only.

New Zealand has its own food safety legislation for food businesses and primary producers, developed and implemented by the New Zealand Ministry for Primary Industries [5].

2.1.1 Food safety standards in Chapter 3

Food safety standards aim to ensure only safe and suitable food is sold in Australia. These standards apply to all food businesses in Australia. Standard 3.1.1 – Interpretation and application, defines 'food business' and 'primary food production' as:

> **Food business** means a business, enterprise or activity (other than primary food production) that involves –
>
> (a) the handling of food intended for sale; or
> (b) the sale of food;
>
> regardless of whether the business, enterprise or activity concerned is of commercial, charitable

[5] See: Legal framework for food safety in New Zealand | NZ Government (mpi.govt.nz)

or community nature or whether it involves the handling or sale of food on one occasion only.

Primary food production means the growing, cultivation, picking, harvesting, collection or catching of food, and includes the following –

(a) the transportation or delivery of food on, from or between the premises on which it was grown, cultivated, picked, harvested, collected or caught;
(b) the packing, treating (for example, washing) or storing of food on the premises on which it was grown, cultivated, picked, harvested, collected or caught; and
(c) any other food production activity that is regulated by or under an Act prescribed by the regulations for the purpose of this definition.

However, primary food production does not include –

(d) any process involving the substantial transformation of food (for example, manufacturing or canning), regardless of whether the process is carried out on the premises in which the food was grown, cultivated, picked, harvested, collected or caught; or
(e) the sale or service of food directly to the public; or
(f) any other food production activity prescribed by the regulations under the Act for the purposes of this definition.

2.1.2 Primary production and processing requirements for eggs and egg products

Primary production and processing requirements for eggs and egg products are in Standard 4.2.5 – Primary production and processing standard for eggs and egg product. This Standard sets out food safety requirements for the primary production and processing of eggs, egg pulp and other egg product for human consumption. At the primary production stage, there are requirements for businesses that produce eggs to implement certain measures to control the food safety hazards and to trace their individual eggs.

At the primary processing stage, there are requirements for businesses that process eggs or egg product to implement certain measures to control their food safety hazards and trace their individual eggs and the egg pulp.

It is the responsibility of these businesses to both comply with this Standard and be able to demonstrate compliance.

2.1.3 Standard 2.2.2 Eggs

Standard 2.2.2 contains requirements specifically for the sale or supply of eggs for catering purposes or retail sale.

These requirements are:

- a prohibition of the sale or supply of unacceptable eggs for catering and retail sale purposes, and
- a requirement that eggs for retail sale or catering purposes must be individually marked with the producers' or processors' unique identification.

The following meaning of 'unacceptable egg' in Standard 4.2.5 also applies to Standard 2.2.2:

- a cracked egg or a dirty egg; or
- egg product which has not been processed in accordance with clause 21 of Standard 4.2.5; or
- egg product which contains a pathogenic micro-organism, whether or not the egg product has been processed in accordance with clause 21 of Standard 4.2.5.

The terms ‘catering purposes’ and ‘retail sale’ are defined in clause 2 of Standard 2.2.2, specifically for the purposes of that Standard.

Catering purposes includes food supplied to catering establishments, restaurants, canteens, schools, hospitals, and institutions where food is prepared or offered for immediate consumption.

Retail sale means sale to the public.

The requirements in Standard 2.2.2 do not apply in New Zealand.

2.1.4 Other standards in the Code relevant to eggs and egg products

In addition to the food safety standards, primary production and processing standards, and egg standard identified above, standards in Chapter 1 of the Code may also be relevant for the production, processing and sale of egg and egg products.

As listed above, Chapter 1 standards contain requirements and prohibitions which may relate to eggs and egg products (see section 2.1 above).

2.2 State and territory legislation

The primary production and processing of eggs and egg product is regulated by each state and territory (the jurisdictions) who apply requirements contained within the Code. How each jurisdiction has given effect to requirements within the Code varies due to how their legislative framework operates.

Jurisdictions may choose to incorporate additional food safety requirements into their food acts, or amend other legislation as deemed appropriate where specific risks have been identified. For example, New South Wales issued the Biosecurity (*Salmonella* Enteritidis) Control Order 2020 (initially only for two years, under the New South Wales *Biosecurity Act 2015*) to control the SE risk following the foodborne illness outbreak in 2018-19. This introduced mandatory SE testing requirements and enhanced biosecurity and hygiene measures for egg production areas and for people entering and exiting them.

A comparison of each jurisdiction’s legislation relevant to application of Standard 4.2.5 is in **Annex 1**.

2.3 Management of chemicals

Agricultural and veterinary chemicals (Agvet chemicals) are regulated under national and state-based laws. In the Code, maximum residue limits and contaminants are covered under Standard 1.4.1 - Contaminants and natural toxicants and Standard 1.4.2 - Agvet chemicals.

The Australian Pesticides and Veterinary Medicines Authority (APVMA) assesses and registers Agvet chemical products nationally. APVMA regulates Agvet chemicals up to the point of sale under the *Agricultural and Veterinary Chemicals Code Act 1994*[6].

Jurisdictions are responsible for regulating Agvet chemical use after retail sale, through their own legislation. State-based acts and regulations cover control-of-use activities such as:

- training and accreditation of users
- licensing of professional operators
- monitoring

[6] Available at: https://www.legislation.gov.au/Details/C2016C00999

- surveillance
- enforcement.

Proposal P1060 did not consider a review of chemical contamination. Proposal P1060 focuses on the reduction of foodborne illness resulting from microbial contamination only.

2.4 Export requirements

Australia regulates its exports to facilitate trade. Regulation also gives effect to international agreements including the World Trade Organization's Agreement on the Application of Sanitary and Phytosanitary Measures[7].

Eggs and egg product for export are regulated through the *Export Control Act 2020*[8], and the *Export Control (Eggs and Egg Products) Rules 2021*[9] (Eggs and Egg Products Rules).

The Eggs and Egg Products Rules set out requirements for their export, including requirements for egg grading, packing and processing facilities to be export registered and have a documented Approved Arrangement that is subject to audit. These Rules do not apply to the layer farm.

The DAFF [10] website provides information on export requirements. Exporters must meet both requirements of relevant export legislation and any importing country requirements for DAFF to provide necessary documentation to enable eggs and egg products to be exported.

2.5 Import requirements

Food imported to Australia must first satisfy biosecurity requirements under the Australian Government *Biosecurity Act 2015*[11]. Biosecurity import requirements focus on preventing introduction and spread of pests and diseases which affect agriculture. Strict biosecurity requirements currently restrict importation of whole table eggs and conditions apply to importation of egg products.

Food meeting requirements of the *Biosecurity Act 2015*[12] and entering Australia is then subject to the *Imported Food Control Act 1992*[13] (IFC Act). The *Imported Food Control Regulations 2019*[14] establish the Imported Food Inspection Scheme[15] (IFIS) and together with the *Imported Food Control Order 2019*[16]*,* sets compliance requirements for imported food.

Under the IFIS, food is inspected at the border to verify safety and compliance with applicable standards. Requirements in the Code that place obligations on a food business in relation to the way in which a food is produced and processed cannot be enforced on a business in a foreign country. To ensure food safety is managed, requirements apply under the IFC Act to imported food, for example, border testing and certification requirements.

On request from DAFF, FSANZ provides advice about whether imported food may pose a

[7] Available at: https://www.wto.org/english/tratop_e/sps_e/spsagr_e.htm
[8] Available at: www.legislation.gov.au/Details/C2020A00012
[9] Available at: Export Control (Eggs and Egg Products) Rules 2021 (legislation.gov.au)
[10] See: http://www.agriculture.gov.au/export
[11] Available at: https://www.legislation.gov.au/Series/C2015A00061
[12] Available at: https://www.legislation.gov.au/Series/C2015A00061
[13] Available at: https://www.legislation.gov.au/Series/C2004A04512
[14] Available at: https://www.legislation.gov.au/Details/F2019L01006
[18] Available at: Imported Food Inspection Scheme - DAFF (agriculture.gov.au)
[16] Available at: https://www.legislation.gov.au/Details/F2019L01233

medium-to-high risk to public health. Based on this advice, the Minister for Agriculture, Fisheries and Forestry may classify specific imported food as 'risk' food in the *Imported Food Control Order*. Risk classified imported food requires stricter border controls than other classes of imported food. For example, risk food may require higher inspection rates, testing for particular hazards or specified food safety management certification.

Any food which is not classified as a risk food is classified as a 'surveillance' food. Surveillance food is randomly referred to the IFIS, with five per cent of surveillance food consignments being assessed at the border against applicable standards from the Code and also advice provided in FSANZ's Imported Food Risk Statements. Under the IFC Act, importers are responsible for ensuring all food imported into Australia complies with relevant standards in the Code. Refer to the DAFF[17] website for information on import requirements.

2.6 International requirements

Many countries have endemic SE and have implemented control measures to mitigate risks of bird infection and egg contamination with SE. Below is a summary of relevant SE management measures used in several countries. It is not a description of all the requirements applying within these countries, just those different to Australia's current approach and relevant to SE. In all cases, a combination of measures are applied along the supply chain. There is no one single measure that can satisfactorily manage food safety risk posed by SE. Regulatory requirements in Canada, Europe, New Zealand, United Kingdom and the United States, are discussed below; a summary table is provided in **Annex 2**.

Some of these measures were considered for Australia.

2.6.1 Canada

Egg production is regulated at federal, provincial and territorial levels in Canada, and requires interaction between government bodies and peak representative body, Egg Farmers of Canada (EFC). Established in 1972 under the federal Farm Products Agencies Act, EFC manages supply of eggs, promotes eggs, and develops voluntary standards for egg farming within Canada.

The Canadian Food Inspection Agency (CFIA) has established hatchery and supply flock testing standards for layer flocks that must be complied with under Health of Animals Regulations. These requirements are provided in the Canadian hatchery and supply flock testing standards. Part 1 stipulates testing requirements for Canadian hatcheries; Part 2 outlines testing requirements for detection of SE for all primary breeding supply flocks, layer supply flocks, and dual-purpose flocks whose progenies are intended to produce table eggs.

The testing standards include:

- Non-verified supply flocks require *Salmonella* testing at a CFIA-approved facility and must return a negative SE result
- Environmental sampling must be collected from supply flock using a minimum of one pair of booties/ drag swabs and one dust swab per 5000 birds; this protocol scales up for every 5000 bird increment
- Minimum testing frequencies are specified for different rearing configurations (e.g. all-in all-out barns vs multi-age barns).

In 2019, the Safe Food for Canadians Regulations (SFCR) came into force, consolidating 14 sets of regulations including previous Egg Regulations. Depending on size, scope of trade and province or territory, egg producers are subject to SFCR and voluntary Egg Quality

[17] See: http://www.agriculture.gov.au/import

Assurance certification program. Approximately 97% of eggs consumed in Canada are covered by the above-mentioned regulations and scheme.

Egg producers and egg processors must comply with requirements for implementing preventive controls and documenting a preventive control plan. For eggs there are additional requirements which include:

- pasteurisation
- import, removal and interprovincial trade of shell eggs
- applying ink to an egg's shell
- treatment of plastic trays and
- a definition of a cracked egg as an egg with a damaged shell, but with an intact membrane such that the egg contents are not leaking. Cracked eggs must be pasteurised. Dirty and leaking eggs do not meet any grade and are considered unfit for human consumption, with a prohibition on processing these eggs.

The preventive control plan must include a hazard analysis and implementation of effective control measures. For eggs and egg products, SE is identified as a hazard and industry referred to consult Health Canada's 'Guidance on reducing risk of *Salmonella* Enteritidis in shell eggs produced in Canada'. This guidance is considered a 'consensus-standard' that industry comply with voluntarily, although there is reference to use of regulatory back-stops in future if required. Guidance recommends:

- sourcing of laying flocks from hatcheries and pullets free of SE
- environmental testing of laying flocks for SE as per the minimum national standard sampling protocol and methodology and
- eggs from flocks whose environments are positive for SE should be diverted directly to further processing for lifetime of that flock.

Egg gradings (contained within Canadian Grade Compendium: Volume 5 – Eggs) dictate fate of eggs produced in Canada and cover both food safety and quality aspects. For example, only Canada A and Grade A eggs can be used for table eggs or for pasteurisation in shell. Canada B and C or Grade B and C eggs are processed into treated egg products (not in shell). These requirements specify egg and egg lot parameters that must be met to meet a particular grade. Some examples of these include:

- albumin firmness
- air cell size
- egg shape and size
- shell cleanliness and integrity
- % of eggs with cracked shells
- % of eggs with more than 160mm^2 of dirt and
- % of 'leaker' eggs.

Repopulation/restocking of layer farms that had a SE positive flock removed only occurs after cleaning, sanitisation, and retesting of barn/site. Environmental testing must be negative for SE before restocking may commence. Egg Farmers of Canada recommend probiotics and vaccination for incoming flock. Provinces and territories may also require an investigation by and collaboration with a provincial veterinarian following a flock testing SE positive. Once restocked, new flocks are subject to recommended testing and if the new flock then subsequently test positive for SE, all eggs are diverted directly to further processing for lifetime of that flock.

Cooling of eggs is to be a slow continuous process through the supply chain. Storage of eggs may occur on layer farm for up to 7 days at 10–13°C prior to being transported for grading or further processing.

Grading usually occurs separate to laying farm at a CFIA accredited grading station. Canadian egg grading stations are responsible for washing, candling, and sorting eggs; individual egg producers are not permitted to wash eggs unless they are registered as a CFIA-approved egg washing station. Parameters for washing are specified in guidance material for licensed operators who must document washing processes in their preventive control plans.

Eggs at grading facilities and stored awaiting grading are to be kept either at or below 10°C or 13°C (depending upon the grade that they will become). Once graded, the cooling continues through the supply chain such that by the time eggs reach the retail environment they are at or below 4°C, and handled as a perishable food.

Canada requires that a durable life date (best before date) be placed upon egg cartons for retail sale, however there is no mandatory requirement for how many days this is from date of lay.

2.6.2 European Union

The European Union (EU) has a range of legislation that applies to egg production and processing. These include Directive 2000/13/EC, Regulation (EC) 617/2008, Regulation (EC) 1234/2007, Regulation (EC) 589/2008, Regulation (EC) 2160/2003, Regulation (EC) 852/2004 and 853/2004. *NOTE*: EU Directives and Regulations only cover food traded *between* Member States or imported to the EU. Member States develop their own food laws for food that is traded only *within* that Member State. Our review did not include a review of Member State legislation related to eggs.

In summary there are requirements for the registration of breeding establishments, hatcheries and layer farms. Egg packing facilities and food businesses that process eggs must be registered with the relevant competent authority and may also require EU approval for their activities.

The EU prohibits washing of eggs. There is an exemption for where a member state had prior to 1 June 2003 authorised washing of eggs at authorised packing centres, provided those centres operate in accordance with national guides for egg washing systems. These national guides were developed by food business sectors in consultation with relevant competent authorities and consumers (Article 8, Regulation 852/2004 allows for development of national guides and prescribes how they are to be developed and then assessed by the Member State).

Eggs must be marked with the producer's unique identifier before being transported from egg producer to a distributor, packing centre or non-food industry participant in another Member State.

Exemptions to egg marking may be provided by a competent authority where the egg producer has signed a delivery contract with a packing centre. In which case, once granted, transport of eggs must be accompanied by a copy of the delivery contract. Marking is also exempted where eggs are cracked or soiled and it is not technically feasible to apply the mark to the egg (and must be diverted to processing), and where the egg producer supplies direct to egg processor and eggs are only used for processing.

When packed, the egg carton or pack must have the packer's unique code applied to the carton, date of minimum durability (best before) applied and wording to advise consumers to keep eggs chilled after purchase. As advised above, eggs within the carton must be marked with producer's unique identifier except for where there is a delivery contract between egg

producer and packer.

Within the EU, eggs must be sold to consumers within a maximum time limit of 21 days from date of laying (point 3 of Chapter 1 of Section X of Annex III to Regulation (EC) No. 853/2004). This is known as the 'sell-by date' and is mandatory.

The minimum durability date for table eggs is 28 days from date of laying (Commission Regulation (EC) 589/2008 (19); and Article 3 (1) (5) of Directive 2000/13/EC). The EU advises the durability date for eggs is the date until which the foodstuff retains its specific properties when properly stored.

This means the maximum shelf life is 28 days from date of lay and eggs must be sold to consumers within 21 days post lay. Under this approach consumers get at least 7 days shelf life before eggs reach their 28 day post-lay best before.

Egg collectors, who collect eggs from producers and supply to packing or processing centres, must be registered/licensed, keep records on what they purchased, from whom and to whom they were sold. Records may be retained invoices and delivery notes rather than additional formal records, provided these contain all required details such as date of lay etc.

The EU require a national control program for SE and *Salmonella* Typhimurium (ST) to be in place, which outlines minimum sampling activities. The program also applies to food and feed suppliers (refer Regulation (EC) No 2160/2003 and amendments within Regulation (EC) 1237/2007). Minimum sampling requirements are specified in a table to Annex II of Regulation (EC) 2160/2003. These apply to the breeding flock and laying flock, with different frequencies of sampling dependent upon whether it is a breeding 'rearing flock' versus 'adult' breeding flock; and a laying hen rearing flock versus a laying flock. While sampling frequency varies among flock types, all are subject to ongoing sampling for SE and ST.

For layer flocks, environmental samples are taken for day-old chicks (delivery box or tray liner), then approximately two weeks prior to commencement of laying (boot swabs or composite faeces sample) and at 15 week intervals during egg laying phase (boot swabs or composite faeces samples).

Eggs sourced for human consumption as table eggs must only be sourced from a commercial flock subject to a national control program and not under official restriction, such as a movement restriction in response to disease.

Where eggs are sourced from SE or ST infected flocks, these eggs may be used for human consumption only if treated to guarantee the elimination of all *Salmonella* spp of public health significance.

Requirements for storage and transport of eggs through the supply chain to retail sale are that temperature, preferably constant, is best suited to assure optimal conservation of their hygiene properties. This means eggs may be stored at room temperature in the retail environment.

2.6.3 New Zealand

Poultry farmers and egg producers are required to comply with the *Animal Products Act 1999*, *Animal Welfare Act 1999* and *Agricultural Compounds and Veterinary Medicines Act 1997*. Farmers must also operate under a whole flock health scheme, which is a documented program for health surveillance requiring retention of records for medications, feeding regimes, veterinary visits, results of microbiological sampling and other information relating to flock health.

Egg producers must comply with the *Animal Products Act 1999*, which requires primary processors (who collect, candle, grade and pack eggs) to have a registered risk management program (RMP). A RMP is a fully documented management system consisting of general RMP sections (on the business and activities), supporting systems (health and hygiene, staff competency and training, cleaning, traceability and another 16 elements) and hazard identification and control. The RMP template for egg collection indicates placement of cracked and broken eggs into a separate labelled basket. When eggs are sorted on layer farm, broken and excessively dirty eggs are to be removed and disposed of either by burial on farm, picked up by waste removal company or sent for rendering.

Secondary processors (who break eggs and make egg products) must have either a registered RMP or if only supplying domestically, have a registered food control plan (FCP). New Zealand have requirements for egg processors to ensure processing grade eggs for human consumption are assessed on receival or prior to processing to ensure they are not defective (such as leaking or being excessively dirty, rotten or mouldy).

The RMP must be verified by government approved verifiers. Operators may choose a verifier from the competent authority approved list.

Eggs for retail sale must be labelled in accordance with requirements in the Australia New Zealand Food Standards Code (Chapter 1, Part 1.2). The New Zealand Ministry for Primary Industries (NZMPI) recommend table eggs have a best before date of 35 days at room temperature, or if verified by the operator of the RMP, an alternate number of days at a specified temperature may be permitted. The operator is the legal entity for the RMP and may be a company, sole trader or partnership (an egg producer or processor). Best before dates are covered by the RMP (including whether an alternative best before is used and supporting documentation provided) and subject to approval by NZMPI.

Eggs do not need to be marked or stamped, but cartons or packaging must contain all labelling requirements, including identification of the facility that packed or prepared the eggs. Traceability to layer farm for eggs is through a combination of the egg carton and then documentation at the packing facility.

Following the 2021 detection of SE at a poultry processor, then through traceback to a hatchery and associated rearer farm, an emergency control scheme (ECS) commenced which applied to breeder flocks, hatcheries, rearing facilities producing point of lay pullets, broiler farms and layer farms. The ECS required poultry farms to list with a verifier (for audit/inspection), sample and test the poultry environment for SE, ensure on-farm biosecurity is at an acceptable level, and vaccinate flocks.

The ECS ended on 5 October 2022 and interim requirements continued until 31 October 2023, when NZMPI implemented a regulatory framework to manage the long-term risks to public health from SE. The regulatory framework requires breeding, hatching and rearing farms to also operate under a RMP (layer farms were already required to do so). Amendments were also made to the Animal Products Notice to require the implementation of routine (or enhanced) environmental monitoring for SE. These were the two main changes for primary production to manage the food safety risks associated with SE.

The Animal Products Notice also specified how eggs from a SE positive production area were to be managed (i.e. diverted to processing with the processing facility then managing the risk of potential SE contamination on the eggs and fillers etc); and provided a process for a SE positive production area to return to a transitional and then SE negative production area.

2.6.4 United Kingdom

The UK regulates the egg supply chain through several pieces of legislation, which in turn reference EU legislation. The Eggs and Chicks (England) Regulations 2009, Eggs and Chicks (Wales) Regulations 2010 and Eggs and Chicks (Scotland) Regulations 2008 are the three pieces of legislation reviewed in this summary.

These follow EU egg requirements closely, with some differences.

Exemptions on quality or weight grading exist for where eggs are sold by egg producers directly to the final consumer either onsite, by door-to-door selling or at local public markets. There are exemptions from egg marking for egg producers with up to 50 laying hens, provided the name and address of the producer are indicated at point of sale to final consumer.

Eggs must be graded, marked and packed within 10 days of laying. Egg washing is prohibited. Cracked eggs are not to be sold for human consumption, but may be diverted to processing.

The British Egg Industry Council introduced the British Lion Code of Practice in 1989 for breeders and commercial layer flocks. It is a voluntary code of practice with an estimated 90% of UK egg production under this scheme. This requires vaccination of flocks against *Salmonella*.

The UK implemented a *Salmonella* control program in layer flocks of *Gallus gallus* in 2008. This required all layer flocks of 350 hens or more to participate in a national control program, including for those flocks to be registered with the competent authority. This program requires operators to implement the sampling program in Annex IIB of EC Regulations 2160/2003. For layer hens, environmental samples are taken for day-old chicks (delivery box or tray liner), then approximately two weeks prior to commencement of laying (boot swabs or composite faeces sample) and then at 15 week intervals during egg laying phase (boot swabs or composite faeces samples).

If a flock tests positive for a regulated *Salmonella* serovar, eggs are required to be diverted to processing (broken) and pasteurisation. Actions are to be taken prior to restocking of previous positive SE sheds, with replacement flocks subject to SE sampling.

2.6.5 United States of America

The US Food and Drug Administration (USFDA) implemented the Egg Safety Final Rule which requires control measures, designed to prevent SE infection and contamination, to be adopted by egg producers with 3000 or more laying hens, whose shell eggs are not processed with a treatment to ensure their food safety.

There are specific requirements for pullets to be raised under SE monitored conditions and chicks sourced from SE monitored breeder flocks. There are also biosecurity, pest control, cleaning & disinfection (at depopulation if positive environmental swabs) requirements. Vaccination against SE of layer hens is not a mandatory requirement.

Intact eggs are required to be held and transported at or below 7.2°C, beginning 36 hours after laying.

Environmental sampling requires egg producers to develop a sample plan specific to the poultry house, with one test completed when hens are 40 to 45 weeks of age and one test 4 to 6 weeks after moulting.

If the pullet environmental test is negative for SE, there is no additional testing until the environmental test at 40 to 45 weeks of age.

If the pullet environmental test is positive for SE, egg testing commences within two weeks of the start of egg laying and the pullet environment cleaned and disinfected when the flock is moved into the laying shed.

If any environmental test is positive for SE, then eggs must be diverted for treatment for the life of the flock, or egg testing done as outlined in the Code of Federal Regulations Part 118.

Egg testing requires eggs to be sampled at two week intervals, with each test comprised of a minimum of 1000 eggs representative of a day's production. If the flock achieves four consecutive negative tests, no further egg testing is required. The environmental testing resumes and eggs may be sold as table eggs.

If any of the four tests are positive for SE, eggs must be diverted for pasteurisation until four consecutive negative tests are achieved. Where there was a positive egg test in a flock (and eggs then diverted), and then later meet the negative test result requirements to return to table egg production, one egg test per month for that flock will be required for the life of the flock. While monthly egg tests remain negative, the flock may supply table eggs.

Egg producers are required to maintain a written SE prevention plan, documentation that pullets were raised under SE monitored conditions and retain documentation/records as evidence of compliance with requirements including retention of all sample testing results.

The USFDA advised they decided not to introduce specific requirements for older flocks that are moved to another facility. This was because under the sampling requirements, there was environmental sampling when the hens reached 40 to 45 weeks (and following moulting), so the hens have been subjected to SE monitoring. There are no additional requirements applying to spent hens.

For US Department of Agriculture (USDA) graded eggs, code dating is voluntary. However, if a date is applied to the egg carton, it must comply with USDA requirements for the type of code date used on USDA graded eggs. Approximately half of the eggs produced in the US are USDA graded eggs.

Expiration dates are one type of USDA code dating and if used, the appropriate prefix must be used ('EXP', 'Sell By' and 'Not to be sold after the date at the end of the carton') and can be no more than 30 days from the packing date. The EXP date is for consumers where eggs must not be consumed after the EXP date. The other two date prefixes mentioned are for food businesses selling the eggs.

Another type of USDA code dating are 'Use by', 'Use before' or 'Best before' dates which mean eggs are starting to lose quality. These identify the maximum period a consumer can expect eggs to maintain their quality when stored under ideal conditions. These dates must not exceed 45 days, including the packing date.

3 Non-regulatory measures

Non-regulatory measures addressing food safety in eggs and egg product are guidance materials, commercial standards and third party accreditation schemes used across the egg and egg product sector in Australia. This section provides information on these measures.

3.1 Industry food safety schemes in Australia for eggs

Food safety schemes are voluntary, prescriptive schemes that aim to ensure safety of food during certain stages of production, packing, processing, transport, manufacture, wholesale and retail sale or food service. Food businesses that sign up to a food safety scheme agree to comply with requirements of that scheme. Compliance with a food safety scheme is usually certified through an audit by a third-party auditor approved by the scheme owner.

Although these schemes are voluntary, commercial requirements, particularly for supply into food retailer own brands and quick service food chains, mean a significant proportion of eggs (estimated at 78.1% based on Jeswanth [18](2022)) are produced under these schemes.

Safe Quality Food Institute (SQFI) Food Safety Code has been benchmarked to the Global Food Safety Initiative (GFSI) and is comprised of two components covering egg production:

- Primary Animal Production – Edition 9 (covering the layer farm)
- Food manufacturing – Edition 9 Level 2 (covering the grading floor and processing)

In Australia, Egg Standards of Australia[19] (ESA) was developed to provide a voluntary quality assurance program that demonstrates compliance with egg primary production and processing standards. ESA covers the supply chain from rearing of pullets through to packing of eggs and consists of two standards:

- ESA for rearing and layer farms (Level 1, 2 or 3);
- ESA for grading and packing floors (Level 2 or 3).

Level 2 and above is designed to comply with requirements of the Food Standards Code. Level 1 is an entry level certification for egg farmers who are new to industry or have not previously participated in a quality assurance scheme.

HenCare and RangeCare are two other schemes typically used by small layer farms. These two schemes provide assurances as to how layer hens are handled and managed, that claims concerning the type of egg production system used are truthful and that legislated biosecurity and food safety requirements have been complied with. The food safety element requires evidence the layer farm has complied with relevant state or territory government requirements (based upon Standard 4.2.5 within the Food Standards Code), as applied by that jurisdiction. As state and territory government regulation has been described in Section 2.2, please refer to that Section for requirements for each jurisdiction.

Larger retailers and quick service companies have their private standards for grading floors, which capture additional requirements relevant to their commercial needs. For eggs packed into retailer brands, layer farms and grading floors must be ESA Level 3 certified and comply with the retailer's private standard for grading floors. Discussions with grading floor staff and a review of one retailer's private standards for grading floors indicated that these requirements are in addition (not duplication) to the ESA requirements. As ESA requirements

[18] Disha Kartik Jeswanth, (March 2022), Egg Farming in Australia, *IBIS World Industry Report A0172*
[19] Available at: Egg Standards of Australia: Egg Quality Standards & Certifications (australianeggs.org.au)

address Standard 4.2.5, the retailer and quick service private standards were not reviewed further.

FSANZ has not assessed the governance arrangements or effectiveness of these food safety schemes in *achieving* compliance with Standard 4.2.5. But the review did assess whether elements of schemes would *support* compliance with Standard 4.2.5, should a business address each element from the perspective of Standard 4.2.5.

3.1.1 Gap analysis process

Standard 4.2.5 was used to determine if any gaps exist in coverage of food safety scheme requirements, utilising ESA and SQFI in our analysis.

The scope of application for ESA and SQFI quality assurance schemes apply from rearing pullet through to graded/packed eggs and therefore cover the current scope for Standard 4.2.5.

Table 1: Scope of schemes across the supply chain

Food Safety Scheme	Primary producer	Transport	Packer	Processor	Transport
Egg Standards of Australia	✓	✓	✓	✓	✓
SQFI	✓	✓	✓	✓	✓

3.1.2 Gap analysis findings

The gap analyses are presented at **Annex 3 and 4** with findings summarised below.

Standard 4.2.5 requirements

The Standard has the following requirements for egg producers:

- Food safety management statement
- Inputs
- Waste disposal
- Health and hygiene
- Skills and knowledge
- Design, construction and maintenance of premises, equipment and transportation vehicles
- Bird health
- Traceability
- Sale or supply

The Standard has the following requirements for egg processors:

- Food safety management statement
- Receiving unacceptable eggs

- Inputs
- Waste disposal
- Health and hygiene
- Skills and knowledge
- Design, construction and maintenance of premises, equipment and transportation vehicles
- Traceability
- Processing egg product
- Storing and transport of processed egg product
- Sale or supply

Standard 4.2.5 requirements listed above have corresponding ESA and SQFI scheme requirements as shown at Annex 3 and 4. Although no gaps have been identified, this review has not assessed implementation of these schemes.

3.1.3 Conclusion

If implemented as written, ESA Level 2 or 3 and SQFI (relevant egg scheme) would support compliance with requirements in Standard 4.2.5. The relevant food regulator would make the ultimate determination of compliance with Standard 4.2.5 based on assessment of whether requirements in the Standard have been satisfactorily addressed by the business.

Both schemes contain additional requirements to those currently listed in Standard 4.2.5. For example, verification of control measures is in excess of Standard 4.2.5 and captures *Salmonella* spp monitoring on farm. The ESA Level 2 and 3 require participation in the National *Salmonella* Enteritidis Monitoring Accreditation Program or implementation of an equivalent monitoring program.

3.2 Guidance materials

There are a range of domestic and international guidance materials which Australia's egg industry could readily access to support compliance with current requirements and manage food safety risks. State and territory enforcement agency websites focus on assisting businesses in understanding requirements related to egg production and processing. Following the 2018-19 SE outbreak, additional resources were created to address risks specifically related to SE.

Those states with larger egg production operations provide additional resources for businesses which cover biosecurity measures, SE specific standard operating procedures, traceability and egg cleaning. These resources exist in various formats, such as videos, templates, educational posters, standard operating procedures, and guidance documents. Examples of useful documents include, the New South Wales Egg Monitoring Diary and Safe Food Production Queensland's 'Food Safety Guide for QLD Egg Suppliers'. Both documents provide background information and practical tools to assist egg businesses.

In addition to domestic guidance, an international document with significant emphasis on food safety practices is the Codex *Code of Hygienic Practice for Eggs and Egg Products*. It covers general hygienic practices from primary production through to consumption of eggs and egg products.

These materials and documents are discussed in further detail below.

3.2.1 Australian jurisdiction guidance material

All state and territory government websites contain landing pages related to eggs. Generally, these pages provide details on national and jurisdiction specific requirements. Jurisdictions with the largest egg production operations offer the widest range of resources. The materials for NSW, QLD and Victoria are summarised below.

Selected themes and resources are summarised in Table 1 of Annex 5, including hyperlinks to relevant webpages.

New South Wales
The NSW Food Authority's (NSW FA) 'Egg landing page' provides information on egg stamping, SE, export, consultation and various business operations, for example, egg production, egg grading and egg processing. Each operation subpage includes information on:

- licensing
- construction and facilities
- hygiene and handling
- food safety controls
- labelling
- testing
- inspections and audits, and
- legislation and standards.

The NSW FA site also offers a range of production and processing guidance and templates, for example, 'the egg monitoring diary' provides businesses with information and tools to comply with legal requirements of the Biosecurity (SE) Control Order 2019. The 'Egg cleaning procedures' document is another valuable resource as it covers collection and cleaning methods applicable to small and large scale farms.

The NSW Department of Primary Industries offer a collection of materials aimed at equipping businesses with tools and knowledge to manage the risk of an SE incident. Some materials include information on compliance with the Biosecurity Order, rodent controls for SE and targeted biosecurity information.

Queensland
Safe Food Production Queensland (SFPQ) landing page, 'Egg Farm', explains Queensland regulation requirements for egg producers and egg processors. The website includes information on: Administrative requirements, fees, Management Statement or Food Safety Program, and biosecurity.

Key website resources include:

- The food safety management statement for egg producers template
- Food safety guide for Queensland egg suppliers
- Standard operating procedures for the prevention of SE and
- Guidelines for egg cleaning procedures

These guides provide practical information to assist producers and processors comply with requirements and establish best practices. The food safety guide for egg suppliers is a particularly useful document, as it provides comprehensive background information and a range of tools that apply throughout the course of egg production or processing.

Victoria
The Agriculture Victoria website contains a poultry and eggs website divided into three

sections: health and welfare, compliance and backyard poultry and eggs. An SE page is listed under the health and welfare section; background and preventative information is provided. This site also offers a range of animated videos which provide useful information on topics such as inputs, bird health, skills and knowledge, traceability, and sale or supply. These videos are also available in simplified Chinese.

The webpage for Standard 4.2.5 advises of key requirements, provides links to other useful government websites and a link to Australian Eggs. There are also a number of food safety management statement templates available for industry.

3.2.2 Australian Eggs guidance material

The Australian Eggs website provides a comprehensive range of guidance materials, containing publicly available materials and tools developed for egg producers, processors and consumers. Further additional resources are available for members. Types of resources include guidelines, factsheets, videos and a virtual reality training module on biosecurity.

Guidance material themes include:

- biosecurity
- hen management and egg production
- food safety, egg stamping and
- egg traceability.

Selected themes and resources are summarised in Table 2 of Annex 5. The Salmonella Risk Assessment Toolkit is a particularly useful resource as it steps through risks associated with farming through to post-grading processes.

The site also hosts an Industry training and capacity building hub, which lists resources that can be used by businesses to form the basis of, or supplement, their training programs. Some training programs are fully funded for Australian Eggs members.

3.2.3 Codex standards for eggs and egg products

The Codex Alimentarius Commission (Codex) is the international food standards setting body established by the United Nation's Food and Agriculture Organization and the World Health Organization. Codex develops international food standards, guidelines and codes of practice contributing to safety, quality and fairness of food trade.

FSANZ reviewed international best practice for the safe production of eggs and egg products based on the Codex General Principles for Food Hygiene (CXC1-1969) and the Code of Hygienic Practice (CoHP) for Eggs and Egg Products (CAC/RCP 15-1976).

The CoHP for eggs and egg products provides a general framework of recommendations that can be uniformly applied across the egg sector[20] and addresses the two main sources of contamination of eggs – internally during egg formation (contamination with SE) and externally, at any point at or after laying.

The CoHP advises good hygienic, agricultural and manufacturing processes should be applied throughout the supply chain so that eggs and egg products are safe and suitable for their intended use. A continuous system of controls, from the breeding flock through to consumption of final product, is required to manage food safety for eggs and egg products.

[20] Available at: Related Standards | CODEXALIMENTARIUS FAO-WHO

Codex recommends use of Hazard Analysis and Critical Control Point (HACCP) to identify and then manage hazards at each point of the supply chain. Where HACCP is not applied at egg production level (the breeder, rearing and layer farm), it is recommended the producer implements good hygienic, agricultural and animal husbandry practices.

The CoHP advises that all businesses involved along the egg supply chain have a responsibility to manage food safety to achieve the common goal of providing a food safe for human consumption.

Egg producers should take all reasonable measures to reduce the likelihood of hazards occurring in or on eggs to minimise contamination of eggs during primary production.

Control measures used by egg producers and processors should be validated and shown to be effective in managing hazards. Monitoring should be done to verify ongoing effectiveness of controls and provide evidence that hazards are minimised.

In countries where SE has occurred within a layer flock, monitoring for SE through environmental testing of litter, dust, ventilation fans etc. and sampling of layer hens or eggs is recommended.

Many of the principles within the CoHP are addressed under the current Standard 4.2.5, however the CoHP has additional areas not included in the existing standard. These include investigating potential hazards of the bird environment (barn and free range area), exclusion of animals and pests, pest control, segregation of broken/leaker eggs and that they cannot be used for human consumption; and monitoring effectiveness of control measures (verification).

The CoHP states that where the competent authority permits washing of eggs, it should be done under carefully controlled conditions to minimise damage to the shell and prevent contamination of the egg contents.

4 Conclusion

This paper has outlined current regulatory and non-regulatory food safety measures for eggs and egg product. The national regulatory food safety requirements that apply to primary production and processing of eggs and egg product in Australia, Standard 4.2.5 of the Code, are applied and regulated for compliance in all jurisdictions.

The IFIS regulates all food (including egg product) imported into Australia, checking that it meets Australian requirements for public health and safety and is compliant with Australia's food standards.

Egg Standards of Australia and SQFI are two third party accreditation schemes available to industry and often required to satisfy commercial arrangements. There are also many guidance documents available for industry to access and use in order to implement best practices in managing food safety during egg production and processing activities.

A range of domestic and international guidance materials are available to assist egg producers and processors comply with the current Food Standards Code and adopt best practices. All jurisdictions provide information on compliance, with the largest egg producing regions providing additional guidance materials. The Australian Eggs website contains the largest repository of information and tools. If changes are made to Standard 4.2.5, then amendments may be required to some of these materials also.

Annex 1 - Comparison of state and territory biosecurity and food safety legislation

Summary

Salmonella Enteritidis (SE) is a nationally notifiable disease under biosecurity legislation, however this does not require active surveillance or on farm monitoring other than general hen health, noting hens infected with SE may be asymptomatic. Other than general biosecurity management expectations, SE related activity focuses on responding once there has been detection of animal disease, then containing and if appropriate, eradicating the disease, through depopulation.

In Australia, SE infected flocks have generally been identified following foodborne illness and traceback investigations. Biosecurity actions then confirm flock infection, identify extent of presence, contain spread and depopulate the sites.

Food safety legislation in combination with food standards theoretically manage food safety risks including SE. However to reduce cases of foodborne illness, current measures require amendment to enable earlier detection and management of SE in eggs, such as at layer farm, rather than relying on cases of foodborne illness to detect presence.

All jurisdictions, except for the Northern Territory as they do not have commercial layer flocks, have a regulatory framework to give effect to Standard 4.2.5 and regulate the egg industry. Some jurisdictions have exemptions for very small layer farms from some provisions of Standard 4.2.5, such as one or more of the following - accreditation/licencing, egg stamping and a documented system (either food safety program or management statement).

State and Territory biosecurity and food safety legislation

Introduction:

This Annex was developed to support the review of existing food standards relevant to eggs within the Australia New Zealand Food Standards Code (the Code) under Proposal P1060: Egg food safety and primary production requirements. Descriptions of the national animal health and food regulatory frameworks are provided, including summaries for each individual state and territory.

Relevant extracts from each state and territory biosecurity and food safety legislation are summarised in two tables. Biosecurity legislation extracts assist with considering how these requirements intersect with food safety requirements and to understand what powers biosecurity officers may have to enter properties and take action. Food safety legislation extracts assist with comparing how Standard 4.2.5 is given effect in each jurisdiction and the legislative basis for regulatory activities under the standard.

From the review of biosecurity legislation, there are frameworks in place, such as good agriculture and animal husbandry practices (GAP, GAHP) for preventing infection of farms with animal diseases including SE. There is also a national response plan for responding to a notification of detection of SE on farm, to contain and prevent its further distribution. Apart

from the temporary Biosecurity Control Order in New South Wales, there are no mandatory SE sampling and testing programs in place for layer farms under biosecurity legislation.

From the review of state and territory food safety legislation, there are some minor differences in approach to give legal effect to Standard 4.2.5, with variations mostly regarding exemptions for small egg producers. The requirements of Standard 4.2.5 are applied to the egg industry in all states and territories with the exception of the Northern Territory where there is no commercial egg production. As SE was not considered when developing the current standard, there are no mandatory SE sampling and testing programs in place for egg producers or egg processors.

There is a voluntary program industry may adopt for the detection of SE, the National SE Monitoring and Accreditation Program. This accreditation may be used to support the basis for making a SE free claim for the layer flock and eggs produced by that flock. This has not been considered as part of the current regulatory framework as it is a voluntary scheme.

National Animal Health Framework:

Industry publications - Animal Health Australia

National surveillance and control of animal diseases in Australia is based upon an integrated system and cooperative partnerships between government agencies (Commonwealth and state and territory), organisations, commercial companies and individuals involved in animal industries.

The Australian Government Department of Agriculture, Fisheries and Forestry (DAFF) advises on, and assists with, the coordination of national animal health policy. It is also responsible for international animal health matters including trade and reporting to the World Organisation for Animal Health.

Each state and territory government is responsible for animal health matters within their borders, including disease surveillance and control, emergency preparedness and response, chemical residues in animal products, livestock identification and traceability and animal welfare.

Australian governments work with livestock industries to progress national animal health priorities.

Links with human health agencies are also maintained through the One Health approach.

The National List of Notifiable Animal Diseases of Terrestrial Animals identifies those diseases that must be reported to the relevant state or territory government authority and this includes exotic and non-exotic diseases of concern. States and territories mandate reporting of these diseases through their respective legislation which contains the list of nationally notifiable diseases plus other diseases that are of concern for that state or territory. SE in poultry is on this list as a nationally notifiable disease.

Australia uses both targeted and general surveillance activities for terrestrial animal diseases to monitor and detect animal diseases. However there are no targeted SE surveillance activities except for New South Wales. The NSW Biosecurity Control Order issued under their legislation requires all layer farms to conduct sampling and testing for SE every three months. As a notifiable disease, passive surveillance for SE is through animal husbandry and monitoring of flock health and investigating where flocks have unexplained mortalities, poor health or sharp drop in production. Producers and veterinarians are also encouraged to

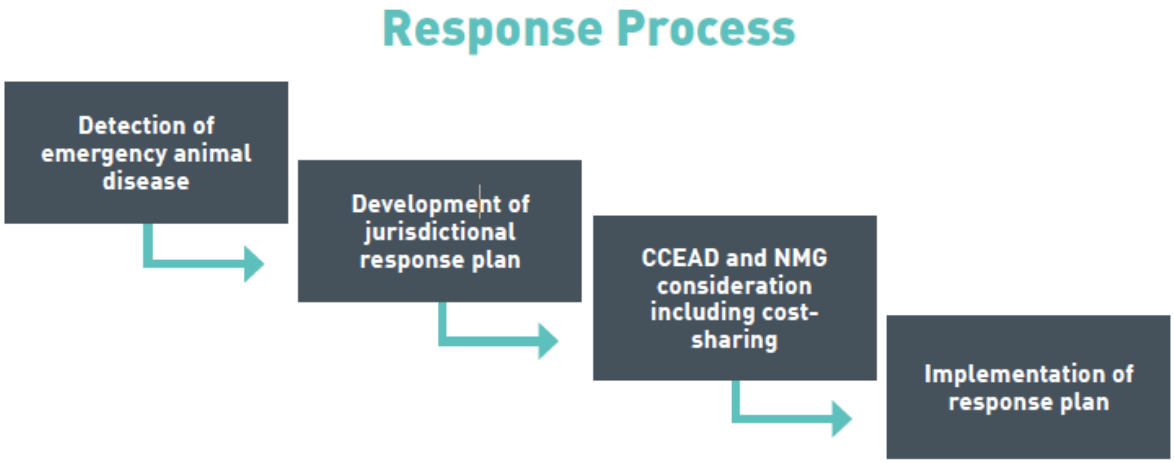
report any unusual incidents involving animal deaths or sickness so they may be investigated.

The Consultative Committee on Emergency Animal Diseases (CCEAD) is convened when there is an outbreak of a terrestrial or aquatic EAD. This committee is Chaired by the Australian Chief Veterinary Officer (CVO) and its membership includes state and territory government CVOs, representatives from relevant government agencies, Animal Health Australia and industry bodies. The committee enables sharing of information and briefing on the response activities being taken to control, investigate and manage the disease outbreak.

The CCEAD when convened in response to an outbreak considers recommendations to the National Management Group as to whether or not it should support the national eradication programs through cost-sharing arrangements set out in the Emergency Animal Disease Response Agreement (EADRA) for terrestrial animals.

NOTE – SE is excluded from EADRA and therefore there is no support funding for SE eradication programs. Layer farms affected by the 2018/19 SE outbreak had to self-fund all the expenses for depopulation of layer flocks and cleaning/sanitising of sheds and equipment.

Figure 1: Animal health system response flow chart



Source: Animal Health in Australia System Report 2021

National Food Regulation Framework:

The Australia and New Zealand joint food regulation system is based on scientific evidence and expertise, that protects the health and safety of consumers. It involves all levels of the Australian and New Zealand governments. Different roles are met by local, state and national government, and international obligations are respected.

Food policy is cooperatively made by a forum of ministers from Australian and New Zealand government jurisdictions - the Australia and New Zealand Ministerial Forum, now known as the Food Ministers Meeting. The Forum Members are the decision makers in the system.

The Forum is supported by the Food Regulation Standing Committee or FRSC. FRSC

members include government department and agency heads responsible for food regulation in each jurisdiction.

The Australian State and Territory government agencies implement, monitor and enforce food laws through their own Food Acts and other food related legislation which gives effect to food standards contained within the Code. DAFF enforces these laws at the border in relation to imported food. DAFF also administers legislation to support safe and biosecure export of certain food products.

The Implementation Subcommittee for Food Regulation (ISFR) supports the consistent implementation and enforcement of food laws. ISFR members include representatives from food regulation authorities in Australia and New Zealand.

More information is available from the food regulation website - Food Regulation - The food regulation system

Refer to Attachment A Tables 1 and 2 for summaries of relevant extracts from biosecurity and food safety legislation in each jurisdiction.

Victoria

Victoria is currently reforming their biosecurity legislation which is across multiple Acts, with the outcome being to have a Biosecurity Act that captures all the biosecurity requirements. The focus of current Acts is prevention, detection, containment and eradication of pests and diseases.

Reforming Victoria's biosecurity legislation | Legislation, policy and permits | Protecting Victoria | Biosecurity | Agriculture Victoria

SE infection in poultry is a notifiable disease and classified as an exotic disease of birds requiring immediate notification to the Emergency Animal Disease Watch Hotline. This is under the *Livestock Disease Control Act 1994*.

The *Livestock Disease Control Act 1994* and *Livestock Disease Control Regulations 2017* are designed to protect livestock from disease and to protect public health by preventing diseases that are transmissible to humans. Further information is available here Livestock Disease Control Regulations 2017 | Protecting Victoria | Biosecurity | Agriculture Victoria

Biosecurity Plan templates are provided for primary producers to use voluntarily – this provides links to the Animal Health Australia (AHA) on-farm biosecurity template; the Meat and Livestock Australia template and a farm biosecurity action planner (developed by AHA). Farm biosecurity plan templates | Animal diseases | Biosecurity | Agriculture Victoria

Victorian *Food Act 1984* and Standard 4.2.5

Complying with the egg production standard | Food safety for egg producers | Food safety | Biosecurity | Agriculture Victoria

All commercial egg producers regardless of farm size or number of birds are legally required to produce safe eggs and comply with Standard 4.2.5.

Exemptions exist for businesses with fewer than 50 egg-producing birds; these businesses must control food safety hazards and keep records of sales, but do not need to notify the

regulator unless they want an egg stamp. They are encouraged to apply for a property identification code (PIC) and an egg stamp code if they are selling or giving eggs away.

If they have more than 50 birds, the business must notify and apply for a PIC and egg stamp code. They must control the food safety hazards and comply with Standard 4.2.5. They must have a food safety management statement (FSMS) or be part of an approved industry or commercial quality assurance program (Victoria are the only state to provide for recognition of a third party accreditation program). A completed FSMS must be provided to Agriculture Victoria during the initial audit for the egg producer to produce and supply eggs for human consumption.

Agriculture Victoria do not license or register egg producers. Agriculture Victoria audit egg producers to verify compliance with their FSMS and the Standard. Initial audits are carried out for every new egg producer. Subsequent audits are undertaken based on potential risks and targeting areas of concern using intel from industry, Local Government Environmental Health Officers and information/complaints from the public.

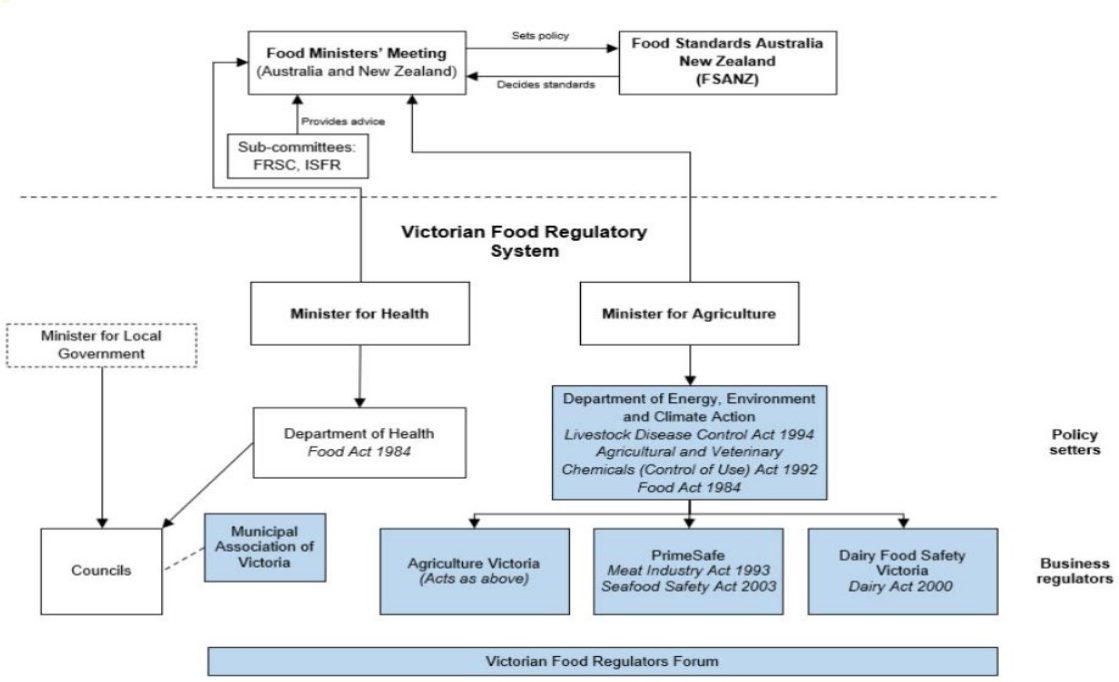
Where the egg processor also pasteurises egg products, this activity comes under the local government regulation as a food business under the Food Act.

Complying with the egg production standard | Compliance | Poultry and eggs | Livestock and animals | Agriculture Victoria

Guidance is provided on the Agriculture Victoria website for how to comply with Standard 4.2.5. The website contains suggestions for washing of eggs and what not to do. A template FSMS is provided for industry to use.

The guidance recommends keeping temperatures of eggs stable to avoid fluctuations and keeping eggs below 20 degrees Celsius through the supply chain.

An overview of the food safety regulatory system in Victoria is provided in the below figure.



Source: Victoria's Food Safety Regulatory Framework | Food safety | Biosecurity | Agriculture Victoria

Tasmania

Biosecurity Act 2019

This Act recently came into effect with Tasmania now implementing the changes. This Act is similar to contemporary legislation in several other jurisdictions, imposing a general biosecurity responsibility on all individuals and businesses. This Act combined seven previous Acts on biosecurity.

The Act gives effect to:

- a General Biosecurity Duty (responsibility) giving all people dealing with any animals, plants or related products a statutory duty of care to properly manage biosecurity risks.
- criminal penalties that are more appropriate for the nature and seriousness of biosecurity offences.
- the ability for detailed biosecurity measures to be tailor-made for managing specific issues, activities or impacts, and implemented via subordinate regulations and statutory programs.

Biosecurity Act 2019 | Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)

Infection of poultry with SE is a notifiable disease (List B) under Tasmanian legislation and must be notified.

Primary Produce Safety Act 2011* and *Primary Produce Safety (Egg) Regulations 2014

View - Tasmanian Legislation Online

The Primary Produce Safety Act provides for application of the Food Standards Code to primary production activities in Tasmania and allows for food safety schemes to be developed for primary industries, including eggs.

The regulations ensure eggs produced are safe to eat and egg production complies with Standard 4.2.5. Commercial production of eggs requires compliance with the Egg Food Safety Scheme under these regulations.

A mandatory accreditation requirement is applied based on volume of eggs produced.

Category 1 applies to egg producers that sell less than 20 dozen eggs in any week (equivalent to keeping 50 egg laying birds). These small producers must notify Biosecurity Tasmania, complete a basic FSMS and comply with Standard 4.2.5, but do not need to be accredited and are not subject to the annual audit requirement. Category 1 egg producers are required to stamp their eggs and are provided with a unique identifier stamping kit from Biosecurity Tasmania.

Category 2 applies to egg producers above this volume of eggs, who are required to be accredited, have an approved food safety program and subject to audit at least once every 12 months. Accredited producers must stamp their eggs.

Biosecurity Tasmania provide application forms and templates: Egg Producer Application Forms | Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)

Where the egg processor also pasteurises egg products, this is considered a primary

production activity and comes under the Primary Produce Safety Act. There are no businesses in Tasmania that only process eggs; all produce eggs as well.

Other businesses come under the *Food Act 2003*, such as retailers, cafes and restaurants.

Western Australia

Biosecurity and Agriculture Management Act 2007:
The WA Department of Primary Industries and Regional Development (WA Dept of Agriculture and Food) cover biosecurity. The biosecurity section manages the risk of animal and plant pests and diseases entering, emerging, establishing or spreading in Western Australia.

The *Biosecurity and Agriculture Management Act 2007* regulates mechanisms, programs and activities to prevent and minimise the impact of pests and diseases within WA. Further information on the regulation of poultry production is on their website at Regulation of poultry production | Agriculture and Food

Owners of livestock are advised to have a biosecurity plan and a template is provided for small landholders - Biosecurity plans for small landholders | Agriculture and Food

The biosecurity plan template addresses the requirements within the *Biosecurity and Agriculture Management Regulations 2013*.

Food Act:
The WA Food Act applies to food businesses covered by Chapter 4 (and Chapter 3) of the Code and they are required to register with the appropriate enforcement agency. Once registered, they will be subject to verification by the enforcement agency (local government).

The Food Act calls up Standard 4.2.5 for egg producers and processors. There are currently no exemptions for egg producers and processors.

Individual eggs must be stamped with a unique identifier and egg producers and processors must operate according to a FSMS.

WA Department of Health provides templates to assist these food businesses.

Primary production and processing standard for eggs poultry and sprouts (health.wa.gov.au)

Eggs and egg products standard 4.2.5 (health.wa.gov.au)

The WA Food Act is constructed similar to that for the ACT in it's use of the Model Food Provisions, with Parts 6, 8 and 9 not applying to primary food production. Parts 5 and 7 may be performed but only for the purpose of investigation and prosecution or in making emergency orders.

While the definition of food business in the WA Food Act excludes primary food production, it can give effect to Chapter 4 standards by advising that a food business in the WA Food Act does include 'any other food production activity prescribed by the regulations…'.

Regulation 6, of the WA Food Regulations prescribes all food production activities for which there is a standard within Chapter 4 of the Code, bringing these businesses under the WA Food Act and its requirements. Egg producers and processors must notify and operate

according to a FSMS as required by Standard 4.2.5.

Local government therefore approve and audit the FSMS for egg layer farms in WA under the Food Act.

New South Wales

Biosecurity Act 2015 **and** ***Biosecurity Regulation 2017*** – under this legislation everyone has a general biosecurity duty to prevent, eliminate or minimise any biosecurity risks they encounter.

Biosecurity & food safety (nsw.gov.au)

Biosecurity legislation exists to prevent entry of new pests and diseases; quickly find, contain and eradicate new pests and diseases; and minimise the impacts of new pests and diseases through implementing management arrangements.

It is very similar to contemporary biosecurity legislation in force in several other jurisdictions, with a focus on all individuals or businesses taking all reasonable measures to manage any biosecurity risks associated with their activities.

Primary producers are required to have a biosecurity management plan based on their activities and the biosecurity risks.

Schedule 1, Part 1 of the *Biosecurity Regulations 2017* lists SE as a notifiable disease in poultry.

Guidance on animal biosecurity includes zoonoses including *Salmonella*.

Biosecurity (Salmonella Enteritidis) Control Order 2024 was issued under the *Biosecurity Act 2015* (24 June 2024) in response to the foodborne illness outbreak in 2018-19 linked to SE in eggs. This Order includes specific requirements for egg producers, grading floors and egg processors such as requirements for vermin control, biosecurity measures such as zoning of sites, sampling and monitoring for SE and to keep these records for review at audit, for at least two years. Supplementary information on the SE Control Order is available on the New South Wales Department of Primary Industries (NSW DPI) website, including a guide on how to comply with the Control Order.

Further information on response activities has been published by NSW DPI on the processes for the management of infected premises and surveillance of Salmonella Enteritidis.

Food Act 2003 **(and** ***Food Regulations 2015*****)**
Food Act 2003 No 43 - NSW Legislation
This Act provides for the application of the Food Standards Code in NSW. The Act and the Regulations provide for making commodity specific food safety schemes, such as the egg food safety scheme.

Eggs | NSW Food Authority
Egg producers producing more than 20 dozen eggs for sale in any week, egg graders and egg processors must be licensed with NSW Food Authority.

A Food Authority licence is renewed annually with licensees subject to routine auditing. They must have a documented food safety program and meet the requirements in Standard 4.2.5

– NSW provide a template to assist industry. There is also a Food Safety Program template for small egg producers which these businesses must customise to accurately reflect their operations.

Businesses producing less than 20 dozen eggs in any week are still required to comply with the Food Standards Code as per the obligations of any food business in NSW (*Food Regulation 2015* Clause 169).

NSW provides guidance on what egg producers should do, including storage of ungraded eggs at 8 degrees Celsius if to be stored for prolonged periods. There are recommended practices such as sourcing birds from hatcheries that participate in the National Salmonella Enteritidis Monitoring & Accreditation Program (NSEMAP).

Egg graders are identified on the NSW DPI website and subject to similar requirements as egg processors (see below); ie they are considered a food business. However there is a specific reference made to egg washing and a requirement that egg graders must have a documented food safety program in compliance with Standard 3.2.1 as well as Standard 4.2.5. When businesses wet wash eggs they are expected to have a documented egg wash procedure within the Food Safety Program specific to the wet wash process used by the business. Monitoring records are required to be kept for all wet washing of eggs (including temperatures of wash and rinse water, eggs and the pH of the water). There is a guidance document to assist industry with wet washing of eggs.

Egg processors are businesses that pasteurise egg products and/or manufacture food. These food businesses must be licensed with the Food Authority, have a documented food safety program in compliance with Standard 3.2.1 and be subject to audit.

NSW provide guidance material to assist industry in complying with the legislated requirements, such as the Food Safety Schemes manual and an audit guidance document.

ACT

The *Animal Diseases Act 2005* provides the mechanisms to detect, prevent and control outbreaks of endemic and exotic diseases of animals.

The *Food Act 2001* and *Food Regulations 2002* give effect to the Food Standards Code and using the Model Food Provisions as drafted, prescribes the primary food production activities that are brought back under the definition of a food business (similar to WA) – which includes producing hen eggs commercially (Regulation 5 of the *Food Regulations 2004*).

Therefore, in the ACT under the Food Act, the layer farms and grading floors are considered a food business and come under their routine inspection/audit arrangements. These businesses are considered relatively low risk and not currently routinely inspected or audited.

Information for food businesses is provided on the ACT Health website at - Food Safety Regulation | Health (act.gov.au)

Northern Territory

There are no large commercial poultry farms in the Northern Territory (NT) and for this reason, the NT have not drafted any specific legislation for layer farms under their primary production legislation. However, the NT *Food Act 2004* has adopted the Model Food

Provisions and covers egg producers and egg processors. Through those provisions, egg producers and egg processors are required to comply with the Code and on farm investigations in response to a foodborne outbreak linked to eggs from that layer farm are enabled.

Information on egg food safety is provided for food businesses on the NT government website - Egg safety for businesses | NT.GOV.AU

Information for egg producers is also provided on the NT government website, with links to further sites on the Food Standards Code requirements - Keeping poultry and pigeons | NT.GOV.AU

Queensland:

Biosecurity Act 2014 | Department of Agriculture and Fisheries, Queensland (daf.qld.gov.au)

Biosecurity Act 2014 commenced in Queensland on 1 July 2016.

This Act replaced many separate pieces of legislation previously used to manage biosecurity. The *Biosecurity Regulation 2016* explains how the Act is implemented.

Industries and individuals must be aware of their activities and the biosecurity risks and must take all reasonable measures to manage the biosecurity risks.

In relation to egg production, this requires layer farms to have a biosecurity plan or biosecurity management plan that assessed the biosecurity risks and outlines the measures taken to manage these risks; including managing risks of people, vehicles and things coming onto the property and the risks of people, vehicles and things leaving the property.

Layer farms with 100 or more birds must register with the Queensland Department of Agriculture and Fisheries (QDAF) as a biosecurity entity.

Biosecurity Queensland (within QDAF) focuses on education and encouraging voluntary compliance. However, it can take formal action when necessary to ensure improved compliance.

Under the Act, a Code of Practice may be issued requiring individuals and businesses to comply with the requirements where it relates to their activities.

Guidelines may be issued to assist individuals and businesses in complying with biosecurity requirements. If not followed, then they must be able to demonstrate how the alternate approach managed the biosecurity risk.

Schedule 1 of the Act lists the animal diseases, parasites and viruses subject to the Act: SE is not included; Salmonellosis (*Salmonella* abortus equi and *Salmonella* abortus ovis) is listed. As SE is on the national notifiable list, it is a notifiable disease and is listed under Schedule 2, Restricted matter and categories.

Food Production (Safety) Act 2000 **(as amended 13 Feb 2020)**

This Act establishes Safe Food Production Qld (SFPQ), with the objectives of ensuring primary production is carried out in a way that makes primary produce fit for human or animal consumption and maintains food quality; and providing for food safety measures for production of primary produce consistent with other State laws relating to food safety.

This Act is in addition to the *Food Act 2006* and requires SFPQ to regulate primary production under food safety schemes to ensure primary produce is safe for human consumption.

If you produce and supply eggs, you must comply with the requirements of this Act, there are no exemptions from these food safety requirements in Queensland.

SFPQ administer the Egg Food Safety Scheme, which was introduced in 2005 prior to the development of Standard 4.2.5. The Scheme, which informed development of the provisions of this Standard is included in the *Food Production (Safety) Regulation 2014*. The Scheme requires all egg producers and processors to be accredited with SFPQ and to demonstrate compliance with the provisions of Standard 4.2.5. Queensland does not provide exemptions for accreditation for producers or processors – all persons that supply eggs for human consumption, regardless of size, must be accredited.

Under the *Food Production Safety Regulation 2014* there are four Categories of Accreditation, these are:

- Egg Producer - any person or business who produces, grades and packs their own eggs
- Egg Processor- any person or business who produces, grades and packs their own eggs and also receives ungraded eggs from other egg producers.
  any person or business who pasteurises egg pulp
- Egg Producer (PSA) - any person or business who produces eggs for direct supply to a single egg processor for grading and packing or further processing (Pasteurisation)
- Egg Producer (School) - a school who produces eggs for supply

It is also a requirement that all egg producers or processors operate under a SFPQ approved management statement or food safety program. Additionally, individual eggs must be stamped with the unique identifier that identifies the layer farm (which may also be a processor). The SFPQ website can be searched to identify egg producers and processors, based on the stamp.

Safe Food Production Queensland - Accreditation Register

SFPQ provides information for businesses to support compliance - Egg Farm - Safe Food

This includes reference standards and guidelines, including the national farm biosecurity manual – poultry production, and the SE prevention plan (SEPP) – SOPs for egg farms.

Egg producers and processors are subject to an audit or assessment by SFPQ each year, unless alternate arrangements are in place such as having a Preferred Supplier Arrangement (PSA). A PSA applies where the layer farm only supplies to one processor under an arrangement – in which case, that processor must verify that the layer farm is compliant with the requirements. SFPQ evaluates these arrangements during bi-annual compliance audits at egg processing establishments.

Many egg processors and producers share data with SFPQ to assist in monitoring the performance of their system. SFPQ, in partnership with the Queensland egg industry, has developed performance indicators for egg production and processing systems, as well as reporting arrangements. The indicators have been agreed to promote best practice at defined points along the egg production system and enable each business to compare their

de-identified data with the state average.

As for all accredited businesses, egg processors and producers are required under the *Food Production (Safety) Regulation 2014* to notify SFPQ if the business believes their eggs may have been compromised and present a food safety concern. To strengthen the alignment with biosecurity requirements, it is also a condition of accreditation that all egg producers are registered biosecurity entities under the *Biosecurity Act 2014* and each property has an assigned Property Identification Code.

The *Food Production (Safety) Regulation 2014* was amended in 2023 to make it a requirement for all commercial egg farms to test their flocks each year for presence of SE. Prior to this amendment, it was a recommendation for best practice.

South Australia

Egg production comes under the Department of Primary Industries and Regions South Australia (PIRSA).

Livestock Act 1997:
PIRSA administers biosecurity legislation and oversee animal health in South Australia through animal identification and movement, disease surveillance and response. South Australia have a voluntary on-farm biosecurity management program (One Biosecurity) that farms may implement.

Biosecurity comes under the *Livestock Act 1997* and gives effect to the list of notifiable diseases that is published. This Act focuses on surveillance, detection, notification, containment, response and eradication. It does not require routine on-farm inspection (allows for investigation in response) or compliance with specific biosecurity practices.

PIRSA Biosecurity use disease surveillance programs and projects to assist with their monitoring and detection of diseases (none currently cover SE) - Disease surveillance programs and projects - PIRSA

PIRSA encourage all livestock owners to voluntarily adopt the One Biosecurity (1B) on farm biosecurity management program and have provided a template -One Biosecurity - PIRSA

Primary Produce (Food Safety Schemes) (Eggs) Regulations 2012:
Egg food safety comes under the Primary Produce (FSS) (Eggs) Regulations. All egg producers must comply with Standard 4.2.5. Eggs - PIRSA

Egg producers must be accredited with PIRSA if they have more than 50 laying birds, produce or sell eggs to a food business or to another egg producer; produce and sell eggs at a market or produce and sell eggs by wholesale.

All accredited farms must have both a food safety scheme accreditation and a property identification code (PIC). Further information is available from the webpage Property Identification Code - PIC Number - PIRSA

PIRSA provide guidance material that egg producers may follow to manage the risks associated with SE. Salmonella Enteritidis (SE) - PIRSA

SE is a notifiable disease in South Australia and egg producers must report any positive test results.

SA Department of Health – Food Act 2001
Information explaining how egg producers and egg processors are regulated in South Australia is provided on the Health website - Egg processors | SA Health

The Food Act contains the Model Food Provisions and definitions, so some requirements do not apply to primary production of food, similar to WA and ACT. The usual parts for infringement notices/improvement notices, audit requirement and notification as a food business are excluded from application to primary production businesses, however the powers to inspect premises and seize goods as well as taking and analysis of samples is retained and may be applied to a primary producer under the Food Act (as per the Model Food Provisions).

SA Health and Biosecurity (PIRSA) cooperate to ensure all egg producers and egg processors are regulated to comply with Standard 4.2.5. They ensure one agency takes responsibility for regulating an entity to reduce the regulatory burden.

Attachment A

TABLE 1: Biosecurity or quarantine Acts and Regulations – relevant extracts for egg review and powers of officers

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
Biosecurity matter or incident	**Livestock Disease Control Act 1994, Section 3 definitions.** **disease means**— (a) any contagious or infectious disease, or any condition to which any livestock is subject, that the Governor in Council declares from time to time to be a disease; or (b) an exotic disease; **exotic disease** means— (a) foot and mouth disease or rabies; or (b) any other contagious or infectious disease, or any condition to which any livestock is subject, that the Governor in Council declares to be an exotic disease; **livestock** means any non-human animal, and any fish or bird, whether wild	**Biosecurity Act 2015** **Section 10 Biosecurity matter means—** (a) any living thing, other than a human, or (b) any part of an animal, plant or living thing, other than a human, or (c) a product of a living thing, other than a human, or (d) a disease, or (e) a prion, or (f) a contaminant, or (g) a disease agent that can cause disease in a living thing (other than a human) or that can cause disease in a human via transmission from a non-human host to a human, or (h) any thing declared by the regulations to be biosecurity matter.	**Biosecurity Act 2014 Section 15 Biosecurity Matter is a:** - living thing, other than a human or part of a human - pathogenic agent that can cause disease in a: i. living thing, other than a human ii. human by the transmission of the pathogenic agent from the animal to the human - disease - contaminant.	**Livestock Act 1997, Section 3 (1) defines**: **disease** includes any bacterium, virus, parasite, insect or other organism or agent capable of causing disease in animals or humans; **exotic disease**—see section 4; **livestock** means animals kept or usually kept in a domestic or captive state, including— (a) poultry; and (b) fish kept or usually kept in an aquarium or fish farm; and (c) bees for which a hive is kept; **contaminant means**— (a) a substance remaining in the body tissues or secretions of livestock resulting from use of or contact with a metallic compound, pesticide, herbicide,	**Biosecurity and Agriculture Management Act 2007 Section 6 definitions of terms** **biosecurity** means protection from the adverse effect an organism has or may have on — (a) another organism; or (b) a human being; or (c) the environment, or part of the environment; or (d) agricultural activities, fishing or pearling activities, or related commercial activities carried on, or intended to be carried on, in the State or part of the State; **disease** means — (a) a disease that is capable of having a detrimental effect on an animal or a plant and includes —	**Biosecurity Act 2019, Section 12 Meaning of biosecurity matter** In this Act, biosecurity matter includes the following: (a) an animal, plant, and other organism, other than a human; (b) a part of an animal, plant or other organism, other than a human; (c) an animal product and plant product; (d) an animal disease and plant disease; (e) a prion; (f) a contaminant; (g) a disease that may cause either or both of the following: (i) disease in an animal, plant or other organism (other than a human); (ii) disease in a human through transmission to the human from an	**Animal Diseases Act 2005, Section 9 Meaning of infected**: 1) For this Act, an animal is infected with a disease if it is suffering from the disease. (2) For subsection (1), an animal is taken to be suffering from a disease if there is a reasonable basis for suspecting the animal is infected with the disease. Example a veterinary practitioner reports evidence of symptoms of a disease (3) For this Act, premises are infected with a disease if there is a reasonable basis for suspecting the premises are infected with the disease. Example animals infected with

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
	or domesticated, egg intended for hatching or bee;			drug or other chemical (whether of the same or of a different kind or nature); or (b) a natural secretion present in the body tissues or secretions of livestock in abnormally high concentration; **Section 3 (2) advises:** A reference to the health of livestock includes a reference to the livestock being free from any disease or contaminant.	(i) a micro-organism; and (ii) a disease agent; and (iii) an infectious agent; and (iv) a parasite at any stage of its life cycle; or (b) a genetic disorder of an animal or plant;	animal, plant or other organism (other than a human); (h) any prescribed thing.	the disease have recently been on the premises (4) For this Act, a thing (including an animal product) is infected with a disease if there is a reasonable basis for suspecting the thing is infected with the disease. Examples 1 the thing has recently been in contact with an animal infected with the disease 2 the animal product is a product of an animal infected with the disease **Section 63 defines disease**: disease means an exotic disease or an endemic disease.
Official access to property	**Livestock Disease Control Act 1994, Section 135, Suspicion of infection** 1) For the purposes of this Act, any livestock, place or thing may reasonably be suspected of being infected with a disease if there is reason to think that an agent, pathogen or organism capable	**Biosecurity Act 2015, Section 98 Powers of authorised officers to enter premises** (1) An authorised officer may enter any premises— (a) at any reasonable time, or (b) in the case of an emergency, at any time. (2) A power to enter premises conferred by this Act	**Biosecurity Act 2014, Section 259 An authorised officer may enter a place if—** (a) an occupier of the place consents under division 2 to the entry and section 267 has been complied with for the occupier; or (b) it is a public place and the entry is made when it is	**Livestock Act 1997, Section 68 (1) General Powers** An inspector may exercise the powers conferred by this section for the purposes of— (a) carrying out an investigation under this Act; (b) evaluating the facilities and equipment used in or in connection with, or the processes or	BAM Act 2007 Section 65 Entry and access to place or conveyance, and inspection powers 1) For inspection purposes, an inspector may — (a) at any time stop, detain, board or enter a conveyance (except a conveyance that is a mobile home); and (b) at any time enter a place that is not a	**Biosecurity Act 2019, Section 50 Powers of authorised officers to enter premises** If an authorised officer reasonably believes that entry into premises is necessary for an authorised purpose, the authorised officer may enter the premises – (a) in an emergency, at any time; and	**Animal Disease Act 2005, Section 66 Power to enter premises** (1) For this Act, an authorised person may— (a) at any reasonable time, enter premises if the authorised person suspects, on reasonable grounds— (i) that an animal, animal product or

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
	of causing a disease is present in or on the livestock, place or thing. (2) It is not necessary, in order to form a reasonable suspicion that livestock is infected with a disease for the livestock to be exhibiting signs of the disease. (3) Any livestock or thing, may for the purposes of this Act, be reasonably suspected of being infected with a disease if it is or has been in or with a flock, group or herd, or is travelling or has travelled on any land or place, or in a vehicle, in which there was or is any livestock infected with a disease. (4) This section does not prejudice any other evidence or consideration by which an inspector or other person might reasonably suspect that any livestock, place or thing is infected with a disease. **Livestock Disease Control Act 1994, Section 109 General powers of**	authorises entry by foot, vehicle, vessel or aircraft or by any other means. (3) Entry may be effected under this Act with the use of reasonable force. (4) Entry to any premises may be effected with or without the authority of a search warrant. **Section 99 Entry into residential premises** only with permission or warrant This Division does not empower an authorised officer to enter any part of premises used only for residential purposes without the permission of the occupier or the authority of a search warrant.	open to the public; or (c) the entry is authorised under a warrant and, if there is an occupier of the place, section 277 has been complied with for the occupier; or (d) it is a place of business that is regulated under this Act and is— (i) open for carrying on the business; or (ii) otherwise open for entry; or (iii) required under this Act to be open for inspection by an authorised officer; or (iv) the entry is authorised under section 260, 261, 262, 263 or 264. (2) For subsection (1)(d) and (e), entry to a place does not include entry to a part of the place where a person resides (a residence) without the person's consent or a warrant. The following do not form part of a residence— (a) a carport, other than a carport to	procedures carried out at, an artificial breeding centre or veterinary diagnostic laboratory; (c) otherwise administering or enforcing this Act. **Section 68 (2) provides power to enter:** An inspector may— (a) enter and search any place; (b) with the authority of a warrant issued under this section or in circumstances in which the inspector reasonably believes that immediate action is required, use reasonable force to break into or open any part of, or anything in or on, the place; (c) give directions with respect to the stopping or movement of a vehicle, vessel or aircraft; (d) take photographs, films or audio, video or other recordings; (e) require a person— to answer a question to the best of that person's knowledge, information and belief;	dwelling; and (c) at any time enter a dwelling with the consent of the person apparently in control of the dwelling; and (d) at any time enter a place, including a dwelling, in accordance with an entry warrant; and (e) take onto or into the place any assistants, contractors, animals, vehicles, instruments, equipment or materials that are needed to carry out the inspection; and (f) remain on or in the place, with the assistants, contractors, animals, vehicles, instruments, equipment or materials, for as long as is necessary to complete the inspection; and (g) inspect and open any package, compartment, cupboard or container of any kind, and inspect its contents; and (h) restrain, muster, round up, yard, draft or otherwise move or handle any stock	(b) in any other case, at any reasonable time. (2) A function conferred by this Act that authorises entry into premises authorises entry – (a) on foot, by vehicle, vessel or aircraft, or by any other reasonable means; and (b) by drone or other pilotless vehicle or equipment under remote control. Entry into any premises authorised under this Act may be effected – (a) only with the use of reasonable force; and (b) subject to subsection (4), with or without the authority of a warrant. (4) Despite subsection (3), nothing in this section authorises entry into any part of residential premises, other than – (a) with the consent of the occupier of the residential premises; or (b) under the authority of a warrant; or (c) in an emergency, if the Secretary has	thing at the premises is, or the premises are, infected with a disease; or (ii) that entry to the premises is necessary to prevent or control the spread of disease; or (b) at any reasonable time, enter premises that the public is entitled to use or that are open to the public (whether or not on payment of money); or (c) at any time, enter premises with the occupier's consent; or (d) enter premises in accordance with a search warrant; or (e) at any time, enter premises if the authorised person believes, on reasonable grounds, that the circumstances are so serious and urgent that immediate entry to the premises without the authority of a search warrant is necessary. (2) However, subsection (1) (a) or (b) does not authorise entry into a part of premises that is being used

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
	inspector (1) An inspector may for the purposes of exercising any power conferred on the inspector by this Act or determining whether this Act, the regulations or any order made under this Act are being or have been complied with— (a) enter and search any land, vehicle or place or any premises other than premises being used as a residence; (b) require a person— (i) to answer a question to the best of that person's knowledge, information and belief; (ii) take reasonable steps to provide information; (c) require a person to produce (in any form or by any means including by means of electronic communication) any document or other thing that the inspector reasonably requires for ascertaining whether this Act is being complied with, and— (i) to examine that document or other		which access is restricted; (b) the area of a verandah or deck to which access is not restricted and no provision is made to restrict access; (c) the area underneath the residence to which access is not restricted and no provision is made to restrict access; (d) any other external part of the residence, including, for example, the residence's gutters; (e) land around the residence. (4) If the power to enter arose only because an occupier of the place consented to the entry, the power is subject to any conditions of the consent and ceases if the consent is withdrawn. (5) If the power to enter is under a warrant, the power is subject to the terms of the warrant. (6) The consent may provide consent for re-entry and is subject to the conditions of	(ii) to take reasonable steps to provide information; **Section 68 (3) Warrants:** A magistrate may issue a warrant for the purposes of subsection (2)(b) if satisfied that the warrant is reasonably required in the circumstances.	or other animal; and (i) patrol and inspect any fence on or bounding land or premises; and (j) take samples or specimens of or from organisms, agricultural products, chemical products, animal feed, fertilisers, water, soil or potential carriers; and Continues…… Section65, Clause (3) (3) Before exercising a power under subsection (1)(a), (b) or (i) an inspector must take reasonable steps to inform the owner, occupier or person in charge of the place, as the case requires, of his or her intention to exercise the power. (4) Subsection (3) does not apply if — (a) the inspector reasonably suspects that to do so will endanger any person, including the inspector, or jeopardise the purpose of the proposed entry or the	given notice to the occupier of the residential premises under section 174(4), section 188(5) or section 197(4) before the authorised officer is to enter the residential premises. (5) For the purposes of subsection (4)(a), an occupier of residential premises is taken to have consented to an authorised officer entering the residential premises in an emergency if – (a) at least 48 hours before the authorised officer intends to enter the residential premises, the authorised officer has given written notice of that intention to the occupier; and b) the occupier does not respond to the authorised officer, in respect of that written notice, before the authorised officer intends to enter the residential premises as notified. **Section 41 Authorised purpose** 1) Unless otherwise specified in this Act,	only for residential purposes

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
	thing; and (ii) to make copies of it or take extracts from it; and (iii) to remove the document or other thing for as long as is reasonably necessary for the purposes of analysis or to make copies or take extracts; and (d) muster, inspect, count, examine, mark for identification, test, vaccinate, treat or disinfect any livestock, livestock product, fodder or fitting or any item or receptacle; (e) take and remove for analysis or examination samples of or from, or specimens of, any land, vehicle, place or premises or any animal or other thing on, in or at the land, vehicle, place or premises; (f) conduct any analysis or examination of any livestock or livestock product or a sample or specimen of the livestock or livestock product; (g) require an owner to muster, yard or secure the owner's livestock or to		consent. (7) If the power to re-enter is under a warrant, the re-entry is subject to the terms of the warrant. (8) In this section— regulated under this Act, for a place of business, means— (a) the person who carries on business at the place holds, or is required to hold, an authority under this Act to carry on the business or a particular aspect of the business; or (b) the place of business is, or is required to be, mentioned in an authority under this Act. **Section 260: Power to enter place to ascertain if biosecurity risk exists** (1) This section applies if an authorised officer reasonably believes there may be a biosecurity risk at a place. (2) The authorised officer may, at reasonable times, enter the place to find out whether there is a		effectiveness of any search of the place; or (b) the power is to be exercised in a public place or quarantine facility.	an authorised officer may only perform the functions of an authorised officer for one or more of the following purposes: (a) to assess, prevent, eliminate, minimise, control or manage any biosecurity risk or biosecurity impact, or suspected biosecurity risk or biosecurity impact; (b) to investigate, monitor and enforce compliance with this Act; (c) to administer or execute this Act; (d) to obtain information or records necessary for the administration or enforcement of this Act; (e) to assist a biosecurity auditor to perform the biosecurity auditor's functions in connection with a biosecurity audit; (f) if the authorised officer is a biosecurity auditor, to perform a biosecurity audit.	

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
	provide adequate facilities and assistance to allow the safe and efficient handling of livestock during inspection and during the taking of samples and specimens; (h) make a sketch or any still or moving image or audio-visual recording of any land, vehicle, place or premises or any animal or other thing on, in or at the land, vehicle, place or premises. (2) An inspector may, in performing any function under this Act, make use of any assistants whose help is reasonably required to perform that function. (3) An inspector who takes a sample or specimen under subsection (1)(e) must, if requested by the owner of the livestock, livestock product, fodder, fittings or vehicle or the owner or occupier of the land, premises or place, give that person a portion of that sample or specimen.		biosecurity risk at the place. Notes— 1 See, however, the restrictions on entry under section 259(2). 2 See section 269 for the procedure for entry under this section.				

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
Requirement for biosecurity management plan	Legislation does not specifically mention biosecurity management plans. **Livestock Disease Control Act 1994, Part 2, Division 1 – Responsibilities of owners and others.** **Section 9B** – requires owners of commercial flock of poultry to hold a Property Identification Code. **Livestock Disease Control Regulations 2017 Part 1 definitions** **commercial flock** of poultry means a group of more than 1000 chickens	**Biosecurity Act 2015 Section 21 Duty to prevent, eliminate or minimise biosecurity risk** A duty imposed on a person to prevent, eliminate or minimise a biosecurity risk so far as is reasonably practicable is a duty— (a) to prevent or eliminate a biosecurity risk so far as is reasonably practicable, and (b) if it is not reasonably practicable to prevent or eliminate the biosecurity risk, to minimise the biosecurity risk so far as is reasonably practicable. **Biosecurity Act 2015, Section 22 Biosecurity duty—dealings with biosecurity matter and carriers** Any person who deals with biosecurity matter or a carrier and who knows, or ought reasonably to know, the biosecurity risk posed or likely to be posed by the	**Biosecurity Act 2014, Section 23 What is a general biosecurity obligation** (1) This section applies to a person who deals with biosecurity matter or a carrier, or carries out an activity, if the person knows or ought reasonably to know that the biosecurity matter, carrier or activity poses or is likely to pose a biosecurity risk. The person has an obligation (a general biosecurity obligation) to take all reasonable and practical measures to prevent or minimise the biosecurity risk. (3) Also, the person has an obligation (also a general biosecurity obligation)— (a) to prevent or minimise adverse effects on a biosecurity consideration of the person's dealing with the biosecurity matter or carrier or carrying out the activity; and (b) to minimise the	**Livestock Act 1997, Section 16 Codes of Practice** The regulations may prescribe a code of practice to be complied with by members of a particular sector of the livestock industry. (2) Without limiting the generality of subsection (1), a code of practice may contain provisions about— (a) measures designed to promote or safeguard the health of livestock; (b) livestock management practices; (c) the provision of information to the Chief Inspector. (3) Before a code of practice is prescribed (or varied or revoked) in relation to a particular sector of the livestock industry, the Minister must consult the livestock advisory group for that sector of the industry (if any). Livestock producers are required to comply with the Act.	BAM Act and the BAM Regulations 2013 establish requirements for landholders and livestock owners. WA government then advise a biosecurity plan is required and provide a template for small landholders to use.	Biosecurity Act 2019 Section 70 imposes a General Biosecurity Duty on individuals; Part 9, Division 1 Sections 131 to 135 requires biosecurity programs.	**Animal Disease Act 2005** There is no specific requirement for a biosecurity management plan. The Act provides mechanisms for the detection (mandatory notification), prevention and control of outbreaks.

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
		biosecurity matter, carrier or dealing has a biosecurity duty to ensure that, so far as is reasonably practicable, the biosecurity risk is prevented, eliminated or minimised. **Biosecurity Regulations 2017, Regulation 44B Biosecurity management plans** (1) For the purposes of this Division, a biosecurity management plan for a place to which this Division applies is a plan that— (a) contains reasonable measures to prevent, eliminate or minimise the risk of a biosecurity impact caused by persons entering or carrying out activities at or from the place, and (b) has been prepared by or on behalf of, or adopted by, the person conducting a commercial or an educational activity at the place. (2) A biosecurity management plan	likelihood of causing a biosecurity event, or to limit the consequences of a biosecurity event caused, by dealing with the biosecurity matter or carrier or carrying out the activity; and (c) not to do or omit to do something if the person knows or ought reasonably to know that doing or omitting to do the thing may exacerbate the adverse effects, or potential adverse effects, of the biosecurity matter, carrier or activity on a biosecurity consideration. Examples of things that may exacerbate the adverse effects, or potential adverse effects, of biosecurity matter, a carrier or an activity— • failing to isolate an infected animal from a herd • failing to wash footwear before leaving a property on which anthrax is present • inappropriately disposing of leaf litter containing a plant virus or	**Voluntary** for industry to take up the One Biosecurity management plan – refer 1B flyer. **Primary Produce (Food Safety Schemes) (Egg) Regulations 2012**			

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
		may apply to the whole or a part or parts of a place (the management area). (3) Without limiting subclause (1), a biosecurity plan adopted under an industry scheme applicable to a place to which this Division applies is taken to be a biosecurity management plan for the purposes of this Part. (4) A provision of a biosecurity management plan that is not a measure of a kind referred to in subclause (1)(a) is taken not to be part of that plan for the purposes of this Division.	disease • failing to take reasonable steps to reduce contaminants in plants and animals, including, for example, by allowing designated animals (not including bees) to graze on land contaminated with heavy metals or by using water that may contain a contaminant to irrigate crops • failing to manage the impact of invasive plants and animals on a person's land For subsection (1), carrying out an activity includes entering, being present at or leaving a place where biosecurity matter or a carrier is present. **Biosecurity Act 2014, Section 26** Effect of code of practice for discharge of general biosecurity obligation (1) This section applies if a code of practice states a way of discharging a				

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
			person's general biosecurity obligation. (2) Unless otherwise stated in the code of practice, the code of practice does not state all that a person to whom the code of practice applies must do, or must not do, to discharge the person's general biosecurity obligation. (3) However, for applying the general biosecurity obligation offence provision, the person fails to discharge the general biosecurity obligation if the person— (a) contravenes, or otherwise acts inconsistently with, the code of practice; and (b) does not follow a way that is as effective as, or more effective than, the code of practice for discharging the general biosecurity obligation. (4) Also, for applying the general biosecurity obligation offence provision, if a regulation requires a person to comply				

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
			with the whole or a stated part of a code of practice to discharge the person's biosecurity obligation, the person fails to discharge the general biosecurity obligation if the person contravenes, or otherwise acts inconsistently with, the code of practice or stated part.				
Surveillance and monitoring for SE	Livestock Disease Control Act and Regulations provide powers for Inspectors to enter and take samples, with regulations further advising how to record samples and how they will be analysed for disease. The Act requires mandatory notification of listed diseases by owners, veterinarians and other industry entities.	Division 4, Biosecurity Act 2015 provides powers for Authorised Officers to enter and take samples, inspect or gather evidence. Division 1, Biosecurity Act 2015 gives effect to biosecurity Control Orders. Current Biosecurity Control Order requiring egg producers to comply with specific directions (including testing for SE).	Biosecurity Act 2014, Chapter 9, Section 232 to 233 provide for surveillance and monitoring activities.	Livestock Act 1997 Provides for general powers for Officers (listed above) to investigate, take samples; but also for owner or occupier of land to investigate – Section 34 and 35. PIRSA Biosecurity conduct or participate in a range of surveillance activities – listed on website - Disease surveillance programs and projects - PIRSA No mandatory surveillance for SE	Not active surveillance, but mandatory reporting if detected in poultry. WA considers SE as 'not exotic' and is a 'prohibited organism' under BAM Act.	Biosecurity Act 2019 – requires reporting of disease and suspected disease; empowers officers to take samples and seize. Conduct several specific surveillance activities and operate a passive wildlife surveillance scheme. Provide information on website for SE, including Salmonella control plans: Biosecurity, Poultry and Pet Birds | Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)	None for SE other than mandatory reporting if detected. **Animal Disease Act 2005** The Act provides mechanisms for the detection (mandatory notification), prevention and control of outbreaks. Authorised officers have powers to take samples or seize items/animals and give directions.

TABLE 2: Relevant extracts for egg review from various Acts and Regulations that give effect to Standard 4.2.5

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
Standard 4.2.5 made a requirement	Food Act 1984, Section 16 (1) requires any person to comply with the requirements of the Food Standards Code in relation to the conduct of a food business or to food intended for sale or food for sale. Schedule 1 of the Food Act 1984 specifically references Standard 4.2.5 and specific clauses for compliance — 3(1), 3(2), 3(3), 5, 6(1), 6(2), 10(1), 10(2), 10(4), 11(1), 13(1), 13(2), 13(3), 14(a), 16, 18(1), 18(2), 20(1), 20(2), 20(3), 21 Section 19AA gives effect to issuing of Orders for non-compliance with the Food Standards Code primary production and processing standards. It also identifies the relevant authority, which is the Secretary of DJPR or both DJPR and	Food Act 2003; the Act gives effect to Regulations that are called 'Food Safety Schemes'. NSW DPI have created the Egg Food Safety Scheme that applies to egg producers and egg processors.	Food Production (Safety) Act 2000 and the Food Production (Safety) Regulations 2014	Primary Produce (Food Safety Schemes) (Egg) Regulations 2012 And Food Act 2001. South Australia Department of Health work with PIRSA to ensure egg producers and egg processors comply with Std 4.2.5 Primary producers that undertake both egg production and egg processing activities are regulated by Biosecurity SA (PIRSA). Egg processors that are separate from the primary production site are considered a food business and regulated by local government and SA Health under the Food Act 2001.	Food Act 2008 and Food Regulations 2014. Food Regulations 2014 r.6 prescribes primary food production for which there is a standard within Chapter 4 of the Food Standards Code. Primary producers and processors of eggs and egg products are regulated as a food business. Food Act 2008 S.22 requires compliance with the Food Standards Code.	Primary Produce Safety Act 2011 and Primary Produce Safety (Eggs) Regulation 2014 require compliance of egg producers with Standard 4.2.5 This applies to both egg producers and egg processors within the scope of Standard 4.2.5	Food Act 2001 – adopts Model Food Provisions and so primary production activities are excluded from the definition and requirements of food businesses, HOWEVER the Food Regulations then prescribe primary food production activities that are to be captured as food businesses by the Food Act. **Food Act 2001 Section 11 Meaning of primary food production** …..following MFP (2) However, primary food production does not include— (a) any process involving the substantial transformation of food (for example, manufacturing or canning), whether or not the process is carried out on the premises where the food was grown, cultivated, picked, harvested, collected or caught; or (b) the sale or service of food

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
	Health if a food business as defined in the Act. Local government and Agriculture Vic work together to determine who regulates the business entities based on their operations.						directly to the public; or (c) any other food production activity that is prescribed by regulation for this subsection. **Food Regulations 2002, Regulation 5 Excluded primary food production activities—Act, s 11 (2) (c)** The following primary food production activities are prescribed: (a) dairy farming and milk processing; (b) producing hen eggs commercially; (c) producing wine; (d) commercial slaughtering of livestock for human consumption.
Food Safety Management Statement – or Food Safety Plan	Food Act 1984, Section 16, Schedule 1. FSMS required	Food Act 2003, Part 8 for food safety schemes	Food Production (Safety) Regulations 2014	Primary Produce (Food Safety Schemes) (Egg) Regulations 2012 AND Food Act 2001	Food Act 2008 S.22 requires compliance with the Food Standards Code. FSC 4.1.1 used to enforce requirement to establish and operate in accordance with a Food Safety Management Statement.	Primary Produce Safety Act 2011 and Primary Produce Safety (Eggs) Regulation 2014 Accredited egg producers required to have a food safety plan. Unaccredited egg producers required to have a basic food safety management statement	**Food safety programs only required of registered food businesses – Section 13, Food Regulations 2004.** While they are a food business, egg producers are not required to have a Food Safety Management Statement or food safety plan.

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
							Food Act 2001 Section 6 adopts Model Food Provisions and advises Part 7 (improvement notices) and 8 (Registration of food businesses) do not apply to primary food production, but Part 5 (Inspection) and Part 6 (taking samples) may only for purposes of investigation and prosecution or making and enforcing emergency orders.
Requirement for audit of FSMS or FSP	Food Act 1984, Section 16, Schedule 1. FSMS required Part IIIB, Division 5 of Food Act – Assessment and audit of food premises.	Food Act 2003, Part 8 for food safety schemes	Food Production (Safety) Regulations 2014	As above	Food Act 2008 - egg producers and processors are registered as a food business. Subjected to routine assessments for compliance.	Primary Produce Safety Act 2011 and Primary Produce Safety (Eggs) Regulation 2014 Accredited egg producers must have their food safety plan audited	Egg producers are excluded from requirement to have a Food Safety Management Statement and therefore no audits are undertaken.
Official access to property	Food Act 1984, Section 21 Powers of Authorised Officers In the execution of this Act an authorized officer with such assistants as he thinks necessary may— (a) at any reasonable time enter any premises or other place in or at which he believes on reasonable grounds	Food Act 2003, Division 1 Section 37 grants powers of entry to Authorised Officers to inspect premises, food, take samples etc. Exception provided for residential areas of food premises where voluntary admission or warrant is granted to enter.	Food Production (Safety) Act 2000; Section 89 Power to enter places (1) An authorised officer may enter a place if— (a) its occupier consents to the entry; or (b) it is a public place and the entry is made when it is open to the public; or	Primary Produce (Food Safety Schemes) Act 2004, Section 27 AND Food Act 2001, Section 37 Powers of authorised officers For the purposes of this Act, an authorised officer may, at any reasonable time, do	Food Act 2008, Section 38 Powers of authorised officers 1) For the purposes of this Act, an authorised officer may, at any reasonable time, do any one or more of the following — (a) alone, or with the police officers or other persons the authorised officer considers necessary,	Primary Produce Safety Act 2011, Section 36 Powers of authorised officers 1) For the purposes of this Act, an authorised officer may, at any reasonable time, do any one or more of the following: (a) alone, or with such police officers or other persons as the authorised officer	Food Act 2001, Section 46 Power to enter premises (1) For this Act, an authorised officer may— (a) at any reasonable time, enter premises that the authorised officer believes, on reasonable grounds, are— (i) premises used in relation to the handling of food

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
	that any article is sold or handled for sale and therein may— (i) make such investigation and enquiry as are necessary to ascertain whether the provisions of this Act are being complied with; S. 21(1)(a)(ii) amended by No. 98/1997 s. 7. (ii) inspect the premises or other place (as the case may be) and examine any fittings, fixtures, documents or articles contained therein including anything that he believes on reasonable grounds to be an article; (iii) open and examine any package that he believes on reasonable grounds contains an article; (iv) subject to this Act, take samples of any article; Goes on for more points.		(c) the entry is authorised by a warrant; or (d) the authorised officer enters the place under section 116(2). (2) For the purpose of asking the occupier of a place for consent to enter, an authorised officer may, without the occupier's consent or a warrant— (a) enter land around premises at the place to an extent that is reasonable to contact the occupier; or enter part of the place the authorised officer reasonably considers members of the public ordinarily are allowed to enter when they wish to contact the occupier.	any one or more of the following: (a) alone, or with such police officers or other persons as the authorised officer considers necessary, enter and inspect any premises that the authorised officer reasonably believes are used in connection with the handling of any food intended for sale or the sale of food or any food transport vehicle; (b) alone, or with such police officers or other persons as the authorised officer considers necessary, enter and inspect any premises or food transport vehicle, in which the authorised officer reasonably believes that there are any records or documents that relate to the handling of any food intended for sale or the sale of food; (c) examine any food intended for sale; (d) open and examine any package that the authorised officer reasonably believes contains any food intended for sale or any equipment;	enter and inspect any premises that the authorised officer reasonably believes are used in connection with the handling of any food intended for sale or the sale of food, or any food transport vehicle; (b) alone, or with the police officers or other persons the authorised officer considers necessary, enter and inspect any premises or food transport vehicle in which the authorised officer reasonably believes that there are any records or documents that relate to the handling of any food intended for sale or the sale of food; (c) examine any food intended for sale; (d) open and examine any package that the authorised officer reasonably believes contains any food intended for sale or any equipment; (e) open and examine any equipment	considers necessary, enter and inspect any premises or vehicle that the authorised officer reasonably believes are used in connection with any primary production activity; (b) alone, or with such police officers or other persons as the authorised officer considers necessary, enter and inspect any premises or vehicle in which the authorised officer reasonably believes there are any records or documents that relate to any primary production activity; (c) examine any primary produce intended for supply; (d) open and examine any package that the authorised officer reasonably believes contains any primary produce intended for supply; (e) open and examine any equipment; (f) for the purpose of analysing any primary produce supplied or intended for supply or for carrying out any other examination in order to determine	intended for sale or the sale of food; or (ii) premises where there are documents relating to the handling of food intended for sale, the sale of food or equipment; or (b) at any reasonable time, enter premises that the public is entitled to use or that are open to the public (whether or not on payment of money); or (c) at any time, enter premises with the occupier's consent; or (d) enter premises in accordance with a warrant under this part; or (e) at any time, enter premises if the authorised officer believes, on reasonable grounds, that the circumstances are of such seriousness and urgency as to require immediate entry to the premises without the authority of a warrant.

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
				(e) open and examine any equipment; Goes on with more points through to (r) BUT does not apply to parts of premises that is residential only, that requires consent or warrant.	Continues…….	whether the provisions of this Act are being complied with, demand, select and obtain samples of any primary produce; (g) for the purpose of analysis, take samples of water, soil, biological material, chemicals, waste products or any other thing that is part of the environment in which any primary produce is produced or handled, or is connected to the production, storage or transport of primary produce, to determine whether that environment poses a risk to the safety of the primary produce for human or pet consumption; (h) take samples of anything, other than for the purpose of analysis, that the authorised officer reasonably believes may be used as evidence that an offence has been, or is being, committed under this Act; (i) seize and retain any primary produce, or issue a seizure order in respect of any primary	

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
						produce…	
Additional comments	Food Act 1984, Section 7A, 7B and 7BA specifies the roles under the Food Act for local government, Health and DJPR.		Egg producers and egg processors must be approved and have in place an approved FSMS. This must be audited by an approved auditor – failure to be audited will result in suspension or cancellation of approval.	SA Health and PIRSA work together to ensure all egg producers and egg processors are regulated for compliance with Std 4.2.5	Local government is the appropriate enforcement agency to approve FSMS and conduct audits for verification of compliance.		This construct of legislation may demonstrate the issue with the Model Food Provisions and application of FSMS without developing additional regulatory framework to support application of FSMS and audits etc.
Amendments to incorporate testing for SE		Incorporated under Biosecurity Act	Amendment to Food Production (Safety) Regulation 2014 in 2023 to require annual testing of all commercial egg farms for SE.				
Exemptions	Food Act 1984 Section 19V may exempt from food safety requirements certain businesses. Egg producers with fewer than 50 birds are exempt – considered a home producer. Only need to notify if they want an egg stamp and is recommended they apply for a PIC.	Egg producers are identified as businesses that produce and sell more than 20 dozen eggs per week. Those producing and selling less are exempt from the requirements.	No exemptions if selling eggs for human consumption.	Very limited exemptions. Egg producers must be accredited if they are involved in any of the following: Have more than 50 laying birds. Produce and sell eggs to a food business such as a supermarket, café, hotel or bakery. Produce and sell eggs to another egg producer. Produce and sell eggs at a market (e.g. a farmers' market). Produce and sell	No exemptions for eggs being sold.	Egg business that does not sell more than 20 dozen eggs per week and ONLY sells raw intact shell eggs are exempt from the accreditation and audit requirements but must comply with Standard 4.2.5 and must notify Biosecurity Tasmania. Egg stamping requirements apply to category 1 and 2 egg producers. Backyard egg	Egg food businesses are required to be a registered food business under the Food Regulations. There is no requirement to have a food safety plan or FSMS and no audits are undertaken. They must comply with Standard 4.2.5.

Type of legislative clause	Victoria	New South Wales	Queensland	South Australia	Western Australia	Tasmania	ACT
				eggs by wholesale. Backyard producers who give eggs to friends and family do not need to be accredited, but must comply with Standard 4.2.5. If you require accreditation for egg production, you must also have a Property Identification Code (PIC).		producers that supply family and friends or colleagues and not for use in a food business – are exempt from the egg stamping requirements	
						Food Act 2003 – food retail and food service businesses. *Food Act 2003* requires these businesses to only sell or use eggs that comply with the Food Standards Code requirements for traceability and food safety.	

Annex 2 – International measures summary

Theme	Measure	Canada	EU	NZ	UK	US
Registration, licensing or notification to Authority	Legal requirement for business to be registered or licensed or notified to the competent authority	Yes Egg producers and Grading stations (accreditation)	Yes Breeders, hatcheries and layer farms Egg collectors Egg grading floors, packers and processors	Yes Breeding, hatching and rearing farms Egg producers Processors (break eggs/ make egg products)	Yes Egg producers Egg collectors Egg processors	Yes
Exemptions in part or full from requirements	The legislation provides for small egg producers to be exempted from some requirements	No	Yes	No	Yes	Yes
Food safety management	Requirement for documented food safety management system	Yes	Yes	Yes	Yes	Yes
Salmonella controls	Hatchery/breeder/pullet suppliers required to implement controls for Salmonella	Yes	Yes	Yes	Yes	Yes
Chicks and pullets (bird health)	Legal requirements for chicks and pullets as inputs for layer farm	Yes	Yes	Yes	Yes	Yes
Monitoring and verification	Legal requirement for sampling and testing for presence of SE	Yes	Yes	Yes	Yes	Yes
Dirty and broken eggs	Legal requirement that excessively dirty or eggs leaking their contents **are not** to be used as food for human consumption	Yes	Yes	Yes	Yes	Yes
Eggs from	Legal requirements for what	Yes	Yes	Yes	Yes	Yes

Theme	Measure	Canada	EU	NZ	UK	US
positive SE flock	must be done with the eggs					
Action post SE detection	Legal requirements for actions that must be completed before a new layer flock is placed into the shed	Yes	Yes, provided in guidance material	Yes	Yes	Yes
Vaccination	Legal requirement for vaccination of chicks, pullets and flocks	No	Yes – if SE prevalence is above 10%	Yes	No	No
Washing eggs	Legal requirements permitting the washing of eggs	Yes	Prohibited	Yes	Prohibited	Yes
Cracked/dirty	Legal requirement for eggs that are not excessively dirty and cracked but membrane intact and may be processed/pasteurised for food	Yes	Yes	Yes	Yes – for cracked	Yes – cracked and not excessively dirty
Egg marking / traceability	Legal requirement to apply marking to egg	Yes	Yes	No	Yes	No
Temperature control	Legal requirements specifying temperature control of eggs through the supply chain	Yes	No	No	No	Yes
Recognition of industry scheme	The legal requirements allow for recognition of industry food safety schemes	Yes	No	No	No	No
Maximum time from date of lay to packed and BBD applied	Legal requirement specifying timeframe by which eggs must be graded and packed	Yes	No	No	Yes	No
Best Before Date	Legal requirement for packaging to have a BBD	Yes	Yes	Yes	Yes	Not mandatory, but if use expiration date,

Theme	Measure	Canada	EU	NZ	UK	US
						not to exceed 30 days from packing; and use-by/best before not to exceed 45 days including packing date.
BBD mandatory date	Legal requirement prescribes the maximum time from date of lay for the BBD	No	Yes	Recommended BBD	Yes	No – but note above if egg processor applies a date to the carton.
Spent hens/ older flocks	Legal requirement for how spent hens are managed/disposed	No	No	No	No	No

Annex 3 - Egg Standards of Australia requirements for Standard 4.2.5

Scheme: Egg Standards of Australia

Assessment table: Used Level 2 as minimum as was developed to comply with the Code.

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
1. Application - This Standard does not apply to retail sale or catering activities other than the direct sale of eggs to the public by an egg producer.	M1.1 defines business scope;	
Division 2 – Primary production of eggs		
3. General food safety management – (1) An egg producer must systematically examine all of its production operations to identify potential hazards and implement control measures to address those hazards. (2) An egg producer must also have evidence to show that a systematic examination has been undertaken and that control measures for those identified hazards have been implemented. (3) An egg producer must operate according to a food safety management statement that sets out how the requirements of this Division are to be or are being complied with.	M.1.2 Senior manager signs off commitment statement; M.1.3 Organisation structure, roles and responsibilities; M.2.1 Identify property areas and infrastructure on a property map. M.2.3 Key farm activities supported by work instructions, SOPs enabling verification of compliance; P1 Site and shed design/set up requirements, include map of site, map of sheds and services to sheds (e.g. water) and design of equipment; P1 contains design requirements for shed and equipment; Requirements throughout to make and retain records as evidence of compliance with the standard.	Supports compliance While it does not require an individual farm to assess their risks, the ESA requires all typical potential hazards to be reviewed and prescribes control measures for those hazards – including use of cool rooms to store eggs following collection and specifies temperature range.
4. Inputs - An egg producer must take all reasonable measures to ensure inputs do not make the eggs unsafe or unsuitable. (Inputs defined in Std 4.1.1)	M.5 Manages materials and services that may introduce risk; Supplier register required and includes feed, chemicals, livestock and equipment. Includes provisions for eggs that have been bought from other farms; P2.2 manages feed	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
	P2.3 manages water P2.4 manages floor litter P2.5 manages chemicals and veterinary medications P3 – manages bird receival and traceability of birds; P6.7 manage third party refrigerated transport for collected eggs	
5 Waste disposal – (1) An egg producer must store, handle or dispose of waste in a manner that will not make the egg unsafe or unsuitable. (2) For subclause (1), waste includes sewage, waste water, used litter, dead birds, garbage and eggs which the proprietor, supervisor or employee of the egg producer knows, ought to reasonably know or to reasonably suspect, are unsafe or unsuitable.	P8.1 manages disposal of dead birds; P8.2 manages waste removal and manure management program;	Supports compliance
6. Health and hygiene requirements – (1) A person involved in egg production must exercise personal hygiene and health practices that do not make the eggs unsafe or unsuitable. (2) An egg producer must take all reasonable measures to ensure that personnel and visitors exercise personal hygiene and health practices that do not make the eggs unsafe or unsuitable.	M.3 includes staff training on health and hygiene M7.4-7.5 staff comply with personal hygiene requirements;	Supports compliance
7. Skills and knowledge – An egg producer must ensure that a person who engages in or supervises the primary production of eggs has – (a) skills in food safety and food hygiene; and (b) knowledge of food safety and food hygiene matters;	M.3 Deals with training of all staff relevant to their activities/duties; P6.3 addresses handling of eggs to minimise risk of contamination	Food safety not specifically listed for farms, but cleaning and sanitation, egg collection and handling, disposal of dead or sick birds are covered. Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
commensurate with their work.		
8. Design, construction and maintenance of premises, equipment and transportation vehicles An egg producer must – (a) ensure that premises, equipment and transportation vehicles are designed and constructed in a way that minimises the contamination of the eggs, allows for effective cleaning and sanitisation, and minimises the harbourage of pests and vermin; and (b) keep premises, equipment and transportation vehicles effectively cleaned, sanitised and in good repair to ensure the eggs are not made unsafe or unsuitable.	M.3 Staff trained in cleaning and sanitising; M.7.9 Site biosecurity management/Clean and maintain storage infrastructure, including silos, feed lines and transport vehicles. P1 and P2 address design, maintenance and cleaning of premises, equipment and vehicles.	Supports compliance
9. Bird health (1) An egg producer must not obtain eggs for human consumption from birds if the proprietor, supervisor or employee of the egg producer knows, ought to reasonably know or to reasonably suspect, the bird is affected by disease or a condition that makes the eggs unsafe or unsuitable. (2) The definition of 'condition' in Standard 3.2.2 does not apply to this clause.	P4.8 manages bird health and welfare P4.9 requires reporting and investigation of changes in bird performance and health;	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
10. Traceability (1) An egg producer must not sell eggs unless each individual egg is marked with the producers' unique identification. (2) An egg producer who supplies egg pulp must mark each package or container containing the pulp with the producers' unique identification. (3) Subclauses (1) and (2) do not apply to eggs or egg pulp sold or supplied to an egg processor (**the supplied product**) if that egg processor complies with clause 20 in respect of the supplied product. (4) In addition to subclauses (1) and (2), an egg producer must have a system to identify to whom eggs or egg pulp is sold or supplied.	P7 manages egg identification, traceability and recall; P7.2 manages externally sourced eggs;	Supports compliance
11. Sale or supply (1) An egg producer must not sell or supply eggs or egg pulp for human consumption if it knows, ought to reasonably know or to reasonably suspect, that the eggs are unacceptable. (2) Subclause (1) does not apply to an egg producer that sells or supplies unacceptable eggs to an egg processor for processing in accordance with clause 21.	P6.8 manages farm or farm gate sale or supply of eggs	Supports compliance
Division 3 – Egg processing		
12. Application of food safety standards Standards 3.2.2 and 3.2.3 apply to processing under clause 21 and storage and transport under clause 22, but not to any other processing activities.		Supports compliance – refer below elements

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
13. General food safety management (1) An egg processor must systematically examine all of its processing operations to identify potential hazards and implement control measures to address those hazards. (2) An egg processor must also have evidence to show that a systematic examination has been undertaken and that control measures for those identified hazards have been implemented. (3) An egg processor must operate according to a food safety management statement that sets out how the requirements of this Division are to be or are being complied with.	1.3 Management responsibility 1.4 Management review 1.5 Documentation and records control 1.6 FSP, FSMS, HACCP and GMP plans 1.7 Internal checks, audits, complaints and corrective actions	Supports compliance
14. Receiving unacceptable eggs An egg processor must not receive unacceptable eggs for human consumption unless – (a) in the case of dirty eggs, they are to be cleaned; (b) in the case of cracked eggs, they are to be processed in accordance with clause 21; or (c) in the case of egg pulp, the product is to be processed in accordance with clause 21.	1.9 Supplier management 1.14 Inspection and in-process testing of shell eggs and egg pulp	Supports compliance
15. Inputs - An egg processor must take all reasonable measures to ensure inputs do not	1.9 Supplier management 1.10 Water	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
make the eggs or egg product unsafe or unsuitable.	1.15 Packing of shell eggs 1.27 Chemicals and cleaning materials 1.39 Packaging of egg products	
16. Waste disposal (1) An egg processor must store, handle or dispose of waste in a manner that will not make the eggs or egg product unsafe or unsuitable. (2) For subclause (1), waste includes sewage, waste water, unacceptable eggs or egg product and garbage.	1.17 Control of non-conforming product and dropped product 1.28 Waste management and disposal	Supports compliance
17. Skills and knowledge An egg processor must ensure that persons undertaking or supervising the processing of eggs or egg product have – (a) skills in food safety and food hygiene; and (b) knowledge of food safety and food hygiene matters; commensurate with their work.	1.20 Cleaning and sanitation 1.25 Entry to grading area 1.35 Training/skills and knowledge	Supports compliance
18. Health and hygiene requirements (1) A person involved in egg processing must exercise personal hygiene and health practices that do not make the eggs or egg product unsafe or unsuitable. (2) An egg processor must take all reasonable measures to ensure that personnel and visitors exercise personal hygiene and health	1.19 Site security 1.22 Maintenance 1.25 Entry to grading area 1.30 Personal health and hygiene 1.32 Personal hygiene 1.33 Clothing and locker rooms 1.38 Processing Egg Products (if applicable) – points 11 and 12 also cover personal hygiene	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
practices that do not make the eggs or egg product unsafe or unsuitable.		
19. Design, construction and maintenance of premises, equipment and transportation vehicles An egg processor must – (a) ensure that premises, equipment and transportation vehicles are designed and constructed in a way that minimises the contamination of the eggs or egg products, allows for effective cleaning and sanitisation, and minimises the harbourage of pests and vermin; and (b) keep premises, equipment and transportation vehicles effectively cleaned, sanitised and in good repair to ensure the eggs or egg products are not made unsafe or unsuitable.	1.15 Packaging of shell eggs 1.16 Equipment calibration 1.20 Cleaning and sanitation 1.21 Pest management 1.22 Maintenance 1.23 Foreign object control 1.24 Exterior structure and grounds 1.26 Interior structure and premises	Supports compliance
20. Traceability (1) An egg processor must not sell eggs unless each individual egg is marked with the processor's or producer's unique identification. (2) An egg processor must not sell or supply egg product unless each package or container containing the egg product is marked with the processor's or the producer's unique identification.	1.11 Product and packaging traceability and identification	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
(3) In addition to subclauses (1) and (2), an egg processor must have a system to identify – (a) from whom eggs were or egg pulp was received; and (b) to whom eggs or egg product was supplied.		
21. Processing egg product (1) An egg processor must process egg product by – (a) pasteurising; or (b) heating using any other time and temperature combination of equivalent or greater lethal effect on any pathogenic micro-organisms in the egg product; or (c) using any other process that provides an equivalent or greater lethal effect on any pathogenic micro-organisms in the egg product. (2) For paragraph (1)(a), the egg product listed in Column 1 of the Table to this clause must be pasteurised to the time and temperature combinations in Column 2, Column 3 and Column 4. (3) A process described in paragraph 1(b) or (c), if used, must be validated by the egg processor. (4) In this clause –	1.38 Processing egg products	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
validate means – (a) confirming a control measure for a critical control point or process is effective to minimise a food safety hazard; and (b) providing objective evidence to confirm paragraph (a).		
22. Storage or transport of processed egg product - A processor must ensure that egg product processed under clause 21 is stored or transported under time and temperature conditions that control the growth of pathogenic micro-organisms.	1.29 Storage and transport of eggs and egg pulp	Supports compliance
23. Sale or supply (1) An egg processor must not sell or supply eggs or egg product for human consumption if the processor knows, ought to reasonably know or to reasonably suspect, that the eggs or egg product are unacceptable. (2) Subclause (1) does not apply to an egg processor that sells or supplies unacceptable eggs to an egg processor for processing in accordance with clause 21. (3) An egg processor must not sell liquid egg white or liquid egg yolk unless it is processed in accordance with clause 21.	1.13 Saleable shell egg production 1.15 Packaging of shell eggs 1.18 Final inspection and testing	Supports compliance

Annex 4 - Safe Quality Food Institute (SQFI) requirements for Standard 4.2.5

Scheme: SQF Institute Food Safety Code: Primary animal production Edition 9; and SQF Institute Food Safety Code: Food manufacturing Edition 9 – egg related manufacturing code.

Assessment table:

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
1. Application - This Standard does not apply to retail sale or catering activities other than the direct sale of eggs to the public by an egg producer.	SQF Code Edition 9 is GFSI benchmarked SQF Food Safety Code: Primary animal production – covers the layer farm; SQF Food Safety Code: Food Manufacturing FSC 12: Egg processing – covers egg processing	Audits conducted 12 monthly if good to excellent audit results; 6 monthly audit where audit outcome is 'complies'.
Division 2 – Primary production of eggs		
3. General food safety management – (1) An egg producer must systematically examine all of its production operations to identify potential hazards and implement control measures to address those hazards. (2) An egg producer must also have evidence to show that a systematic examination has been undertaken and that control measures for those identified hazards have been implemented. (3) An egg producer must operate according to a food safety management statement that sets out how the requirements of this Division are to be or are being complied with.	2.1.1 Management responsibility 2.1.1.2 Lead and support a food safety culture 2.1.2 Management review 2.2.1 Food safety management system documented, kept up to date with document control and records made and retained. 2.4 Food safety system 2.4.3 HACCP based food safety plan. 2.4.4 Input and product sampling, inspection and analysis	Ensures all staff comply with documented food safety management system; aware of duties, report pending food safety issues and empowered to act and resolve food safety issues within the scope of their work. Supports compliance
4. Inputs - An egg producer must take all reasonable measures to ensure inputs do not make the eggs unsafe or unsuitable. (Inputs defined in Std 4.1.1)	2.3.2 Specifications for all inputs 2.3.3 Approved supplier program 5.6 Water management 5.7 Medications, animal feeds and agricultural chemicals	Supports compliance
5 Waste disposal –	5.5.1.2 includes requirements for removal of manure	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
(1) An egg producer must store, handle or dispose of waste in a manner that will not make the egg unsafe or unsuitable. (2) For subclause (1), waste includes sewage, waste water, used litter, dead birds, garbage and eggs which the proprietor, supervisor or employee of the egg producer knows, ought to reasonably know or to reasonably suspect, are unsafe or unsuitable.	and contaminated yard water; 5.8 Waste disposal	
6. Health and hygiene requirements – (1) A person involved in egg production must exercise personal hygiene and health practices that do not make the eggs unsafe or unsuitable. (2) An egg producer must take all reasonable measures to ensure that personnel and visitors exercise personal hygiene and health practices that do not make the eggs unsafe or unsuitable.	5.4 Personal hygiene	Supports compliance
7. Skills and knowledge – An egg producer must ensure that a person who engages in or supervises the primary production of eggs has – (a) skills in food safety and food hygiene; and (b) knowledge of food safety and food hygiene matters; commensurate with their work.	2.9.1 Training requirements 2.9.2 Training program	Supports compliance
8. Design, construction and maintenance of premises, equipment and transportation vehicles An egg producer must –	5.2.1 Pens, yards and housing 5.2.2 Storage of agricultural chemicals, manure and toxic substances 5.2.3 Farm machinery, animal health/feed handling	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
(a) ensure that premises, equipment and transportation vehicles are designed and constructed in a way that minimises the contamination of the eggs, allows for effective cleaning and sanitisation, and minimises the harbourage of pests and vermin; and (b) keep premises, equipment and transportation vehicles effectively cleaned, sanitised and in good repair to ensure the eggs are not made unsafe or unsuitable.	equipment and utensils 5.3 Farm maintenance, cleaning and pest/animal control	
9. Bird health (1) An egg producer must not obtain eggs for human consumption from birds if the proprietor, supervisor or employee of the egg producer knows, ought to reasonably know or to reasonably suspect, the bird is affected by disease or a condition that makes the eggs unsafe or unsuitable. (2) The definition of 'condition' in Standard 3.2.2 does not apply to this clause.	5.5 Field and animal husbandry practices and transport	Supports compliance
10. Traceability (1) An egg producer must not sell eggs unless each individual egg is marked with the producers' unique identification. (2) An egg producer who supplies egg pulp must mark each package or container containing the pulp with the producers' unique identification.	2.6.1 Product identification and traceability 2.6.2 Product withdrawal and recall	Supports compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
(3) Subclauses (1) and (2) do not apply to eggs or egg pulp sold or supplied to an egg processor (**the supplied product**) if that egg processor complies with clause 20 in respect of the supplied product. (4) In addition to subclauses (1) and (2), an egg producer must have a system to identify to whom eggs or egg pulp is sold or supplied.		
11. Sale or supply (1) An egg producer must not sell or supply eggs or egg pulp for human consumption if it knows, ought to reasonably know or to reasonably suspect, that the eggs are unacceptable. (2) Subclause (1) does not apply to an egg producer that sells or supplies unacceptable eggs to an egg processor for processing in accordance with clause 21.	2.4.1 Food legislation – animal product (eggs) must be compliant with food safety and primary production legislation when sold or delivered to customer.	Supports compliance
Division 3 – Egg processing		
12. Application of food safety standards Standards 3.2.2 and 3.2.3 apply to processing under clause 21 and storage and transport under clause 22, but not to any other processing activities.	Prescriptive requirements within standard for processing areas would support compliance with Standards 3.2.2 and 3.2.3	Support compliance
13. General food safety management (1) An egg processor must systematically examine all of its processing operations to identify potential hazards and implement control measures to address those hazards. (2) An egg processor must also have evidence to show that a systematic	2.1 Management commitment 2.1.1 Management responsibility 2.1.1.2 Lead and support a food safety culture 2.1.2 Management review 2.2.1 Food safety management system documented, kept up to date with document control and records made and retained. 2.4 Food safety system	Support compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
examination has been undertaken and that control measures for those identified hazards have been implemented. (3) An egg processor must operate according to a food safety management statement that sets out how the requirements of this Division are to be or are being complied with.	2.4.3 HACCP based food safety plan. 2.4.4 Product sampling, inspection and analysis	
14. Receiving unacceptable eggs An egg processor must not receive unacceptable eggs for human consumption unless – (a) in the case of dirty eggs, they are to be cleaned; (b) in the case of cracked eggs, they are to be processed in accordance with clause 21; or (c) in the case of egg pulp, the product is to be processed in accordance with clause 21.	2.3.2 Product specifications 2.3.4 Approved supplier program 2.5.2 Verification activities 2.6.1 Product identification – includes requirements for raw materials	Support compliance
15. Inputs - An egg processor must take all reasonable measures to ensure inputs do not make the eggs or egg product unsafe or unsuitable.	2.2.1.1 Food safety management system – product specifications for all raw materials, ingredients, packaging and finished goods 2.3.2 Product specifications for raw materials, packaging and services 2.3.4 Approved supplier program 11.5 Water, ice and air supply 11.6 Receipt, storage and transport/handling of goods	Support compliance
16. Waste disposal	11.8 Waste disposal	Support compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
(1) An egg processor must store, handle or dispose of waste in a manner that will not make the eggs or egg product unsafe or unsuitable. (2) For subclause (1), waste includes sewage, waste water, unacceptable eggs or egg product and garbage.		
17. Skills and knowledge An egg processor must ensure that persons undertaking or supervising the processing of eggs or egg product have – (a) skills in food safety and food hygiene; and (b) knowledge of food safety and food hygiene matters; commensurate with their work. 18. Health and hygiene requirements (1) A person involved in egg processing must exercise personal hygiene and health practices that do not make the eggs or egg product unsafe or unsuitable. (2) An egg processor must take all reasonable measures to ensure that personnel and visitors exercise personal hygiene and health practices that do not make the eggs or egg product unsafe or unsuitable.	2.9.1 Training requirements 2.9.2 Training program 11.4 Personnel processing practices 11.3 Personnel hygiene and welfare 11.4 Personnel processing practices 11.2.2 Maintenance staff and contractors – comply with hygiene requirements	Support compliance
19. Design, construction and maintenance of premises, equipment and transportation vehicles An egg processor must –	11.1.1 Premises location and approval 11.1.2 Building materials 11.1.3 Lighting and light fittings 11.1.5 Dust, insect and pest proofing 11.1.6 Ventilation	Support compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
(a) ensure that premises, equipment and transportation vehicles are designed and constructed in a way that minimises the contamination of the eggs or egg products, allows for effective cleaning and sanitisation, and minimises the harbourage of pests and vermin; and (b) keep premises, equipment and transportation vehicles effectively cleaned, sanitised and in good repair to ensure the eggs or egg products are not made unsafe or unsuitable.	11.1.7 Equipment and utensils 11.2.1 Repairs and maintenance 11.2.3 Calibration 11.2.4 Pest prevention 11.2.5 Cleaning and sanitation 11.7.1 Separation of functions – High-risk processes	
20. Traceability (1) An egg processor must not sell eggs unless each individual egg is marked with the processor's or producer's unique identification. (2) An egg processor must not sell or supply egg product unless each package or container containing the egg product is marked with the processor's or the producer's unique identification. (3) In addition to subclauses (1) and (2), an egg processor must have a system to identify – (a) from whom eggs were or egg pulp was received; and (b) to whom eggs or egg product was supplied.	2.6.2 Product trace 2.6.3 Product withdrawal and recall	Support compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
21. Processing egg product (1) An egg processor must process egg product by – (a) pasteurising; or (b) heating using any other time and temperature combination of equivalent or greater lethal effect on any pathogenic micro-organisms in the egg product; or (c) using any other process that provides an equivalent or greater lethal effect on any pathogenic micro-organisms in the egg product. (2) For paragraph (1)(a), the egg product listed in Column 1 of the Table to this clause must be pasteurised to the time and temperature combinations in Column 2, Column 3 and Column 4. (3) A process described in paragraph 1(b) or (c), if used, must be validated by the egg processor. (4) In this clause – **validate** means – (a) confirming a control measure for a critical control point or process is effective to minimise a food safety hazard; and (b) providing objective evidence to confirm paragraph (a).	11.6.2 Cold storage, freezing and chilling of foods 2.2.1.1 Documented food safety management system – document process controls that impact product safety. 2.5.1 Validation and effectiveness 2.5.2 Verification activities	Support compliance

Standard 4.2.5 requirement	Scheme requirement	Desk assessment
22. Storage or transport of processed egg product - A processor must ensure that egg product processed under clause 21 is stored or transported under time and temperature conditions that control the growth of pathogenic micro-organisms.	11.6.5 Loading, transport and unloading practices	Support compliance
23. Sale or supply (1) An egg processor must not sell or supply eggs or egg product for human consumption if the processor knows, ought to reasonably know or to reasonably suspect, that the eggs or egg product are unacceptable. (2) Subclause (1) does not apply to an egg processor that sells or supplies unacceptable eggs to an egg processor for processing in accordance with clause 21. (3) An egg processor must not sell liquid egg white or liquid egg yolk unless it is processed in accordance with clause 21.	2.2.1.1 Food safety management system – product specifications for finished goods 2.3.2 Product specifications for finished goods 2.4.1 Food legislation – ensure products sold or delivered to customers complies with legislative requirements	Support compliance

Annex 5 – Summary of industry and jurisdiction guidance material for egg production and processing

Table 1 Summary of selected jurisdiction materials aimed at egg producers and processors		
Agency	**Resource**	**Brief description**
New South Wales Food Authority	Small egg farms	Information for businesses producing fewer than 20 dozen (240) eggs/week)
	Egg producers	Information for businesses producing more than 20 dozen (240) eggs/week)
	Egg graders	Information for businesses that wash and/or perform crack detection
	Egg processors	Information for businesses that manufacture and/or pasteurise egg products
	Egg storage facilities (other than storing whole eggs)	Information for businesses that store egg products with at least 80% egg white or yolk, or both, or cracked eggs (not for whole eggs / dried egg products)
	Egg transporters (other than transporting whole eggs).	Information for businesses that transport egg products with at least 80% egg white or yolk, or both, or cracked eggs.
	Egg stamping	Provides information on egg stamping for different businesses, exemptions, interstate sales, equipment failure and equipment providers.
	The egg monitoring diary	Assists businesses comply with the legal requirements of the Biosecurity (SE) Control Order 2019. It contains tools and information on: Site maps Receival of birds, eggs, equipment, packaging etc… Dispatch of birds, eggs, equipment etc… Visitors Monthly monitoring Pest control Deceased birds
	Egg cleaning procedures	Guidelines to comply with the Egg Food Safety Scheme of Food Regulation 2015. This document covers collection and cleaning methods applicable to small and large scale farms.

	Requirements for egg producers	A 4 page document to assist egg producers comply with Food Standards Codes from Chapters 2,3 and 4
	Requirements for egg processors	A 7 page document which provides guidance on the relevant Food Standards and the Food Regulation 2015.
	Generic guidance documents applicable to a range of businesses	
	Environmental swabbing	
	Guidance on audits	
	Hand washing in food businesses	
	Health & hygiene requirements of food handlers	
	Labelling - General requirements	
	Non-reticulated water in food businesses	
	NSW Food Safety Schemes Manual	
	Potentially hazardous foods (PHF)	
	Powers of authorised officers	
	Product recall & withdrawal process flowchart	
	Protecting food from contamination	
	Suitability of chemicals used in food businesses	
	Water reuse guideline	
NSW Department of Primary Industries	Salmonella Enteritidis	SE information hub containing information on the 2018 incident and advice for consumers and industry. It contains a resources section that includes guides and tools (see columns below)
		How to comply with the Biosecurity (Salmonella Enteritidis) Control Order 2020 (PDF, 7513.03 KB)
		VISITORS sign template - Biosecurity Order (PDF, 43.2 KB)
		DPI Primefact (PDF, 288.63 KB) (September 2018)
		NSW Egg Monitoring Diary (PDF, 2559.36 KB)
		Prevent the spread of Salmonella Enteritidis (PDF, 195.1 KB) (March 2019)
		Rodent control and Salmonella Enteritidis (PDF, 236.78 KB) (March 2019)
		Salmonella Enteritidis Testing: Environmental Swab Submission

		Form (PDF, 377.32 KB)
		Specimen Submission Form - Salmonella, SE/ST Screen (Birling Laboratory) (PDF, 175.99 KB)
	Podcast on a guide for the free range production of eggs and poultry meat	An interview style podcast that explains the biosecurity guide below
	NSW biosecurity guidelines for free range poultry farms (2007)	A biosecurity guide with templates
Northern Territory	Keeping poultry and pigeons	A landing page for small and household producers that includes information on property identification codes and poultry disease and management resources
Queensland	Egg Farm	Explains the QLD regulation requirements for egg producers and includes information on administration requirements, management statements and biosecurity
	Schools that produce eggs	Steps schools through the requirements of a specified activity under the Egg Scheme of the Food Production (safety) regulation
	Food safety management statement – egg producer	A guide to assist QLD Egg Producers that grow and grade their own eggs in meeting their legal requirements
	Standard operating procedures for the prevention of Salmonella enteritidis	Contains SOPs aligning to specific requirements under standard 4.2.5 for the following topics: Food safety management review Inputs Waste disposal Health and hygiene requirements Skills and knowledge Design, construction, maintenance of premises, equipment & transportation vehicles Bird health
	Food Safety Guide for Queensland's Egg Suppliers (soft copy provided by email)	This comprehensive document is divided into two sections; the first provides background information on food safety, regulation, relevance, definitions, and accreditation. It includes a checklist which assists users determine if they are required to apply for accreditation. The second section (part 2) provides industry information and resources
	Guidelines for egg cleaning procedures	Guidelines to comply with QLD's Egg Food Safety Scheme. This document covers collection and

		cleaning methods applicable to small and large scale farms.
	Salmonella infographic	Infographic explaining Salmonella, high risk foods and preventative strategies
	QLD videos	Do I need an accreditation? What to expect during an audit or assessment (QLD specific).
South Australia	Eggs	Information on establishing accreditation and regulations
	SE	Provides background information on SE, practical information on biosecurity, and links to other resources.
Tasmania	Eggs	A landing page that provides information on the requirements
Victoria	Poultry and eggs	Landing page for health and welfare, compliance and backyard poultry and eggs
	SE page	Background and preventative information • A summary of recommended biosecurity practices to protect your business from Salmonella Enteritidis (PDF - 158.7 KB)
	Resources page	Provides a number of videos on various elements of the egg production. This list is also available in simplified Chinese. Inputs Waste disposal Bird health Maintenance and cleaning of sheds and equipment Human health and hygiene Collection, checking and packing of eggs Skills and knowledge Storage and temperature control Traceability Sale or supply
Western Australia	The Eggs and egg products standard 4.2.5 page	Outlines some of the key requirements of standard 4.2.5

	Various resources	Food safety management statement templates: Production of eggs only, no grading (external Word 423KB) Production and grading of eggs (external Word 419 KB) Receiving eggs from other producers for grading as well as growing and grading own eggs (external Word 423 KB) Grading of eggs for sale and supply (external Word 409KB)

Table 2 summary of selected Australian Eggs materials aimed at egg producers and processors		
Theme	**Resource**	**Brief description**
Biosecurity	Rodenticide guide	covers effective rodent baiting and details on available rodenticides
	Biosecurity plan template: Instructions Template Internal biosecurity audit guide	Guides producers through the process of creating a biosecurity management plan
	Biosecurity posters	Infographics on safe water, biosecurity in free range areas, visitors, keeping the farm disease free, vaccination, and bird checks
	Advice for on-selling hens	A short communication highlighting the risks of on-selling and advice
	Healthy Hens Safe Eggs Health People	A booklet on biosecurity information for new staff in the Australian Egg industry
	Healthy Hens posters	3 pages of colourful infographics addressing potential vectors for contamination
	Salmonella posters	5 pages of colourful infographics
	Signs of disease posters	A poster containing photos and other indicators to detect disease
	Biosecurity sign	
	Visitor log book	
Hen management and egg production	Egg quality manual	Provides information on egg internal quality and egg shell quality
	Vaccination training manual	Assists egg farm staff gain the necessary skills, knowledge and attitudes to become a competent vaccinator
	Antimicrobial stewardship framework	provides detailed advice for developing and implementing an responsible antimicrobial strategy for the farm
	Lighting factsheets	Provides information on the effects of lighting on production, bird health

		and bird behaviour
Food safety	Salmonella Guide for Producers	A practical guide for preventing Salmonella from entering and infecting the farm.
	Salmonella Swabbing Procedures	Illustrated swabbing guides for different layer environments, including deep litter sheds, conventional cages, slatted sheds and more
	Synopsis of Salmonella Response Plans	A guide for farmers to respond to a Salmonella infection on farm. This section includes information on the incidence response plan, SE operational response plan and SE response plan
	Through chain Salmonella risk identification section	Provides information on: Through chain salmonella risk identification Quantitative risk assessment model Risk profile of eggs and egg products
	Egg Stamping resources	Provides information and guidance on the legal requirements of egg stamping
	Salmonella Posters	6 downloadable posters relating to Salmonella prevention in six different elements of egg production
Environmental management	Environmental Management Guidelines	Includes guidance on effective environmental management; cracked egg management is also covered in this guide
	Environmental guide factsheets	Various factsheets on composting and manure management
	Waste management guide	The guide includes information, instructions and tips on different waste management options
Egg stamping	Egg stamping guide	A guide to Australian laws, regulations and standards for egg producers
Salmonella Risk Assessment Toolkit	Hen housing and equipment	Identifies risks associated with the design, layout and set up
	Husbandry and biosecurity	Identifies risks related to husbandry and biosecurity procedures
	Grading, washing and packing	Identifies risks associated with the management, use and maintenance of egg grading, washing and packing equipment
	Post-grading processes	Identifies risks associated with egg product manufacturing processes including transport, storage, and sale
Videos	Link to a YouTube playlist	A compilation of short videos which explain the basics of food safety and biosecurity

Traceability	Manuals and guides	Contains a link to a fact sheet and practical guide to establishing a traceability system
	Videos	Highlight the importance of traceability, information on EggTrace and provide a case study
	Factsheet	Explains the importance of traceability and describes the features of a traceability system
	Webinars	Themes include the EggTrace launch, the benefits of traceability in cherries and traceability technology.
Industry training and capacity building	Husbandry and welfare training	A free* training program which includes modules on bird health and welfare, animal care and biosecurity management
	EggStart: industry inductions	A free* training program which includes information on on-farm practices, WHS processes, personal hygiene to maintain food safety poultry health and welfare, biosecurity procedures and workplace communication.
	EggTasters: on-farm training	A free* on/off farm/online program that be delivered to management and/or farm staff; topics include farm diseases, teamwork, on-farm safety and thermoneutral zones
	Biosecurity virtual training tool	Can be used as a biosecurity induction
	Management trainee program	Australian Eggs sponsor two participants to complete a Certificate IV in Leadership and Management
	Certificate III in poultry production	Covers various aspects of farm operations (not funded)
** Fully funded places for Australian Egg members*		