

Food Recall Information Pack

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Preliminary

A. Scope of Guidance

This document has been prepared for members of the Independent Brewers Association ('IBA') to provide guidance on food recall processes and regulations in Australia. It is designed to be read in conjunction with the IBA Beer Recall Plan.

This document provides information about pre-recall preparedness requirements and steps to take in the event of a product recall or withdrawal. It does not provide detailed guidance on traceability, quality control or other preventative measures.

This guidance applies only to beer sold within Australia. Recalls of exported beer have additional requirements which are not included in this document.

B. Regulatory Authorities

Food Standards Australia and New Zealand ('FSANZ') is primarily responsible for overseeing and coordinating various aspects of a food recall.

The Australian Competition and Consumer Commission ('ACCC') Recalls & Hazard Assessment Section is responsible for ensuring consumer protection and ensuring the Parliamentary Secretary to the Treasurer (who is responsible for consumer affairs) is informed of consumer protection matters.

Each state or territory has its own Food Enforcement Agency ('FEA'):

TAS	Department of Health and Human Services <i>Food Unit</i>
ACT	Department of Health <i>Health Protection Service</i>
VIC	Department of Health <i>Food Safety Regulation</i>
NSW	Food Authority
WA	Department of Health <i>Food Unit</i>
NT	Department of Health <i>Environmental Health</i>
SA	Department of Health and Ageing <i>Food Safety and Nutrition Branch</i>
QLD	Department of Health <i>Food Safety Standards & Regulation Unit</i>

C. Authorities and Resources in this Document

The following resources have been used in the preparation of this document:

- Australia New Zealand Food Standards Code as produced under the *Food Standards Australia New Zealand Act 1991*
 - Standard 3.2.1 – *Food safety programs*
 - Standard 3.2.2 – *Food safety practices and general requirements*
- Australian Consumer Law as set out in Schedule 2 of the *Competition and Consumer Act 2010*
- FSANZ Food Industry Recall Protocol 7th Edition (published May 2014)

D. Consequences of Non-Compliance

The consequences of failing to comply with food safety laws will vary according to your state or territory. Penalties may include infringement notices, financial penalties and prosecution. Contact the health authority in your home state for more information about the applicable laws in your state.

E. Disclaimer

This document was prepared by the Australian Independent Brewers Association. Material may not be published or reproduced without permission of the IBA.

This document represents the IBA's interpretation of recall codes and standards as at 24 May 2019. All due care and attention have been exercised in the preparation of this document. However, recall regulations may change over time.

This document is not intended as legal advice and members rely upon it at their own risk. The IBA and their officers, employees or agents disclaim any liability of any kind for any inaccuracy, error, omission or other flaw in the information contained in this document, and for any loss and/or damage that may arise from reliance on the information presented.

1. Background

1.1 Introduction

What is a food recall?

A food recall is action taken to remove from sale, distribution and consumption foods which may pose a safety risk to consumers. If an unsafe food defect is identified, then a food recall is mandatory. Beer and other alcoholic beverages are considered 'foods' and all breweries must comply with food recall requirements.

Recall plans

A food recall plan is a written document detailing a business' food recall system.

Manufacturers, wholesalers and importers of food in Australia are required to have a food recall plan in place to manage the recall of unsafe food.

Your responsibilities

Businesses engaged in the wholesale supply, manufacture or importation of beer must:

- Ensure that products are traceable in the event of a recall;
- Have a written recall plan in place to ensure the recall of unsafe beer;
- Follow this system in the event of a recall or withdrawal; and
- Make this recall plan available to relevant authorities on request.

Categories of food recalls

There are three categories of recall processes detailed here by escalating severity:

Food withdrawal*	Action to remove products from the supply chain when there is no health or safety risk involved. May not necessarily involve a full removal, it may merely be ceasing to sell the product until the problem is rectified.
Trade recall	Action to remove unsafe product that has not been available for direct sale to consumers. This includes removal from distribution centres, re-processors, manufacturers and wholesalers.
Consumer recall	Action to remove unsafe product that has been available for direct sale to consumers. This includes removal from trade outlets, retail outlets, supermarkets and online stores.

* Food withdrawals are technically not considered to be food recalls. This is included here for completeness.

Comparison of recall categories

	Food Withdrawal	Trade Recall	Consumer Recall
Safety issues with the product	x	✓	✓
Quality defects unrelated to safety	✓	x	x
Removal from trade channels	May occur	✓	✓
Removal from retail channels	May occur	x	✓
Consumers notified to return defective products	May occur	✓	✓
Government notification required	May occur	✓	✓
FSANZ notification required	Recommended	✓	✓

Reasons for a recall

The following list includes potential reasons for instituting a recall. This is not a comprehensive list.

Packaging Issues	Product Issues
<ul style="list-style-type: none"> Undeclared allergens on product labelling Packaging defects where the integrity of the packaging is compromised 	<ul style="list-style-type: none"> Presence of pathogenic bacteria Chemical contamination Foreign matter contamination Under-processing resulting in potentially unsafe beer

Types of recalls

Voluntary recalls	<p>A recall initiated voluntarily by a business. This does not mean that recalling unsafe beer is optional. If there is a safety issue, you must recall the beer.</p> <p><small>Note: If you do initiate a voluntary recall, the word 'voluntary' should not be used to describe the recall to customers or consumers.</small></p>
Mandatory recalls	<p>A recall ordered by government authorities. This will only occur when a business has failed to implement a voluntary recall. Failure to do so may attract significant penalties.</p>

2. Pre-Recall Preparedness

2.1. Product Traceability

Traceability processes are designed to facilitate the withdrawal of unsafe food in the event of a food recall and to allow swift action to be taken.

It is your responsibility to ensure that all products are traceable “one step back and one step forward” in the supply chain.

Your traceability process should allow you to:

- trace products and their ingredients along the chain from suppliers through to customers (i.e. tracing both forward and backwards);
- identify the location of affected beer in the chain at any time; and
- quickly compile a list of all customers or businesses that have received affected beer.

GS1

GS1 is a non-profit organisation that is responsible for setting global standards of business communication (e.g. bar codes). It also provides traceability and recall services. You can learn more about GS1 [here](#).

Ensuring traceability

To ensure traceability, you should create and maintain a database containing the following information:

- Supplier List (including key contacts, materials provided and delivery receipts)
- Customer List (including after-hours contact information)
- Product Range List with details of all your current products in the marketplace (including photos of labels, packaging details and available sizes)
- Receipt and distribution documents (including shipping information, batch codes, quantities, ingredients and packaging).

Supplier List, Customer List and Product Range List templates are available in [Section 2A](#) of the IBA Beer Recall Plan.

2.2. Preparedness and Maintenance

Labelling

Most food recalls occur due to labelling errors such as a failure to label allergens. It is therefore critical that you ensure that your labelling is up to date with all required information (including manufacturer details and batch codes). For more information about this, see the [IBA Beer Labelling Guidelines](#).

Staff training

Ensure that you have delegated all steps in your recall plan to the appropriate staff. Ensure that all staff members know and understand their roles by performing relevant training.

Communications

Ensure that your recall plan and associated forms are pre-filled and up to date.

A written communications plan containing key messages for staff, customers and consumers is highly recommended.

Mock recalls

You should perform a mock recall every 12 months to test your traceability system and to ensure that your recall plan is working efficiently. Ensure that any follow-up actions from this (e.g. retraining staff) are carried out and signed off by the relevant personnel.

Recall reviewing

You should review your recall process every 12 months, or after the following:

- You expand to distributing packaged beer
- You perform a genuine recall
- You perform a mock recall as part of your compliance process
- You have any major staffing changes.

3. The Food Recall Process

3.1. Identifying defects

Identifying/notifying

A business may be notified of a potential defect from the following sources:

- In-house testing
- Customer complaints or feedback
- Notification from raw materials/packaging suppliers
- Alerts from government bodies such as health departments

You should have a process in place for a first response to identified defects. This includes nominating a Recall Coordinator to oversee the recall and a plan for informing relevant staff.

3.2 Assessing defects

Categorise the defect

The following list of categories is used by FSANZ to classify food recalls. It may assist you in determining the nature of the defects.

Defect	Description	Example
Microbial	Contamination from pathogens or other microbes such as bacteria, parasites or yeast strains.	Contamination of <i>Saccharomyces cerevisiae</i> variant <i>Diastaticus</i> causing refermentation.
Undeclared allergen	Incorrect or incomplete labelling of allergens, contamination from allergens.	Packaging misprint that fails to disclose presence of tree nuts in the beer.
Labelling	Label omissions or errors (unrelated to the mislabelling of allergens) that result in a safety or health risk.	Packaging misprint that does not disclose the number of standard drinks in the required format. [†]
Foreign matter	Foreign material is unexpectedly present in the final product.	Pieces of glass in the product due to packaging defects or manufacturing errors.
Chemical/contaminant	Chemicals or other substances are unexpectedly present in the final product.	Cleaning chemicals contaminating the beer during the brewing process.
Biotoxin	The presence of various toxic biological contaminants at unsafe levels.	Mouldy malt being used leading to elevated levels of aflatoxin being present in the final product.
Packaging fault	The design of the packaging is faulty, or its integrity is compromised.	Weaknesses in glass bottles causing them to shatter when opened.
Tampering	Third parties have tampered with the product of its packaging in a way that poses a risk to health and safety.	A customer refilling beer bottles with an unknown substance, resealing and returning them.
Other	Safety risk does not fit into the above categories or cannot be determined.	

[†] This example would likely only require a product withdrawal rather than a recall.

Assess the risk

After a potential food hazard has been identified, you must determine if the defect poses a safety risk and conduct a full assessment of the nature of this risk.

This is to determine what action should be taken and to determine the scope of the recall or withdrawal.

If you are unsure whether the defect poses a safety risk, contact the health authority in your home state for advice. Refer to section [1. Key Contacts](#) in the IBA Beer Recall Plan.

Note: If your home state is QLD, or if you brew beer in QLD, it is mandatory to immediately report to QLD health authorities if there is a reasonable suspicion that tampering has occurred, without waiting for confirmation or analysis of evidence. If you supply beer to QLD and you suspect potential tampering, contact your Home State FEA for advice.

Determine extent of defect

You must determine the extent of the food defect. This includes considering whether the issue is confined to a particular batch or if the problem is more extensive.

If the defect is or may be linked to a defect in raw materials, then the supplier of those materials must also be notified. Refer to your Suppliers List located in your chosen database or in [Section 2A](#) of the IBA Beer Recall Plan.

3.3. Determining Action to be Taken

Contact relevant stakeholders

Relevant stakeholders to be notified may include:

- FSANZ
- Home state
- Suppliers of raw materials

Stakeholder contact list

Stakeholder	When to contact
Home State FEA	If you require technical advice when assessing the nature of a defect. Contact your Home State FEA as soon as you consider that a recall is, or may be, needed and when determining whether to conduct a recall or withdrawal.
FSANZ	You should contact FSANZ once your Home State FEA has agreed that a recall is required.
Suppliers of raw materials	If the defect is, or may potentially be, linked to a defect in raw materials.

Decide on a recall or withdrawal process

The decision to implement a food recall should be made in consultation with your Home State FEA. Refer to [Section 1](#) of the IBA Beer Recall Plan.

Beer should only be recalled if it poses a safety risk due to packaging defects or defects with the beer itself. If the beer (or its packaging) poses a safety risk, then you **must** implement a recall.

Issues with quality or other defects that do not pose a safety risk should be conducted as product withdrawals.

Note: After a recall is initiated, you have two weeks to produce an interim report to FSANZ. See [Section 3.9](#) of this document for more details on this requirement.

Assess the scope of the recall (i.e. trade recall or consumer recall)

The scope of the recall will depend on:

- the channel(s) through which the product was distributed; and
- the extent of this distribution.

This will involve consulting your Suppliers List available in [Section 2A](#) of the IBA Beer Recall Plan.

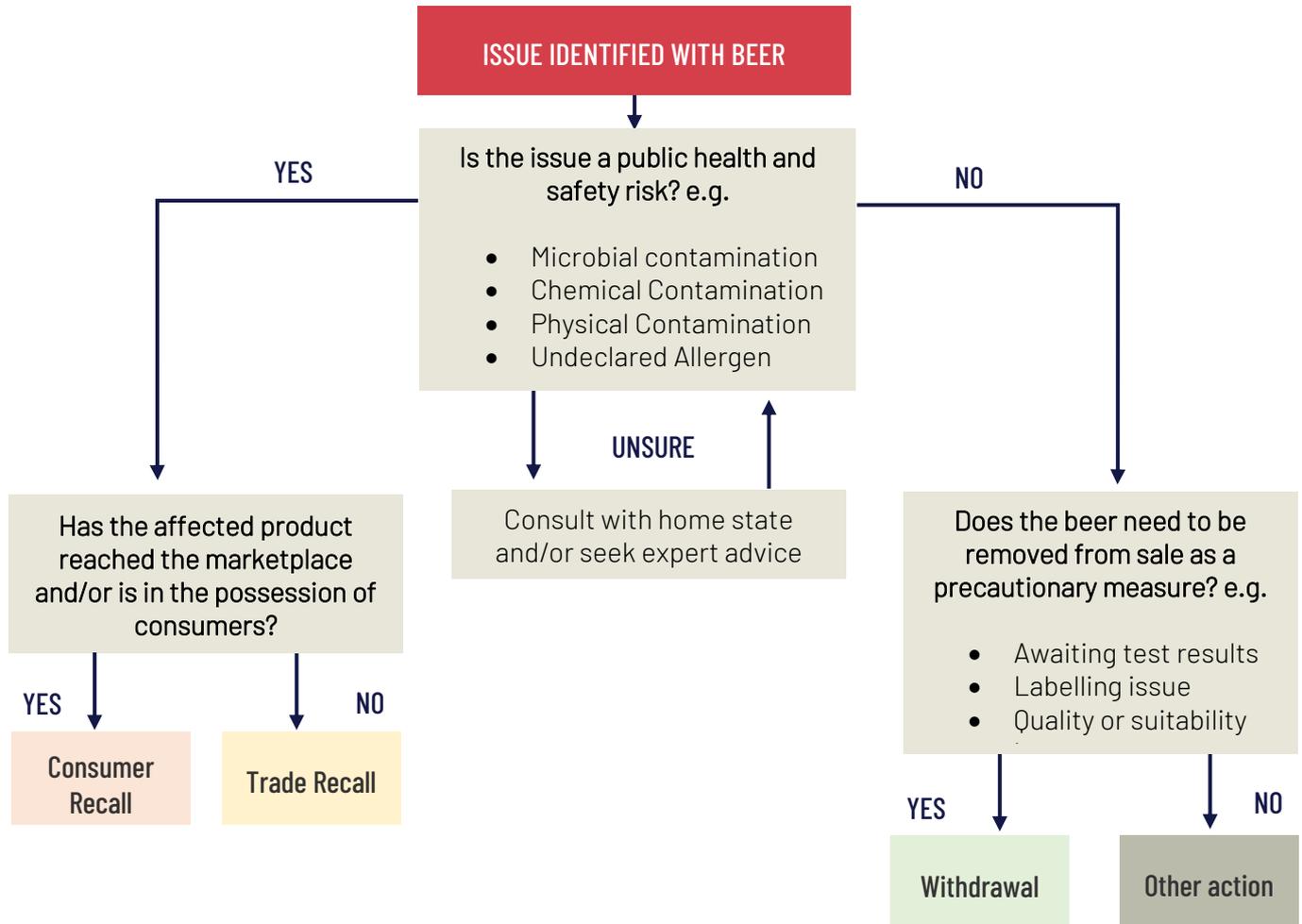
Trade recall

If the product has not been available for direct purchase by the public (e.g. wholesale to caterers only), the recall should be conducted as a trade recall.

Consumer recall

If the product has been made available for direct purchase by consumers, the recall should be conducted as a consumer recall.

Flowchart: Deciding whether to recall or withdraw



3.4. Identifying distribution

Once unsafe food has been identified, it must be traced forward to its location along the supply chain. This requires you to:

- identify the physical location of the affected product in the supply chain; and
- compile the most complete list possible of all customers or entities that received the affected product and provide this list to FSANZ.

Create distribution list

Businesses have a range of means of achieving this from manual receipt and despatch logs to fully automated tracking systems. It is up to you to devise the system, but it must be able to achieve the above.

If you do not have a preferred system, you may use your Customer List to complete the Recall Distribution List located in [Section 3A](#) of the IBA Beer Recall Plan.

3.5. Notification

Internal Communications

Having clear messages for all staff to share regarding the recall is important. This includes directing media enquiries to the correct person. This could take the form of a staff briefing and/or a written communications plan.

It is also important to pay attention to social media channels and be ready to respond appropriately to any posts.

Government (all recall events)

Home state

If conducting a food recall, you will have already notified the food regulatory authorities in your home state. Your home state will determine whether a recall is required. You should not contact other stakeholders before this is confirmed with your home state.

FSANZ

If your home state determines that a recall is required, you must notify FSANZ. You must conduct a preliminary phone interview with FSANZ which will form the basis of a food recall report.

Note: You may be required to disclose commercially sensitive information to FSANZ. If you consider that information is sensitive in nature, inform FSANZ of this during the preliminary interview. FSANZ will only disclose sensitive information in extenuating circumstances.

Consumers/distributers (trade and consumer recalls)

You must inform direct customers who have received the affected beer to allow them to “trace-forward” the product.

Examples of direct customers include:

- Distribution network/chain
- Trade customers
- Retailers
- Wholesalers
- Overseas importers

You must contact direct customers urgently via telephone with the following information:

- Clear statement about the reasons for a recall
- Details to allow easy identification of the beer
- Information about how the beer should be recovered/disposed of

A template for contacting business customers is available in [Section 3A](#) of the IBA Beer Recall Plan.

This should be followed up in writing via email or other electronic method such as GS1.

You must keep records of all of these attempts to contact affected stakeholders for the post-recall reporting period. Complete the Notification Ledger in [Section 3A](#) of the IBA Beer Recall Plan to satisfy this requirement.

The public (consumer recalls only)

If the recall is conducted as a consumer recall, you **must** inform the general public of the recall.

A decision about how best to reach the general public should be made in conjunction with your home state. This will depend on a variety of factors including:

- The urgency of the food safety issue
- Your customer base and distribution network
- The extent of the distribution of the affected product

Ways of informing the public

Your home state and the FSANZ Food Recall Coordinator will determine the best way(s) of contacting the public from the following options:

- Radio announcement
- Point-of-sale information
- Web content
 - This is essential if the beer has been sold online
- Direct to consumers
 - If you have access to customer contact details through loyalty programs etc.

- You must notify the ACCC before contacting customers in this manner
- Media release
 - Recommended if the product has a high safety risk
 - Should be developed in consultation with home state authorities
 - You must consult FSANZ if you draft your own press release to ensure you meet requirements.
- Print media
 - Choice of print media must be made in consultation with your home state and the FSANZ recall coordinator.
 - Print media should appear in the first half of a newspaper if possible.
 - Print media cannot be placed in the classifieds section.
 - Print media must comply with the following requirements:
 - Heading must read 'Food Recall' in red bolded text
 - Notice must be a minimum of 3 columns wide and 12 centimetres high
 - Notice must be enclosed in a red diagonally hatched border, with the internationally recognised red safety triangle in the top left-hand corner
 - Notice must use appropriate font size and style to ensure printed text can be read easily
 - Base of the notice must include the words 'See www.foodstandards.gov.au/recalls for Australian food recall information'.

Templates for ways of contacting the public are available in [Section 3A](#) of the IBA Beer Recall Plan.

3.6. Retrieval and Disposal

Retrieval

Food may be returned by:

- Retailers
- Distribution chains
- Directly from consumers

You may choose to retrieve and dispose of the beer yourself or ask customers (e.g. distribution centres) to dispose of it on-site. In some circumstances where there is a risk associated with customers returning beer to the store (e.g. exploding packaging), your home state authority may require you to direct customers to dispose of the beer themselves.

Retrieved beer being held for disposal must be separated from other beer and clearly identified as being subject to recall.

You must account for all returned beer by recording what stock is received and what stock is disposed of by customers. This may mean that you ask customers to keep track of what their incoming and destroyed stock. See the Recall Returns Checklist in [Section 3A](#) of the IBA Beer Recall Plan. This will be used in the post-recall reporting stage.

Recalled beer must be disposed of, unless the nature of the safety hazard allows for it to be reprocessed or relabelled e.g. updating labelling to disclose presence of allergens.

Disposal

Choose how to dispose of the recalled beer in consultation with the home state (if required), from the following options:

- destroy or treat the product in another way (e.g. denature) so that it cannot be used for human consumption, and place it the rubbish
- further process the beer to ensure that it is safe and suitable for human consumption (e.g. by re-labelling or re-processing)
- use for purposes other than human consumption (e.g. animal feed, if appropriate)
- return to the supplier.

Consumer/customer reimbursement

Under the *Australian Consumer Law* (within the *Competition and Consumer Act 2010*), consumers can seek a refund or replacement for defective foods. If you have conducted a consumer-level recall, you must give consumers their choice between a refund or replacement.

Manufacturers are also liable to compensate customers for loss or damage suffered as a result of supplying defective foods.

3.7. Monitoring Effectiveness (ongoing during recall)

Monitor effectiveness of recall

The recall will be monitored at each stage of the process.

If further actions are deemed necessary to protect public health and safety, recommendations will be made to management during the recall process.

For example, in a consumer level recall, if there have been few returns and little public response to a recall that poses a high public health and safety risk, the recall communication may need to be repeated using different methods to ensure consumers are effectively reached.

Monitor media and respond to enquiries

Monitor media including news sources and social media. Respond to customer and media enquiries according to your communications plan.

3.8. Closing the Recall

You must make the decision to end the recall in consultation with your home state authority. A recall can be closed once it has been deemed successful, based on when:

- the risk to the public is judged to be minimal
- the business has taken all reasonable steps to ensure the effective recall of beer including:
 - identifying all affected batches in the supply chain
 - notifying affected customers



- disposing of all affected batches in supply chain by destroying, reprocessing/ relabelling, etc. (as applicable)
- communicating the recall to the public (for a consumer level recall)
- taking corrective action (as needed)
- accounting for all recalled beer.

Staff and business customers should be informed of the recall's closure.

3.9. Post-Recall Review and Reporting

Interim report

Part A of the FSANZ Post-recall Template must be completed and submitted to FSANZ within **two weeks** of the recall being initiated.

FSANZ will advise the business's recall coordinator if, based on the interim report, the home state enforcement agency is not satisfied with the recall action and that the risk to public health and safety has not been mitigated.

If needed, the business and home state will work together to determine what further action may be required, and to ensure this action is completed.

Final report

The FSANZ Post-Recall Template must be completed in full within **one month** of the recall being initiated.

Post-recall reviews

If you have conducted a beer recall, you should review and update your recall plan and ensure that staff training is up to date. See [Section 2](#) of the IBA Beer Recall Plan.