



Restaurant  
& Catering

SAVOUR  
AUSTRALIA



29 November 2019

Committee Secretariat  
Standing Committee on Health, Aged Care and Sports  
PO Box 6021  
Parliament House  
Canberra ACT 2600

By Email: [Health.Reps@aph.gov.au](mailto:Health.Reps@aph.gov.au)

Dear Sir/Madam,

Restaurant & Catering Australia (R&CA) is the national industry association representing the interests of more than 47,000 restaurants, cafés and catering businesses across Australia. The café, restaurant and catering sector is vitally important to the national economy, generating over \$37 billion in retail turnover each year as well as employing 450,000 people. Over 92 per cent of businesses in the café, restaurant and catering sector are small businesses, employing 19 people or less.

R&CA delivers tangible outcomes to small businesses within the hospitality industry by influencing the policy decisions and regulations that impact the sector's operating environment. R&CA is committed to ensuring the industry is recognised as one of excellence, professionalism, profitability and sustainability. This includes advocating the broader social and economic contribution of the sector to industry and government stakeholders, as well as highlighting the value of the restaurant experience to the public.

R&CA appreciates the opportunity to provide a submission to the House of Representatives Standing Committee on Health, Aged Care and Sport in relation to their Inquiry into allergies and anaphylaxis. Allergen management is an important topic and one that restaurants, cafes and caterers take very seriously.

As the only national industry association acting on behalf of the café, restaurant and catering sector, we are well placed to speak to key issues relating to allergens and anaphylaxis relating to food and beverages and the interactions between individuals with allergen management and the food service industry. We believe that while the evidence clearly suggests allergies are on rise and more can be done through better education and training of employees who handle food in the regular exercise of their duties, the current regulatory framework governing the management of allergies and anaphylaxis is mostly working as intended, however could be enhanced with better training and education. .



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R&CA would like to submit to the committee we are firmly of the view that primary responsibility for the care and management of allergies and anaphylaxis should rest with the individual concerned. Primacy of personal responsibility for allergen management should be the principle lens by which the committee examines new policy measures in this space.

R&CA would strongly oppose any move to ascribe liability or responsibility for patron's allergen or anaphylaxis management unless in extreme cases of deliberate error or negligence on behalf of the business or staff.

Secondly, we are opposed to any proposal or policy which would drastically change or significantly increase the burden imposed on food service businesses. These ideas include proposals for colour-coded cutlery or crockery, the requirement for a drastic increase in the checks required by staff in a food service business before food can be served, and any proposal for the restaurant to hold liability over reactions than cannot be reasonably avoided by patrons with significant or severe allergies to food, even by airborne contact.

An example of this include patrons with severe peanut allergies attempting to dine at a Thai restaurant. We believe that it is operationally and practically impossible for a restaurant to serve that patron without there being some risk to that patron merely by attending the restaurant.

In relation to education and training, R&CA would recommend to the committee that allergen and anaphylaxis training be incorporated into food safety and handling training nationwide. Currently, there are three levels of training available to employees within food businesses, a safe food handling certificate (both back and front of house) which is issued by state food regulation agencies as well as a single food safety supervisor who is responsible for management of food safety practices across the business. Also, a single staff member (usually the front of house restaurant manager) will hold a full first aid certificate. The food safety supervisor may have some allergen training, but this is an optional competency in certain states and not common across food service businesses.

R&CA recommends the committee investigate incorporating allergen and anaphylaxis training into these competencies and look to a national harmonisation and mandating these qualifications. R&CA has long held the view that mandating training for food handlers under a nationally consistent system is good public policy.

Also, a staff member with first aid may (depending on the state jurisdiction) have some training in managing allergens and anaphylaxis, however this training is focused on the management of a episodes of allergen exposure and administration of adrenaline via an epi-pen. Even if this training is held, if a patron's particular circumstances (height, weight and type of allergen and reaction) as well as the presence or proximity of their personal epi-pen mean that successful administration is still very difficult to ascertain in an emergency situation. Again it should be noted that first aid

training is not consistent across state jurisdictions, and R&CA would submit to the committee that a nationally consistent first aid course is also worthy of investigation by the committee.

The lack of consistency for both food safety and first aid across state jurisdictions is a key reason why R&CA advocates for patrons to take personal responsibility for management of their allergens and anaphylaxis.

R&CA's recommendation to the committee would be for a new food safety training regime that incorporates some level of allergen and anaphylaxis management at both the safe food handling certificate and supervisor level, with the training focused on the interaction between food service and allergies, differing from the medical training given as part of first aid training.

We thank the committee for considering the recommendations outlined in this submission and we are prepared to assist the committee in whatever way is needed to assist in the preparation of recommendations to the government.

If you wish to discuss R&CA's views further, do not hesitate to contact Tom Green, Manager – Policy and Government at R&CA by email at [tom@R&CA.asn.au](mailto:tom@R&CA.asn.au).

We thank you again for the opportunity to make this submission.

Regards

A handwritten signature in black ink, appearing to be 'Wes Lambert', written in a cursive style.

**Wes Lambert CPA FGIA MAICD**

Chief Executive Officer

Restaurant and Catering Australia