

REGULATORY SERVICES

Paeroa Māhiti Pakihi Hoko Kai Food Business Grading Bylaw

Date of adoption: 28 October 2021

Resolution number: 21/RDC/367

Date review due: October 2031

Relevant legislation: Food Act 2014

Statutory: No

RANGITIKEI DISTRICT COUNCIL

FOOD BUSINESS GRADING BYLAW 2021

Paeroa Māhiti Pakihi Hoko Kai

1 TITLE

- 1.1 This bylaw shall be known as the Rangitikei District Council Food Business Grading Bylaw 2021.

2 COMMENCEMENT

- 2.1 This bylaw comes into force on 1 November 2021

3 SCOPE

- 3.1 This bylaw is made under the authority given by sections 145 and 146(a)(v) of the Local Government Act 2002.
- 3.2 This bylaw applies to:
- a) Premises for which Council is the Registration Authority.
 - b) Food Businesses that are registered with another Authority and request a grading inspection.

4 PURPOSE

- 4.1 The purpose of this bylaw is to:
- a) Allow the community to make informed decisions in respect to food businesses.
 - b) Support Council's role in monitoring food businesses.

5 INTERPRETATION

- 5.1 For the purposes of this bylaw the following definitions apply:

AUTHORISED OFFICER means an Environmental Health Officer warranted by the Rangitikei District Council.

COUNCIL means the Rangitikei District Council.

FOOD shall have the same meaning as in Section 9 of the Food Act 2014 or any subsequent legislation.

FOOD HANDLER means any person who is directly involved with the handling, packaging, preparation and/or cooking of food for human consumption.

FOOD BUSINESS shall have the same meaning as in Food Act 2014.

GRADE and GRADING means the grade allocated to a food business following an inspection by an Authorised Officer in accordance with the matrix in Appendix 1. The definition of the grades awarded under this bylaw are listed below:

GRADE A means Excellent – with a premises score rating of 20 to 25.

GRADE B means Good – with a premises score rating of 15 to 19.

GRADE D means Sub-standard – with a premises score rating of 9 to 14.

GRADE E means Unacceptable – with a premises score rating of 0 to 8.

GRADE N means New – where premises are new or have transferred operator, and are awaiting grading.

GRADING CERTIFICATE means the certificate issued to a food business following an inspection or a re-inspection, stating the grade allocated to the premises by an Authorised Officer.

INSPECTION means an assessment by an Authorised Officer to establish the level of compliance with the current food safety legislation applicable to the food business.

OPERATOR shall have the same meaning as in section 8 of the Food Act 2014 or any subsequent legislation.

OFFENCE means a failure to comply with the requirements of this bylaw.

RE-INSPECTION means a follow up inspection by an Authorised Officer to determine if the remedial works/actions identified at a previous inspection have been rectified.

RE-GRADING means a re-assessment of a food business for grading purposes.

Verification means an assessment by an Authorised Officer to establish the level of conformance with a documented Food Safety Programme and compliance with the Food Act 2014.

6 GRADING

- 6.1 All food businesses will be allocated a grade as required by the specific plan they use or if requested by the food business.
- 6.2 A new food business or a food business that has had a change of operator, will receive a grading inspection/verification within six weeks of continuous operation.
- 6.3 Grades will be calculated using the criteria in Appendix 1. Due to the food safety importance of sections 1 to 4 of Appendix 1. Any food business scoring 3 or below in any one of these sections will be ineligible for the award of an “A” grade and any score of 1 or below in any one of these sections will result in a “E” grade.
- 6.4 A grading certificate shall be issued to the operator of a food business as soon as practicable following an inspection/verification, but no longer than twenty working days following an assessment.
- 6.5 The current grade certificate must be displayed at each public entrance of the business, so as to be readily visible from the exterior of the premises.
- 6.6 The grading certificate shall be current for a period required until another grading is due from the date of issue or such lesser time if it is amended, cancelled or withdrawn by an Authorised Officer following a subsequent grading or other inspection.
- 6.7 Grading certificates are not transferable from one operator to another.

7 RE-GRADING

- 7.1 The operator of the food business may apply in writing to the Council at any time for re-grading inspection.
- 7.2 If accepted, re-grading inspections will take place within 20 working days of receipt of a written request.
- 7.3 A grading certificate will be issued within twenty working days following the re-grading inspection/verification.
- 7.4 Any re-grading/re-inspections shall be charged at the rates set by the Council.

8 APPEALS

- 8.1 Any Operator of a Food Business may appeal against any grading or against any requirement made by an Authorised Officer in accordance with this bylaw.
- 8.2 An appeal must be directed to the Council in writing and must be received within ten working days of notification of the grade and/or requirement.
- 8.3 The decision of an Authorised Officer shall stand until such time as the Council determines the matter. The right of appeal under this bylaw is in addition to any other statutory right made available to the Operator.
- 8.4 Council's Hearings Committee will determine the appeal.

9 Fees

- 9.1 Fees are set by resolution of Council.

10 Penalties

- 10.1 In accordance with section 239 of the Local Government Act 2002, every person who breaches this bylaw commits an offence and is liable on summary conviction to the penalty set out in section 242(4) of that Act (being a fine not exceeding \$20,000).

APPENDIX 1: ENVIRONMENTAL HEALTH FOOD BUSINESS INSPECTION MATRIX

Section 1	ASSESSMENT OF PERSONAL HYGIENE PRACTICES	Score
	Excellent standard of personal hygiene, all required tools provided to a high Standard.	5
	Good standard of personal hygiene, wash hand basins fully equipped.	4
	Acceptable standard of personal hygiene, wash hand basins fully equipped.	3
	Personal hygiene needing improvement, wash hand basins not fully equipped.	2
	Lack of understanding of personal hygiene requirements, wash hand basins are not fully equipped.	1
	Serious breaches of hygiene practice requirements	0

Section 2	ASSESSMENT OF TEMPERATURE CONTROL	Score
	Written temperature monitoring programme, procedures relating to temperature control in place and fully implemented.	5
	Temperature monitoring programme and procedures relating to temperature control in place, but not fully documented.	4
	Minimal risk of temperature abuse. Temperatures in compliance with requirements	3
	Temperature control generally good, but some significant gaps in procedures	2
	Some evidence of temperature abuse and food potentially contaminated	1
	Serious breaches of temperature control	0

Section 3	ASSESSMENT OF FOOD PROTECTION	Score
	Documented systems in place and evidence that procedures have been implemented	5
	Food protected and systems in place, but not documented	4
	Some systems in place, food unlikely to be exposed to contamination	3
	Systems needing improvement, risk that food exposed to contamination	2
	Lack of food protection and evidence that food exposed to contamination	1
	Serious breaches of food protection requirements	0

Section 4	ASSESSMENT OF CLEANING AND SANITISING	Score
	Excellent overall standard of cleanliness, documented cleaning schedule in place.	5
	Excellent overall standard of cleanliness but no documented cleaning schedule in place.	4
	Good standard of cleanliness	3
	General standard of cleanliness reasonable – improvement needed to prevent a fall in standards	2
	Premises in a poor condition, general lack of effective cleaning	1
	Premises in an unacceptable condition, almost total non-compliance with food protection requirements.	0

Section 5	ASSESSMENT OF PREMISES (STRUCTURAL)	Score
	Excellent overall condition, maintenance programme in place	5
	Very good overall condition, regular maintenance	4
	Good overall condition, suitable for purpose	3
	Reasonable overall condition, but improvements needed to prevent a fall in standards	2
	Poor overall condition and general lack of maintenance	1
	Serious structural deficiencies and premises not suitable to be used as food premises	0



Andy's Nosh Shop

This food operation has been awarded the following grade

PREVIOUS GRADE

B



This certificate was issued

MAY 2020

If there has been a change in the grade of this operator's grade it is because:

Improved cleanliness.

Signed: *Bob Smith* Bob Smith Environmental Health Officer Date: 1/05/2020

Dean's Dream Burgers

Huntermville

This food operation has been awarded the following grade

PREVIOUS GRADE

A

B
Good

This certificate was issued:

JUNE 2020

If there has been a change in the grade of this operator's grade it is because:

Poor Food Handling Practise

Signed: *Bob Smith* Bob Smith Environmental Health Officer Date: 1/06/2020



Lynne's Lovely Tea Rooms

Marton

This food operation has been awarded the following grade

PREVIOUS GRADE

B

Sub Standard

This certificate was issued:

JUNE 2020

If there has been a change in the grade of this operator's grade it is because:

Poor temperature control posing a risk to food hygiene

Signed: *Bob Smith* Bob Smith Environmental Health Officer Date: 1/06/2020

Montizuma's Revenge

Taihape

This food operation has been awarded the following grade

PREVIOUS GRADE

D

Unacceptable

This certificate was issued:

JUNE 2020

If there has been a change in the grade of this operator's grade it is because:

Vermin infestation, poor hygiene

Signed: *Bob Smith* Bob Smith Environmental Health Officer Date: 1/06/2020