

Application of the Safe Drinking Water Act to food premises

The Safe Drinking Water Act (the Act) applies to all drinking water providers who supply water to members of the public including supplies used in premises that prepare and serve food and beverages. Such premises may include cafes, restaurants, delicatessens, hotels, road houses and hosted bed and breakfasts. This fact sheet provides advice on the impacts of the Act on the provision or use of drinking water in food premises.

Prior to the development of the Act, drinking water including water used in food preparation was regulated under the *Food Act 2001*. The Food Act requires that water used in food premises is of potable (drinking) water quality. The Act maintains this requirement.

Safe Drinking Water Act

The Act applies to all drinking water providers who supply water to members of the public. The definition of 'drinking water' provided in the Act includes water that is intended for human consumption or for purposes connected with human consumption including water used in food preparation.

Use of drinking water in food premises

The *Food Act 2001* requires that water of drinking quality must be used for all activities undertaken in a food premise unless it can be shown that the use of non-drinking water (e.g. water sourced from unregulated rainwater tanks or bores where quality cannot be assured) will not affect the safety of the food. Examples include toilet flushing and the cleaning of areas which will not come into contact with food such as floors and walls.

Water of drinking quality must be used for activities in food premises including:

- > Washing of food
- > Preparation of food
- > Cooking of food
- > Making ice
- > Preservation of unpackaged food
- > Adding to food and beverages
- > Cleaning of surfaces which will come into contact with food (e.g. benches)

- > Washing of food containers and utensils
- > Hand washing

Use of mains water supplies in food premises

Food premises that use a SA Water or other reticulated mains water supply for food and beverage preparation are not subject to the requirements of the Act. Mains water supplies are subject to the full requirements of the Act and therefore safe to use in food premises.

Use of rainwater in food premises:

Food premises that use rainwater in the preparation of food or beverages are subject to the requirements of the Act.

The Act provides for the exemption of certain low risk premises that provide rainwater. However the exemption does not apply where food or beverages are prepared and provided for sale at cafes, restaurants, retail food or beverage businesses or licensed premises. This is to maintain consistency with regulation under the *Food Act 2001* which requires that water used in food premises must be of drinking water quality.

Use of bore water in food premises

Bore water supplies can be subject to contamination and may contain high levels of naturally occurring heavy metals. Bore water must be tested for microbiological



and chemical quality prior to use for drinking purposes including preparation of food. Bore water supplies are subject to the requirements of the new legislation.

Use of carted water in food premises

If you have your drinking water tanks topped up/filled with water supplied by a carter you should ensure that the carter is registered with the Department for Health and Ageing (DHA) as a drinking water provider.

Use of packaged or boiled water in food premises

The use of packaged or bottled water is an acceptable means of assuring drinking water quality in a food premise where the quality of alternative water supplies such as rainwater or bore water cannot be guaranteed (e.g. in remote areas of the state). Food premises that use packaged water in food preparation are not subject to the requirements of the Act.

The use of boiled water may be suitable in certain food premises where small quantities of water are required for food preparation. Boiling is an effective means of disinfection against harmful microbial organisms. Water can be boiled and then stored in a clean, sealed container for later use. Boiling does not need to be maintained for any length of time and kettles with automatic shut offs are suitable for this purpose. Boiling should only be considered where the chemical quality of the water is known to be suitable for drinking.

Use of surface water in food premises

Surface water supplies can be subject to contamination from human and animal waste and generally require filtration and disinfection to ensure that the water is safe for drinking and food preparation. Surface water supplies used in food premises are subject to the requirements of the new legislation.

How do the requirements of the Act apply to a food premise?

Food premises that use rain, bore or surface water for food and beverage preparation will need to comply with the following requirements of the Act:

Registration

Registration is a one-off, free event. Providers need to fill out the registration form available on the Public Health SA website and return to DHA by 1 June 2013. Providers commencing supply after this date will need to register prior to supplying food and beverages to the public. DHA will maintain a list of registered providers and notify local councils of providers in their area.

Risk management plan (RMP)

Existing providers have until 1 March 2014 to develop and implement a RMP. Providers commencing supply after this date will need to have a RMP in effect prior to supplying food and beverages to the public.

Most food premises will be able to adopt a standard RMP as developed by DHA. This will include a monitoring program and incident protocol. Monitoring requirements for rainwater supplies in regulated food premises will include sampling for *E.coli* on a monthly basis. Bore and surface water supplies are subject to more extensive testing requirements including chemical quality to ensure safety.

Certain incidents (e.g. detection of *E.coli*) require notification to DHA as identified in the standard incident protocol.

Audits and inspections

The Act requires routine audits and inspections of drinking water providers to be undertaken. Frequency of inspection of most food premises under the Safe Drinking Water Act is likely to be once every two years.

Food premises are currently inspected under the *Food Act 2001*. Where possible,



inspection of food premises under the *Food Act 2001* and the Act will be combined to reduce duplication and cost. Inspections of food premises will continue to be undertaken by Environmental Health Officers from local councils. Food premises in unincorporated areas of the state will be inspected by officers from DHA.

Reporting of results

All drinking water results from approved monitoring plans will need to be reported to DHA. At the time of inspection, results will be collected and forwarded to DHA with a copy of the inspection report.

Providing results to customers

Drinking water providers are required to provide results to customers on request. In the case of a food premise, this will generally take the form of responding to an e-mail, a letter or a phone request including information on the latest testing results.

Food premises that provide food to vulnerable persons

Food premises that utilise non-mains water for food and beverage preparation and provide food to vulnerable persons (e.g. hospital kitchens, school canteens, delivered meals organisations) are subject to the Act as outlined above. These providers will be subject to an annual audit under the Act which is consistent with current requirements under the *Food Act 2001*. Audits of drinking water providers will be undertaken by DHA approved auditors and combined with food audits where possible. This will reduce duplication and cost to the provider. Food safety auditors currently assess safety of drinking water supplies as part of existing audit processes. Audits under the Act will represent a continuation of these practices and ensure consistency of audit in all food premises.

For more information

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