

12th June, 2012

Food Standards Australia New Zealand
P.O.Box 7186
Canberra BC ACT 2610
Australia

By Email: submissions@foodstandards.gov.au

Re: Comments on Proposal P1018: Companion Dogs in Outdoor Dining Areas

I am a private citizen and wish to make the following submission on behalf of myself and my family. I do not represent the interests of an outdoor food provider, a food manufacturer or a government agency, but rather as a citizen and a dog owner.

I greatly appreciate the opportunity to review and comment on the Proposal P1018 related to the amendment of the Australia New Zealand Food Standards Code, clause 23 of Standard 3.2.2 on the food safety practices and general requirements applicable to food businesses in Australia.

I support the proposed amendment of the standard to permit a dog that is not an assistance animal for someone who has a visually impairment to be present in an outdoor dining area as a national standard applicable throughout the whole of Australia.

In considering this proposal I believe the following matters are relevant for government, the food service providers and individual citizens:

1. Lack of evidence for food safety concerns
2. Efficient and consistent application of national standards
3. Health benefits of companion dogs
4. Fairness, equity and social justice
5. Promotion of tolerance and good behavior in the community
6. Support for businesses and the community

1. Lack of evidence for food safety concerns

Dogs can carry over a dozen forms of zoonotic, or human-transmissible, diseases and dog owners are at risk of contracting zoonotic disease if they do not practice appropriate hygiene and disease-control measures. Some forms of zoonotic diseases in dogs are more common and the dogs may not present with symptoms themselves and thus be a carrier of disease. The presence of *Campylobacter* or *Salmonella* bacteria in dog faeces may be due to either giving dogs raw chicken meat or other raw meat as part of their diet.

‘Food poisoning’ can result from *Salmonella* or *Campylobacter* either as a result of poor

handling or contamination of food during preparation, or as an inherent risk from the presence of these organisms in raw poultry or other raw meat which is inadequately cooked, or which is allowed to spoil.

Many domestic animals are a potential source of Salmonella or Campylobacter, including companion dogs. Nevertheless, the route of transmission of Salmonella from a companion dog present in an outdoor dining area at the time that food is served and consumed by either the owners of such dogs or other patrons is not just remote, but infinitesimal.

In order that faecal material containing Salmonella must be transmitted to the food to be consumed, which is extremely unlikely in the preparation of the food as the companion dog is not permitted in the kitchen. Once the food is served there is in an outdoor dining area, there is also an extremely small chance of contamination of the served food.

While there are some diseases that can be transmitted from cats and dogs to their human handlers, allergies are the most common health risk from dog fur. While there is a risk that some other patrons may have an allergy to dog fur, this is easily managed by ensuring the dog-allergic patron is not seated in close proximity to another patron with a companion dog.

2. Efficient and consistent application of national standards

One of the pillars of the Council of Australian Government Agreement on Regulatory Reform is that of harmonization of laws across Australia and requiring *consistency in application of national standards* and regulatory activity between jurisdictions.

Australia and New Zealand have a joint Food Standards Code which is adopted by each of the States and Territories for the purpose of ensuring a seamless, nationally consistent food regulatory environment. This is deemed to be a significant reduction in costs for businesses operating across various jurisdictions by only needing to comply with one national set of standards, and ensuring that businesses in one jurisdiction do not have trading advantages over businesses in another jurisdiction.

A single national standard ensures not only an efficient regulatory system for businesses and for regulators, it also ensures that the Australian public can be assured that there is one law for all and that the law is fairly and consistently applied to ensure the safety of our community.

However, it is evident that the national standard that prohibits companion dogs to be present in an outdoor eating area is inconsistently applied, even to the extent that certain jurisdictions have permitted local variation to the standard. The reasons for this are various, but it is evident that in these communities it has been judged this particular law is not needed.

3. Health benefits of companion dogs

It is well known that there are physical and mental health benefits attributed to playing

with, and the companionship of, a dog. Recently studies have found significant tangible benefits for pet owners, namely that:

- Pet owners are less likely to suffer from depression than those without pets.
- People with pets have lower blood pressure in stressful situations than those without pets.
- Playing with a pet can elevate levels of serotonin and dopamine, which calm and relax.
- Pet owners have lower triglyceride and cholesterol levels (indicators of heart disease) than those without pets.
- Heart attack patients with pets survive longer than those without.
- Pet owners over age 65 make 30 percent fewer visits to their doctors than those without pets.

One of the reasons for these therapeutic effects is that most pets fulfil the basic human need to touch. Stroking, holding, cuddling, or otherwise touching a loving animal can rapidly calm and soothe us when we're stressed. The companionship of a pet can also ease loneliness, and some pets are a great stimulus for healthy exercise, which can substantially boost mood.

In addition, owning a dog encourages healthier lifestyles such by:

- **Increasing exercise.** Exercise doesn't have to involve boring repetition at a gym. Taking a dog for a regular walk provides stimulation for both the dog and the owner.
- **Providing companionship.** Isolation and loneliness can make disorders such as depression even worse. Caring for a living animal can help make you feel needed and wanted, and take the focus away from your problems. Most pet owners talk to their pets, some even use them to work through their troubles.
- **Helping meet new people.** Pets can be a great social lubricant for their owners. Dog owners frequently stop and talk to each other on walks or in a dog park. Pet owners also meet new people in pet stores, clubs, and training classes.
- **Reducing anxiety.** The companionship of a dog can offer comfort, help ease anxiety, and build self-confidence for people anxious about going out into the world.
- **Adding structure and routine to your day.** Many pets, especially dogs, require a regular feeding and exercise schedule. No matter your mood—depressed, anxious, or stressed—you'll always have to get out of bed to feed, exercise, and care for your pet.
- **Providing sensory stress relief.** Touch and movement are two healthy ways to quickly manage stress. This could involve petting a cat or taking a dog for a walk.

4. Fairness, equity and social responsibility

The social contract each individual has is a part of living in a community is to undertake

to work towards a sense of social responsibility and social justice, one that focuses on making our society work for the many rather than just for the few. In this context it is important that, while protecting the need for public health and safety, fair and equal opportunity is provided to all citizens to enjoy the freedoms of society.

Equity derives from a concept of social justice. It represents a belief that there are some things which people should have, that there are basic needs that should be fulfilled, that the constraints and restrictions place on businesses and citizens should be the minimum necessary to provide the desired result, and that policy should be directed with impartiality, fairness and justice towards these ends.

It is therefore important that dog owners are not unfairly discriminated against from being able to take their companion dogs with them when enjoying outdoor dining opportunities, within the constraints that with such freedom comes the need for dog owner to be responsible in the management of their dog and not to unreasonably impinge on other patrons at such facilities.

Fairness, equity and social justice are also important in considering the increasing urban density of our communities and the reduction in free space, as well as the reduction in size of urban dwellings. These impose constraints on the ability of companion dogs to socialize, to exercise and to be part of the community if there are excessive constraints about where dog owner can take them.

Removing the prohibition and leaving the food business operator and the dog owner to determine where and how companion dogs can be accommodated in an outdoor dining area promotes a fair, equitable and socially responsible community. This also promotes dog owners to be socially responsible and encourages them to be more aware of other people by requiring them to take control of their dogs in such an environment, or face being asked to leave.

5. Promotion of tolerance and good behavior in the community

Sadly, there are far too many pet owners, especially dog owners, who do not have regard for the proper care of their animals, and have a lack of regard for the needs of others. There may be a variety of reasons for this ranging from ignorance and lack of social engagement, to immaturity and bad manners. There are also many members of society who are generally uncomfortable with animals and have little desire to interact with pets of any description.

While a psychologist might find a variety of labels and underlying conditions to explain such behaviours, treatment does not lay in prescription pills or therapy; but rather in providing a positive environment to encourage a change in behaviour.

Encouraging dog owners to be responsible for their animals means providing an opportunity for reward as well as opportunities for reflection. If dog owners throughout Australia are able to bring their companion dogs with them to outdoor dining areas on

condition that the animals are well behaved and well managed, perhaps it will give irresponsible dog owners pause for thought.

Having dogs in an outdoor dining area may not change the attitude of the most ardent zealots opposed to allowing dogs outdoors, possibly due to their prior experiences of badly controlled dogs. However, seeing well managed dogs and having the opportunity to talk with responsible dog owners may help to heal these wounds and build a more cohesive society.

6. Support for businesses and the community

It is often said that small businesses are the backbone of society, and clearly they are a significant employer. Outdoor dining facilities are typically found in association with small businesses as restaurants, cafes, coffee shops, etc.

Small businesses support the community through providing local jobs and provide interesting and diverse experiences in the community. Yet these particular small businesses are vulnerable to the impacts of available discretionary spending in the Australian community and to a lesser extent also on tourism and the exchange rate. Current Australian conditions of minimum wage requirements for casual employment, the high Australian dollar, concerns about the economy and the pressures on communities caused by the “Mining Boom” are all having a detrimental effect on hospitality-based small businesses.

Providing an opportunity for dog owners to take their dogs with them to outdoor dining areas has the potential to increase patronage and to support local businesses at a time when tourism has dropped and there is a retraction in discretionary spending due to concerns over issues such as the Greek debt crisis.

Summary

In summary, I believe that there is great merit in removing the prohibition of companion dogs in outdoor dining areas and allow the good sense of the food service operator to determine where, when, and how companion dogs can be allowed in an outdoor food service environment.

The approach will be of benefit to dog owners, encouraging them to be responsible in managing their dogs in a behaviour and social interaction with other dogs and with other patrons in such an environment.

This also has important public health benefits by encouraging dog owners to make greater use of outdoor and recreational activities and encouraging them to get outdoors and enjoy the environment with their dog by being able to take their dog with them when they go for a walk and a stop for coffee at the local alfresco dining café.

Fundamentally, the current law is unnecessary, unfair, and defies common sense. Society

would be greatly enriched by its removal.

Thank you for consideration of these comments.

Sincerely,

Jaki Crosby

