

26 September 2014
[26-14]

Administrative Assessment Report – Application A1101

Commencement of Dietary Fibre Claim Provisions

Date received: 15 August 2014		
Date due for completion of administrative assessment: 5 September 2014		
Date completed: 5 September 2014		
Applicant: Australian Food & Grocery Council		Potentially affected Standard/s: Transitional Standard 1.1A.1 and/or Standard 1.2.7
Brief description of Application: To delay the commencement of provisions in Standard 1.2.7- Nutrition, Health and Related Claims for nutrition content claims about dietary fibre from 18 January 2016 for 12 months ie 18 January 2017.		
Procedure: General Level 1	Estimated total hours: Up to 350 Reasons why: <ul style="list-style-type: none"> • Only extension of transition period requested • Key input – cost benefit analysis 	Estimated start work: Mid-September 2014

Decision

Application accepted

Date: 5 September 2014

Has the Applicant requested confidential commercial information status?

Yes No

What documents are affected?

Has the Applicant provided justification for confidential commercial information request?

Yes No N/A

Has the Applicant sought special consideration e.g. novel food exclusivity, two separate applications which need to be progressed together?

Yes No

Charges

Does FSANZ consider that the application confers an exclusive capturable commercial benefit on the Applicant?

Yes No

Does the Applicant want to expedite consideration of this Application?

Yes No Not known

The Applicant has not requested the assessment be expedited, however the timing of the assessment is constrained by the end of the transition period for Standard 1.2.7 (January 2016).

Application Handbook requirements

Which Guidelines within the Part 3 of the *Application Handbook* apply to this Application?

3.1

Is the checklist completed?

Yes No

Does the Application meet the requirements of the relevant Guidelines?

Yes No

If no, where did the application fail to meet requirements?

Section 3.1.4A in the *Application Handbook* is most relevant to this Application. See Other Comments or Relevant Matters below

Does the Application relate to a matter that may be developed as a food regulatory measure, or that warrants a variation of a food regulatory measure?

Yes No

Is the Application so similar to a previous application or proposal for the development or variation of a food regulatory measure that it ought not to be accepted?

Yes No

Did the Applicant identify the Procedure that, in their view, applies to the consideration of this Application?

Yes No

If yes, indicate which Procedure:

General

Other Comments or Relevant Matters:

This Application seeks to delay the commencement of specific provisions in Standard 1.2.7. The information requirements relevant to this Application are in Section 3.1 of the *Application Handbook* and in particular, Section 3.1.4A relating to regulatory impact information. Given the nature of the Application and of the measure it seeks, it is considered that the additional information required would best be sought via a consultation process with industry and the public, once FSANZ has clarified the regulatory impact requirements with the Office of Best Practice Regulation.

Consultation & assessment timeframe**Proposed length of public consultation period:**

4 weeks for both consultations

Proposed timeframe for assessment:

'Early Bird Notification' due: 7 October 2014

General Procedure:

Commence assessment (clock start)	Mid-September 2014
Public comment (non-statutory)	Mid-October 2014
Completion of assessment & preparation of draft food reg measure	Late January 2015
Public comment	Early-February 2015
Board to complete approval	Mid-May 2015 (teleconf.)
Notification to Forum	Early June 2015
Anticipated gazettal if no review requested	Mid-August 2015