

Comments from the Victorian Departments of Health and Human Services and Economic Development, Jobs, Transport and Resources

Submission due: 25 October 2018

The Victorian Departments of Health and Human Services and Economic Development, Jobs, Transport and Resources (the departments) welcome the opportunity to provide comments on Application A1102 – Addition of L-carnitine to foods (the Application).

The Application seeks to amend the Australia New Zealand Food Standards Code (the Code) to permit the use of L-carnitine and L-carnitine tartrate in a range of food products, and increase permitted levels of L-carnitine and L-carnitine tartrate in formulated supplementary sports foods (FSSFs).

From the FSANZ assessment report it is understood that:

- The Code currently permits addition of L-carnitine to infant formula products, FSSFs and foods for special medical purposes.
- The stated purpose of the application is to permit the addition of L-carnitine and L-carnitine tartrate (collectively referred to as L-carnitine from this point forwards) to foods to assist maintenance of normal carnitine status in the body in the elderly, vegetarians and individuals actively losing weight. Additionally, the application seeks to increase permitted levels of L-carnitine in FSSFs from 100mg to 2g per one-day quantity.
- FSANZ proposes to not permit addition of L-carnitine to any new food classes proposed by the applicant, as the available evidence does not support a benefit of L-carnitine addition to foods for the elderly, vegetarians or individuals actively losing weight.
- Limited evidence in the application demonstrated that consumption of 2g/day of L-carnitine reduced perceived muscle soreness post-exercise.
- The risk assessment conducted by FSANZ concluded that L-carnitine is not likely to be hazardous, and consumption below 3g per day has not been associated with adverse effects in humans.

The departments hold some concerns regarding this application. We agree that the addition of L-carnitine should be limited to those food classes currently permitted, where there is a demonstrated benefit or need. However, the departments are concerned that the large increase in permitted levels of L-carnitine in FSSFs may result in some individuals exceeding the 3g/day of L-carnitine identified by FSANZ as the level at which adverse effects may occur.

'Stacking' is a common practice among sport supplement consumers where multiple supplement products are consumed ('stacked') to achieve a proposed synergistic benefit. However, *Standard 2.9.4 - Formulated supplementary sports foods* does not require nutritive substances (such as L-carnitine) to be quantified on labels, unless a nutrient content claim is made. Therefore, if these various supplements within the 'stack' are not required to label L-carnitine content, and if the products have differing recommended one day quantities, there is a risk that individuals may consume more than 3g per day of L-carnitine.

Additionally, we are aware that although FSSFs are currently permitted to contain only 100mg of L-carnitine per one-day quantity, there are FSSFs products and 'recommended stacks' currently promoted in Australia which would result in over 4g of L-carnitine consumed per day. We are concerned that the proposed large increase in the permitted one-day quantity of L-carnitine may further contribute to these excessively high levels of L-carnitine consumption in sports supplement consumers.

In the absence of more definitive evidence that provides assurance that the increased permitted levels of L-carnitine in FSSFs are not likely to have a negative health impact on consumers of these products, taking into account the different ways they are commonly used (such as stacking), **we do not support the Application progressing.**

If the Application is to progress, ways to mitigate the risks of consuming more than 3g/day need to be explored. This may include labelling options, such as quantifying the amount of L-carnitine in the Nutrition Information Panel and including an advisory statement that indicates adverse effects can occur if more than 3g per day of L-carnitine is consumed.