

**Comments from the Victorian Department of Health and Human Services and the Victorian Department of Jobs, Precincts and Regions.**

**Due date of submission – 17 January 2019**

The Victorian Departments of Health and Human Services and Jobs, Precincts and Regions (the departments) welcome the opportunity to respond to this application to amend the Australia New Zealand Food Standards Code (the Code).

Application A1167 – Lactase from *Bacillus subtilis* as a PA (Enzyme) seeks to permit the use of the enzyme,  $\beta$ -galactosidase (commonly known as lactase) from a genetically modified strain of *Bacillus subtilis* (*B.subtilis*).

From the Food Standards Australia New Zealand (FSANZ) Assessment report it is understood that:

- $\beta$ -galactosidase from *Bacillus subtilis* (the enzyme) is involved in the hydrolysis of lactose to galactose and glucose during the production of low lactose and lactose free dairy products, and galacto-oligosaccharides (GOS). The enzyme would not perform a function in these products at the point of sale, and therefore meets the requirements to be used as a processing aid.
- The enzyme is derived from a genetically modified strain of *B.subtilis* containing the  $\beta$ -galactosidase gene from *Bifidobacterium bifidum*.
- FSANZ concluded that there are no public health and safety issues associated with the use of the enzyme as a processing aid. The safety of *B.subtilis* has previously been assessed by FSANZ and the Code permits several enzymes derived from the organism.
- The Code currently permits the use of  $\beta$ -galactosidase from other microbial sources for the use in the manufacture of all foods.  $\beta$ -galactosidase from *Bacillus subtilis* is not currently permitted.
- Novel DNA or novel protein may remain in the food treated with the enzyme and these foods will need to display genetically modified labelling when sold.
- GOS is one of the foods that will be produced using the enzyme, and is often used as an ingredient in other foods, such as infant formula. Where GOS is used as an ingredient in a secondary food, the final food will not be required to display genetically modified labelling.

On the basis of the information above, the departments support the progression of Application A1167.