FOOD STANDARDS Australia New Zealand
Te Mana Kounga Kai – Ahitereiria me Aotearoa

16 July 2008
[12-08]

APPLICATION – ADMINISTRATIVE ASSESSMENT

<table>
<tr><td>A1009</td><td colspan="2">Date Received: 6 June 2008
Date Due for completion of Administrative Assessment: 30 June 2008
Date Administrative Assessment Completed: 30 June 2008</td></tr>
<tr><td colspan="2">Applicant: Pureharvest</td><td rowspan="2">Potentially affected Standards in the Code:
1.2.1
1.5.2</td></tr>
<tr><td colspan="2">Title: Extension of Mandatory GM Labelling Requirements

Brief Description of Application:
To significantly extend the current provisions as they relate to labelling of genetically modified [GM] foods</td></tr>
<tr><td>Procedure:
Major

Reasons why:
The Application involves a significant change to the scope of the food regulatory measure and would involve a change to a labelling requirement impacting on a wide range of foods.</td><td>Estimated total hours (Major Procedure)
4550 hours

Reasons why:
The assessment of the Application will require extensive stakeholder consultation, consumer research,
The Application would require:
• the development of a complete community communications strategy to address public concern
• the development and distribution of community education material
• extensive consultation with government agencies, industry, consumer groups
• establishment of external working parties and advisory groups
• a benefit cost analysis of the proposed labelling changes and food compositional analyses to determine which foods are affected for the Benefit Cost Analysis, in addition to a comprehensive assessment of risk management strategies
• notification to the World Trade Organization</td><td>Estimated start work:
If not paid to expedite the Application, the project would be deferred for more than 1 year from the time of receipt due to current workload.</td></tr>
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DECISION

Application rejected

Date: 30 June 2008

If rejected, list reasons for rejection:

- The Application does not meet the mandatory format and information requirements under Part 3 of the *Application Handbook,* as required under subsection 22(2) of the FSANZ Act.

Has the Applicant claimed Confidential Commercial Information status? Yes No ✓ **What documents are affected?** N/A **Has the Applicant provided justification for Confidential Commercial Information status?** N/A
Is the Application for a High Level Health Claim? Yes No ✓ **If so, has the Applicant made an election to have FSANZ give public notice calling for submissions under s.51 of the FSANZ Act?** N/A
Has the Applicant sought special consideration e.g. novel food exclusivity, two separate applications which need to be progressed together e.g. a novel food and a related high level health claim. Yes No ✓ **Details**: N/A

Charges

Does FSANZ consider that the application is subject to ECCB? Yes No ✓ **If yes, indicate the reason:** N/A
Does the Applicant want to expedite consideration of this Application? Yes No Not known ✓

Application Handbook Requirements

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

Sections 3.1, 3.2.1, 3.2.4

Does the Application meet the requirements of the relevant Guidelines?

Yes No ✓

The Applicant does not appear to refer to the mandatory requirements for applicants (Part 3 of the *Application Handbook*), but instead has referred to outdated advice on the process for changing the Code, in the 2005 FSANZ publication *GM Foods. Safety Assessment of Genetically Modified Foods* Pg 38.

Is the checklist completed?

Yes No ✓

What information is not provided?

Quantitative consumer research, extent of products affected, impacts on industry and retailers, and relevant cost data (throughout supply chain) and impacts on food prices as follows:

3.1 – General Requirements

3.1.1 B	Format (*does not clearly identify relevant Section(s) of Part 3 being addressed*).
3.1.4	Justification for the Application *(No separate statement provided as required although strong reasons were given)*
3.1.5	Information to support the Application (*insufficient, query quality of data*)
3.1.6	Assessment procedure *(not indicated)*
3.1.10	Statutory Declaration (*not provided*)
3.1.11	Checklist (*not provided*)

3.2.1 – General Food Labelling

A 2	Justification for the Application *(some elements not addressed e.g. costs and benefits for industry, consumers and government)*
C 1	Information to demonstrate consumer support of the proposed labelling change *(insufficient; higher quality quantitative data required)*
C 2	Information to demonstrate that the proposed labelling change will be understood and will assist consumers *(not provided)*
D 1	Data on the projected cost to the food industry of the proposed labelling change *(not provided)*
D 2	Impact on international trade *(not provided)*

3.2.4 – Labelling for Consumer Information and Choice

A 2	Information to show that there are no, or a limited number of, suitable substitute products in all food categories currently available to consumers *(not provided)*
A 3	Information to show that the proposed specific labelling change will assist consumers to make an informed choice or will provide alternative labelling that will not hinder consumers from making an informed choice *(not provided)*
A 4	Information to demonstrate that, in the absence of the proposed labelling, alternative measures to address the issue would not be effective *(not provided)*

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

The Applicant has provided insufficient information to fully evaluate this.

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

Yes No ✓

If yes, indicate which Procedure: N/A

Other Comments or Relevant Matters:

The Applicant referred to the FSANZ *Review on Labelling of Genetically Modified Foods* (2003) and considered that the Review Report provided sufficient information for changes to be made to Standard 1.5.2. The Review did not include a review of labelling policy for GM foods. The scope of the review was limited to:

- a review of GM food labelling requirements that have been introduced in other countries around the world
- an examination of consumer attitudes in relation to GM labelling
- a report on compliance and enforcement of the Standard
- noting any developments in Codex in respect of a standard for GM labelling.

In the outcomes of the Review it was noted that, in Australia and New Zealand, the majority of consumers want mandatory GM food labelling so they can make informed purchasing decisions. There was also some support for method of production labelling, rather than labelling based on the composition of the food. The Review Report also noted that, based on the studies examined, it was difficult to determine the strength of the link between consumer demand for GM labelling and the actual use of GM labelling in purchasing behaviour.

CONSULTATION & ASSESSMENT TIMEFRAME

Consultation Strategy:

Proposed length of public consultation periods:

Major Procedure post-1st Assessment (8 weeks)
Post 2nd Assessment (8+ weeks)

- A Standards Development Advisory Committee (SDAC) would be required, rigorous consumer behaviour research, broad consultation with stakeholders.
- Significant evaluation of costs to industry.

Community Involvement Category:

4 Intensive and broad focus

- Significant potential economic impacts
- Broad public interest in the issue