Dairy Goat Co-operative

18 Gallagher Drive, PO Box 1398, Hamilton 3240, New Zealand
Phone (64 7) 839 2919 Fax (64 7) 839 2920 Website www.dgc.co.nz

24th March 2016

To FSANZ: submissions@foodstandards.gov.au.

SUBMISSION

FSANZ Proposal P1024
Revision of the Regulation of Nutritive Substances & Novel Foods

Submitter:
Dairy Goat Co-operative (N.Z.) Ltd
18 Gallagher Drive
Hamilton 3240
New Zealand

Level at which submission authorised: authorised by Regulatory and Technical Liaison Manager

Contact persons:

[redacted]

DGC phone (reception): +64 7 839 2919 DGC fax: +64 7 839 2920

Information regarding the submitter

Dairy Goat Co-operative (N.Z.) Ltd, (abbreviated as 'DGC'), is a New Zealand manufacturer, developer and exporter of premium consumer packaged nutritional powders primarily for infants and young children. It is a leading New Zealand exporter, and services approximately 20 international markets via its marketing partner and joint venture relationships. The markets are located primarily in Asia, Europe and Oceania.

Introduction

DGC supports the intent of the Food Standards Australia New Zealand in reviewing the regulation of nutritive substances and novel foods in Australia and New Zealand and appreciates the opportunity to make a submission on this Proposal in light of its relevance and potential future impact on DGC. DGC is an associate member of the Infant Nutrition Council (INC) and a member of the Dairy Companies Association of New Zealand (DCANZ), and has participated in the preparation of submissions prepared by these industry organisations. As such we seek to just raise and highlight the following key points in this submission:

Key points

1. DGC is very supportive of the principles outlined by FSANZ in its approach to improving the regulation of nutritive substances and novel foods: protection of public health and safety, proportionate to the varying levels of risk posed by different types of foods; should be clear, objective and enforceable; should provide industry with the opportunity to access the market quickly and without undue regulatory burden, when appropriate; and should aim to be consistent with international regulations where appropriate.

2. We commend FSANZ on the graduated approach to level of risk within this proposed Standard revision.DGC supports the framework proposed as Option 3 for general foods in principle but is of the view that the success of this approach will be determined by how the various gateway tests and criteria set out are found to work in practice. This and following consultations will provide good starting platforms, but DGC advocates for a robust engagement process with industry, through future discussions and workshops, to further develop and refine these criteria. A trial period of implementation before finalisation is also recommended to identify and resolve unforeseen issues that arise once organisations actually begin applying these measures in practice.

3. DGC has particular concerns around the proposed eligible food criteria in relation to dairy ingredients as these under go a number of different types of processes. DGC is a member of DCANZ and would like to highlight and endorse the comments on this topic in the DCANZ submission.

4. As stated above, DGC supports the framework proposed as Option 3 for general foods. In addition we also support this proposed framework, with appropriate modification, being applied to infant formula products. The INC submission sets out views on the options described in Proposal P1024 with particular reference to infant formula products. DGC supports the views expressed in the INC submission and recommends that FSANZ considers extending the scope of Proposal P1024 to include Standard 2.9.1, as well as other standards that include provisions for substances used as a nutritive substance currently not covered to date by this proposal.

5. DGC is concerned that FSANZ has no plans to review Standard 2.9.3 Division 4 Formulated supplementary foods for young children. We contend that this may prove to be highly desirable or necessary. Currently Division 4 of Standard 2.9.3 is not aligned with the corresponding Codex standard (for Follow-up formula from 6-36 months). While this Codex standard is currently being reviewed it is probable that the revised standard will, similar to the existing standard, permit a number of substances to be added which are not expressly permitted in 2.9.3 Division 4. The permissibility of these by this Codex standard will be a strong point of substantiation for inclusion in assessment of suitability for the self-assessment by notification pathway. As such it could be more appropriate for these substances to be accommodated in the Food Standards Code in alignment with the revised Codex standard.