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Standards Liaison Officer
Submission Proposal P235 – Review of Food Type Dietary Supplements
Food Standards Australia New Zealand
PO Box 7186
Canberra Business Centre ACT 2610

Dear Sir/Madam

COMMENTS FROM THE WESTERN AUSTRALIAN FOOD ADVISORY COMMITTEE REGARDING ANZFA'S PROPOSAL 235 – REVIEW OF FOOD TYPE DIETARY SUPPLEMENTS

The Committee notes that there are two types of products for human consumption in Australia regulated through the Food Standards Code and Imported Food Control Act 1992 (AQIS), and the Therapeutic Goods Act 1989 (TGA) - Therapeutic Goods Regulation. The requirements for the various acts and regulations are clear. However, the interface between food and therapeutic goods are merging with many foods now containing ingredients and additives not normally associated with conventional foods or by the inclusion, of herbal preparations and remedies. Many food type dietary supplements (FTDS) fall into this area.

Australia has had separate and distinct mechanisms for controlling food and therapeutic substances. However, since the advent of the Trans Tasman Mutual Recognition Agreement and the mutual acceptance of food products between Australia and New Zealand there has seen an influx of foods not complying with the Australian food requirements. New Zealand, through the New Zealand Dietary Supplement Regulation 1985 (NZDFR) permits the manufacture of dietary supplement and as a consequence of the Agreement the FTDS are able to be imported into Australia.

The Committee supports Option 2 requiring the full regulatory provisions within Volume 2 and cessation of provision for production or importation of FTDS under the NZDSR. The Committee prefers Option 2b being the "vertical" approach model that serves to separate FTDS as discreet products that would be subject to tailored risk assessment.

The Committee notes with some concern food products that may contain herbs and other botanical food additives may pose some safety and health issues and calls into question the practical ability to rely on enforcement through testing. A desirable approach would be to incorporate a framework involving an auditing process similar to that adopted for GM foods.

The Committee notes from imported FTDS products currently on sale in Australia that labelling often contain health claims and suggests it may be appropriate to closely tie health claims assessments with the FTDS Standards.

A regulatory framework is desirable not only to ensure consumers' right to safety and information but also to provide a level playing field for food manufacturers and food supplement manufacturers. For any meaningful regulation concerning FTDS to occur the NZDFR would need to be repealed at the end of the transition period to prohibit the manufacture and marketing of these products.

As part of the overall review of the Food Standards Code and harmonisation of Trans Tasman Food Standards, the Committee considers it desirable that FTDS be regulated within Volume 2 of the Food Standards Code.

Should you wish to discuss any of these comments please do not hesitate to contact the Committee's Secretary, Mr Walter Arrow on (08) 9388 4921 or on e-mail Walter.Arrow@health.wa.gov.au.

Yours faithfully

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CHAIR
WESTERN AUSTRALIAN FOOD ADVISORY COMMITTEE

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