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7 August 2002

Standards Liaison Officer
Australia New Zealand Food Authority
PO Box 7186
CANBERRA MAIL CENTRE ACT 2610

Dear Sir,

Please find enclosed a submission from the Dietitians Association of Australia regarding the following ANZFA proposal:

- P235 – Review of Food-Type Dietary Supplements

Please contact [redacted], Professional Services Dietitian if you require further information or clarification.

Yours sincerely,

[redacted]

President

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August 2002

Submission from the Dietitians Association of Australia

P235 – Review of Food-Type Dietary Supplements

The Dietitians Association of Australia (DAA) believes there is no public health or dietary justification for granting special permission to food-type dietary supplements (FTDS). DAA supports assessment of these foods on a case-by-case basis with respect to the current general food standards. The Association does **not** support an approach to regulation that develops a new standard or category within the existing food code. The closest option that is presented in the proposal is 2a. However, DAA believes that while these foods should be assessed against current standards, there is no apparent reason to amend the standards to afford these types of foods special permissions. Consequently the stated premise on which option 2a is based ('that the policy bases of particular standards are reviewed and amended/expanded…with the effect of allowing for the manufacture of many of the FTDS not currently addressed by Volume 2, and opening up the food supply generally to more liberal permissions') is not appropriate.

DAA believes it is of little consequence to consumers if FTDS are regulated under TGA, foods or as a separate classification of foods. To the consumer, FTDS will be regarded as foods, because of their general form, appearance. Consumers would be likely to regard their potential for harm as the same as any other food. It is therefore important that they comply with current food standards for safety – there appears to be no reason why they should be permitted to contain ingredients (eg prohibited botanicals) or amounts of ingredients not permitted in other foods. If ingredients or the foods themselves qualify as 'novel foods', they should undergo the same safety assessment as required for other novel foods. If vitamins and minerals are added, they should comply with standard 1.3.2. In the event that the proposed addition is assessed as being consistent with the principles underlying the other permissions in that standard, then the standard could be amended if appropriate. If the ingredients or foods are permitted, then they should also meet current labelling standards as defined in standard 1.2.8, additional labelling requirements as seen appropriate, and specifically in relation to health and nutrition claims, these foods should follow the same standards as the general food supply.

DAA believes that the precedent of allowing special permissions for formulated caffeinated beverages should not influence the decision-making concerning the regulatory approach to FTDS in general.

DAA members have expressed concern that ingredients such as herbal ingredients and some amino acids have a positive image in consumers' minds, but there is generally little consumer appreciation of the potential dangers from such substances when taken in large amounts– potentially more so for some ingredients than for ingredients such as MSG. .

Conclusion

DAA opposes separate regulation of FTDS and recommends they be required to comply with current food standards. They should be assessed on a case-by-case basis via the usual application process.

DAA is also concerned that the possible future adoption of the risk management approach to health claims regulation could have serious implications for claims related to FTDS. DAA believes consumers will ultimately be disadvantaged – both in relation to confusing information and health/safety issues- if the regulatory approach were to result in a situation in which regulation relied only on challenges to product claims in the marketplace.

[redacted]