

**Senate Community Affairs Committee**

**ANSWERS TO ESTIMATES QUESTIONS ON NOTICE**

**HEALTH PORTFOLIO**

**Budget Estimates 2017–2018, 29 & 30 May 2017**

**Ref No:** SQ17-000759

**OUTCOME:** 2 – Health Access and Support Services

**Topic:** Infant Formula and Nanomaterials

**Type of Question:** Written Question on Notice

**Senator:** Rice, Janet

**Question:**

The Forum on Food Regulation’s policy for ensuring the safety of infant formula recognises that children are particularly vulnerable: “because they have immature immune systems and organs...For some infants, infant formula products may be the sole or principal source of nutrition. For these reasons, there is a greater level of risk to be managed compared to other populations.”

As a result of this higher level of exposure and risk, the policy sets out pre-market safety assessment requirements for the use of ingredients in baby formula: Pre-market assessment...should be required for any substance proposed to be used in infant formula and follow-on formula that: i. does not have a history of safe use at the proposed level in these products in Australia and New Zealand; or ii. has a history of safe use in these products in Australia and New Zealand, but which, having regard to source, has a different form/structure, or is produced using a substantially different technique or technology.\* (emphasis added). Further, the Food Standards Code prohibits the use of nutritive and novel substances in food unless they are expressly permitted.\*\*

- a) Are any nano scale ingredients explicitly permitted for use in baby formula?
- b) Does FSANZ agree that engineered nanomaterials would be covered by this policy both in terms of the technology used and the structures produced?

\*Australia and New Zealand Food Regulation Ministerial Council, Food Regulation Standing Committee, Policy Guideline, Regulation of Infant Formula.

<http://www.foodstandards.gov.au/code/fofr/fofrpolicy/Documents/Infant%20Formula%20May%202011.pdf>

\*\*Food Standards *Australia New Zealand, Australia New Zealand Food Code*, Standards 1.1.1 and 1.5.1. <http://www.foodstandards.gov.au/code/Pages/default.aspx>

**Answer:**

- a) The Code neither permits nor prohibits the presence of nano scale particles in ingredients including nutritive substances that may be used in manufacture of infant formula.
- b) The Policy Guideline foresees that any new substance proposed to be used in infant formula would undergo a premarket assessment.