

**Retailers and Manufacturers Liaison Committee Meeting (RMLC) 30
Minutes and Actions
24 September 2015**

The meeting opened at 10.00am

Item 1 and 2 Welcome, minutes and actions arising

The Chair, Dr Marion Healy (FSANZ), welcomed participants to the meeting and noted that the actions arising from the previous meeting had all been completed.

Item 3 Food Policy and regulations

Tess Green (Department of Health) provided updates on:

- **Review on mandatory fortification of folic acid in bread making flour and iodine in bread**

Stage one of the review on industry and enforcement agency compliance of the mandatory fortification initiative is complete. Stage two on the health impacts of the mandatory fortification initiative is underway and is expected to be completed in October or November this year. The Department of Health is currently procuring a consultant to undertake stage three of the review which will pull together stage one and two outcomes into one report. This is expected to be completed around April next year.

There was discussion about when the report from stage two would be released. Tess Green advised that the AIHW would be releasing this.

- **Indigenous adaptation of the Australian Guide to Health Eating has been released and is available to order through the Department's website.**
- **Review of the Nutrient Reference Values:**

The Department is currently working towards releasing reviews of sodium, iodine and fluoride for public consultation. At present, the Department is working on some web accessibility issues with the reports and hopes to have the reports up for consultation in October this year.

- **Food Health Dialogue**

The Department had been in talks with the Minister for Rural Health on the potential of revising and expanding the Dialogue. However, the Department could not advise when this might proceed.

Yvette Dethridge (Department of Agriculture) provided an update on:

- **Department brand and structure**

Due to recent Ministerial changes, Minister Joyce remains the Minister and takes on the portfolio of Water Resources. The Department has become the Department of Agriculture and Water Resources. The Parliamentary Secretary, Senator Richard Colbeck, moves to another portfolio. Senator Anne Ruston has been appointed Assistant Minister for Agriculture and Water Resources.

- Food Policy Report - Country of Origin labelling

On 21 July 2015, the Australian Government announced proposed reforms to country of origin labelling for food.

The proposed reforms will see a mandatory information standard on country of origin labelling introduced under the Australian Consumer Law and removal of the country of origin labelling provisions in the Australia New Zealand Food Standards Code.

Over the coming months, the Commonwealth will be seeking the Legislative and Governance Forum on Consumer Affairs' agreement to develop a new mandatory Information Standard for country of origin labelling under the Australian Consumer Law. As a first step in this process, the draft information standard and Consultation Regulatory Impact Statement will be released for public consultation shortly.

The Commonwealth will also be seeking the Australia and New Zealand Ministerial Forum on Food Regulation's agreement to revoke the country of origin labelling provisions in the Food Standards Code.

More information about the proposed reforms is available on the Department of Industry and Science website.

- Imported food report – food import compliance agreements (FICA)

The Department is piloting a FICA which covers only part of a food importer's trade in food. The outcomes from this trial will support implementation of tiered FICAs, which may cover some or all of a food importer's trade.

- Responses to issues since the last RML meeting (May 2015)

Issue – Raspberries from Serbia – May 15

The Department became aware of a norovirus outbreak in Sweden and Denmark that has been linked to frozen raspberries originating from Serbia. Australia has not been identified as a country receiving implicated product. The Department issued holding orders for raspberries and berry mixes imported from Serbia (Testing for E. coli as a hygiene indicator) An Imported Food Notice (IFN) was published.

Issue – Lead in Maggi noodles from India – May/June 15

The Department became aware of reports of high levels of lead in Maggi noodles from India. The Department issued a holding order for Maggi Noodles from India for lead testing.

Issue – Cyclospora in fresh coriander from Mexico – Aug 15

USFDA (Food and Drug Authority) issued an import alert on cyclospora in fresh coriander. The Department checked quarantine import restrictions and searched the import database to determine that no fresh herbs or leafy vegetables were imported from Mexico

Issue – Tianjin chemical explosion – Aug 15

The Department considered possible food safety implications following the chemical explosion in Tianjin as it is a major export port in China. The Department has contacted the Chinese Government and is maintaining a watching brief of actions taken by other countries. The Department and FSANZ will continue to monitor the situation and take appropriate action should there be any further concerns identified.

- **Imported Food Inspection Scheme (IFIS) update**

FSANZ is continuing a review of previous advice to the Department of Agriculture on risk food.

In response to risk assessments published last year, the Department is making minor changes to 2 products – cooked chicken meat and cooked poultry pate. The changes are mostly in the electronic referral system. The only significant change is to remove the Salmonella test from pate at the risk rate.

Amendments to the Imported Food Control Orders by the end of the year will also remove cooked pig meat as a risk food. However, this product is not actually imported in any significant quantity so there will be no impact on industry.

Cheese advice was received in August and FSANZ aims to publish this in September. Raw milk cheese is included in the advice. This is in line with the gazettal of the primary production and processing standard for dairy products to include production of raw milk cheese.

Once the advice on imported cheese is implemented, raw milk cheese will be permitted into Australia under strict conditions.

Next draft of advice will be on:

- cassava chips,
- seaweed,
- histamine in fish,
- RTE finfish for Listeria,
- cooked processed RTE meat
- uncooked slow dry cured ham.

The Department, from time to time, amends the testing applied to imported food at the surveillance rate of five percent of consignments.

- **Honey**

In October 2015, the Department will commence testing for adulteration and substitution of honey by sugar syrups. This testing will also include assessing reducing sugars and moisture against the standard in Chapter 2 of the Code.

Action arising:	Nil
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Item 4 Establishment of a RMLC sub-committee for food incidents

Paper provided. Amanda Hill (FSANZ) briefed the meeting about the establishment of a RMLC sub-committee to share information and collaborate on food incident preparedness, response and recovery.

Membership will include industry and Australian Government food regulators and is being drawn from participants at the government/industry incident workshop which was held in November 2014 and subsequent sector incident workshops.

The sub-committee will operate through the use of an extranet site with issues warranting urgent consideration being considered by teleconference. FSANZ's Food Safety and Response Section will provide the secretariat responsible for this sub-committee.

An annual process and outcome evaluation of the sub-committee will be conducted by FSANZ.

There was unanimous support from the RMLC members to proceed with the establishment of the RML sub-committee.

Recalls and Mandatory Reporting

Kate Astridge (FSANZ) advised the RMLC on current issues of undeclared dairy ingredients in coconut milk beverages and products.

FSANZ has publicly urged Australian consumers with a dairy allergy to be aware of the number of recent recalls involving undeclared dairy in coconut milk beverages.

The Department of Agriculture has implemented action at the border to test all coconut milk beverages for the presence of dairy, where it is not declared on the label.

The NZ MPI released a Chief Executive Privileged Statement (under Section 289 of their Food Act 2014). NZ MPI has released this statement to the NZ media and information has been published on their website.

FSANZ has reached out to its international networks - WHO INFOSAN and the APEC Food Safety Incident Network - requesting that members of these networks share any data they may have on the presence of undeclared dairy ingredient in coconut based products. FSANZ has urged them to encourage manufacturers in their jurisdictions to be aware of the issue.

Action arising: FSANZ (Amanda Hill) to provide Terms of Reference (ToRs), feedback from the ACCC and workshops to the RML at the next RML meeting in April 2016.

RML Secretariat to place this item on the agenda for the April 2016 RML meeting

Item 5 FSANZ Standards Matters

A1108 – Rebaudioside M as new steviol glycoside

Dr Mark Fitzroy (FSANZ) advised the RMLC that the assessment of a current application A1108 (Rebaudioside M as a steviol glycoside intense sweetener) is in its final stages.

FSANZ's assessment has concluded that this steviol glycoside is comparable to the other already permitted steviol glycosides and is proposing to approve the application.

FSANZ proposes to take the Approval Report to the Board in late October 2015.

P1031 – Allergen Exemptions

Dr Leigh Henderson (FSANZ) updated the committee on the developments of allergen exemptions since the last RMLC.

FSANZ has considered the reliability of the analytical methodology which would be needed to support a maximum protein level in fully refined soybean oil. FSANZ has determined that it was more appropriate to use the method of processing as the indicator of the safety of this product for allergic individuals.

The Call for Submissions was released and the submission period has just closed. Issues raised in submissions included the relationship to gluten-free labelling (which is beyond the scope of this proposal) and an inconsistency with other international standards. A view was expressed by a committee member that the proposed approach would cause significant trade difficulties for industry.

FSANZ hopes to complete the Approval Report by December however, that will depend on whether there is a need to consult further on issues raised in submissions.

P298 - Benzoate & Sulphite permissions

Ben Sutherland (FSANZ) updated the committee on P298 and current proposed approaches to reducing levels of sulphites in certain foods.

FSANZ is continuing to work on the proposal including regulatory impact work.

P1024 – Nutritive substances and novel foods

Jonathon Kite (FSANZ) provided an update on P1024.

P1024 will include a review of the exclusive permission provision in the novel food standard.

FSANZ is finalising the first Call for Submissions (CFS) and aims to release it for public comment in mid-November 2015. The Call for Submissions will present a potential alternative approach to regulating nutritive substances and novel foods and will include a qualitative assessment of costs and benefits aiming to elicit data to inform the risk impact statement which will be developed after the first Call for Submissions.

Workshops will be scheduled early in the consultation period which will be late November or early December 2015 and likely to be held in Sydney, Melbourne and Auckland. AFGC and NZFGC agreed to assist in organising and hosting these workshops.

Consultation period will close around mid-February 2016.

Action arising:	Nil
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Item 6 Science, information and emerging issues

BSE Update

Paper provided. Dr Hong Jin (FSANZ) advised the forum that FSANZ has completed country BSE food safety assessments of Brazil, Mexico, United States of America, Argentina and Japan. Turkey's application was withdrawn due to providing insufficient information.

FSANZ will be conducting an in-country visit to Sweden in October 2015.

Future country BSE food safety assessment work will be on the review of the annual BSE updates provided by countries assigned with Category 1 or Category 2 status.

Update on Surveillance

Dr Nick Fletcher (FSANZ) advised the Committee that FSANZ has completed phase 2 of the 24th Australian Total Diet Study (ATDS). Phase 2 investigated levels of food packaging chemicals in Australian foods and beverages. The 24th ATDS is expected to be published on the FSANZ website in late October/early November 2015. FSANZ intends to conduct a follow-up study to gain further data on the levels of phthalates in a broader range of foods.

The 25th ATDS is in progress and is currently examining dietary exposures to agricultural and veterinary chemicals, heavy metals and radionuclides. This report is expected to be published in the second half of 2016.

FSANZ has undertaken a number of recent targeted surveys on mineral oil hydrocarbons that may migrate from food packaging, pharmaceuticals in weight loss products and trace metals in shelf stable fruits. These reports are expected to be published in late 2015 or early 2016.

Nanotechnology

Dr Nick Fletcher (FSANZ) updated the committee, advising that FSANZ is continuing to monitor the emerging scientific literature on the potential application of nanotechnologies to foods. Its most recent work in this regard is a scientific literature review on the safety implications of the potential application of nanotechnologies to existing food additives, including silicon dioxide. FSANZ is currently considering any regulatory implications arising from this literature review and intends to publish the review findings on the website later this year.

FSANZ has also recently updated its consumer information on nanotechnology. This includes a response to a recent *Sydney Morning Herald* article related to the presence of titanium dioxide and silicon dioxide in processed foods in Australia.

Science Strategy

Steve Crossley (FSANZ) provided an update to the committee on the Science Strategy for 2015-2019.

The new strategy is simpler and more concise than previous editions. This strategy will focus on three key strategic areas which contribute to the aim of advancing scientific capabilities, tools and partnerships. They are:

- 1) scientific capability
- 2) evidence; and
- 3) collaboration

In 2014, FSANZ sought the views of the RML committee and have taken into account the comments that were provided. The strategy will be published on the FSANZ website by the end of 2015.

The discussion about the Science Strategy also led to some discussion about FSANZ's new Corporate Plan. Dr Marion Healy (FSANZ) noted the plan's strategic imperatives and proposals to look at FSANZ becoming an information hub.

Action arising: FSANZ to send a link to the Science Strategy once it is available on the website.
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Item 7 – Communication

Lorraine Haase (FSANZ) advised the committee that FSANZ has developed a new CASE strategy with a focus on helping FSANZ meeting the strategic intent outlined in the Corporate Plan.

FSANZ has already started implementing parts of this e.g. Micro week last week on social media. The plan looks to find ways to highlight our scientific work more, be more proactive in response to media issues etc.

Media

There haven't been any major media issues since the berries incident, although there have been flurries e.g. nanotechnology, rodenticide in pig meat.

Social media

Facebook likes are approaching 17,000. Twitter likes are approaching 5,000.

As previously indicated, FSANZ is looking at the possibility of developing an information hub, which includes looking at whether we can do more with our data and present more targeted information.

Other business:

NUTTAB and AUSNUT update

Shari Tompsett (FSANZ) provided an update on the new webpages for NUTTAB and AUSNUT. FSANZ advised that NUTTAB 2010 is currently updated on an ongoing basis. NUTTAB 2015 is due to be released next year.

AUSNUT will remain the same until a new survey is conducted. FSANZ advised that they are seeking as much data as possible and would appreciate the RML providing data to FSANZ.

There was discussion around the best way to collect and submit data, FSANZ asked that the RML ask for data collection through their memberships and to submit data to FSANZ in an excel spreadsheet.

Members agreed to promote the call for data.

Action arising: FSANZ to send email address for data collection to RML.
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Labelling Logic updated

Glen Neal (FSANZ) provided an update to the RML on the status of the labelling review recommendations.

FSANZ has completed ten recommendations and is actively working on the two remaining projects: extended ingredient labelling and irradiation labelling. No regulatory action is proposed at this stage.

FSANZ will submit its finding to the Ministerial Forum for consideration. Ministers may ask FSANZ to do further work. Any move to change the current requirements in the Code would involve FSANZ's usual standards development processes, including public consultation.

Health claims

Glen Neal (FSANZ) advised that the vitamins and minerals proposal was discussed at the September board meeting which found that there were inconsistencies between Standards 1.2.7 and 1.3.2. Inadvertently, the consequence for 1.2.7 is the potential prohibition about nutrient content claims. A discussion followed about proposal P1037 and changes made to the Code in relation to the health star rating scheme. Issues were raised about other front of pack labelling schemes. FSANZ agreed to discuss these issues further with industry members.

Members were also updated on progress on consideration of EU health claims. FSANZ will be publishing material on its decisions re EU health claims in the next couple of months. Members asked whether health claims from other jurisdictions (e.g. US) were being considered. FSANZ is not considering these at this time.

Action arising:	FSANZ to discuss these issues further in a follow up meeting with AFGC
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Revised code

Members were provided with an update on the revised Code including work underway to include decisions made during consideration of the revised Code proposal.

Beverages council data

Geoff Parker (Australian Beverages Council) noted the Council had been working on a secondary analysis of the nutrition survey with CSIRO. FSANZ would be briefed along with the Minister for Health.

Food auditing project

Chris Preston (AFGC) noted the ongoing project looking at food auditing. A report on the investigation into food auditing is expected in the next month or so. The number of audits required of the food industry was noted.

Action – Add the food auditing project to next RML

Next meeting

Members agreed to discuss the food auditing project, user guides, infant formula, nuts and novels and the new RML subcommittee at the next RML meeting.

Members agreed to a proposed next meeting date of Thursday, 7th April 2016.
10.00am-3.00pm (AEST) 12:00pm-5.00pm (NZ Wellington time)

Attendees:

FSANZ: Dr Marion Healy, Glen Neal, Dr Leigh Henderson, Lorraine Haase, Amanda Hill, Kate Astridge, Dr Mark Fitzroy, Ben Sutherland, Jonathon Kite, Dr Hong Jin, Steve Crossley, Dr Nick Fletcher, Janis Baines, Shari Tompsett, Lucinda Barlow.

Australian Department of Health: Tess Green

Australian Department of Agriculture: Yvette Dethridge

AFGC: Chris Preston

NZFGC: Katherine Rich, Carole Inkster

NZMPI: Sally Johnston

Parmalat Australia Ltd: Kim Staples

Australian Beverages: Colin Felder, Geoff Parker

Lion: Janine Waller

Dairy Australia: Helen Mair

Coles: James Whittaker

Woolworths: Marianne Tegel

Unilever: Lucy Briscoe

Apologies:

FSANZ: Steve McCutcheon (CEO)

Department of Agriculture: Lee-Ann Swift, Rob Solomon, Mark Phythian

FoodStuffsNZ: Melissa Hodd

Nestle: Kirstin Grinter, Stephanie Rajczyk

Department Health: Jenny Hazleton

Retail Kiwi: Fiona Mulder, Greg Harford

Woolworths: Nadene Smith

Coles: Andrea Currie, Jackie Healing

AFGC: Fiona Fleming

Fonterra: Carol Bate