

**Senate Community Affairs Committee**

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

**Supplementary Budget Estimates 2016 – 2017, 19 October 2016**

**Ref No:** SQ16-000752

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

**Topic:** Imported Foods

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

**Senator:** Rice, Janet

**Question:**

Food entering Australia is subject to the *Imported Food Control Act 1992* and the Imported Food Control Regulations 1993. Under this legislation, imported food is inspected and controlled using a risk-based border inspection program called the Imported Food Inspection Scheme, which is administered by the Department of Agriculture and Water Resources. FSANZ provides risk assessment advice to the Department of Agriculture and Water Resources on the level of public health risk associated with certain foods. The department is responsible for inspecting and sampling imported foods to ensure they comply with the Code.

- a) Has FSANZ provided any risk assessment advice to the Department of Agriculture in relation to any nanomaterial in any foods?
- b) If an individual imported several tins of infant formula containing nano hydroxyapatite, which is not permitted here, is such an import legal?
- c) Does FSANZ monitor the import of foods by individuals purchasing online in relation to foods or ingredients not permitted to be sold in Australia or which contain prohibited materials?
- d) Does FSANZ know the quantities of such foods that are being imported and whether any of those imports are being resold either online or through retail outlets?
- e) If yes to (d), please provide details of the monitoring program.
- f) Does FSANZ know how much infant formula is imported from the USA?
- g) Has FSANZ advised companies that sell online that infant formula that contains nano hydroxyapatite is prohibited in Australia?
- h) Has FSANZ advised enforcement personnel at the State level that baby formula that contains nano hydroxyapatite is prohibited in Australia?
- i) Has FSANZ advised the Department of Agriculture and Water Resources that infant formula that contains nano hydroxyapatite is prohibited in Australia?

j) What enforcement actions, if any, has FSANZ taken or advised other agencies to take?

**Answer:**

- a) No.
- b) This question asks for legal advice, which Food Standards Australia New Zealand (FSANZ) cannot provide.
- c) No.
- d) Not answered, as FSANZ does not monitor imports.
- e) Not answered.
- f) No. FSANZ is not responsible for collecting import information
- g) No.
- h) No.
- i) No.
- j) FSANZ has no power to take or advise enforcement action.