



Food Standards Australia New Zealand
PO Box 5423
Kingston ACT 2604
Australia
Tel: 02 6271 2222

RE: Complementary Medicines Australia Submission to FSANZ Call for submissions P1028 – Infant Formula, 4 April 2022.

CMA appreciates the opportunity to provide feedback on FSANZ *Call for submissions* Proposal P1028- Infant Formula. Complementary medicines Australia (CMA) is the peak body representing the complementary medicines and health food products sector supporting Australian jobs, research, manufacturing and exports by meeting community demand for preventative and complementary healthcare.

CMA represents sponsors, manufacturers, suppliers and retailers of complementary medicines, nutritional food products, sports supplements, infant formula and other concentrated foods for health purposes. CMA supports consumer access through appropriate and balanced risk-based regulation, while contributing to health enhancement and preventative health strategies to help Australians live healthier lives.

CMA supports the ongoing review of Food Standards in order to maintain currency; to align with comparable overseas regulation where practicable; and to ensure safety for consumers.

Proposal P1028

Proposal P1028 seeks to clarify or revise standards for the regulatory framework, composition, labelling category definitions and representation of infant formula products.

Definitions

In general, CMA's preference is for the definitions for Infant Formula and Infant Formula Products to be aligned with Codex as closely as possible, considering that ASEAN markets take reference to Codex and therefore, aligning the FSANZ Code will be preferred within the broader region.

3.1.4 While CMA originally supported INCs position that FSANZ consider an expanded definition of infant formula product to include *milk of cows or other animals or a mixture thereof and/or other ingredients*, we acknowledge that this definition omits specific reference to other edible food constituents of plant origin. For clarity, the definition could include specific reference to both as provided below:

An infant formula product means a product based on milk of cows; other animals; edible food constituents of plant origin; or a mixture thereof, that is nutritionally adequate to serve by

itself either as the sole or principal liquid source of nourishment for infants depending on the age of the infant.

While CMA originally supported INC's position which proposed an expanded definition for infant formula, CMA recognise that the FSANZ preferred option conveys the Codex definitions for infant formula and therefore, this is a supportable definition.

L(+) lactic acid producing microorganisms

- 5.4** CMA notes the proposal for L-lactic acid producing microorganisms in infant formula products and supports ongoing permissions for safe and suitable microorganisms in appropriate contexts including evidence-based context for probiotic use. The use of any existing microorganisms in a probiotic context on infant formula should be given grandfathering permissions, unless there are safety or efficacy signals that necessitate any other approach in individual circumstances. To do otherwise (remove existing permissions) would have a large impact on the sector.

In relation to the proposal that future microorganisms added to infant formula products for a probiotic purpose would require pre-market assessment as a novel food prior to use, we note that this is a highly specified area, and that there has been work conducted on finding assessment mechanisms that are appropriate to the global sector for probiotic strains with the TGA. Any assessment must be appropriate and this has been particularly challenging to tailor effectively for microorganisms. We are happy to review specifics on particular technical aspects relating to assessment details at any time.

Labelling

- 7.1** CMA did not originally support the inclusion of the word 'cooled' in the direction for water used to reconstitute powdered infant formula; or the inclusion of instructions to discard unfinished formula to include the text 'within 2 hours'. While we note this is the FSANZ preferred approach, we also note that inclusion of the word 'cooled' without further qualification may result in consumer confusion and inadvertently lead to formula preparation practices that are unsafe. The inclusion of wording for a recommended optimal temperature may assist caregivers in further reducing risk of bacterium in prepared formula.