



Kellogg Australia Pty Ltd
41-51 Wentworth Avenue
Pagewood NSW 2019

Kellogg (Aust) Pty Ltd

Submission: Review of A1158 – Rosemary Extract as a Food Additive

30th August 2018

Submitter's details:



Thank you for the opportunity to provide comment to A1158 – Rosemary Extract as a Food Additive.

This application is to amend the ANZFSC¹ to add rosemary extract as a food additive. Rosemary extract is present in products in the Australian market place; however, it is not currently recognised as a food additive. Kellogg acknowledge that rosemary extract is approved as a food additive, with either preservative or flavour function, in many global food regulations, including UE, US, Japan, China and Singapore.

The assigned INS number is 392 and this will be included in Schedule 8, ANZFSC. The proposed food uses and proposed maximum permitted levels (MPLs) will be included in Schedule 15, ANZFSC.

Kellogg also notes the margin of safety is high enough to conclude that dietary exposure resulting from the proposed food uses and proposed MPLs are not of safety concern as detailed in the application.

There are a number of concerns that Kellogg propose be considered prior to this application being approved. These are:

1. Timing of implementation
2. Proposed food categories

Timing of Implementation

Rosemary extract is added to a range of packaged food products found in Australian supermarkets. Generally, rosemary extract is declared in the ingredient list as a food i.e. listed as “rosemary extract” in the ingredient list in the appropriate position. With the implementation of this application, the requirement will be that rosemary extract is declared as a food additive in the ingredient list as per Standard 1.2.4-7, ANZFSC. This will require an update to all impacted packaging. This takes significant time as well as incurring extra cost. The cost to update Kellogg’s packaging impacted by this change is estimated to be at least \$70k.

For these reasons, Kellogg would like to request that a transition period of 24 months, plus a 12-month stock in trade provision, be applied post gazettal.

Proposed Food Categories

Kellogg is concerned that the proposed food categories that permit the addition of rosemary extract may be limiting. There are a number of foods that are currently available that contain rosemary extract which do not fit into any of the proposed food categories. Such foods include nut-based snack bars.

¹. Australia New Zealand Food Standards Code

Even when these foods are considered a mixed food and some of the raw materials are included in the proposed food categories, the final concentration of the rosemary extract in the finished food may not be enough for it to have an antioxidant effect.

These types of products meet consumers' needs for a wholesome, convenient snack that are not necessarily cereal-based, and meet gluten free and/or other special dietary requirements.

ANZFSC does not permit the addition of many of the antioxidants found in other global food regulations, and the use of the naturally derived extracts, such as rosemary extract, allows these products to have the desired shelf life to meet consumers and retailers requirements.

The proposed food categories may also limit future food innovation and may restrict the launch of new food types/formats. This is especially significant as the culture of snacking and eating-on-the-go replaces the traditional practise of consuming meals prepared in the home. The food industry needs to be able to provide foods to meet these requirements.

For this reason, Kellogg would like to change the proposed category 20.2. *Foods not included in items 0-14 – Processed nuts only* to 20.2. *Foods not included in items 0-14 – Processed nuts and nut products containing not less than 20% processed nuts.*

Date:

30/8/2018

Date:

30/8/2018

