

10-3-06

To The Duty Health Protection Officer,

[REDACTED],  
[REDACTED]

Dear Sir/Madam,

This correspondence concerns a formal complaint that we wish to lodge with the PHU of the Auckland DHB. Yesterday I phoned and spoke to the Duty Health Protection Officer and gave a verbal account of our complaint. She informed me that we would need to put this in writing.

The complaint relates to a breach of the Australia New Zealand Food Standards Code. One legal requirement under that code is that foods that have been irradiated must be clearly labelled showing that they have undergone that treatment. In the case of fruit, the labelling may be either on the fruit, or a statement must be displayed beside the produce stating that it has been irradiated, or treated with ionising radiation.

During this week mangoes that had been irradiated in Australia were on sale in at least three Fresh World shops in Auckland (at 270 Dominion Rd., Mt Eden, 261 Great North Rd., Green Lane, & 88 Great South Rd., Takanini.) We purchased a "PINATA" sample for \$5.99 at the Dominion Rd Fresh World at 12.47pm, 7/3/06. The only sticker on these mangoes stated .....

AustralianGold Mangoes  
Freighted BY AIR for Optimal Freshness  
[www.pinata.com.au](http://www.pinata.com.au)

There were no labels on any of the mangoes stating that they had been irradiated, nor was there any sign to this effect where the mangoes were for sale. The same day I visited the Green Lane Fresh World, and the same situation prevailed. One of our researchers that day visited the Fresh World at Takanini. He reported that they only had one such mango remaining, but he was told that they had sold 2 boxes of them on Monday. Once again, there were neither any stickers nor signs to indicate to consumers that these mangoes had been irradiated.

When I phoned yesterday, I was told by the Duty Health Protection Officer that any action on this would be a low priority and it might be some time before anyone looked into the matter. My response was that I had earlier been informed by NZFSA that the Public Health DHB's were the authority to deal with such breaches of the Food Standards Code, and if this was how it operated, then it appeared to me that the legal requirement to label irradiated foods was not worth the paper that it was written on. However I did give the Duty Officer the addresses of two of the Fresh World shops where the mangoes were on sale, and hopefully one of your officers may have had the chance to have a look at them. Our observations at the Dominion Rd Fresh World shop were confirmed by a senior reporter from the NZ Herald who visited the shop on one of the days after we got our sample.

FoE(NZ) has obtained a Pinata mangoes carton from outside the Dominion Rd shop where we got our sample. Note that no such cartons were on display inside the shop. In fact, the mangoes were not in any packaging, and just had a hand written sign above them stating either "QLD Mangoes", or "Australian Mangoes".

At one end of the carton, there is a small sticker which states...  
**IRRADIATED TO PROTECT THE NEW ZEALAND ENVIRONMENT**

In an article published in today's NZHerald (also available on their [www.nzherald.co.nz](http://www.nzherald.co.nz) site – for the next 7 days), a spokesman from Turners and Growers confirmed that they had imported these irradiated mangoes, and that "a lot of the fruit carried stickers". All the fruit that I observed carried the above mentioned Pinata sticker, but none of the fruit had any stickers stating that they had been irradiated.

We formally request that you commence an investigation as to who is responsible for this clear breach of the Food Standards Code, whether this be the importer, the retailer, or both. Further we expect that a prosecution(s) will result from this investigation. To do otherwise would be to send out a signal that retailers and/or importers can ignore legal requirements of the Food Safety Code - with impunity. The implications of such failure to comply with the Food Safety Code are quite serious.

In support of our concerns, we note that following a NZ Government Working Party study of Food Irradiation in the 1980s, NZ became the first country in the world to ban the sale of irradiated foods. That ban lasted for over a decade. It has only been relaxed for a few food items, all of which must, by law, be clearly labelled. Also there are regulations across the world that make provision for labelling to ensure that consumers are fully informed whether foods have been irradiated.

It is well documented that the irradiation of fruits depletes their vitamin content. Also Public Citizen, which was founded by Ralph Nader, in their detailed submission to ANZFA opposing the Irradiation of Tropical Fruits, quoted a lot of published research on the adverse effects of irradiation of palmitic acid, which is present in mangoes. The studies cited on pages 4, 5 & 6 of their submission show that the irradiation of mangoes produces a range of residual irradiation generated chemicals. One such radiolitic product is 2-dodecylcyclobutanone (2-DCB). These have been found to be cytotoxic to both rat and human colon cells. Similar results were found with other radiolitic products (2-TCB & 2-TDCB) that are produced in mangoes only by exposure to ionising radiation. A copy of their fully referenced submission is attached.

FoE is not expecting the PHU to support the concerns of those opposed to the irradiation of food, but simply to fulfil your role in ensuring that the Food Standards Code is not breached. In our view, we feel that it is imperative that the many consumers, both here and worldwide, who do have health concerns about themselves or their families eating irradiated foods, must be able to exercise their choice to avoid purchasing foods that have undergone irradiation.

Fresh fruit (and vegetables) are important to primary health care and basic nutrition. It indeed would be unfortunate if consumers shied away from buying such healthy products due to concerns that they may be irradiated. Unless the labelling requirements are upheld then shoppers may avoid purchasing some good healthy foods.

Also attached with this fax are the photocopies of the suppliers label on the mangoes, details from the carton & a copy of my receipt for our sample irradiated mango.

Please contact us should you require any further details, and I look forward to hearing from you in the near future.

Yours sincerely,

[Redacted signature]

[Redacted contact information]