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Food Standards Australia New Zealand
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By email: submissions@foodstandards.com.au

P1028 INFANT FORMULA: Submission by the Australian Food and Grocery Council

The Australian Food and Grocery Council (AFGC) makes this submission in relation to the Food Standards Australia New Zealand (FSANZ) Consultation Paper of 23 February 2016, Proposal P1028 – Infant Formula.

The AFGC has had opportunity to read the submission of the Infant Nutrition Council (INC) responding to the Consultation Paper, and supports the positions of the INC expressed therein.

In particular, the AFGC supports the INC submission in relation to –

- The policies that should guide FSANZ when assessing Proposal P1028, ie –
 - the provision of a safe and nutritious food suitable for sole nutrition of infants
 - a scientific, evidence-based approach which does not unnecessarily restrict the use of ingredients considered to be safe for use in general foods in infant formula
 - flexible and cost-effective provisions in the food regulations, with minimal levels of prescription, to facilitate innovation and continuous improvement of infant formula to promote health and wellbeing of infants; and
 - sufficient information to support informed choice by consumers enabling them to select products which are suitable to the dietary needs of their non-breast-fed infant
- The need for minimum effective regulation in relation to issues such as –
 - carbohydrate regulation based only on an evidence base
 - continuation of upper level guidance (rather than regulation) for vitamin and mineral content except where there is an evidence base demonstrating concern
 - the regulation of folate and beta carotenes
- The need for flexibility in usage instructions relating to refrigerated storage after constitution, and in particular the need to resolve conflicts in the trans-Tasman approach to this issue
- INC's opposition to standardised scoop sizes and/or bottle markings, which in practical terms is an unwise attempt to standardise product density and formulation, especially given the role of health intermediaries in relation to infant nutrition and care – any issues relating to product use must, accordingly to current Government regulatory policy, first explore non-regulatory options such as better health intermediary and maternal education

- The use of nutrition statements and the possibility of general level health claims as means to better inform consumers, and through product differentiation drive innovation in the infant feeding sector.

The AFGC further supports the INC submission in relation to the scope of Proposal P1028, and in particular that P1028 should address formulae for special purpose use, and that Proposal P1024 – Novel Foods and Nutritive Substances – should include special purpose foods such as infant formula within its scope. To exclude such a scope for these proposals is to create artificial distinctions that fail to recognise the interconnectedness of the Code and instead adopt a siloed approach to regulation that carries a grave risk of conflict and unintended consequence.

The AFGC, like the INC, continues to support the WHO principle that breastfeeding represents the optimal means for infant nutrition. Like the INC, the AFGC finds much in Proposal P1028 that it supports, and looks forward to playing a constructive role as this Proposal is progressed. The AFGC especially commends FSANZ on the consultative manner FSANZ has adopted in discussing the Consultation Paper content with the infant formula sector, a measure that the AFGC considers will improve participation and comment.

