



Dairy Goat Co-operative

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To FSANZ: submissions@foodstandards.gov.au.

SUBMISSION

FSANZ Proposal P1031 Allergen Labelling Exemptions

Submitter:

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New Zealand

Level at which submission authorised: Senior Executive level (authorised by GM Strategy and Commercial)

Contact person:

Regulatory and Technical Liaison Manager

Information regarding the submitter

Dairy Goat Co-operative (N.Z.) Ltd, (abbreviated as 'DGC'), is a New Zealand manufacturer, developer and exporter of premium consumer packaged nutritional powders primarily for infants and young children. It is a leading New Zealand exporter, and services approximately 20 international markets via its marketing partner and joint venture relationships. The markets are located primarily in Asia, Europe and Oceania.

DGC's overall position

DGC fully supports the recommendations of this FSANZ proposal. We agree that it is sensible to exempt foods and ingredients derived from allergenic foods from mandatory declaration of allergens where risk assessments conclude this will present negligible risk to allergic consumers. On the basis of the risk assessments conducted we concur that following foods/ingredients should be exempt from mandatory allergen labelling:

- soybean oil that has undergone a complete refining treatment
- tocopherols and phytosterols derived from the deodoriser distillate of fully refined soybean oil
- glucose syrup derived from wheat starch
- alcohol distillate made from wheat or whey.

The key benefit will be a wider range of products available to allergic consumers and there will also be significant benefits to industry in relation to allergen management. We encourage FSANZ to apply this same approach to other foods and ingredients that may similarly warrant close examination with respect to mandatory allergen labelling, for example lecithin derived from soy particularly where used at low levels.

We do have some concerns in relation to the proposed wording for standard revision and recommend consideration is made to amending this text. Our comments and suggestions are detailed below.

Responses to questions raised in the proposal

We only have comment to make in relation to question 3.

Question 3. Do you have suggestions as to preferred means of communicating these changes to interested parties? [Page 11](#)

The proposals are of considerable importance to allergic individuals as well as manufacturers. It is important that the communication plan developed reaches and informs both of these groups. A key point that needs to be emphasised for both these audiences is that not all soy oils or soy derived tocopherols and phytosterols are exempt. For these foods/ingredients the processes they have undergone are key and dictate whether they are exempt or not.

Recommended changes to proposed wording for revised standard

The proposed wording for the revised standard provided on page 17 includes the following:

[1.3] omitting subparagraph 1.2.3—4(1)(b)(vii), substituting “(vii) soybeans other than

(A) soybean oil that has been degummed, neutralised, bleached and deodorised; or

(B) soybean derivatives that are a tocopherol or a phytosterol;

We recommend that the text for (B) is expanded to reflect the processing requirements covered in the risk assessment:

(B) soybean derivatives that are a tocopherol or a phytosterol **derived from the deodoriser distillate of fully refined soybean oil**;

This would be consistent with approach used for (A) and better reflect the risk assessment undertaken. Similarly we suggest emphasising *not* in the following text proposed for the revised standard:

[2] Schedule 10 is varied by omitting the entry for “fats or oils” in the Table to section S10—2, substituting “ fats or oils

(a) The statement of ingredients must declare:

(i) whether the source is animal or vegetable; and

(ii) if the source of oil is peanut or sesame—the specific source name; and

(iii) if the source of oil is soybeans and the oil has *not* been degummed, neutralised, bleached and deodorised—the specific source name; and

(iv) if the food is a dairy product, including ice cream—the specific source of animal fats or oils; and.

(b) This generic name must not be used for diacylglycerol oil.

Our concern here is that the text for (iii) may not make sense to persons reading this requirement without knowing that the rationale for this text is in relation to allergen labelling. Alternative approaches could be to include this rationale in the text, for example:

(iii) if the source of oil is soybeans and the oil has not been degummed, neutralised, bleached and deodorised—the specific source name (*as allergen labelling for soy oil not applicable*); and

The additional text inserted in brackets could possibly be added as a footnote, or alternatively, in an editorial note so the rationale behind the wording of (iii) is clear to assist with interpretation.