

## submissions

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**From:** submissions  
**Subject:** FW: Consultation Paper - Proposal P1034 - Chemical Migration from Packaging into Food  
**Attachments:** P1034-Packaging-Consult-CFS\_ PROPOSAL WITH SURVEY FORM.docx

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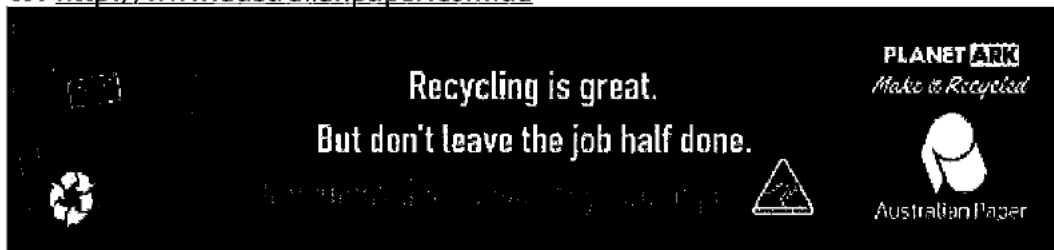
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**Sent:** Wednesday, 24 December 2014 11:13 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Consultation Paper - Proposal P1034 - Chemical Migration from Packaging into Food

[REDACTED]  
Please find attached Australian Paper's completed survey for the 'Consultation Paper - Proposal P1034 - Chemical Migration from Packaging into Food'.

Regards,

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## Attachment A – Response template

All stakeholders are invited to respond to questions posed in this Consultation Paper.

**Please indicate if you are a:**

- ☒ Raw material provider
- ☐ Packaging manufacturer/converter/provider
- ☐ Peak industry/trade association
- ☐ Food business (manufacturer/importer/brand owner/retailer)
- ☐ Consumer
- ☐ Government representative (State/territory or Commonwealth agency)
- ☐ Public health representative
- ☐ Other (please specify)

**If you are a business, please indicate the approximate number of employees in your business:**

- ☐ 1 – 20
- ☐ 20 – 200
- ☒ >200

**Question 1 (refer to p. 9)**

**What concerns, if any, do you have about food packaging in relation to food safety?**

☐ None

*Please expand on your response*

A high level of knowledge is required of overseas processes in order to establish conformance. Cost of conformance is an issue. Many industries need to introduce or adopt overseas regulations and standards due to being export based.

**Question 2 (refer to p. 9)**

**What measures do you think could be implemented to resolve these concerns?**

☐ None

*Please expand on your response*

Include reference to USFDA and BfR Recommendation XXXVI (Council of Europe). Use the same language. Australia does not need to re-invent international requirements.

**Question 3 (refer to p.11)**

If you are a packaging manufacturer/converter/supplier, please detail the types (s) and relative volumes for the different food packaging materials produced by your business and whether the main components are imported or made locally (in Australia or New Zealand).

Type of packaging material (for example)	Volume (ktpa*)	Local/Imported
Carton board (folding)	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Cardboard/paper (virgin)	<input type="checkbox"/> 0 – 50 <input checked="" type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input checked="" type="checkbox"/> Local <input checked="" type="checkbox"/> Imported
Cardboard/paper (recycled)	<input type="checkbox"/> 0 – 50 <input checked="" type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input checked="" type="checkbox"/> Local <input checked="" type="checkbox"/> Imported
Plastic mono-layers	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Plastic multi-layers	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Plastic laminate	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Plastic rigid	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Plastic co-extruded	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Plastic (recycled)	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Metal	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Composites (eg. Paper/foil/plastic)	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Glass	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported
Ceramic	<input type="checkbox"/> 0 – 50 <input type="checkbox"/> 50 – 500	<input type="checkbox"/> Local <input type="checkbox"/> Imported

	<input type="checkbox"/> 500 - 5000	
Other <input type="text"/>	<input type="checkbox"/> 0 - 50 <input type="checkbox"/> 50 - 500 <input type="checkbox"/> 500 - 5000	<input type="checkbox"/> Local <input type="checkbox"/> Imported

\*Kilo tonnes per annum

**Question 4** (refer to p. 12)

**If you are a peak body/trade association, do you have the expertise to offer food safety advice on chemical migration from packaging into food (CMPF) to businesses within the packaging supply chain?**

☒ No

☐ Yes

*Please expand on your response*

**Question 5** (refer to p. 12)

**As a peak body/trade association, is there a need for access to further advice on CMPF?**

☒ No

☐ Yes

*Please expand on your response*

**Question 6** (refer to p.13)

**Can you please identify the risk identification, characterisation and mitigation strategies that your business uses and whether you use any others?**

*Please indicate which responses apply*

☐ Adherence to either a mandatory or voluntary standard, Code of Practice (CoP), handbook or guideline that provides guidance on mitigation of potential risks associated with CMPF

☒ Prohibition of specific chemicals that should not be present in food if it is determined that they may migrate into food and present a significant risk

☐ Prescriptive regulatory requirements for CMPF to address identified risks (e.g. maximum limits, migratory limits)

☒ Recognition of other countries' approaches and/or requirements used to mitigate risk and adopting these for use in Australia/New Zealand.

☒ Use of certificates of compliance confirming that packaging and packaging inputs adhere to a specific CoP, industry standard or regulation

☐ Instructions in the form of labelling requirements to mitigate risks at the consumer level (e.g. preparation instructions).

☒ Introduction of a post-market incident response mechanism (for example, to review poor or lack of application of Good Manufacturing Practice (GMP)).

☐ Establishment by packaging and food manufacturing companies of internal specifications and due diligence systems for packaging supply/use.

☐ Other

**Question 7** (refer to p. 14)

**Is information readily available on whether or not food packaging (including for home brand products) is made from recycled materials?**

☒ No

☐ Yes

*Please expand on your response*

Upstream suppliers have no influence on recycled labelling by downstream customers. Information is available to downstream manufacturers, but not necessarily to end consumers.

**Question 8** (refer to p.14)

**If yes to Question 7, how do you ensure that packaging manufactured from recycled materials does not contain chemicals that could migrate into food at levels of potential concern?**

☐ In-house testing

☐ Request Declaration of Compliance

☐ Auditing of supplier

☒ Other (please specify)

3<sup>rd</sup> Party testing. Materials manufactured with recycled components may have differing end uses (e.g. dry foods only).

**Question 9** (refer to p.16)

**If you are a packaging or food manufacturer, or industry body, is using another countries' legislation (eg US/EU) suitable to ensure compliance with your customer's needs?**

☐ No

☒ Yes

*Please expand on your response*

US and EU

**Question 10 (refer to p.16)**

**In your experience, do the EU or US requirements or guidelines and other CoPs adequately manage risks from CMPF from all recycled materials?**

☐ No

☒ Yes

*Please expand on your response*

Although EU or US requirements or guidelines adequately manage risks from CMPF from all recycled materials, it is not clear that all end users use products as recommended by upstream manufacturers.

**Question 11 (refer to p.17)**

**What would you see as the advantages and disadvantages of a co-regulatory approach to managing CMPF?**

Advantages

Government, industry and NGO would have regular input in a changing environment to adopt a common approach.

Disadvantages

Australia may be misaligned from overseas requirements and common practices.  
Difficulty of small manufacturers and businesses to understand the needs and obligations.

**Question 12 (refer to p.17)**

**Does the Australian Standard for Plastic Materials for Food Contact Use – AS2070-1999 supply useful guidance to industry?**

☒ No

☐ Yes

*Please expand on your response*

AS 2070-1999 does not apply to paper products.

**Question 13** (*refer to p.17*)

**Are there other pertinent industry standards (Australian/New Zealand or International) that you reference and adhere to regularly?**

☐ No

☒ Yes

*Please expand on your response*

USFDA, BfR Recommendation XXXVI, REACH, RoHS, Californian Proposition 65, CONEG
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**Question 14** (*refer to p.18*)

**Would you see benefits if a more prescriptive approach to packaging regulations were introduced?**

☐ No

☒ Yes

*Please expand on your response*

Ensure safety of all imported products. Guideline to small converters on their obligations All businesses would be using a common approach.
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**Question 15** (*refer to p.18*)

**Regardless of whether you buy or manufacture packaging, do you have a food safety or quality management program for that packaging?**

☐ No

☒ Yes

*Please expand on your response*

A system of management only allows approved additives to be included in the manufacture of paper products.
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**Question 16** (*refer to p.18*)

**What are the key elements pertaining to chemical migration from packaging of this program (if you have one)?**

**For example, do you comply with a code of practice(s) or a specialist customised in-house program.**

- ☒ Comply with requirements in Australia New Zealand Food Standards Code
- ☐ Comply with AS 2070-1999
- ☐ Comply with Good Manufacturing Practice
- ☐ Comply with EU regulations
- ☐ Comply with US regulations
- ☐ Comply with CoP (if so, which?)
- ☒ Comply with customised in-house program
- ☐ Ensure through chain product stewardship
- ☒ Other

Customised in-house program is guided by USFDA and BfR Recommendation XXXVI

**Question 17** (*refer to p.18*)

**As a food business, what quality assurance and quality controls do you currently use to mitigate risks from CMPF? Please provide examples.**

Quality Assurance

BfR Recommendation XXXVI testing of paper products every two years.

Quality Controls

Good Manufacturing Practice procedure.  
Only approved additives are included in the manufacture of paper products.

**Question 18** (*refer to p.18*)

**As a food business, do you have in-house technical capacity or expertise related to packaging?**

- ☒ No
- ☐ Yes

*Please expand on your response*

Paper manufacturer.

**Question 19** (*refer to p.18*)

**As a packaging manufacturer/converter/supplier (including packaging importer), if you print on the materials that you produce, do you have a quality assurance and quality control system (or similar) which includes printing inks and related products (eg. resins, adjuvants, mineral oil) ?**

☒ No

☐ Yes

Please expand on your response

Paper manufacturer, not a packaging manufacturer.

**Question 20** (*refer to p.18*)

**As a packaging manufacturer/converter/supplier (including packaging importer), do your quality assurance/quality control systems consider the end uses of the packaging ?**

☐ No

☒ Yes

Please expand on your response

As a paper manufacturer, we provide recommended uses for our paper product to downstream packaging manufacturers, based on raw material inputs and BfR Recommendation XXXVI testing of paper products every two years.

**Question 21** (*refer to p.18*)

**As a packaging manufacturer/converter/supplier (including packaging importer), do you always prepare a Declaration of Compliance with existing legislation in order to meet your customers' needs?**

☐ No

☒ Yes

Please expand on your response

As a paper manufacturer, we provide a food contact statement referencing relevant legislation and standards, e.g. "This product complies with the Australia New Zealand Food Standards Code Standard 1.4.3 "Articles and Materials in Contact with Food". This product complies with either European Regulation (EC) No 689/2008 or USFDA Chapter 21 Code of Federal Regulations (CFR) sections 170 to 199."

**Question 22** (*refer to p.18 and SD3*)

**As a packaging manufacturer/converter/supplier (including packaging importer), as a result of international responses to issues with CMPF (eg. di-2-ethylhexyl adipate (DEHA)), and management measures undertaken by overseas manufacturers (eg. reformulation), have you adopted similar mitigation measures?**

☐ No

☒ Yes

Please expand on your response

We manufacture a range of part recycled grades and virgin grades to meet market requirements.

**Question 23** (*refer to p.18 and SD3*)

**As a packaging manufacturer/converter/supplier (including packaging importer), are you aware if semicarbazide is still used in manufacturing of food packaging materials in Australia and/or New Zealand?**

☒ No

☐ Yes

*Please expand on your response*

**Please detail any other comments you have on the Consultation Paper and the issues raised:**

**Downstream manufacturers need to be better aware of their food safety requirements and use input materials only as recommended in appropriate food contact statements from their upstream suppliers.  
Imported converted packaging should comply with food standards requirements in Australia.**

